

# COMMUNITY RAV *Summaries*



1

LESSONS 1-5

Summaries of Opinions and Reasonings  
Including rulings of halacha and minhagim





# COMMUNITY RAV SUMMARIES

ORACH CHAIM





## THE HALACHOS FOR COMMUNITY RAV BOOKLET #1

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# Introduction

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"תנא דבי אליהו: כל השונה הלכות בכל יום - מובטח לו שהוא בן העולם הבא, שנאמר הליכות עולם לו, אל תקרי הליכות אלא הלכות" (נדה, עג ע"א).

With thanks to the Hashem, we are pleased to present the participants of the Machon Limmud Halacha — Lema'an Yilmedu program with Community Rav Summaries #1, covering lessons 1-6.

The purpose of these summaries is to clarify the reasoning and process of our halachos, and to aid with review. For the purpose of review, questions to be filled out are included.

Instalment #1 covers all the simanim which will be part of the 1st test.

In addition to this booklet, please also find the 1st instalment of the relevant Shulchan Aruch attached, and the visualisations booklet.

This booklet is intended for your personal use. Much resources were invested in its creation. Please do not pass it on to anyone in any form, if they are not a participant of this Lema'an Yilmedu program. Thank you, and please enjoy!

**Rabbi Zushe Wilhelm**  
Program Head





## **LESSON #4**

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# *Keeping Shabbos in Shul*

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## ELECTRICITY

### Introduction

In this lesson and the following one, we will discuss various issues which can arise in *shuls* with regard to *melacha* on Shabbos. This lesson will cover the topic of electricity use in a *shul*. Hilchos Shabbos include many minute details, of which, not all can be covered within this framework. This will be a taste of the halachos which can arise, without much elaboration, or citations.



## Introduction: The Prohibition in Activating Electricity

### Using Electricity

Heating iron to strengthen and transform it into steel is forbidden *min hatorah* on Shabbos as part of the Melacha of Mav'ir<sup>1</sup> — because heating something to the extent that it can burn something else is like kindling a flame<sup>2</sup>. Because of this, the opinion of most contemporary *Acharonim*<sup>3</sup> is that activating an incandescent electric light (operated by a wire which is heated) or any electrical device which contains such a wire, or any electrical heating machines — is forbidden *min hatorah* as part of the Melacha of Mav'ir.

With regard to electric devices which do not contain an incandescent wire, or a heating body — such as fans, telephones or LED lights, which are common in these times — the contemporary *Acharonim* have delved at length into the question of whether they are forbidden *min hatorah*, *miderabonon*, or permitted.

The primary opinion which is accepted as halacha is that it is forbidden to operate such devices *miderabonon* — because of the prohibition against “*molid*.” Literally meaning “one who gives birth,” this *derabonon* prohibition is against producing a substance which did not palpably exist before, on Shabbos. For when one activates any type of electric device, they close an electrical circuit, which produces a new electrical current within the electrical wires — and this is similar to cases of producing something new, which the *chachomim* forbade on Shabbos (such as producing a smell, or melting ice to water<sup>4</sup>).

In our times, many electrical devices are equipped with screens. Using such devices involves another prohibition — against writing on Shabbos<sup>5</sup>. Other prohibitions which may apply

1 רמב"ם שבת יב א.

2 מגיד משנה שם, הובא בשו"ע אדה"ז תצה קונטרס אחרון אות ב.

3 הגרש"ז אויערבך בשו"ת מנחת שלמה יב ב, ועוד רבים.

4 יש הסוברים שסגירת מעגל חשמלי אסורה מן התורה משום מבעיר, שכן הזרם החשמלי יש בו אנרגיה וכח פעולה להאיר או להפעיל דברים שונים כמו אש, ואף על פי שאינו שורף ומכלה יש להחשיבו כמו אש, שכן מצינו בדברי חכמים שיש כמה סוגים של אש (כך דעת הרב קוק בשו"ת אורח משפט עא והרב עוזיאל בשו"ת משפטי עוזיאל אור"ח ב לו-לז). לדעת החזון איש (אור"ח נ ט) סגירת מעגל חשמל אסורה מן התורה משום בונה, כיון שעל ידה מתעורר חוט החשמל לחיים ועומד על תכונתו, והרי זה כיצירת כלי חדש שאסורה מן התורה משום בונה. בשו"ת בית יצחק (יורה דעה ב לא בהשטות) כתב שסגירת מעגל חשמלי אסורה מדרבנן משום “מוליד”, כמבואר בפנים. הגרש"ז אויערבך (מנחת שלמה א ט-יב) והציץ אליעזר (א כ, יט טו) האריכו לדון בכל השיטות האלו בקושיות ותירוצים, ולמעשה כתבו שיש לאסור את השימוש בחשמל משתי סיבות: א מפני החשש לדברי הפוסקים הללו, על אף הקושי בסברתם, ובעיקר מפני דברי הבית יצחק (עליו כתב הגרש"ז אויערבך “כבר הורה זקן” – שבגלל שהבית יצחק כבר הורה לאסור אין להתיר). ב כיון שהמון העם אינו מסוגל להבחין בין מכשיר חשמלי שיש בו איסור תורה כגון הבערת חוט להט, לבין מכשיר חשמלי שאין בו איסור תורה (ובפרט שלפעמים החוט להט סמוי מן העין), וגם ייתכנו איסורים נוספים שעלולים להכשל בהם מחסרון ידיעה, לכן יש לאסור הפעלת חשמל באופן גורף. רוב הפוסקים שלאחר הגרש"ז אויערבך אימצו את שיטתו, וכתבו שלמעשה יש לאסור הפעלת חשמל באופן גורף [ויש שכתבו שאף יש לחשוש לכתחילה לאיסור תורה (אפילו אם אין חוט להט), ובעת הצורך יש לדון בכל מקרה לגופו ולהקל במקרה שיש הצדקה להקל].

5 לדעת שו"ת שבט הלוי ו לו יש בזה איסור כותב מן התורה, כפי שנלמוד במלאכת כותב.

when operating an electrical device on Shabbos is belittling the honor of Shabbos when the device produces sound, etc.

There is no difference between a machine operated by electrical wire current, or a battery powered device. They both cannot be activated on Shabbos.

It is also forbidden to operate an electrical machine using a remote control — and this is not considered *gerama*. This is because using a remote control device is a usual way of operating a machine, and therefore, it is just as one who turns on a machine by pressing a button on it.

### ***A Blown Fuse in a Shul — When Turning It Back On is a Miderabonon Transgression***

If the main fuse in a *shul* blows, and all of the lights and electronic devices connected to the electrical system in the *shul* do not have incandescent wires or to not include heating bodies; or if a secondary fuse blows, which only has such devices attached to it: as explained above, the prohibition against activating such machines is *miderabonon*.

In such a case, the discussion arises whether a non-Jew may be instructed to activate the fuse, or a Jewish child, or an adult Jew, using a *shinuy*.

### ***Having a non-Jew perform the act***

With regard to a non-Jew turning the fuse back on, it is clear from the *poskim* that it is permitted for the purpose of a mitzvah — and especially in our case, when it is a mitzvah and need of the public.

This is the language of the Mechaber, in Shulchan Aruch<sup>6</sup>: “[With regard to] an act which does not involve *melacha*, and is not forbidden on Shabbos but because of a *shevus* [a *miderabonon* prohibition] — it is permitted for a Jew to tell a non-Jew to do it on Shabbos.” (This is because such speech is a “*shevus d’shevus*” — a *miderabonon* prohibition upon a *miderabonon* prohibition; for instruction to a non-Jew to perform *melacha*, even with regard to a *min hatorah* prohibition, is only forbidden *miderabonon*.)

The Mechaber qualifies this *heter*: “And this applies if there is partial sickness, or if there is a strong need for this action, or for a mitzvah.” The *nosei keilim* and other *Acharonim* agree with these words of the Mechaber.

In connection with this, it is important to stress a substantial foundation within the halachos of Shabbos, which is that the various *heteirim* which we find with regard to *miderabonon*

prohibitions on Shabbos, are not because *miderabonon* prohibitions are less important *ch"v*. But rather, because the *chachomim* themselves only established their prohibitions in certain instances, and they did not issue their decrees to begin with cases such as sickness, pain, loss, or for a mitzvah.

Therefore, obviously, we must be careful with regard to all *miderabonon* halachos of Shabbos, just as we must fulfill all the *min hatorah* obligations; but at the same time, it is important to know what is forbidden *min hatorah* and what is forbidden *miderabonon* — because this is key to knowing when certain *heteirim* apply.

## Having a child to perform the act

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If there isn't a non-Jew available, the discussion turns to whether we may permit a child to perform such *melacha*.

The Mechaber writes<sup>7</sup> that if it is forbidden to actively feed a child something forbidden *miderabonon*, and that similarly, it is forbidden to accustom a child to transgress Shabbos and Yom Tov, even with regard to *miderabonon* prohibitions. However, the Ran and Rashba hold that it is permitted to feed a child foods forbidden *miderabonon*, if this is being done for the good of the child — even if the child has reached the age of *chinuch*.

The Mishna Berura writes in the name of Rabi Akiva Eiger that when the child does not need it (but rather, the adult is asking the child to do it because the adult needs it), it is forbidden according to all. And therefore, it is forbidden to ask a child to carry a *siddur* to *shul*, in a location without an *eiruv*, unless the child is carrying it for their own *davening*, and the adult *davens* from the same *siddur*, at the same time.

The Alter Rebbe, in his Shulchan Aruch<sup>8</sup>, writes that it is clear from the words of the Ran and Rashba that if it is done only once in a while, and not every Shabbos, we can permit even if it is for the adult's need, and not for the child; because there is no worry that the child will become accustomed to desecrating Shabbos through performing such an act only once in a while. According to the Alter Rebbe: In a case of need, when a non-Jew is not available, we can rely on the opinion of the Ran and Rashba, and ask a child to do something forbidden on Shabbos *miderabonon* — providing that it is only once in a while, and for a mitzvah.

The above *heter* from the Alter Rebbe even applies to a child who has already reached the age of *chinuch* (5-6 years of age). However, obviously, if there is a child who has not yet reached the age of *chinuch* who can flip the fuse switch, it is better that such a child do so.

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7 סימן שמג סעיף א.

8 סימן שמג סעיף ו.

## Having an adult Jew perform the act, using a shinuy

Is it permitted for an adult Jew to turn the fuse back on, in a backhanded way (such as with an elbow), in a case when there isn't a non-Jew or child available?

Some *Acharonim* write that the *heter* in a case of *shevus d'shevus*, for a mitzvah, or in a case of partial sickness, or of great need, is only when the non-Jew is being instructed to perform a *miderabonon* prohibition, which is “a *shevus* which does not incorporate action.” Meaning, that the Jew is not performing any actual activity.

According to this opinion, there is no *heter* for a Jew to perform a *shevus d'shevus* — such as a *miderabonon* prohibition with a *shinuy* — even if for the purpose of a mitzvah, etc. On the other hand, some derive more leniency from this opinion, and they permit any *shevus d'shevus*, even through a Jew, in the case of a mitzvah, etc.<sup>9</sup>

Piskei Teshuvos<sup>10</sup> summarizes that those who are lenient once in a while, in the case of a mitzvah, partial sickness, extremely difficult circumstances, or great monetary loss — have on whom to rely, and we do not chastise them. (It is important to add that a mitzvah of the public, such a prayer in a *shul*, is more important than the mitzvah of an individual<sup>11</sup>, and there is more room to be lenient with regard to action needed for it.)

### A Blown Fuse in a Shul — When Turning It Back On is a Min Hatorah Transgression

In the case of an electrical system which has light bulbs or appliances connected to it which incorporate incandescent wires, or an electric hot plate, heater, or any other machine which is intended for heating: If such a fuse blows, it can certainly not be turned back on by a Jewish child, or an adult using a *shinuy*. The only potential possibility is to have a non-Jew do it, as will now be discussed.

9 ראה לדוגמא ביאור הלכה סימן שמט סעיף ה סוף ד"ה ואפילו, וראה פסקי תשובות סימן שז אות יב שהביא שיטות שונות. לגבי שיטת שו"ע הרב: ראה בדבריו בסימן שז סעיף יב וסימן שכח סעיף כ, שחילק במפורש בין איסור דרבנן על ידי נכרי לבין איסור דרבנן על ידי ישראל בשינוי, והיינו שבאיסור דרבנן על ידי נכרי היקל במקרה של צער או הפסד ממוני גדול או צורך גדול או צורך מצוה, ואילו באיסור דרבנן על ידי ישראל בשינוי היקל רק בצער גדול או הפסד ממוני גדול. לפי זה משמע שלצורך מצוה אין היתר לשיטתו לעשות איסור דרבנן על ידי ישראל בשינוי, אך אולי מצוה של רבים יש לדמותה לצער גדול או הפסד ממוני גדול.

10 סימן שז אות יב.

11 ראה לדוגמא ילקוט יוסף סימן שז סעיף נד.

## **According to most Rishonim, there is no heter to have a non-Jew do melacha forbidden on Shabbos min hatorah, even for the purpose of a mitzvah:**

The gemoro in maseches Gittin<sup>12</sup> permits telling a non-Jew to write a contract on Shabbos, in order to acquire a home in Eretz Yisroel. This is a case of a *min hatorah* transgression for the purposes of a mitzvah. On the other hand, it seems from the gemoro in maseches Eiruvim<sup>13</sup> (based on the widespread version) that it is permitted to have a non-Jew do a *miderabonon melacha* in order to avoid postponing a *bris*, but it is not permitted to have a non-Jew perform *min hatorah* prohibitions<sup>14</sup>.

Most *Rishonim* explain that this is a specific *heter* for the purposes of buying a home in Eretz Yisroel, in order to settle Eretz Yisroel, but that there is no such *heter* with regard to the fulfillment of other mitzvos.

However, the Ba'al Halachos Gedolos has a different version in the gemoro in Eiruvim, and according to him, in order to fulfill the mitzvah of *bris mila*, it is permitted to tell a non-Jew to perform a *min hatorah melacha*.

The Ba'al Ha'itur takes the opinion of the Ba'al Halachos Gedolos one step further, and writes that the *chachomim* permitted instructing a non-Jew to perform *min hatorah melacha* in the case of any mitzvah of the Torah. Meaning, that the halacha we find with regard to the settling of Eretz Yisroel (according to all), and the mitzvah of *bris mila* (according to the Ba'al Halachos Gedolos), is not specifically regarding these specific mitzvos, but rather, the same applies with regard to any mitzvah — that it is permitted to tell a non-Jew to perform full *min hatorah melacha*, so that a mitzvah will be fulfilled, and not lost.

## **The rulings of the Acharonim**

The Mechaber rules according to most *Rishonim*, and does not mention the opinion of the Ba'al Ha'itur.

However, the Rama writes the following<sup>15</sup>: “There are those who say that it is permitted to tell a non-Jew to light a candle for them, for the Shabbos meal, because this opinion holds that it is permitted to instruct a non-Jew even with regard to complete *melacha*, in the case

12 דף ח ב.

13 דף סז ב.

14 ברית מילה עצמה בוודאי דוחה שבת, אבל מכשירי המילה אינם דוחים את השבת אלא צריך להכניס מבעוד יום, ובמקרה ששכחו להכין דבר מסויים ממכשירי המילה דנו חז"ל והפוסקים אימתי יש היתר להכניס בשבת ואימתי אין ברירה אלא לדחות את המילה ליום ראשון.

15 סימן רעו סעיף ב.

of a mitzvah. And based on this, many have become accustomed to being lenient with regard to instructing a non-Jew to light candles, for the purpose of the meal, and especially with regard to wedding meals, or for *mila*, and no one rebukes them. And we should [practically] be stringent in a case when there is no great need, because most *poskim* disagree with this opinion.”

In his Shulchan Aruch, the Alter Rebbe also writes<sup>16</sup> that many are accustomed to being lenient, following the opinion of the Ba'al Ha'itur. He then adds: “However, each person must be stringent with himself, and not tell a non-Jew to light a candle, even if he is sitting in the dark and cannot eat the Shabbos meal. Because those who say that the *chachomim* did not permit a *shevus*, but rather, only a *shevus d'shevus*, are the majority, and their words are the primary ones [the halacha]. Therefore, one should not be lenient at all, even for a great need — but, one should not protest those who are lenient, because it is better if they will [be doing this] unintentionally, and not intentionally.” (However, with regard to the mitzvah of *mila*, the Alter Rebbe writes in his Shulchan Aruch<sup>17</sup> that we can rely on the Ba'al Ha'itur, and not postpone the *bris mila*.)

The Mishna Berura writes<sup>18</sup>: “And still, it is permitted to tell a non-Jew to fix an *eiruv* which became ruined over Shabbos, so that the public will not come to transgress. And the Ba'al Ha'itur is worthy to rely on, to permit the *shevus* of speech [of instruction to a non-Jew], even with regard to *min hatorah melacha* (such as if the *eruv* was established through tying a permanent knot), in the case of a mitzvah of the public.”

It seems from the words of the Mishna Berura that with regard to any mitzvah of the public, we can rely on the Ba'al Ha'itur. And based on this, it is permitted to tell a non-Jew to activate the fuse for the purpose of prayers and study of the public in a *shul*. However, the intention of the Mishna Berura may only be with regard to saving the public from transgressing a prohibition, such as the case of *eiruv* which he speaks of (for fixing the *eiruv* saves the public from the prohibition against carrying in a Karmelis).

However, the author of Yalkut Yosef<sup>19</sup> writes explicitly to be lenient, and even for those who follow the rulings of the Mechaber, who does not mention the Ba'al Ha'itur. He writes that if the electricity went out in a *shul* in the middle of *davening* of Friday night or the eve of Yom Kippur, we can rely on the opinion of the Ba'al Ha'itur, who is lenient and permits telling a non-Jew to perform even *min hatorah melacha*, for the purpose of a mitzvah. And it is proper to follow his opinion in such cases. But this *heter* should not be relied upon only to enable an individual to perform a mitzvah.

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16 שם סעיף ח.

17 סימן שלא סעיף ז.

18 סימן רעו ס"ק כה.

19 סימן שז סעיף גד.

In Piskei Teshuvos<sup>20</sup>, the author discusses the opinions of the *poskim* in this regard at length, and concludes that those who are lenient with regard to asking a non-Jew to turn the lights back on in a *shul*, when it was extinguished for reasons beyond one's control, and unexpectedly — have on whom to rely.

### ***The Halacha if a Jew Flipped the Fuse Switch (or Did Another Melacha) in a Forbidden Manner***

Regretfully, it sometimes happens that one of the congregants flips the fuse switch, turns on the air conditioning, or the heating, or a hotplate, in a forbidden manner. In such a case, the question arises whether it is permitted for the other congregants to benefit from such actions. Chazal forbade benefiting from “actions performed on Shabbos” (the result of *melacha* which was done on Shabbos in a forbidden manner), so as to distance people from performing sins. The halacha of benefiting from actions on Shabbos changes based on how the transgression happened (whether it was intentional or not), based on the severity of the prohibition transgressed (whether *min hatorah* or *miderabonon*), and between the individual who transgressed and others, as will be detailed here.

#### ***A min hatorah melacha done intentionally***

If a Jew performed a *min hatorah melacha* on Shabbos, intentionally — they may not benefit from that work forever; but, for others, it is forbidden to benefit from the *melacha* during Shabbos itself, and it is permitted to benefit immediately after Shabbos<sup>21</sup>. And there is no difference in this regard between others for whom the *melacha* was performed, and those for whom it was not<sup>22</sup>.

#### ***A min hatorah melacha done unintentionally***

If a Jew performed a *min hatorah melacha* on Shabbos, unintentionally. Meaning, that they were mistaken about what the halacha is, or forgot that it is Shabbos: It is forbidden for them or others to benefit from the *melacha* on Shabbos, until after Shabbos, when it is permitted for them and others to benefit from the *melacha*<sup>23</sup>.

20 סימן רעו אות ט.

21 שו"ע שיח א.

22 שו"ע הרב שיח א. משנ"ב ס"ק ה.

23 שו"ע שם. במשנ"ב היקל במקום הצורך ליהנות מהמלאכה מיד אפילו לאדם עצמו. אבל בשו"ע הרב לא הזכיר קולא זו.



Based on this, if a hotplate or hot water urn are in a state of activation, as a result of the action of a Jew on Shabbos, even unintentionally — and without this, the *cholent* would not be cooked, and the water would not be hot: it is forbidden to benefit from the *cholent* or from the water on Shabbos.

## ***A miderabonon prohibition***

If a Jew performs a *miderabonon melacha* on Shabbos, such as if they activated a fan or air conditioner, to cool off: If they did so intentionally, it is forbidden for any Jew to benefit from this *melacha* on Shabbos (and it is permitted after Shabbos). If it was done unintentionally, it is permitted to benefit from the *melacha* already on Shabbos itself, including the person who performed the *melacha*<sup>24</sup>.

## ***When the melacha was not done on the desired item itself***

In a case when the *melacha* was not done on the item from which they desire to benefit, but rather, one wishes to benefit from the indirect result of a *melacha* on Shabbos, such as if food was brought to the *shul* on Shabbos with a car:

If it would have been possible to benefit from this item also if *melacha* had not been performed (such as if the food was brought from somewhere closeby, and could have also been brought without the usage of a car), eating it would not be considered taking pleasure from *melacha* on Shabbos, because no work was performed on the object itself, and transgression of Shabbos did not create the possibility to benefit from this item.

But, if it would not be possible to benefit from this item without the transgression (such as if the food was brought from far away, from where food would not have been able to be transported in time without using a car) — contemporary *poskim* differ as to whether taking part of such food constitutes a transgression of benefiting from *melacha* on Shabbos<sup>25</sup>.

24 מהמגן אברהם עולה להחמיר באיסור דרבנן כמו באיסור תורה. אבל שו"ע הרב (סימן שלט סעיף ז, סימן תה סעיף ט) ומשנ"ב (סימן שיח ס"ק ג, סימן שלט שעה"צ כד) פסקו להקל כמו שמוכא בפנים. אמנם יש לציין שבאיסורי דרבנן "שהיה" "חזרה" ו"הטמנה" החמירו חכמים ואסרו ליהנות מהמאכל בו ביום אפילו אם עבר על האיסור בשוגג, כיון שחכמים ראו שאנשים מקילים באיסורים אלו ויש צורך לעשות להם חיזוק.

25 ראה פסקי תשובות סימן שיח אות טז. ובילקוט יוסף (סימן שיט סעיף טו, סימן שיח הערה ח) צידד להקל אפילו כשהמלאכה נעשתה בגוף הדבר שממנו רוצה ליהנות אלא שלא פעלה שינוי בגופו ולא שינתה אותו מכמות שהיה קודם לכן. למעשה היקל ילקוט יוסף בהנאה ממעשה שבת במלאכת בורר, בצירוף שתי סברות: הברירה לא שינתה את גוף הדבר, ועוד שהיה יכול לברור בדרך של היתר. אבל כאשר קיימת רק הסברא הראשונה, כגון במלאכת הוצאה מרשות לרשות (ברשות הרבים גמורה) שאינה פועלת שינוי בגוף הדבר אך אין אפשרות להוציא בדרך של היתר – היקל רק במקום צורך גדול.



## If a Mistake Occurred when Setting a Timer

### **The heter to use a timer**

It is permitted to activate a timer which is attached to the electrical circuit before Shabbos, and which can disconnect and activate the electricity at desired times during Shabbos, and cause the lights to go on and off throughout Shabbos — because the person is not performing any activity on Shabbos itself in this manner<sup>26</sup>.

There is an opinion that the *heter* to activate a timer only applies to turning lights on and off. But any machine which performs *melacha* forbidden on Shabbos, such as a machine which can cook on Shabbos, should not be placed on a timer before Shabbos, because this constitutes irreverence for the honor of Shabbos<sup>27</sup>. However, according to most contemporary *Acharonim*, it is permitted to have any machine activated through a timer<sup>28</sup> (besides for a machine which is a public and evident expression of irreverence, such as setting a radio on a timer, etc.).

### **Some permit extending the current situation**

When the timer is set from before Shabbos to turn off the flow of electricity or activate it at a certain time, some permit moving mechanical pieces on the timer, to cause the timer to activate or deactivate the electricity later on — extending the current state. (Such as if the light is on now, and it is due to go out at 11, and one wants it to only go out at 12). This is permitted because extending the current situation is not an action of activating or extinguishing, but rather, preventing activation or extinguishing (similar to a person who closes a window in order to prevent the wind from blowing out a candle, which is not forbidden<sup>29</sup>).

And there are also those who forbid doing this<sup>30</sup> — because the action which causes “prevention” is being done in the actual machine, as opposed to the above example of closing a window. And in such a case, the *chachomim* did not permit it. Or, because the pieces on the timer are considered *muktza*, and may not be moved.

26 כך פשוט באחרוני זמננו. וראה שולחן מנחם ב קצא.

27 שו"ת אגרות משה אור"ח ד ס. ולגבי הפעלת מזגן באמצעות שעון שבת, נראה שגם האגרות משה יודה שמותר, שכן המזגן אינו עושה מלאכה והאיסור הוא רק בעצם הפעלתו, וגם נפוץ הדבר בקרב שומרי שבת שהמזגן פועל בשבת וממילא אין לחשוש בזה לזלזול השבת.

28 שש"כ יג כו על פי כמה אחרונים, וכך המנהג הרווח ברוב בתי ישראל.

29 שש"כ יג כח בשם הגרש"ז אויערבך. ועוד.

30 אגרות משה יורה דעה ג מז (אות ד). ועוד.

Causing the activation or extinguishing to occur *earlier*, by moving the mechanical pieces of the timer, is forbidden according to all<sup>31</sup>. (Such as if the timer was set to turn off the electricity at 12 — it is forbidden to move the pieces of the timer, to cause it to turn off at 11 instead, because indirectly causing extinguishing is forbidden *miderabonon*.)

### ***If a Refrigerator was Not Placed in "Shabbos Mode"***

#### ***An older model refrigerator***

The way most refrigerators are built is that there is an electrical activation when it is opened. In older fridges, it is common that opening the fridge causes the light or a fan to go on, and therefore, it is forbidden to open such a fridge on Shabbos, unless they made sure to turn off the light or fan, etc.

If an older model refrigerator was opened on the *shul* premises on Shabbos, and they realized that they had forgotten to turn off the light or fan, and usage of the refrigerator is needed in order to enjoy the Shabbos, and there is no non-Jew to be found — there is room to be lenient and have a child turn it off, because turning off the light is a *miderabonon* prohibition<sup>32</sup> (and certainly turning off the fan), and in the case of a one time action of a *miderabonon* prohibition, we have learnt above that the *chachomim* permitted asking a child to do this, for the purposes of a mitzvah<sup>33</sup>.

#### ***Newer model refrigerators***

In modern refrigerators currently available in stores, it is common that opening the door causes immediate activation of the motor, or another electrical system within the refrigerator, besides for the bulb or fan. Therefore, with regard to such machines, it is not enough to turn off the bulb or fan before Shabbos. Rather, one should buy a refrigerator which has a "Shabbos mode" installed, or one in which a "Shabbos mode" can be installed. Once a refrigerator is in "Shabbos mode," it can be used without worry<sup>34</sup>.

31 שש"כ שם.

32 כיבוי נורת להט הוא ככיבוי גחלת של מתכת שאיסור כיבוייה מדרבנן מצד הגדרת מלאכת מכבה, ובנוסף לכך זוהי מלאכה שאינה צריכה לגופה. וכל שכן אם מדובר בנורת לד שבדודאי האיסור לכבותה (ואפילו האיסור להדליקה) הוא מדרבנן.

33 על פי שו"ע הרב שמג ו-ח. אמנם השימוש בהיתר זה הוא רק בלית ברירה.

34 ראה שש"כ י יב ובהערות שם שדן לגבי מקרר המופעל על ידי תרמוסטט, שיש מחמירים שלא לפותחו בזמן שהמנוע אינו עובד (אפילו אם כיבה את הנורה או המאוורר), כיון שפתיחת המקרר גורמת לכניסת אוויר חם, ועל ידי זה המנוע

If there is a new model refrigerator in a *shul*, and they forgot to place it in “Shabbos mode” — opening the refrigerator does not constitute a *min hatorah* transgression, but rather, a *miderabonon* one. (Both because of the assumption that the lights are LED, and do not have incandescent wires or heating devices, and also because the person does not intend to turn it on, but rather, to open the door, and so, it is in the category of a *pesik reishei* which one does not desire.) And therefore, based on what we’ve learnt above, it is permitted to tell a non-Jew to open the refrigerator for the purpose of taking out food to enjoy the Shabbos; and if there isn’t a non-Jew to be found, there is room to be lenient and have a child do it, as explained above.

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המווסת על ידי תרמוסטט מקדים את זמן פעולתו, ולכן יש לפותחו רק בזמן שהמנוע עובד. אולם מנהג רוב העולם להקל בזה, ולפתוח את המקרר בכל עת, כיון שהאדם אינו מתכוין להפעיל את המנוע ועושה זאת רק בדרך עקיפה, וגם יש ספק אם הפתיחה תגרום להפעלת המנוע, כי אולי כבר היה צריך להתחיל לפעול ממילא. עד כאן משש"כ, ודבריו אמורים לגבי מקררים ישנים. אך במקררים חדישים פתיחת הדלת גורמת להפעלה ישירה, וכמובא בפנים.





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"And therefore, my intention is that one should receive smicha at least in this way – to know what should be done... And not stumble, Heaven forbid, with many halachos, such as Hilchos Shabbos (as the Alter Rebbe writes in Igeres Hakodesh) and similar."

(Sichas Chof Daled Teves 5712)

