

THE SHABBOS WEEKLY

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RABBI DOVID
OSTROFF shlita

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

Parshas Va'eschanan 5768

Trapping - continued

If a bee (the honey maker) is disturbing me in my succah am I permitted to trap it?

The *Shulchan Aruch*¹ teaches us that one is permitted to kill non-poisonous snakes and scorpions in order to save oneself from their painful bite and sting. However, says the *Mishna Berura*,² this is only true of species whose nature it is to cause harm and whose bite is painful, but insects – whose bites are not so painful – may not be killed (or trapped) and one should chase them away.

Although a bee sting is more painful than a flea or mosquito bite, a bee does not always sting. On the other hand there are people who are allergic to bee stings and being stung by a bee poses a life-threatening situation.

Therefore, in normal circumstances one should remain calm and not annoy the bee and avoid trapping it. Rav Eliyahu Falk *shlita* presents a solution by way of putting some honey in a teaspoon and alluring the bee out the succah.

If children are present, does the rule change?

The *Shulchan Aruch*³ writes that a *parosh* (probably a flea) may be trapped when on one's flesh lest he bites, and the *Mishna Berura* adds⁴ that some permit trapping it when in one's clothes, for fear of being bitten.

We see that even though it is not biting yet, for fear of it biting and to prevent pain, one may trap the insect.

¹ *Siman* 316:10.

² *Siman* 316:46.

³ *Siman* 316:9.

⁴ *Siman* 316:37.

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We may possibly say that children afraid, to the point that they cannot sit comfortably in the sukkah, are compared to the above case and one may trap bees to prevent a sting.⁵

If one sees a rattlesnake on Shabbos what should he do?

This question involves *pikach nefesh* – saving lives and must therefore be taken in the correct perspective. Although Shabbos is one of the fundamentals of our religion nevertheless preserving Jewish life was placed by the Torah on an even higher level.

It is common sense that when being pursued by a poisonous snake or scorpion one is permitted to exterminate them on Shabbos due to *pikach nefesh*.

The innovation of the *halacha* is that even if that particular animal is not pursuing anyone and even if it is **scurrying away in the other direction**, one is permitted to chase and exterminate it.⁶

It is obvious that *Chazal* were afraid that the animal might harm someone else and they permitted its extermination to prevent harm to human life.

This *halacha* applies to all dangerous species and hence one may kill a **rabid dog** even when it involves 'transgressing' biblical prohibitions.⁷ This does not mean that one should personally get involved with actually killing the dog if he has no experience or know-how as to the way it is accomplished. In any event he is permitted

⁵ I did not manage to show this paragraph to Rav Sternbuch.

⁶ *M"b simon* 316:45.

⁷ *M"b simon* 316:44 and *Sha'ar Ha'tsion* 71.

and obligated to contact the authorities and notify them of the potential danger.

What if there are other solutions present which would dispose of the snake etc without having to transgress any prohibitions?

It does not always pay to be too clever. For example, if possible to confine a poisonous snake in a sealed room until after Shabbos – which appears to be a probable solution – and yet might still pose a threat. It would require one to stand guard to prevent anyone unknowingly open the door. Therefore the optimal plan of action is to dispose of the threat as quickly and efficiently as possible.

If one's dog rebelled and will not return home, is one permitted to trap it on Shabbos and bring it home?

If the dog has 'rebelled' to the point that it does not return home at night, its trapping involves a biblical transgression and is forbidden to be trapped. If it does return home at night but at the moment refuses to heed its owner, it is rabbinically forbidden to be trapped.

According to the *Rama*, one is forbidden to trap one's pet in all circumstances unless fully domesticated - i.e. the animal is so familiar with its owner that it answers to his bidding at all times.

What if a parrot flew out of its cage, may it be trapped?

The problem here is compounded with *muktze*, because a dog can be cornered without handling but it is quite hard to do that with a parrot. It is a problem opening the cage door on Shabbos as well, because once the door is open the parrot is relatively free and upon shutting it one is trapping it again.⁸ If the bird would return to its cage at night there is more room to permit shutting the cage but nevertheless any opening of a parrot or birdcage should be preceded with rabbinic guidance as to the correct procedure.

⁸ *SS"K* 27:38.

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

Vort on the Parsha

The early *parshiyos* of *sefer Devorim* are filled with *issurim* of *Avodah Zarah*. What is the reason for this?

A famous Rov was the rov of his town for many years, and when he grew in fame, he was invited to become rov in another town, and he consented to leave in a few months. When the day of his departure arrived, people began asking him not to leave; who will take his place etc. so he asked for the townspeople to gather in the main shul and began speaking all about the *halachos* of *Avodah Zarah*. After a while he stopped and said you're probably wondering why I am giving a shiur in *Hilchos Avodah Zarah*, it is because I learned this from Moshe Rabeinu. *Hashem* decreed that Moshe Rabeinu was forbidden to enter *Eretz Yisrael* and he davened 515 *tefillos* to be permitted entry, but was denied. Moshe Rabeinu saw that *B'nei Yisrael* did not cry out to *Hashem* to annul the decree. Perhaps *bizchus harabim*, the decree would have been annulled, and he saw it as a sign of not having *hakoras hatov* for all he had done, and the *seforim* tell us that one who does not have *hakoras hatov* for one's friend, will betray *Hashem* as well and worship *avodah zarah*.

That is why *sefer Devorim* commences with so many laws of *Avodah Zarah*. So too, said the rov, who knows, if over the past months you would have cried for me not to leave I might have reconsidered, but your lack of *hakoras hatov* for all I have done for you made me think that it is possible for you to turn to *avodah zarah*, therefore I had to give a shiur in *Hilchos Avodah Zarah*.

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