

THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS



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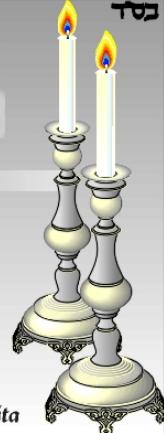
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These halachos were shown by Rabbi Ostroff to HaGaon HaRav Moshe Sternbuch, shlita

based on the shiurim given by

**RABBI DOVID
OSTROFF** shlita

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Parshas Kedoshim 5768

If a lock on a drawer or jewelry box jammed, is one permitted to break it open?

The *Shulchan Aruch*¹ teaches us that one is forbidden to break a lock, because it falls under the rule of *s'tirah b'keilim* – the prohibition to break items and objects. Likewise it would be forbidden to unscrew the screws securing the hinges in place, as that is also considered *s'tira b'keilim*.²

Would I be permitted to extract the pin holding the two parts of the hinge together, as that does not seem to be breaking anything?

If that would be the normal way to open the jewelry box it would be permitted. However, since it is not the normal way it is forbidden. The reason being that a hinge without the connecting pin is considered broken and therefore its removal would be breaking the hinge.

The *Shulchan Aruch HaRav*³ deals directly with this very idea saying, that the pin was wide on one end and the other end had a hole to accommodate a small peg which held the pin in place. He says that since the pin is jammed in place, it forms a complete *k'li* and its removal would therefore be *s'tira*.

Picking the lock with a screwdriver or knife is permitted, as that is not considered

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repairing. Just as one can open a lock with a key, he may also pry it open with a knife.⁴

Is it permitted to ask a non-Jew to break the lock or remove the screws?

The *Rama*⁵ says that one is permitted to have a non-Jew break the lock, however the *Mishna Berura*⁶ says that others only permit this when a dire loss is involved or greatly necessary for the sake of a *mitzvah*.

If I cannot open the string tying a latch, am I permitted to slash the string?

Untying the string is permitted because the string is tied and untied on a regular basis, thereby not being classified as a permanent knot.

Slashing the string is also permitted, being that the rope is not considered a perfect *k'li* and hence its destroying is not *s'tira*. The *Aruch HaShulchan*⁷ supplements this idea saying that severing rope is similar to cracking open a nutshell to extract the nut.

If a bathroom door jammed, and the only way out is to break the lock, is one permitted to do so on Shabbos?

The difference between breaking a lock on a jewelry box and a lock on a door is that the a door is attached to the ground and as such

¹ *Simon* 314:7.

² *Simon* 314:7 and *M"B* 33.

³ *Simon* 314:17.

⁴ *M"B* *simon* 314:37.

⁵ *Simon* 314:7.

⁶ *M"B* *Simon* 314:37.

⁷ *Simon* 314:15.

its dismantling involves a Biblical *melacha* of *S'tira* according to all opinions [*Stira bkeilim* is a *machlokes* whether or not it is *d'oraissa*.]

There are two ways to deal with such a situation. The first is to dismantle the lock in a professional manner in a way that it can be replaced (during the week, of course). This would be *S'tira mid'orraiso* because it is done in a constructive manner. The other way is to break it to the point just to enable opening the door. This method would involve a rabbinical prohibition of *mekalkel* – destroying the lock.

Where in the second case asking a non-Jew to break the lock would comply, as was mentioned above with the *halacha* of the jewelry box, asking a non-Jew in the first case (to dismantle the lock) involves telling him to do a biblical prohibition according to everyone, which is far more severe.

To answer the question we would say that being locked inside a bathroom, unable to keep any of the *mitzvos* of Shabbos such as listening to the Torah reading, saying *b'rachos*, missing Shabbos meals would permit having a non-Jew break the lock.

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.⁸

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.⁹ That does not mean that one is forbidden to open or shut a door, it means that if it came off its hinges 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 replace it on its hinges, due to the biblical prohibition of *Boneh* – Construction, B) the door is *muktze*.¹⁰

Vort on the Parsha

What does *Kedoshim Tibyu* have to do with *mitzvos* of *bein adam lachaveiro* enumerated in this *parsha*? *Kedusha* involves elevation – elevating oneself and detaching from worldly desires. In order to feel for another person, one is required to detach oneself from one's own desires and substitute them for another person's desires instead. Only then is one really capable of full *bein adam lachaveiro*.

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לזכר נשמת חנה בת ברוך

⁸ See *M"B* 328:38.

⁹ *Simon* 308:9.

¹⁰ *M"B simon* 314:35.

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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*.