



## You Made the Cholent but Forgot to Turn it On!

You're making cholent Friday afternoon. You prepared all of the ingredients in the crockpot, and everything is set, except that it is off... You only remember once you're in shul after Shabbat started. What can you do?

Generally, you can ask a non-Jew to do melacha during Ben Hashemashot, as long as it is an important need.<sup>1</sup> For most people, having a cholent Shabbat day enhances their Oneg Shabbat, which would qualify as an important need. However, since the cholent is raw, if you ask the non-Jew to turn it on that would mean that your cholent is now cooked by a non-Jew and forbidden due to Bishul Akum!<sup>2</sup> What's the solution?

Rav Netanel Weiderblank was lenient to allow asking a non-Jew, and then, once the food is cooked on Shabbat morning, a Jew should take it off the crock pot and put it back on (in a way that isn't *hachzara*). That will mean that the Jew will improve the cholent and remove the Bishul Akum. For Hilchot Shabbat, it is permitted since it is cooked so that the average person would eat it. For Bishul Akum, it is permitted since the Jew improved the food.<sup>3</sup> For Sephardim this isn't a solution.<sup>4</sup> See footnote for another solution.<sup>5</sup>

1. Shulchan Aruch OC 342:1

2. The Aruch Hashulchan 113:29 proposes that if the Jew put food in the oven and then a non-Jew turned it on, it is not considered bishul akum since the Jew helped the cooking. However, this approach is rejected by the poskim (Shabbat Shlomo p. 363).

3. The Rashba (Torat Habayit 3:7 95a) quotes Rabbenu Chananel as holding that if the non-Jew cooked food so that it was Machal Ben Drosay, half or a third of the cooking, which is only minimally edible, it is forbidden even if a Jew cooks it afterwards. The Rashba himself agrees; however, the Rosh argues that Machal Ben Drosay isn't considered cooked, except for a leniency to consider it cooked if the Jew cooked it up to that point. Therefore, if a Jew cooked it from Machal Ben Drosay to fully cooked it would be permitted since the Jew did the primary cooking. Both of these opinions agree that if a non-Jew cooked food so that it is fully cooked it is forbidden even if the Jew then cooks it further to improve it.

The Shulchan Aruch YD 113:9 codifies the Rashba unless there is an extenuating circumstance in which case one can follow the Rosh, while the Rama seems to accept the Rosh. Furthermore, Pitchei Teshuva 113:4 quotes the Shlah and Maharshah who opine to follow the Rashba.

Yet, there is a third opinion in the Rishonim. The Raah (Bedek Habayit 94b) disagrees with the Rashba and argues that as long as the Jew did something to the food in the cooking process it is permitted. Even if the non-Jew fully cooked the food but the Jew then stirred so that it would improve as it continued to cook it is permitted. In the Mishmeret Habayit, the Rashba strongly disagrees.

Chinuch Bet Yehuda YD 69 writes that even according to the Rama it is only permitted if the non-Jew didn't fully cook the food and the Jew completed it. However, if it is fully cooked it is forbidden even if the Jew cooked it further and improved it. Gilyon Maharsha 113 cites this. However, the Mekor Mayim Chaim 113 argues that we should accept the Raah, that as long as the food is improved by the cooking of the Jew it is permitted. Darkei Teshuva 113:65 cites this dispute. Maharsham in Daat Torah 113:9 and Machazeh Eliyahu 2:45 follow the Mekor Mayim Chayim. See Rav Amar in Shama Shlomo YD 2:7 and Shevet Halevi 2:45 who use this opinion as a lenient factor. Rabbi Wiederblank ruled like the Mekor Mayim Chayim in this extenuating circumstance.

[Rav Asher Weiss](http://www.tevunah.org) (Tevunah.org) was also lenient about a case where a fuse went out and a maid turned on the crockpot for other factors: some say that there's no bishul akum in a Jew's house, cholent isn't fit for a king's table, and the Aruch Shulchan cited in fnt. 2.

4. Shulchan Aruch 113:9, Kaf Hachaim 113:60-62

5. Rav Shlomo Miller (Shabbat Shlomo p. 363) suggested another solution: ask the non-Jew to turn off the circuit breaker. Then plug in the cholent pot. Then ask the non-Jew to turn back on the circuit breaker without their knowledge that that will turn on the crockpot. Since the non-Jew's intent is to turn on the power in the house and not to cook the food, the food is permitted. The basis for this solution is the Gemara Avoda Zara 38a states that if a non-Jew scorches a field and has no intention of cooking the grasshoppers in it, there is no problem of Bishul Akum to eat the grasshoppers. This is cited by Shulchan Aruch 113:5.

This was reviewed by Rabbi Mordechai Willig shlit"a. For more see [halachipedia.com](http://halachipedia.com).