



Parshas Behar/Bechukosai 5762

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May a broken k'li be handled/moved?

If a *k'li* breaks on Shabbos, it will not be *muktze* if it is used to fulfill a certain function. This applies even if the *k'li* cannot operate in the same manner as it did before. For example, a jug that was used for storing liquids and cracked (even on Shabbos), if from now on it will be used as an ornament it is not *muktze*.¹

However, if it broke in such a way that it is useless and such a *k'li* is usually discarded, it is *muktze*.² Therefore, if a plate broke in half on Shabbos it is *muktze*, because nowadays a broken plate serves no purpose. In the time of *Chazal*, broken items were utilized for covering bottles, bowls etc, and therefore broken items were far from becoming *muktze* on Shabbos. In contemporary times, however, we are fortunate to have aluminum foil, plastic wrap etc, which perform those functions, and hence we have no use for most broken items.

What if the broken k'li can perform a certain function, but the owner discarded it on Shabbos? Does it become muktze?

A broken *k'li* that can perform a certain function, as mentioned, is not *muktze*. However, if the owner discarded it before Shabbos it becomes *muktze* and may not be moved. This is because a certain consensus exists as far as broken items are concerned,

¹ *Simon* 308:6.

² *M"B simon* 308:58.

and therefore even though it still has some use, if it was discarded before Shabbos it is *muktze*. Accordingly, if one walks by a communal garbage on Shabbos and sees a broken chair, even though he has use for such a chair it is *muktze*.

If however, it was discarded on Shabbos, since it was considered a *k'li* at the onset of Shabbos, it does not lose its status.³ The above-mentioned chair would not be *muktze* in this case. See footnote.⁴

What if the k'li has a use but one does not know whether it was discarded before Shabbos – and is muktze, or discarded on Shabbos and is not muktze?

The *Bi'ur Halacha*⁵ quotes R' Akiva Eiger who is indecisive in this matter, but adds that if the item was found in the street it is not *muktze*. This is because a) it may have broken on this very spot and not been discarded at all (we are referring to a *k'li* that is used even in its broken state), b) it may have been discarded on Shabbos (which does not become *muktze*).

If a pair of good shoes was discarded before Shabbos, do they become muktze?

³ *M"B* 308:32.

⁴ Certain stipulations apply to broken *keilim*, namely if they can be easily repaired, they would be *muktze* as a *g'zeira* (Rabbinical decree) lest one repairs them. If, for example, a leg of a chair disjoined, a rav should be consulted, because the chair itself (in certain cases) becomes *muktze*. This belongs to *se'if* 16.

⁵ *Simon* 308:7 “*mib'od yom*”.

In this case we are not talking about broken *keilim*, rather an undamaged *ke'li* was discarded before Shabbos. Here the *halacha* is that since it is abnormal to discard decent looking items, the *ke'li* does not forfeit its status as a *ke'li*, and is not *muktze*.⁶ Accordingly, if one sees a chair placed next to the garbage, even though the fabric is faded, it is not *muktze* because it is still considered an unbroken *ke'li*.

May one move shards that present a potential hazard?

Shards of glass are usually *muktze* due to the potential damage they may inflict and hence people do not use broken glass as *keilim*. If however broken glass is in one's home or in the street, it is permitted to move it out of the way even with one's hands, because of the potential danger.⁷ As for carrying the shards in the street when there is no *eiruv*, see *simon* 308 *se'if* 18. The *Mishna Berura*⁸ adds that shards of clay do not present a threat and therefore may not be handled. They may however, be gathered up with a broom and dustpan,⁹ but not with one's hands. Plastic dishes would be more applicable to us, and therefore broken plastic, when it does not pose as a threat, is *muktze* and should not be gathered with one's hands.

Vort on the Parsha

Hashem has warned us not to lend money to our fellow Jews on interest. One of the

⁶ *M"B* 308:51.

⁷ *Simon* 308:6 in the *Rama*.

⁸ *Simon* 308:30.

⁹ This is called *tiltul min batzad l'tsorech davar hamutar*.

explanations given is that a person's livelihood depends on many factors; whether it is rain for the farmer, customers for the shopkeeper etc. A person is thus propelled to turn to Hashem and entreat Him to send one's sustenance. Money earned on interest however, is a guaranteed income (unless the borrower shirks his duty to repay), and one is not compelled to turn to Hashem for assistance. The *K'sav Sofer* says that this is why the Torah associated money interest with the Land of Israel. Many lands are water rich and the inhabitants do not have to turn to Hashem to pray for their existence, whereas Eretz Yisrael "drinks water from the rains of the heavens" dependent on Hashem's mercies. It is in the Holy Land where we must continually turn to Hashem, which in itself is one of the blessings of the Land.

Food For Thought

Is one permitted to use a needle in order to remove a splinter?

If the wheel of a baby carriage came off, does the carriage become muktze?

A leg of a chair came out; may one sit on the chair?

The stick of the broomstick came out, is one permitted to put it back?

Answers coming next week.

Iggeres HaGra - (part 20)

So is he who merely reads Mussar like him who plants without a fence; pigs will eat and trample on everything. Some plant on stone. This is comparable to a heart of stone which cannot be penetrated unless it is struck until it breaks open.

In memory of the Israeli Soldiers who gave up their lives in the Operation Defensive Shield.
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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.