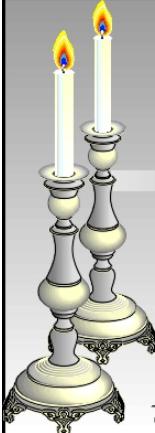


THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS



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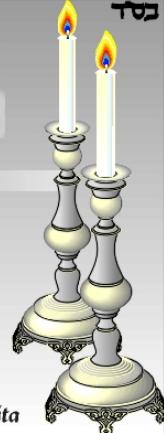


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Muktze – k'li she'mlachto l'issur

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

This brings us to the next category of *muktze* called *k'li she'mlachto l'issur*. A *k'li she'mlachto l'issur* is defined as a *k'li* mainly used for an action that is prohibited 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 to describe this is *l'tsorech gufo* – for the use of itself. Therefore, if one needs a hammer to crack open nuts, one may use it. If one needs a screwdriver to pry open a jammed lid, one may use it.

Before one wishes to use such 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 available, may I nevertheless use a hammer?

The *Mishna Berura* says¹ 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.

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

nutcracker requires a little searching for, it is debatable.

Is this stringency accepted by all poskim?

The *Be'er Moshe*² cites ten *poskim* who disagree with the *Mishna Berura* and hold that one may use a *k'li she'mlachto l'issur* even when another *k'li heter* is available. Nevertheless, we have the *Mishna Berura* who ruled stringently, and we should try to abide by his ruling when possible.

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

Another rule applicable to this category is that if a *k'li she'mlachto l'issur* is occupying a space one needs, it may be moved. For example, if a writing pen is on a chair needed for sitting, it may be relocated. This is known as *l'tzorech m'komo*.³

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*⁴ rules that the item may be placed wherever the person wants to put it.

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

This question can be divided into two parts.

1) Does it make a difference if the item was *muktza machmas gufo* e.g. sticks and stones or *machmas chisaron kis* e.g. a camera?

² *Debretziner Rov* 'ח' הל'ק ח'.

³ *Simon* 308:3.

⁴ *Simon* 308:3.

¹ *Simon* 308:12.

2) If a *k'li she'mlachto l'issur* was accidentally picked up, may one continue with it to wherever he wants?

The *Magen Avraham*⁵ 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*⁶ however, says that the *poskim* disagree and rule 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 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.

To summarize: If one lifted an item other than a *k'li shemlachto l'issur* it should be placed down as soon as possible.

If one absent-mindedly lifted a *k'li shemlachto l'issur* it should be placed down as soon as possible.

It would be interesting to discuss whether once a *k'li shemlachto l'issur* was lifted absent-mindedly may one "invent" a use to avoid having to place it down immediately.

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

One is permitted to handle a *k'li she'mlachto l'issur* (an item usually used for something that involves an *issur*) *l'tsorech gufo um'komo* i.e. if one needs the actual *k'li* or the space it is occupying.

However, one is not permitted⁷ to handle or move a *k'li she'mlachto l'issur* when the intention is to prevent it from damage or from getting stolen.

If, however the *k'li* will be needed later on Shabbos, one may bring it inside even though at present he is doing it to protect the *k'li*.⁸

⁵ See *Sha'ar Ha'tsiun* 308:14.

⁶ *Simon* 308:13.

⁷ *Simon* 308:3

⁸ *T'hila L'dovid simon* 308:5.

One is permitted to "find" something to do with the *k'li*, even though the primary intention is to protect the *k'li*.⁹ This is based on a *Yerushalmi* that brings a case of hunting nets that were getting ruined lying in the sun. The owners asked Rav what could be done to salvage them, and he told them to use them as pillows. We learn from this that – when a loss is involved - one may "invent"¹⁰ a use for a *k'li she'mlachto l'issur* even though the primary intention is to salvage the *k'li*.

Vort on the Parsha

Rashi cites the *Midrash* where *Hashem* says to Moshe Rabeinu that he "misses" the *Avos*, because they did not question *Hashem* as Moshe Rabeinu did. *Hashem* had promised Avraham the land and yet Avraham had to purchase a burial place with good money. Yitzchak's wells were refilled with sand etc. And you, Moshe, want reassurance that *Hashem* will redeem *Am Yisrael*. It seems that Moshe's faith was somewhat weaker than those of the Fathers.

The truth is that had *Hashem* promised Moshe Rabeinu something for his personal benefit he would not have asked for reassurance, but here he was asking for something with which to reassure *K'lal Yisrael*, something to give them in their hand that they could present *Hashem* with His promise. It was not for his own benefit.

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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*.