

## **Insights into Halacha: Common Kiddush Questions**

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One of, if not the most pivotal event in Jewish history, Mattan Torah, is prominently featured in this week's parasha, Parashas Yisro. The fourth of the Aseres HaDibros, is the exhortation to remember and keep the Shabbos properly. In fact, the Gemara (Pesachim 106a) teaches us that 'Zachor es Yom HaShabbos lekadsho'[1] is not only the basis of our obligation to make Kiddush upon Shabbos's entrance on Friday night, but also a support for making Kiddush on Shabbos day.

Yet, it seems that this is one of the most common halachic realms where we actively see different minhagim manifested. One family stands when making Kiddush, another sits, while a third does some sort of combination.[2] Additionally, another's "minhag" preference might just depend on how tired or hungry one is. However, aside for the proper postural preferences on how to make Kiddush, there are actual variations inherent in the words and actions of the Kiddush itself.

### Kiddush Commencement

Although everyone agrees that the Friday night Kiddush starts with the passage describing Hashem's resting on the Seventh day after completing Creation,[3] on the other hand, the Shabbos day Kiddush, is not so clear cut. Some start

Kiddush with 'V'Shomru Bnei Yisrael es HaShabbos,'[4] the Biblical passage detailing how the Bnei Yisrael kept Shabbos in the wilderness, while others start with 'Zachor es Yom HaShabbos lekadsho', since, as mentioned, is part of the Aseres HaDibros and the source teaching us to make Kiddush on Shabbos day. Yet, others start with the last pasuk of that passage, 'Ki Sheishes Yamim', and others from that verse's midpoint, 'Al Kein Beirach'. In fact, the Kabbalists cite an entire lineup of passages to be recited as part of the Shabbos morning Kiddush, replete with twelve challos, two bundles of hadassim, and circling the table.[5]

Which is the correct Kiddush?

The Great Kiddush?

The answer is an interesting one; one that is alluded to by the way the Gemara refers to the Shabbos Day Kiddush: "Kiddusha Rabba", 'the Great Kiddush'. [6] This nickname actually is a seemingly mystifying misnomer for a Kiddush that is merely a rabbinic enactment to honor the Shabbos. As the Rashbam, citing the Sheiltos D'Rav Achai Gaon, explains, the reason why we make Kiddush on Shabbos day is in order to show honor to the day, by drinking wine, which showcases the difference between weekday and Shabbos.[7]

Shouldn't such a weighty title of significance rather be exercised on the Biblically mandated Friday night Kiddush?[8]

Although there are other rationales to explain this puzzling moniker,[9] the accepted reason is that it is simply 'lashon sagi nahar', or a euphemism.[10] In other words, the Shabbos Day Kiddush is called 'Great' because it actually is not as important as the Friday night Kiddush.

This understanding affects various halachos and nuances of the Shabbos Day Kiddush. The most important distinction, as detailed in the Gemara and later implied by the Shulchan Aruch as well, is that the only part of this Kiddush that is halachically required is the bracha of 'Borei Pri HaGafen' on the wine.

This means that the various passages people customarily say before this Kiddush are not actually part and parcel of the Kiddush itself, rather merely serving as the preamble. In fact, it is known that many Gedolim did not say any pesukim before Shabbos Day Kiddush, and only recited the bracha of 'HaGafen'. [11]

Divided Verses

The Aruch Hashulchan[12] takes this a step further. He explains that there is a well known Talmudic dictum that we may not stop at any posuk at which Moshe Rabbeinu himself did not stop. This means that we may not recite half pesukim.[13]

However, by the Shabbos day Kiddush, since the pesukim are simply meant to be an introduction to give extra honor to the Shabbos day and are not actually a requirement of the Kiddush, this is an exception to the rule and we are allowed to do so. Therefore, he maintains that one may start with 'Al Kein Beirach', even though it technically is in the middle of a pasuk. Several other authorities, including the Maharam Shik, the Ben Ish Chai, and more recently, Rav Ben Tzion Abba Shaul, rule similarly; the Ben Ish Chai even refers to starting Kiddush with 'Al Kein Beirach' as 'minhag ha'olam'.[14]

However, this logic is not universally accepted. In fact, the Mishna Berura argues, and states that even though he acknowledges that many start Kiddush from 'Al Kein Beirach', all the same, in his opinion, it is incorrect to do so, as the rule of not reciting half-pesukim should still apply by Kiddush. Other authorities who ruled this way include Rav Yaakov Emden (referring to Friday night Kiddush), the Chessed L'Alafim, the Ohr Chodosh, and Rav Chaim Palaji.[15]

And, although Rav Eliyahu Gutmacher posits that since the rule of not stopping in the middle of pasuk is not mentioned by the Rambam nor Shulchan Aruch, one may be lenient with the application of this dictum across the board,[16] nonetheless, Rav Ovadia Yosef cites many other Acharonim who did not agree with this assessment, concluding that the consensus is to accept this statement of Chazal (of not reciting parts of pesukim) as practical halacha (barring specific exceptions).[17]

This is why many are makpid to start their Kiddush from the beginning of that pasuk: 'Ki Sheishes Yamim'.

Either way, whatever one's Kiddush custom, he definitely has on what to rely. However, if one does not have a specific custom, it seems preferable not to start mid-pasuk, and rather choose a different starting point for Kiddush.

### A Brisker Twist

A consequence of the basis of this machlokes is that it has become the starting point of another. The famed Brisker Rav, Rav Yitzchok Zev Soloveitchik, was bothered by one of the halachos of Kiddush. If, as previously explained, the Shabbos day Kiddush is intrinsically just a bracha of 'Borei Pri HaGafen' on the wine in order to honor the Shabbos, then shouldn't it be in the category of

'Birchos HaNehenin' (referring to blessings recited on items we derive pleasure from, i.e. food) where halachically one must partake of the item he recited a bracha on? If so, one must at least taste the Kiddush wine, otherwise, how can he fulfill his obligation?[18]

Although he acknowledged that this is not normative halacha,[19] as the Shulchan Aruch, Rema, and later, the Mishna Berura and Kaf Hachaim (who adds "v'chain hu da'as ha'acharonim"),[20] quoting several Rishonim, including Tosafos, the Rif, Ran, Rosh, and Tur,[21] explicitly rule that one does not have to partake of the Kiddush wine on Shabbos day to fulfill his Kiddush obligation, nevertheless, the Brisker Rav maintained that lechatchila one should strive to at least get a taste of the Kiddush wine.

That is why at many a Kiddush you will usually find at least several people waiting to get some Kiddush wine before joining the rest of the crowd in digging into their coveted Mezonos. [22] This just goes to show that when it comes to properly honoring Shabbos by making Kiddush, even a small drop goes a long way.

Postscript: Interestingly, the Ben Ish Chai actually advances a different reason for allowing one to start the Shabbos day Kiddush from "Al Kein"; one that affects the Friday night Kiddush as well.

He writes that the Arizal is quoted as allowing one to start in the middle of a pasuk by Kiddush, and even though the sefer that quotes him - Pri Etz Chaim, is riddled with mistakes [including that Lag B'Omer is actual the yahrtzeit of Rabi Shimon Bar Yochai (as mentioned in a previous article titled: "The 'Unknown' Days of the Jewish Calendar"), nonetheless, this ruling is correct. He explains that the Chasam Sofer, citing the Magen Giborim and Yachin U'Boaz, writes that one may stop and start reciting a pasuk by an esnachta (a half-stop; generally akin to a pasuk's midpoint), which would be the case by 'Al Kein Beirach'. [23] He further cites (quoting several different poskim) several different exceptions to the rule of not reciting half-pesukim - that it does not apply to Kesuvim, pesukim recited 'derech techina, tefilla, or bakasha', [24] or if only reciting two words of a pasuk.

The situation the Chasam Sofer and Ben Ish Chai were referring to is the Friday night Kiddush, which starts with "Yom HaShishi" (as the first letters of both words allude to the name of Hashem), which are actually the last two words of the passuk, and therefore should have the same issues of mid-verse commencement as the Shabbos day Kiddush. The Ben Ish Chai's second solution is that since "Yom HaShishi" is only two words, and not half a pasuk, it is not problematic.

The Chasam Sofer, however, takes a Kabbalistic approach, explaining that since the beginning of that pasuk refers to the creating of the Satan, it should not be mentioned as part of Kiddush, and so one should simply start with "Yom HaShishi". Rav Yaakov Emden, in his Siddur Ya'avetz, rejects this, and maintains that instead one should simply say the first parts of the pasuk quietly and loudly only "Yom HaShishi"; in that way one should be able to fulfill all opinions. Likewise, regarding the Friday night Kiddush, the Aruch Hashulchan and the Levushei Mordechai[25] write that this solution is the proper one to follow.

In the final analysis, whatever one's Kiddush custom, he certainly has 'yesh al mi lismoch'. Now at least we know the method and mekor behind the minhag.

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[1] Although this exact quote is in Parashas Yisro (Shemos Ch. 20, 7 - 11), as opposed to 'Shamor es Yom HaShabbos Lekadsho' in Parashas Va'eschanan (Devarim Ch. 5, verse 12), nevertheless, we know that 'Shamor V'Zachor B'Dibbur Echad' (as mentioned in Rav Shlomo Alkabetz's timeless 'Lecha Dodi'). In fact, it is precisely this nuance that teaches us the joint obligations of positive and negative commandments (Zachor V'Shamor) on Shabbos, which obligates women the same as men. For more on this, see previous article titled 'Facts and Formulae for the Forgetful'.

[2] See Shulchan Aruch, Rema and their main commentaries to Orach Chaim (271, 10).

[3] See Tur, Shulchan Aruch, Rema and their main commentaries to Orach Chaim (271, 10).

[4] Shemos (Parashas Ki Sisa Ch. 31, 16 -17). See Kol Bo (39), Elya Rabba (Orach Chaim 289, 2), and Mishna Berura (ad loc. 2).

[5] See Kaf Hachaim (Orach Chaim 262, 2 and 289, 4) at length.

[6] Gemara Pesachim (106a), regarding the story about Rav Ashi, Rambam (Hilchos Shabbos Ch. 29, 10), and Shulchan Aruch (Orach Chaim 289, 1).

[7] Rashbam (Pesachim 106a s.v. amar) citing the Sheiltos D'Rav Achai Gaon (Parashas Yisro, 54). Similar sevaros are given by other Rishonim, including the Meiri and Tosafos Ri" d in their commentaries (Pesachim ad loc.). See also Shulchan Aruch HaRav (Orach Chaim 289, 2) and Aruch Hashulchan (ad loc. 3).

[8] See Gemara Brachos (20b and 27b), Rambam (Hilchos Shabbos Ch. 29, 1 & 4), Sefer Hachinuch (Parashas Yisro, Mitzva 31), Tur & Shulchan Aruch and main commentaries (Orach Chaim 271) at length, and Kitzur Shulchan Aruch (77, 1).

[9] For example, Rashi and the Rashbam (Pesachim ad loc. s.v. kiddusha rabba) maintain that the Shabbos day Kiddush, which technically is made up of only

the bracha of 'Borei Pri HaGafen', is called 'Great' because every Kiddush contains the bracha of 'Borei Pri HaGafen'. Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanhagos vol. 1, 164 s.v. v'taam) further explains that Chazal wanted people to realize that the whole of Shabbos day Kiddush is the bracha of 'Borei Pri HaGafen', and they can fulfill their mitzvah of Kiddush exclusively through this bracha. Therefore, they called it 'the Great Kiddush' so that everyone should realize the bracha's importance in fulfilling their chiyuv of Kiddush. On the other hand, Rav Yaakov Kamenetsky (Emes L'Yaakov al HaTorah, Parashas Bo Ch. 12, verse 1, pg. 280 s.v. v'al) maintains that the reason Shabbos day Kiddush is called this is due to that this Kiddush was considered the more important one prior to Mattan Torah.

[10] Ran (Pesachim 22a in the Rif's pages s.v. zachruhu), Maggid Mishna (Hilchos Shabbos Ch. 29, 10), Siddur Ya'avetz (Bais Yaakov, vol. 1, Bais HaYayin footnote 14, pg. 390), Aruch Hashulchan (Orach Chaim 289, 3), Mishna Berura (ad loc. 3 and Shaar HaTziyun ad loc. 1), Kaf Hachaim (ad loc. 7). For an explanation how 'lashon sagi nahar' is used, see Ibn Ezra's commentary to Bamidbar (Parashas Behaalosecha Ch. 12, 1).

[11] See Aruch Hashulchan (Orach Chaim 289, end 3), who writes that when he was younger he saw many Gedolim only saying 'Borei Pri HaGafen' for the Shabbos day Kiddush, and Shu"t Teshuvos V'Hanhagos (vol. 1, 164) who writes that this was also the custom of Rav Chaim Brisker and the Chazon Ish. Similarly, Rav Yosef Eliyahu Henkin wrote (in his Ezras Torah Luach, Minhagei

Beis HaKenesses and in his posthumously published Shu"t Gevuros Eliyahu vol. 1, 82, 9 s.v. baboker) that regarding the Shabbos Day Kiddush 'v'omrim rak Borei Pri HaGafen'.

[12] Aruch Hashulchan (ibid.).

[13] See Gemara Brachos (14a-b), Taanis (27b), and Megillah (22a).

[14] Shu"t Maharam Shik (Orach Chaim 124), Shu"t Rav Pe'alim (vol. 1, Orach Chaim 11), Shu"t Torah LeShma (374), and Shu"t Ohr L'Tzion (vol. 2, Ch. 20, 16).

[15] Mishna Berura (289, 2), Siddur Ya'avetz (vol. 1, Mittas Zahav, footnote 14, pg. 346; referring to Friday night Kiddush), Chessed L'Alafim (Orach Chaim 289), Ohr Chodosh (on Maaseh Rav 122), and Rav Chaim Palaji's Kaf Hachaim (36, 38).

[16] Shu"t Mahar" E Gutmacher (Orach Chaim, end 57) and Shu"t Yabea Omer (vol. 9, Orach Chaim 108, 133). Although it seems that regarding Kiddush itself,

Rav Ovadia does accept that one may be lenient. In the words of his son, Chief Rabbi of Israel Rav Yitzchak Yosef (Yalkut Yosef, Kitzur Shulchan Aruch, O.C. 289, 1) regarding starting Kiddush from 'Al Kein Beirach', "ain b'zeh issur".

[17]In a similar vein, the Aruch Hashulchan (Orach Chaim 134, 3) casts aspersions on the commonly recited verse(s) 'V'zos HaTorahasher sam Moshe l'fnei Bnei Yisrael,al pi Hashem b'yad Moshe' during hagbah, as it is actually a conglomeration of two separate pesukim; one from Parashas Va'eschanan (Devarim Ch. 4, 44), and one from Parashas Behaalosecha (Bamidbar Ch. 9, end verse 23; referring to Bnei Yisrael's traveling in the midbar). He adds that the minhag seems odd, especially as the mekor for this minhag, Maseches Sofrim (Ch. 14: 14), only cites the first part of the statement 'V'zos HaTorah asher sam Moshe l'fnei Bnei Yisrael', which is by itself a full pasuk [or 'Toras Hashem Temima Meshivas Nafesh'; Tehillim (Ch. 19, 8)], with no mention of the second half of the pasuk-amalgamation. Similarly, Rav Chaim Volozhiner is quoted (see the Miluim of the recent Weinreb edition of Maaseh Rav, pg. 345: 135) as maintaining that one should instead recite both full pesukim. He explains that this is quite apropos; as both when taking the Torah out from and returning it to the Aron, we recite pesukim from Parashas Behaalosecha related to Bnei Yisrael's traveling ('Vayehi B'nsoa HaAron' and 'Uvenucho Yomar'; Bamidbar Ch. 10: 35 and 36). Hence, he asserts that we should do the same during hagbah, reciting two complete pesukim, one of which is technically referring to said travels as well.

[18] Cited in Shu"t Teshuvos V'Hanhagos (vol. 1, 264 s.v. v'daas) and Shemiras Shabbos Kehilchasa (vol. 2, 50: 9, foot note 17). A similar ruling is given in Chiddushei Rabbeinu Dovid on Pesachim (105).

[19] It is said that although the Brisker Rav's father, Rav Chaim, did not accept his son's chiddush publicly, nevertheless, lechumrah he privately adhered to it as well. See Shu"t Teshuvos V'Hanhagos (vol. 1, 264 s.v. amnam, in the brackets). Rav Yisrael Yaakov Fischer (Halichos Even Yisrael, Shabbos vol. 1, Ch. 25: 8 and footnote 9) argued that drinking wine at the Shabbos day Kiddush is not necessary, as the main importance of this Kiddush is that it allows the tzibbur to eat (as eating is prohibited until after Kiddush), and not that it be considered a full Seudah. Hence, this requirement is fulfilled by hearing Kiddush from another, even if one does not actually taste the wine.

[20] Shulchan Aruch (Orach Chaim 167, 20 and Beis Yosef - Orach Chaim 273 s.v. u'ma"sh d'afa"g), Rema (Orach Chaim 273, 4), Mishna Berura (ad loc. 19), and Kaf Hachaim (ad loc. 34).

[21] Tosafos (Pesachim 105a s.v. b'ain), Rif (Pesachim 27b in his pagination), Ran (ad loc.), Rosh (ad loc. Ch. 10, 36), and Tur (Orach Chaim 284).

[22] Whether or not one should be making Kiddush on Mezonos, as well as other common Kiddush questions, is addressed in an article titled 'More Common Kiddush Questions'.

[23] Shu"t Rav Pe'alim (Orach Chaim vol. 1, 11), Pri Eitz Chaim (beg. Ch. 7, pg. 89), Shu"t Chasam Sofer (Orach Chaim 10).

[24] The Chayei Adam (Nishmas Adam vol. 1, 5: 2) held similarly, that one may split pesukim 'derech techina, tefilla, or bakasha'. The Steipler Gaon is quoted (Orchos Rabbeinu, 5775 edition; vol. 1, pg. 176, Hilchos Brachos 33) as explaining this shittah in the following manner: since the Gemara states that 'we may not stop at any posuk at which Moshe Rabbeinu himself did not stop', implies that this rule is only applicable to actual pesukim in the Torah, as Moshe received them Mipi HaGevurah. This would exclude all other inyanim, including pesukim in Neviim and Kesuvim. This understanding would also seemingly explain the permissibility of common custom of splitting the pasuk of 'Yehalelu' when returning the Torah to the Aron, as aside for being sourced from Tehillim, and not Chumash, in that milieu, it is also 'derech tefilla'. For an interesting discussion on other aspects of possible exceptions to the half-pasuk rule (including by 'Kor'im' on Yom Kippur), see Shu"t Minchas Yitzchak (vol. 7, 41). In a similar vein, regarding pesukim in Kiddush Levana and Az Yashir, see Magen Avraham (422, 8 and 426, 10; also citing the Rokeach, 426), as well as the Biurim of Rav Naftali Hertz Halevi on sefer Maaseh Rav (161). Regarding recitation of the Yud-Gimmel Middos, see Shu"t Yabea Omer (vol. 3, O.C. 14,

6). For more on this topic and parameters when this rule is invoked, see Shu"t Seridei Aish (new print, vol. 1, O.C. 49).

[25] Siddur Ya'avetz (Bais Yaakov, vol. 1, Mittas Zahav, footnote 14, pg. 346), Aruch Hashulchan (Orach Chaim 271, end 25) and Shu"t Levushei Mordechai (TINYANA Orach Chaim 50).

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda.