**YESHIVAT HAR ETZION**

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

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**THE LAWS OF THE BERAKHOT**

**Rav David Brofsky**

**Shiur #57:**

**Customs and Halakhic Quandaries on *Shavuot***

This week, we will take a short break from our study of the laws of *berakhot* in order to address food and *berakhot*-related halakhic issues that arise on the Festival of Shavuot, specifically due to the custom to eat dairy food and the custom to remain awake all night learning.

**The Custom to Eat Dairy Foods on Shavuot**

One of the most well known customs associated with Shavuot is the practice of eating dairy foods. R. Isaac Tyrnau records in his *Sefer Ha-Minhagim* (Hagahot U-Minhagim, Chag Ha-Shavuot) that this custom is alluded to by the verse (*Bamidbar* 28:26), “*Mincha* ***CH****adasha* ***L****a-Shem* ***B****e-Shavuoteichem*,” the first letters of which spell “*chalav*” – milk. This practice has generated much discussion in halakhic literature.

First, aside from the textual hint, what is the reason for this custom? The Rema (494:3) explains that in remembrance of the *shetei ha-lechem*, the two loaves offered in the *Beit Ha-Mikdash* on Shavuot, we wish to eat two loaves of bread at the meal. Since one is not permitted to use the same loaf of bread for both a dairy and meat meal (Shulchan Arukh, *Yoreh De’ah* 89:4), we eat a dairy meal and then a meat meal in order to ensure that two loaves are eaten.

The Magen Avraham (494:6) offers another reason. He notes that the Zohar equates the seven weeks between Pesach and Shavuot to the seven “clean days” (*shiva nekiyim*) that a women counts before purification. Just as the women is “pure” after these seven days (after immersing in the *mikva*), so too the Jewish People are purified from the impurity of Egypt after *sefirat ha-omer*. Milk is viewed symbolically as antithetical to *tum’a*, as a woman who produces milk and nurses generally does not menstruate. We therefore eat dairy foods on Shavuot.

The Mishna Berura’s (494:12) reason is possibly the most well known. He explains that after receiving the Torah, the Jewish People were no longer able to eat their meat; they had to properly slaughter and prepare new meat in kosher vessels. This process is time consuming, and they therefore ate dairy products, whose *halakhot* are less intricate and which can be prepared in less time. The Mishna Berura (494:13) also cites the Kol Bo (52), who explains that since the Torah is compared to milk and honey (*Shir Ha-Shirim* 4:11), it is customary to eat dairy, and even honey, on Shavuot. The *Acharonim* offer additional reasons for this custom as well.

This practice raises numerous halakhic concerns:

**1. *Simchat Yom Tov***: The Torah commands in three places that one should “rejoice” on *Yom Tov* (*Devarim* 16:14-15). In the days of the *Beit Ha-Mikdash*, the *mitzva* of *simchat* *Yom Tov* was fulfilled through eating the meat of the various *korbanot* offered on the festival.

Does the *mitzva* of *simchat* *Yom Tov* apply nowadays, after the destruction of the *Beit Ha-Mikdash*, and if so, in what way? Tosafot (*Moed Katan* 14b) asserts that nowadays, when the festival sacrifices (*shalmei simcha*) are no longer offered, the *mitzva* of *simcha* on *Yom Tov* is only *mi-derabbanan*. Indeed, this is most likely the intention of the *gemara* (*Pesachim* 109a) which teaches, “When the *Beit Ha-Mikdash* is standing, *simcha* is only with meat … and when the *Beit Ha-Mikdash* is not standing, *simcha* is only with wine.” This passage implies that although nowadays one cannot fulfill the *mitzva* of *simcha* through eating the meat of the *korbanot*, one may still fulfill the *mitzva* of *simcha*, but in a different manner.

The Rambam (*Hilkhot* *Yom Tov* 6:17-18), however, disagrees. He rules that even nowadays, one fulfills the Biblical *mitzva* of *simchat* *Yom Tov*:

Even though the *simcha* mentioned here refers to the *korban shlamim* … included in this *simcha* is to make his children and members of his household joyous, each one according to his means. How? For children, one gives roasted kernels and walnuts and candies. For women, one buys clothing and pleasant jewelry based on what one can afford. And men eat meat and drink wine, for *simcha* is only with meat and wine.

Although one may fulfill the *mitzva* of *simchat* *Yom Tov* nowadays through various other means, we might still ask whether one must eat meat or drink wine on the festivals. The Rambam writes that one should “eat *meat* and drink wine,” as “*simcha* is only with meat and wine” (6:18). This ruling is somewhat troubling, given that the *gemara* cited above (*Pesachim* 109a) refers only to wine! R. Shlomo Luria, the Maharshal (1510–1573) (Yam Shel Shlomo, *Beitza* 2:5), defends this position and explains that nowadays, when one cannot visit the *Beit Ha-Mikdash* and partake of the meat of the *korbanot*, one should supplement his *Yom Tov* meal, during which one eats meat, with wine as well. R. Yoel Sirkis (1561-1640), in his commentary to the Tur, the *Bayit* *Chadash* (*Bach* 529), as well as R. Barukh Ha-Levi Epstein (1860-1941), in his *Torah Temima* (*Devarim* 16:14) concur.

R. Yosef Karo, however, disagrees (Beit Yosef 529), and in his Shulchan Arukh, he does not mention an obligation to eat meat on *Yom Tov* (Shulchan Arukh 529). Many *Acharonim* write that one should preferably eat meat on *Yom Tov* (Bi’ur Halakha 529, s.v. *keitzad*; Yechavveh Da’at 6:33; Iggerot Moshe, *Orach Chayim* 3:68, et. al.). Some even discuss whether one may fulfill this *mitzva* with fowl (see, for example, Leket Yosher 157:3, Chavot Yair 178; Torah Temima ibid. See Shevet Ha-Levi 3:18, who records that it is not customary to insist upon eating beef on *Yom Tov*).

If there is indeed a *mitzva* to eat meat on Yom Tov, then the ancient custom discussed above to eat dairy foods on Shavuot seems to contradict this *halakha*. Indeed, even the *Sefer Ha-Minhagim* cited above writes that one should still eat meat on Shavuot, as “there is no happiness without meat.”

R. Tzvi Hirsch Shapiro (1850-1930), the second Munkaczer Rebbe, discusses this issue at length in his Darkhei Teshuva (*Yoreh De’ah* 89:19). He relates that some suggest eating a dairy meal at night and a meat meal during the day. This is the custom in many communities, and it was the practice of R. Yaakov Yisrael Kanievsky (1899–1985), the Steipler Gaon (*Orchot Rabbeinu*, vol. 2, p. 98). R. Shapiro argues, however, that whether or not *simchat yom tov* is Biblically mandated at night is subject to a debate among the *Acharonim* (as discussed by the Sha’arei Teshuva 529:4), and it is therefore improper *not* to eat meat at night. In addition, the Rema cited above implies that dairy food is meant to be eaten in addition to meat at the same meal in order to obligate two loaves. For this reason, the Sefer Yosef Ometz (854) records that it is customary to eat dairy on the first day of Shavuot, but that one should eat meat afterwards.

**2. *Basar Be-Chalav***: One who wishes to eat both dairy and meat at the same meal, in order to fulfill both the ancient custom and the *mitzva* to eat meat on Yom Tov, must be careful not to violate the laws of *basar be-chalav*. How can one eat dairy after eating meat?

The *gemara* (*Chullin* 105a) states: “R. Chisda said: One who ate meat may not eat cheese; one who ate cheese is permitted to eat meat.” The Shulchan Arukh (YD 89:2) rules, in accordance with this *gemara* and its continuation, that after eating dairy, one should check if one’s hands are clean (and wash them if they are not), and one should chew on a solid substance (“*kinuach*”) and rinse one’s mouth (“*hadacha*”).

The *gemara* explicitly states that after eating cheese, one may eat meat. R. Moshe Isserlis, however, in his Darkhei Moshe commentary to the Tur (*Yoreh De’ah*89), cites a *teshuva* of the Maharam Mi-Rutenburg, who relates that he once found cheese between his teeth in between meals. He thereafter decreed upon himself to wait after eating cheese the same way he waits after meat, although he was lenient regarding chicken. The Darkhei Moshe (89:2) continues to cite other sources that limit this stringency to cheese that has aged at least six months. In his comments to the Shulchan Arukh (Rema, *Yoreh Dea’h* 89:2), he cites the custom of waiting after hard cheese, even before eating chicken. He notes, however, that others are lenient and says not to rebuke those who are lenient, as long as they do “*kinuach*,” “*hadacha*,” and “*netilat yadiyim*.” He concludes, however, that “it is good to be stringent.”

How should one conduct himself if he wishes to eat both meat and milk at the same meal? Some (see Magen Avraham 494:6; Mishna Berura 494:12) write that one who does not eat hard cheese can simply clean and rinse one’s mouth, and then eat meat at the same meal. R. Ovadia Yosef (Chazon Ovadya, Yom Tov, p. 318) writes that this is his practice. Others (see Be’er Heitev 494:8, citing the Kenesset Gedola and the Shelah) insist that one should eat dairy and then recite the *Birkat Ha-Mazon*, in deference to the Zohar (*Parashat Mishpatim*), which implies that one should not eat meat and cheese in the same meal. Still others (see Orach Mishor, as cited by the Darkhei Teshuva) object to this practice, on the grounds that reciting *Birkat Ha-Mazon* in between the meals constitutes a recitation of a “*berakha she-eina tzerikha*” (an unnecessary blessing), but R. Moshe Feinstein (Iggerot Moshe, *Orach Chaim* 1:160) endorses this practice.

The Darkhei Teshuva, cited above, offers a different suggestion:

The preferred practice is the custom which I received from my teachers and my ancestors – to eat a dairy meal immediately after the morning prayers, during the *kiddush*, without bread, but only as a “*se’udat arai*.” And then one should recite the blessing afterwards, wait a bit more than an hour, and then eat the day meal with meat and wine. That is the preferred custom in my opinion, and with this one fulfills one’s obligation according to all.

This custom also appears in the Luach Eretz Yisrael of R. Yechiel Michel Tekuchinsky.

Interestingly, R. Yitzchak Ze’ev Soloveitchik (1886- 1959), in his commentary to the Torah (*Parashat Yitro*), suggests that the custom of eating milk and meat at the same meal affirms the commitment the Jewish People, who, unlike the angels, are able to fulfill the *mitzvot* with their bodies, with great zeal and alacrity.

**3. Dairy and Meat and the Same Table – Halakhic Concerns:** The Rema, cited above, implies that meat and dairy are eaten at the same meal, but one should eat two separate loaves of bread – one for the dairy part of the meal and one for the meat. What is the source of this law, and what are the halakhic concerns regarding eating meat and dairy at the same table?

The Rabbis not only prohibited eating milk after meat, but also imposed restrictions relating to the physical proximity of milk to meat. The *mishna* (*Chullin* 103b) states that "it is prohibited to place (meat) on the table with cheese." The next *mishna* (*Chullin* 104b) explains that this prohibition only applies to a "table on which one eats; but on a table onto which one merely places the food, one may put one alongside the other without concern." This Shulchan Arukh (Y.D. 88:1) rules in accordance with these *mishnayot*, explaining that we are concerned that keeping milk and meat on the same table may lead one to eat them together.

The *gemara* applies this *halakha* not only to the presence of two foods on one table, but also to the proximity of two people eating milk and meat at the same table. The *mishna* (*Chullin* 107b) states: "Rabban Shimon ben Gamliel said: Two guests may eat at the same table – one meat and one milk – without any need for concern." The *gemara* explains that the *mishna* refers to a case where the two guests do not know each other. If they DO know each other, then even if they don't particularly "like" one another, they may NOT eat meat and milk on the same table. The *gemara* limits this prohibition, however, to eating "*be-ke'en tefisa achat*," literally "with the appearance of being handled together." If they do not eat in this manner, then even two acquaintances may eat meat and milk together at the same table. Tosafot (*Chullin* 107b) explain that "*ke’en tefisa achat*" refers to the physical proximity of the two people eating meat and milk. Since these two acquaintances eat on the same table, we consider them as if they eat together, giving rise to the concern that one may eat from the other's plate. Therefore, Tosafot write, if one can create a noticeable "*heker*," or separation, between the two guests, they MAY eat their meals on the same table. Tosafot observe the custom to either place a loaf of bread or pitcher in between them, or to make a point of eating on separate placemats. In either of these scenarios, enough of a separation is established that one will not come to eat off the other's plate. The Shulchan Arukh (Y.D. 88:2) rules accordingly.

Furthermore, the Tur (Y.D. 91) cites the Yerushalmi (*Pesachim* 6:4) which requires one who wishes to eat meat to remove all bread from the table if cheese had been eaten on it. Apparently, this requirement stems from our concern that the bread may have touched the cheese on the table. The Shulchan Arukh (Y.D. 89:4) also cites this *halakha*, requiring that one remove from the table all leftover bread before eating meat. R. Moshe Feinstein (*Iggerot* *Moshe*, *Yoreh De’ah* 1:38) writes that the *halakha* requires one to remove only sliced pieces of bread from the table. However, since one is generally careful not to let the loaf itself touch the other food on the table, one may use full leftover loaves of bread with meat.

The Hagahot Ashri (*Chullin* 8:7), citing the Or Zarua, deems it a "*mitzva min ha-muvchar*" to remove ALL food that was on the table during the dairy meal, before eating meat on that table. The Beit Yosef, as well as the Arukh Ha-Shulchan (Y.D. 89:15) and other *Acharonim*, cite this stringency. Therefore, some have the custom of not using salads, kugels ,and other foods eaten during a dairy meal with meat. R. Moshe Feinstein, in the aforementioned *teshuva*, explains that this practice constitutes a *chumra*, a "*ma'alah le-harchaka yetera*," and is not required by the Yerushalmi.

It seems that one should employ simple common sense regarding this matter.

In addition to leftovers, the *poskim* speak as well about a tablecloth used during a dairy meal. The Ramban (Teshuvot Ha-Meyuchasot Le-Ramban 172) writes that one should not use the same tablecloth for meat and dairy meals, as drops of grease and other residue often stick to the table. The Shulchan Arukh (Y.D. 89:4) rules accordingly. The Pitchei Teshuva (Y.D. 89:8) cites the Radbaz, who explains that the Ramban refers to times when meat and cheese were placed directly on the tablecloth. Nowadays, however, when people customarily bring food to the table on plates, the Ramban's stringency is not required and may even be fulfilled by merely shaking out the tablecloth and brushing it off.

**4. Cheesecake – The Proper Blessing:** The custom discussed above, to eat dairy foods on Shavuot, led to the widespread practice of eating cheesecake. R. Moshe Shternbuch, in his Teshuvot Ve-Hanhagot (5:171), explains:

Regarding the custom to eat cheese, it appears that the reason is because most foods spoil when they age. Cheese, however, is better old. The heretics claim that the Torah is old. How are we to observe the Torah after three thousand years have past? We live in a completely different world! We, however, believe that that which is old is good and that God gave us a Torah which is fit for generations until the end of time. Furthermore, most foods need to be cooked in order to be prepared, but cheese does not. The heretics wish to change, to cook, to renew the Torah according to the time. We eat cheese, which has been aged and is precisely as it was without improvements and cooking, as our holy Torah is eternal and it does not need to be fixed; it remains the way it is.

Cheesecake consists of thick layers of cheese (mixed with eggs and sugar) on a thin layer of crust. Unlike an ordinary cake, the crust is very thin and therefore it is not clear which blessing should be said. What is the proper *berakha* to be said over cheesecake?

The Talmud implies that when a mixture contains one of the five grains – such as flour, breadcrumbs, and barley – the blessing is always determined by the presence of the grain. The *gemara* (*Berakhot* 36b; see also 37b) teaches:

Rav and Shmuel have both laid down that over anything containing an ingredient from the five grains, the blessing is *Borei Minei Mezonot*.

This principle states that when a mixture of food contains an ingredient over which one says *Borei Minei Mezonot*, that automatically becomes the appropriate blessing for the mixture.

Elsewhere, however, the *gemara* (*Berakhot* 9a) states:

R. Ashi said: When we were with R. Kahana, he told us that over a broth of beets, in which not much flour is put, the blessing is *Borei Peri Ha-Adama*, but for a broth of turnip, in which much flour is put, the blessing is *Borei Minei Mezonot*. Subsequently, however, he said that the blessing for both is *Borei Peri Ha-Adama*, since the reason why much flour is put in it is only to make it cohere better.

The *gemara* clearly states that if flour is added only to serve as a binding agent, the blessing does not automatically become *Borei Minei Mezonot*.

What is the significance and scope of this principle and what is its relationship to the laws governing the blessing said over an “*ikar*” and “*tafel*”? When does the principle of “over anything containing an ingredient from the five grains the blessing is *borei minei mezonot*” apply?

Many *Rishonim* explain that if flour or other grains simply add taste to the mixture, one says *Borei Minei Mezonot*. However, they disagree as to when this applies.

The Rashba (*Berakhot* 37b) implies that even if the grain product *enhances* another food by adding taste, the blessing still becomes *Borei Minei Mezonot*. Accordingly, it seems that the Rashba would rule that the proper blessing to be recited before a lightly breaded chicken cutlet (schnitzel) is *Borei Minei Mezonot*; even though the chicken is clearly the *ikar*. Since the bread crumbs add taste to the chicken, the blessing becomes *Mezonot*. Other *Rishonim* disagree and suggest that flour can only be viewed as the dominant ingredient, determining the proper blessing, if it is found in a mixture with other ingredients. Therefore, the proper blessing over schnitzel would be *She-Hakol*, as the breadcrumbs are not mixed together with the chicken (and are therefore most likely viewed as secondary to the chicken). This appears to be the view of the Ritva (*Berakhot* 37a, s.v. *Ha-Koses*), and the Rambam (*Hilkhot Berakhot* 3:4-6). The Rambam implies that in order to say the blessing *Borei Minei Mezonot*, not only must the flour add taste to the mixture, but it must also be the primary ingredient of the mixture. If it adds flavor to the food, it is considered to be a primary ingredient.

The Shulchan Arukh (204:12) rules that “if he mixed (flour) in order to add flavor to the mixture, it becomes the primary ingredient (*ikkar*)." It seems that the Shulchan Arukh rules in accordance with the Rambam cited above. Indeed, the Magen Avraham (204:2) writes that the Shulchan Arukh rules in accordance with the Rambam. Elsewhere (168:30), he writes that “if one crumbles very small and thin pieces of bread into warm beer in order to give it taste, one only says *She-Hakol* over the beer… [as] the bread is secondary and his primary intention was to drink the beer.” It appears that the Mishna Berura (212:1) disagrees and rules in accordance with the Rashba (see also 212:1; this seems to be the view of the Vilna Gaon in Be’ur Ha-Gra 208:2). That said, it seems that most *Acharonim* maintain that this principle applies only in a mixture.

Regarding pies, as stated above, when a small amount of grain is mixed with a second ingredient, if it adds taste to the mixture, the proper blessing is *Mezonot*.

Regarding cheesecake, most *poskim* rule that if the crust is significant, even if thin, and it adds taste to the cake, then the proper blessing would be *Borei Minei Mezonot*. As it is unlikely that a *kezayit* of crust will be eaten, however, the *berakha acharona* is usually *Borei Nefashot*. In addition, if eats the cheesecake after Kiddush, but before the meal, one should be sure to eat a *kezayit* of cake, or a *revi’it* of wine, in order to fulfill *kiddush be-makom se’uda*. Alternatively, if the cheesecake is eaten for dessert, one should first say the blessing of *Borei Minei Mezonot*

**Staying Awake All Night- *Tikkun Leil Shavuot***

The earliest mention of the practice of staying up the entire night of Shavuot and learning Torah appears in the Zohar. One passage (Zohar 1:8a) relates:

R. Shimon used to sit and learn Torah at night when the bride joined with her spouse. It is taught: The members of the bride's entourage are obligated to stay with her throughout the night before her wedding with her spouse to rejoice with her in those perfections (*tikkunim*) by which she is made perfect. [They should] learn Torah, Prophets, and Writings, homilies on the verses and the secrets of wisdom, for these are her perfections and adornments. She enters with her bridesmaids and stands above those who study, for she is readied by them and rejoices in them all the night. On the morrow, she enters the canopy with them and they are her entourage. When she enters the canopy, the Holy One, blessed be He, asks about them, blesses them, crowns them with the bride's adornments. Blessed is their destiny.

This passage describes the “wedding” on the “*Shekhina*” with “*Ha-Kadosh Barukh Hu*” (the distinct aspects of God as understood by the Zohar), accompanied by the bridesmaids, the Jewish People, who learn Torah all night, as an adornment of the bride.

The Zohar (*Parashat Emor* 88a) describes this evening again elsewhere:

Therefore, the pious in ancient times did not sleep that night but were studying the Torah, saying, “Let us come and receive this holy inheritance for us and our children in both worlds.” That night, the Congregation of Yisrael is an adornment over them, and she comes to unite with the King. Both decorate the heads of those who merit this. R. Shimon said the following when the friends gathered with him that night: Let us come and prepare the jewels of the bride… so that tomorrow she will be bejeweled… and properly ready for the King.

Although this custom is not cited by R. Yosef Karo in the Shulchan Arukh, there is written evidence of R. Karo holding a night of learning in Salonica (Greece) in 1533. R. Yeshayahu Horowitz, in his Shnei Luchot Ha-Berit (*Massekhet Shavuot*), cites a letter from R. Shlomo Alkabetz, a friend of R. Yosef Karo and author of the *Lecha Dodi* prayer recited every Friday night, describing that evening and how it eventually led to R. Yosef Karo’s move to Tzfat.

By the 17th century, this practice was widespread, and the Magen Avraham (494) records the custom of staying awake all night on Shavuot:

The Zohar says that the early pious ones would stay awake all night on Shavuot and learn Torah. Nowadays, our custom is for most learned people to do so. Perhaps the reason is based on the fact that the Israelites slept all night long and God had to wake them when He wanted to give them the Torah, as it says in the Midrash, and therefore we must repair this.

***Netilat Yadaym, Birkot Ha-Shachar* and *Birkot Ha-Torah***: This practice of staying up all night has led to numerous and in depth discussions regarding whether or not one who has not slept may recite the morning blessings.

Concerning *netilat yadayim*, R. Yosef Karo (OC 4:13) writes that there is a doubt, and the Rema rules that one should wash without a *berakha*. The Mishna Berura (4:30 and in Bi'ur Halakha, s.v. *ve-yitlem*), however, maintains that the *Acharonim* agree that if one uses the bathroom before *Shacharit*, one should then wash his hands and recite the *berakha* of "*al netilat yadayim*."

As for the morning blessings, since we follow the opinion that the *birkhot ha-shachar* are recited regardless of whether or not one actually received the benefit described by the specific *berakha*, it would seem to follow that one should recite these *berakhot* even if one was awake all night, as they are a daily obligation. This indeed is the ruling of the Arukh Ha-Shulchan (46:13) and the Arizal. The Mishna Berura (46:24), however, cites those who question whether one who did not sleep should recite "*Elokai neshama*" and "*ha-ma'avir sheina*," and he therefore suggests that one hear these *berakhot* from someone who has slept.

The Mishna Berura (47:28) cites a debate among the *Acharonim* regarding the *Birkhot Ha-Torah*. The Chayei Adam, Peri Chadash, and Gra rule that one should not say the *Birkhot* *Ha*-*Torah* if one was awake all night, while the Magen Avraham and Eliya Rabba rule that one should say the *berakhot*. This debate is rooted in a fundamental question regarding the nature of Birkot Ha-Torah: Are they a *birkat ha-shevach* or *birkat ha-mitzva*. If they are a *birkat ha-shevach*, then they should most likely be said once each day, regardless of whether or not one slept. If, however, they are a *birkat ha-mitzva*, then one the one hand, sleeping may be considered an interruption (*hefsek*) which warrants a new blessing, and on the other hand, if one did not sleep, then the blessings should not be said the next day, until after one sleeps.

Ideally, one should try to hear the *berakhot* from another person who has slept, but if this is not possible, one may have in mind that the second blessing preceding the morning *Keriat Shema* (“*Ahava Rabba*”in Ashkenazi congregations and "*Ahavat Olam*" in the Sephardic tradition) should exempt him from *Birkot* *Ha-Torah*. One should then study a verse or *mishna* after the *tefilla* (Mishna Berura 47:28). One who says the *Birkot Ha-Torah*, and does not hear them from another, certainly has upon whom to rely.

Interestingly, the Mishna Berura (47:28) cites the opinion of R. Akiva Eiger, who offers a brilliant solution to this quandary. He suggests that if one engages in *sheinat keva* (significant slumber) the day before, one may then recite *birkot ha-Torah* the next morning, even if one remained awake all night. He argues that, "*mi-ma nafshakh*," whichever opinion one follows, one would be so obligated. If the *berakha* is meant to be recited daily regardless of if one slept, one should always recite it on Shavuot morning, and if is considered a *birkhat ha-mitzva*, then it should be recited after any interruption, such as a long afternoon nap! Therefore, everyone would agree that in such a case, one should recite *birkhot ha-Torah*.

**Eating and Drinking Before *Shacharit***: It is customary to provide food and drinks for those who learn Torah through the night. However, one should be careful not to eat or drink immediately before *Shacharit*.

The *gemara* (*Berakhot* 10b) teaches that one should not eat and drink before prayer:

R. Yose son of R. Chanina also said in the name of R. Eliezer b. Ya’akov: What is the meaning of the verse, “You shall not eat with the blood?” Do not eat before you have prayed for your blood. R. Yitzchak said in the name of R. Yochanan… If one eats and drinks and then says his prayers, of him the Scripture says, “And hast cast Me behind thy back.” Read not *gavekha* [thy back], but *gekha* [thy pride]. Says the Holy One, blessed be He: After this one has exalted himself, he comes and accepts the kingdom of heaven! "

The *gemara* views those who tend to their own physical needs before prayer, i.e. those who eat and drink before *tefilla*, as haughty and overconfident.

The *Rishonim* enumerate a number of situations in which one would be permitted to eat or drink, as in their situation eating or drinking would not be considered "*ga'avah*." The Rosh (*Berakhot* 1:10), for example, permits one to drink water in the morning before praying, as "water does not indicate haughtiness…" Similarly, the Beit Yosef (89) cites the Semag, who permits one who is thirsty to drink before *tefilla*, as "it is better to drink water than to be uncomfortable during one's prayer…" Furthermore, the Beit Yosef also cites the Mahari Abuhav who permits eating and drinking before *shacharit* for "*refua*," as it does not indicate self-importance or pride. In fact, the Rambam (*Hilkhot* *Tefilla* 5:2) writes that one who is hungry or thirsty is considered sick, and if they are unable to concentrate during their prayers, they should eat and drink.

The Shulchan Arukh (89) rules:

It is prohibited to tend to one's needs or to travel until one recites the *Shemoneh Esrei*… [Similarly,] one should not eat or drink; however, water is permitted to drink before *tefilla*, on a weekday and on Shabbat and Yom Tov, as is eating or drinking for medicinal purposes.

Furthermore, he cites the Rambam:

One who is hungry or thirsty is considered sick, and if he is able to pray with proper intention he should, and if not, he may eat and drink before praying.

The Mishna Berura comments on this passage and adds a number of practical points. First, while he permits drinking tea or coffee in order to enable one to pray with the proper intention, he strongly opposes those who add milk or sugar to their drinks, as well as those who eat "*mini targima*" (probably cake or cookies) while drinking. He suggests that those who permit sugar with tea must be referring to sugar that is placed in one's mouth while drinking, and not which is added to one's drink. Second, in his *Bi'ur Halakha*, the Chafetz Chayim rules that it may be preferable to pray alone and then eat and join the *minyan* later than to eat before *tefilla*! On the other hand, he rules (26) that if one truly cannot concentrate on his prayers, he may eat or drink before *tefilla*.

The Arukh Ha-Shulchan (89:23) notes that the custom is to add milk to tea and coffee before *Shacharit*, and that seems to be the custom.

Due to this prohibition, one may eat or drink only until *alot ha-shachar* (dawn), the earliest time that one can pray. At that point, one should stop in order to begin *Shacharit*.

One might question why it is that is specifically on Shavuot that the Jewish People accepted customs that create so many halakhic quandaries. Perhaps it is intentional, as they afford us the opportunity to delve into so many *halakhot*!

*Chag sameach!*