

THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

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

In this case we are not talking about broken *keilim*, rather an undamaged *k'li* was discarded before Shabbos. Here the *halacha* is that since it is abnormal to discard decent looking items, the *k'li* does not forfeit its status as a *k'li*, and is not *muktze*.¹ 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 *k'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.² As for carrying the shards in the street when there is no *einav*, see *simon* 308 *se'if* 18. The *Mishna Berura*³ 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,⁴ 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.

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

¹ *M"b* 308:51.

² *Simon* 308:6 in the *Rama*.

³ *Simon* 308:30.

⁴ This is called *tiltul min batzad l'tsorech davar hamutar*.

A needle is a classical example of a *k'li she'mlavto l'issur* (an item used for a prohibited act on Shabbos) and may be used *l'tsorech gofo*, which in this case is to remove a splinter.⁵ The *Shulchan Aruch* adds an interesting *halacha* saying, that if the eye of the needle broke the needle is *muktze*, even though with regards to removing a splinter it is irrelevant whether the needle has an eye or not. This is because a broken needle is usually discarded, and as such it is not a *k'li*.⁶

What if the broken needle broke before Shabbos?

Even if it broke before Shabbos it is *muktze* when intended to be discarded. If however one sets it aside, before Shabbos, for splinter removal or other uses it is not *muktze*.

What if removing the splinter might cause bleeding?

The *Mishna Berura* writes that one should be careful not to extract blood unnecessarily. If the splinter is causing pain, and blood will surely be extracted during the process of removing the splinter, the splinter may nevertheless be removed, because in this case *Chazal* did not institute a decree in place of distress.⁷

G'zeiras Keilim – shema yetakein.

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

⁵ *Simon* 308:11

⁶ *M"b* 308:48.

⁷ *M"b* 328:88 and *Sha'ar Ha'tsiun* 63. See also *SS"K* 35:17.

Initially one might say that there could be nothing wrong with sitting on a chair without a leg. However, *Chazal* were afraid that if one were to sit on a chair whose leg became detached, being that it is uncomfortable and impractical to maintain a proper balance, one would attempt to forcefully⁸ reinsert the leg back into the chair. They therefore instituted a decree called *shema yitka* – lest it be reinserted forcefully. The chair is duly *muktze*, as one is now forbidden to sit on it. The *simon* we are now learning does not enter into the intricacies of this decree, it only deals with the *muktze* aspect, and therefore we will only focus on the *muktze* aspect. If the leg of the chair is broken and requires mending before being reinserted into the chair, the chair is not *muktze*.⁹ This is because we are not afraid that a person would go so far on Shabbos and mend the leg or fashion a new one. The same rule applies if the leg of the chair is not present. Since the “leg” cannot be reinserted the chair is not *muktze*.

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

The above rule applies itself to many items, and one must be aware of it. If a wheel of a baby carriage comes off its axle, the carriage in certain instances will become *muktze*. If the screw for tightening the wheel is present, or if the wheel is usually attached with force, it would be forbidden to restore the wheel to its original place, and the carriage would be *muktze*. If the screw got lost and no other is available, one would be permitted to place the wheel on its axle, on condition that it slips on and is not placed with force. This is because placing or restoring it with force involves the *melacha* of either *Boneh* or *Makeh B'patish*.

But if this happens in the middle of the street, what am I supposed to do?

⁸ As mentioned further on, joining parts of a *k'li* with force involves either the *melacha* of *Boneh* or *Makeh B'patish*.

⁹ *M" B* 308:69.

A practical solution is to “lose” the screw. By “losing” the screw one cannot mend the carriage and then placing the wheel loosely on the axle is not a problem. The screw can be kicked out of sight etc. and thus making the carriage impracticable to mend on Shabbos.

Vort on Tefilla

A nice *moshol* to depict the difference between the *rofei cholim* we say in *g'vuros*, the second *b'rocho* and *refa'einu*. Upon approaching the door of a very prestigious professor who is known to do wonders and upon seeing his many credentials on the door, one fills with reassurance and security that one has arrived at the right place and he is the best person that is able to cure the patient. That is praise — *shervach*. When inside the office and facing the professor, one can start pleading and crying to have mercy and he should use all his talents to cure the patient. This is *bakoshas yeshuah*.

It is true that when facing a human professor one has doubts and therefore one's praise is not complete, but facing the *rofei chol bosor*, one's praise is complete, because he can really do anything — if He wants.

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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*.