



THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

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



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We are dealing with actions, speech and thoughts permitted and prohibited on shabbos.

*Did we not learn that one may **think**¹ about one's matters and here, after all, one is merely thinking and not doing anything?*

Indeed thinking and contemplating *per se* is permitted but in the above cases one is actually walking in the vegetable patch or standing next to one's field during plowing season and as such one's thoughts are "noticeable". One cannot say that it is merely thinking because one's thoughts are accompanied with the action of being in the 'wrong' place.²

Would I be permitted to walk next to or through my field and merely enjoy the scenery?

Yes you would because then you are not doing anything associated with a *melacha* or action prohibited on Shabbos.

But then who knows whether I am thinking of the field's needs or not?

You know and *Chazal* prohibited such an action.

May I sit at a bus stop before Shabbos is out, to catch the first bus?

The same applies to sitting at a bus stop before Shabbos is out. If one is sitting there in order to rest, it is permitted even when done close to when Shabbos is out. However if one sits at the stop with a weekday 'action' in mind, since one is doing an action – sitting at the bus stop – and one's intention is to catch a bus, it is forbidden.

¹ We also learned that it is preferable not to, but strict *halacha* does not forbid it unless it causes concern.

² *M"B* *ibid*.

What about standing far from the bus stop?

That is permitted, because one's action is not associated with prohibited thought.

What about window shopping, anything wrong with that?

There is nothing wrong with window shopping as long as one does not transgress certain prohibitions. For instance, one must not look at the price tags, because it is prohibited to read business matters on Shabbos, and that includes price tags.³ HaRav Shlomo Zalman Auerbach *נ"ל* however says⁴ that since it is customary to stand in front of store windows without intending to purchase anything, even if one were to think about purchasing it is permitted because it is no longer 'noticeable' that one is intending to purchase and it is considered merely as 'thinking'. This might however depend on whether people in that place "window shop" without having intention to make a purchase. Based on that, referring back to sitting inside a bus stop, if it is raining or windy, even if one intends on catching a bus after Shabbos it is permitted because it is seen as a regular action and not one associated with a prohibition. When at the bus stop one must not look at the timetable because then one's intention is noticeable.

Does this prohibition apply to one's house or apartment?

Normally one may walk around one's home and think freely because most times one's thoughts are not noticeable, but if one is inspecting tiles closely or looking carefully at a

³ *SS"K* 29:9.

⁴ *SS"K* 29 footnote 22, 24.

wall that needs painting, it would be noticeable and prohibited.

What about walking in town to a certain location to be there when Shabbos is out?

In most cases one's intentions are not noticeable because it is normal to walk through town. To walk through a market place, where people go mainly to buy, to look for a store, or to walk to the town's perimeter in to do a prohibited action after Shabbos, is forbidden.⁵

May I give a gift on Shabbos or Yom Tov?

The problem with giving and receiving gifts on Shabbos and Yom Tov is that it is similar to selling an item because of the transaction involved (an item transferred ownership).⁶ Accordingly therefore one would be forbidden to give a Bar Mitzvah present on Shabbos, or when invited out for Shabbos one must not present a gift to the host, unless done in the manner prescribed below. Obviously we are talking about a case where one may carry on Shabbos, i.e. within a kosher *eiruv*.

Is there not a heter to give a gift for the sake of Shabbos?

It is more than that. There is a *heter* to give a gift on Shabbos for the sake of a mitzvah or when it is necessary on Shabbos. The *Shulchan Aruch* brings such a case: we know that the *halacha* is that a *ke'li* that is used for food and that was purchased from a gentile may not be used unless immersed in a kosher *mikveh*. The problem is that if one requires a certain *ke'li* on Shabbos and it was not immersed before Shabbos it may not be immersed on Shabbos.⁷ The *Shulchan Aruch* says that one may give it to a gentile as a gift on Shabbos and subsequently borrow it from him (a *ke'li* borrowed from a gentile does not require *t'vilah*). By the way, after Shabbos one must *toivel* the *ke'li* without a *b'racha*.⁸

The problem is that we learned that one may not give gifts on Shabbos, so how is one permitted to give it to a gentile?

⁵ *Simon* 306:1 and *M"B* 2, *SS"K* 29:8.

⁶ *M"B* *simon* 306:33.

⁷ *Simon* 323:7 and *M"B* 33.

⁸ *M"B* *simon* 323:35.

The *Mishna Berura*,⁹ explains, since the *ke'li* is needed on Shabbos it is done for the sake of Shabbos and is permitted.

Where do you find a gift for the sake of a mitzvah?

It is well known that on the 1st day (and on the 2nd in *chutz la'aretz*) of Sukkos one cannot perform the mitzvah of *lulav* with a borrowed *lulav*.¹⁰ The way to perform the *mitzvah* if one does not own a *lulav* is to give one's *lulav* to the other person as a gift, which becomes his, and he then may make a *b'racha* on that *lulav*.¹¹ (It is common practice to make a *b'racha* on the Rav's or rebbe's *lulav* being that theirs is most probably more *mehudar*).¹²

We see from this that one may give a gift on Shabbos for the sake of a *mitzvah*.

How do I give a gift on Shabbos when it is not for the sake of Shabbos or it is not a d'var mitzvah?

There are two ways to do it. The best way is to legally give the host the gift before Shabbos. This is done by asking a stranger¹³ before Shabbos to lift the item intended as the gift and "give" it to your intended. This action immediately transfers the ownership of the item to the intended receiver and when handing it to him on Shabbos one is merely handing him something that is already his.¹⁴

Another method is to hand it to him on Shabbos and declare that it remains yours until after Shabbos.¹⁵

I think though that if one brings a good bottle of wine and it is intended to be opened at the meal then it may be given on Shabbos *l'chatchila* because it is needed for the sake of Shabbos.

⁹ *M"B* *simon* 323:34.

¹⁰ *Simon* 658:3-4.

¹¹ *Ibid*.

¹² We will not discuss whether it is the correct thing to do, because it might be preferable to make a *b'racha* on one's own *lulav* rather than on another person's which might not be a proper gift.

¹³ This comes to exclude one's children and preferably one's wife.

¹⁴ *SS"K* 29:29.

¹⁵ *Ibid*.

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If you would like to send a question to Rav Ostroff, you can write to him at shabbosweekly@shemayisrael.com.

Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.