



Trapping on Shabbat

1. The Torah-level prohibition of trapping on Shabbat applies only to an animal that people normally trap. If, however, it is a type of animal that is not normally trapped, trapping it is forbidden only rabbinically.¹
2. Many poskim hold that one may close the door of his house even if he owns a pet provided that the pet either is totally domesticated, it doesn't realize that it is being confined, or if the house is large and one's intent is to protect the house from burglary.²
3. Some poskim permit trapping animals that move very slowly and are easy to trap, such as a small red ant or a turtle.³

1. The Gemara (Shabbat 106b) records a dispute between Rabanan and Rabi Meir. Rabanan hold that there is a biblical prohibition to trap an animal that normally is trapped and there is a rabbinic prohibition to trap animals that are not usually trapped. Rabi Meir, however, argues that both types of animals are included in the biblical prohibition. The Rambam (10:19 and 24), Tur, and S"A 316:3 rule in accordance with Rabanan. Shemirat Shabbat K'hilchata 27:33 clarifies that "normally trapped" refers to animals that are trapped for meat or hide, but animals that are trapped so that they don't injure a person are not included in the biblical prohibition.

2. The Mishnah (Shabbat 106b) states that it is a biblical prohibition to close the door of a house on a deer. The Rashba (107a s.v. Tosefta) understands the Yerushalmi as saying that it is permitted to shut the door even if a deer is inside if one's intent is to guard his house. The Ran (38a s.v. Ha), however, argues that if one knew that the deer was inside, even if he did not intend to trap, it is a psik reisha and is forbidden. Avnei Nezer O.C. 194 defends the Rashba, but Rav Ovadia Yosef (Yabia Omer 4:35:13) proves from the Rama 316:3 that the halacha does not follow the Rashba.

S"A 316:1 establishes that it is a rabbinic prohibition to confine an animal to a space even if it is not completely trapped. Mishna Brurah 316:4 explains that an animal is considered "not completely trapped" if one couldn't grab it with one exertion. Therefore, Mishna Brurah 316:5 writes that one may close the door of a house even though a bird is inside if it is cold outside and one's intention is not to trap the bird. He reasons that while actually trapping the bird is a rabbinic prohibition, as the bird is not completely trapped in a house, it is permitted if one does not intend to trap it. Rav Mordechai Willig (Am Mordechai p. 174) explains that the Mishna Brurah holds that a psik reisha of a rabbinic prohibition is permitted when there is a great need. Therefore, the 39 Melachos (Tzad, note

144a) says that one may close one's door if a pet is inside as long as he is closing the door to protect against burglary or the elements and the house is large. Orchot Shabbat (p. 421) agrees for a different reason.

Chayei Adam 30:4 writes that a domesticated animal that relaxes and submits when grabbed by its owner may be trapped. Mishna Brurah 316:57 and The 39 Melachos (vol 3, p. 868) agree.

Chut HaShani (vol 1, p. 120) writes that there is a rabbinic prohibition only if the animal feels that it is being confined. It is permitted to trap an animal in an area that is so large that it doesn't even realize it is being confined. The Shabbos Home (p. 353) agrees.

3. The Gemara (Shabbat 106b) distinguishes between a deer that is blind or sleeping and one that is lame, old, or sick. If one traps a deer in the first category, there is a biblical prohibition, because it could run away; if one traps a deer in the second category, there is a rabbinic prohibition, because it does not run away. This is codified by the Rambam (10:21 and 24), Tur, and S"A 316:2. The Mishna Brurah 316:8 explains the Rambam 10:24 as saying that trapping a young animal that cannot run away is only a rabbinic prohibition.

Shemirat Shabbat K'hilchata 27:45 quotes Rav Shlomo Zalman Auerbach that it is permitted to trap an animal that is easy to trap and doesn't usually run away, such as an ant or turtle. Nonetheless, one may not move them, as they are muktzeh. Rav Shlomo Zalman explains that a sick animal usually can run away, so trapping it is prohibited, but an ant always is easy to trap even if it tries to hide. The 39 Melachos (vol 3, p. 863) agrees with this ruling but qualifies that only small red ants may be trapped, while large black ants that can move very quickly may not be trapped.

Orchot Shabbat (vol 1, p. 420, quoting Rav Elyashiv) and The Shabbos Home (p. 339, note 4, based on the Chazon Ish) forbid trapping animals that move very slowly and are easy to trap just like it is forbidden to trap an old or sick animal.