The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Tues, Mar 5 2024 ■ כ"ה אדר א' תשפ"ד
סימן שכ"ב סעיף ו'

Overview

Siman 322 Seif 6:

One who divides portions for the members of his household on Shabbos may make a lottery and declare that the winner of the lottery will receive this particular portion. This assumes, however, that the portions are equal and one is making the lottery to equate them to avoid generating jealousy. A lottery may not be made with others since they keep a precise accounting with one another and it could lead to measuring or weighing. It is prohibited, even during the week, to make a lottery to give a large portion and a small portion, even with the members of one's household since it involves gambling. Some maintain that it is permitted with the members of one's household even to distribute a large and small portion since they do not keep an accounting. It is prohibited to make a lottery on Shabbos even via a gentile.

- The pieces may be distributed without a lottery since we assume that they are not particular but if they want it to be distributed by lottery it indicates that they are particular. (M.B. 20)
- When the winner receives the large portion and the other one receives the smaller portion it is considered gambling. Although with the members of one's household there should not be an issue being that it is all his food, nevertheless, there is a concern that it will lead to gambling with others and on Shabbos it is certainly prohibited since it resembles buying and selling. (M.B. 22)
- If the children are dividing their own stuff it is prohibited if one portion is large and the other portion is small. (M.B. 23)
- It is permitted to hold a lottery to determine who will recite kaddish or receive an Aliyah. Some authorities maintain that only a lottery done with a book is permitted but one done by drawing cards that were made before Shabbos is prohibited. (M.B. 24)
- Magen Avrohom maintains that the lottery may not be held on Shabbos even though it could not have been done before Shabbos. He also implies that on Yom Tov it would be permitted. (M.B. 25)

Halacha Highlight

Casting a lottery on Shabbos

Shulchan Aruch Siman 322 Seif 6
יכול להטיל גורל
It is permitted to cast a lottery

Shulchan Aruch discusses the allowance to make a lottery to distribute portions of food to one's children. This allowance is limited to distributing equal size portions and may only be done with the members of one's family. It may not be done with non-family members since they keep an account of who receives a larger or smaller portion. Additionally, even amongst family members, if one person will receive a large portion and another person will receive a small portion it is prohibited since it resembles gambling which is prohibited even during the week. Rema adds that it is forbidden to cast lots on Shabbos even by means of a gentile. Mishnah Berurah (ס"ק כ"ד) explains that Rema refers to casting a lottery in order to distribute something and it is prohibited even if one's intent is to prevent people from fighting.

Mishnah Berurah (שם) adds that the restriction does not include casting a lottery to determine who will recite *kaddish* or receive an *Aliyah* which is permitted. The basis for this is that in the Bais HaMikdash they would cast lotteries to determine who would perform different parts of the service. He then notes that according to some authorities the allowance to cast a lottery to determine who will recite *kaddish* is limited to a lottery which is cast by opening a book and keeping track of the number or letter on the page, but it is prohibited to write each person's name on a slip of paper before Shabbos and then place those slips into a box and choose on Shabbos one slip as the winner. The reason it is prohibited is out of concern that it could lead to reading secular material (שטרי הדיוטות) or writing. He then notes that although there are authorities who are lenient for a *gabbai* concerning these matters (ע' מ"ב סי' ש"ז ס"ק מ"ז), in this case since there is also the factor of casting a lottery on Shabbos, it should be avoided.