

THEYESHIVAPIRCHEISHOSHANIMSHULCHANARUCHLEARNINGPROJECT

# Hilchos Shabbos

## Volume Two [1] Lesson One

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**Revised and edited by: Rabbi L. Landsman**

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**Rehov Beit Vegan 99, Yerushalayim 03-616-6340**  
**164 Village Path, Lakewood NJ 08701 732.370.3344 fax 1.877.Pirchei (732.367.8168)**

# Laws pertaining to the care of Shabbos Candles



## PLACING A VESSEL BENEATH A LAMP

*Siman 265:3, 4*  
*Revoking the use of a Keli*

*Siman 265 Se'if 3*

**3 It is 2) forbidden to place a container, on Shabbos, beneath an (oil) lamp to catch the dripping oil, because one is (1) revoking the use of the Keli. However, it is permitted to place it there before Shabbos. One may not use the 3) dripping oil on Shabbos.**

RAMA *It is forbidden to touch a lit (oil) lamp when it is hanging, even though one does not move it – and there is no issur of Muktzeh 4) just by touching, nevertheless it is forbidden lest it moves slightly and (will cause the flame to) 5) tilt.*

*Siman 265 Se'if 4*

**4 One may place a container beneath an (oil) lamp to catch the sparks, since they lack any 6) substance, hence the use of the Keli is not revoked. However, water may not be placed into the container, 7) even (2) before Shabbos, 8) because one causes the sparks to extinguish prematurely.**

**Nevertheless, it is permitted to put water inside an oil lamp that one lights before Shabbos, 8) because one's intention is not to extinguish the flame rather to raise the oil. RAMA 10) (3) Some authorities say that even if one's intention is to extinguish the flame it is permitted since the water is not directly beneath the flame, as it is beneath the oil, and is therefore only causing the flame to be extinguished indirectly, and so is the custom.**

*Siman 305:19*  
*Bitul Keli for tza'ar ba'alei chayim*

*Siman 305 Se'if 19*

**19 An animal that fell into a water canal, if the waters are deep and therefore the animal cannot be provided for in its present location, one may bring pillows and quilts and place them beneath it because of 'tza'ar ba'alei chayim',<sup>1</sup> even though it is Mevatel Keli Me'hechano.**

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**SIMAN 265:3**

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## Mevatel Keli Me'hechano

The central theme of this *Se'if* is the implementation of the concept called *Mevatel Keli Me'hechano* (*Mevatel Keli Me'hechano*). This means that it is *assur* to cause a utensil or item to become halachically immobilized, or in other words to revoke the use of a *Keli*. See *Taz* 1.

### Mishna 42b

The *Mishna* on *Shabbos* 42b says that it is *assur* to place a *Keli* beneath an oil lamp to catch the dripping oil. *Rashi*, in his second *psbat* says that the reason is because of *Mevatel Keli Me'hechano*.



### Reasons for the Issur

#### Rashi 42b

*Rashi* here explains that by placing a *Keli* to catch *Muktze*, it is as if he has bonded the *Keli* to the surface with clay, which is similar to *Boneh* – building – which is a *Melacha*.

#### Rashi 154b “והא”

On the other hand, *Rashi* on 154b “והא” says that *Mevatel Keli Me'hechano* is *assur* because by immobilizing the *Keli* it is as if one has dismantled it – *Soter* – breaking, which is also a *Melacha*.

By placing a *Keli* beneath a dripping oil lamp, the *Keli* will become immobilized because of the *Muktze* inside. Of course, one can say that the *Keli* is not really stuck to the table, because if the one who put it there would like to tip out the oil and use the *Keli*, he may do so (we still have to learn in *Hilchos Muktze* when one is permitted to tip *Muktze* and

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<sup>1</sup> Translated as agony to animals – we are commanded to not to hurt them and to look after their well-being.

when one is not). That is true, however it is taken for granted that if one placed a *Keli* to catch the oil, one does not want the oil to spill and soil the tablecloth or lose the oil, for that matter, otherwise one would not have put the *Keli* there in the first place. Hence, this is *Mevatel Keli Me'hechano*.

## Why is the Oil Muktzeh?

### Oil In the lamp

The reason the oil is *Muktzeh* is as follows: the oil inside the lamp is *Muktzeh* because of the *issur* of *Mechabeh* – extinguishing. The *Halacha* is that since one may not take oil out of a burning lamp because of *Mechabeh*, the oil becomes *Muktzeh*. This is because one of the basic rules of *Muktzeh* is that an item that is forbidden to use on Shabbos is *Muktzeh*.

### Oil out of the lamp

The oil in the lamp that dripped out is *Muktzeh* because it was designated for the lamp. So even though it will no longer be used for the lamp it remains *Muktzeh* due to the rule of – *miggo d'itkatsai l'bein hashemashos, itkatsai l'kuli yoma* – מיגו דאתקצאי לבין השמשות יומא, which means that anything *Muktzeh* at the beginning of Shabbos remains *Muktzeh* for the entire Shabbos.

## A Keli beneath a Wax Candle

### Hagahos Ashri

The *Beis Yosef* cites the *Hagahos Ashri*<sup>2</sup> (chapter 3:18) who says that one may place a *Keli* beneath a wax candle to catch the falling candle, because unlike the oil lamp, the wax candle can be tilted off the plate<sup>3</sup> whereas oil one does not want to tilt it out and lose the oil.

As explained, the essence of *Mevatel Keli Me'hechano* is the immobilizing of a *Keli*. In a case where the *Keli* may be lifted in order to remove the *Muktzeh*, it is not immobilized and is therefore not *Mevatel Keli Me'hechano*.

### Beis Yosef

We find a *machlokes Rishonim* brought down by the *Mechaber* in *Siman* 309:4.<sup>4</sup> If one places before Shabbos a *Muktzeh* item onto something that is not *Muktzeh*, with the intention of having that *Muktzeh* removed (by a non-Jew) before the end of Shabbos, it

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<sup>2</sup>The *Hagahos Ashri* can be found in the margin of the *Rosh* at the back of the *Gemora*.

<sup>3</sup>Apparently this can only apply where the wax doesn't stick to the bowl.

<sup>4</sup>*Be"H* we will learn it there.

is a *machlokes* whether the non-*Muktze* item gains a status of a *basis le'davar ha'assur*<sup>5</sup> or not.

The *Beis Yosef* learns that the *beter* of placing a *Keli* beneath a wax candle is only according to the lenient opinion of this *machlokes*. Thereby not rendering the *Keli* a base and hence not *Mevatel Keli Me'hechano*.

### Magen Avraham

The *M"A* 2 disagrees with the *Beis Yosef*. First, he says that the *machlokes* in *Siman 309* has nothing to do with this case because it wasn't there *Bein Hashemashos*. Furthermore, even though there is a *machlokes*<sup>6</sup> as to whether one may do *Bitul Keli* for a short while, here everyone will agree that it is not even called *Bitul Keli* for a short while because the candle can be shaken off the *Keli* as soon as it falls into the *Keli*.

### TO SUMMARIZE

The *Hagabos Ashri* permits placing a *Keli* beneath a wax candle to catch it when it falls off a candlestick when he has explicit intent to shake it off. The *Beis Yosef* learns that it depends on the above-mentioned *machlokes*. The *M"A* learns that it is *muter* according to all opinions. *M"B* 5 and *Shulchan Aruch HaRav* 5<sup>7</sup> *pasken* like the *M"A*.

## A Keli under the Table

The *Beis Yosef* cites the *Maharil* (*Siman 32*) who says that it is *muter* to place, a *Keli* under the table before Shabbos, then, after the Shabbos meal, move the table from beneath the hanging lamp, causing the oil to fall into the *Keli* that is under the table.

Even though he is **causing** the *Keli* to become immobilized for the rest of Shabbos, nevertheless, since it is done through *Gramma* i.e., indirectly, it is *muter*. The *M"A*, *Shulchan Aruch HaRav* and *M"B* 6 all agree to this *psak*. See inside for other reasons for this *beter*.

## Air Condition Condensation

We find that the *M"B* (310:32) says that condensed water is *Muktze*. We would therefore apply what we have just learned to the following case: If an a/c unit's water is

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<sup>5</sup> Literally a base for a *Muktze*. This rule will be *Be"H*. learned elsewhere. In a nutshell: *Muktze* placed before Shabbos on top of a *beter*, causes the bottom item to be called a base of the *Muktze*, rendering it *Muktze* to the extent that even after the *Muktze* is removed or fell off, the base remains *Muktze*. The above-mentioned *machlokes* is about whether an item becomes a base even though the intention was not to leave the *Muktze* on top of the *beter* for the entire Shabbos.

<sup>6</sup> A separate one, not the *machlokes* in 309-4. This *machlokes* is whether it is *muter* to do *Bitul* for a short while.

<sup>7</sup> See the *Shulchan Aruch HaRav* inside, he explains it beautifully. Also, the *Shulchan Aruch HaRav* in *Siman 266* footnote 11 expounds on this point.

dripping, one may not place a container beneath it to catch the water, since the water is *Muktze* and involves a problem of *Mevatel Keli Me'bechano*. It does not mean that all is lost, because if the water is dripping into one's living quarters, there can be *heter* based upon *g'raf shel re'i* (a *heter Chazal* gave to move *Muktze* whenever a person is disgusted from the *Muktze*), which will be dealt with elsewhere. See *Biur Halacha* end of *Siman 338*. A *Rav* should be asked how to deal with this case.

*M" B 7* discusses the *Muktze* status of a *Keli* placed under a lamp before *Shabbos* to catch the dripping oil.

SIMAN 305:19

## More Applications...

### An animal that fell into a water canal

The innovation of this *Se'if* is that it is *muter* to do *Bitul Keli Me'bechano* for the sake of *tza'ar ba'alei chayim* – animal suffering. By placing quilts and pillows into the pit of water, the animal can possibly climb out by stepping on them. However, it's also possible the animal may just remain in the pit on top of them and they will remain *Muktze*. Additionally, even if the animal succeeds in climbing out and off of them, they will be unusable until after *Shabbos* when they dry and as long as they are wet, they are *Muktze*. See *M" A 11*, *M" B 69*.

### Using a Tissue

One might ask that on these lines why it is *muter* to soil a tissue or napkin, as one renders it unusable and might even be *Muktze*?

The answer is that *Mevatel Keli Me'bechano* means to change the intended usage of a *Keli*. A tissue is used for that purpose and is therefore not considered *Bitul Keli Me'bechano*. For that reason, it is *muter* to place garbage in a fresh garbage bag even though by doing so one renders the bag *Muktze*. See *Shemiras Shabbos K'hilchoso Chapter 22:24-27* and *footnote 47*.

## PLACING A VESSEL BENEATH AN OIL LAMP

### *Siman 265:4* *Extinguishing*

The *Mishna* on 47b says:

*It is muter to place a(n empty) Keli (even on Shabbos) beneath a burning lamp to catch the sparks, but it is assur to place a Keli with water (even before Shabbos) because one is extinguishing.*



נותנין כלי תחת הנר לקבל ניצוצות

SIMAN 265:4

The *Gemora* explains that there is no problem here of *Mevatel Keli Me'hechano* because the sparks leave no material residue (*Shabbos* 47b) and therefore do not create *Bitul Keli* even for a short while, *M"A 6*, *M"B 14*. The *M"A 6* quotes from the *Mabaril* that although one may place a *Keli* to catch sparks, but it is *assur* to catch falling soot from the wick because that does have material residue.

## Placing a Keli and Water

The *Gemora* says that it is *assur* to put water into the *Keli* even before Shabbos under a lamp, lest one put water in the *Keli* on Shabbos itself. What is the *issur* when putting water in the *Keli* on Shabbos?

### Tosefos

*Tosefos* 47b (*Mipnei*) says that when pouring water into the *Keli* on Shabbos we are concerned he might raise the *Keli* towards the sparks or the sparks might fall into the *Keli* while one is adding the water, thereby actively extinguishing them on Shabbos. *Chazal* therefore forbade placing the water under the lamp even before Shabbos.

### Rabbeinu Tam

*Rabbeinu Tam* (ibid.) argues on *Tosefos* and says that one is forbidden to place the *Keli* and water there because it causes the fire to go out ahead of time.

To summarize, *Tosefos* hold that there is nothing wrong with putting water beneath fire because it is only a *Gramma* – an **indirect cause**<sup>8</sup> to extinguish, not an active action. *Rabbeinu Tam* argues that placing water directly underneath the lamp is not considered *Gramma*.<sup>9</sup> (This is a difficult *Tosefos* and if possible, it should be learned inside).

## Gramma – Indirect Cause

The *Mishna* in *Shabbos* 120a says:

*It is muter to construct a barrier from all types of vessels (even new clay pots) filled with water in order to prevent a fire from spreading. Rabbi Yossi forbids using new clay pots because they cannot withstand fire.*

### Vessels with Water

The *Gemora* later on *Daf* 120b explains that *Chachamim* and *Rebbe Yossi* argue whether *Gramma* to extinguish a fire is *muter* on Shabbos or not. Placing a vessel full of water in the fire's path, eventually causes the fire to burn the vessel and then (indirectly) causing the water to extinguish the fire. The *Chachamim* permit this.

<sup>8</sup> We will soon see that according to *Halacha*, *Gramma* by extinguishing is *muter*. The *machlokes* here is how to define *Gramma*.

<sup>9</sup> The *Chazon Ish* (38-1) says that even according to *Rabbeinu Tam* it is not *assur mide'Oraissa*, but it is worse than *Gramma*.

### A Garment on Fire

The *Gemora 120a* says that if a garment has caught on fire on one side, one is allowed to pour water onto another side of the garment. This is according to the opinion of the *Chachamim*.

### Placing Water into an Oil Lamp before Shabbos

There's a common practice to place water underneath the oil of a lamp in order to raise the oil closer to the wick. This was done before Shabbos, before the lamp was lit. We need to examine whether this is a *Halachically* acceptable custom.

*We will now explain the Gemora according to the two opinions of Tosefos mentioned above:*

#### Tosefos

According to *Tosefos* there is no contradiction between the two cases (in *Shabbos 120a* and our case *Shabbos 47b*). In our case there's concern that he will raise the *Keli* to the spark because one does not see any problem with putting water into a *Keli* under a lamp and does not realize that he may unintentionally raise the *Keli* to the sparks. However, when one pours water onto a garment or places vessels filled with water in a fire's path, care will be taken not to pour water directly onto the fire.

Also, there is no problem putting water under oil in a lamp because obviously one will not do such a thing on Shabbos for fear that he might put fire out directly.

*Tosefos* cites the *Yerushalmi* that says that it also *muter* to form a 'water barricade' in the fire's path, e.g., placing snow or blocks of ice. *Tosefos* agrees that this is also considered only a *Gramma*. (However, *Rabbeinu Tam* says that the *Yerushalmi* disagrees with our *Gemora*, and according to our *Gemora* a 'water barricade' is *assur*, not *Gramma*).

#### Rabbeinu Tam

However according to *Rabbeinu Tam*: a) Water under the oil in a lamp should be *assur* because it is directly in line where the sparks can fall. b) Pouring water onto a garment on fire should be *assur*, again because it is directly in front of where the fire will burn.

*Tosefos* answers, according to *Rabbeinu Tam*, the following:

a) Putting water under the oil is *muter* because one's **intention** is to raise the oil not to extinguish the fire. b) Pouring water on a garment is *muter* because the main feat accomplished by the water is to **prevent** the fire from spreading and not to **put** the fire **out**.

### A Water Barricade

*Tosefos* adds that even if we hold that the reason placing a *Keli* with water under a lamp is *assur*, is because it is in direct line with the sparks, still, a water barricade is less of a direct



extinguishing of the fire than by placing a *Keli* of water under the oil lamp.

SUMMARY

**Placing water beneath a lamp is Assur**

*Tosefos* – one might extinguish the flame.

*Rabbeinu Tam* – The intention is to extinguish, and it is not called *Gramma*.

**Pouring water onto the other side of a burning garment is Muter**

*Tosefos* – One will take care not to extinguish the fire.

*Rabbeinu Tam* – It is not called extinguishing because the intention is to prevent the fire from spreading.

**Water beneath oil in a lamp**

*Tosefos* – One will not add water on Shabbos (and will therefore not extinguish the fire).

*Rabbeinu Tam* – The intention is not to extinguish the flame rather to raise the oil.

**Using a water barricade**

*Tosefos* – *Gramma* is *muter*.

*Rabbeinu Tam* – This type of *Gramma* is *assur*.

Another opinion (in *Tosefos*) – A water barricade is *muter* because the fire doesn't fall straight into the water as by a *Keli* with water placed beneath an oil lamp, so it is less direct and therefore *muter*.

LET US REVIEW THESE IF

***Mechaber* - However, water may not be placed into the container, even from before Shabbos, because one extinguishes the sparks prematurely.**

This is the *Gemora* section and therefore nobody disagrees with it.

(cont.) **Nevertheless, it is permitted to put water in an oil lamp one lights before Shabbos, because one's intention is not to extinguish the flame rather to raise the oil.**

This explanation is according to *Rabbeinu Tam*, but according to *Tosefos* the reason is because one will not do it on Shabbos.

RAMA *Some authorities say that even if one's intention is to extinguish the flame it is permitted since the water is not directly beneath the flame, as it is beneath the oil, and is therefore only causing the flame*

*to be extinguished indirectly, and so is the custom.*

This explanation is according to the other opinion in *Tosefos*. (The *Vilna Ga'on* says that the *Mechaber* and *Rama* are the two answers in *Tosefos*; see inside).

## **Water in a Candlestick**

*M" B* 18 says that everyone will agree that it is *assur* to place water in a candlestick underneath a wax candle. The water is considered directly below the fire (unlike the water barricade) and one's intention is to put out the fire before it can damage the candlestick, unlike by oil where his intention is to raise the level of the oil to the wick.

However, when necessary, it may be done – see *M" B*.

See *Shulchan Aruch HaRav* 265:9 and *Kunteres Acharon 3, Siman 514 Kunteres Acharon 3*.

## **Sand in a Candlestick**

It is *muter* according to all opinions, to put sand at the base of a wax candle in a candlestick because the sand does not extinguish the fire; it only prevents the flame from charring the candlestick.

To complement this subject, one should learn through the *M" B* in *Siman 334:22-24*.

## Summary

- It is *assur* to be *Mevatel Keli Me'hechano* on Shabbos.
- Oil that drips from a lit oil lamp on Shabbos is *Muktze*.
- *Hagabos Ashri* permits placing a *Keli* beneath a wax candle to catch it when it falls off the candlestick. The *Beis Yosef* the *M" A* differ whether it is *muter* according to all opinions.
- If a *Keli* is under the table one may move the table on Shabbos from beneath to catch oil dripping from a hanging oil lamp.
- If an a/c unit's water is dripping, one may not place a container beneath it to catch the water.
- It is *muter* to do *Bitul Keli Me'hechano* for the sake of *tza'ar ba'alei chayim* – animal suffering.
- Using paper plates and napkins do not fall in the category of *Bitul Keli Me'hechano*.
- Placing a *Keli* under an oil lamp is *assur* to be done on Shabbos. There are various explanations given.
- Placing water beneath a burning oil lamp is *assur* even when arranged before Shabbos. *Tosefos* and *Rabbeinu Tam* differ regarding the reason for this *Halacha*.
- It's *muter* to raise the oil level with water according to all opinions.

## Review Questions

1. What is the reason one may not make a *Keli Muktzeh* on Shabbos?
2. Is *ונניהם ילכ לטבמ assur mide'ooraiissa* or *mide'Rabanan*?
3. Why is it *assur* to place a *Keli* beneath dripping oil, after all one could empty the oil?
4. Why is the oil inside the lamp *Muktzeh*?
5. Why is the oil that has dripped out the lamp *Muktzeh*?
6. Why is one permitted to place a plate beneath a wax candle but not beneath an oil lamp?
7. What is the problem with placing a bowl beneath water dripping from an air-conditioning unit?
8. What could be the problem with throwing pillows into water on Shabbos?
9. Why do we not learn from this that one would be forbidden to use a tissue or napkin on Shabbos because it becomes unusable?
10. Why is there a problem to place water in a *Keli* below the sparks, after all the sparks only fall later into the water?
11. What are the two *Gemoras* on *Shabbos* 120a that deal with *Gamma*?
12. Do these *Gemoras* present a problem for *Tosefos* or *R' Tam*?
13. How does *R' Tam* reconcile his *pshat* with the *Gemora*?
14. May one place water in an oil lamp before Shabbos?
15. May one place water inside a candlestick beneath the candle? The purpose is to extinguish the candle when it reaches the water thus preventing the candle from messing the candlestick.

## Review Answers

1. There is a contradiction in *Rasbi*. In one place he says because it is considered *Binyan* and in the other he says that it is *Soter* – dismantling.
2. It is only *assur mide'Rabanan*.
3. The only way to use the *Keli* would be to tilt the oil out of the *Keli*, and since one will not do that, one is *Mevatel* the *Keli* to the *Muktze* oil.
4. Since it is *assur* to remove oil from the oil lamp the oil is *Muktze*.
5. Although the oil that dripped out the lamp is not prone to extinguishing any longer, it is still *Muktze*. This is because anything set aside for an *issur*, even though the reason for the *issur* no longer applies, remains *Muktze*.
6. The difference is that one will not and cannot tip the oil but one can tip the candle from the plate. Although the *Beis Yosef* understands that this depends on a *machlokes*, the *Poskim* disagree and say that everyone agrees it is *muter*.
7. The water condensed through an a/c unit is *Muktze* because it is *Nolad* – a new being. Accordingly, one may not place a *Keli* to catch the water because of *ונכיהם ילכ לטבמ*. One should therefore position the *Keli* beneath the a/c before Shabbos and make sure that it is large enough to contain the dripping water.
8. Wet pillows are unusable and are probably *Muktze* as a *Gezeira* lest one squeezes them. Accordingly, it would involve an *issur* of *ביטול כלי מהיכנו*.
9. Tissues are different because it is not a deviation of their usage and therefore it is not considered *ביטול כלי מהיכנו*. There would probably be a problem to place a towel into a puddle of water because of *ביטול כלי מהיכנו* and a Rav should be asked.
10. *Tosefos* holds that the problem is that a spark might fall while one is pouring the water and will directly extinguish the spark, or one might raise the *Keli* towards the falling spark, which is also direct *Kibui*. *R' Tam* learns that placing water directly below the sparks is worse than *Gramma*.
11. One deals with the placing of vessels in the way of fire and the other deals with wetting the other side of a burning garment. In both cases

the *Chachamim* say it is *muter*.

12. According to *Tosefos* who ideally would permit putting water below sparks (if not for the *Gezeira*) they fit in nicely with *Tosefos'* *psbat* because *Gramma* is *muter*, and these cases are *Gramma*. *R' Tam* who says it is *assur* to place water beneath sparks because it is *Kibui*, must explain why these two *Gemoras* are different.
13. The case of the water inside the vessel is simply a *Gramma* because the fire must first burn through the *Keli* and then the water will extinguish it. Pouring water onto the garment is indeed not a *Gramma*, because there is no physical barrier between the water and the fire, but since one does not intend to extinguish the fire rather to prevent its spreading, it is *muter*.
14. According to *Tosefos* it is *muter* because it is only a *Gramma*, and according to *R' Tam* it is *muter* because one does not intend to extinguish the fire only to raise the oil.
15. According to *Tosefos* it is *assur* because it is similar to the vessel below sparks and according to *R' Tam* it is *assur* because one intends to put out the fire.