

Shoel U'Mashiv

Crossing the Street on Shabbos

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Q - As I was leaving the shul after weekday *Shacharis* someone stopped me to ask if I knew anything about whether you can put up your hand to indicate for a car to stop on *Shabbos*. To his pleasant surprise, I told him that it has actually come up before...

A - The *Shulchan Aruch* 276:1 explains that not only are we prohibited from instructing a non-Jew to do any sort of *Melacha* for us on *Shabbos* but we are also prohibited from directly benefiting from any *Melacha* that they do on our behalf (indirect benefit and additional benefit are a different story). However, if the non-Jew were to do the *Melacha* for themselves, then a Jew is allowed to benefit from it. The example given there is lighting a fire: if a non-Jew lights a fire so that a Jew can see, the Jew is not allowed to get benefit from the light, but if the non-Jew did it so that they themselves can see, then the Jew can benefit from the light.

Additionally, when we say instructing, we don't merely mean with words. The *Mishnah Berurah* 307:76 says doing what we call *Remizah B'Derech Tzivui*--hinting in the form of a command--is considered instructing. If by gesturing it is clear what you want the non-Jew to do, that is no different from speaking the words out. Hinting which is not in the form of a command, however, is allowed.

Regarding our case of signaling cars to stop on *Shabbos*, it is certainly a problem for a Jew to put up their hand indicating the car to stop. Operating a car is considered the *Melacha of Mavir*--kindling a fire--since the engine works by burning the fuel and putting up one's hand is a hint in a commanding form. However, just standing there is not a problem because it is a hint in a non-command form. Even standing at a crosswalk is not a problem since the non-Jew is stopping for themselves because it is the law to stop for pedestrians at a crosswalk and they don't want to get a ticket.