

# HALOCHOSCOPE



Congregation Shaaray Tefillah, Pittsburgh, PA

**The question:**

Assuming that reading newspapers to find out the news is permissible on Shabbos, may one read an advertisement for real estate in Eretz Yisroel?

**The issues to discuss:**

- (A) *Shtarei Hedyotos*, which reading material may or may not be read on Shabbos?
- (B) *Yishuv Eretz Yisroel*, settling Eretz Yisroel.
- (C) *Vedaber Davar*, refraining from speaking about plans for after Shabbos.

**(A) Shtarei Hedyotos**

*Shtarei Hedyotos*, "mundane documents", may not be read on Shabbos. One opinion on the reason for this prohibition is because of a general restriction on doing mundane, weekday activities on Shabbos based on the Posuk in Yeshaya, "Mimtzto Chetzchecha" [See Halochoscope Vol 1 No 7]. Another opinion is that it is a separate precautionary decree to avoid possible *Mechika*, the Melacha of erasing, which is Scripturally forbidden. [See Rambam Hil. Shabbos 23:19. Rosh, Shabbos Perek 23:1]

Many Poskim do not consider *Igros Shalom*, casual, friendly correspondence as Shtarei Hedyotos, since they are not documents and do not relate to any business activity. Nonetheless, there are a number of authorities who say that, although Igros Shalom are not themselves Shtarei Hedyotos, they are still forbidden, either as part of the original decree, or as an extension thereof. Others maintain that there is no prohibition against reading Igros Shalom, especially if there may be important information there that might involve Pikuach Nefesh, saving a life. [See Shabbos 116b, 149a, Rashi, Tosafos, Rif, Shiltei Giborim, Rosh Perek 23:1. Rambam Perush Hamishna Shabbos Perek 23:1, Ran Shabbos 151a. Kesef Mishna Hil. Shabbos 23:19. Shulchan Aruch Orach Chaim 307:13-14.]

Certain seemingly mundane matters may be attended to on Shabbos, such as arranging a Shidduch or teaching children. However, there is an opinion that forbids reading a letter containing information on such matters on Shabbos. It appears that although Mimtzto Chetzchecha itself does not apply in these cases, the rules of this sub-category, Shtarei Hedyotos, do apply when the matter is being dealt with by letter. There are others who permit any reading of these letters (and, according to some, even if they arrive on Shabbos). Another opinion permits reading them silently while they are in the hands of a gentile, but forbids handling or reading them aloud. [See Hagahos Maimoniyos Hil. Shabbos 23:9]

The Talmud forbids reading the captions under murals and statues and, based on this, other Poskim forbid reading history and other books, although there is an opinion that if they are written in *Lashon Hakodesh*, Hebrew, they may be read. One may not read books that have no educational or moral value, and certainly not books that appeal to the undesirable emotions and encourage unsuitable thoughts, which should be avoided even during the week. [See Shabbos 149a, Rosh. 116b Tosafos. Sh. Ar. O.C. 307:16, commentaries. Aruch Hashulchan 10.]

Newspapers pose a number of problems. Often the paper was delivered on Shabbos, and probably even printed on Shabbos, which raises the problem of benefitting from Melacha done by a gentile for a Jew. However, in this case, many authorities permit it because he did not necessarily do the Melacha for this particular Jew. There are some who consider the paper Muktza if it arrives on Shabbos. Moreover, if the Jew had ordered the delivery of the paper for Shabbos, Melacha is definitely being performed for him.

Since many people enjoy hearing news, although it involves mundane talk which is otherwise forbidden on Shabbos [see section C], for these people it is considered *Oneg Shabbos*, part of the joy of Shabbos. Therefore, they may discuss news items, but not spend too much time on this, since even *Oneg Shabbos*, such as eating, has reasonable limitations. Accordingly, as long as there are none of the other problems mentioned earlier, one could read the newspaper on Shabbos. However, reading raises the issue of *Shtarei Hedyotos*, and would not be allowed merely because of *Oneg*. If the paper is written in *Lashon Hakodesh*, there is an opinion that permits it based on the sources mentioned previously. Some Poskim forbid regular newspapers on Shabbos because they contain financial and economic news. Accordingly, those papers that have no financial news would be permitted. However, the advertisements that often have the prices of products could also be considered financial information, and they, too, would be forbidden. If the paper is being used primarily to learn from, such as a paper that has a lot of *Divrei Torah*, it is still questionable if one may read it according to these opinions. Others allow the reading of newspapers on Shabbos; needless to say, one should avoid reading any financial information. [See Shabbos 19a, 151a, Beitzah 24a-b, 25a commentaries. Poskim. Sh. Ar. O.C. 247, 307:20 etc. 325. commentaries 307:1, Rema, Aruch Hashulchan 2,9,10. Shaarei Teshuva 306:3. Mishna Berura 307:63.]

#### (B) *Yishuv Eretz Yisroel*

Rambam does not consider *Kibush*, conquering Eretz Yisroel, a Mitzvah today, while Ramban disagrees. Regardless, there is another issue of *Yishuv*, settling, Eretz Yisroel, which Rambam does not seem to dispute. There are a number of laws affected by this, mostly relating to the laws of marriage, but also some of the laws of Shabbos. [See Ramban additions of *Sefer Hamitzvos* LeRambam, Asei 4 and commentaries. Kesubos 110b, 111a. Rambam Hil. Melachim 5:9-12. Hil. Ishus 13:19-20.]

*Cheftzei Shamayim*, Mitzvah-related business, may be conducted on Shabbos. This means that one may arrange Shidduchim, make an appeal for Tzedaka and the like, even if they involve discussing financial arrangements. However, nothing may be recorded in writing by a gentile because *Amira L'akum*, asking a gentile to do Melacha forbidden to Jews, is forbidden even for *Cheftzel*

Shamayim. There are some exceptions, where *Amira L'akum* is permitted to facilitate the performance of a Mitzva, but usually one may only ask the gentile to do something forbidden Rabbincally for the Jew. One rare case where one may even ask a gentile to do a Melacha D'oraisa is the case of *Yishuv Eretz Yisroel*. The actual case is when a Jew is purchasing land in Eretz Yisroel from a gentile and needs to document the sale. The writing and signing of the document must be done by a gentile. The Rabbis did not include this case in the original ban on *Amira L'akum* because of the importance of saving land in Eretz Yisroel from gentile hands. Although Rambam cites this case as *Halacha*, *Tur* omits it. One suggestion is that he feels that this is not permitted today since the *Bais Hamikdash* is in ruins. There is actually an opinion that *Yishuv Eretz Yisroel* is not applicable today because it is too difficult to correctly fulfill the many special Mitzvos of Eretz Yisroel. However, many Poskim doubt the reliability of the source of this opinion. Even Rambam, who states specifically that one may dwell anywhere in the world (except in Egypt!) cites the prohibition against leaving Eretz Yisroel once one has settled there. (It could be that because of this it is worth being more cautious before settling in Eretz Yisroel.) In any event, the *Shulchan Aruch* does say one may have a gentile document a purchase of land in Eretz Yisroel. However, this only refers to a purchase from a gentile, not a purchase from a Jew. Accordingly, one may not rely on this to permit reading an advertisement for real estate in Eretz Yisroel if the property is offered for sale by a Jew. However, since reading the advertisement does not involve *Amira L'akum*, and *Cheftzi Shamayim* is permitted, *Yishuv Eretz Yisroel* is a Mitzvah and should allow reading it. [See *Gittin* 8b. *Baba Kama* 80b. *Tosafos*. *Rambam* Hil. *Shabbos* 6:11. Hil. *Melachim* 5:7 Sh. Ar. O.C. 306:11 commentaries. *Aruch Hashulchan* 306:21. *Kesubos* 110b *Tosafos*. *Gilyon Maharsha*, *Shita Mekubetzes* citing *Ritva*. *Igros Moshe* Y.D. Vol 3. No 122.]

There is another reason to permit reading this advertisement: In cases of *Tzarchei Rabim*, the needs of a community, the laws of *Mimtzto Cheftzecha* are suspended, since this, too, is viewed as *Cheftzei Shamayim*. In this vein, some authorities allow announcing properties that are for sale or for rent on Shabbos because the public needs to know this. This, however, is not accepted by all Poskim. [See Sh. Ar. O.C. 306:13. *Magen Avrohom* 25 *Aruch Hashulchan* 24.]

All this is true only according to the view that *Shtarei Hedyotos* is part of *Mimtzto Cheftzecha*. But if it is a separate prohibition it does not have the exclusion of *Cheftzei Shamayim*.

#### (C) *Vedaber Davar*

One should not talk about mundane matters on Shabbos or make plans for after Shabbos. For example, one should not say "Tomorrow, I will buy ..." This only applies to something forbidden on Shabbos. Regarding a Mitzvah which involves Melacha, such as writing a *Sefer Torah*, there are differing opinions in the Poskim. It is best to avoid talking about plans for after Shabbos even if it is a Mitzvah. Although, strictly speaking, thinking about one's plans is permitted, it, too, should be avoided. Accordingly, even if there is a Mitzvah in our case, nothing can be done on Shabbos and so one should not concern oneself with it until Shabbos is over. However, if one is afraid that his enthusiasm will dampen or that he will forget about the Mitzvah, one may make arrangements, at least mentally, on Shabbos to do the Mitzvah after Shabbos. In that case, one

may read the advertisement. [See Shabbos 150a-b. Sh. Ar. O.C. 307, Taz 14. Mishna Berurah 307:1. Gittin 38b]

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## ANNOUNCEMENTS

### SCHEDULE:

SHABBOS SHACHARIS	9:00 AM
SHABBOS MINCHA	7:50 PM
SHACHARIS SUNDAY	8:00 AM
SHACHARIS MONDAY - FRIDAY	7:00 AM
MINCHA SUNDAY - THURSDAY	8:00 PM
CANDLE-LIGHTING KI SAITZAI	7:42 PM
Plag Hamincha-earliest time to light candles	6:37 PM
MINCHA EREV SHABBOS KI SAITZAI	7:00 PM

Kiddush is being given by Rabbi and Mrs. Yankel Schwimmer to thank the community upon their departure.

### SHIURIM:

GEMORO MAKOS	SUNDAY 7:15 AM
HALACHA B'YUN	MONDAY 9:00 PM
HALACHOS OF BUSINESS	THURSDAY 4:30 PM
HILCHOS SHABBOS	SHABBOS 8:15 AM
DAF YOMI	SHABBOS 6:00 PM
	SUNDAY 8:50 AM
	MON-THURS 7:15 PM

Seudah Shelishis is being sponsored by the Mr. and Mrs. Morton Milch for the Yortzite of Mrs. Milch's mother. Akiva Posy will make a Siyum on Maseches Makos.

**Special Announcement:** There will be a meeting of the general membership on Monday, August 30, where important decisions will be put to a vote. The meeting will follow Mincha at 6:30. Please make an effort to attend.

This issue of HALOCHOSCOPE has been sponsored by Elliot Wachman in honor of the Yortzites of Binyomin ben Arye Leib on the 27th of Av and Shmuel Dovid ben Moshe Zeev on the 15th of Elul.

Anyone interested in subscribing to Halochoscope may send their name and address, along with a check for \$36 made out to Congregation Shaaray Tefillah, to the address below. Please note in the "memo" of the check that this is for a subscription to Halochoscope.

Comments and suggestions are welcome and can be addressed to :

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