

Is It Permitted to Do Construction Work on Shabbos in an Area Where There Are No Jews?

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Question:

You previously said that having a non-Jewish construction worker do work on Shabbos is a problem of *maras ayin*. What if the work is being done in a place where no Jew will see it?

Answer:

If the work is being done out of the *techum* of any Yid it is *muttar*. If it is done within the *techum*, it is forbidden.

There is some dispute regarding if work is done technically within the *techum* but far away from any Jews. To illustrate, Chicago is a very large city that is all within one *techum*. If someone owns a property in Chicago's South Side, he can be assured that no religious Jews will go there on Shabbos. Would it be permitted to do construction work there on Shabbos?

Some Rabbanim take a lenient view and feel that it should be allowed because if no Jews are around there's no problem of *maras ayin*. Others take a more literal view and say that anything within a *techum* is forbidden. My father-in-law, Rav Shlomo Miller, told me that he leans towards the later view but, as we said, there are those who permit it.

Having said that, I have seen that this leniency is often abused. I recently met a fellow who uses this leniency to do work on Shabbos on his property because he assumed it was not near any Jews. I informed him that there actually is a yeshiva right around the corner and the bochurim could easily walk past his property. In Lakewood, there is an Industrial Park area where many Jews own properties. Some assume that no Jews walk around in an Industrial Park on Shabbos, so they allow work to be done on their properties on Shabbos. However, in actuality, houses have been built that overlook the area and from which people can see the work that is happening on Shabbos. Therefore, one needs to be extremely careful before making use of this leniency.