The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שי"ג סעיף א'

Overview

Siman 313 Seif 1:

Regarding a window shutter, for example, a board or other object used to close a window it may be used even if it is not tied to the window and it is not considered as though one is adding to a structure but this assumes that before Shabbos one thought to use it to close the window. A reed that one prepared to use as a lock does not have to tied to the door but it nevertheless appears more like construction than a window shutter and intending to use it is not sufficient, rather one must do something to prepare it. According to Rashi one must prepare it in a way that it is fit for some other use, for example, to use it to turn over olives or to crack nuts, whereas according to Rabbeinu Tam it does not have to be fit for something else, and it is sufficient if one did something to make it fit to serve as a lock for the door. It is therefore considered a *kli shemelachto l'heter* and may be moved as explained in *siman* 308 *seif* 4. **A bolt which is a peg used as a lock that is inserted in the threshold and more resembles construction must be tied to the door and designation is not sufficient. How should it be tied? If one end contains a knob meaning that one end is thick and could be used to crush things so that it resembles a utensil, it is sufficient if it is tied with a thin rope that is not even strong enough to hold the bolt. Even if it is tied to the beam rather that the door and even if the rope is long so that it is not suspended altogether and rests on the ground it is permitted. If the end does not have a knob but it is tied to the door itself it is sufficient even if the rope is thin so that it could not hold the bolt and it rests on the ground. If it is tied to the beam rather than the door it must be tied tightly so that it could hold the bolt and even then it is unnecessary for it to be suspended and although it rests entirely on the ground it is permitted since the prohibition applies only when one places it into a corner.**

- This is permitted even for a skylight. Ri HaLevi asserts that the allowance to close a window to prevent tumah from entering is limited to before the person dies but afterwards would constitute an actual repair that is prohibited but Magen Avrohom disagrees and permits it even after the deceased died and Sha'arei Teshuvah follows his position. (M.B. 1)
- This is effective even if one never used it and certainly if one used it, even once it would be considered a utensil. (M.B. 3)
- In other words, one inserted it in the wall near the door. (M.B. 4)
- Once fixed it is a utensil and no longer subject to the prohibition of construction. According to Rashi it must usable for some other purpose whereas according to Rabbeinu Tam it is sufficient if it could be used to lock the door. (M.B. 6)
- In a circumstance of need one may rely upon Rabbeinu Tam's position. (M.B. 7)
- A utensil's status is determined by its majority use. (M.B. 9)
- It is not necessary to move it for itself or its place, as long as it has some purpose. (M.B. 10)
- There is a disagreement whether a knot is essential and Gra follows the stringent position. If the bolt is attached to the door and one pulls it and inserts it in a hole it is permitted according to all opinions even if it is not tied. (M.B. 13)
- Or in the side post behind the door. (M.B. 16)
- Since the bolt is not a utensil there is greater need that it is used for locking a door. (M.B. 17)
- Without a strong knot it is prohibited even if the bolt hangs in the air without dragging at all. (M.B. 18)
- Meaning it is not tied at all and when it is removed from the hole it is placed into a corner so that it does not appear as though it is designated for locking a door and consequently subject to the prohibition of construction. (M.B. 19)

Halacha Highlight

A utensil used for permitted and prohibited activities

Rema Siman 313 Seif 1
ומקרי על ידי כך כלי שמלאכתו להתר
And it is thus considered a *kli shemelachto l'heter*

Shulchan Aruch addresses the use of a reed to lock a door. He rules that when one does something to the reed to make it usable for a lock, inserting it in place does not resemble construction and thus it may be done on Shabbos. He then notes that there is a disagreement regarding the degree to which one must do something so that it resembles a utensil. According to Rashi, one must do something to the reed so that it is functional as another utensil. For example, one must be able to use it to turn over olives or crack open nuts. Once it is functional for other purposes using it to lock the door does not resemble construction since it has the status of a utensil. According to Rabbeinu Tam it is unnecessary for the reed to be usable for other purposes. As long as one did something so that it could function to lock a door it is considered a utensil and its use no longer gives the appearance of construction. Rema then adds that once one prepared the reed for this use it is now considered a *kli shemelachto l'heter* and it may be moved even if one does not intend to use it or its space as long as it is moved for some purpose (מ"ב סק"י).

Mishnah Berurah (סק"ט) adds an important qualification regarding the status of a reed. He writes that when one has a reed that is used for harvesting olives, it is considered a *kl shemelachto l'issur* even though it is also used to lock a door since we follow the majority use of the utensil. Biur Halacha (סי' ש"ח סע' ג' ד"ה קרדם) wrote that when a utensil is used for prohibited and permitted uses equally, it is not considered a *kli shemelachto l'issur* and even if its majority use is for prohibited activities, it is not a *kli shemelachto l'issur* which is inconsistent with what he states here. Perhaps the difference is that here he refers to where the reed is used primarily to harvest olives and only occasionally is it used to lock a door whereas over there he refers to where the utensil was designed for both activities, it is just that it is used more often for the prohibited activity (מ"ב מהדורת דרשו 6).