

SERVING FOOD TO A NON-OBSERVANT JEW

by Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

QUESTION: Is it permitted to offer food to a non-observant Jew who will not wash his hands and/or recite the proper blessings over food?

DISCUSSION: The Shulchan Aruch prohibits offering food to anyone who will not wash his hands over bread(1) or recite the proper blessings over food(2). This is based on the principle that we may not be an accessory to a fellow Jew's sin. Even if the food belongs to the non-observant Jew, it may not be served to him(3). Often, when a non-observant Jew is asked politely and respectfully to recite a blessing or to wash his hands, he will respond positively. Even if a guest does not know how to recite a blessing or to Whom the blessing is being directed, it is still possible for the host to recite the blessing aloud and exempt the guest(4). The mere fact that the guest agrees to listen is sufficient to make the blessing valid(5). The poskim suggest several leniencies that alleviate the severity of the prohibition of serving food to a person who will not recite a blessing over it. In the following cases it would be permissible:

1. If the food will not be eaten immediately but will be taken home to be eaten at his discretion(6).
2. If there is a chance that a blessing will be recited. The prohibition applies only in a situation when a blessing will definitely not be said(7).
3. If the food is given as a form of charity. Some poskim stipulate that this leniency may be relied upon only when there is a chance that a blessing will be recited. If the non-observant Jew is not rebellious but merely unaware of the proper procedure, one may be lenient even if the recipient will definitely not recite a blessing or wash his hands(8).
4. If the non-observant Jew is a prominent person who, despite being non-observant, still respects the Torah and appreciates those who observe the mitzvos, and by asking him to wash or recite blessings he may get insulted and become hostile towards the Torah and/or Torah observant Jews(9).
5. If, by offering him food, there is a better chance of bringing a non-observant Jew closer to religious observance(10).
6. If the food is offered for pay, like serving a customer in a restaurant(11).

7. If the non-observant Jew is a business partner or associate, and denying him food will cause a monetary loss or a breakdown in their relationship(12).

FOOTNOTES:

- 1** O.C. 163:2.
- 2** O.C. 169:2.
- 3** Mishnah Berurah 163:12.
- 4** Harav S.Z. Auerbach (Minchas Shelomo 35); Harav S.Y. Elyashiv (oral ruling quoted in Avnei Yashfei 1:111).
- 5** Harav Y. Y. Kanievsky (Karyana d'Igarta 1:141); Igros Moshe O.C. 5:13-6.
- 6** Beirur Halachah 163:2.
- 7** Aruch ha-Shulchan 163:3; Chazon Ish Shevi'is 12:9. See also Teshuvos v'Hanhagos 1:483.
- 8** Mishnah Berurah 169:11, according to the explanation of Igros Moshe O.C. 5:13-9.
- 9** Harav S.Z. Auerbach (Minchas Shelomo 35); Harav C.P. Scheinberg (see Avosos Ahavah pg. 118). A similar ruling is quoted in the name of the Chazon Ish (see Pe'er ha-Dor vol. 3, pg. 195).
- 10** Harav S.Z. Auerbach (quoted in V'zos ha-Berachah, 4th edition, pg. 154). See Discussion on Parashas Korach for further information on this subject.
- 11** Meishiv Davar 1:43; Toras Chesed 4; Maharsham 6:11; R' Ezriel Hildesheimer O.C. 28; Shevet ha-Levi 1:37.
- 12** Igros Moshe O.C. 5:13-1,10.

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