



Parshas Beha'aloscha 5764

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A gentile took a peek at the cholent and gave it a good stir to improve its cooking. May it be eaten? What if a Jew did that?

We must first understand whether there is an *issur* involved with stirring a *cholent* and the answer is divided into two parts. The first part deals with a case where the *cholent* was not fully cooked and the second is a case when it was already fully cooked. The problem is called מגיס or stirring. The *gemora Beitz'a* 34a¹ tells us that stirring food on the fire is equivalent to cooking and is an *issur d'oraisso*. The common explanation is because stirring causes certain ingredients to cook which otherwise would not have cooked properly - had the food not been stirred.

Accordingly therefore, one may not stir food that is on the stove and is not fully cooked because it involves the *issur* of *Bishul*. (R' Akiva Eiger² cites a *Ritva* who says that if food in a pot would have cooked in an hour or two and through stirring the coals one hastens the cooking, it is possible that one has violated an *issur d'oraisso* of cooking. The same would apply to stirring the food.³)

What if the food is fully cooked? May one stir it when it is on the stove (or blech or hotplate)?

¹ 13 lines from the top.

² At the very beginning of *simon* 318.

³ There is yet another explanation. Stirring is an essential part of the cooking process, and that alone is reason to say that one is *chayav*. This obviously requires explaining, but this is not the place.

When the *Mechaber*⁴ refers to stirring food in a pot he does not say that one is permitted to stir the food when it is on the fire. Indeed the *Mishna Berura*⁵ explains that one may not stir food on the fire. We now know that one must not stir food on a heat source and there is room to be stringent and prohibit stirring even when it is fully cooked and off the fire, as stated in the *M"B*.⁶

What if it was stirred, may the food be eaten?

The food may be eaten if by mistake it was stirred even while on the fire. The truth is that the food may be eaten even when it was stirred before being fully cooked. The reason for this leniency is because many *Rishonim* hold that there is no prohibition to cook something that is already cooked to the degree of *ma'achal ben Derosai*, which, according to the stringent opinion is **half cooked**. This does not mean that one may stir the food because according to the *Rambam* and others, one who does so has violated an *issur d'oraisso* and is liable to bring a *korban*.

Why then may the food be eaten?

It may be eaten because when something was done unintentionally against the *halacha*, as in this case, when there is an opinion who

⁴ *Simon* 318:18 and 321:19.

⁵ *M"B simon* 321:79.

⁶ *M"B simon* 318:117.

permits it, one may eat or benefit from the action.

Accordingly, one may not stir food on the stove even when fully cooked, and as stated there is room for stringency even when not on the stove, but if *b'diavad* it was stirred it may be eaten.

One must not take this leniency lightly as according to other *poskim* (and the *halacha*) it is an *issur d'oraisso* to cook food that is not fully cooked.

I once saw a gentile, in a certain hotel, take boiling water that was in a pot on the gas and pour it into a hot water urn. Is this permitted l'chatchila, and if not, may the water be used?

I do not think that it should be permitted because the gentile is in fact “returning” food or liquid to an uncovered fire and is prohibited because it looks like cooking, as the hot water urn is not called *garuf v'katum*, and anything a Jew may not do, a gentile is also prohibited from doing.

I think though that the water may be consumed because the water was fully cooked, and when a gentile does *chazora* (returning food or liquid to the fire) against the *halacha*, if it was fully cooked the Jew may benefit from it.⁷ Many hotels with *mehadrin* supervisions have the urns padlocked in order to avoid this scenario.

Vort on the Parsha

Moshe Rabeinu was instructed to fashion two trumpets which were to be used on various occasions.

When the *B'nei Yisroel* were about to wage war against their enemies, they were to blast a *T'ruah* with the trumpets, which is a sign of wailing. At the time of the festivals they

were not to blow a *T'ruah* only a *T'kiah*. On *Rosh Hashana* both the *T'kiah* and the *T'ruah* were sounded. What is the meaning behind this?

Rav Sternbuch *Shlita* explains that when the *B'nei Yisroel* were about to go into battle it was of crucial importance that they repent from their sins for many reasons. The *T'ruah* is a crying sound which is capable of opening one's heart reminding one to repent and get closer to *Hashem*.

The festivals are a time of rejoicing and the *T'ruah* is out of place. The *T'kiah*, which resembles jubilation, gives the correct tone. *Rosh Hashana* is a time of repentance and rehabilitation. It is on *Rosh Hashana* that one must regret one's past, hence the *T'ruah*, and reaffirm one's belief in the King *Hashem* and resolve never to sway from the straight path – which is depicted by the *T'ruah* – a straight firm blast.

Food For Thought

Is there a limit as to what one may speak about on shabbos?

Am I permitted to walk through my vegetable patch on shabbos?

What about window shopping, anything wrong with that?

May I sit at a bus stop before shabbos is out in order to catch the first bus?

Answers coming next week.

⁷ *Rama* in *simon* 253:1 and the *Bi'ur Halacha* ד"ה "ואם החזירה ו-"דינו כשכח.