

ליקוטי ופסקי הלכות
"חוקי חיים"

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 "חוקי חיים"
 לעשות רצונך
 בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Dinim of

Kiddush Sh. Day 2

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Please do not
read during
davening or
Krias HaTorah

Shabbos Day Kiddush – 2

Parshas Noach 5784

309

Previously (Issue 152, which was redistributed last week), we went through several halachos of the Shabbos day Kiddush, e.g., the text of Kiddush (par. 6); tasting the Kiddush wine (11); that the brachah on wine covers other drinks (15); Kiddush on whiskey (20); and covering mezonos food during kiddush; among others. בעזרהש"ת, we will now go through some additional practical halachos.

Issur to Eat before Kiddush

After the Chiyuv of Kiddush Takes Effect

1. Just like on Shabbos night, one may not eat before Kiddush on Shabbos day (שו"ע סי' רפ"ט ס"א). This is true for women too (מ"ב סק"ז). However, this issur only takes effect once the chiyuv of Kiddush takes effect (שו"ע), i.e., after Shacharis, according to most poskim (מ"ב סי' רפ"ו סק"ז), i.e., after Shacharis, according to most poskim (שם).
2. **Before Shacharis.** Thus, one may drink before Shacharis without making Kiddush. [If Shacharis will finish after chatzot, one should ideally drink something, e.g., coffee, before Shacharis so that he is not fasting on Shabbos kodesh (שו"ע סי' רפ"ח ס"א, ערוך השלחן ס"א).]
3. **After Mussaf.** Some hold that the chiyuv of Kiddush only takes effect after Mussaf (הג' עטרת זקנים בגליון). Although we do not follow this in practice (שו"ע בשם מהרש"ל ועוד), some meticulous people are concerned for this opinion, so if Kiddush is made in shul after Shacharis [e.g., during the break on Rosh Hashanah or on Simchas Torah], they will make Kiddush again at their table when they get home (ברכי יוסף סק"ז). However, one may not rely on this opinion to be lenient and eat without making Kiddush before Mussaf, as most poskim hold the chiyuv takes effect after Shacharis or Krias HaTorah.

Women

4. The poskim discuss the halachah regarding women who want to eat something on Shabbos morning before their husbands or fathers return from shul. Multiple angles and combinations of opinions – even lone opinions – have been quoted to be meikel. Among them are: it is mutar to taste a bit of food before Kiddush on Shabbos day (ראב"ד פכ"ט); women are completely patur from Kiddush on Shabbos day (ממר"ם חלאווה פסחים ק"ו ע"א); it depends on the poskim's discussion about the status of women's chiyuv in tefilah (ומ"ב), and in a pressing situation, a woman can eat on Shabbos morning without Kiddush if necessary (סק"ז בשם המג"א סק"ב).
5. Here is the l'chatchilah halachah that emerges from the words of many poskim: If a woman fulfills her chiyuv of tefilah every morning by saying Birchos HaShachar and Birchos HaTorah and she needs to eat before saying these brachos, she does not need to make Kiddush. If she already said these brachos, her chiyuv of Kiddush takes effect and she must make Kiddush for herself and eat some mezonos food to fulfill Kiddush in the place of the seudah (בשם מוה"ר"א). If it is hard for her to drink grape juice in the morning, she can make Kiddush on a hot cup of coffee from which she is able to drink a cheekful all at once (See Issue 26; כ"ק גאב"ד ירושלים זצ"ל; see also 21 below).
6. If a woman usually davens Shacharis every day, she should say Birchos HaShachar and Birchos HaTorah and can then eat a bit before Shacharis if she needs to (שו"ת מנה"י ח"ד סי' כ"ח). Her chiyuv of Kiddush only takes effect after Shacharis.
7. Some women only daven Shacharis on Shabbos and Yom Tov, when they have time, but suffice with Birchos HaShachar and Birchos HaTorah during the week. On Shabbos, they can have in mind when saying Birchos HaShachar that they do not want to be yotzei their chiyuv of tefilah until the Shacharis they will daven afterward. Then, they can eat without Kiddush after Birchos HaShachar (הגרשו"א, שש"כ פנ"ב הערה מ"ד).

Children

8. The minhag is to allow children under bar mitzvah to eat before davening (מ"ב סי' ק"ו סק"ה). Similarly, one may not afflict them by withholding food before Kiddush on Shabbos (מ"ב סי' רס"ט סק"א).

Being Motzi Others

Birchos HaMitzvos

9. **Birchos hanehenin.** As we explained (Issue 152, par. 6), the main part of Shabbos day Kiddush is the brachah of הַגָּפֶן פְּרִי הַגָּפֶן. The poskim discuss whether this brachah is considered a birkas hanehenin, in which case the one making Kiddush must taste some of the wine (ה' ערבות). Since one is only chayav in the brachah if he partakes of the food/drink, if he does not partake, he is not chayav and thus cannot be motzi others with his brachah.
10. **Birchos hamitzvos.** However, many say it is a birkas hamitzvah, as that is what Chazal instituted. If so, the one making Kiddush can be motzi others even if he does not taste some of the Kiddush wine, just like by all birkos hamitzvos. Since all Yidden are guarantors (ערבות) for each other, one is considered chayav in a mitzvah as long as his fellow has not yet been yotzei that mitzvah, even if the one making the brachah is not personally being yotzei or benefiting right now (מ"ב שם סקצ"ב).
11. The consensus of the poskim is that although Kiddush only consists of the text of הַגָּפֶן פְּרִי הַגָּפֶן, it has the status of a birkas hamitzvah. Thus, one can be motzi others in Kiddush even if he is not personally being yotzei. [However, some are concerned that it is also a birkas hanehenin (see Issue 152, par. 13) regarding the listeners drinking some wine.] We will go through some related halachos.

One Who Was Already Yotzei Can Still Be Motzi

12. **Was already yotzei.** Even if one was already personally yotzei his chiyuv of Kiddush, he can be motzi others who were not yet yotzei their chiyuv of Kiddush (מ"ב סי' רע"ג סק"ז).
13. **Before davening.** Since Kiddush is a birkas hamitzvah, even if someone is not personally chayav, e.g., he has not yet davened so the chiyuv of Kiddush has not taken effect on him, he can still be motzi others whose chiyuv of Kiddush has taken effect (שו"ת מנחת - שלמה ח"א סי' ג').
14. **Being motzi someone who already took in Shabbos.** However, the poskim are unsure whether one who is not chayav whatsoever can be motzi someone, e.g., he has not yet taken in Shabbos and wants to be motzi someone who took in Shabbos after plag haminchah (הג' - רע"א שו"ע סי' רס"ז). Since it is unclear, one should avoid this l'chatchilah unless it is done informally for lone individuals where there is no other choice (שו"ת מנחת שלמה ח"א סי' ג'). Where possible, the one making Kiddush can take in Shabbos by saying Kiddush.
15. **Being motzi women.** The poskim discuss whether women are included in ערבות (see above, 10) just like men (פמ"ג פתיחה להל' שבת). If they are not, then a woman who was already yotzei cannot be motzi another woman in her chiyuv of Kiddush. Similarly, a husband who was already yotzei Kiddush personally would not be able to be motzi his wife in Kiddush (בני - ראם להג"ר גניחובסקי סי' ס"א, סי' שביבי אש סי' ד' מ"ב סי' רע"א סק"ה, ערבות). Nevertheless, many poskim agree that women are included in ערבות (סי' רע"ג סק"ה, ו"יא). Thus, a husband can be motzi his wife in Kiddush even if he was already personally yotzei. This is the commonly accepted practice.

What to Make Kiddush on When There Is No Wine

L'chatchilah on Wine

16. L'chatchilah, to do the mitzvah in the best way, one should make Kiddush on wine (מ"ב סי ער"ב סק"ה) or at least on grape juice (ש"ע שם). Even though grape juice today usually has ingredients added to prevent the fermentation process, it can still be used for Kiddush, as it was capable of becoming wine before those ingredients were added (שו"ת מנחת שלמה ח"א סי ד', שו"ת שבט הלוי ח"ט סי נ"ה).

Chamar Medinah

17. The poskim argue whether one who does not have wine or grape juice may make Kiddush on chamar medinah (see below, 20-25 for a definition and examples). Most poskim hold one may make Kiddush on chamar medinah (רא"ש לדעת הר"י ורוב פוסקים, ו"א הא בשו"ע ער"ב ס"ט).

18. Others hold only Havdalah may be made on chamar medinah, but Kiddush may not (רמב"ם, ו"א השניה בשו"ע).

19. **In practice.** Since the poskim argue and the Mechaber does not rule conclusively, the poskim make a distinction: On Shabbos night, when Kiddush is d'oraisa according to many poskim (see Issue 28, par. 1-2), one should be careful not to make Kiddush on chamar medinah to satisfy the poskim who hold one cannot be yotzei with it. For Shabbos day Kiddush, on the other hand, which is only d'rabanan (שם), while one should l'chatchilah make Kiddush on wine, there is reliable basis for making Kiddush on chamar medinah (מ"ב שם סק"ז).

20. **Beer.** Alcoholic beer is generally considered chamar medinah, as many people regularly drink it (ביאה"ל סי ער"ב ס"ט ד"ה שמקדשין). It also causes joy and can intoxicate, and it serves the same function as wine even when there is wine available in the city (הגר"ש"א קובץ) (תשובות ח"א סי נ"ז, שו"ת שבט הלוי ח"ג סי כ"ו).

21. **Other prominent drinks.** The poskim argue whether other drinks – such as coffee or tea at a temperature low enough to drink at once (שו"ת מחזה אליהו ח"ס סוף סי ל"ד), non-alcoholic, dark beer, or natural juices squeezed from fruit, e.g., 100% orange juice or the like – are considered chamar medinah.

22. Some say since one would use these to honor guests, distinguished people, and important meals, they can be considered chamar medinah even though they cannot intoxicate (קונטרס עובר אורח) (להאדרת סי רצ"ו).

23. Others say anything which cannot intoxicate is not considered chamar medinah (שו"ת הלכות קטנות ח"א סי ט', שו"ת לבושי מרדכי ח"ב סי) (ל"א). If one has no other option, he can rely on the meikel opinion.

24. **Other soft drinks.** The consensus of the poskim is that soft drinks not considered distinguished by most people, e.g., Coca-Cola or other sweet, carbonated soft drinks, are not considered chamar medinah. People do not formally drink them as a matter of honor; they are primarily drunk instead of water to quench thirst (שו"ת) (שלמת חיים סיק קצ"ח, שו"ת אג"מ ח"ב סי ע"ה).

25. **Milk.** The poskim also agree milk is not considered chamar medinah (מ"ב סי ער"ב סק"ה).

Making Kiddush on Challah

26. **Has no wine.** Some poskim hold that even if one has no wine, he cannot make Kiddush on challah (ק"ו ע"ב ד"ה) (מקדש). However, most Rishonim hold one can make Kiddush on challah if he has no wine (דף) (רשב"ם שם ד"ה חביבא ליה ריפתא, רש"י שם דף) (ק"י ע"א במשנה, רמב"ם פכ"ט ה"ט, רא"ש סי י"ז).

27. **In practice.** Although most poskim say one may make Kiddush on challah, since some hold one may not (Rabbeinu Tam above, par. 26), l'chatchilah one should make Kiddush on wine if there is wine in the city – i.e., if it is easily obtainable. However, if one has no wine in his house or wine and grape juice are harmful to him, he may l'chatchilah make Kiddush on challah (מ"ב סק"ב).

28. **Prefers challah.** Some poskim hold that even if one prefers challah over wine, it is still better to make Kiddush on wine if he has (מ"ב). Others hold that if one prefers challah, he can make Kiddush on challah (דרך החיים הובא במ"ב שם ובבאידל ד"ה ואם יין בעיר). In practice, one should push himself to make Kiddush on wine (שו"ת הרב ס"ב).

Which Is Preferable, Challah or Beer?

29. The poskim discuss whether it is preferable for one who doesn't have wine to make Kiddush on challah or on beer; with both of these, there are some poskim hold one cannot be yotzei. The Rosh determines that there is a difference between Shabbos night and Shabbos day, as will be explained.

30. **Shabbos night.** On Shabbos night, it is better to make Kiddush on challah, as there are more poskim who hold beer is pasul for Kiddush than who hold challah is pasul, as mentioned above. Another reason the Rosh gives is that since the challah is there as part of the Shabbos seudah, it is more distinguished than beer, which is not there for the purposes of the seudah (הרא"ש שו"ע שם).

31. **Shabbos day.** On Shabbos day, it is better to make Kiddush on beer than on challah, because if one makes Kiddush on challah, nothing is different than a regular seudah. The main text of Kiddush on Shabbos day is just בורא פרי הגפן, so on challah, it would just be the pesukim added beforehand, e.g., "ושמרו," "על כן ברך וכו'," and "זכור," (כמבואר בשו"ע סי רפ"ט ס"א); see Issue 152, par. 6 and on). Thus, if one makes Kiddush on challah on Shabbos day, it is not at all clear he is adding anything with which to be mekadesh the Shabbos. This is not the case on Shabbos night, when the main part of Kiddush is the Kiddush text, and it is very clear one is making Kiddush even if it is on challah.

On Shabbos Day in a Pressing Situation

32. **Kiddush on challah.** If one has no wine, beer, or other chamar medinah on Shabbos night, of course he should make Kiddush on challah – in any event, it is better to make Kiddush on challah than on chamar medinah (above, 30). Even on Shabbos day, one who does not have wine or chamar medinah can make Kiddush on challah (this is implied by the wording of the Shulchan Aruch: "It is better to make Kiddush on beer" – but in a pressing situation, one can also make Kiddush on challah). When making the brachah of Kiddush on the challah, he should have in mind to fulfill the mitzvah of Kiddush with this.

33. **Pesukim of Kiddush.** Some say that when making Kiddush on challah on Shabbos day, one should not say the pesukim of "ושמרו" etc. after washing and before the seudah. Since it is only a minhag to say them, they are an interruption between washing the hands and the brachah of Kiddush (ברכת הבית שער מ"ו ס"ה).

34. However, this would seem incorrect, as anything for the purpose of the seudah is not called an interruption. The pesukim of Kiddush are for the purpose of Kiddush and the seudah and related to the mitzvah one is busy with, even though they are only said based on a minhag. This is no worse than saying יחוד and לשם יחוד before eating matzah, which the poskim say is mutar to do after washing and before eating the matzah (נהג"ה 25, ע"ה) (גש"פ להגר"ש"א ע"ה 25, נהג"ה) (כצאן יוסף ליל א' דפסח ס"ב, ויגד משה סי כ"ד אות ח' בשם רבינו הדברי יואל, despite the fact that it is only a minhag to say them).

35. In fact, there is reason specifically to say the pesukim. Earlier (31), we mentioned that the reason one shouldn't make Kiddush on challah on Shabbos day l'chatchilah is because it is not clear it is there for Kiddush, as the text of Kiddush is only a minhag, but not technically required. But at least where one has no choice and is making Kiddush on challah, it would be better to specifically say the pesukim of Kiddush so that it is clear he is saying Kiddush on the challah. It does not constitute an interruption as mentioned above (34).

36. **Kiddush on pas haba b'kisin.** Similarly, if one is in a pressing situation and has no wine, chamar medinah, or challah to make Kiddush on – whether on Shabbos night or day – he can make Kiddush on mezonos food classified as pas haba b'kisin. He should say the text of Kiddush, and then, if he will eat an amount that is considered a meal (קביעת סעודה), he should say המוציא; but if he will not eat a meal's amount, he should say מזונות, having in mind to be yotzei his chiyuv of Kiddush (ח"א סי ק"מ).

How to Make Kiddush on Challah

37. **Hold the challah in the hands.** When making Kiddush on challah, one must hold the challah just like he would hold the cup of wine when making Kiddush on wine (מ"ב סי ער"ב סק"ה).

38. **Order of Kiddush on Shabbos night.** When making Kiddush on challah on Shabbos night, one should first wash his hands and say "ויכולו"; then the brachah of Kiddush. He should put his hands on the challah cover while saying "ויכולו." When he says the brachah of Kiddush, he should uncover the two loaves and place his hands on them or keep them covered and hold them in his hands underneath the challah cover [for those who always do that]. When he reaches Hashem's Name, he should lift them up and finish the brachah. Then he should cover them back up, place his hands on them, and say the brachah of Kiddush (מ"ב סי רע"א סק"א).

Lechem Mishneh when Eating Mezonos

39. Some write that when one makes Kiddush on Shabbos morning before the main seudah and eats pas haba b'kisin, he should make Kiddush on two whole items, e.g., two cookies together, based on the halachah of lechem mishneh (קיצור שו"ע סי ע"ז ס"ז). Some gedolim personally did this (הגר"ש"א, קובץ קול תורה מ').

40. However, most poskim argue, and the common custom does not follow this. Thus, even if one wants to do this, he should not do so publicly, as that makes him look arrogant (י"ג סי י"ג).