**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Deracheha: Women and Mitzvot**

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Kiddush II: Practical Issues

Can someone eat before kiddush? Does a woman recite or respond to she-hechiyyanu in Yom Tov kiddush? Does Prayer affect the ability to discharge others' obligations?

Previously, we discussed women's obligation in kiddush on Shabbat and Yom Tov, at night and during the day. Now let's turn our attention to a few practical halachic issues related to women and kiddush: the *halachot* of eating before kiddush, reciting *she-hechiyyanu* on Yom Tov, and discharging another's obligation following prayer.

# Eating before Kiddush

The Shabbat meal needs to begin with kiddush. Since anything we eat or drink after accepting Shabbat is presumed to be a fixed meal, we may not eat or drink before hearing kiddush on Shabbat night. (This is similar to the laws of tithing – while produce may be consumed casually in the field before tithing, eating on Shabbat is not considered casual and therefore cannot precede tithing.)

*Pesachim* 105a

For Rav said: just as Shabbat makes [eating] established for [obligation in] tithing [so that produce must be tithed before eating], so Shabbat makes [eating] established [for obligation in] kiddush.

Rashi ad loc.

So it makes [eating] established [for obligation in] kiddush- That it is prohibited to taste [food] until he recites kiddush, therefore from when it becomes dark it is automatically considered a Shabbat meal.

Shulchan Aruch applies the prohibition of eating and drinking prior to kiddush even to water:

Shulchan Aruch OC 271:4

It is prohibited to taste anything prior to reciting kiddush, even water.

This halacha takes effect when a person accepts Shabbat. Most women accept Shabbat at candle-lighting. In cases of great need, however, a woman may drink until halachic sunset without first making kiddush:

Rav David Auerbach *Halichot Beitah* 15:21, 22

A woman who lights Shabbat candles, since from the perspective of custom she accepts Shabbat upon herself through her lighting, she is prohibited to eat or drink from the time that she lit until after kiddush…If she lit candles while it was still daytime…before *bein ha-shemashot* [the time between halachic sunset and nightfall] one can be lenient for her in a situation of distress if she cannot recite kiddush now…

Shabbat or Yom Tov Morning

Early halachic authorities debate whether one is permitted to eat on Shabbat morning prior to reciting *kiddusha rabba*. Rambam rules that it is prohibited:

Rambam Laws of Shabbat 29:10

…It is a mitzva to recite the *beracha* on wine on Shabbat before he eats the second meal [the first daytime meal], and this is called *kiddusha rabba*, he recites only *borei peri ha-gafen* and drinks, and afterwards washes his hands and feasts, and it is prohibited for a person to taste anything before reciting kiddush.

Ra'avad expresses disdain for Rambam's view, since kiddush at night has already preceded any eating during the day, and he considers *kiddusha rabba* at most symbolic:

Ra'avad ad loc.

"It is prohibited for a person to taste anything before he recites kiddush" Avraham says: By my life, if he said this based on reasoning, then he never reasoned a poorer reason than this in his life, and since they [the sages] called it *kiddusha rabba* it came to him [Rambam] thus. But it is nothing, for the day was already sanctified over wine when it came in before he tasted [anything]…

Practical halacha for men and women follows Rambam, that one may not eat or drink before *kiddusha rabba* on Shabbat or Yom Tov.

Mishna Berura 289:6

That they should not taste [food] before it etc. And women are also included in this matter, for in every matter of Shabbat men and women are equal [later authorities].

In the morning (Shabbat or weekday), one is ordinarily not permitted to eat or drink beverages other than water prior to reciting *tefillot*. Thus, the obligation to recite kiddush takes effect only when it becomes permissible to drink wine and eat a meal – after morning *tefilla*.

Shulchan Aruch OC 89:3-4

It is prohibited for him to occupy himself with his needs or to go on the road until he recites the *Shemoneh Esrei* prayer (Rema: there are those who are lenient after they say a few *berachot* before they say *baruch she-amar*, and it is good to be stringent with this)(Terumat Ha-Deshen 18) and not to eat and not to drink, but it is permissible to drink water before prayer, whether on a weekday or on Shabbat or Yom Tov, and so food and drink for medical purposes are permissible. The thirsty and the hungry are in the category of the ill if he has the ability to focus his thoughts he should pray, and if not, if he wants, he shouldn’t pray until he eats and drinks.

Prior to *tefilla* there is room to drink or even eat a bit in cases of medical need or in order to concentrate properly. This allowance remains in place even on Shabbat or Yom Tov morning prior to *tefilla*.

One may drink water before *tefilla* without reciting kiddush first:

Shulchan Aruch OC 289:1

…To drink water in the morning before prayer is permitted, since the obligation of kiddush is not yet incumbent on him.

What of cases in which one needs to drink more, or even eat before tefilla? Bei'ur Halacha rules that one eating prior to *tefilla* must recite kiddush first:

*Bei'ur Halacha* 289 s.v. *Chovat Kiddush*

The obligation of kiddush - And someone to whom it is permitted to eat and drink before *tefilla*, as when it is for healing and as above 89:3, it is simple that he needs to recite kiddush first.

Rav Shlomo Zalman Auerbach limits this ruling. He maintains that kiddush when eating or drinking before *tefilla* on Shabbat day is only relevant if the eating is tantamount to a meal, e.g., includes a substantial amount of food over which one recites the *beracha* of *mezonot*. For this reason, he exempts women, too, from reciting kiddush over a snack before *tefilla*, even a piece of cake:

*Shemirat Shabbat Ke-hilchetah* 52:12, notes 34 and 45

An ill person who needs to eat baked goods from the five species of grain on Shabbat morning before praying, should recite kiddush before eating…Note 34: For with them it is possible to fulfill the halachic requirement of kiddush in the location of the meal…Note 45: And I heard from Rav Shlomo Zalman Auerbach that even if women eat an informal snack prior to prayer, and sometimes out of weakness even eat a slice of cake, it stands to reason that they do not need to recite kiddush, for what that is brought in siman 289 in the *Bei'ur Halacha* s.v. *Chovat*, is regarding a sick person who needs to eat a fixed meal, but if an informal snack suffices for him, he should not recite kiddush.

As we've [discussed](https://www.deracheha.org/prayer-2-shemoneh-esrei/) previously, some women, especially when intensively occupied with child-rearing, do not say the *amida* every morning. It is also common for women with busy schedules to recite the initial morning *berachot*, eat breakfast, and pray *Shacharit* later in the morning. Once a woman has completed the morning *tefillot* she customarily recites before eating on weekdays, she must hear or recite kiddush prior to eating or drinking on Shabbat.

*Shemirat Shabbat Ke-hilchetah* 52:13

If she is accustomed to eat immediately after she says some prayer of request…but she doesn’t pray *tefillat Shacharit* at all, or she prays *Shacharit* after she has eaten, behold since she said her request upon her arising from her bed—the obligation to recite kiddush is incumbent upon her, and it is prohibited for her even to drink water…

If a woman needs to eat or drink and is obligated to make kiddush first, but drinking wine, grape juice, or liquor is difficult for her, she should explore other options for what to make kiddush over.[[1]](#footnote-1)

Leniency not to make kiddush prior to eating or drinking in these cases is acceptable, though, in situations of great need. So, for example, if there is nothing available over which to recite kiddush and a woman needs to eat or drink, she may rely on Maharam Chalava's opinion (discussed [here](https://www.deracheha.org/kiddush-1-obligation/)) that she is exempt from *kiddusha rabba*:

*Minchat Yitzchak* IV 28

…In a pressing situation one can combine [for leniency for a woman to eat prior to kiddush] that which appears…in the name of Maharam Chalava (*Pesachim* 106), who testified in the name of his teacher Rashba that women are exempt from *kiddusha rabba*, see there….

For many couples, the husband's and wife's customs diverge regarding eating before *tefillot*. On weekdays, the husband completes *Shacharit* before eating, while the wife eats after she has recited only the initial *berachot*. Rav Moshe Feinstein argues that the obligation in kiddush should come into effect at a uniform time for the entire household. Thus, he suggests another basis for leniency if a woman is married and her husband has not yet recited *Shacharit*. Since he has not become obligated in kiddush, perhaps she hasn't either, since husband and wife are as one flesh.[[2]](#footnote-2)

Since nowadays most people know how to recite a *borei peri ha-gafen* (or *she-hakol* on liquor), the simplest and preferred procedure is for a woman to recite *kiddusha rabba* for herself before eating, once she has recited her customary *tefillot*.

# She-hechiyyanu

Another practical issue with particular relevance to women is reciting she-hechiyyanu on Yom Tov. The nighttime kiddush of Yom Tov incorporates *she-hechiyyanu*, also known as the *beracha* of *zeman* (lit., time). We recite it upon entering each of the days that the Torah calls *mikra'ei kodesh*, as an expression of gratitude for reaching each notable time.

Yerushalmi *Pesachim* 10:5

It was taught [in a baraita]: Everything written as a *mikra kodesh* [day of assembly], one needs to mention time [*she-hechiyyanu*] on it.

This is the halacha on every night of Yom Tov, with the exception of the last night (or outside of Israel, two nights) of Pesach, which is (or are) more a continuation of the holiday than an independent festival.

Rambam, Hilchot Shabbat 29:23

All nights of Yom Tov, and on the night of Yom Kippur, we say *she-hechiyyanu*. And on the seventh of Pesach, we don’t recite the *beracha* of *she-hechiyyanu*, since it is not a festival in its own right, and one has already recited the *beracha* over time at the beginning of Pesach.

The Babylonian Talmud questions whether we say this *she-hechiyyanu* on Rosh Ha-shana and on Yom Kippur, and whether it must be recited over wine. The discussion concludes with a ruling that the *beracha* is said on both days and may be recited even in the marketplace, meaning even without wine.

*Eiruvin* 40b

Rabba said: When I was at the *beit midrash* of Rav Huna it was asked of us: What is [the halacha regarding] saying time [*she-hechiyyanu*] on Rosh Ha-shana and on Yom Kippur?...Rav and Shemuel, for they both said: One only says time [*she-hechiyyanu*] on the three pilgrimage festivals…In any case, do we require a cup [of wine]?...The halacha is: one recites time [*she-hechiyyanu*] on Rosh Ha-shana and on Yom Kippur, and the halacha is: time [*she-hechiyyanyu*], one recites it even in the marketplace.

The ideal, however, remains to recite it over wine, along with kiddush. (Yom Kippur is an exception because of the fast.)

Me'iri *Eiruvin* 40b

For whenever it is possible [to recite] over a cup [of wine], it is fitting to say it in order with the other *berachot* [of kiddush] over a cup.

She-hechiyyanu at Candle-lighting

Many women have the custom to recite *she-hechiyyanu* upon lighting candles for Yom Tov, though it's not clear when, where, or why that practice began.

Or Zarua quotes the Talmud Yerushalmi (in a line that does not appear in our versions of the Yerushalmi), to the effect that there is no obligation to recite *she-hechiyyanu* over Yom Tov candle-lighting.

Or Zaru'a II Laws of Erev Shabbat 11

We say in the last chapter of *Berachot* in the Yerushalmi: One who lights a candle on the nights of Yom Tov says: "Who has sanctified us with His commandments and commanded us to light a candle in honor of Yom Tov" and does not need to say time [*she-hechiyyanu*]."

We find a number of attitudes toward the custom in halachic literature, ranging from opposition to support.

**I. Opposition:** Some halachic authorities, including Rav Eliezer Papo (18th -19th century, known as Pele Yo'etz) oppose reciting *she-hechiyyanu* at candle-lighting, calling it a mistake, since *she-hechiyyanu* is best recited over kiddush:[[3]](#footnote-3)

Chessed La-alafim 263:5

The one who lights recites "Who has sanctified us with His commandments and commanded us to light a candle of Shabbat." And on Yom Tov, "to light a candle of Yom Tov." But one should not recite the *beracha* of time [*she-hechiyyanu*] over candle-lighting, and many women have erred in this…

More recently, Rav Ovadya Yosef has also ruled against the custom:

Responsa *Yechaveh Da'at* III 34

Women who had the practice to recite the *beracha* of *she-hechiyyanu* at the time of lighting the candles of Yom Tov, their practice has no foundation in Halacha, and it is correct that they cease to practice thus, but intend to discharge the obligation of the *beracha* of *she-hechiyyanu* at kiddush of Yom Tov, as our sages enacted.

**II. Lack of Protest** Others, including Rav Ya'akov Emden, tolerate the custom, but maintain that it is better for a woman not to recite *she-hechiyyanu* at candle-lighting, since its proper place is with kiddush, and since the custom does not appear in early halachic works:

Responsa *She'eilat Ya'avetz* I:107

He [the questioner] was correct, in my humble opinion, to protest the custom of women who recite the *beracha* of *she-hechiyyanu* over lighting the candle of Yom Tov, and his claims are great since it [the custom] is not mentioned by any halachic authority…And further, that it is no better than the *beracha* of *she-hechiyyanu* on making a *sukka*, which is mentioned in the Talmud and we rely on [the *she-hechiyyanu*] of kiddush. Therefore, certainly it is a good question, and by master's life that from the day on which I stood on my own cognizance it was also an astonishing matter in my eyes and I wanted to reprove my wife, for this reason. And even so, I did not take action and I left her her custom which was held in her hand, for in truth a concern of a *beracha* in vain (as his honor thought) is not [present] here in my humble opinion. For if she wished not to discharge the obligation of the *beracha* of time [*she-hechiyyanu*] through her husband, then who would reprove her for reciting a *beracha* for herself, a *beracha* in which she is obligated without a doubt ("for these women, since they are included in keeping and remembering" and in *simchat Yom Tov*, it is clear that they must also recite the *beracha* of time [*she-hechiyyanu*])? And even without the lighting, she can recite *she-hechiyyanu* immediately at the onset of Yom Tov, for we maintain that time [*she-hechiyyanu*], one can say even in the marketplace, but where there is a cup, we attach it [the *beracha*] to it [the cup]. Nevertheless, it is also not a *beracha* in vain in such a case, because the day brings about [the obligation] in the *beracha* of time [*she-hechiyyanu*], as was mentioned. And it is no worse because she attaches it to lighting a candle. And it is fine, because it [the candle-lighting] comes first and with it the honor of Yom Tov and its rejoicing are recognizable. Therefore, I said to myself: Allow them [women] their custom, which is an inheritance to them from their fathers and they acted thus before the great ones of blessed memory…And it would be fitting in my eyes (to teach favorably of the custom) to recite the *beracha*, were I to find a support and basis in the words of the halachic authorities of blessed memory. But I still haven't seen a single known book of halachic rulings that mention it. Therefore, it is difficult in my eyes that women make their own custom without an established foundation.

Despite his reservations, Rav Emden chooses not to interfere with his wife's custom. While there is no clear basis for reciting *she-hechiyyanu* over Yom Tov candle-lighting, women are certainly obligated to recite *she-hechiyyanu* at some point on Yom Tov, and the fundamental halacha is that a cup of wine is not essential for that.

**III. Support** Still others use arguments like Rav Emden's to support the custom. Rav Yechiel Michel Epstein, for example, notes that women typically light candles as Yom Tov begins. Thus, the *beracha* can surely apply to Yom Tov, and not just to the act of lighting.

Aruch Ha-shulchan OC 263:12

…Our women also recite the *beracha* of *she-hechiyyanu* at the time of lighting candles on Yom Tov and one should not protest them, for on the whole on the evening of Yom Tov they light really at evening time, and *she-hechiyyanu* applies to Yom Tov. And there are those who raise questions with this, and [we should] allow the daughters of Israel their custom. And on Yom Kippur, there are those who recite the *beracha* and those who don’t recite the *beracha* and our custom has been to recite the *beracha*.

Indeed, women often accept Yom Tov at candle-lighting.[[4]](#footnote-4) [[5]](#footnote-5)

Repeating She-hechiyyanu at Kiddush

If a woman will be lighting candles, and then reciting Yom Tov kiddush, when should she say *she-hechiyyanu*?

Kaf Ha-chayyim rules that a woman who lights candles with *she-hechiyyanu*, and then recites kiddush, should not recite *she-hechiyyanu* again:

*Kaf Ha-chayyim* 514:12

For women who have the custom to recite the *beracha* of time [*she-hechiyyanu*] over candle-lighting, if she recites kiddush for herself for whatever reason, she cannot recite the *beracha* of time [*she-hechiyyanu*] again over kiddush, for she has become exempt through the *beracha* that she recited over the candle.

On the other hand, Rav Shmuel Wosner justifies women's practice of saying *she-hechiyyanu* at candle-lighting and then again over kiddush on seder night, when the *she-hechiyyanu* at kiddush can also be said to apply to other *mitzvot*, such as eating matza. His wording seems to reflect a custom for every participant at the seder, women included, to recite their own kiddush over the first of the four cups.

*Shevet ha-Levi* III 69

But one can also justify the custom of women, as today when they recite the *beracha* of *she-hechiyyanu* over candle-lighting and also recite *she-hechiyyanu* after kiddush over their cup, that at the time of lighting their minds are not at all on the mitzva of matza, but on accepting Yom Tov…and so the halacha is practiced among us, and allow Israel…

This discussion applies if a woman recites kiddush only for herself or for minors (who are not obligated in *mitzvot*). If she recites kiddush for another person who is obligated in *mitzvot* and who has not heard *she-hechiyyanu*, then she may certainly recite *she-hechiyyanu* again following kiddush, because someone who has already fulfilled an obligation may still discharge it for another. (We discuss this principle more [here](https://www.deracheha.org/discharging-obligations-in-practice/), and will return to it in more detail a little later.) Mishna Berura teaches this halacha regarding a *chazzan* who has recited *she-hechiyyanu* over Chanuka candles in synagogue, and Rav Yeshaya Neuwirth applies it to the case of candle-lighting on Yom Tov.

Mishna Berura 671:45

One must go back and light - Even a *shali'ach tzibbur* who recited the *beracha* in synagogue must go back and light [Chanuka candles] in his home, for there is an obligation on each person to light [Chanuka candles] in his home, and in any case he should not repeat the *beracha* of *she-hechiyyanu* in his home unless he lights to discharge the obligation of his wife and members of his household.

Rav Yeshaya Neuwirth, *Shemirat Shabbat Ke-hilcheta*, II 44:4

One who recited the *beracha* of *she-hechiyyanu* at the time of candle-lighting, should not go back and recite this *beracha* at the time of kiddush, unless he needs to discharge the obligation of his household members in kiddush and in the *beracha* of "*she-hechiyyanu*."

In practice, someone who knows that they will recite kiddush (and not discharge others' obligations) is generally advised to hold off on saying *she-hechiyyanu* until then:

Rav David Auerbach, *Halichot Beitah* 14, n. 143

It seems that in such cases, when a woman recites kiddush for herself, and similarly [when] a man lights candles, that it is preferable that they not recite *she-hechiyyanu* upon lighting, but rather at kiddush, since it is a mitzva to say it [*she-hechiyyanu*] over a cup [of wine].

Responding to She-hechiyyanu

Usually, when reciting a *beracha* before taking pleasure from eating or drinking (known as *birkat ha-nehenin*), one should not say anything between finishing the *beracha* and taking a bite or sip (unless about something directly related to the activity at hand). Speaking would constitute a *hefsek* (interruption).

Kiddush and *kiddusha rabba* are a little different because they are primarily considered *birchot ha-mitzva*, *berachot* recited over a mitzva, and only secondarily function as *birchot ha-nehenin*. So, for example, at night we recite a long *beracha* about the sanctity of the day before drinking from the wine, and that is not considered a *hefsek*, since it is an essential component of fulfilling the mitzva of kiddush.

Similarly, if one person recites kiddush for others, the listeners should not speak before the reciter drinks, with the exception of responding "*amen*," which signifies that we wish to discharge our obligation through the *beracha* that we have heard.

If a woman has already recited *she-hechiyyanu* upon candle-lighting and someone else recites kiddush with *she-hechiyyanu*, may she respond "*amen*" to *she-hechiyyanu*? Usually, responding "*amen*" is important to signify intention to discharge one's obligation through the reciter. Here, though, the woman has already discharged her own obligation in *she-hechiyyanu*. Does responding *"amen*" constitute a *hefsek*?

Rav Wosner writes that a woman in this scenario, with her husband reciting kiddush, should not respond "*amen*." However, he adds that the first nights of Sukkot and of Pesach may be exceptions to the rule, since *she-hechiyyanu* on those nights also applies to the additional *mitzvot* of sukka and matza: [[6]](#footnote-6)

*Shevet Ha-Levi* III 69

Regarding the matter of kiddush on Yom Tov night, that women have the practice to recite the *beracha* of *she-hechiyyanu* at the time of candle-lighting, and the husband recites *she-hechiyyanu* at the end of kiddush, it turns out that the wife has already discharged the obligation of *she-hechiyyanu*. If so, the "*amen*" that she responds after the husband's *beracha* of *she-hechiyyanu* is a *hefsek* [break] between kiddush and drinking…In my humble opinion it seems that on Pesach night it is not a *hefsek* and also on Sukkot night it is not a *hefsek*, and on Shavuot night it is a *hefsek* and then she really shouldn't respond "*amen*," and my reasoning is that on Pesach night *she-hechiyyanu* comes for a number of matters, for Yom Tov, for the *mitzvot* of matza and maror, for the mitzva of telling the story of *yetzi'at Mitzrayim* and the *mitzvot* of the night, and the woman at the time that she lights only intends it—or should only intend it—for the mitzva of lighting candles which comes on account of Yom Tov, and still she has the privilege of *she-hechiyyanu* for the other *mitzvot* of the night. And given that there is no place in accordance with our custom to actually recite the *beracha* twice, but if she intends to discharge through the husband's *she-hechiyyanu* the *she-hechiyyanu* of matza and maror, etc., there is no fault in the matter and if so the "*amen*" in any case is not a *hefsek*…And similarly one can say on Sukkot night when *she-hechiyyanu* comes for Yom Tov and for the mitzva of the sukka, and she intends in her candle-lighting to discharge only Yom Tov, she still has the privilege of *she-hechiyyanu* for the sukka…

Rav Moshe Feinstein and others maintain that a woman may say "*amen*" in this situation, since *she-hechiyyanu* is a necessary part of kiddush from the perspective of the one reciting it, and her "*amen*" simply recognizes that.

*Iggerot Moshe* OC IV 101:1

Regarding our custom that the woman recites the *beracha* of time [*she-hechiyyanu*] on Yom Tov at the time of candle-lighting, if she is permitted to respond "*amen*" to the *beracha* of time [*she-hechiyyanu*] that her husband recites over the cup at kiddush, out of concern for a *hefsek* [break] between the *beracha* over the wine and her drinking, since she has already discharged the obligation of the *beracha* of time [*she-hechiyyanu*]. Behold, it is simple that according to the halacha there is no doubt that for hundreds of years women have recited the *beracha* of time [*she-hechiyyanu*] when they light the Yom Tov candles, for even though that it would seem better that they not recite the *beracha* of time [*she-hechiyyanu*], since there will be a cup for kiddush over which to also recite the *beracha* of time [*she-hechiyyanu*], since it is preferable to recite the *beracha* of time [*she-hechiyyanu*] over the cup…If it were prohibited to respond "*amen*" based on the law of *hefsek* between the *beracha* and drinking, there would be great reason to protest and to consider this a mistaken custom. And even though there is a suggestion that she not respond "*amen*," aside from [the fact] that they [women] will not be careful with this, behold this itself is prohibited, to cause someone not to respond "*amen*" to a *beracha*, for it is a great obligation to respond "*amen*" even when one does not need to discharge [one's obligation with] the *beracha*, as is taught in a mishna in *Berachot* 51b…Rather, there is certainly no prohibition in this, since she needs to respond "*amen*," and this is not a *hefsek* at all. And the reason seems to be that, since it is a required *beracha* for the one who recites kiddush and is not a *hefsek* for him, then it is also not a *hefsek* for the listeners who discharge their obligation [in kiddush] through him…

In this responsum, Rav Moshe also demonstrates his deep respect for women's customs, arguing that the custom's endurance and the lack of rabbinic discussion of a woman responding "*amen*" until recently both indicate that there is no issue with a woman's reciting it.

How do we relate to customs not found in our texts?

We've seen that women's custom to recite she-hechiyyanu at candle-lighting is not discussed in early halachic literature. It's not clear how, when, or why it came about, though it seems to make some intuitive sense to recognize arriving at a new sacred time upon ushering the day in, which women typically do through candle-lighting.

This particular custom raises some tricky questions about kiddush, and thus receives a range of halachic responses, ranging from those who would do away with the custom (Rav Ovadya Yosef), to those who tolerate it (Rav Ya'akov Emden), to those who support it (Rav Moshe Feinstein).

Questions about how Halacha should relate to custom go much farther back than this. The Talmud Yerushalmi, for example, raises a number of women's customs, primarily entailing abstaining from labor, validating some as a proper minhag and rejecting others as lacking halachic recognition.

Yerushalmi *Pesachim* 4:1

Women who have the practice not to perform labor on *Motza'ei Shabbat*, it is not a [valid] custom. Until *tefillot* end, it is a [valid] custom. On Mondays and on Thursdays, it is not a [valid] custom. Until a fast day ends, it is a [valid] custom. On the day of Hoshana Rabba, it is not a [valid] custom. From the time of *mincha* and onward, it is a [valid] custom. On Rosh Chodesh, it is a [valid] custom. Rabbi Ze'ira said: Women who have the practice not to weave from when Av begins, it is a [valid] custom.

(We discuss the customs on Rosh Chodesh and in the beginning of Av here and here.)

The question of how these customs arose and what they mean brings us back to our discussion in the Introduction to Deracheha of two modes of transmitting Halacha: textual and mimetic (imitative). There, we argue that women historically learned and taught halachic practice more through imitation than text, so it would stand to reason that women might create or preserve customs that did not find their way into writing.

When a custom becomes entrenched, it takes on its own halachic weight, and eventually halachic literature needs to address it. The varying responses to she-hechiyyanu at candle-lighting may also reflect broader approaches to the balance between text and mimetic tradition as a whole—does text always prevail, is there a truce, or do we rely confidently on custom?

In practice, this particular custom has withstood the textual questions and endured, becoming fully absorbed in our tradition. Halachic authorities have hesitated to interfere, despite their text-based reservations, perhaps because they see how women cherish the opportunity to recite this beracha. Many women who will not personally recite kiddush take an active role in welcoming Yom Tov with candle-lighting and she-hechiyyanu.

In a moving piece for Mishpacha, Shaindy Schiff tells her story of reciting she-hechiyyanu over Rosh Ha-shana candles, after complications in childbirth put her life at risk:[[7]](#footnote-7)

For Dear Life, Shaindy Shiff, Mishpacha 16.9.20

“V’kiyemanu.” The candle in my hand trembles slightly as I return to the present. Hashem had sustained me…. It had taken months to regain my strength. But I was alive.…I’d been granted a reprieve….I had another chance to be a wife, a mother, a daughter, a sister. I still had so much to accomplish, a relationship with Hashem to keep building, purpose and meaning to seek. I touched the candle to the wick: a sputter, and then a flame arose. Another, and another, one for every soul in my home. The past year was nearly behind us, and now it was time to plead for more of the greatest gift of all: life.

# Discharging Obligations and Prayer

Given that women are fully obligated in Shabbat kiddush at night, it follows that a child under bar or bat mitzva age may not discharge a woman's obligation in kiddush. It should also follow that a woman can discharge a man's obligation in kiddush. In the continuation of the halacha that we quoted earlier, Shulchan Aruch says exactly that.

Shulchan Aruch OC 271:2

…These women, since they are included in "keeping" they are included in "remembering" and they discharge the obligation of men, since they are obligated on a Torah level like them.

However, there are additional halachic considerations in applying this ruling in practice. Please see our piece on [Discharging Obligations in Practice](https://www.deracheha.org/discharging-obligations-in-practice/) to learn more about women reciting kiddush for men.

A related question with special significance for women concerns prayer. The *Ma'ariv* prayer on Shabbat night includes elements proclaiming the sanctity of Shabbat. This raises an additional question related to discharging obligations: may a person who has recited *Tefillat Ma'ariv* on Shabbat discharge the obligation of kiddush for one who has not?

To explore why this question arises (and why it ultimately is not of practical concern), we need first to review the halachic status of some features of nighttime kiddush.

Kiddush Min Ha-Torah

We've seen that kiddush is a Torah-level obligation for men and women. We have also seen that halachic authorities debate whether the obligations to mention *yetzi'at Mitzrayim* during kiddush, or to recite kiddush over wine, are on a Torah or rabbinic level. So, too, the Talmud teaches that we must recite kiddush where we eat our meal:

*Pesachim* 101a

For Shemuel said: Kiddush is only in the location of a meal.

Halachic authorities discuss how we define a meal for these purposes,[[8]](#footnote-8) and whether one can fulfill the Torah-level obligation of kiddush without a meal. The meal obligation is likely rabbinic, though it is unclear whether it is more oriented to having kiddush elevate the Shabbat meal,[[9]](#footnote-9) or to lending more importance to kiddush.[[10]](#footnote-10)

These discussions become important in considering whether a person can discharge their Torah-level obligation of kiddush by reciting the *amida* prayer on Shabbat night. The *amida*, like kiddush, includes a blessing of "*mekadesh ha-Shabbat*" "Sanctifier of Shabbat." On the other hand, it is recited without wine, outside of a meal context, and makes no mention of *yetzi'at Mitzrayim*.

Rashba writes that one could satisfy the Torah-level obligation of kiddush even by saying general phrases of welcome to Shabbat, and that the other features of kiddush are all enactments by the Men of the Great Assembly:

Responsa of Rashba IV 295

Indeed, kiddush is obligatory on a Torah level, as is explicit in the third chapter of *Berachot* (20b). And no one disputes this. And that statement in the fifth chapter of *Berachot*: Rabbi Chiyya son of Rabbi Abba said Rabbi Yochanan said: The men of the Great Assembly enacted for Israel *berachot* and *tefillot*, kiddushes and havdalas. Perforce, it is not referring to the very essence of the things…rather that their essence is a matter of Torah law…kiddush is to mention it [Shabbat] as it comes in, as a sort of praise and tribute, like their statement (*Shabbat* 119): Rabbi Chanina would say, let’s go out and welcome Shabbat the queen. And he would praise and say: Come bride, come bride, and the like, reading verses regarding the sanctity of Shabbat, reading *va-yechulu* [the end of creation] or "and the children of Israel kept Shabbat" and the like. And each and every person says what occurs to him in the matters of its [Shabbat's] praise and sanctity, by heart and without holding any object, neither his cup nor his bread. They [the men of the Great Assembly] came and they established one text for all in the location of the meal and with an object. And they enacted that they mention [Shabbat's] sanctity over wine, since we only recite song over wine. And they enacted to mention it in prayer and they established for it the fourth *beracha* [of the Shabbat amida].

According to this view, prayers in praise of Shabbat that many women recite upon lighting Shabbat candles may also fulfill the Torah-level obligation of kiddush.

Four hundred years after Rashba, in the seventeenth century, Magen Avraham rules that the Torah-level obligation of kiddush is satisfied through recitation of the *amida* on the night of Shabbat, since the fourth *beracha*—like kiddush—includes a blessing of "*mekadesh ha-Shabbat*" "Sanctifier of Shabbat."

Magen Avraham 271:1

[The obligation of] kiddush on a Torah level is without wine and our sages enacted [saying it] over wine…And it seems to me that on a Torah level, the kiddush that he said in *tefilla* suffices, for in the verse it is written "remember Shabbat" and behold he has mentioned it. And [the requirement of] kiddush in the location of a meal, our sages enacted…

Note that Magen Avraham does not address the omission of *yetzi'at Mitzrayim*.

Rabbi Akiva Eiger takes this approach to an extreme. He suggests that even just saying "Good Shabbos" at the beginning of Shabbat may in and of itself satisfy the Torah-level requirement of *Kiddush Ha-Yom*.

Rabbi Akiva Eiger OC 271:1

In my humble opinion, it is proven thus from [the fact] that we don't recite kiddush on Yom Kippur that falls out on Shabbat in order to discharge the Torah-level obligation of kiddush. Perforce that it is because we discharge the obligation in *tefilla*…And also it would seem not specifically prayer, but anyone who mentions Shabbat, and says "Good Shabbos" would also discharge the obligation, for in any case he mentioned Shabbat. Explore it and you'll find it simple.

Others suggest that one does not fulfill the Torah-level obligation of kiddush through prayer, or through other recitations such as "Good Shabbos," for a couple of reasons.

First, mentioning *yetzi'at Mitzrayim* within the *beracha* of kiddush might be obligatory on a Torah level.

Minchat Chinuch Mitzva 31

I am very astonished at the later authorities, see Magen Avraham 271:1, who wrote that through the *tefilla* of Shabbat one discharges the obligation of kiddush, for [making it] on wine is only a rabbinic obligation…And to me it is very surprising, since in the text of *tefilla* on the night of Shabbat we don’t mention *yetzi'at Mitzrayim*, [so] we certainly don’t discharge our Torah obligation at all. And it is an explicit undisputed Amoraic statement that is learned from a *gezeira shava*, perforce certainly if one did not mention *yetzi'at Mitzrayim* in kiddush in whichever text that one says in honor of the day, one has not discharged the Torah obligation at all, and we do not discharge the Torah obligation [of kiddush] through *tefilla* on Shabbat at all…

Second, a worshipper's intention to satisfy the obligation of *kiddush ha-yom* only later over wine may affect the halachic weight of the *beracha* in the *Amida*.

Mishna Berura 271:2

For mitzvot require intentionality to discharge the obligation in performing the mitzva, and presumably it is not the way of the works to intend to discharge the positive commandement of "zachor" in tefilla, since one has wine or bread and can recite kiddush over them later with a beracha in accordance with the halacha, and it is better to discharge the Torah-level commandment then than to discharge it now without a cup and not in the location of the meal.

In his *Bei'ur Halacha*, Mishna Berura builds a halachic defense for Magen Avraham based on the possibility that the obligation to mention *yetzi'at Mitzrayim* is rabbinic and based on its mention in other sections in the evening prayers. Still, Mishna Berura is not confident that one discharges the Torah level obligation through *tefilla*:

*Bei'ur Halacha* 271:1

Perhaps it is possible to say that since one mentions the verse of "Israel kept the Shabbat" etc. immediately after *hashkiveinu*, which is an extended *beracha* of redemption, this suffices on a Torah level [for kiddush including mention of *yetizi'at Mitzrayim*], for it includes praise of the Shabbat day and even though one still did not mention the sanctity of the day…This is what seems to me to harmonize the words of Magen Avraham because of the difficulty of the question [of omitting mention of *yetzi'at Mitzrayim*]. But in any case, for halacha it requires study, for perhaps the intention of the gemara was that one mention *yetzi'at Mitzrayim* within kiddush, and in the text of our prayer we have not found this, and for all of the above reasons we wrote inside [the Mishna Berura] that one should question this a great deal…

Reciting Kiddush after Tefilla

Now that we've seen the debate regarding whether someone who has recited *amida* at *Ma'ariv* on Shabbat has discharged their Torah-level obligation in kiddush, we can return to the question of whether they may discharge another's obligation. What if some people at a Friday night meal have prayed *Ma'ariv*, and others have not? Should a person who has not prayed *Ma'ariv* be the one to recite Kiddush before their joint Shabbat meal, since they certainly have not yet fulfilled their Torah-level obligation?

In general, Halacha usually allows someone who has already discharged their mitzva obligation to discharge the obligation of another. This is a feature of the principle of *areivut*, mutual responsibility for *mitzvot*. It is known as "*yatza motzi*," "one who has discharged [their obligation] may discharge [another's]." (We discuss these laws [here](https://www.deracheha.org/discharging-anothers-obligations/).)

If we can apply *yatza motzi* here, then it does not matter if someone who has prayed Ma'ariv recites kiddush for someone who hasn't. This is the case even if we follow the viewpoint that the Friday night *amida* fulfills the Torah-level obligation of Kiddush.

In his Dagul Mi-rvava, though, Rav Yechezkel Landau argues that it might be preferable for a woman to recite kiddush at the table if her husband has prayed and she has not, since he understands Rosh as having challenged the applicability of the law of *areivut* to women in cases like these:

Dagul Mi-rvava OC 271:2

Indeed, what I am in doubt about is even with a man who recites kiddush and discharges the obligations of his wife and household members, if the women did not pray *Ma'ariv* and the man already prayed *Ma'ariv*. And if so the man isn’t obligated on a Torah level, but the women who did not pray are obligated on a Torah level; if so do they discharge their obligation through hearing from the man? Although with all *berachot* even one who has discharged the obligation can discharge it for others as is written in *Rosh Ha-shana* 29a, this is on the rationale of *areivut*, that all of Israel are guarantors for each other as Rashi wrote there. But behold Rosh wrote…that a woman is not included in *areivut*, Therefore, she can only discharge [the obligation of] someone whose obligation is rabbinic. I am in doubt as to whether “a woman is not included in *areivut*” means that she is not a guarantor for others, but men, who accepted *areivut* at Mount Gerizim and Mount Eival also became guarantors for the women. If so, a man can clearly discharge a woman’s obligation even when he has already discharged his obligation. Or perhaps, just as women did not enter into guarantorship, thus men did not accept *areivut* for women…

Rabbi Akiva Eiger rejects this concern. He reads Rosh differently (as we discuss [here)](https://www.deracheha.org/discharging-anothers-obligations/) and is confident that women are included in *areivut*, so that yatza motzi would work perfectly well, and one who prayed could discharge the Torah-level obligation of another.

Responsa Rabbi Akiva Eiger First Edition 7

I saw further for the Dagul Mi-rvava in the above *siman* that he went to discuss a new matter, that a man who already prayed is not able to discharge the obligation for a woman who did not pray…And it does not seem so, for there is no distinction at all between a man and a woman regarding *areivut*, and we have not found in any case that with a woman the law would not be [yatza motzi] that if one discharged their obligation they can discharge it [for others]….

Additionally, as we saw above, even if women are not included in *areivut*, and even if the *amida* does constitute kiddush on a Torah-level, Rav Eiger maintains that the woman's saying "Good Shabbos" (or something similar in praise of Shabbat), as is customary after lighting candles or when greeting others, may discharge her Torah-level obligation, so in any case all are obligated only rabbinically even if only some prayed *Ma'ariv*.

Even if one does maintain that the Shabbat *Ma'ariv* can fulfill the Torah-level obligation of kiddush and "Good Shabbos" does not, one who has prayed still intends to fulfill the mitzva of kiddush only later.

Ben Ish Chai Second Year *Bereishit* 10

A person discharges the Torah-level obligation through the Shabbat *Ma'ariv* prayer and only our sages enacted to recite kiddush over wine. Nevertheless, there are those who say that whoever has wine does not discharge their Torah-level obligation through kiddush in *tefilla*. Also, there are those who say that whoever does not have intention in *tefilla* to discharge their obligation in kiddush, does not discharge the Torah obligation [through *tefilla*].

Therefore--even on the theory that *areivut* might not apply between men and women-- having prayed does **not** place a constraint on a person's reciting kiddush for others, regardless of gender. (Again, for more on a woman discharging a man's obligation in kiddush in practice, see [here](https://www.deracheha.org/discharging-obligations-in-practice/).)

Shabbat Morning

As we saw earlier, on Shabbat morning, even though the essential words of *kiddusha rabba* are no different from a regular *beracha* over wine, its recitation is by rabbinic enactment and as such, it is considered a *birkat ha-mitzv*a, and not just a *birkat ha-nehenin*. This understanding of *kiddusha rabba* can provide grounds for one person to discharge another's obligation in it even when the reciter does not discharge their own obligation, as in a typical case of *yatza motzi*.

At the same time, there is a question whether *yatza motzi* applies when those discharging their obligation through another could have done it on their own. Tur[[11]](#footnote-11) and Shulchan Aruch raise this possibility with respect to kiddush, seeming to limit application of *yatza motzi* to discharging the obligation of those who do not know how to recite it on their own:

Shulchan Aruch OC 273:4

A person can recite kiddush for others even though he does not eat with them, for it is the location of the meal for them. And even though with the *beracha* of wine he cannot discharge the obligation of others if he does not benefit along with them [from the wine], since this *bore peri ha-gafen* is an obligation for kiddush, it is like kiddush at night and he can discharge their obligation even though he does not [personally] benefit [from the wine by drinking]. Rema: Even with kiddush on Shabbat morning it is permissible to do so…And this is when they don’t know [how to recite kiddush].

With respect to kiddush at night, this halacha is less often relevant, since the person reciting typically has not fulfilled the rabbinic level obligation at synagogue. *Kiddusha rabba* may be a particularly difficult application of *yatza motzi*, because it is common for a person to fulfill their own obligation at a synagogue kiddush and then recite kiddush again later for family members who stayed home.

It would seem, then, that if a person has heard *kiddusha rabba* in synagogue and eaten *mezonot* there (which counts as a meal for this purpose), it would be better for someone of bar or bat mitzva age who has not discharged the obligation to recite it for the family prior to eating at home.

However, in his *Bei'ur Halacha*, Mishna Berura, says that *yatza motzi* works for any kiddush after the fact, even if those at home are capable of reciting it on their own.

*Bei'ur Halacha* 273:4

It seems in my humble opinion that after the fact he discharges the obligations of others in in all situations, for all *berachot*, even if he has discharged his obligation, he discharges the obligation even of experts...

In the name of his uncle, Rav Shlomo Zalman Auerbach, Rav David Auerbach rules that a man thus recites *kiddusha rabba* for his family even if he's already discharged his obligation and even if his wife knows how to recite *borei peri ha-gafen*, as long as he at least plans on drinking some wine, so that the *beracha* is meaningful for him:

Rav David Auerbach, *Halichot Beitah* Kiddush 15:15

Also women are obligated in this kiddush, and someone who already discharged the obligation of kiddush [as with kiddush that took place in the synagogue] is permitted to recite kiddush in his home for his wife, and he should also drink from the wine…Note 39: …And from my uncle Rav Shlomo Zalman Auerbach I heard that there is no place to be stringent with this at all…and this is what is customary in practice.

Rav Auerbach sees no place for stringency here. Someone who has heard and had kiddush in synagogue can freely recite it for others at home.

Concluding Thought

What connects each of the practical issues that we've discussed in this piece—*she-hechiyyanu*, eating before kiddush, and discharging obligations following prayer? In each case, we often need to balance having more than one person obligated in a mitzva and more than one way to fulfill it with the desire to keep a household united and also to glorify God's name together. We've seen that in practice there are many ways to achieve this balance in different circumstances.

1. See a summary halachic discussion here: <https://www.theyeshivaworld.com/news/headlines-breaking-stories/212613/halachically-speaking-chamar-medina.html> and here (in Hebrew): <https://olamot.net/shiur/%D7%97%D7%9E%D7%A8-%D7%9E%D7%93%D7%99%D7%A0%D7%94-%D7%9C%D7%A7%D7%99%D7%93%D7%95%D7%A9-%D7%95%D7%94%D7%91%D7%93%D7%9C%D7%94> [↑](#footnote-ref-1)
2. Responsa *Iggerot Moshe* OC IV 101:2

   …Those [women] who are permitted to eat prior to prayer, if they need to make kiddush on Shabbat and Yom Tov, as Mishna Berura wrote in *Bei'ur Halacha* 289:1 regarding men. Behold, in my humble opinion, his wife does not need to recite kiddush, for she is subject to her husband to eat specifically with him, and since her husband is prohibited from eating prior to prayer and it is not possible for him to eat the meal before prayer, this is not her time to eat either, for therefore the obligation of kiddush does not fall upon her and she is permitted to eat without kiddush…But in any case when her husband has already prayed and is permitted to recite kiddush and to eat, but he wants to wait for whatever reason or need, since the obligation of kiddush has already fallen on her husband, it naturally falls on her also and she needs to recite kiddush if she wishes to eat something before her husband wishes to eat. [↑](#footnote-ref-2)
3. Available here: https://hebrewbooks.org/pdfpager.aspx?req=7849&st=&pgnum=478 [↑](#footnote-ref-3)
4. Some have argued that a woman who does not accept Yom Tov at candle-lighting, but rather lights on condition that she be able to continue to perform labor prohibited on Yom Tov, should therefore not recite *she-hechiyyanu* at lighting, though this is debated.

   *Tzitz Eliezer* X 19:5-6

   Indeed it seems that on Yom Tov that falls on Shabbat she cannot make such a condition [to perform labor after lighting] , unless she also does not recite the *beracha* of *she-hechiyyanu* at the time of lighting (and similarly on Yom Tov if she does not delay the lighting to the night (See Peri Yitzchak I 6). And if she wants to make a condition, she also needs not to recite *she-hechiyyanu* then. For if she recites a *beracha* of *she-hechiyyanu*, this *beracha* contradicts the condition, for its meaning is drawing in and accepting the sanctity of the day upon her [the woman]…Still, it occurs to me that perhaps the condition would even work when she recites the *beracha* of *she-hechiyyanu*…and she should just have in mind, together with the condition, that the *she-hechiyyanu* she recites is only on the mitzva of lighting. But she will accept *tosefet Yom Tov* [early reception of Yom Tov] afterwards, and she will discharge her obligation with the *beracha* of *she-hechiyyanu* that she hears during kiddush. [↑](#footnote-ref-4)
5. Since the *she-hechiyyanu* is generally understood as related to Yom Tov, and not specifically to candle-lighting, some maintain that a woman who recites the *beracha* on lighting prior to kindling the Yom Tov candles should arguably hold off with her *she-hechiyyanu* till after she lights, since it is not directly related to her candle-lighting.

   Responsa *Yechaveh Da'at* III 34

   According to this if a woman recites the *beracha* of *she-hechiyyanu* after the *beracha* on the candles, it is possible that the *beracha* of *she-hechiyyanu* is considered a break between the *beracha* on the mitzva and performing it, since our sages did not enact reciting *she-hechiyyanu* on the lighting. [↑](#footnote-ref-5)
6. Rav Wosner also defends the practice when a woman lit candles before sunset, as on a Yom Tov that takes place on Shabbat, since then the *she-hechiyyanu* arguably did not take full effect, since Yom Tov had not yet begun.

   *Shevet Ha-Levi* III 69

   …Specifically when Yom Tov falls on Shabbat, that they [women] recite the *berachot* while it is still daytime, and on other *Yamim Tovim* it is also fitting to do thus, and so the halacha is practiced among us, and allow Israel… [↑](#footnote-ref-6)
7. Available here: https://mishpacha.com/shehecheyanu-moments-five-stories/ [↑](#footnote-ref-7)
8. Shulchan Aruch OC 273:5

   The Ge'onim wrote regarding [the halacha] that kiddush is only in the location of a meal, even if he ate a little or drank a cup of wine [of a quantity] that requires a *beracha* [afterwards], he has discharged the requirement of kiddush in the location of a meal and completes his meal in another place. And specifically if he ate bread or drank wine, but if he ate fruit, no.

   Mishna Berura 273:26

   Fruit, no - For the five species [of grain] are called sustaining food [*mazon*] and wine feasts the heart, but other things, even if he ate a lot of them, are not considered a meal at all…And behold in Shiltei Gibborim, he wrote that even with fruits it is enough [of a meal for kiddush], for all meals of Shabbat are considered established [regardless of the food], but the opinion of Tur and Shulchan Aruch is the fundamental halacha [Magen Avraham]. But if he is a bit sick and he does not now have [food from] the five species to eat after the cup [of kiddush], the opinion of some later authorities is that one can rely on the Shiltei Gibborim in the morning [as a meal for kiddush], but at night certainly one cannot rely on him, for the remainder of halachic authorities don’t understand it as he does. [↑](#footnote-ref-8)
9. Rosh *Pesachim* 10:5

   For Shemuel said kiddush is only in the location of the meal, as it is written "and you will call Shabbat a pleasure" in the place of pleasure [of the meal], there will be calling [kiddush]. [↑](#footnote-ref-9)
10. Rashba, *Pesachim* 101a

    Even the obligation of kiddush they did not discharge. As we explain its reason later on, kiddush is only in the location of a meal, as is written (*Yeshaya* 58) "And you will call Shabbat a pleasure," in the place that you call Shabbat, which is to say calling of kiddush, there will be the pleasure [meal], and it is a midrash. [↑](#footnote-ref-10)
11. Tur OC 273

    I saw it written in the name of the Ge'onim that someone who recited kiddush for the members of his household, and came to other people, does not recite kiddush for them. And I am surprised if the Ge'onim wrote thus and Behag drew a distinction: if he came to others who don’t know how to recite kiddush, he recites kiddush for them. But if they know how to recite kiddush, he does not recite kiddush for them…

    Beit Yosef OC 273

    His reason is because of that which we say (*Rosh Ha-shana* 29a) all *berachot*, even though one has discharged his obligation he can discharge another's, these words are to discharge the obligation of one who is not expert [in reciting the *beracha*[, but not to discharge one who is expert [↑](#footnote-ref-11)