The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן רע"ו סעיף ד'-ה'

Overview

Siman 276 Seif 4:

If there is a light kindled in a Jew's home and a gentile kindles a second light it is permitted to use that light as long as the first light continues to burn but once the first light goes out it is prohibited to use the second light. Similarly, if the gentile added oil to a burning lamp it is permitted to use the lamp until the oil that was there originally would have been used up and at that point it is prohibited. It is permitted to protest against a gentile who intends to kindle a lamp or add oil to a lamp.

- Even though this will generate additional light it is permitted. (M.B. 32)
- If a bonfire was kindled before Shabbos and a gentile added additional wood, it is prohibited to benefit from the warmth of the fire once the initial wood would have burned out but before that time it is permitted when there is a strong need. (M.B. 33)
- One may have thought that one should be stringent to avoid discussing kindling fires altogether. (M.B. 35)
- This applies when the lamp belongs to the gentile but if a gentile intends to kindle or add oil to a Jew's lamp he must protest. (M.B. 37)

Siman 276 Seif 5:

In cold countries it is permitted for a gentile to kindle a bonfire for children and then even adults may warm themselves from the fire. In very cold places it is even permitted to have a gentile kindle a fire for adults since everyone is considered ill when it comes to cold. One may not, however, be lenient as are some people, when it is not cold on that day.

- If it was kindled with the children and adults in mind Shulchan Aruch rules that one may not benefit from the fire. (M.B. 39)
- One may ask him explicitly to kindle the fire. (M.B. 40)
- It is not permitted to ask him to kindle the fire after mincha on Shabbos for motzai Shabbos since the house was warmed in the morning. Although it is now cold it is not that cold that he would be considered ill but obviously, everything depends on the actual circumstances. (M.B. 42)
- One should not protest this practice since it is better for them to do so inadvertently than intentionally. (M.B. 44)
- One should not ask him on Shabbos to kindle a fire or to make a bonfire; rather one should hire him as a contractor to kindle a fire whenever it is cold and then even if he kindles a fire when it is not too cold one is not required to leave his home. (M.B. 45)

Halacha Highlight

Turning off the air-conditioner

Shulchan Aruch Siman 276 Seif 5

אם הקר גדול

If it is very cold

Shulchan Aruch (סע' ה') writes that in cold countries it is permitted to instruct a gentile to build and/or kindle a bonfire for the children since the cold weather is dangerous for them. Once the fire was kindled it is permitted for an adult to warm himself by that fire. Mishnah Berurah (ס"ק ל"ט) explains that as long as it was kindled for the benefit of children even the adults may benefit from the fire. However, if the gentile had the children and adults in mind when he kindled the fire it is prohibited. In the event that it is very cold it is permitted to ask a gentile to kindle a fire even for the benefit of adults since everyone is considered to be ill when it comes to experiencing cold. Poskim grapple to quantify what constitutes "very cold." Aruch HaShulchan (סע' י"ב בהגה"ה) writes that it is impossible to determine what is "very cold" since different people experience cold differently and thus it is up to each person to determine whether he is very cold. Teshuvas Or L'Tzion (ח"ב פכ"ה תשובה ה') suggests that when water left outside freezes or when it is evident that one could become ill from being outside it is considered "very cold."

If one turned on the air-conditioner on erev Shabbos and on Shabbos the weather turned cold so that it is difficult to remain in one's home, Rav Moshe Feinstein (או"ח ח"ג סי' מ"ב) ruled that it is permitted to ask a gentile to turn off the air-conditioner if he has no place else to go since people are considered ill when it comes to the cold. However, it is not permitted to ask a gentile to turn off the air-conditioner in the bais haknesses since it is possible for people to daven and study elsewhere on that Shabbos. He added that if people would refrain from davening with a minyan, even if only a few people would not go to a bais haknesses, it is permitted to ask a gentile to turn off the air-conditioner since it is then considered to be a mitzvah for the public.