The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"ז סעיף י"ט-כ"א

Overview

Siman 307 Seif 19:

Merchandise that will become ruined on Shabbos by rain or something else, if a flood (from a river or body of water) **will ruin one's possessions or if a barrel of wine is about to break it is permitted to call a gentile even though one is certain the gentile will save one's possessions.** (Whether it is permitted to cover one's merchandise, fruit or something else from rain, see below siman 338:7.) **It is also permitted to say to a gentile, "Anyone who saves my stuff will not lose," similar to the allowance to say when there is a fire, "Anyone who extinguishes the fire will not lose." Some maintain that it is permitted only when there is a fire** (See below siman 334).

- It is permitted to call a gentile even if he will have to perform a Biblical melacha because if it will only involve moving muktzah or transferring something from a private domain to a karmelis it is permitted to ask the gentile explicitly for assistance. (M.B. 68)
- One may not speak to him in 2nd person and say, "If you save it, you will not lose." (M.B. 70)
- One who follows the lenient opinion will not lose. All opinions agree that it is permitted to call a gentile and show him the problem if one does not need to say anything to him. (M.B. 71)

Siman 307 Seif 20:

If a Jew instructed a gentile to perform a melacha for him on Shabbos, it is permitted to benefit from that melacha once the amount of time it takes to perform that melacha has passed after Shabbos concluded.

- If it was done publicly and people know that the melacha was performed on behalf of a Jew it is prohibited forever even if the gentile performed the melacha on his own initiative. (M.B. 72)

Siman 307 Seif 21:

It is prohibited to instruct a gentile to take a piece of meat and cook it for himself, even if one is not responsible to feed him. But it is permitted to instruct him to perform a melacha for his own benefit.

- Being that the gentile cannot perform the melacha on his own it is prohibited even though the Jew does not benefit from the melacha but it is permitted to tell him to take his own meat and cook it for himself since it does not belong to the Jew. (M.B. 73)
- It is also prohibited to give the gentile meat on erev Shabbos and instruct him to cook for himself on Shabbos. (M.B. 74)

Halacha Highlight

Instructing a gentile to cook for himself on Shabbos

Shulchan Aruch Siman 307 Seif 21

הילך בשר זה ובשל אותו לצרכך

Take this meat and cook it for yourself

Shulchan Aruch (סע' כ"א) rules that a Jew may not give meat to a gentile and tell him to cook it for himself, even if the Jew is not responsible to feed the gentile. Rema adds that it is permitted to instruct the gentile to do melacha for himself. Mishnah Berurah (ס"ק ע"ג) explains that although the gentile is cooking for himself, since he could not perform the melacha without the Jew giving him the meat, his instructions are encompassed by the prohibition against instructing a gentile to perform melacha. However, it is permitted to instruct the gentile to take his own meat and cook it for himself. Since the Jew never owned the meat and the gentile is cooking it for himself it is not encompassed by the prohibition against instructing a gentile to perform melacha. When the food belongs to the gentile it is permitted for the Jew to instruct him to cook the food even if the Jew is responsible to feed the gentile and benefits from the fact that the gentile cooked for himself.

Poskim debate whether it is permitted to allow the gentile to use wood or water that belongs to the Jew. Chaye Adam (חי"ב כלל ס"ד סע' ב') ruled that one must protest if the gentile takes wood that belongs to a Jew to cook his food because it gives the impression as though the gentile is acting as an agent for the Jew. Rav Nissim Karelitz (חוט השני ח"ג פפ"א סק"ג ד"ה העולה מכל הנ"ל) also ruled that it is prohibited for the Jew to allow the gentile to cook using his gas. On the other hand, Shulchan Aruch HaRav (סע' ל"ה) rules that the Jew is not obligated to prevent the gentile from using items that belong to a Jew but the Jew may not give them his things to use. Similarly, Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פ"ל הע' ק"י"ב) ruled that when the primary food belongs to the gentile, it is permitted for the gentile to even use water and spices that belong to the Jew.