The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Tues, Jun 27 2023 ■ ח' תמוז תשפ"ג
סימן רע"ו סעיף ב'

Overview

Siman 276 Seif 2:

If Jews and gentiles are eating together and a gentile kindled a lamp, if the majority of people present are gentiles it is permitted to benefit from the lamp but if the majority of people are Jews or even if it is 50/50 it is prohibited. If there is evidence that the gentile kindled the light for himself, for example, we see that he is using the light, even if the majority of people present are Jews, it is permitted. There is an opinion that maintains that it is permitted to instruct a gentile to kindle a lamp for the Shabbos seudah because he maintains that it is permitted to instruct a gentile to perform a melacha so that one could fulfill a mitzvah. Based on this many people have the custom to be lenient and instruct a gentile to kindle lamps for the Shabbos seudos and especially for wedding meals and for a bris milah and no one protests against them. One should be stringent when there is not a pressing need since most Poskim disagree with this permission, see below siman 307.

- It doesn't matter if additional Jews show up or whether the gentiles leave. (M.B. 15)
- The same is true if there is evidence that he kindled the fire for another gentile. If we know he kindled the fire for a Jew it is prohibited. (M.B. 17)
- Rema refers to where one is sitting in the dark because no lights were kindled. If there is a lamp that was kindled it is prohibited to ask a gentile to kindle another. If one had a light that was kindled and one incorrectly instructed a gentile to kindle another, it is permitted to benefit from that light as long as the first light remains lit. (M.B. 20)
- Magen Avrohom maintains that one may not ask a gentile to build a bais haknesses on Shabbos and in siman 244 he prohibits this even if the gentile is working as a contractor. (M.B. 22)
- Better they should inadvertently violate this halacha than to do so intentionally. (M.B. 23)
- Shelah is stringent even in cases of great need. Pri Megadim is lenient and permits asking a gentile to kindle a light during bein hashemashos on motzai Shabbos and certainly on erev Shabbos when it is for a mitzvah. (M.B. 24)
- It is permitted to ask a gentile to fix the eruv that broke on Shabbos so that people should not violate Shabbos even if he must be instructed to Biblically violate Shabbos. (M.B. 25)

Halacha Highlight

Asking a gentile to perform a melacha for a mitzvah

Rema Siman 276 Seif 2

דמתר לומר לאינו יהודי להדליק לו נר לסעודת שבת

That it is permitted to ask a gentile to kindle a light for the Shabbos meal

Rema cites an opinion that maintains that it is permitted to ask a gentile to perform a melacha on Shabbos if it is needed for a mitzvah. He then relates that in accordance with this opinion many people have the practice to permit asking a gentile to kindle lights for a seudah and certainly for a seudah that accompanies a wedding or bris milah. Although no one protests against this practice because it is preferred for people to violate this prohibition inadvertently rather than intentionally (מ"ב ס"ק כ"ג), nevertheless, one should adopt a stringent approach to this matter when there is not a pressing need since the majority of Poskim disagree with this position. Mishnah Berurah (ס"ק כ"ה) notes that despite Rema's warning against relying on this lenient opinion, it is permitted to ask a gentile to repair an eruv that broke on Shabbos in order to prevent mass desecration of Shabbos.

Rav Moshe Feinstein (שו"ת אג"מ או"ח ח"ג סי' מ"ב) was asked whether it is permitted to ask a gentile to turn off an air conditioner in a bais haknesses which is bothering people to the degree that they would leave altogether. He permitted asking a gentile to perform this melacha since it is considered a community mitzvah. He also permitted turning on lights in a bais midrash if they went out and as a result people are unable to study. On the other hand, Rav Yosef Shalom Elyashiv (קובץ תשובות ח"א סי' ל"ב) ruled that one may not ask a gentile to turn on a generator that went out on Shabbos. His reasoning was that people often err in terms of what one may ask a gentile to do for the benefit of a Jew on Shabbos and if we allow this very public act it will inevitably lead to more instances in which people improperly ask a gentile to perform a melacha on their behalf.