

THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

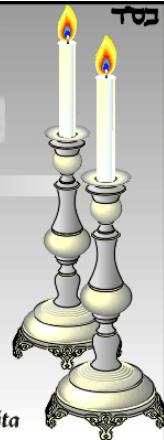
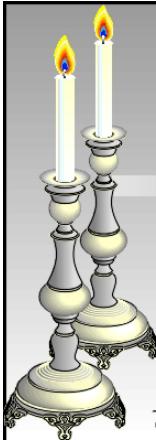
Published by



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 HaRav Moshe Sternbuch, shlita

Parshas Vayikra 5764

March 26, '04

Volume III Issue 22

May I instruct a gentile to wash the dishes when I know that a dishwasher will be used?

Does this imply that the maidservant may use a dishwasher?

Obviously this exact case is not mentioned in the *Shulchan Aruch*, so we will begin with a comparable issue that is mentioned and try and learn from it.

The *Taz*¹ describes a case where the gentile maidservant was asked to wash the dishes and in order to do so she switched on the lights. The *Taz* says that since the Jew does not physically benefit from that light and since the maidservant switches it on for her own sake the Jew may use it. This is because it is has the status of a light switched on for the sake of a gentile.

The *chidush* (novelty) is that even though she is washing the Jew's dishes, she is nevertheless switching on the lights to aid herself in the task that she is performing.

May the Jew aid the maidservant?

The *Mishna Berura* states² that the Jew may aid the maidservant because, as above, we view the switching on of the lights for the maidservant's benefit. The Jew however may not wash the dishes alone because then it is seen as if the gentile switched on the lights for the sake of the Jew.³

Indeed it does. The Jew merely instructs the gentile to wash the dishes, which can be washed *b'heter* without involving any prohibitions, and the gentile on her own accord and for her own benefit decides to use the dishwasher. If the only alternative is using a dishwasher, it would be *osur* to instruct her to wash the dishes because one is instructing her to violate an *issur*.

To summarize:

- Gentiles may switch on a light when doing so for their own benefit, even though in essence the main action is to fulfill a Jew's instruction.
- A Jew may benefit from that light.
- A gentile may use a dishwasher to wash dishes when instructed to wash dishes, provided that there is a way for the gentile to do it *b'heter*.

May I ask a gentile to accompany me to the basement when I know that the light will be switched on for us in the dark basement?

This case is not the same as the previous one because now the Jew is deriving direct physical benefit from the light switched on by the gentile and the essential purpose of going to the basement is for the Jew's benefit.

¹ *Taz* in *simon* 276:5 and mentioned in the *M"B* 276:27.

² *Simon* 276:27.

³ *M"B* *simon* 276:27.

May I request a gentile to bring me a bottle of Coke from the basement knowing that a light will be switched to look for it?

This case is similar to the first case because the light is being switched on to aid the gentile in the task and the Jew is not deriving direct physical benefit from the new light.⁴ The general rule is that the gentile may do anything to aid in the task provided that there is a permitted way to do the task, because otherwise it is as if he has been instructed to violate an *issur*.

What else would you include in this rule?

A gentile who is asked to bring food to the 15th floor of a hotel may use the elevator, because it is being used for the gentile's own benefit.

- When I request a gentile to clean the floor, since there is a way that it can be done *b'heter*, i.e. without squeezing a cloth, the gentile may do it in any way he sees fit.

May the gentile wash my dishes in hot water?

According to many *poskim*, for numerous reasons there are problems in using hot water from a hot water system. The gentile might use the hot water for several reasons: either to properly clean the dishes or for physical comfort. Assuming that it is necessary to wash the dishes in hot water to clean them, it is a problem, because the gentile will be violating an *issur* when using the hot water and there is no real way to bring them to similar results in a permitted manner.⁵ If, however the hot water is being used for physical benefit by the gentile, it is permitted.

⁴ *M" B* ibid.

⁵ *Rav Shlomo Zalman Auerbach* זצ"ל in the *SS"K* 31 footnote *31.

Vort on the Parsha

The *posuk* says "all fats for *Hashem's* sake" (3-16). The fat often represents the best and the grandest, which here would mean that one offers *Hashem* the finest of the *korban*. The *Rambam* writes (end of *Hilchos issurei mizbeach*) that one who wishes to purify oneself, should coerce one's evil inclination and offer a *korban* from the finest of that breed, as we see that *Hevel* brought a *korban* from the finest and his *korban* was accepted. The *Rambam* continues saying that whenever one does something associated with *mitzvos* one should use the best: when feeding a poor person one should feed him with the best food in one's house. A shul should be more beautiful than one's own home. A needy person should be clothed with the finest clothing.

Obviously this requires a very high level of *Yir'as shomayim* but at least we should be aware of the direction we are supposed to take in our daily lives.

Food For Thought

May I hand money to a gentile before Shabbos with instructions to purchase something for me without specifying that I want it bought on Shabbos?

May I set up a self operated coin machine before Shabbos knowing that gentiles will probably use it on Shabbos?

What about leaving a fax machine on or an answer phone to accept orders on Shabbos?

Answers coming next week.