

THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

Published by



These halachos were shown by Rabbi Ostroff to HaGaon HaRav Moshe Sternbuch, shlita

based on the shiurim given by

RABBI DOVID
OSTROFF shlita

developed from the Chabura of the
Shulchan Aruch Project

Parshas Vayakhel/Pekudei 5766

What is the halacha with regards to a tablecloth with candlesticks thereon?

As explained in previous shiurim, the table and tray sporting candlesticks turn into a *basis l'davar ha'assur* (a base for the *muktze*) and may not be moved during the entire Shabbos. The tablecloth however, is somewhat different.

Seeing that the tablecloth is spread to decorate the table and not to 'uphold' and serve as a base for the candlesticks, there is room to say that the tablecloth is not a *basis l'davar ha'assur*.

Based on the *Mishna Berura*¹ the section beneath the tablecloth is a *basis l'davar ha'assur* but the rest of the tablecloth is not. Practically, one may shake any part of the tablecloth that is not beneath the candles.

When necessary (e.g. wine has spilled on the tablecloth) one may rely on *poskim* who learn that even the section beneath the tablecloth is not a *basis l'davar ha'assur*.²

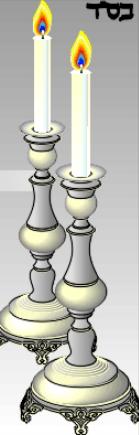
Why would the section beneath the tablecloth not be a basis l'davar ha'assur?

One reason mentioned above is that the tablecloth "serves" the table and not the candles. This is based on the understanding that a *basis l'davar ha'assur* is created when a permitted item is used to 'serve' the *muktze*, which in this case is not entirely true.

Another reason cited by the *Shulchan Aruch HaRav* and *Beis Meir* is that the candles are placed to illuminate the table and are on the tablecloth for lack of choice.

¹ *Shimon* 309 *Sha'ar ha'Tsiun* 24, where he cites the *Beis Meir*, *Shulchan Aruch HaRav* and other *poskim*.

² *SS"K* 20:60 and footnote 223.



March 24, '06

Volume V Issue 19

Indeed the *K'tzos haShulchan*³ states that they are one of a kind, based on the concept that a *basis l'davar ha'assur* applies only to items that serve the *muktze* and not when they happen to be there.

What are the remaining rules of basis l'davar ha'assur?

We have learned 3 rules, in brief:

Rule #1 – the *muktze* is placed on the *heter* with consent of the *heter*'s owner.⁴

Rule #2 – *Muktze* was intentionally placed on the *heter*.⁵

Rule #3 – the *heter* must serve the *muktze*.

Rule #4 – *Muktze* was placed on a *heter* intending it to remain the entire *bein hashmashos* (twilight – from sunset till stars out) and it was there for that period.

Intention – if one intended to remove the *muktze* from the *heter* during *bein hashmashos*,⁶ either by a gentile or through tilting, the *heter* will not transform into a *basis l'davar ha'assur*.⁷

Likewise, *muktze* placed on a *heter* without mentally specifying that it will remain there for *bein hashmashos* and was forgotten, will not be a *basis l'davar ha'assur*.⁸

³ *Simon* 112:7 and footnote 11.

⁴ *Simon* 309:4 in the *Rama*.

⁵ *Simon* 309:4.

⁶ *Sha'ar ha'Tsiun* *simon* 309:20.

⁷ *SS"K* 20:53.

⁸ *M"b* *simon* 309:18 cites a *machlokes* between the *T'rumas haDeshen* and the *Beis Yosef*, where the *T'rumas haDeshen* holds that *muktze* placed on a *heter* on **Friday** is similar to intending it to be there *bein hashmashos* (one knows it's Friday and is aware that it can become a *basis l'davar ha'assur*) and the *Beis Yosef* holds that Friday is like any other day and intention is paramount.

Present – the *muktze* must be on the *heter* for the entire *bein hashmashos*.⁹ If not present on the *heter* for that period, even though one intended it to be there it will not be a *basis l'davar ha'assur*.

What is the reason for this condition?

The *Afikei Yam*¹⁰ explains that an item not prepared for Shabbos is *muktze* and *bein hashmashos* is the onset of Shabbos. As such, anything not prepared during that period remains *muktze* for the entire Shabbos.

What if muktze was on a heter during Shabbos but not during bein hashmashos?

The *heter* will not become a *basis l'davar ha'assur*. One may tilt the *muktze* from the *heter* and carry the *heter* at whim. *Basis l'davar ha'assur* is only determined during *bein hashmashos*.¹¹

What is the next rule?

Rule #5 – The *muktze* must be of minimal importance.¹²

Consequently, 5 cents on a table will not render the table a *basis l'davar ha'assur* because it is of no importance and nobody views the table as "serving" such a trivial amount. Likewise, *muktze* items in a drawer but are of little value, might not render it a *basis l'davar ha'assur*.

And the last rule?

Rule #6 – the *muktze* is the most important item on the *heter*.¹³

When *muktze* is on a *heter* it becomes a *basis l'davar ha'assur*. When *muktze* and a non-*muktze* item are on the *heter*, the *heter* "serves" the most important item. If the non-*muktze* is more

important than the *muktze* the *heter* will not be rendered a *basis l'davar ha'assur*, but if the *muktze* is more important, the *heter* will be a *basis l'davar ha'assur*.

How is importance determined?

We find an interesting *machlokes* in the matter.

Rav Moshe Feinstein ztz"l: In the *sefer "Tiltulei Shabbos"*¹⁴ it is quoted in the name of Rav Moshe Feinstein ztz"l that the evaluation is made according to one's needs on Shabbos. Therefore, if on a tray or in a drawer there is money and *challos*, since one has no need for the money on Shabbos, the *challos* are more valuable and the tray is a *basis* for the *heter* and not *muktze*.

Rav Shlomo Zalman Auerbach ztz"l: is quoted as saying that it must be an overall estimation of what a person would surrender if he had to.¹⁵ Therefore, in the above case of money and *challos*, if the money was a substantial sum, a person would prefer to relinquish his hold on the *challos* and not surrender the money. Accordingly the money would be the important one and the tray or drawer a *basis l'davar ha'assur*.

Vort on the Parsha

Hashem instructed Moshe to **play the part** of raising the *Mishkan* even though it was raised through a miracle. One would think Betzalel and Oholiav could have also acted the part of raising the *Mishkan*, as after all it was a miracle. The answer is that Moshe applied himself to the *mitzvah* more than others and the miracle was performed through him. (*Ta'am v'Da'as*).

⁹ *M"b simon* 309:19. See also *SS"K* 20 footnote 186.

¹⁰ אפיקי ים ח"ב ס"ט.

¹¹ See *SS"K* 20:53 and the footnotes.

¹² *Simon* 310:31.

¹³ *Simon* 310:8.

¹⁴ An excellent book on *Hilchos muktze* in English, written by Rav Pinchas Bodner.

¹⁵ See also the *Shulchan Shlomo Simon* 310:28/3, and not as it says in the *SS"K* 20 footnote 203.

Mazel tov to Rav Ostroff on the marriage of his daughter Gitty to Chaim Schiff.

One may receive and distribute these weekly shiurim by calling or writing: Office 99 Rechov Bayit Vegan, Yerushalayim,
Phone Numbers: U.S. and Canada 732-370-3344 Israel 972-3-616-6340

South Africa 078 1655 242 UK 44-020-8731-6666 Australia 61-296835626 Switzerland 0114143 333 0288

• e-mail: shabbosweekly@shemayisrael.com, or www.shemayisrael.com,
weekly sponsorships are available as well.

If you would like to send a question to Rav Ostroff, you can write to him at shabbosweekly@shemayisrael.com.

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*.