



THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

Published by **פרחי שושנים** **PIRCHIEI SHOSHANIM**

A Project of
The Shema Yisrael Torah Network

based on the shiurim given by
RABBI DOVID OSTROFF shlita

developed from the Chabura of the
Shulchan Aruch Project

These halachos were shown by Rabbi Ostroff to **HaGaon HaRau Moshe Sternbuch, shlita**



Parshas Vayeitzei 5766

December 9, '05
Volume V Issue 6

May one benefit from a light turned on by a gentile?

We have previously learned that a light switched on by a gentile for the sake of an ill person may be used by all. When switched on in other circumstances the *halacha* is different.

The *gemora*¹ cites Shmuel who arrived at a certain house when a gentile entered the room and kindled a candle. Shmuel turned round so as not to benefit from the light. The gentile then proceeded to pull out a document which he commenced to read, at which point Shmuel turned and faced the candle. Shmuel's reasoning was that obviously the gentile lit the candle for his own benefit and as a result he was also able to benefit from the light.

We learn several *halachos* from this story.

- Shmuel demonstrated that one may not benefit from light lit by a gentile when probably lit for a Jew.
- One may benefit from the light when lit for a gentile.

Why did Shmuel have to turn around? Would it not suffice merely not to benefit from the light?

Indeed, but the *Beis Yosef* says² that he did so for two reasons: an act of piety – *midas chasidus* - so as not to benefit in any way from the light; a distinguished individual must demonstrate that it was the gentile's initiative to light the candle and he was not instructed to do so.

But if Shmuel did not instruct the gentile, why is it prohibited?

Two main issues involve gentiles on Shabbos, instructing a gentile – *amirah le'akum* and benefiting from his action – *hana'ah*. Even when an instruction is not issued one may not benefit from a gentile's action, except in specific cases.

The main reason is because if one is permitted to benefit from a gentile's action, one may be tempted to instruct him to violate the Shabbos some other time.³

What if the gentile is paid each time a light is switched on?

The *Rama* says⁴ that even if the gentile is paid to turn on lights, one may not benefit from the lights. This includes all types of payments: 1) for every light switched on. 2) A weekly or monthly salary.

But if the gentile is paid, is it therefore not in the gentile's self interest?

Indeed the gentile has an obvious self-centered motive but since the light is switched on to give the Jew direct benefit, it may not be used.⁵ Only when the light is switched on for the sole benefit of the gentile may a Jew benefit there from. For example,

- A gentile is paid to turn on the lights every time a Jewish resident or

¹ Shabbos 122b, top of the *amud*.

² *Simon* 276.

³ *Simon* 276:1 and *M"B* 2.

⁴ *Simon* 276:1.

⁵ *M"B* *simon* 276:4.

tenant enters the building. Even though not specifically told to switch on lights on Shabbos this arrangement must be cancelled for Shabbos.

Since this is a serious case, which involves personal security, a rav must be asked.

- A gentile is hired to operate the elevator and is paid weekly. Being acquainted with all tenants it is not necessary to tell the operator which button to press. (Aside from the issue of riding an elevator on Shabbos) one may not enter the elevator knowing that the gentile will press the respective button - because the gentile is doing it for the Jewish passenger who is receiving direct benefit.

But isn't there leniency when a gentile is paid for his work?

Yes, in a different case. One may hand in one's car to a gentile's garage on Friday provided that one leaves ample time for the car to be repaired before or after Shabbos. Although it is possible that the gentile may service the car on Shabbos it is permitted because, 1) an instruction was not given to service the car on Shabbos, 2) the mechanic has time before or after Shabbos, 3) he is paid for his work, 4) one does not benefit on Shabbos from the mechanic's action, 5) the work takes place on the gentile's premises.⁶

What if the gentile does not work on Sunday?

Say the gentile closes shop on Friday 15:00 pm and the car is handed in at 14:30 pm with instructions to have it ready Monday 7:30 am. If the garage does not work on Sunday and the car requires 5 hours work, it cannot be done unless it is worked on, on

Shabbos. Even though there was **no** instruction to service it on Shabbos, since it will not be ready unless it is worked on Shabbos, many *poskim* declare that it is as if the instruction to work on Shabbos was given and this is prohibited.

What if there are other cars in line before the Jew's car?

If ample time is available before or after Shabbos to repair the car, even though other cars arrived prior thereto and the mechanic will not jump the line to work on the car before Shabbos, since it is not mandatory to work on Shabbos, this suffices.

Vort on the Parsha

The *posuke* says, ויצא יעקב, referring to children of B'nei Yisroel. מבאר שבע, from their mother's womb, where they are sworn (שבועה) upon entering this world, to be righteous and not wicked. וילך חרנה and they enter this world, a world that raises Hashem's anger (חרון), because many sin and do not obey His commandments ויפגע במקום - the way to succeed in this world is to pray to Hashem (פגיעה-תפלה) and ask Him to help one reach the final destination when one is placed to rest – וילן שם, at the end of one's days – כי בא השמש, when the sun sets. May we all succeed in our task.

Food For Thought

Is it correct to have a gentile switch on lights in a shul?

Bathroom lights of a shul were accidentally switched off on Shabbos, may one instruct a gentile to switch them on?

May one enter a door opened with a key carried through a reshus harabim?

May a Jew enter an electronic door opened by a mechalel Shabbos?

Answers coming be"H next week.

⁶ See *simon* 244:5 and M"B 24.