

PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT

Hilchos Shabbos Shiur 42

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Questions On Shiurim

Question

Why does cleaning feather not come under the problem of *Borer* – separating?

Answer

Borer is defined as separating a mixture; a feather on a garment is not considered a mixture. Another answer (probably the correct one) is that just as cleaning a plate is not considered *borer*, (which will require an explanation when we get there), so too cleaning a garment, when permitted, is not *borer*.

Question

You had mentioned that colorless varnish is also *tzovea*, then where is the limit? Why is puffing up hair (without combing) not *tzovea*, it also enhances the hair?

Answer

If one were to add a shine to black ink, it is as if he has painted with black ink, because the colorless ink functions as a color: it ‘adds’ through an additional coating. Painting fingers or shoes with oil, when the intention is to enhance the natural color, functions as a color.

Question

In 302:10 the Rama writes that it is *muter* to dry ones hands on a soiled cloth in order to nullify the urine. Isn't the amount of water on one's hands insufficient to nullify the urine?

Answer

This is a good question and I challenge others to answer it. The answer I came up with is that we see in *Hilchos Krias Shema*,¹ that to nullify urine absorbed in a garment, it is enough to use a small amount of water. See inside.

¹ *M"B simon* 82:2-4

INTRODUCTION TO MUKTZE

What Does Muktze Mean?

Muktze literally means – put aside; items that are mentally put aside to refrain from using. Most *muktze* items are *muktze* because they are not usually used on Shabbos, or not allowed to be used on Shabbos and are therefore put aside.

Reasons For Instituting Muktze

Rambam The *Rambam* (24:12,13) brings a few reasons as to why *Chazal* instituted the *issur* of *muktze*.

1. Since on Shabbos one cannot go about his regular office work due to the *melachos* involved but is permitted to carry and move items that do not involve a *melacha*, *Chazal* saw that one might easily forfeit the concept of rest that the Torah wants us to have. Without the *issur* of *muktze* one is permitted to rearrange one's house, shed and backyard, clear out cluttered storehouses etc.
2. If one were permitted to carry items that are used for doing *melachos*, one might easily come to do a *melacha* with them.
3. A portion of the populace are in any case idle all week, and if they were permitted to talk, walk and carry things the same way they do during the week, Shabbos and weekday would be the same. Therefore refraining from these activities is an equal abstention for all.

Ra'avad The *Ra'avad* (on the *Rambam*) says that the reason *muktze* is *ossur* is because if one was allowed to carry anything inside one's house he may easily come to walk outside with it and be liable for the *issur d'oraisso* of carrying in the open. He basis his reasoning on the *gemora Shabbos* 124b (4th line down).

Carrying Muktze

There are certain cases when one is permitted to carry a *muktze* item. It is important to know that the word – *tiltul*, the word used in relation to *muktze*, means either all or one of the following: move, carry, lift, budge and handle. We will learn when one may carry *muktze* for these specific reasons.

1. *Tiltul l'tsorech gufob* – *tiltul* in order to use the item.
2. *Tiltul l'tsorech m'komo* – *tiltul* in order to use the place the *muktze* is occupying.
3. *Tiltul mechamab l'tsel* – *tiltul* for the sake of protecting the article.

Methods Of Carrying

1. *Tiltul bayad* – direct handling of *muktze*.
2. *Tiltul al yedei davar Acher* – indirect *tiltul* of the *muktze*, i.e. with the aid of a knife or carrying on a plate.
3. *Tiltul b'gufo* – *tiltul* with one's body (an abnormal manner), not with one's hands.

Various Muktze Types

The *Me'iri* writes that there are 50 various types of *muktze*. I do not know which specific sub-types he is referring to, but they are probably splinter groups of the main groups. Listed here are the main groups of *muktze*, and we will *B'ezeras Hashem* learn about them in their respected places.

1. *Muktze machmas² chisaron kis³* – because of value.
2. *Muktze machmas gufo* – because of its nature (lit. body).
3. *A k'li she'mlachto l'issur* – a *k'li* generally used for doing an *issur* (a hammer).
4. *A k'li she'mlachto l'beter* – a *k'li* generally used for a *beter*.
5. *Ba'sis l'davar ha'assur* – a not-*muktze k'li* on which a *muktze* is placed.
6. *Muktze machmas issur* – because of an *issur* involved.
7. *Nolad* – 'newborn', came into being on Shabbos.

² *Machmas* means because of. In other words, an article is *muktze* because of...specifying the reason it is *muktze*.

³ Meaning money loss.



MUKTZE ON SHABBOS

Simon 308:1-2
Expensive items

- 1 **All items may be carried on Shabbos except for muktze machmas chisaron kis, such as a knife used for slaughtering or for performing a 'milah', a barber's blade, and a knife used by scribes for shaping their quills, because they are all particular about not using them for any other use, therefore they are ossur to carry on Shabbos, even to use the place it is occupying or to use the k'li itself. RAMA Even if it is in a knife holder with other knives it is 1) ossur to carry it. The same applies to a perfume maker's hammer, which they are 2) particular about it getting dirty. RAMA The same rule applies to items that are for sale and one is 3) particular about them.**
- 2 **Any k'li even if very big and 4) heavy does not lose its status of a k'li, not because of its size nor because of its weight.**

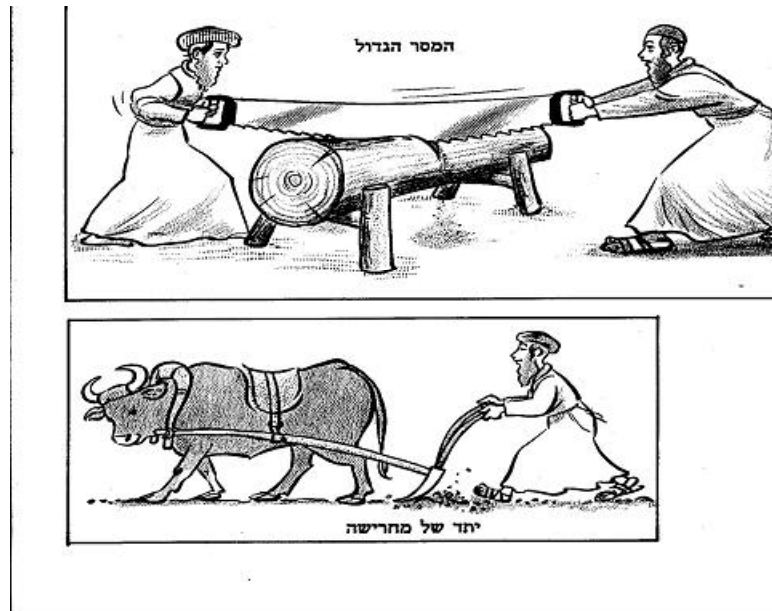
SIMON 308:1

Machmas Chisaron Kis

The *Mishna* in *Shabbos* 123b brings Rebbi Yossi who says that all types of *keilim* may be carried ⁴ except for the big saw and plow blade. *Rashi* explains that one is particular ⁵ about these items and stores them in a safe place, because they are not used for anything else. The nature of these items is such that if one would use them for other purposes they would degrade in quality, thus being less effective for their intended use.

⁴ The Hebrew word is *tiltul, nitalin, letaltel* which can also mean move, budge, handle, carry. When we write the word **carry** it means that it is not *muktze*.

⁵ An attempted translation of the word – *makpid*.



The *gemora* there brings a list of other implements that are in the same category (with *Rashi* and *Tosefos*' explanation):

A tanner's knife, a butcher's knife, a slaughterer's knife. The *Rosh* in *simon* 4 adds: a *Mohel's* knife, a barber's knife and a scribe's knife. These knives are all well reserved and one does not want to use them for other uses.

In *Shabbos* 157a the *gemora* says that '*arza va'ashuchi*' are also *chisaron kis*, which *Rashi* explains as male and female cedar beams that are used for construction, and therefore one is careful with them. Imagine building with a crooked beam. See also the *Rambam* (25-9).

Definition

Keilim that are used for specific purposes and one is particular not to use them for anything else. *M"B* 2 points out that people do not move this type of *ke'li* from place to place for no reason.

The *Sha'ar Ha'tsiun simon* 310:19 quotes the *Bais Me'ir* saying that only an article which has a fixed position (*m'yached makom*), becomes *muktze machmas chisaron kis*.⁶ However,

⁶ We had an argument in shul regarding the cardboard paper hung on the shul wall (usually inserted into a slot) that says, "*v'sein tal umatar*". One person said that since it is designated a certain place it is *muktze*, and others argued saying that only if designated because of value or damage is it *muktze*. It appears that the latter are correct, because only when designating a certain place due to the item's value, does it become *chisaron kis*.

the *Mechaber* did not mention this as a criteria and Rav Shlomo Zalman Auerbach⁷ says that it could be that the *Mechaber* holds that articles which are a *ke'li she'mlachto l'issur* and one is *makpid*, would be *muktze machmas chisaron kis* even without allotting them a fixed spot.

Mechaber

The opening words of the *Mechaber* are: “All items may be carried on Shabbos... except for *chisaron kis*”. This requires explanation, because we know that there are other *muktze*, not only *chisaron kis*.

The answer is that one is permitted to move around a *ke'li she'mlachto l'issur* in order to use it or its place, while *chisaron kis* may not be moved at all. See *M”B* 1.

THE MECHABER CONTINUES:

Therefore they are ossur to carry on Shabbos, even for use of its place or the use of it itself.

This has to do with what the *gemora* calls – *l'tsorech gufo u'mkomo*, meaning that with this type of *muktze* the *keilim* may not be used for other purposes on Shabbos, nor may they be moved in order to use the place they are occupying. The source is the *Tosefos (sacina)* 123b.

Accordingly, one may not use a *milah* knife to cut up a tomato, or an expensive Pentax camera as a bookmark or paperweight, or a *shechita* knife to carve meat.

Writing Paper

M”B 3 adds writing paper as *chisaron kis*. Nowadays we have to differentiate between plain, cheap writing paper, which one would easily use for other things; for example, as a bookmark, give it to a child to draw on etc, and expensive writing paper which is carefully stored and not used for any whim and fancy.

Merchandise

The *Maggid Mishne* (26-14) says that it is *muter* to use *keilim* that are intended for sale. He builds his *p'sak* on the *Rambam* who says that food intended for sale may be eaten, all the more so one may use *keilim* intended for sale. The logic behind the *p'sak* is that **eating** food that has not been prepared before Shabbos is more severe than moving *muktze*, and if one is permitted to eat food intended for sale, he may definitely use them.

⁷ *Shulchan Shlomo* 308:1

The *Bais Yosef* points out that on the other hand the *Rambam* (25-9) says that *keilim* that are for sale are *muktze*. He reconciles the contradiction by saying that if the owner is *makepid* lest they get damaged, even if they are not terribly expensive, they are *muktze*. But if one is not *makepid* about the *keilim*, even if they are for sale they are not *muktze*.

Accordingly: one may not use disposable cups and plates one sells from the house, because he is careful that nothing happens to them. If he takes them for his own use on a regular basis ⁸ it can be comparable to the *halacha* in *siman* 310:2 and *M" B* 4 that says that ready food is never *muktze* because one always has in mind to eat anything, even if it is for sale. See *Sh'miras Shabbos Kehilchasa* 20-21.

Subjective

Muktze machmas chisaron kis is subjective; it can be *chisaron kis* to one, and only a *ke'li she'mlacho l'issur* for another, *M" A* 3, *M" B* 6. However, one cannot begin the Shabbos being *makepid* about a certain article and then in the middle of Shabbos change his mind and not be *makepid*. There is a rule (which we will learn elsewhere), which says that if something was *muktze* when Shabbos came in it remains *muktze* for the entire Shabbos. The first R' Akiva Eiger in our *simon* discusses this very concept with regards to this type of *muktze*.

A Regular Expensive Item

When the *G'ra* in *simon* 308:4 talks about this type of *muktze*, he mentions that it is a *ke'li she'mlacho l'issur*. In other words, if it were a *ke'li she'mlacho l'heter* it would not be *muktze* even if one were *makepid*.

Therefore a very expensive piece of jewelry, or gold/silver wine cup, which for the majority of the year are behind a locked showcase, are not *muktze* because they are not *keilim* used for an *issur*. See *SS"K (Sh'miras Shabbos Kehilchasa)* 20-19. The reason is because there is always a slight chance that one would use these *keilim* on Shabbos, and therefore they are not cast aside from one's mind.

However there are two exceptions:

1. Merchandise – even *keilim shel heter*, and one is *makepid* about them, are *muktze*.
2. Valuable items, even if they are *keilim shel heter*, but one does not move them around because they might get damaged and ruined, since they have a fixed position they are *muktze*. See *SS"K* 20-22. Therefore a grandfather clock or a picture one is very careful with, are *muktze*.

⁸ See *Chazon Ish* 42-16.

SUMMARY

These are the different *keilim* which are *chisaron keis*:

- *Keilim* (used for an *issur*) one is *makepid* not to use for anything other than its designated purpose.
- *Keilim* (even used for *beter*) that are set in a fixed position in order to prevent them from getting damaged.
- *Keilim* (even used for *beter*) that are for sale and one is *makepid* not to use for one's own benefit.

SIMON 308:2

Heavy Closets

This *se'if* teaches us that heavy items, even though they are not moved around on a regular basis, are not *muktze*. Only something that is purposely set-aside so that it will not get ruined is considered a *chisaron keis*.

Review Questions

1. Name four reasons why *Chazal* instituted the *issur* of *muktze*.
2. What are the various ways of handling *muktze*?
3. What is the definition of *muktze machmas chisaron keis*, and name a few examples.
4. Does *k'vius makom* – setting aside a specific safe place have anything to do with it?
5. Is the *v'ten tal umatar* sign *muktze*?
6. Is writing paper *chisaron keis*?
7. Is merchandise *chisaron keis*?
8. What status does an expensive silver goblet have?