

## *Why Are We Still Saying Kiddush in the Synagogue? On the Resiliency of a Minhag and What It Can Teach Us*

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The word *kiddush* is short for *kiddush hayom*,<sup>1</sup> a blessing recited over a cup of wine by which we sanctify or declare the holiness of Shabbat or the festivals. It is traditionally said at the evening meal, at the noon<sup>2</sup> meal, and in synagogue at the evening service. The latter, the synagogue *kiddush*, practiced everywhere but Eretz Yisrael,<sup>3</sup> is an interesting example of what we might call the resiliency of *minhag*, customary practice: that is, the practice continues even though its founding rationale, the purpose for which it was established, no longer exists. In the case of the synagogue *kiddush*, that rationale has not existed for at least 1000 years, and the practice should have disappeared long ago. Yet Jewish communities continue to recite *kiddush* in synagogue. Moreover – and this is the part we find especially interesting – they have developed other rationales for doing so. And this history can teach us something about the nature of Shabbat observance in liberal Jewish communities.

### The Mitzvah of Kiddush

According to Rabbinic tradition, the ritual called *kiddush* is anchored in the commandment to “remember the Sabbath day.” The *midrash* appears in *B. P’sahim* 106a:

זכור את יום השבת לקדשו - זוכרהו על היין בכניסתו.  
אין לי אלא בלילה, ביום מנין - תלמוד לומר זכור את יום השבת.

“Remember the Sabbath day, to sanctify it” (Exodus 20:8) – remember it over wine as it begins.

But this tells us only about “remembering” Shabbat at night; from where do we learn the requirement to “remember” it during the day?

The text says: “Remember the Sabbath *day*.”

It would seem from this that the tradition regards the *kiddush* over wine as a Toraitic commandment (*mitzvah d’oraita*). Most *poskim*, however, distinguish between the obligation to sanctify Shabbat, which they hold does come from the Torah, and the *mitzvah* to do so over wine, which they regard as a separate Rabbinic *takanah*.<sup>4</sup> One of these is Rambam, in his *Mishneh Torah, Hilkhhot Shabbat*, chapter 29. The first *halakhah* in the chapter defines the Toraitic *mitzvah*.

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<sup>1</sup> To be distinguished from *k’dushat hayom*, the fourth *b’rakhah* of the *t’filah* on Shabbat and festivals.

<sup>2</sup> The so-called *kiddusha rabah* (“great *kiddush*”), consisting simply of *borei p’ri hagafen* with a few introductory Biblical verses. Since no actual “sanctification” (i.e., a *hatimah* concluding with the words *m’kadesh hashabbat*) is said, what makes it so great? The Talmud suggests it’s because *borei p’ri hagafen* is said at every *kiddush* (*B. P’sahim* 106a and Rashbam, *s.v.* קידושא רבה).

<sup>3</sup> *Beit Yosef* and *Shulhan Arukh Oraḥ Hayyim* 269, and see below.

<sup>4</sup> R. Barukh Halevi Epstein argues that the distinction is already found in the *Mekhilta, Bahodesh, parashah* 7: “לקדשו” - “לקדשו בברכה, מאן אמרו מקדשין על היין בכניסתו”; *Torah T’mimah*, Exodus 20:8, note 53.

מצות עשה מן התורה לקדש את יום השבת בדברים שנאמר "זכור את יום השבת לקדשו", כלומר זכרוהו זכירת שבח וקידוש.

It is a positive *mitzvah* of the Torah to sanctify Shabbat verbally," as it says: "Remember the Sabbath day, to sanctify it," that is, "remember" it with a statement of praise and sanctification.

To "remember" (ז-כ-ר) Shabbat is understood to mean "call to mind with a verbal statement."<sup>5</sup> In *halakhah* 2, Rambam presents the *nusah* of that statement, which corresponds closely to the text of *kiddush* recited by Jewish communities today. And in *halakhah* 6, he tells us: מדברי סופרים "the Sages ordained that *kiddush* be recited over wine." *Tosafot* (*B. P'sahim* 106a, s.v. *zokreihu al hayayin*) agrees that the Rabbis enacted the ritual *kiddush* over wine as a supplement to the original (Toraitic) obligation to sanctify Shabbat and suggests why they may have done so.

זכירה כתיב על היין זכרו כיין לבנון נזכירה דודיך מיין והאי זכירה היינו קידוש דויכולו... ונראה דקידוש על היין אסמכתא היא.

The act of "remembering" (זכירה, the verb ז-כ-ר) is linked to wine in Hosea 14:8, "his scent (זכרו) is like the wine of Lebanon," and Song of Songs 1:4, "we shall extol (נזכירה) your love more than wine." But this act of remembering, the *kiddush* that begins with *vay'chulu* (Genesis 2:1), is not said over wine but in the *t'filah*; the *kiddush* over wine was ordained [by the Rabbis] to enable the members of one's household to fulfill their obligation to sanctify Shabbat... The midrash that links *kiddush* with wine [*B. P'sahim* 106a] is an *asmakhta*.<sup>6</sup>

*Kiddush* is recited over wine at home so that those family members who did not attend synagogue and sanctify Shabbat during *t'filah* may do so.<sup>7</sup> Yet *kiddush* is also recited over in the synagogue.

#### B. P'sahim 100b-101a

אותם בני אדם שקידשו בבית הכנסת –  
אמר רב: ידי יין - לא יצאו, ידי קידוש - יצאו. ושמואל אמר אף ידי קידוש לא יצאו.  
אלא לרב, למה ליה לקדושי בביתה? - כדי להוציא בניו ובני ביתו.  
ושמואל, למה לי לקדושי בבי כנישתא? - לאפוקי אורחים ידי חובתן, דאכלו ושתו וגנו  
בבי כנישתא. ואזדא שמואל לטעמיה, דאמר שמואל: אין קידוש אלא במקום סעודה.

<sup>5</sup> Compare the midrash in *B. M'gilah* 18a on Deuteronomy 25:17 (זָכֹר אֶת אֲשֶׁר-עָשָׂה לָךְ עַמְלֵק) – the word *zakhor* implies a positive verbal statement, in this case the reading of *Parashat Amalek*.

<sup>6</sup> A "support" or "reliance": a literary device that links a *halakhah* to a Biblical verse (in this case Exodus 20:8). But unlike standard halakhic *midrashim*, this one does not claim that the verse is the source of the *halakhah*. That source is the act of Rabbinic legislation (*takamah*) that established the practice.

<sup>7</sup> Under traditional *halakhah*, *kiddush hayom* is one of those positive, time-bound *mitzvot* that women are obligated to perform (*B. B'rakhot* 20b).

Of those who say *kiddush* in the synagogue –

Rav says: they do not fulfill the requirement to recite it over wine, but they do fulfill the requirement to “sanctify.” Shmuel says: they also do not fulfill the requirement to “sanctify.”

How then does Rav explain why they say *kiddush* at home? So that the members of their households [who don't go to synagogue] can fulfill their requirement.

How then does Shmuel explain the requirement to say *kiddush* in synagogue? So that guests who eat, drink, and sleep in the synagogue can fulfill their requirement.

And Shmuel's ruling is consistent with another ruling of his:

Shmuel says: *Kiddush* is valid only in the place where the meal is eaten.

The practice of saying *kiddush* over wine in the synagogue is evidently an ancient one. Rav and Shmuel, first-generation Babylonian *amoraim* (early 3<sup>rd</sup> century C.E.), speak of the practice as though it has existed in Babylonia for some time. This leads to the Talmud's question: if one recites *kiddush* in the synagogue, why recite it a second time at home over the Shabbat meal? Rav holds that though one fulfills the Torah's requirement of “sanctification” at synagogue, the recitation at home enables members of one's household to fulfill that requirement. Shmuel, on the other hand, holds that the synagogue *kiddush* does not fulfill the Toraitic requirement because “*Kiddush* is valid only in the place where the meal is eaten.” This reverses the question: since one recites *kiddush* at home, why do it in the synagogue as well? The answer is that the synagogue recitation is specifically for those lodgers for whom the synagogue is *m'kom se`udah*, “the place where the meal is eaten.”

The Talmud passage goes on to tell us that later *amoraim* followed Shmuel's rule that *kiddush* must be recited at the Shabbat meal. The logic of this rule, according to the 9<sup>th</sup>-century geonic work *Halakhot G'dolot* (*Hilkhot Kiddush V'havdalah*), is a *midrash* on Isaiah 58:13, “you shall call the Sabbath a delight”: במקום שקראת לשבת שם יהי עונג, the place where you sanctify (“call,” declare) Shabbat shall be the place where you find delight (i.e., the meal). This rule becomes the accepted *halakhah*, as we learn from Rambam, *Hilkhot Shabbat* 29:8:

אין קידוש אלא במקום סעודה... ולמה מקדשין בבית הכנסת מפני האורחין שאוכלין ושותין שם.

*Kiddush* is valid only in the place where the meal is eaten... so why is *kiddush* recited in synagogue? For the benefit of lodgers who take their meals there.

### *The Codified Halakhah and Its Discontents*

Although Rambam does not find fault with the recitation of *kiddush* in the synagogue, he opens the door to later *poskim* to do just that. If this *kiddush* is only “for the benefit of lodgers,” it is only logical that we ought to abandon the practice once the synagogue ceases to serve as a hostel for travelers. That, at any rate, is the position of Rabbi Yosef Caro in his *Shulhan Arukh Oraḥ Hayyim* 269:1:

נוהגין לקדש בבהכ"נ, ואין למקדש לטעום מיין הקידוש אלא מטעימו לקטן, דאין קידוש אלא במקום סעודה. ומעיקרא לא נתקן אלא בשביל אורחים דאכלי ושתי בבי כנישתא, להוציאם ידי חובתם. ועכשיו אף על גב דלא אכלי אורחים בבי כנישתא לא בטלה התקנה, זהו טעם המקומות שנהגו לקדש בבהכ"נ. אבל יותר טוב להנהיג שלא לקדש בבהכ"נ, וכן מנהג ארץ ישראל.

It is customary to recite *kiddush* in the synagogue. The one who recites it should not drink from the *kiddush* wine [after the *b'rakhah*] but should let a child drink it, for *kiddush* is valid only in the place where the meal is eaten. This custom was established only for guests who eat and drink in the synagogue, so that they could fulfill their requirement [to sanctify the Sabbath]. This *minhag* has not been annulled even though nowadays guests do not eat [lodge] in the synagogue. This is the rationale for the practice of those communities who customarily recite *kiddush* in the synagogue. But it would be better to reverse this practice and not recite *kiddush* in the synagogue. And that indeed is the *minhag* of Eretz Yisrael.

In other words: we may be reciting *kiddush* in the synagogue, but we *shouldn't* be, because its rationale no longer exists. Nobody fulfills their *mitzvah* by means of the synagogue *kiddush*. Even the prayer leader who recites it should not drink wine from the cup because he, like everybody else, fulfills the *mitzvah* of "sanctification" only over his Shabbat meal. Serving no halakhic purpose, the ritual therefore ought to be eliminated. This is strong language, but that of R. Yaakov b. Asher, author of the 14<sup>th</sup>-century *Arba'ah Turim (Tur)*, is even stronger:<sup>8</sup>

ונוהגין בכל המקומות שש"ץ מקדש בבה"כ ואני תמה היאך נתפשט זה המנהג דהא קי"ל כשמואל שאין קידוש אלא במקום סעודה ולדידיה אין מקדשין בבה"כ אלא לאפוקי אורחין דאכלי ושתי בבי כנישתא דלדידהו הוי מקום סעודה וכיון דהשתא ליכא אורחין דאכלי התם קרוב הדבר להיות ברכה לבטלה... וכיון דליכא אורחין ראוי היה שלא לקדש ואי איישר חילי אבטליניה.

It is customary in all communities for the *shaliah tzibur* to recite *kiddush* in the synagogue. But I am astonished by this: how could this *minhag* have spread, given that we hold with Shmuel that *kiddush* is valid only in the place where the meal is eaten? In his view, *kiddush* is recited in synagogue only to allow those who lodge there to fulfill their obligation, since that is the place where they eat their Shabbat meal. Since today lodgers no longer take their meals in the synagogue, this practice seems to border upon *b'rakhah l'vatalah* [an unnecessary and therefore forbidden benediction]... And since there are no lodgers in the synagogue, it would be proper to refrain from reciting *kiddush*. If I had the authority to do so, I would annul the practice.

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<sup>8</sup> *Tur, Oraḥ Hayyim* 269. As is usually the case, R. Yaakov adopts the ruling of his father, R. Asher b. Yechiel (Rosh), who writes: "ומהשתא הוי ברכה לבטלה אם אין שם אורחין", "it follows that the synagogue *kiddush* is a *b'rakhah l'vatalah* if no lodgers are present"; *Hilkhos Harosh, P'sahim* 10:5.

The suggestion of the *Tur* and the Rosh that the synagogue *kiddush* comes close to a *b'rakhah l'vatalah* is serious stuff.<sup>9</sup> R. Yosef Caro doesn't go that far, perhaps because other authorities, as we shall see, defend the *minhag*.<sup>10</sup> Still, he leaves no doubt that, in his opinion, the synagogue *kiddush* has outlived its usefulness. We should all adopt the practice of Eretz Yisrael and not recite it at all.

### Justifications for the Minhag.

That, of course, did not happen. The Jewish communities outside of Eretz Yisrael have unanimously ignored the urging of the *Shulhan Arukh* and have maintained the synagogue *kiddush* on the evening of Shabbat and *yom tov*,<sup>11</sup> even though guests no longer lodge and take their meals there. The *rishonim* offer several different justifications for this practice, and we cite some of these here.

1. *The "Minhag" is an Enactment of the Sages.* As Rabbeinu Nissim of Gerona (Ran, 14<sup>th</sup> century) writes in his commentary on the *Halakhot* of R. Yitzhak Alfasi (Rif), *P'saḥim*, fol. 20a:

ואנו עכשיו אף על גב דלא אכלי אורחין בבי כנשתא ונקטינן דאין קדוש אלא במקום סעודה אפילו הכי נקטינן לקדושי בבי כנשתא דכיון דמעיקרא אתקון משום אורחים אמרינן ליה שתקנות חכמים קבועות הן, כדאשכחינן במעין שבע דמערב שבת דאתקון משום עם שבשדות הבאים באחרונה ואפילו היכא דליתא לההיא טעמא כגון דאיתנהו כולהו בבי כנשתא אמרינן ליה דכיון דאתקן אתקן.

Nowadays, even though guests no longer eat [lodge] in the synagogue, and even though we hold that '*kiddush* is valid only in the place where the meal is eaten,' we still recite *kiddush* in the synagogue, because the enactments of the Sages are permanent. An example of this is the prayer *Magen Avot* recited at *aravit* on Shabbat, which was established for latecomers: we still recite it, even if there are no latecomers and everyone is in the synagogue, because once the practice is established, it is established.

The disagreement between Ran on the one hand and R. Yosef Caro and the *Tur* on the other stems from a difference in classification. The latter describe the synagogue *kiddush* with the word נהגין (*nohagin*), "it is a common practice," one that is not impervious to halakhic critique. Ran, meanwhile, sees it as one of the "enactments (תקנות, *takkanot*) of the Sages," which as a formal act of legislation enjoys a permanence that is separate and distinct from its founding rationale. According to the opinion that Ran follows here,<sup>12</sup> the enactment remains in force even if its rationale were to disappear. Of course, not all authorities agree with that opinion,<sup>13</sup> but it

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<sup>9</sup> Rambam holds that an unnecessary *b'rakhah* is a violation of Torah law (*Yad, Hil. B'rakhot* 1:15 and *Resp. Rambam* (ed. Blau), no. 333). Most other *poskim* hold that it is a Rabbinic prohibition. But the key word for our purposes here is "prohibition."

<sup>10</sup> Caro cites their statements in his *Beit Yosef* commentary to *Tur, Orah Hayyim* 269.

<sup>11</sup> The exception being the first night of Pesach, when *kiddush* is *not* recited in the synagogue, on the grounds that lodgers in the synagogue will be guests at the *s'darim* of others. See *Orhot Hayyim, Hil. Kiddush Hayom*, par. 9.

<sup>12</sup> Rambam, *Hil. Mamrim* 2:2.

<sup>13</sup> Rabad, *Hil. Mamrim* 2:2; *Tosafot, Beitzaqh* 6a, s.v. *v'ha'idana*.

works for Ran. Thus, we should continue to recite *kiddush* in the synagogue even though visitors no longer take their meals there.

2. *It's a Health Measure*. Other scholars come up with alternative explanations to justify the synagogue *kiddush* now that its original rationale has disappeared. One of these is Rav Natronai Gaon (9<sup>th</sup> century Babylonia):<sup>14</sup>

הכי אמר רב נטרונאי ריש מתיבתא : מקדשין ומבדילין בבתי כנסיות אף על פי שאין אורחים אוכלין שם ... אפילו קדוש, דהלכה רווחת היא אין קדוש אלא במקום סעודה, אף על פי כן יקדשו על היין בבתי כנסיות. מה טעם, מפני שהטעמת יין של קדוש שבת {משום} רפואה היא... הלכך זמנין דאיכא מן הצבור דלית ליה יין ומקדש אריפתא, ותקנו חכמים לקדש בבית הכנסת (על היין) משום רפואה.

We recite *kiddush* and *havdalah* over wine in the synagogue, even when no guests eat there... even though it is an accepted *halakhah* that ‘*kiddush* is valid only in the place where the meal is eaten.’ The reason is that tasting the *kiddush* wine is good for the health... therefore, since there are times when some people do not have wine and must recite *kiddush* over bread, the Sages ordained that *kiddush* be recited over wine in the synagogue for reasons of health.

Rav Natronai refers to a passage in *B. Shabbat* 113b: “a long stride<sup>15</sup> takes away a five hundredth part of one’s eyesight, and it is restored to him by the evening Kiddush.” He combines this “medical” opinion with his sensitivity toward those (presumably the poor) who have no wine at their Shabbat meal. Hence, a hygienic reason to maintain the synagogue *kiddush*, even if nobody eats their meals there.

3. *The Synagogue Kiddush Fulfills the Mitzvah for Those Who Can’t Recite It at Home*. Until now, we’ve been working on the assumption that the *halakhah* follows the *amora* Shmuel: “*kiddush* is valid only in the place where the meal is eaten.” Some authorities, though, are willing to waive that rule in special situations and recognize the synagogue *kiddush* as fulfilling one’s obligation to sanctify Shabbat. We begin with an anonymous Geonic responsum:<sup>16</sup>

וששאלתם על ענין קידוש והבדלה בב"ה בין דאיכא אורחים דאכלי תמן בין דליכא מקדשין ומבדילין בבית הכנסת דבעינן זכרהו על היין דילמא איכא איניש דלא שכיח ליה חמרא ונפיק בקדושה דב"ה ואבדלתא ואף על גב דאמרינן אין קדוש אלא במקום סעודה שעת הדחק שאני ונפיק בהווא קדושה.

You ask concerning the recitation of *kiddush* and *havdalah* in the synagogue, whether or not lodgers who take their meals there are present. *Kiddush* and *havdalah* are recited in the synagogue because we are required to “remember [Shabbat] over wine.” There may be individuals who have no wine [at home], and if so, they can fulfill their requirement through the synagogue recitation. Even

<sup>14</sup> *Resp. Rav Natronai Gaon*, no. 76.

<sup>15</sup> Running and hurrying are common on Friday, when one is busy preparing for Shabbat.

<sup>16</sup> *Resp. Hage'onim Sha'arei T'shuvah*, no. 114.

though we hold that “*kiddush* is valid only in the place where the meal is eaten,” that rule does not apply in a moment of great need (*sha`at hadaḥak*). Thus, one can fulfill the obligation through the synagogue *kiddush*.

The author of this responsum displays the same sensitivity toward the poor as does Rav Natronai. Unlike the latter, though, who assumes that persons who can’t afford wine will fulfill their *kiddush* obligation by reciting the *b’rakhah* over the bread at their Shabbat meal, this *t’shuvah* rules that the poor can fulfill this obligation in the synagogue, quite apart from their meal.

A related opinion is that of Rabbeinu Yonah Gerondi (13<sup>th</sup> century), quoted by R. Asher b. Y’ḥiel (Rosh):<sup>17</sup>

וה"ר יונה פירש דאינה ברכה לבטלה דהא דאמרינן דאין קידוש אלא במקום סעודה  
היינו מדרבנן ואסמכוה רבנן אקראי וקראת לשבת עונג. ועיקר הקידוש מן התורה הוא  
כדכתיב זכרהו על היין בכניסה. הלכך כיון שיש בני אדם שאינם יודעים לקדש נהגו  
לקדש בבית הכנסת כדי שיצאו ידי קידוש מן התורה.

R. Yonah holds that the synagogue *kiddush* is not a *b’rakhah l’vatalah*.<sup>18</sup> The rule “*kiddush* is valid only in the place where the meal is eaten” is a Rabbinic enactment, appended to the verse (Isaiah 58:13) “you shall call Shabbat a delight.” The essential Toraitic requirement of *kiddush*, however, is based upon the verse (Exodus 20:8) “remember the Sabbath day,” i.e., remember Shabbat at its beginning over wine. Therefore, since there are individuals who do not know how to recite *kiddush*, it is customary to recite *kiddush* in the synagogue so that they may fulfill the Toraitic obligation to sanctify Shabbat.

Like the previous geonic responsum, R. Yonah justifies the continued existence of the synagogue *kiddush* as a remedy for those who for some reason – poverty; ignorance – cannot recite the *kiddush* over their meal at home. Rosh, who quotes him, also refutes him, on the grounds that the literal sense of the rule “*kiddush* is valid only in the place where the meal is eaten” implies that the synagogue *kiddush* is not *kiddush* at all and therefore fulfills nobody’s obligation, including those who cannot recite the benediction.<sup>19</sup>

4. *A Pedagogical Device*. But in drawing our attention to those who do not know how to recite *kiddush* at home, Rabbeinu Yonah may have been on to something. Consider the suggestion of R. Aharon Hakohen, 14<sup>th</sup>-century Provence.<sup>20</sup>

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<sup>17</sup> *Hilkhot Harosh, P’sahim* 10:5.

<sup>18</sup> As opposed to the view of Rosh and the *Tur*. See above, the discussion at note 8.

<sup>19</sup> Rosh also makes an argument from silence. When the Talmud asks (*P’sahim* 101a) why, according to Shmuel, do we recite *kiddush* in the synagogue, it answers that we do so for the benefit of lodgers. If there were anything to R. Yonah’s theory, the Talmud would have added that the synagogue *kiddush* fulfills the *mitzvah* of those who don’t know how to recite the *b’rakhah* on their own. In other words, there is one reason and one reason only for the synagogue *kiddush*, namely “for the benefit of lodgers,” and we do not invent other justifications to supplant that reason when it is no longer applicable.

<sup>20</sup> *Sefer Orhot Ḥayyim, Hilkhot Kiddush Hayom*.

וי"א כי הטעם לפי שפעמים יש בצבור מי שאינו בקי בנוסח הקידוש ובשמוע אותו  
יגמרוהו.

Some explain the reason [for reciting *kiddush* in synagogue when no guests lodge there] as follows: among the congregation there will occasionally be someone who doesn't know the text of *kiddush*. When he hears it recited, he learns it.

In this view, while the synagogue *kiddush* fulfills no obligation (since “*kiddush* is valid only in the place where the meal is eaten”), it allows those who come to the evening service to practice it so that they may go home and recite it over dinner.

5. *For the Honor of the Sabbath*. R. Yitzhak b. Moshe of Vienna (*Or Zaru`a*) 13<sup>th</sup> century makes an interesting *hiddush*: the recitation of *kiddush* in the synagogue was not originally ordained for the benefit of those who lodge there but as a ritual that stands on its own.<sup>21</sup>

כי תקנת התנאים והאמוראים הוא לקדש בע"ש ובעי"ט לקדש את השבת ולהעיד עליו בקידוש זה שיום קדוש הוא ושיום טוב הוא. לא נתקן עיקרו כלל בעבור האורחי' בין לרב בין לשמואל אלא לקידוש היום ברבים נתקן... אבל עיקר תקנה דתקון מעיקרא לקדש בבית הכנסת על היין לא לצאת בו קידוש שבבית אלא לקידוש היום ולכבוד היום.

The *takkanah* of the Sages was to recite *kiddush* on the evenings of Shabbat and festivals was so that we would sanctify the Sabbath, testifying through this *kiddush* that this day is holy. Neither Rav nor Shmuel holds that it was originally enacted for the benefit of lodgers but rather to sanctify the day in a public setting... the point of the original *takkanah* to recite *kiddush* in the synagogue over wine was not to replace the *kiddush* at home but rather for the purpose of sanctifying and honoring the Sabbath day.

The synagogue *kiddush*, then, was “really” created as a ritual instrument for *k'vod Shabbat*, a means of declaring the holiness of the day in a formal public setting. The *ta`am* (rationale) of providing for lodgers was a later development, so the subsequent disappearance of that rationale does not imply that the ritual should be discontinued. It is tempting to dismiss this theory, since the *Or Zaru`a* provides little textual evidence for it and since he is but *da`at yahid*, an isolated opinion. As we shall see, though, that opinion might come in quite handy as we seek to explain the practice of the synagogue *kiddush* in liberal and progressive congregations.

### What We Can Learn from All of This

Remember: it's not the role of the Freehof Institute to make halakhic rulings. And in particular, in this case nobody has asked us to! The following “conclusions” should not be read, therefore, as attempts at *p'sak halakhah* but food for thought and argument.

1. *The Resiliency of Minhag*. It's seldom a good idea to base a general theory on one example. But we'll go out on a limb and suggest that *this* one example tells us a great deal about the

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<sup>21</sup> *Or Zaru`a*, vol. 2, *Responsa*, no. 752.



sanctity of *minhag* in Jewish religious life. We're not talking simply about the sheer ubiquity of *minhagim* in home and synagogue practice but primarily about their tendency, as we've seen with the synagogue *kiddush*, to survive long after their founding rationales have lost their relevance. Such is the nature of the forms of our religious practice, as Ahad Ha'am noted in one of his briefer essays, "*Bein kodesh l'hol*":<sup>22</sup>

בין הדברים המבדילים בין קודש לחול אפשר לחשוב גם את זה : בחול המטרה מחבבת עלינו את האמצעים על הרוב רק במדה שהם אמצעים אליה, ועל כן אנו משנים ומחליפים את האמצעים לפי צורך המטרה, וכשבטלה המטרה בטלים האמצעים מאליהם ; אבל בקודש המטרה מקדשת את האמצעים קדושה לעצמם, ועל כן אין משנים ומחליפים אותם עוד, וכשבטלה המטרה אינם בטלים עמה, אלא מחליפים אותה באחרת לפי צרכם. במלים אחרות : בחול אנו שומרים את הקליפה בשביל התוך וזורקים את הקליפה אחר שאכלנו את תוכה, ובקודש מעלים את הקליפה למדרגת התוך ושוב אין מורידים אותה גם אם תוכה נחר, אלא עושים לה תוך אחר חדש.

One of the differences between the holy and the profane ("secular") is this: with the secular, the goal grants importance to the means only to the extent that they help achieve the goal. Thus, we change and replace the means according to the requirements of the goal, and when the goal disappears the means disappear as well. With the holy, the goal invests the means with sanctity of their own. Thus, we do not change and replace them. When the goal disappears, they do not disappear with it; rather, we exchange their goal as needs require. In other words: with the profane, we preserve the shell on account of the kernel, and we discard the shell when we have consumed the kernel. But with the holy, we elevate the shell to the status of the kernel and do not get rid of it even when the kernel is gone; rather, we devise a new kernel for it.

The lesson for religious reformers is obvious, but just in case we miss it, Ahad Ha'am makes it explicit:

ולמרות כל זאת ישנם בקרבנו 'מתקנים', החושבים, שאפשר לנו להסיר את הקליפה מעל הדת, את המצוות המעשיות, ולשמור רק את תוכה, את הדעות המפשטות, או להסיר את הקליפה מעל כתבי הקודש, את לשונם, ולשמור רק את תוכם בהעתקות אירופיות. אלה ואלה לא ישימו אל לב, כי החבית הישנה בצורתה הישנה היא הקדושה, וכל אשר בה יקדש בעבורה... וכי, להפך, אם תשבר החבית או תקבל פנים חדשות, יפוג גם טעם היין, אף אם ישן נושן יהיה.

In spite of all this, the "reformers" in our midst think that we can remove the shell from our religion, namely the *mitzvot* of practice, and preserve the content, the abstract ideas. Others think that we can remove the shell from Torah, namely its language, and preserve its content through translations. Neither group realizes that it is the old cask that is sacred and that whatever content fills it becomes sacred on its account... and that, on the contrary, if the cask were to break or to change its shape, the wine would lose its taste, even if it is old wine.

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<sup>22</sup> Online version of entire book available at [https://www.nli.org.il/he/books/NL\\_ALEPH990011673710205171/NLI](https://www.nli.org.il/he/books/NL_ALEPH990011673710205171/NLI). A text of the essay is available at <https://benyehuda.org/read/2655>.

This critique of Jewish religious reform is, obviously, annoying to us, who feel that the old casks must at times be replaced to preserve the taste of the wine within them. Still, we should take seriously its central point that, contrary to a common prejudice among progressives, the *form* of religious observance takes precedence over its *content*. Religious practices acquire over time a meaning and a sanctity of their own that outlives their original “goal” or rationale. It is therefore easier for communities to “re-purpose” their *minhagim* than to get rid of them when they no longer serve the purposes for which they were originally established. We progressive Jews have done just that with many traditional ritual practices. What the history of the synagogue *kiddush* teaches us, then, is that the ultimate goal of “reform” may not be so much to discard the old casks – the ritual practices – as to keep them and fill them with new wine – teachings, insights, interpretations – suited to our progressive tastes.

2. *The Changing Locus of Shabbat Observance*. Rabbeinu Yonah Gerondi suggests that the purpose of the synagogue *kiddush* “today” (i.e., when lodgers no longer eat their meals there) is to enable worshippers who are unable to say *kiddush* at home to fulfill their Toraitic obligation to sanctify Shabbat with a verbal statement. Notwithstanding the halakhic criticisms levelled against this position, it hints that even in medieval times the synagogue was for some Jews *the* place for the observance of Shabbat (or, at least, the positive ritual *mitzvot* associated with the day). In our time, this phenomenon has become all too common. Many within our community, even those who attend Shabbat services, dispense with a formal Shabbat meal. For them, the *kiddush* recited at synagogue services is the only *kiddush* they will hear. We may not be happy with this development, but at times one needs to reconcile with reality. True, the synagogue is not *m'kom se`udah*, the place where they eat their meal. But many Reform synagogues have adopted the practice of following the *kiddush* with a *b'rakhah* over *challot*. If so, then at least ritually we can claim that the synagogue becomes *m'kom se`udah*. With this in mind, it would be best to recite *kiddush* and *Hamotzi* in the social hall or the room where the *oneg Shabbat* – the Shabbat “meal” – is served.

3. *Pedagogy*. On the other hand, maybe we don't *really* want to reconcile with this state of affairs. *Sefer Orhot Hayyim* justifies the recitation of the synagogue *kiddush* (in the absence of lodgers) as a means of teaching the text of the *kiddush* to those who might need to practice it before going home to recite it at their meal. This should remind us that, proud as we may be of the professionalism with which we conduct our public worship services, we should not be transmitting the message that synagogue ritual is a substitute for the life of the Jewish home. Rather, the point of reciting *kiddush* and *Hamotzi* in the synagogue is a pedagogical one, to model for our people what home observance should be and to equip them with the knowledge (to say nothing of the desire) to observe the rituals of Shabbat, including *kiddush*, around their dinner table.

4. *K'vod Shabbat*. The *Or Zaru`a* makes the *hiddush* that the “real” purpose of the synagogue *kiddush* was to render honor to Shabbat in a formal public setting. We suggest above that his theory is tenuous, but that doesn't mean it's worthless. At a time when the Friday evening worship service serves any number of communal purposes and is devoted to programmatic themes, however worthwhile those may be, *kiddush* reminds us that the “real” purpose for our gathering is precisely to make Shabbat central to our lives. In our time, may be the best justification for our continuing to recite *kiddush* in the synagogue.