

Preparation and Serving of Food on Shabbat in the Synagogue

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This paper was adopted as a Minority Opinion on November 4, 1981 by a vote of 3 in favor, 6 opposed and 7 abstentions. Members voting in favor: Rabbis David M. Feldman, Mayer E. Rabinowitz and Joel Roth. Members voting in opposition: Rabbis Kassel Abelson, Edward M. Gershfield, David Graubart, David H. Lincoln, David Novak and Henry A. Sosland. Members abstaining: Rabbis Jacob Agus, Ben Zion Bokser, Robert Gordis, Salamon Faber, Wolfe Kelman, Morris M. Shapiro and Harry Z. Sky.

Note: "Preparing and Serving Food on Shabbat," a paper by Rabbi Kassel Abelson, was adopted as the Majority Opinion on November 4, 1981 by a vote of 6-3-7. It appears preceding this paper.

Many questions have been directed to the Committee on Jewish Law and Standards concerning the preparation and serving of food on Shabbat in the synagogue, the physical preparations necessary for catered affairs that take place on *motzei Shabbat*, what caterers may or may not do for affairs on Shabbat and *motzei Shabbat*, the hiring of non-Jews to work on Shabbat, etc. This paper will not attempt to be a comprehensive treatment of Shabbat observances in the synagogue or for that matter at home. It will try to deal with some of the specific questions raised concerning the above issues. General principles and values concerning these questions will be discussed. However, the purpose of the paper is not to give a series of specific answers, but rather an overall approach to the problem.

In its celebrated responsum on the Sabbath, the Committee on Jewish Law and Standards constantly reiterated that the decisions were made as part of a program of revitalization of the Sabbath.¹ "The preservation of the Sabbath spirit and of Sabbath practices is an indispensable element in any program for the Jewish future."² Rabbi Isaac Klein quotes many opinions concerning *issur melakhah* on Shabbat and its place in understanding the significance of Shabbat.³ Without any doubt, the desired outcome of the responsum on the Sabbath, namely the revitalization of Shabbat observances, was overshadowed and lost. Rather than increasing the

observance of Shabbat among our congregants, the responsum led to further weakening of Shabbat observances. What was accepted and remembered were the *heterim* -- and not the overall program. The justification for the *heterim* was that by bringing the people to the synagogue we would be able to teach them how to live as Jews, since the synagogue is the educational vehicle for teaching observance of mitzvot. To this end the synagogue must adopt a maximalist approach in its observances, so that it can serve as a model for our congregants. An example of this approach is the area of kashrut. What may be acceptable at home or at a restaurant is not acceptable in the synagogue. For example, food must have a *hekhsher* in order for it to be brought into the synagogue. Food cooked at home is not permitted in the synagogue in order to maintain a maximalist approach for observances in the synagogue. This approach should be extended to the questions concerning catering and serving of food in the synagogue on Shabbat and *motzei Shabbat*. The following principles should serve as the guidelines to what should be permitted.

Prohibited Activity in Making Preparations on Shabbat or Yom Tov for the Weekday⁴

In order to maintain the primacy of Shabbat, all preparations and/or work for functions that will take place after Shabbat should be prohibited on Shabbat itself. This would include, for example, the setting up of tables, arranging of flowers, accepting deliveries, warming of food, cleaning of rooms, cutting salad, etc. Obviously, anything that would entail violating a *melakhah* is prohibited, just as the product prepared in such a way would be prohibited on Shabbat itself. If we wish to utilize the opportunity to educate our people how to observe Shabbat and how important Shabbat is within the framework of Judaism, it would be counter-productive to permit activities on Shabbat whose sole purpose is to prepare for functions that will take place on *motzei Shabbat*. The only message we would get across by permitting this activity to take place is that Shabbat is not as important as the catered affairs that take place on *motzei Shabbat*.

The United Synagogue has established guidelines which require all preparations by a caterer to be completed by Friday, 3:00 P.M., and nothing may be removed until after Shabbat.⁵ This applies to affairs that take place on Shabbat; how much the more so should it be the practice for affairs taking place after Shabbat. If our laity has taken a stand prohibiting preparation on Shabbat, it would be a *hillul Hashem* for the Committee on Jewish Law and Standards to permit such practices.

In order to make it clear both to caterers and to the people using their services, it should be stated unequivocally that no affair is to start (that is to

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say -- no one may arrive or use the facilities) until after Shabbat is over. Caterers and their workers should not be permitted to enter the synagogue premises until after Shabbat so that the Ma'ariv service will not be disturbed, nor should people arrive early before Shabbat has ended. Many synagogues require this and they have not lost business.

Avoiding Work Which Is Not in the Spirit of Shabbat

Anything that either looks like one of the prohibited *melakhot*, or may lead to acts that constitute a major desecration of Shabbat, or that requires effort should be prohibited because it is not in the spirit of Shabbat.⁶

Once again we have a wonderful opportunity to instruct our congregants about Shabbat and the spirit of Shabbat. While it is possible in many areas to permit certain actions by using legalisms, it seems to me that our Committee on Jewish Law and Standards should emphasize that the "standard," i.e., the spirit of the law, is as important as, if not greater than the law itself. Therefore, for example, even without the concept of *issur hakhanah miShabbat lehol*, we should prohibit the setting up of tables, chairs, dishes, trays, etc. for *motzei Shabbat* affairs because of the violation of the spirit of Shabbat. Shabbat should not become a day used to prepare for *motzei Shabbat*. Without the concept of *shevut*, there can be no Shabbat.

While it is true that the reasons for some *gezerot* and the nature of *uvdin dehol* have changed, nevertheless, when it comes to practices permitted or prohibited in the synagogue on Shabbat, we should be very careful to maintain the concept of *uvdin dehol*, and prohibit those activities that are in violation of the spirit of Shabbat.

Prohibition Against Cooking and/or Boiling of Water

Any food (including water for tea or coffee) which is to be used on Shabbat in the synagogue should be cooked and/or boiled prior to Shabbat.⁷ Therefore, when using either electric or gas urns, the water should be boiled prior to Shabbat. Unboiled water may not be added to the urns once Shabbat begins.

An electric urn that is controlled by a thermostat may be used on Shabbat, provided that the water is boiled prior to Shabbat and that unboiled water is not added to it. If additional water is necessary, then a pot of water should be boiled before Shabbat and either kept on a stove covered with a tin plate (*blech*), or left on the countertop during Shabbat. When needed, it can be poured into the urn, provided that the water will not reach the boiling stage.

These urns should not be turned off Friday night and turned on by a non-Jew on Shabbat morning, because the turning off of the urn will cause the thermostat to start anew and bring the water to a boil before shutting off. This, of course, is prohibited.

No frozen food that requires cooking for it to be eaten can be heated and used on Shabbat. For example, frozen blintzes which must be baked or fried to be eaten cannot be used. Likewise, frozen vegetables which must be cooked in boiling water cannot be used. However, foods which have been completely cooked and then frozen -- and can be eaten when thawed -- can be heated on Shabbat using a tin plate (*blech*) on a stove lit before Shabbat. One must differentiate between liquids and solids, and be careful not to bring the food to a boil.⁸

The general rule we should follow in the synagogue is that we should not do anything there that we prohibit at home. The maximalist approach should be followed in order to emphasize the spirit and uniqueness of Shabbat, so that it can be a learning experience for our congregants.

Amirah Legoy Asurah Mishum Shevut

In order to instruct our congregants in regard to how to observe Shabbat, it is incumbent upon us not to have non-Jews perform acts on Shabbat that are prohibited to Jews.⁹ If standards are to mean anything, and if the spirit of the law is important, then the use of a "Shabbes goy" should be prohibited. To claim that we can have non-Jews cook on Shabbat and that Jews may partake of this food because the non-Jew is doing it for himself is a sham. It is obvious that the food was prepared for Jews since catered affairs do not take place in the synagogue on Shabbat except for Jewish customers. To permit something in the synagogue that we would not permit or do at home would certainly not be the maximalist position the synagogue should strive for, nor would it help teach our congregants the importance of Shabbat observances.

The use of a non-Jewish caretaker to perform tasks which could be done by automatic devices should be discouraged.

Even though a non-Jew can be assigned specific duties on Shabbat as part of his responsibilities, we should prohibit any and all duties that either are done publicly or are obviously done for the sake of Jews.

SUMMARY

In order to enable us to use the synagogue as an educational means to teach the importance of Shabbat and its observances, we should adopt the

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following guidelines:

- (1) The synagogue should follow a maximalist posture concerning observances.
- (2) We should be guided by the spirit of the law, as well as by the letter of the law.
- (3) No preparations may be done on Shabbat for activities that will take place after Shabbat.
- (4) Strict guidelines concerning the opening of the synagogue on *motzei Shabbat* for caterers and guests should be set (1/2 to 1 hour minimum) and enforced.
- (5) Cooking and/or boiling of water on Shabbat is prohibited.
- (6) The use of non-Jews should be avoided except in cases of emergencies or illness. Automatic devices should be used whenever possible and stoves should be lit before Shabbat and left on until *motzei Shabbat*.

NOTES

1. Morris Adler, Jacob Agus and Theodore Friedman, "A Responsum on the Sabbath," in *Tradition and Change*, ed. Mordecai Waxman (New York: Burning Bush Press, 1958) pp. 360-361.
2. *Ibid.*, p. 354.
3. Isaac Klein, *A Guide to Jewish Religious Practice* (New York: The Jewish Theological Seminary of America, 1979), pp. 78-81; 94.
4. See

משנה ברורה ס' תקג ס"ק א, שם ס' שב ס"ק יט, מגן אברהם ריש ס' תקג, שו"ע הרב ס' שב ס"י, רמב"ם הלכות שבת פכ"ג ה"ז, ראב"ד שם, מ"מ שם, הגהות מיימוניות להלכות סוכה פ"ו הל' יד אות א, שו"ע או"ח הלכות שבת ס' שכג ס"ו.

For a full discussion, see

אינצקלופדיה תלמודית כרך ט, ערך הכנה (דף קטז ואילך)

5. United Synagogue of America Congregational Handbook, Catering and House Rules, House Rules, p.4, no. 4.
6. See *Kalkelet Shabbat* in Mishneh Tiferet Yisrael, *Seder Moed*. See also Klein, *Guide to Jewish Practice*, p. 84.
7. For a definition and outline of rules concerning these various issues, see Klein, *Guide to Jewish Practice*, pp. 87-88.
8. *Ibid.* See also Neubert, *Shemirat Shabbat Kehilkhatah*.
9. For a list of sources dealing with the reasons for this prohibition, see Neubert, *Shemirat Shabbat Kehilkhatah*, p. 237, *he'arah bet*.

