



## OVERVIEW of the Daf

### 1) Taking a hammer to crack open nuts (cont.)

Abaye unsuccessfully challenges Rabbah's position permitting the use of a blacksmith's hammer for cracking open nuts.

Two opinions are cited that concur with Rabbah's lenient position although they disagree on an unrelated point.

### 2) Using a spindle or weaver's reed to spear fruit

A Baraisa is cited that elaborates on the issue of using a spindle or weaver's reed to spear a fruit.

R' Nachman rules like the opinion of R' Elazar ben Tadaï who permits indirect movement of muktza, as will be the case where one spears a fruit buried in straw.

### 3) A broken needle

R' Yosef, responding to a question posed by Rava the son of Rabbah, ruled that a broken needle is still a utensil and thus not muktza.

Rava the son of Rabbah challenged R' Yosef from a Mishnah dealing with tum'ah which clearly states that if the point of a needle was removed it is no longer susceptible to tum'ah.

Abaye and Rava disagree whether the criteria for being categorized as a utensil are the same for Shabbos as they are for tum'ah.

### 4) Straightening the limbs of an infant

R' Nachman prohibits straightening the limbs of an infant on Shabbos and R' Sheishes permits it.

Each opinion suggests support for their position, R' Sheishes' coming from our Mishnah.

**5) MISHNAH:** The Mishnah discusses the tum'ah and Shabbos status of a cane used for turning olives.

The Gemara explains why the cane is susceptible to tum'ah despite the fact that it is seemingly a flat wooden utensil which is not susceptible to tum'ah.

**6) MISHNAH:** R' Yosi rules that all utensils may be taken on Shabbos except for those that are set aside by the owner because of potential monetary loss.

### 7) Further details about the Mishnah

Other examples are presented of utensils that are muktza because they are set aside by the owner because of potential monetary loss.

A Baraisa is cited that traces the origin of the prohibition against muktza.

Abaye and Rava dispute the stages that led to the final halacha as stated in our Mishnah and whether it is permitted to move a kli shemelachto l'issur for the sake of its place.

R' Chanina dates the origin of the prohibition against muktza to the time of Nechemyah ben Chachalyah.

R' Elazar clarifies that four Mishnayos and Baraisos were written before the final stage of permissibility of moving muktza was incorporated. ■

Today's Daf Digest is dedicated  
לע"נ הרב אביגדור בן הרב שאול אלחנן ע"ה  
Rabbi Victor Amster o.b.m.  
On the occasion of his 31th yahrzeit  
By his children, Mr. and Mrs. Jeremy Amster

## Gemara GEM

### The Needle With the Broken Eye

מחט שניטל חררה

Rava the son of Rabbah asked Rav Yosef about the muktza status of a needle where the eye had broken off. On the one hand, this is no longer a functional needle and should be muktza. On the other hand, it should maintain its status as a utensil, because it can still be used to remove a thorn which is imbedded into one's skin. Rav Yosef answered the question from our Mishnah (122b) where we find that it is permitted to handle a sewing needle on Shabbos if one plans to use it to remove a splinter or thorn in one's skin. Therefore, Rav Yosef determined, we see that such an item retains its status as a legitimate utensil, even if it can only function as a tool to remove a thorn.

The Gemara then proves that there is no question that as far as tum'ah is concerned, this broken needle is tahor – it is no longer a כלי. A discussion then ensues between Rava and Abaye to understand whether this guideline by tum'ah is relevant to the discussion by Shabbos. Rava holds that once a utensil is deemed broken in terms of tum'ah, it cannot be moved on Shabbos, although it might be functional in one way or another. In our case, this would mean that Rava argues with Rav Yosef, and Rava concludes that because this needle cannot contract ritual impurity, for it is no longer a כלי, it is certainly muktza.

Tosafos adds that this broken needle is not an official utensil, and even if the owner would designate it specifically to be a thorn removal "tool", this would not cause its status to change. This is why the Shabbos designation must be one of muktza. However, in a case where specific designation to use a utensil for a particular purpose would be effective for tum'ah, then this item would be a כלי for the halachos of Shabbos as well, even if that designation has not been made.

Chazon Ish notes that later (124b) the Mishnah teaches that a broken piece of pottery can be handled on Shabbos if it can be used for any functional need. Yet, we know that as far as tum'ah is concerned, this broken shard is not a utensil, even with designation as such. This seems to show that the halachos of Shabbos do not follow the guidelines of tum'ah. We must say, however, that the Gemara re-

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## REVIEW and Remember

1. Why is a spice maker's hammer muktza?  
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2. Explain טלטול מן הצד.  
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3. According to R' Nachman, what's the difference between removing a splinter and straightening an infant's limbs?  
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4. Explain לצורך גופו ולצורך מקומו.  
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# HALACHAH Highlight

## The Different Categories of Muktzah

כל הכלים נטלים חוץ מן המסר הגדול

It is important to realize that while there is a multitude of Muktzah items and objects, they are not all subject to identical restrictions. Two common categories of muktzah are: Muktzah Machmas Gufo, and Muktzah Machmas Chesron Kis.

### A) Muktzah Machmas Gufo (Muktzah by definition).

"Muktzah Machmas Gufo" includes any object or substance that has no intrinsic function and is not a designated utensil, vessel, or tool. Such objects are naturally "set apart" because they have no designated use.

*Examples:* Rocks, stones, pebbles, sand, twigs, grass clippings, soil, broken glass, bricks, cinder-blocks, trash, fruit peels, shells, debris, money; Windows, doors and other building components not attached to a building; Broken appliances, utensils, dishes, glass and other items that are no longer functional.

*(Note: Shards of broken china and glass and any other similarly hazardous materials may be swept away and removed. However, once safely discarded, they no longer may be handled).*

### B) Muktzah Machmas Chesron Kis (Muktzah due to its fragility or great value)

The term "Muktzah Machmas Chesron Kis" means "Muktzah due to (the item's) fragility or great value". However, the Halachic guidelines of this class of Muktzah are not limited strictly to its literal definition, as shall be explained.

This category of Muktzah includes:

- 1: Items and utensils that one would generally not handle at any time because of their fragility or great value.
- 2: Items that (because they are fragile or valuable) would not be used for anything other than their specific non-permissible uses, and are not left "lying around" between uses.

All such items are subsequently not "Muchan" ("prepared") for general use and are Muktzah.

Note: "Non-permitted uses" in this context means "uses" that are not permitted on Shabbos.

*Examples:* 1) Items not ordinarily handled at all: Expensive ceramics, delicate china pieces (used only for display), delicate family photographs,

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guarding broken pottery is different. There, tum'ah cannot apply to a piece that does not have a **בית קיבור** - a receptacle. However, our rule is accurate for metal, whose designation for tum'ah would then define its status for Shabbos. Metal can contract tum'ah, even if it does not have a receptacle, and therefore it can be considered a **כלי** if designated as such. ■

*items set aside to be given away as gifts. Also, non-food merchandise such as new clothing, linens, glassware, newly printed invitations, galley proofs.*

2) Items handled only for their designed (non-permissible) uses: A Shochet's knife (instrument used for ritual slaughter), a Mohel's knife and instruments (used for circumcision), delicate cutting or measuring instruments, surgical instruments, fragile carpentry (or other trade) tools, fragile appliances, implements, or accessories that one would not handle for any reason other than their designated use (e.g. stereo equipment, records, an expensive camera, computer hardware, software disks, and the like).

It is important to understand that the concept of Muktzah Machmas Chesron Kis is not limited to items of extreme value. Any item that is easily ruined that one would refrain from handling for any reason other than its designated (non-permissible) use is Muktzah under this category.

*Examples:* Stationery or any blank writing paper, birth certificates, licenses, registration papers, passport or other important documents (even if they retain little or no face value), inexpensive merchandise or returnable items.

Not all fragile or expensive items are Muktzah under this category. Only those whose delicate design or fragility preclude them from any practical Shabbos use are Muktzah.

Items whose designated use is permissible do not become Muktzah, even though they are fragile and would not be used for anything other than their designated purpose. Any such items are always Muchan (prepared) and may be used on Shabbos when needed.

*Examples:* Expensive chinaware, delicate crystal and glassware, a valuable watch, very expensive apparel (that one wears only on rare occasions) may all be used or worn on Shabbos and Yom Tov because they are items of permissible use. ■

1 The 39 Melachos, by Rabbi Dovid Ribiat, p. 64-67. Used with permission of the author.

## Distinctive INSIGHT

### The Source for the Precaution of Muktzah

אמר רב חנינא בימי נחמיה בן חכליה נשנית משנה זו וכי

Our Gemara informs us that the guidelines of muktzah were established as a deterrent not to violate the Shabbos. Yet the Gemara in Pesachim (47b) teaches that muktzah is a precaution which the Torah itself legislates. The Gemara there discusses the various negative commandments violated when a person cooks **גיד הנשה** in milk on Yom Tov.

One of the violations is muktzah (where the person used branches which broke off the tree that day to ignite the fire). The Gemara even brings verses to show that muktzah is prohibited from the Torah. We must ask, then, why was it later for Nechemiah to enact a rabbinic decree to institute muktzah if it already exists in the Torah itself?

Pnei Yehoshua answers that in general, muktzah is a rabbinic concept. However, where the branches were connected to the tree when Yom Tov began, we have an added aspect of the branches being totally out of a person's mindset for the coming day. These branches which then fall off are **נוול**—as if

they have just been created for the first time. This category is excluded from usage from a Torah level.

Chasam Sofer also uses the approach of defining two distinct categories of muktzah, one which is prohibited **מדאורייתא**, the other which is only rabbinic. Things which are unprepared for Yom Tov because they are not cooked or because they are connected to the ground, are prohibited from the verses in the Torah. However, items which are complete and available, but may simply not be moved because of their regular function being one which may not be done on Shabbos, this category muktzah is only rabbinic in nature. ■