



Moving Muktzeh on Shabbat

1. If a Muktzeh item is on top of a non-Muktzeh item, it is permitted to move the Muktzeh indirectly if one's intent is to use the non-Muktzeh item but not if one's intent is to move the Muktzeh. This assumes that the non-Muktzeh item isn't a Bosis and one can't remove the Muktzeh by tilting.¹
2. It is permitted to move a Muktzeh item with one's body.²
3. It is permitted to touch Muktzeh if it does not move. Some say that one may not touch Muktzeh if one's intent is to serve the Muktzeh item.³

1. In the Gemara (Shabbat 123a) Rav Nachman states that indirect movement of Muktzeh is permitted. On the other hand, the Gemara (43b) earlier states that everyone agrees indirect movement of Muktzeh is forbidden. Tosfot (43b s.v. DeKuleh) answer that indirect movement of Muktzeh is permitted if one's purpose is to move the permitted item and a Muktzeh item is drawn along, but if one's intent is to move the Muktzeh item, one may not do so even indirectly. The Rif 20b, Rambam (Shabbat 25:14), and Rosh 3:19 agree to this resolution. Tur and S"A 311:8 codify this as halacha.

The Chazon Ish 47:12-14 explains that if one is moving a Muktzeh item and a non-Muktzeh item for the sake of the Muktzeh, it is considered as though one is moving Muktzeh, but if one is moving it for the sake of the non-Muktzeh item, it is considered as though one is moving only the non-Muktzeh. Accordingly, the Chazon Ish writes that he doesn't understand the Taz 308:18 and Mishna Brurah 308:115, who write that one may push peels or bones that are totally inedible off the table using a knife if one needs the area where these peels and bones are located since one is moving Muktzeh indirectly for a permitted need. The Chazon Ish argues that since one is primarily focused on moving the Muktzeh, it is forbidden even if it is done indirectly.

Rabbi Mordechai Willig (Am Mordechai p. 104-6) explains that the Mishna Brurah and others hold that it is permitted to move Muktzeh indirectly for a permitted use on Shabbat as Chazal were lenient with regards to moving Muktzeh indirectly for a permitted purpose. He explains that this leniency may be due to the fact that Muktzeh is based on the prohibition to carry on Shabbat. Even if one carried Muktzeh for a permitted purpose and not for the Muktzeh itself, it would be Melacha Sheino Tzaricha LeGufo and not a biblical prohibition. However, Chazal only permitted moving Muktzeh for a permitted use if done indirectly or in an abnormal manner because of a *Lo Plug*. Shemirat Shabbat Kehilchata 22:38 agrees with the Mishna Brurah.

Based on S"A 309:3-4, Rabbi Simcha Bunim Cohen (*ibid.* p. 35-8) notes that one may not indirectly move a non-Muktzeh item if it was a Bosis. Additionally, if one

can remove the Muktzeh item by tilting, one may not move it indirectly.

2. The Mishnah (Shabbat 141a) states that one may push Muktzeh straw off of his bed with his body but not with his hands. The Gemara explains that this is based on the principle that indirect movement of Muktzeh is permitted. Based on the distinction of Tosfot (see note 1), Rabbeinu Yonah (cited by the Rosh *ibid.*) asks why indirect movement of Muktzeh is permitted if one's intent is to move the Muktzeh item. The Rosh answers that moving Muktzeh with one's body is permitted even if one's intent is to move Muktzeh, whereas direct movement of a non-Muktzeh item which in turn moves a Muktzeh item is permitted only if one's intent is for the non-Muktzeh item. Tur and S"A 311:8 codify this as halacha.

The Mishna Brurah 311:30 writes that it is permitted to move Muktzeh with any part of one's body other than his hands. For example, in 308:13 and 30 he writes that one may move Muktzeh with one's foot. Shemirat Shabbat Kehilchata 22:36 agrees. See Chazon Ish 47:12, who argues that the Rosh merely meant that one may lie down on straw even if it moves since its not evident that one is moving Muktzeh. One may not, however, move Muktzeh with one's body if his primary intent is to move Muktzeh. See Rabbi Mordechai Willig (*ibid.* p. 105-6) who connects this to the above dispute.

3. The Yerushalmi (Beitzah 5:1) states that one may place a vessel over an egg that was laid on Shabbat as long as the vessel doesn't touch the egg. The Maggid Mishneh (Shabbat 25:23) wonders why there should be a prohibition even if the vessel touches the egg – after all, Chazal forbade only moving Muktzeh. He answers that since an egg is round, touching it automatically will make it move. The Trumat HaDeshen (67) based on Tosfot (see note 1) argues that covering Muktzeh for its protection is forbidden since one's entire intent is for the Muktzeh.

S"A 308:42 and Rama 308:3 write simply that it is permitted to touch Muktzeh and don't add the Trumat HaDeshen's condition. Magen Avraham 310:3 rules in favor of the Trumat HaDeshen, while the Gr"a (Beur HaGra 310:6) rules like the Maggid Mishneh. The Mishna Brurah 310:22 and Shemirat Shabbat Kehilchata 22:33 agree with the Gr"a.