The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Shabbos, Jan 27 2024 ■ י"ז שבט תשפ"ד
סימן שי"ח סעיף א'

Overview

Siman 318 Seif 1:

One who cooks on Shabbos (or performs one of the other *melachos*) **intentionally, the food is prohibited for him forever but others may eat the food immediately after Shabbos. If he cooked inadvertently, it is prohibited on Shabbos even for others and after Shabbos it is permitted even for him.** (For the *halachos* when one instructed a gentile to perform *melacha* see above *siman* 307:20.)

- The *melacha* of cooking occurs even for non-edible items and the *melacha* is violated when fire is used to soften or harden something. One violates the prohibition even if food cooks to the degree of *ma'achal ben drosai* but when meat is not fully cooked one is not liable unless it is partially cooked on both sides. (M.B. 1)
- When there is a dispute whether something is prohibited, *b'dieved* it is not prohibited since the restriction is only Rabbinic in the first place and we adopt a lenient approach regarding doubtful matters that are Rabbinic. (M.B. 2)
- Gra proves that according to all opinions if it was done inadvertently it is not, *b'dieved*, prohibited. (M.B. 3)
- One may benefit from the monetary value of the *melacha*. Magen Avrohom maintains that the pot used to cook is prohibited for use since it absorbed prohibited food but if one cooked for someone ill the pot is permitted. (M.B. 4)
- It is permitted even for the one for whom the food was cooked since the requirement to wait the time it takes to perform the prohibited *melacha* is limited to where the *melacha* was performed by a gentile since people treat that prohibition lightly and does not apply when the *melacha* was performed by a Jew. If *motzai Shabbos* is *yom tov* the food is prohibited since Shabbos may not prepare for Yom Tov. There is a dispute whether such prohibited food that becomes intermingled with another food is subject to the principle of *davar she'yesh lo matirin* but when cooking for others all opinions agree that the principle applies. (M.B. 5)
- Gra follows the opinion that maintains that if one cooked intentionally the food is prohibited for everyone until *motzai Shabbos* and if one cooked inadvertently it is permitted even for the one who cooked it and in a circumstance of need one may rely upon his opinion. (M.B. 7)

Halacha Highlight

Riding in a bus that was driven on Shabbos

Shulchan Aruch Siman 318 Seif 1

ולאחרים מתר למוצאי שבת מיד

And for others it is permitted immediately after Shabbos

Shulchan Aruch addresses what happens when a person cooks or performs some other *melacha* on Shabbos. He rules that if the *melacha* was done intentionally, the one who performed the *melacha* may never benefit from the *melacha* but others may benefit from the *melacha* immediately after Shabbos. Mishnah Berurah (סק"ד והי') explains that Chazal penalized the one who performed the *melacha* and prohibited him from ever benefitting from the *melacha* that he performed. However, others may benefit from the *melacha,* even those for whom the *melacha* was performed. Furthermore, it is unnecessary to wait the amount of time it would take to perform the *melacha* after Shabbos (בכדי שיעשה) before benefitting from the *melacha*. The requirement to wait that amount of time after Shabbos applies when *melacha* is performed by a gentile on Shabbos to prevent one from asking a gentile to perform a *melacha,* but there is no concern that being permitted to benefit from the *melacha* that was performed by a Jew on Shabbos will lead to asking him to do *melacha* on another Shabbos.

Pri Megadim (סי' שכ"ה א"א ס"ק כ"ב) expresses uncertainty whether the requirement to wait after Shabbos the amount of time it would take to perform the *melacha* applies to a *mumar*. This question is applicable in Eretz Yisroel, for example, when sometimes bus drivers drive to their point of departure on Shabbos so that they can begin driving their route as soon as Shabbos is completed. Rav Shmuel HaLevi Wosner (שבט הלוי ח"ג סי' נ"ד אות ב') and Rav Nissim Karelitz (חוט שני ח"ב פכ"ב סק"א עמ' מ"ה אות א') rule that in this regard a non-observant Jew has the same status as a gentile and one may not ride on a bus that was driven on Shabbos until after the amount of time it would take to begin driving on Shabbos passes. Others maintain that although it is preferable to adopt a stringent position about this matter, there is room for leniency since when one climbs on the bus he is not benefitting from the *melacha* that was done on Shabbos being that the *melacha* that was performed no longer exists (פסקי תשובות אות ב').