The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"ח סעיף מ"א-מ"ה

Overview

Siman 308 Seif 41:

A woman may assist her child to walk even in the public domain as long as she does not drag him. As he lifts one leg he must support his weight with his other leg until he is ready to put down the leg that he lifted so that he is always supporting his weight on one leg.

- It is permitted even in the public domain since if she were to lift him it would only violate a Rabbinic injunction. (M.B. 153)
- Dragging him is comparable to carrying him and thus even in a *karmelis* it is prohibited. Some are lenient to drag him in a *karmelis* but it is certainly prohibited to carry a child on one's shoulders in a *karmelis*. Many people mistakenly think this is permitted and they are in violation of a Rabbinic injunction but it is better not to tell them so that they violate the prohibition inadvertently rather than intentionally. If one carries a child that cannot walk at all in a public domain one is liable but it is permitted for a gentile to do so since we don't have actual public domains. If one takes out a child who is wearing a pouch one is liable since the pouch is not subordinate to the child. (M.B. 154)

Siman 308 Seif 42:

It is permitted to touch something that is *muktzah* as long as one does not move it even slightly (As explained in *seif* 3).

Siman 308 Seif 43:

It is permitted to move a *muktzah* item by blowing on it (as explained at the beginning of the *siman*).

Siman 308 Seif 44:

One may not take a piece of a damaged utensil to use as a cover or support for something.

- Pulling off the piece constitutes preparing a utensil since making something fit for use violates the restriction against making a utensil fit for use. Even if the piece fell off and one breaks off an edge to make it usable he has violated the prohibition against "striking with a hammer" but it is permitted to take a piece of the broken utensil to use it as is. (M.B. 156)

Siman 308 Seif 45:

It is prohibited to play ball on Shabbos or Yom Tov. Some maintain that it is permitted and the custom is to be lenient.

- It is not considered a utensil and thus similar to a stone and is *muktzah machmas gufo*. (M.B. 157)
- The reasoning may be that since it is designed to be used in this manner it is not *muktzah*. This leniency does not apply when one plays on the ground since all opinions agree that it is prohibited to play ball on the ground out of concern that one will smooth out the ground. One should not protest children or women who play ball so that they should not do so intentionally. (M.B. 158)

Halacha Highlight

Playing ball

Shulchan Aruch Siman 308 Seif 45

אסור לשחק בשבת ויום טוב בכדור

It is prohibited to play ball on Shabbos or Yom Tov

Shulchan Aruch and Rema (סע' מ"ה) disagree whether it is permitted to play ball on Shabbos. Shulchan Aruch adopts the stringent position and rules that it is prohibited to play ball on Shabbos. Mishnah Berurah (ס"ק קנ"ז) explains that the ball under discussion can be made from paper or wood and the reason it is *muktzah* is that it is not considered a utensil just because one could play with it and is categorized as *muktzah machmas gufo* and is no different than a stone. Rema references authorities who maintain a lenient position about the matter and notes that the custom is in accordance with that view. Mishnah Berurah (ס"ק קנ"ח) suggests that the rationale behind this position is that since it was designated for this purpose it is not *muktzah*. He then notes that this dispute does not touch upon the issue of transporting the ball four *amos* in a public domain or *karmelis* which would obviously be prohibited and also does not address the issue of playing on the ground and the issue of an injunction prohibiting such play out of concern that one will smooth out the ground.

Many *Poskim* (שו"ת שבט הלוי ח"ט סי' ע"ח, הגרש"ז אויערבך במ"ב מהדורת ביצחק יקרא והגרי"ש אלישיב בשבות יצחק מוקצה פ"ה אות א') maintain that the dispute between Shulchan Aruch and Rema has no bearing on balls that are made nowadays. Since balls are manufactured for play they are not *muktzah*. Rav Nissim Karelitz (חוט שני ח"ג פס"ח סק"א) maintains that the dispute is relevant even nowadays and according to Shulchan Aruch it would be prohibited. Furthermore, he asserts that according to Mishnah Berurah's understanding of Shulchan Aruch, even if the ball is made to be used for playing it would be *muktzah*. The only rationale why a ball nowadays may not be *muktzah* would be if one were to use it to cover a utensil. If, however, one does not ever use a ball to cover a utensil it is unclear whether it would still be considered a utensil.