



Parshas Yisro 5768

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We continue with the problem of **items that came loose**

*The stick of the broomstick came out, is one permitted to put it back?*

The same rule applies to a broomstick. When the stick detaches from the brush, one is sorely tempted to reinsert it back into the brush. Since the stick is screwed in place and screwing is equivalent to joining,<sup>1</sup> it is forbidden to insert it and therefore the broom is *muktze*.<sup>2</sup> If the broomstick frequently detaches itself, there may be what to rely to reinsert it, and preferably a rav should be consulted.

This *halacha* may apply to the glass piece or handle of eyeglasses and to other items that are composed of a few pieces, i.e. if the eyepiece falls out of the glasses on Shabbos or the handle detaches itself. A rav should be consulted at such an eventuality.

## Muktze Issues

*If a rock or a piece of glass poses a hazard to the public, what may be done to remove it?*

Any object that poses a threat to the public may be moved out of harm's way.<sup>3</sup> This is because handling *muktze* is a rabbinical prohibition and where public health is at stake, *Chazal* waved aside their restriction.

*What if we come across an open manhole?*

Accordingly, if there is an open pit or manhole in the street one may cover it up, even if it involves handling *muktze*. However, one may not

replace the original cover because that would be *boneh* – constructing,<sup>4</sup> rather one must use a board etc. to cover the hole. Obviously one may instruct a non-Jew to use the original cover. Also, if a rock or piece of metal is lying in the road in such a way that they are likely to cause harm, if there is an *eiruv* or it is in a *carmelis*,<sup>5</sup> they may be carried to the side; if they are in a *reshus harabim*,<sup>6</sup> one may carry it for a distance of less than four *amos* – put it down<sup>7</sup> – carry it less than four *amos* – put it down etc. until moved out of harm's way.

We find though that if a rock is easily noticed and thereby the chance of it causing harm is remote, it may not be moved out of the way – in the normal manner, rather one should move it out of the way with one's foot or any other abnormal manner.<sup>8</sup>

*I would like to crack open a nut with a rock on Shabbos, may I?*

This and the following questions deal with setting aside objects that are not a *k'li*. Sticks and stones are categorized as *muktze machmas gufo*, which is a severe *muktze* in a way that it may not be moved even *l'tsorech gufo um'komo* – for example, to use a stone as a doorstopper. However, their status can be altered. If one were to either:<sup>9</sup>

<sup>4</sup> *Binyan Shabbos* pg 25.

<sup>5</sup> A public domain, where the prohibition of carrying is only a rabbinical one.

<sup>6</sup> A public domain, where carrying is forbidden from the Torah.

<sup>7</sup> Standing still is equivalent to putting it down. *M"b simon* 266:18.

<sup>8</sup> *M"b* 308:75. See also the *Bi'ur Halacha* "kotz".

<sup>9</sup> *Simon* 308:21-22.

<sup>1</sup> *Sha'ar Ha'tsiun* 313:32.

<sup>2</sup> *Binyan Shabbos* chapter 6:1 (page 55).

<sup>3</sup> *Simon* 308:18.

- Set the item aside before Shabbos for permanent use. This can be done either verbally or mentally.
- Use it on a regular basis during the week, even without having mentally set it aside for permanent use.
- Physically modify the item. In such a case it will be sufficient to set it aside even for one Shabbos.

In the above cases a stone or a stick may be used and handled on Shabbos.

### *May an item be set aside for a single Shabbos?*

As we see, setting aside an item for a single Shabbos is insufficient. However, there is an opinion who holds that setting aside for one Shabbos items **regularly used** for specific purposes is sufficient. Accordingly, where it is common to use a stone for a nutcracker, it would suffice to prepare it before Shabbos as such.

The *Mishna Berura*<sup>10</sup> rules that when necessary one may rely on this opinion. Seeing that in developed regions a manufactured nutcracker is used and not stones, if one wished to use a stone as a nutcracker, one would be required to adhere to one of three points mentioned above.

### *What about using a rock as a doorstopper?*

The same rule applies to using a rock or brick as a doorstopper. In today's specialized world a rock is not commonly used as such. Therefore, if one would like to use a rock as a doorstopper, it would be preferable to adhere to one of the above three points. Supposedly in more rural areas it is common to use rocks as doorstoppers and there is what to rely on to set it aside for a single Shabbos.

### *When taking a walk in the forest, may I plop down onto any stone?*

Obviously, the stones in the forest were not prepared by you to be used as benches. Therefore, you may not move them around in order to make them comfortable for sitting on. However, sitting on them does not require you to physically handle them, and therefore you may sit on them,<sup>11</sup> even though they might move when sat upon. This is permitted because it is called *tiltul b'gufo* – handling *muktzeh* through one's body and not with one's hands.

## **Vort on the Parsha**

Rashi explains that Yisro "heard" that about the miracles in Yam Suf and about the war with Amaleik. And yet further on in the *pasuk* it says he heard about *Yetsias Mitzrayim*, which was bigger than all. If so, asks Rav Sternbuch *shlita*, why did Yisro not come to *B'nei Yisrael* after *Yetsias Mitzrayim*?

He answers that although Yisro internalized the miracles of *Yetsias Mitzrayim* thinking that one can do so from far without actually bonding to *Am Yisrael*, but when he heard that *Amaleik* fought *Am Yisrael* even though they also heard about *Yetsias Mitzrayim* and Yam Suf, and nevertheless they still had the audacity to fight *Hashem's* people, he realized that *Emunah* requires physical attaching to *Am Hashem* and not relying on hearsay alone.

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<sup>10</sup> *Simon* 308:97.

<sup>11</sup> *M"B* 308:82,88. In *M"B* 82 he brings a *Me'iri* which says (in a case when the rock will move when sat upon) that if not necessary, it is preferable to abstain from it. However, in *simon* 308:13 the *M"B* did not mention this clause. The solution may be that sitting on *muktzeh* is using it, which is more severe than plain moving of *muktzeh*.

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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.