The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקכ"ז סעיף ז'-ט'

Overview

Siman 527 Seif 7:

It is a *mitzvah* for each person to make an *eruv*. It is also a *mitzvah* for the leader of the city to make an *eruv* on behalf of the residents in town so that people who forgot, could not make *eruv* or lost their *eruv* should rely on his *eruv*. (It also covers one who is ignorant and does not know to make an *eruv*.) **However, one who could make an *eruv* but does not, intending to rely on the *eruv* made by the leader of the city is considered negligent and may not cook relying on the leader's *eruv*.**

- The allowance works the first time but if he forgets a second time he is considered negligent. (M.B. 22)
- The same applies to one who thought that one may *l'chatchila* rely upon the rov's *eruv*. (M.B. 24)
- Chazal enacted that each person should make his own *eruv* so that he should recall that it is prohibited to cook on Yom Tov for Shabbos and certainly on Yom Tov for a weekday. (M.B. 25)
- Many authorities disagree and maintain that one may *l'chatchila* rely on the rov's *eruv* since leaders intend to convey ownership of their *eruv* to everyone. According to these authorities the one who may not rely on the rov's *eruv* is one who regularly makes his own *eruv* and then forgot to do so a couple of times. It is possible that *b'dieved* one may rely on those authorities in order to assure *simchas* Yom Tov. (M.B. 26)

Siman 527 Seif 8:

When making an *eruv* for others it is not necessary to specify each person's name, rather it may be made on behalf of everyone and anyone within the *techum* may rely upon it. However, one who is outside the *techum* may not rely upon it, even if he made an *eruv techumin* and can travel to this town unless the one who made the *eruv* had him in mind specifically.

- It is not necessary to specify others when he recites the *beracha* nor when he makes the declaration. (M.B. 27)
- However, if one does not make an *eruv techumin* he may not rely on the rov's *eruv* since he cannot travel on Yom Tov to access the food. (M.B. 29)

Siman 527 Seif 9:

The one making the *eruv* must have the others in mind but the intent of the one's for whom the *eruv* will be made is not necessary. It is sufficient to inform them on Yom Tov before they begin cooking for Shabbos. If the rov normally makes an *eruv* for them, they may rely upon it without any specific intent.

- If one finds out that someone else including him in his *eruv* he may rely upon it even though he was not consulted when the *eruv* was made. (M.B. 31)
- There is a disagreement whether one may rely upon the declaration that is made when one makes an *eruv* that includes everyone if people who make an *eruv* do not convey ownership of the food to others. (M.B. 32)

Halacha Highlight

Travelling beyond the *techum* after making an *eruv*

Shulchan Aruch Siman 527 Seif 8
וכל מי שהוא בתחום העיר יוצא בו
And anyone who is within the *techum* is included

Shulchan Aruch (סע' ח') rules that when making an *eruv* for others it is not necessary to specify all those people that one wishes to include. One makes a general declaration for all of the local residents and anyone who lives within the *techum* is included. Rema further explains that those that live beyond the *techum* are not included even if that distant person made an *eruv techumin* so that he will be able to travel to the place where the person made an *eruv tavshilin*. If one intends to include someone beyond the *techum* it is necessary for the one making the *eruv* to specify that person.

Sefas Emes (ביצה ט"ז: ד"ה בגמרא וכמה) questions the effectiveness of an *eruv* that one made where he lives and subsequently travelled beyond his *techum* before the onset of Yom Tov. May he cook on Yom Tov for Shabbos relying on his *eruv* that is now beyond his *techum*? Rav Shlomo Zalman Auerbach (שלחן שלמה ס"ק י"א) contends that the *eruv* will not permit him the cook on Yom Tov for Shabbos. He considers travelling beyond the *techum* to be comparable to an *eruv* that becomes lost and thus ineffective to permit cooking. If one returns to within the *techum* it is as if the lost *eruv* was found and he may cook on Yom Tov for Shabbos. Rav Shmuel HaLevi Wosner (שו"ת שבט הלוי ח"ח סי' קכ"ב) suggests that one may not convey ownership of the *eruv* to another person who is beyond the *techum* but it will be effective for the person who made the *eruv* even if he subsequently travels outside of his original *techum*. Since he made the *eruv* before Yom Tov it is considered as though he began his Shabbos cooking at that time and the fact that he travelled beyond the *techum* should have no negative consequence as long as the food remains intact. Although he writes that *l'chatchila* one should adopt a stringent approach to the matter, *b'dieved*, there is room for leniency.