

# THE SHABBOS WEEKLY

## HALACHA SERIES ON HILCHOS SHABBOS

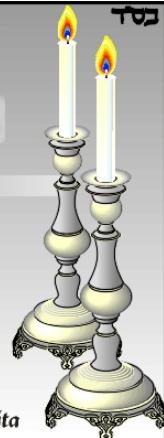
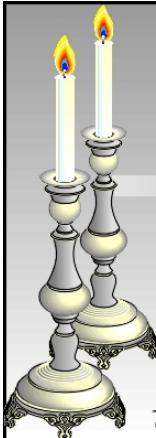
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*If a child got locked in a room is one permitted to break the door?*

The *gemora Yuma* 84b says that if a child got locked behind a door one may break down the door even if it involves a biblical prohibition. The *gemora* says that even if one needed the splinters for firewood and is cutting the door in a manner which will thus benefit him, it is permitted. The *Sha'ar Ha'tsiun* 328:17 says that obviously one must break the door in the quickest method possible. He may therefore not cut the door in a manner benefiting him if it requires doing more actions.

The *Aruch HaShulchan* asks how the *gemora* can permit such a method of cutting when one can simply break down the door. He answers that it would frighten the child. We see from here that leaving a child behind a locked door involves *pikuach nefesh* and everything must be done to release him from his prison.<sup>1</sup>

*A door came off its hinges into my hands, am I permitted to return it?*

Although a door revolves on its hinges, in the eyes of the *halacha* it is static, being that it is not carried from place to place.<sup>2</sup> That does not mean that one is forbidden to open or shut a door, it means that if it came off it is *muktze*.

Removing the door from its hinges on Shabbos is forbidden because of *Soter* – Dismantling, but if it did happen, then A) one is forbidden to place it on its hinges, due to the biblical prohibition of *Boneh* – Construction, B) the door is *muktze*.<sup>3</sup>

*What then, am I supposed to do with the detached door?*

Since it is *muktze* it may not be moved from place to place and ideally it should be left exactly where it is. However, if it poses a threat because either people might trip over it or it might fall onto someone; it may be relocated elsewhere until out of harm's way.<sup>4</sup>

*If the mechitza – screen between the men and the women fell down, is one permitted to stand it up again?*

This *halacha* is based on a few factors. One is biblically forbidden to erect a permanent tent on Shabbos, even if he does not thrust pegs into the ground or knot rope to hold up the tent. The prohibition is based on the *melacha* of *Boneh* – Construction and tent building is included. *Chazal* were afraid that if one were to erect a temporary tent it would lead him to construct a permanent one, and hence instituted a *g'zeira* (rabbinical prohibition) forbidding the erection of even a temporary tent.<sup>5</sup>

<sup>1</sup> See *M"B* 328:38.

<sup>2</sup> *Simon* 308:9.

<sup>3</sup> See *simon* 308:6 which deals with broken glass.

<sup>5</sup> *Shabbos* 125b.

*Tosefos*, in *Shabbos* 125b, says that a screen or partition does not fall into this category unless it creates a *halachik* wall (which will soon be explained). The *Mishna Berura*<sup>6</sup> teaches us that one may erect a screen used for separating between men and women at a *shiur*, provided that it is temporary, otherwise it will fall into the category of *Boneh*.

**What is the halacha with regards to setting up a screen to block out the sun?**

If the erected screen is temporary and no nails/screws etc were employed to set it up, it is permitted. Blocking out the sun is not a *halachik* screen either.

**What then, is a halachik screen?**

A *halachik* screen creates an entity where without this partition a certain *halachik* requirement would be lacking.<sup>7</sup>

For example: a kosher succah is comprised of three walls. One is forbidden to add a third wall to two existing ones, even if the third wall would be a temporary screen, because the third wall ‘creates’ a succah and without this wall the succah is not a kosher succah.

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### **Vort on the Parsha**

The *posuk* says that Avraham Avinu performed his very own circumcision in the middle of the day (17:26). Would it not have been more significant to have performed the *Bris* at sunrise, to demonstrate his eagerness to perform the *mitzvah*?

Rav Sternbuch Shlita answers that a *Bris* is different from other *mitzvos* in a way that our covenant with *Hashem* should be done with

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<sup>6</sup> *Simon* 315:7.

<sup>7</sup> See *simon* 315:1.

as much publicity as possible. We are not ashamed of our heritage and it is through the *Bris* that this is firmly established. This will explain why *Hashem* appeared to Avraham in the Plains of Mamre, because it was he that advised Avraham to perform the *Bris* publicly, being that a covenant with *Hashem* must not be concealed, unlike the advice given by Avraham’s other friends who advised him either not to listen to *Hashem* or at least keep it a secret.

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### **Food For Thought**

*If a baby's crib is outside and the sun is disturbing him am I permitted to cover the crib with a blanket?*

*What is the correct method for covering a crib?*

*Is one permitted to open the canopy attached to a baby's stroller (pram)?*

*I want to prepare a tarpaulin to cover my succah to prevent rain from entering, how is it done?*

Answers coming next week.

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Dedicated in memory of the first yahrtzeit of Maran HaRav Elozor Menachem Mann Shach, zt"l - 16<sup>th</sup> of Cheshvan.

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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*.