



Parshas Achrei Mos/Kedoshim 5762

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Is one permitted to use a hammer to crack open a nut?

This brings us to the next *muktze* category called *k'li she'mlachto l'issur*. A *k'li she'mlachto l'issur* is defined as a *k'li* generally used for actions that are prohibited to be done on Shabbos. A hammer, for example is used for hammering nails into wood, which involves an *issur* either of *Boneh* – Construction, or of *Makeh B'patish* – Applying the Finishing Touch.

The *halacha* applicable to this category is that if the *k'li* is needed (for something permissible – of course), it may be used. The term used is *l'tsorech gufo* – for use of itself. Therefore, if one needs the hammer to crack open nuts, one may use it. If a screwdriver is needed to pry open a jammed lid, one may. Before one wishes to use a *k'li*, one must be sure that the particular *k'li* belongs in this category of *muktze*. As we learned in the previous sheet, a *k'li* that is *muktze machmas chisaron kis* may not be used *l'tsorech gufo*, as it is totally *muktze*.

If I have a nutcracker, may I nevertheless use a hammer?

The *Mishna Berura* says ¹ that one may only use a *k'li she'mlachto l'issur* when no other *k'li* is available. Accordingly, if you have a nutcracker, you should not use a hammer. If a knife will pry open the jar, do not use a screwdriver.

¹ *Simon* 308:12.

This appears to be a matter of availability. If your neighbor has a nutcracker, you would not be required to borrow it from him, and you may use the hammer. If however, the nutcracker requires a little searching for, it is debatable.

If a screwdriver is occupying my chair, may I remove it?

Another application of this category is that if a *k'li she'mlachto l'issur* is occupying space needed for one's use, it may be moved. If a writing pen, for example, is on a chair needed for sitting on, it may be relocated.

Once it is removed from the chair and is still in my hands, may it be placed where it belongs or must it be put down as soon as possible?

The *Shulchan Aruch* ² rules that the item may be placed wherever the person wants to put it.

If one lifted a muktze item when he was not allowed to, must it be put down as soon as possible, or once it is already in one's hand, may it be put wherever he wants?

This question can be divided into two parts. 1) Does this permit apply to sticks and stones as well (other *muktze* categories)? 2) If a *k'li she'mlachto l'issur* was accidentally picked up, may one continue with it to wherever he wants?

² *Simon* 308:3.

The *Magen Avraham*³ holds that this is a general permit for all *muktze* items. I.e. if a *muktze* item was lifted, it may be placed anywhere. The *M"b*⁴ however, says that the *poskim* disagree and ruled that this leniency applies solely to the category of *keilim shem'lachtam l'issur*. In other words, if an expensive camera was unintentionally picked up, it must be put down immediately. If one lifted a stone and remembered that there is no *heter* to move it at all, it must be dropped there and then.

As for the second issue, the Vilna Ga'on holds that the *heter* of placing items wherever one chooses applies only if the item was lifted up when it was permitted to do so. If, however, a *k'li she'mlachto l'issur* was lifted absentmindedly, or when there was no *heter* to do so, it must be put down there and then.

Vort on the Parsha

Parshas Kedoshim, which opens with the instruction "**to be holy**", does not demand us to cut ourselves off from the world. Rather the Torah tells us to fear our parents, and almost immediately afterwards we are ordered not to steal, not to lie to fellowmen, and to pay our employees before sunrise of the morrow.

This illustrates that holiness applies also to the way one treats and behaves with others and not only to spiritual matters.

Harav Sternbuch shlita brings a story of R' Zusha who happened to come by a large sum of money, and handed it to his rebbetzin so that she could order a wedding dress from the tailor for their daughter.

³ See *Sba'ar Ha'tsiun* 308:14.

⁴ *Simon* 308:13.

While sewing the dress, the tailor's future son in law saw the dress and was sure it was for **his** bride, until the tailor told him that they could not afford such a dress, which caused much distress to the unfortunate future son in law.

Upon hearing that, the rebbetzin told the tailor to keep the dress for his daughter. When she came home and related the story to R' Zusha, he ordered her to return immediately to the tailor and pay him for his work, saying, just because you decided to give him the dress as a present, does not relinquish your obligation to pay him, as was arranged!

Food For Thought

If a hammer is getting wet in the rain, may one bring it inside?

An expensive camera was left outside on the porch. May I bring it inside?

A mezuzah fell out of its case. May it be picked up? Put back into the case?

Am I permitted to lean onto something muktze? Touch it?

Answers coming next week.

Iggeres HaGra - (part 18)

Do not give less, as I have already warned you, because that causes the transgression of several positive and negative mitzvahs every minute! It also implies a rejection of the Holy Torah, G-d forbid.

But the main way to merit Olam Haba is by guarding one's tongue. That is worth more than all the Torah and good deeds.

In memory of Steven Kitay a"h whose passing leaves all the lives he touched with an indescribable void.

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Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.