The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שפ"ז סעיף א'

Overview

Siman 387 Seif 1:

Those who make a *shituf* in the *mavoi* must make an *eruv* in their yard so that the children should not forget the laws of *eruv* since they are unaware of what happens in the *mavoi*. Therefore, if they made a *shituf* in the *mavoi* with bread, they may rely on it and it is not necessary to make an *eruv* in the yard since the children are familiar with bread. Some maintain that if each yard does not make its own *eruv* they may not rely on the *shituf* but if each yard did make their own *eruv* and then merged with a *shituf* but did not make an *eruv* via the entrances that connect them, they may use the yards of the *mavoi* via the entrances since they may rely on the *shituf* in place of the *eruv*. If they made *eruvin* via those entrances but did not merge in the *mavoi*, they may use the yards in the *mavoi* since they may rely on the *eruv* of the yards via the entrances in place of a *shituf*. Some maintain that they may rely on the *shituf* in place of the *eruv* even if the *shituf* was made with wine. Similarly, they may rely on the *eruv* in place of the *shituf*. Above in *siman* 366:7 I wrote that our custom, *l'chatchila*, is to make only a *shituf* with flour and it appears to me that the reason is that our *eruv* into which everyone contributes for the *shituf* counts as an *eruv* and *shituf* combined and *l'chatchila* nothing else is required. The requirement to make both a *shituf* and *eruv* applied in the time of the Gemara where the members of the yard did not contribute to the *shituf*; rather the members of the yard joined in an *eruv* and then one of the members of the yard joined the *shituf*. Nowadays, everyone makes just a single *shituf* and if they make more and recite the accompanying *beracha* it constitutes a *beracha l'vatalah*.

- Shulchan Aruch refers to where foods other than bread were used. (M.B. 1)
- Since bread is essential to life they are aware when it is used. Shulchan Aruch refers to where the bread was stored in a house in the yard and was whole since otherwise it would be ineffective. (M.B. 6)
- The *shituf* combines the yards with the *mavoi* but does not join the houses to the yard. (M.B. 7)
- Meaning, it is permitted to transport objects that began in the house from one yard to another. (M.B. 8)
- Although an *eruv chatzeiros* must be made with bread, in this instance since it is valid for the *shituf* it is valid for the *eruv* as well. (M.B. 9)
- Our custom is to just make a *shituf*. (M.B. 11)
- We rely on the first opinion that even if the yards did not make an *eruv* but they merged together with bread by making a *shituf*, it is effective and an *eruv* is not necessary. It is preferred to verbalize when making an *eruv* that it should be effective for a *shituf* as well and by doing so, one satisfies all opinions. (M.B. 12)

Halacha Highlight

Using a *shituf* as the *eruv*

Shulchan Aruch Siman 387 Seif 1
אם נשתתפו במבוי בפת
If they made a *shituf* in the *mavoi* with bread

Shulchan Aruch and Rema discuss whether the making of a *shituf* will not only permit transporting objects that began Shabbos in a house from one yard to another via the *mavoi*, but will it also permit transporting objects from houses to yards. The first opinion cited by Shulchan Aruch maintains that if the residents of the *mavoi* make a *shituf* with bread it is not necessary for them to make an *eruv* and will be permitted to transport objects from the houses to the yards. However, if the *shituf* was made with other types of foods or beverages, it cannot replace the *eruv*. Biur Halacha (ד"ה שסומכין) cites dissenting opinions whether according to this position an *eruv* could also serve in place of a *shituf*. The second opinion cited by Shulchan Aruch maintains that a *shituf* does not permit transporting objects from homes to the yard unless each yard made their own individual *eruv* (without all the yards making a single *eruv*) and then a *shituf* was made. In such an instance, the *shituf* will permit transporting objects from one yard to another despite the fact that the yards did not make an *eruv* with one another.

Rema presents a third opinion that maintains that even if the *shituf* was made with wine, it obviates the necessity for an *eruv* and permits transporting objects from the homes to the yards. His reasoning is that since nowadays everyone contributes food, it is considered as though they made a combination *eruv* and *shituf* together. Mishnah Berurah (ס"ק י"ב) writes that we rely essentially on the first opinion in Shulchan Aruch that if the *shituf* was made with bread there is no requirement to make an *eruv*. However, he adds that it is preferred to verbalize that one is making the *eruv* for the sake of the *shituf* as well. Chazon Ish (או"ח סי' צ' ס"ק י"ז) notes that the wording is not precise and what Mishnah Berurah intent is that when making the *shituf* one should verbalize that it should count towards the *eruv* as well.