



Parshas Mishpatim 5762

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Is one permitted to ask a non-Jew to turn on the heating?

We find that *Chazal* took meticulous care with regards to children's health. Since cold weather can be detrimental to their health, *Chazal* permitted a non-Jew to turn on the heating on Shabbos in cold countries.¹ Accordingly, there is no problem to have a non-Jew switch on the central heating (when it was not preset with a time switch), because children require heat to remain healthy.

In certain cold conditions, *Chazal* even permit a non-Jew to turn the heating on for the benefit of adults, because, as *Chazal* say: 'everyone is considered sick when it concerns cold weather'.

Is there a difference between a bonfire and central heating?

As mentioned last week, one light caters for many, and therefore when a non-Jew turns a light on for himself, a Jew may benefit from it. However some hold² that a bonfire is different, because the more people warming themselves around a bonfire the more wood is needed to make it bigger, and therefore if a non-Jew makes a bonfire for himself one is forbidden to sit by it (according to this opinion) lest he adds wood for the sake of the Jew.

This, of course, does not apply to a central heating system. A central heating is similar to a light, and if a non-Jew turned it on for himself or for children, adults may benefit from it as well.

If a non-Jew turned on the heating when it was prohibited to do so, what is one supposed to do?

The *Rama*³ says that one does not have to leave the house if a non-Jew turned on a light or the heating, but nevertheless the Jew is forbidden to do anything he could not have done before. That means that if he could not read beforehand, because of poor reading light, he may not read now either. He may not warm himself in front of the fire, yet he may remove his sweater he was wearing due to the cold, just as he may walk in his house at a quicker pace than he could have, before the non-Jew turned on the light.

How would this apply to a building with a central heating system joined by Jews and non-Jews?

In extremely cold weather, or when children dwell in the flat, there is no problem whatsoever.

If the majority of the residents are non-Jews, we say that the non-Jew has intention for the

¹ *Simon* 276:5

² *Simon* 276:1

³ *Ibid*. If the Jew instructed the non-Jew to turn on the heating when he was forbidden to do so, the *M"B* 13 says that Jew would have to leave his house.

majority, and is permitted. Even when the majority are Jews, the *Mishna Berura*⁴ says that one is permitted to hire the non-Jew for the entire winter season to turn on the heating when it is cold (which might be detrimental to one's health), and if he turns it on when it is not so cold, it is considered as if he did it on his own accord, and as mentioned above, one does not have to leave the apartment.

Vort On The Parsha

One, who steals and sells a lamb, must pay four times its value, and one who steals and sells an ox, must pay five times its value. (21:37).

R" Simcha Zissel of Kelm pointed out that when the lamb thief carried the lamb on his shoulders, he was somewhat degraded and ridiculed by others, and the Torah duly reduced his monetary punishment. Whereas in the case of the ox thief there was no degradation, and hence no lessening of his punishment.

All the more so when one overcomes an evil urge through difficult inner conflict, or performs a mitzvah against all odds, his reward will be far greater than the basic reward for fulfilling the mitzvah.

Food For Thought

May one hang a wet raincoat on a washing line?

Does it make a difference whether it got wet from the rain or if it fell into a puddle?

If a sock landed inside the washing bowl, what is its status?

⁴ *Simon* 276:45

How is one supposed to wipe up a mess on the floor on Shabbos?

Answers coming next week.

Iggeres HaGra - (part 10)

Raise your own children as well correctly and sensitively, and pay their tutor well, for "Man's entire sustenance for the year is fixed for him from Rosh Hashanah...except TiShReY (Talmud, Shabbos, Rosh Chodesh and Yom Tov - Beitzah 16a). I have also left books for them. For Hashem's sake, guide them well and gently. Take care of their health and make sure that they always have enough to eat. First have them learn the entire Chumash, seeing to it that they know it almost by heart. The learning must be done without undue pressure, rather gently, because it is best absorbed when one is relaxed. Give them coins, etc., as a reward. Always focus your attention on these matters and not on others, because all else is trivial. For man can salvage nothing from his labor to take with him (see Koheles 5:14), except two white garments (shrouds). Also (Tehillim 49), "A man will not redeem his brother...Fear not when a man grows rich...For when he dies, he shall carry nothing away...." Don't say, "I will leave a portion for my children" - who will tell you in the grave? The children of man are like grasses of the field, some blossom and some fade (Eruvin 54a). Everyone is born under his constellation and Divine Providence. They are glad when he dies and he goes into the nether world. [At his death] Resh Lakish left his children a kav of saffron, and he applied to himself the verse (Tehillim 49:11), "...and they leave their wealth to others" (Gittin 47a).

In memory of R' David B' Shmuel HaLevi zt'l, The Taz, yahrzeit 24th Shevat.

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Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.