

# לוקוטי ופסקי הלכות "חוקי חיים"

ותלמוד  
"תקני תוספת"  
לעשות רצונך  
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halachos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Please do not  
read during  
davening or  
Krias HaTorah

Halachos of Yom Tov

Shavuos 5786

381

## Washing the Body

### "שווה לכל נפש" [Universally Enjoyed/Practice]

1. The halachos of Yom Tov are based on the Torah's heter to do melacha for making food [אוכל נפש], as the posuk says (שמות י"ב), "אך אשר יאכל לכל נפש הוא לבדו יעשה לכם". Chazal explain that the heter is not for any personal need. It is only for things whose benefits apply to most people and which are usually universally applicable needs (גמ' ביצה דף כ"א ע"ב, כתובות דף ז' ע"א).
2. Based on this, one may do melachos for eating, drinking, and other things accepted by everyone as Yom Tov needs. However, things that were not regularly practiced and universally applicable in Chazal's times, e.g., washing the entire body in hot water, which was only the practice of pampered people, were not included in this heter and remained assur, as will be explained.

### D'Oraisa or d'Rabanan?

3. There is a machlokes Rishonim regarding the heter of melacha for נפש on Yom Tov. Is the condition that the melacha needs to be שווה לכל נפש a d'Oraisa condition, in which case something not שווה לכל נפש is assur d'Oraisa? Or are all melachos mutar on a d'Oraisa level and it was Chazal who made the condition that they need to be שווה לכל נפש?
4. Some say this condition is d'Oraisa, so something not שווה לכל נפש is assur d'Oraisa (רמב"ם פ"א י"ט ה"ד, פנ"י ביצה דף כ"ב ע"א, שו"ת אבני נזר א"ח). (סי' תצ"ה, מנ"ח מצוה רח"ץ, שו"ע הרב סי' תק"א ס"א, מ"ב שם סק"י ובשערי צדק סק"ט).
5. Others say the condition is only d'Rabanan, so something not שווה לכל נפש is only assur d'Rabanan (רש"י ביצה דף כ"ב ע"א ד"ה השווה לכל (נפש, תוס' שם ד"ה לא).

### Washing the Body

6. **Heated before Yom Tov.** One may not wash his entire body in water heated on Yom Tov (שו"ת תק"א ס"ב) because washing the entire body in hot water is not considered שווה לכל נפש. [In those days, not everyone bathed regularly due to a lack of water. Thus, washing the whole body was considered something not done by everyone.] However, one may wash on Yom Tov the face, hands, and feet (שם), as well as other areas of the body that got dirty or sweaty, even with water heated on Yom Tov, as long as it is not the entire body.
7. **Kindling [הבערה].** It should be noted that even when one may wash parts of his body with hot water, that is only as far as the issur of washing is concerned. One must still ensure he does not violate the issur of kindling by turning on the hot water, i.e., that the fire in the boiler is not ignited in a forbidden manner or with electrical power. This is certainly not permitted, not even for נפש.
8. Similarly, if one goes to the mikva and wants to wash himself a bit before or after toiveling, he has to know whether turning on the hot water from that faucet causes the boiler to go on. If it does, he may not turn on any hot water. Many people err with this.
9. **Heated before Yom Tov.** If water in the house was heated before Yom Tov, e.g., there is a tank containing hot water and turning on the water will not cause the boiler to go on or there is a solar water heater, the Mechaber allows washing the whole body (שו"ת שם). Some forbid washing the entire body all at once; the minhag follows this opinion (הרמ"א). One may wash his body one limb at a time even though his entire body will end up getting washed (מ"ב סק"י).

10. **Today.** Although most people today wash their entire bodies with hot water very regularly, it is not considered שווה לכל נפש. Only a need that is equally applicable to and accepted by literally everyone is called שווה לכל נפש; washing the entire body in hot water is still just a pleasure or indulgence for some people, not a basic need equally applicable to everyone. Furthermore, since this type of washing was forbidden in Chazal's time and the halacha was established, the poskim did not make a distinction based on changed habits to create leniency (שו"ת באר משה ח"ח סי' קנ"ט, חוט שני (י"ט פט"ו סק"א)).
11. **Cold, lukewarm water.** However, one may wash himself in cold or lukewarm water, i.e., less than 37°C [98.6°F] (שו"ת מנח"י ח"ד סי' מ"ד). One may turn on the hot water to take off the edge of the cold water if doing so will not activate the boiler.
12. If a baby is usually bathed daily, one may wash his entire body in hot water (מ"ב סק"י).
13. Similarly, an ill person or a woman who gave birth may wash their entire bodies with water heated before Yom Tov if necessary, just as they may do on Shabbos (ביאור הל' סי' שכו"א ס"א ד"ה במים).

### Liquid Soap

14. Most poskim hold that when washing parts of the body on Yom Tov with water heated on Yom Tov (above, 6), or when washing all parts of the body with water heated before Yom Tov (9), one may use liquid soap. Unlike bar soap, use of liquid soap does not involve the issur of memareiach (discussed at length in Issue 184, par. 24 and on).

## Smoking Cigarettes on Yom Tov

### Universal Practice

15. In earlier generations, it was accepted by many that smoking cigarettes had health benefits, aided in digestion, relaxed the body, and was even considered an important need for many people. Accordingly, several poskim discussed permitting smoking on Yom Tov based on נפש, especially because back then it was considered שווה לכל נפש, i.e., something enjoyed, or fit to be enjoyed, by most people (שו"ת כתב סופר א"ח). (סי' ס"ו, ומחצית השקל סי' תקי"א).
16. However, over the years, it became clear from medical research that smoking is not at all beneficial. Just the opposite: it is very harmful to health and causes serious illnesses and increased mortality. Today, there are strict laws in many countries about marketing cigarettes, mandatory health warnings on packaging, and bans on smoking in closed public spaces. In some places it is only allowed in designated, secluded areas. All of this is to minimize or completely uproot the habit of smoking.
17. In addition, societal norms have changed greatly. In the past, smoking was widespread, basically done by a majority of men in many places in the world. Today, though, smokers are in the minority. According to the current data from the World Health Organization, the percentage of smokers in many places stands at about 20%, or just one fifth of the adult population.
18. Similarly, many poskim hold that since it is now known how serious the dangers of smoking are, it is assur to smoke even during the week due to the mitzva of "ונשמרתם מאד לנפשותיכם" (שו"ת צ"ח ח"ז סי' כ"א, אג"מ חו"מ ח"ב סי' ע"ו, מנחת שלמה תנינא סי' נ"ח, שו"ת שבט הלוי ח"י סי' רצ"ה).

"The Cheder Horoah" | 20 Minchas Yitzchok St. Yerushalayim | paskenshtibel@gmail.com

Opening times: Sun. – Thurs. 5:00pm till 8:00pm | Fri. 10:00am till 11:00am and from 1 hour before candle-lighting

19. Therefore, there is a strong possibility that smoking today is no longer considered **נפש** **נפש**, as most people do not smoke at all, and many are even repulsed by smoking and stay far away from it. Accordingly, one could argue that the poskim who hold a melacha for a need that is not **נפש** **נפש** is assur d'Oraisa (above, 4) would say smoking on Yom Tov involves an assur d'Oraisa. At the very least, there is a potential assur d'Oraisa, as the classification of **נפש** **נפש** is gone today with respect to smoking.
20. It should be added that smoking today is worse than washing the whole body in hot water, as there are many more people who wash themselves daily in hot water than people who smoke. Even so, washing the whole body is assur because it is not **נפש** **נפש**; certainly smoking, which is only done by a minority of people, is not considered **נפש** **נפש**, so one may not smoke on Yom Tov. Each puff is a potential assur d'Oraisa of kindling (חזו"א דינים והנהגות) (פ"ח אות ה', הגר"ש"א בקובץ תשובות ח"ב סי' ל"ב).
21. Although there were gedolim who allowed smoking on Yom Tov in their time, and some poskim wrote one should not object to those who are meikel (ביאה"ל סי' תקל"א סי' ד"ה אין עושין), nowadays that the reality has completely changed, as described, mori v'rabi the Gaavad of Yerushalayim, Rav Yitzchok Tovis Wiess, vigorously objected to it and urged people to publicize the assur to others. I am hereby fulfilling his wishes...

## Shabbos Clock

### Heter to Use a Shabbos Clock

22. One may only use a Shabbos clock on Shabbos and Yom Tov for things which they are already commonly used for and are for the honor and enjoyment of Shabbos, e.g., to turn on lights, heat, air conditioning, a hot plate, an oven, etc.; it is degrading to Shabbos to use Shabbos clocks for other electric appliances. If the appliance makes noise, e.g., a sound system, or radio, even if it serves as an alarm clock, there is an additional assur of "אנושא מילתא" [causing something which creates noise on Shabbos]. [In a time of danger or war, ח"ו, follow the Rabbonim's instructions.]

### Adjusting a Shabbos Clock on Yom Tov

23. **Indirect action** ["grama"]. Analog Shabbos clocks have pins representing fifteen minutes or a half hour. Just moving these pins does not cause an immediate change in their operation. Many poskim hold that moving the pins to cause a device to turn on or off sooner or later is a grama, not a true action (ש"ת מנחת שלמה ח"ב סי' כ"ג אות ב'). A grama is still assur, however, and only allowed in specific circumstances, as will be detailed. [Adjusting a digital Shabbos clock in any manner is assur.]
24. **To turn on sooner.** When the timer is in the "off" position, adjusting the pins to make the device turn on sooner than it was set to is considered a "gram hadlaka," which is assur on both Shabbos and Yom Tov, unless it is for a choleh, even one not in danger; to prevent a loss; or for another pressing need (ע"פ הרמ"א סי' של"ד סכ"ב ובביאה"ג) (שם, ש"ע הרב סי' תקי"ד סכ"א, שש"כ מהדור"ח פ"ג אות כ"ח). Some allow this on Yom Tov even if it is not for a choleh since the melacha of הבערה is mutar d'Oraisa (שש"כ שם אות ל"א).
25. **To turn off sooner.** When the timer is in the "on" position but set to turn off at a certain time, adjusting the pins to make the device turn off sooner is considered a "gram kibui," which is assur on Shabbos, unless it will prevent a loss or fulfill a pressing need, as stated above. The Mechaber holds gram kibui on something which is burning is assur on Yom Tov just like Shabbos (ש"ע סי' תקי"ד ס"ג); some say gram kibui is mutar on Yom Tov (רמ"א שם) even if it is not to prevent a loss (שע"ח"צ שם סקל"א).
26. **Extending the current status.** However, if the timer is in the "off" position, one may adjust the pins to make the device stay off longer than it otherwise would have; the same applies when it is on and one wants to extend the amount of time it will stay on (ש"ת חלקת) (יעקב ח"א סי' נ"ח, שש"כ פ"ג הע"צ).
27. If the timer is currently off and set to turn on for some time and then off again, one may adjust the pins before it goes on to make it turn off again earlier than it was set to, even according to the Mechaber; this is not considered extinguishing something which is burning. Similarly, if it is on and set to go off and back on, one may adjust it while it is on to make it go on sooner after turning off.
28. **Changing it to timer mode.** If one set a timer before Shabbos to turn a device off after some time, but he left it on its weekday mode, i.e., it will stay on continuously, he may not change it to its Shabbos mode even if it is set to be on at that moment. In a very urgent situation, he may change it to the Shabbos mode with a shinui if it will stay on for the time being and only turn off later (שש"כ שם אות ל"ה).

29. **Muktza or boneh?** Some say a Shabbos clock is inherently muktza (חזו"א, שו"ת מנח"י ח"א סי' נ"ח) or involves an issue of boneh or tikun kli (חוט שני שבת ח"א קונטרס החשמל). According to them, one may not adjust a Shabbos clock even in the manners described above. However, most poskim disagree since this is the normal way to use a Shabbos clock; they hold it is not muktza since there is a mutar way to adjust it.
30. **In practice.** Since some are concerned there is an assur to adjust a Shabbos clock, and even the mekilim only allow it if there is a need, one should not regularly adjust Shabbos clocks; l'chatchila he should try to set them up in advance for Shabbos and Yom Tov [including Yom Tov Sheini for bnei Chutz l'Aretz] in a way that he will not need to adjust them at all. If, despite all that, a need arises to adjust one on Yom Tov, one may be meikel in the manners mentioned above, taking great care not to accidentally adjust the sensitive clock mechanism, thereby causing an instant change.
31. **Non-Jew.** One may have a non-Jew adjust a Shabbos clock in any way that will not cause an immediate status change since there is no assur to have a non-Jew do a grama (שו"ת מנח"י ח"ג סי' ל"ז).
32. **Child.** One may also ask a child below bar mitzva age to adjust a Shabbos clock to enhance the honor or enjoyment of Shabbos or Yom Tov since this is a point of machlokes among the poskim and it is a chumra not to do so (מקור חיים לחו"י).

### Dishwasher

33. Even though modern dishwashers are very quiet and almost imperceptible when in use, it is degrading to operate them on Shabbos or Yom Tov and one may not do so (שו"ת אג"מ אור"ח ח"ד סי' ס'). Also, many types of dishwashers involve potential grama of bishul when closing the door or assur of shehiya when the cold water heats up in the machine, which also applies to water used to wash dishes (מו"א סי' רנ"ד סקכ"ו, ארחות שבת ח"ג פכ"ט הע"כ).
34. One may put dirty dishes in a dishwasher to store them there until Motzei Shabbos or Motzei Yom Tov since it is normal to store dirty dishes there during the week as well (שו"ת אג"מ אור"ח ח"ד סי' ע"ד). However, one may not rinse them a bit before putting them in to make it easier to clean them since that is preparing for the week.
35. Similarly, one may open a dishwasher door to remove clean dishes if he needs them since a dishwasher is לאיסור, which may be used in גופו/מקומו. One may also close the door after taking out or putting in dishes—since the open door interferes with use of the kitchen, closing it is a צורך מקומו (ארחות שבת פ"ט אות נ"א). However, one must be sure opening the door will not cause a light or display screen to go on.

## Select Hilchos Yom Tov

### Oven

36. One may insert or remove things from an electric oven on Yom Tov, but one may not turn it on or off. One should verify it will go on through a Shabbos clock or the like.
37. **Thermostat.** Most ovens have a thermostat which activates the heating element when the door is opened and cold air enters. Sometimes this happens right when the door is opened. Thus, if one has an old type of oven which has a red light when the heating element is active, he may only open the door when the heating element is already on to avoid activating it by opening the door.
38. If the oven does not have a light indicating activation of the heating element, one may not open the oven door when it is on since doing so may activate the heating element, unless he knows it is not very sensitive and opening the door will not immediately activate it. In such a case, he may rely on the mekilim who allow opening the door if it is not a פסיק רישא, in the same way they hold one may open a refrigerator door.
39. **Convection oven.** Some convection ovens have a fan which goes off when the door is opened and back on when it is closed. One may not open the door of this type of oven while it is on.
40. **Shabbos mode.** Some ovens have a Shabbos mode endorsed by a kashrus organization. This usually prevents the fan from going off or the thermostat or light from going on when the door is opened. Thus, one may use this type of oven on Shabbos or Yom Tov.

### Hot Water Urn

41. One may add cold water to an urn on Yom Tov. This is even mutar in an electric urn with a thermostat that may cause a light or heating element to go on when a lot of water is added, as long as it is not a פסיק it will go on right away. This is because "gram havara" is mutar (הגר"ש"א, שש"כ פ"ב הע"כ) (אוכל נפש).

נתרם ע"י הרה"ג רבי חיים שמעון נוימאן שליט"א  
 רב ביהמ"ד 'מנחם אברהם' סורוצקין  
 לרגל שמחת האירוסין לבנו החתן המופלג יצחק נ"י  
 עב"ג בת ר' נפתלי חיים דובר שליט"א