



Temple Beth Am / עדת בית עם

Livestreaming on Shabbat: Halakhic and Meta-Halakhic Considerations

Rabbi Adam Kligfeld

### 1. Tur, Orach Chayim 330:1

A woman giving birth is as one who is dangerously sick. Thus we violate Shabbat on her behalf, for whatever she needs. We call her an expert, from this place to that. And we midwife her. And we light a candle for her, even if she is blind. And nevertheless, anything that we can change, we change...For the first three days, even if she says, "I have no need," we violate shabbat on her behalf if her friends say she needs. And the Ramban wrote that even if there is no expert that says she needs it, we do it .

טור, אורח חיים ש"ל:א'

יולדת היא כחולה שיש בו סכנה. ומחללין עליה השבת לכל מה שצריכה. קורין לה חכמה ממקום למקום. ומיילדין אותה. ומדליקין לה הנר אפי' היא סומא. ומ"מ כל מה שיכולין לשנות משנין...וכל ג' ימים הראשונים, אפילו אמרה, "אין צריכה אני," מחללין עליה השבת אם חברותיה אומרות שצריכה. והרמב"ן כתב אפילו ליכא חכמה ולא רופא שאומר צריכה עושין לה

### 2. Shulchan Arukh, Orach Chayim

306:9

9. It is forbidden to say to a non-Jew that they should go outside the Shabbat limits to find the relatives of a dead person, so

שולחן ערוך, אורח חיים

ש"ו:ט'

אסור לומר לעכו"ם שילך חוץ לתחום בשבת אחר קרובי המת שיבואו להספידו. אבל חולה

that the relatives could come and eulogise them. But for a sick person for whom the world is harsh, and they say to send for the sick person's relatives, this is certainly permitted.

### 3. Shulchan Arukh, Choshen

Mishpat 254:1

**A dying person who requests that they effectuate his bequests, and it has one *se'if*.** Even though the bequests of a dying person do not require *kinyan*, if he requests that they acquire from him, they acquire from him. Even on Shabbat, for this is an unneeded acquisition. And some say that even if there is some [potential] expense/loss in the acquisition, such as he writes out all of his possessions and explains that it should not be reversed [even] if he stands, we acquire on shabbat. *Gloss:* And some say that even if it is a partial bequest that does require *kinyan*, even though it seems that he is not giving it out of worry for his death since he is not giving away it all, even so we acquire from him on Shabbat.

דתקיף ליה עלמא ואמר  
שישלחו בעד קרוביו ודאי שרי:

שולחן ערוך, חושן משפט

רנ"ד:א'

ש"מ שביקש שיעשו קנין  
במתנות. ובו סעיף אחד: אע"פ  
שמתנת שכיב מרע אינה צריכה  
קנין אם ביקש שיקנו ממנו  
קונים אפי' בשבת שזה הקנין  
אינו צריך וי"א שאפי' אם יש  
נפקותא בקנין כגון שכותב כל  
נכסיו ומפרש שלא יחזור בו אם  
יעמוד קונים בשבת: הגה וי"א  
דאפי' מתנה במקצת דצריכה  
קנין אע"פ שנראה שאינו נותן  
מדאגת מיתה הואיל ואינו  
(נותן) כולם אפי"ה קונים ממנו  
בשבת (רשב"ם פרק מי שמת)  
וי"ח בזה (טור בשם הרא"ש):

#### 4. Rabbi Elliot Cosgrove, Article in Forward, March 2021

Yes, we have enlarged the boundaries of Shabbat engagement, but in doing so we have stretched well beyond the traditional boundaries of Shabbat observance. The texts, the teleprompters, the technology – none of it falls under the Conservative movement’s pre-pandemic interpretation of halakhah (Jewish law). Are the innovations of this past year here to stay, or will we look back on them as a singular response to this pandemic?

It is not an easy balancing act to both justify leniencies and affirm stringencies. But it is the balancing act by which any rabbinic career, synagogue community or individual Jewish journey should be guided. Ultimately, our strength lies not so much in finding neat resolution to insoluble questions, but in a thoughtful and transparent embrace of the tensions we face. Difficult as it is, it is a struggle well worth having. It has sustained our people for generations.

#### 5. Email from TBA member, April 2025

I am incapacitated due to a very bad back. And this is my first of many many years that I will not be in shul on Pesah. I am so grateful that I can attend service on You Tube.