

Havdalah in Davening

- I. Introduction. One of the more unusual *mitzvot* that we are commanded to perform is the *mitzvah* of *havdalah*. It is unusual in the sense that we perform this *mitzvah* two or three times each *motza' ai Shabbat*, once in davening, once over a cup of wine, and some recite the passage *baruch hamavdil bein kodesh l'chol* before doing any *melachah*. In this essay we will explore the source for the *havdalah* in *davening*, discuss its parameters, and shed light on some of the *halachot* of *havdalah* based on the nature of *havdalah b'tfilah*.
- II. The source for *havdalah b'tfilah*. The *gemara* (*Berachot* 33a) records that originally the rabbis instituted the recitation of *havdalah* in *davening*. Subsequently, when Jews became more affluent and were able to afford wine, the rabbis instead required that it be recited over a cup of wine. In later times, when the financial standing of the Jewish community slipped, the rabbis resorted to the earlier decree to recite *havdalah* during *davening*. In order to guarantee that the method with which one is supposed to recite *havdalah* not change constantly with the affluence of the community, the rabbis made a permanent decree to recite *havdalah* during *davening*, and insisted that one who says *havdalah* in *davening* still recite *havdalah* over a cup of wine. (See *Rashba ad loc.* and *Shulchan Aruch Harav* 294:2).
- III. Does one fulfill the biblical obligation of *havdalah* during *davening*?
 - A. Is *havdalah* a biblical or rabbinic obligation?
 1. Opinion of the Rambam. The Rambam (*Hilchot Shabbat* 29:1) writes that the biblical commandment of “*zachor et yom hashabbat l'kadsho*” consists of mentioning the praises of *Shabbat* when it begins (with *kiddush*) and when it ends (with *havdalah*), clearly indicating that the obligation to say *havdalah* is biblical in nature.
 2. Opinion of Rabeinu Tam. The Rabeinu Tam is cited in the response of the Rosh (11:3) as having ruled that the obligation to recite *havdalah* is only rabbinic in nature.
 - B. What is accomplished with *havdalah* during *davening*?
 1. Novel approach of the *Chatam Sofer*. *Responsa Chatam Sofer* (*Orach Chaim* 21) writes that one who plans on reciting *havdalah* over a cup of wine does not even fulfill his biblical obligation with *havdalah* in davening. He reasons that although the text of *havdalah* is recited during the *davening*, the fact that the person plans on saying it later with wine, is an indication that his explicit intent is not to fulfill the obligation through this recitation in the *davening*. Any *mitzvah* that a person does with explicit intent not to fulfill his obligation, carries no weight.
 2. Apparent contradiction in the *Mishnah Berurah*. In *Hilchot Kiddush* (271:2), the *mishnah Berurah* cites the opinion of the *Magen Avraham* that one fulfills his biblical obligation of *kiddush* with the Friday night davening, and strongly disagrees with this approach. The *Mishnah Berurah* points out that one

requires intent to fulfill the *mitzvah*, which he clearly does not have when he plans on reciting *kiddush* again later over wine (similar to the logic employed by the *Chatam Sofer* regarding *havdalah*). In *Hilchot havdalah*, however (296:1) the *Mishnah Berurah* clearly rules that one does indeed fulfill his biblical obligation for *havdalah* during davening. The contradiction is readily apparent. If the fact that a person plans to say *kiddush* later over a cup of wine suffices to make his *kiddush b'tefilah* meaningless, why does it not do the same for *havdalah*?

3. Resolving the contradiction. It seems, that according to the *Mishnah Berurah* there is a fundamental distinction to be drawn between *kiddush b'tefilah* and *havdalah b'tefilah*. Whereas by *kiddush* the primary *takanah* of reciting *kiddush* was to do so over a cup of wine, in regards to *havdalah* the primary *takanah* was to say *havdalah* during davening. It is only in more prosperous times that we are at all required to recite *havdalah* over a cup of wine. As such, one who recites *kiddush b'tefilah* clearly prefers to fulfill his obligation through the recitation over the cup because that is his primary obligation. When reciting *havdalah*, however, the primary obligation is to recite it in *havdalah*. Furthermore, the fact that one praises the *Shabbat* during his *shemonah esrei* is a function of the text of *tefilat Shabbat* rather than an additional phrase of *kiddush* added to the *tefilah*. One who recited the regular *habbat shemonah esrei* has no intention whatsoever to fulfill his obligation of *kiddush*. *Havdalah b'tefilah*, however, is a separate paragraph added to the davening for the express purpose of fulfilling the *mitzvah* of *havdalah*, and one who recited it certainly intends for the recitation to fulfill its purpose.

IV. Using other drinks for *havdalah*. Based on the above distinction between *kiddush* and *havdalah* we may better understand a perplexing custom that many Jews have when reciting *havdalah*. Rav Moshe Shternbuch (*Teshuvot V'hanhagot* I #260) states that Rav Chaim Ozer allowed people to recite *havdalah* over sweetened tea, even though he did not allow this for *kiddush*. Why, wonders Rav Shternbuch, are we more lenient with the type of drink used for *havdalah* than we are with *kiddush*? The answer to this question is based on the distinction we have expressed. Since the primary *takanah* of *kiddush* is to say it over a cup of wine we tend to be much more strict about the wine that we use. Since the primary *takanah* of *havdalah* is to recite it during davening, and *havdalah al ha'kos* is only a secondary *takanah*, we are more lenient with the type of drink used.

- A. How do we *pasken*? The *Shulchan Aruch* (296:2) clearly rules that one may use beer for *havdalah*. *Rama*, however adds that where wine is available it is certainly the preferred choice of beverage for *havdalah*.

Rabbi Shmuel Vosner (Responsa *Shevet Halevi* V #32) writes that if one has wine in the house, even if the bottle is closed, and it is inconvenient to open a new bottle for *havdalah*, one is required to do so. If there is no wine in the house one may use *chamar medinah*. It is important to note that not every beverage that is commonly drunk is considered to be *chamar medinah*. The only beverages that are practically universally agreed upon to be *chamar medinah* are beer and whiskey. Fruit juices are only considered to be *chamar medinah* by some *poskim*, and soda is not considered to be *chamar medinah* by the large majority of the *poskim*.

- V. Conclusion. We have worked to explore the very nature of the obligation to recite *havdalah* during davening. This understanding allowed us to distinguish between *havdalah* and *kiddush* both in regard to how one fulfills the biblical obligation, as well as what drink may be permissible to use.