The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שצ"ה סעיף א'-סימן שצ"ו סעיף ב'

Overview

Siman 395 Seif 1:

It is a *mitzvah* to make a *shituf* and one recites the *beracha* על מצות ערוב and declares, "With this *shituf* it is permitted for the residents of the yard to transport objects from their yards to the *mavoi* (and from there to houses) **on Shabbos. The *beracha* is recited when the food is collected from the members of the *mavoi* or when ownership of the food is conveyed to them.** If the food was collected for the *eruv* and they forgot to recite the *beracha* it is a valid *eruv* since the *beracha* is not essential.

- The term *eruv* is also appropriate for a *shituf*. (M.B. 2)
- Meaning from the *mavoi* to the houses and yards. Rema refers to the *halacha* that permits one to rely on the *shituf* without having to make an additional *eruv*. (M.B. 3)
- The same is true if he did not recite the appropriate declaration. (M.B. 5)

Siman 396 Seif 1:

The *pasuk* שבו איש תחתיו teaches that each person is assigned four *amos*, even if he travelled beyond the *techum*. It is measured according to each person's height but for people with dwarf limbs we measure using an average *amah* which are six *tefach amos*. We use wide *amos* for this measurement and the person is in the middle. Some maintain that he may walk four *amos* in each direction but may only transport objects a total of four *amos* including the diagonal as explained above in *siman* 349.

- Meaning, he is average height but his limbs are dwarfed. (M.B. 4)
- Each person is assigned a four *amah* square in front of him which includes the diagonal which adds an additional *amah* and three-fifths. (M.B. 6)
- The words והוא באמצען should appear after the words לכל צד. (M.B. 7)
- According to the first opinion he is assigned four *amos* in the direction he chooses and when he chooses one direction he may not go in the opposite direction. According to this opinion he is assigned four *amos* in each direction constituting an eight *amah* square. (M.B. 8)
- Elya Rabba writes that one may rely on this opinion. (M.B. 9)
- The dissenting opinion differs only with regards to walking but regarding transporting objects, all opinions agree that it is only permitted up until four *amos* including the diagonal. All opinions agree that once he chose four *amos* he is assigned the diagonal as well, totaling more than five *amos*. (M.B. 10)

Siman 396 Seif 2:

If the place where one is when Shabbos begins was enclosed for residential purposes, even if currently there are no residents, it is considered four *amos*. If the area was not enclosed for residential purposes, up until two *beis seah* is considered four *amos*. Even if he took residence on a large mound or in a field of harvested stalks of grain surrounded by standing stalks, up until two *beis seah* is considered four *amos*.

- Two thousand *amos* are measured from beyond that place. (M.B. 13)
- If the enclosure was greater than two *beis seah* he is only assigned two thousand *amos* from the four *amos* where he is located when Shabbos began. (M.B. 14)
- The stalks must be bound together so that the wind does not blow them since a blowing partition does not qualify as a partition. (M.B. 16)
- Although a mound does not have partitions at the top, it is considered surrounded by partitions since it is ten *tefachim* tall. (M.B. 17)

Halacha Highlight

The *mitzvah* to make an *eruv* and the intent of the *beracha*

Shulchan Aruch Siman 395 Seif 1
ומברך עליו על מצות ערוב
And we recite על מצות ערוב

Shulchan Aruch (סי' שצ"ה א') writes that it is a *mitzvah* to make sure that there is a *shituf* for a *mavoi*. The reason why this is important is that people may forget that it is Shabbos and will violate the prohibition against transporting items. Teshuvas HaTashbatz (ח"ב סי' ל"ז) writes that were it not for the fact that Torah scholars are occupied with their studies, it would be appropriate for them to make sure that an *eruv* or *shituf* is in place and those who hesitate to become involved are simpletons (הדיוטות) since it is a great merit to make an *eruv* to assure that people do not violate Shabbos. Interestingly, Kaf HaChaim (אות א') writes that although it is a *mitzvah* to make an *eruv chatzeiros* or a *shituf* there is no *mitzvah* to make an *eruv techumin*. The reason is that an *eruv chatzeiros* or *shituf* is effective at preventing a desecration of Shabbos and there is no pitfall that could be created by making them. In contrast, when making an *eruv techumin* one runs the risk of going outside of the *techum* in the other direction. For that reason it is only made when necessary to fulfill a *mitzvah*.

Shulchan Aruch also writes that the *nussach* of the *beracha* is על מצות ערוב. Chasam Sofer (או"ח סי' צ"ט) explains that the intent is that we were commanded to make a rectification to prevent desecrating Shabbos. He further emphasizes that the intent is not that we were commanded regarding the prohibition of transporting objects on Shabbos for if that were the intent, it should be phrased in the negative, e.g., ואסר לנו את ההוצאה. Additionally, there is no reason to think that Chazal would compose a *beracha* that addresses this *melacha* as opposed to other *melachos*.