

In Hilchos YOM TOV

You have heard the shaylos . . .
Now learn the issues & the opinions

The halachos and minhagim of

Shavuos

A summary of the weekly Wednesday night shiur by **Rabbi Shmuel Stein** at the Miami Beach Community Kollel / To receive a copy send an email to InHilchosShabbos@gmail.com

On the day of Shavuos we celebrate the giving of the Torah to Bnei Yisroel.¹ The Peleh Yoetz² writes that “The Yom Tov of Shavuos is an exceedingly holy holiday as on this day Hashem chose us from the other nations to be his beloved nation and made us holy with his Torah and mitzvos. Thus, it is fitting to be happy on this day; in fact, it is impossible for a person not to be happy on this day for the gift of the Torah and mitzvos is the greatest gift in the world.”

Learning the halachos of Shavuos

The Gemara³ states that thirty days before each Yom Tov one is obligated to begin to learn the halachos of the Yom Tov. The Vilna Gaon⁴ writes that regarding the Yom Tov of Shavuos it is sufficient to begin studying its halachos from Rosh Chodesh Sivan as its halachos are less [extensive than the halachos of Pesach and Sukkos,⁵ as in comparison it does not have a significant amount of its own detailed halachos⁶].

We will discuss the following halachos and minhagim:

- 1) Erev Shavuos
- 2) Shavuos Night
- 3) Shavuos Day

Erev Shavuos

There are a couple of halachos which relate to *erev Shavuos*:

- 1) Taking blood on erev Shavuos
- 2) Placing flowers in Shul and one's home

1) Taking blood on erev Shavuos

The Rema⁷ writes that “the custom is not to allow bloodletting on erev Shavuos.” Until the nineteenth century it was common to remove blood as a form of medicine to cure or to prevent illness, yet on erev Shavuos [or any erev Yom Tov] it was prohibited. The Mishna Berura⁸ explains that erev Shavuos is a day of danger as each year on this day a demon whose name is “Slaughterer” goes out into the world for [had] the Jewish people not accepted the Torah he would have slaughtered them. The Ramchal¹⁰ writes that each year on the day of Shavuos we relive the day of Matan Torah, and thus the day of erev Shavuos day remains a day of danger, as each year the Jewish people accept the Torah.¹¹ Therefore, bloodletting remains prohibited each year on erev Shavuos. [The Mishna Berura¹² explains that Chazal extended this prohibition to all other erev Yom Tov as well to avoid bloodletting on erev Shavuos.]

Having a surgery or taking a blood test on erev Shavuos. The Mishna Berura¹³ cites a dispute whether other procedures which draw blood are prohibited on Yom Tov as well. He concludes that on although one may be lenient on other erev Yom Tov one should be stringent on erev Shavuos as it is a day of danger.¹⁴ Therefore, Nishmas Avraham¹⁵ rules that one should not schedule a surgery or blood test for erev Shavuos as it remains a day of danger (unless there is a true medical emergency which requires these procedures to take place on erev Shavuos¹⁶). However, Rav Shmuel Kamenetzky¹⁷ rules that it is permitted to take a blood test on erev Shavuos as only a small amount of blood is removed, and it is not at all comparable to bloodletting as there is no danger involved.

2) Placing Flowers and Trees on Shavuos

The Rema¹⁸ writes that “there is a custom to spread out grass (or flowers) on Shavuos in the Shul and in one's home as a remembrance of the happiness of the giving of the Torah.”¹⁹ The Mishna Berura²⁰ explains that just as there was grass around Har Sinai [as the verse²¹ states “the animals shall not graze by the mountain”], grass (or flowers) is placed on Shavuos.²² The Birkei Yosef²³ writes that this longstanding custom is evident from the Medresh which states that “Haman told Achashveirosh that the Jewish people have a custom to place grass around on the day of Shavuos.”

Buying flowers with a good smell. There is another custom to buy flowers which give off a good smell for the Yom Tov of Shavuos.²⁴ This is based on the Gemara²⁵ which states that “With every utterance that Hakdash Baruch Hu spoke on Har Sinai, Besomim (a good smell) filled the world.”²⁶

Placing Trees in a Shul or in one's home

The Magen Avraham²⁷ adds that there is another custom to place trees in Shul and one's home, because Shavuos is the day that we are judged for the fruits of the trees²⁸ and we daven for them on Shavuos.²⁹ However, the Chayei Adam writes that “the Vilna Gaon abolished this custom since it has become the custom amongst the gentiles to place trees on their holiday.”

Did the Vilna Gaon abolish the custom of placing grass (and flowers) as well? The Mishna Berura³⁰ writes that “the Vilna Gaon abolished this custom [of placing trees] as this has become the ways of the gentiles,” which seems to indicate that only the custom of placing trees was abolished but the custom of placing grass (or flowers) is still permitted. However, the Aruch HaShulchan³¹ writes that “the custom to place trees or grass has been abolished . . .” which indicates that even placing grass or flowers is discouraged.³²

Shavuos Night

There are several halachos which relate to the night of Shavuos:

- 1) Counting 49 complete days of the Omer
- 2) Eating a *Milchig* meal
- 3) The custom of staying awake all night

1) Counting 49 complete days of the Omer

The Shulchan Aruch³³ writes that “on the 50th day of Sefiras haOmer it is the Yom Tov of Shavuos.”³⁴ Mishna Berura³⁵ writes that “one should make sure to daven Maariv on the first night of Shavuos late - after Tzeis hakochavim³⁶ - to ensure that 49 complete days have been counted.”³⁷

Tosefes Yom Tov

There is a *mitzva* to add onto the holiness of Shabbos and Yom Tov by accepting Shabbos and Yom Tov a few minutes early. The poskim discuss whether this *mitzvah* applies to the Yom Tov of Shavuos when one must count a complete 49 days and may be compromised if one accepts the Yom Tov of Shavuos early.

However, the poskim³⁸ write that on Shavuos as well one must accept Tosefes Yom Tov and extend Shavuos into erev Shavuos.³⁹ There are two explanations given as to why this does not contradict the requirement to count 49 complete days:

1. It really does not detract from the 49 complete days. Some poskim⁴⁰ explain that the halacha to daven later is in truth a *chumra* (an added stringency) as davening early does not take away from the 49 complete days since if one begins the Yom Tov of Shavuos earlier than the previous day ended earlier and still had 49 complete days. Nevertheless, since it gives off the impression of not having fulfilled counting 49 complete days, we, as a *chumra*, begin davening only after *Tzais Hakochavim*. However, this *chumra* does not override the *mitzva* of Tosefes Yom Tov and one must certainly accept Yom Tov early.

2. There are two aspects when accepting Yom Tov early. Others explain⁴¹ that accepting Yom Tov early does not contradict counting 49 complete days as when someone accepts Yom Tov early, he is really accepting on himself two separate aspects of Yom Tov:

- I. Abstaining from performing *melacha* (or any Yom Tov prohibition)
- II. Accepting the *kedusha* (holiness) of the day of Yom Tov

In order to fulfill the *mitzva* of Tosefes Yom Tov one must accept on himself only the first aspect of Yom Tov, that of abstaining from performing *melacha*. Once he accepts upon himself to refrain from performing *melacha* on erev Yom Tov he fulfills the *mitzva* of Tosefes Yom Tov, even though he did not yet accept the second aspect of Shabbos – the *kedusha* (holiness) of Yom Tov.

Therefore, on erev Shavuos one should accept upon himself only to refrain from performing *melacha* but not to accept the *kedusha* of Shavuos. As long as he does not accept upon himself this second aspect of Yom Tov, he has counted 49 complete days of Sefiras HaOmer since he has not yet accepted the holiness of Shavuos. Yet, he has also fulfilled the *mitzva* of Tosefes Yom Tov because he accepted upon himself the first aspect of abstaining from performing *melacha*.⁴²

A woman lighting the candles before Yom Tov begins

In general, there are differing customs as to whether a woman should light the candles on erev Yom Tov before Yom Tov begins or after Yom Tov begins. The son of the Derisha⁴³ writes that his mother was careful to light the Yom Tov candles on erev Yom Tov (and not after Yom Tov has already begun) since any *melacha* which one can perform before Yom Tov should be performed before Yom Tov.⁴⁴ The *poskim* discuss whether on erev Shavuos a woman may light the candles before Yom Tov begins as by doing so, she accepts Yom Tov upon herself and would detract from the 49 days of Sefiras HaOmer. Although women may not be obligated in the *mitzvah* of counting Sefiras HaOmer⁴⁵ they too must still ensure that the days of Sefira include 49 complete days and thus a woman who generally lights the candles on erev Yom Tov perhaps should do so on erev Shavuos.⁴⁶

Opinion #1: She should light after Yom Tov begins. The Luach Eretz Yisroel⁴⁷ writes that since when a woman lights the candles, she accepts Yom Tov upon herself entirely (i.e., both aspects of Yom Tov), on erev Shavuos she should only light after Yom Tov begins.

Opinion #2: She may light candles early. Rav Shlomo Zalman Auerbach⁴⁸ rules that a woman may light the candles early on erev Shavuos. This is in fact the custom. Perhaps, as we explained earlier, the halacha not to daven early is a *chumra* and does not override a woman lighting the candles at the appropriate time.⁴⁹

2) Eating *Milchig* food on Shavuos

The Rema⁵⁰ writes that “the custom in all places is to eat a *milchig* foods on the first day of Shavuos.”⁵¹ Some have the custom to split the meal into two parts, half *milchig* and

half fleishig, while others have the custom to eat *milchig* just at the nighttime meal, others eat *milchig* just at the daytime meal, and others eat *milchig* at all the meals. We will discuss the different reasons given for eating milchig and how they affect the different customs.

Why do we eat *milchig* foods on Shavuos?

The Shulchan Aruch HaRav⁵² writes “The custom in all places is to eat milchig foods on the first day of Shavuos and the and the customs of the Jewish people are Torah as there are many reasons given for this custom.” We will discuss a few of the reasons given and the differences which emerge between them:

1. Rema – A remembrance of the Shte HaLechem. The Rema⁵³ writes that “on Shavuos the Korban of the Shte HaLechem (two breads) were brought on the Mizbeiach, therefore we too bring “two breads” on our table which is compared to a Mizbeiach. We accomplish this by splitting the meal into two parts, first we eat bread and have *milchig* foods, then we have a second bread and eat *fleishig* foods.” According to this reason, one would need to eat *milchigs* and *fleishigs* at the same meal so that there are “two breads” at the meal (one for milchig and one for fleishig which cannot be eaten together and thus is categorized as “two separate breads”⁵⁴).⁵⁵

2. Magen Avraham – Like a woman who has become pure. The Magen Avraham⁵⁶ writes that “the Zohar⁵⁷ states that the seven weeks of Sifra are likened to the seven days that a woman who is a Nidda must count to become pure, as we too become pure on the day of Shavuos.⁵⁸ The Gemara⁵⁹ states “a woman’s blood is extracted and becomes milk” which a reference of the *middas hadin* (strictness) becoming *middas harachamim* (mercy). The customs of our fathers are Torah!” According to this reason, the custom to eat *milchigs* at the nighttime meal or at the daytime meal would also apply, since already at the night of Shavuos they became pure.⁶⁰

3. Mishna Berura – They did not have *fleishigs* at Har Sinai. The Mishan Berura⁶¹ writes that “I have heard another reason for this custom from a Gadol who said a good reason for this custom: When the Jewish nation accepted the Torah on Har Sinai they were immediately obligated to keep all of the mitzvos of the Torah, including the halchos of slaughtering the animal and all its many halachos and their pots were no longer kosher. Thus, when they came down from the mountain, they did not have enough time to prepare fleishig foods but only milchigs. As a remembrance we eat milchig foods on Shavuos.

According to this reason, it would follow that the custom should be to eat milchig at the daytime which is when the Jewish people came down from Har Sinai.⁶²

The mitzva to eat meat on Yom Tov for Simchas Yom Tov

The Mishna Berura⁶³ writes that even nowadays, although there is no obligation to eat meat on Yom Tov it is certainly considered a mitzva as this fulfills one’s Simchas Yom Tov. Thus, the poskim question the custom to have only milchig at one’s Yom Tov meal. The Darkei Teshuva⁶⁴ writes “I have heard that people eat only milchig on the day of Shavuos, but there is no reason to permit this as one must fulfil the mitzvah of Simchas Yom Tov just as on all other Yomim Tovim.” Therefore, ideally one should fulfill the custom in the way that the Rema writes to split the meal into two parts and eat milchig and fleishig this way he will also have Simchas Yom Tov. Alternatively, one may fulfill the custom of eating milchig at the kiddush in shul and then eat a fleishig meal, as the Darkei Teshuva writes “this is way that I have accepted from my Rabbeim and father and is the best practice to fulfill the custom of eating *milchig*.” However, poskim discuss how someone who has the custom to eat an entirely dairy meal fulfills the mitzva of Simchas Yom Tov. They explain as follows:

a. One who eats milchig at the nighttime meal has upon whom to rely since the Mishna Berura⁶⁵ cites some opinions who hold that the mitzva of Simchas Yom Tov does not apply to the nighttime meal but only to the daytime meal.

b. One who eats milchig at the daytime meal also has upon whom to rely since the Sfas Emes⁶⁶ writes that it is sufficient to eat meat at one of the Yom Tov meals to fulfil the mitzva of Simchas Yom Tov. Therefore, if one ate fleishig at his nighttime meal he still fulfilled the mitzva.

However, one who has the custom to eat milchig at both the nighttime and daytime meals would be questionable as he would not be fulfilling the mitzva of Simchas Yom Tov.⁶⁷

3) Staying up on Shavuos night

The Mishna Berura⁶⁸ writes “the Zohar⁶⁹ states ‘The Chasidim Rishonim would stay up all night on Shavuos and learn Torah.’ This has become the common practice amongst those who learn Torah. The Arizal⁷⁰ writes that ‘One should be aware, that someone who does not sleep on this night [even for a moment] and learns Torah [the entire night] is guaranteed that he will complete the year and will not have any harm befall him.”

Why do we stay awake all night?

There are two reasons given for staying awake on Shavuos night: a basic reason and a reason based on kabbalah.

1. A basic reason: The Jewish people overslept at Har Sinai

The Magen Avraham⁷¹ writes that the reason for this custom is due to the fact that on the night before *kabalas haTorah* the Jewish people went to sleep and Hakadosh Baruch Hu had to wake them up for Kabalas HaTorah, as the Medrash⁷² states. Thus, as a *tikkun* (rectification) for this we stay up the entire night.⁷³

2. Based on Kabbalah: An auspicious night

The Zohar⁷⁴ writes many great *segulos* which come to someone who stays up the entire night learning, “He will be protected in heaven and on earth and will be in peace and will merit sons and grandsons who are *talmidei chachamim* for all generations.” The Kaf

HaChaim⁷⁵ writes that “on the night of Shavuos one who stays awake and does not sleep at all is guaranteed to complete the year and that no harm will befall him. Additionally, on this night the judgment of a person is determined.⁷⁶ Thus, the custom amongst Klal Yisroel became to stay awake to learn Torah on Shavuos night.”⁷⁷

‘A judgment on the fruits of the tree’. Sefer Chemdas Yamim⁷⁸ (1730) writes that “the Mishna⁷⁹ states that ‘on Shavuos the world is judged on the *fruits of the tree*’ is to be understood deeply as follows: On the day that the Torah was given, Hakadosh Baruch Hu inspects the world to determine whether they are following His ways; the fruits of the tree are the *neshamos* which blossom from the tree of Hakadosh Baruch Hu. The judgment on this day is on the sin of Bitul Torah which one committed throughout the year. Thus, staying up to learn on this night is a tremendous opportunity - for at this time of judgment one has the ability to affect this judgment by staying awake all night learning.⁸⁰

For someone staying awake all night there are a few points to be aware of:

a. Being careful to sleep on erev Shavuos. Mekadesh Yisroel⁸¹ writes that “since there are great *segulos* which are acquired by staying up to learn on Shavuos night, who would be so foolish to not push oneself to do so. Therefore, a wise person will ensure that he rests on erev Shavuos so that he can stay awake all night.”⁸²

b. Being careful not to eat too much. Sefer Eitz Chaim⁸³ writes that one should be careful not to eat and drink too much as this will cause a person to become drowsy and he will not be able to stay awake learning the entire night.

c. Being careful not to waste one’s time. The Arizal⁸⁴ writes that these segulos of the night apply to someone who “learns Torah the entire night and his mouth does not stop from speaking Torah.” Sefer Hakavanos⁸⁵ also warns that “One should not stop to talk idle speech on this night.” Chemdas Yamim⁸⁶ writes since, as we mentioned, “the night of Shavuos is a judgment on the sin of Bitul Torah which a person violated throughout the year, how detrimental is it to further this sin on the night of Shavuos. Some foolishly think that the main goal is to stay up the entire night while they talk idly, yet this is a mistake, and it would be better had they gone to sleep in their beds⁸⁷ as they now affect their judgment negatively.”⁸⁸

d. Being careful to daven Shachris properly. Peleh Yoetz⁸⁹ writes that “everything is determined by the ending; therefore, one must strengthen himself like a lion so that he stays awake during Krias Shema and davening⁹⁰ as one should not recite them while he is dozing off.”⁹¹

What to learn on Shavuos night

There are two customs regarding what to learn on Shavuos night:

1. “The Tikkun for Shavuos Night”: The Zohar⁹² writes that “on the night of Shavuos one should recite the Tikun for the night of Shavuos which consists of Torah, Neviim and Kesuvim as well as Medrashim and Kabbalah.” The Chida⁹³ writes that “on the night of Shavuos one should learn the *limud* which was arranged by the Arizal which is known for hundreds of years (which is what is known as the ‘Tikkun for the night of Shavuos’) and only after completing this may he learn what his heart desires. Those who veer from this custom are doing something improper, as even someone who is not fluent in kabbala should learn this.”⁹⁴

2. What one’s heart desires. Many (particularly in the Litvish communities) have the custom to learn other topics on Shavuos night, such as Gemara, Rashi, Tosfos and *mefarshim*, as each community has accepted their customs from their *Gedolim*.⁹⁵ The Mamar Mordechai⁹⁶ writes that “I say that a person can learn only what his heart desires and enjoys. We see with our own eyes that *talmidei chachamim* have become weakened in their learning when they cannot learn topics which they are not accustomed to learning, and I too am included amongst them.”

The Chazon Ish⁹⁷ was asked by a couple of people what to learn on Shavuos night and to one person he answered, “You should learn the Tikun of Shavuos night” while to another person he answered, “You should learn whatever your heart wishes to learn.” Rav Chaim Kanievsky⁹⁸ explained that to each of these people he answered that they should continue to learn on Shavuos night based on the custom that they have been accustomed to following.

Halachos to keep in mind when staying awake all night

The Mishna Berura⁹⁹ writes that “someone who stays awake on Shavuos night should be aware of the following points”:

1. Netilas Yadayim. The Shulchan Aruch¹⁰⁰ writes that if someone stayed awake all night it is questionable whether he needs to wash Netilas Yadayim (for davening and Ruach Ra’ah) and thus should wash his hands without a beracha. The Mishna Berura¹⁰¹ adds that if one used the bathroom in the morning before davening then according to all opinion she must wash Netilas Yadayim and therefore this is the appropriate manner to enable one to wash Netilas Yadayim and recite beracha.¹⁰²

2. Beracha on Tzitzis. The Mishna Berura¹⁰³ writes that after staying up all night it would be questionable whether one would need to recite a new beracha on his tzitzis (since the nighttime is not a time that one is obligated to wear tzitzis it may have been an interruption). Thus, he suggests that one has in mind his tzitzis when he (or someone else) recites a beracha on their tallis.¹⁰⁴

3. Birchas HaTorah. The Mishna Berura¹⁰⁵ writes that there is a dispute amongst the poskim whether someone who stayed up all night needs to recite Birchas Hatorah in the morning. Some hold that since he did not sleep there was no interruption, a beracha does not need to be recited; however, others hold that Chazal instituted a Birchas

HaTorah to be made each morning. The Mishna Berura suggests that one listens to someone else (who was not awake all night) recite Birchash HaTorah.¹⁰⁶

Someone who slept the day before. The Mishna Berura¹⁰⁷ writes that if someone slept during the daytime he may recite Birchash HaTorah himself, based on the ruling of Rabbi Akiva Eiger (see footnote for his reasoning¹⁰⁸). However, some are stringent and listen to someone else (who was not awake all night) recite Birchash HaTorah [since others disagree with the ruling of Rabbi Akiva Eiger¹⁰⁹]. However, this is a *chumra*, as the halacha follows the ruling of Rabbi Akiva Eiger.¹¹⁰

4. Birchash HaShachar. Some are accustomed to listening to someone else (who slept at night) recite *all* of the Birchash Hashachar. However, this is a *chumra* as the only two berachos which are questionable are *Elokai Neshama* and *HaMa'aveir Sheinah* as they are related to one's sleep, but one may certainly recite the other berachos on his own.¹¹¹

Elokai Neshama and HaMa'aveir Sheinah. The Mishna Berura¹¹² cites the Elya Rabba who rules that someone who is awake the entire night should not recite the two berachos of *Elokai Neshama* and *HaMa'aveir Sheinah* as they apply only to someone who slept during the night. However, others question this ruling as the berachos of the morning are always recited even if they do not technically apply. Therefore, the Mishna Berura concludes that one should listen to someone (who slept all night) recite these berachos. Furthermore, the Mishna Berura writes that if someone slept at night for half an hour, he may certainly recite these berachos on his own.¹¹³

Shavuot morning

There are a couple of questions which are relevant to Shavuot morning:

- 1) Akdumus, Yitziv Pisgam and Megillas Rus
- 2) Standing during the Aseres Hadibros
- 3) Eating Cheesecake at a Kiddush

1) Akdumus, Yitziv Pisgam and Rus

“Akdamus”. The Taz¹¹⁴ writes that there is a custom to recite “Akdamus” *after* the first passuk is read (as it consists of stanzas which honor the Torah). He wonders how it is permissible to cause an interruption in middle of reading the Torah. Therefore, he writes that the correct custom is to recite “Akdamus” before Krias HaTorah begins. This seems to be the accepted practice.¹¹⁵

“Yitziv Pisgam”. The Taz¹¹⁶ adds that the custom is to recite the stanzas of Yitziv Pisgam (which honor the Torah¹¹⁷) when reading the Haftorah (of the second day of Shavuot). In this case, the Taz writes that custom is to recite these stanzas after a beracha was recited and a passuk was read. He explains that although reciting these stanzas would in fact seem to be an interruption to the Haftorah reading as well, we nevertheless allow it since the reading of the Navi is not as strict as the reading of the Torah and we therefore left the initial custom to read it after the first verse of the Haftorah.

Megilas Rus. The Mishna Berura¹¹⁸ writes that the custom is to recite the megilah of Rus on Shavuot He asks, “What does Rus have to do with the Yom Tov of Shavuot which is the day of receiving the Torah?” He answers, “To teach us that Torah is only acquired through poor and suffering [just as Naomi and Rus did].”

2) Standing during reading of the Aseres Hadibros

The custom is that even those who generally do not stand during Krias HaTorah stand while the Aseres Hadibros is read in shul. However, the Rambam¹¹⁹ once wrote a letter

to a community whose custom was to stand during Aseres Hadibros to abolish this custom, because one may suspect that we are following the heretics who believe that *only* the Aseres Hadibros were given on Har Sinai, but no other part of the Torah was given.¹²⁰ The Chida¹²¹ however upholds the custom and writes that since we do not read only the Aseres Hadibros during Krias Hatorah (but other parts of Parshas Yisro as well) it is obvious that we do not follow the view of the heretics. The Chida¹²² writes that if someone wishes to be stringent and not stand during the reading of the Aseres Hadibros, he may not do so in a minyan where the majority of the congregants stand during the Aseres Hadibros as this gives off the impression that he is degrading the Torah reading as he does not honor the Torah by following the others who stand during the Aseres Hadibros. One who wishes to be stringent may avoid this issue entirely by standing not just for the Aseres Hadibros but for the Aliya or for at least a few *pessukim* before the Aseres Hadibros as this way he certainly will not be suspected of following the heretics.¹²³

3) Eating Cheesecake at a Kiddush

It is common to serve cheesecake at a Kiddush after davening on Shavuot and several questions arise:

1. What is the correct beracha to recite before eating the cheesecake? The Shulchan Aruch¹²⁴ writes that when eating a food made from the five grains one always recites mezonos, even if there are other ingredients, such as honey, which are the majority, because the five grains are always the *ikar* (the main part of the food).¹²⁵ However, there is one exception: if the mezonos is only used to hold the food together (and not for its taste or sustenance¹²⁶) then one recites shehakol. Thus, the poskim¹²⁷ rule that the beracha one recites before eating a piece of cheesecake really depends on the purpose of the mezonos:

- If the mezonos is intended to give taste or sustenance to the cake, then the correct beracha is mezonos.
- If, however, there is a thin layer of mezonos which is used just as a base for the cheese, such as a pie crust, it would still depend on one's¹²⁸ intention: if the main reason the mezonos is used is to add taste then the correct beracha is still mezonos. However, if the main reason for the mezonos is to hold the cheese then a shehakol is recited on the cheesecake.¹²⁹

2. What is the correct beracha to recite after eating the cheesecake?

Normally, one recites Al Hamichya after eating foods which are mezonos. However, if the food is a mixture of mezonos and other ingredients, one may only recite Al Hamichya afterwards if there it contains a *k'zayis* of mezonos, otherwise the correct beracha to recite afterwards is Borei Nefashos.¹³⁰ Thus, if there is only a minimal amount of mezonos in the cheesecake, the correct beracha to recite afterwards is Borei Nefashos.¹³¹

3. Kiddush b'makon seuda. The Shulchan Aruch¹³² states that when one hears Kiddush on Yom Tov morning it must be *b'makon seuda*, in the place of his meal (or at least mezonos). The Mishna Berura¹³³ writes that one must eat a *k'zayis* of mezonos to fulfill this obligation. Thus, Shiurei Halacha¹³⁴ writes that “it is proper to ensure that one eat a *k'zayis* of mezonos (not including the cheese) within the time of *k'dei achilas pras* (somewhere between 2-9 minutes¹³⁵).”

¹ The Magen Avraham (beginning of 494) asks how can we state that Shavuot is the day of “Matan Torah” – the giving of the Torah, if we rule that the Torah was given on the 7th of Sivan (since Moshe Rabbeinu added a day to prepare for the giving of the Torah) and we celebrate Shavuot on the 6th of Sivan? He answers that we must in fact follow the opinion that the Torah was given on the 6th of Sivan.

² Atzeres

³ Pesachim 6a

⁴ 429

⁵ The Bais Yosef (429) rules that this halacha applies only to the Yom Tov of Pesach because there are many halachos related to Pesach and the korban Pesach applied to each individual (and this remained even nowadays when we do not have the korban Pesach). However, the Bach (429) rules that this halacha applies to other Yomim Tovim as well.

⁶ Shulchan Aruch HaRav 429. See Gemara Berachos 17b which states that people would gather twice a year to listen to a derasha in honor of Yom Tov. Rashi explains that this is referring to the month of Aadar to learn about Pesach and the month of Elul to learn about Sukkos. Tosfos points out that they did not gather to learn about the halachos of Shavuot since the Yom Tov lasts for only one day and they did not need to gather as much.

⁷ However, Siddur of the Yavetz (Shaar haYesod) writes that one should begin learning about Shavuot from the 6th of Iyar (a month before Shavuot). Mekadesh Yisroel (Shavuot, 1) adds that it would be appropriate to learn the general halachos of Yom Tov from 30 days before Shavuot as they generally tend to be neglected on Pesach and Sukkos when there are so many other halachos to learn, and from Rosh Chodesh Sivan one should learn the (fewer) halachos which are directly relevant to Shavuot.

⁸ 468:10

⁹ 468:38 citing the Gemara, Shabbos 129b

¹⁰ End of Derech Hashem

¹¹ Arach Yitzchak p. 80; Imrei Yehuda p. 344

¹² 468:38

¹³ Ibid

¹⁴ However, during the nighttime of erev Shavuot it is permitted [aside from the night of erev Hoshana Rabba which is also a time of judgment] (Mishna Berura, ibid)

¹⁵ 468:2

¹⁶ Elya Rabba 469:19, cited in Mishna Berura 468:38

¹⁷ Kovetz Halachos, Shavuot pp. 120-121

¹⁸ 494:3

¹⁹ **Is the grass muktzah?** The Mishna Berura (494:10) rules that one may place the grass on erev Shavuot or on Shavuot itself (so long as the grass was uprooted before Yom Tov) as once one designates the grass it is no longer muktzah (see Magen Avraham 494:5). Similarly, the grass or leaves which were spread out in Shul or in one's home are not considered muktzah and may be moved on Yom Tov (Kovetz Halachos p. 121). However, leaves which fell off of flowers are considered muktzah (ibid).

²⁰ 494:10

²¹ Shemos 34:3

²² Placing flowers in water on Yom Tov. The Rema (336:11) writes that one may place flowers into water on Shabbos, but it is prohibited to place flowers which have not yet fully opened into water on Shabbos (and Yom Tov) [as this would violate the melacha of Zoreya, planting]. Most of the flowers nowadays which are bought on erev Yom Tov are not fully opened and thus may not be placed into water on Yom Tov (Mekadesh Yisroel, 62). The Mishna Berura (336:54) adds that even flowers which are fully opened may not be placed in new water nor may new water be added to the vase, one may only replace the flowers in the same water which they were in on the onset of Shabbos otherwise it is prohibited because of *Tircho* (excessive exertion).

²³ 494:6

²⁴ Maharil, Hilchos Shavuot; Siddur Yaavetz; Kaf HaChaim 494:58

²⁵ Shabbos 88b

²⁶ Kaf Hachaim, ibid

Some have the custom to buy roses, as the verse (Shir HaShirim 5:13) states “Like *Besomim* were His words [at Har Sinai], roses which smelled like perfume,” which the Gemara (ibid) is based on (Mekadesh Yisroel, 61).

Making a beracha on the good smell. The Shulchan Aruch (217:1) rules that if someone enters a perfume store, he recites the beracha of *Borei minei besomim*. However, the Shulchan Aruch (217:2) writes that this is only true if the *Besomim* is intended for smelling (Mishna Berura 217:2). Thus, Mekadesh Yisroel (61) writes that if one bought the flowers for the room to look nice, then he would not recite a beracha on its smell unless he specifically picks them up to smell. But if one bought the flowers to give off a good smell (based on this custom) one would recite a beracha even if he is not specifically trying to smell them. The Shulchan Aruch (216:3) discusses the correct beracha to recite on roses (see Mishna Berura 216:17) and it would seem that the correct beracha is “Borei Atzei Besomim” (Mekadesh Yisroel, 61)

²⁷ 494:5, cited in Mishna Berura 494:10

²⁸ Rosh haShana 16a

²⁹ It is well-known the words of the Shelah HaKadosh (Shavuot, 8) that on the day of Shavuot a person is judged on his Limud HaTorah of the year and how much fruits his Torah will bear this year.

³⁰ 494:10

³¹ 494:6

³² Rav Shmuel Kamentzky (Kovetz Halachos, p. 121) writes that one should not place grass or flowers as well. However, Rav Shmuel Felder (Shiurei Halacha p. 216) writes that one may rely on the Mishna Berura and place grass and flowers on Shavuot.

³³ 494:1

³⁴ The Torah (Vayikra 23:16) states that “one should count 50 days.” The Panim Yafos (Emor 23:16) asks that the mitzvah is only to count 49 days, why does the Torah state that one should count 50 days? He explains that since the mitzvah is to count 49 complete days which is completed just before the day of Shavuot it appears as if he counted the 50th day as well. This is similar to the verse (Bereishis 2:2) which states that hashem completed His work on the 7th day. Rashi comments that although Hashem completed His work on the 6th day it nevertheless appeared to have been completed on the 7th day.

³⁵ 494:1

³⁶ Shiurei Halacha (p. 194) adds that since this halacha of the Mishna Berura is not accepted by all opinions (see next footnote), someone who normally is stringent to wait 72 minutes does not need to be as stringent regarding this halacha so long as Kiddush is recited after 72 minutes.

³⁷ However, the Magen Avraham (494) writes that one must only ensure that he recites Kiddush after Tzeis hachochavim (not davening); see Aruch haShulchan 494:3. However, the Taz (494) writes that one should wait to daven after Tzeis Hachochavim. Shiurei Halacha (p. 194) writes that the accepted minhag is like the Mishna Berura.

³⁸ Chut Shani, Shabbos 4 p. 328; Panim Yafos (Emor 23:16)

³⁹ However, the Netziv (Hamek Davar, Vayikra 23:21) writes that the mitzvah of Tosefes Yom Tov does not apply to the Yom Tov of Shavuos since the Torah states "on that day," which indicates that only the actual day of Shavuos is Yom Tov but not Tosefes. He writes that this is in fact why the minhag is to daven Mariv later and not to add to the Yom Tov of Shavuos. See Ramban (Vayikra 23:28).

⁴⁰ Rav Shmuel Kamenetzky (Kovetz Halachos, pp. 129-131, end of note 13)

⁴¹ See Shulchan Aruch haRav 261, kuntres achron 3; Teshuvos veHanhagos 3:83;

⁴² See Kovetz Halachos, Shavuos pp. 130-131

⁴³ Introduction to the Tur on Y.D.

⁴⁴ Elya Rabba 488:7

⁴⁵ Mishna Berura 489:3

⁴⁶ Piskei Teshuvah (494:2)

⁴⁷ Cited in Piskei Teshuvah ibid

⁴⁸ Halichos Shlomo (Shavuos 12:2)

⁴⁹ Shiurei Halacha (p. 196) explains differently, that perhaps since the woman does not specifically mention that she accepts the holiness of the day it does not openly contradict counting 49 complete days. Only when davening and reciting Kiddush when one openly states the day of Shavuos.

⁵⁰ 494:3

⁵¹ The Matei Moshe (siman 692) writes that the wording of the Rema seems to indicate that this custom applies only to the first day of Shavuos. This is also the wording of the Shulchan Aruch HaRav 494:16. Still, Darkei Chaim v'Shalom (644) writes to eat milchigs even on the second day of Shavuos as we find in Chazal that we do not differentiate between the first day of Yom Tov and the second day of Yom Tov. This is also clearly written by the Elya Rabba (Zuta, 6 on the Levush).

⁵² 494:16

⁵³ Ibid

⁵⁴ Mishna Berura 494:14

⁵⁵ Rav Shmuel Kamenetsky (Kovetz Halachos p. 132) writes that although this would seem to be the main reason to eat *milchigs* on Shavuos would be to follow the Rema, yet we do not see that people follow this reason as they do not eat milchigs and fleishigs at the same meal.

⁵⁶ 494:6

⁵⁷ Vayikra 96b

⁵⁸ Seder HaYom (Seder Sefiras HaOmer) explains that "just as in Mitzraim the Jewish people reached the 49th level of impurity and Hashem in His mercy took us out from this impurity, so too each year we count 49 days, each day removing one level of impurity and attaining a level of holiness. The days of Sefira are comparable to a woman who is a Nidda and impure for 7 days and is far from her husband and waits to again be permitted to him and longs for that day, so too during these (7 weeks) of Sefira we are impure and thus grow our hair and wait in anticipation for the day of Shavuos when we will again reunite with Hakadosh Baruch Hu."

⁵⁹ Bechoros 6b

⁶⁰ Kovetz Halachos p. 132

⁶¹ 494:12

⁶² Kovetz Halachos, ibid

⁶³ Biur Halacha 529:2 d'h keitzad

⁶⁴ Y.D. 89:19

⁶⁵ Sha'ar haTzion (546:15)

⁶⁶ Sukkah 48a d'h l'rabos

⁶⁷ See Mikadesh Yosroel 72

⁶⁸ 494:1

⁶⁹ Vol. 2 94b-114a

⁷⁰ Shaar Hakavanos for Shavuos

⁷¹ Beginning of 494

⁷² Shir HaShirim 1:12:12. Interestingly, the Even Ezra (Shemos 19:11) writes the exact opposite and states that on the night before Kabbalas HaTorah the Jewish people stayed up all night just as the Kohein Gadol does on Yom Kippur. Accordingly, Sefer Moed l'kol Chai (8:17) writes that based on this Even Ezra there is a different reason for the custom to stay up all night.

⁷³ The reason of the Magen Avraham is difficult to understand; how can it be that the entire Jewish people overslept the great day of Kabbalas HaTorah. Mayan Bais Hashoevah (Yisro 19:17) answers that the Jewish people felt that they would only be able to reach the level of prophecy needed while they are asleep as only Moshe Rabbeinu was able to speak to Hakadosh Baruch Hu while awake. However, they were mistaken, Hakadosh Baruch Hu intended to speak to them while they were awake.

⁷⁴ Parshas Bereishis

⁷⁵ 494:6

⁷⁶ Also cited in the name of the Arizal in Moed l'kol Chai 8:17

⁷⁷ Peleh Yoetz (Atzeres) writes that "One can accomplish great things by staying up to learn all night [the Tikkun] on the night of Shavuos. When one realizes how much he can accomplish in heaven on this night he will be filled with joy – more than finding a great treasure. When one realizes what a great nachas he is giving to Hashem by learning on this night he will have an easier time staying awake.

Going to the Mikvah on Shavuos morning. The Zohar (Parshas Emor, 98b) writes that one should immerse in the Mikva on Shavuos morning before Alos HaShachar (see Mekadesh Yisroel, 29).

⁷⁸ Shavuos 12,47

⁷⁹ Rosh HaShana 16a

⁸⁰ **A time to daven.** Minhagei Teiman (Kupach, cited in Mekadesh Yisroel, 8) states that "It is accepted amongst us that on the night of Shavuos at the favorable time the gates of heaven are opened, and they distribute to each person his parnassah, and all tefillos are accepted even if they seem to be outside of the natural ways." Peleh Yoetz (Atzeres) writes that "This is a special time for one to daven that he and his family merit the crown of Torah."

⁸¹ Siman 8

⁸² **Reciting Birchas HaTorah after taking a nap.** The Shulchan Aruch (47:11) writes that if someone takes a nap *during the daytime* in his bed [a *shinas keva*; i.e., for more than a half an hour (Kitzur Shulchan Aruch 2:8)], it is questionable whether he needs to recite Birchas HaTorah, as perhaps this interruption requires him to recite a new beracha. The Shulchan Aruch rules that the custom is not to make a new beracha. Still, the Mishna Berura (47:25) cites many poskim who rule that in this case one must recite a new beracha of Birchas HaTorah. Therefore, the Mishna Berura (47:13) writes in such a case one should have in mind when reciting "*Ahava Rabba*" during Maariv that the Shulchan Aruch (47:7; Mishna Berura 47:13) writes that it too can serve as a Birchas HaTorah so long as he learns immediately after davening (Mishna Berura 47:15). Thus, someone who took a nap on *erev Shavuos* should have in mind by Maariv when he recites Ahava Rabba to fulfill his Birchas HaTorah (Shiurei Halacha p. 202).

⁸³ On Siddur Tichael, Maariv of Shavuos

⁸⁴ Sifrei Gurei haArizal (cited in Mekadesh Yisroel, 8)

⁸⁵ P. 100

⁸⁶ Shavuos, 48

⁸⁷ Peleh Yoetz (Atzeres) writes this as well.

⁸⁸ He concludes, "It is therefore a mitzvah to explain to people about the greatness of the night and the opportunity one can gain from staying awake and *learning*."

⁸⁹ Atzeres

⁹⁰ **Listening carefully to Krias HaTorah.** The Derech Hashem (4:8:6) writes that the Krias HaTorah on Yom Tov bring the light of the Yom Tov through the Torah; thus, it is important to stay awake at this time Shiurei Halacha p. 198).

⁹¹ Shiurei Halacha (p. 198, note 16) writes that if someone can learn until Alos HaShachar and then go to sleep until Shachris he would fulfill the minhag to stay awake all night and daven Shachris and listen to Krias Hatorah properly

(see also Mekadesh Yisroel, 48). However, he must set an alarm clock or ask a family member to wake him up for davening (Mekadesh Yisroel, 51). Before going to sleep he should recite Krias Shema after Mi'shyakir [and b'dieved after alos HaShachar] (Shulchan Aruch 58:1,3). When he wakes up for Shachris he recites Brichas HaTorah and all other berachos of the morning on his own (Mekadesh Yisroel, 45,47).

⁹² Bereishis, Halkdama 8

⁹³ Lev Dovid, 31

⁹⁴ The Chasam Sofer would learn the entire Tikun with his students (Minhagei Chasam Sofer 11:1)

⁹⁵ Mekadesh Yisroel, 12. In fact, the Chelkas Yaakov (Siman 1) writes that the Tikun was written only for people who are unlearned and cannot learn other topics which are on a higher level of learning. However, others write that this is a mistake as the Zohar states clearly that learning the Tikun is the ideal way to learn on Shavuos night (Megeed Eretz, Kitzur ha'Pri Megadim, 489).

⁹⁶ Cited in Biur Halacha 553 d'h u'lachein

⁹⁷ Maseh Ish vol. 5, p. 78

⁹⁸ Ibid

⁹⁹ 494:1

¹⁰⁰ 4:13

¹⁰¹ 4:30

¹⁰² Learning before washing Netilas Yadayim. One may continue to learn after Alos HaShachar even if he did not yet wash his hands as it is permissible to learn when Ruach Ra'ah is on one's hands (Mishna Berura 4:59). Although the Mishna Berura cites the Zohar who says that one should not recite berachos (or learn Torah) when Ruach Ra'ah resides on one's hands, in our case when it is only a safek if there is Ruach Ra'ah one may be lenient (Shiurie Halacha p. 200). Still, if one can easily wash his hands immediately after Alos HaShachar it is preferable (Shiurie Halacha, ibid). However, Kovetz Halachos (p. 148) writes that one need not interrupt his learning to wash Netilas Yadayim.

¹⁰³ 494:1

¹⁰⁴ **When is the earliest time that one may put on his tallis?** The Shulchan Aruch (18:3) writes that one can make a beracha on his tallis (or tzitzis) at the time of "*mi'sheyakir*" (when it is light enough to distinguish between tchieles (blue) and white). The Rema adds that some rule that even if one put on his tallis after alos Hashachar he recites a beracha, and this is the custom. Still, the Mishna Berura (18:10) concludes that l'chatchila one should certainly wait until the time of *mi'sheyakir* to put on his tallis. There are several opinions regarding how to determine the time of *mi'sheyakir* (see Yisroel v'Hazmanim, 2) yet the general rule is that one need not be particularly stringent about this zman since the Rema rules that one may already put on a tallis after alos HaShachar (Shiurei Halacha p. 209).

¹⁰⁵ 47:28

¹⁰⁶ **Continuing to learn past Alos HaShachar without reciting Birchas HaTorah.** One may continue to learn past Alos HaShachar while he waits for someone else to recite Birchas haTora, because it is questionable whether he even needs to recite Birchas HaTorah and thus may continue to learn (Shiurei Halacha p. 204). Even someone who slept by day (and according to Rabbi Akiva Eiger, in next paragraph, would be obligated to recite Birchas HaTorah) may continue to learn while waiting to listen to Birchas HaTorah (see Shiurei Halacha, p. 205).

Reciting Birchas HaTorah after going to sleep in the morning. It is common for someone who stayed up all night and davened Shachris in the morning to afterwards go to sleep for a few hours. The question arises as to whether he must recite a new Birchas hatorah. The Chazon Ish ruled that since he was up all night and this sleep is in place of his night's sleep he must recite Birchas Hatorah when he wakes up (Cited in Doleh u'Mashkeh p. 199; see also Mekor Chaim 47:11 who writes this way as well). However, Rav Yosef Shalom Elyashiv (Shevus Yitzchak, Berachos 20:7:4) writes that minhag is not to recite Birchas Hatotah a second time when he wakes up.

¹⁰⁷ Ibid

¹⁰⁸ The reason why there is a doubt as to whether someone stayed awake by night must recite Birchas Hatorah is because we are unsure if a new beracha is recited: 1. Each morning or 2. After an interruption of sleep. Thus, one who slept by day and stayed up all night would certainly need a new Birchas Hatorah since both reasons are fulfilled. 1. Since [he stayed awake all night and] it is now the morning he would need to recite a new Birchas HaTorah, 2. Since he slept during the daytime there was an interruption sleep which would require a new Birchas HaTorah. However, if someone slept during the daytime and had in mind when reciting Ahava Rabba by Maariv to exempt Birchas HaTorah he loses the argument of Rabbi Akiva Eiger since it is now still a doubt as to whether he can recite Birchas HaTorah in the morning as he lost reason 2 [interruption of sleep] (Kovetz Halachos p. 151). However, the Mishna Berura (47:28) concludes that reciting Ahava Rabba will only work as Birchas HaTorah if [one had in mind for it to be used as Birchas HaTorah, and] one learnt a little immediately after davening.

¹⁰⁹ Chazon Ish (MaasehIsh vol. 3, p. 117) who argues that a nap during the daytime is exempt because it is not considered a Shinas keva and would never be considered an interruption.

¹¹⁰ Shiurei Halacha p. 203. However, as we mentioned, if one had in mind when he recited Ahava Rabba at Maariv to fulfill his Birchas Hatorah the reasoning of Rabbi Akiva Eiger no longer applies.

¹¹¹ Shiurei Halacha p. 207

¹¹² 46:25

¹¹³ The Chayei Adam (8:9) writes that if one fell asleep during the night [for a half an hour] he may recite these berachos on his own. Kovetz Halachos (p. 149) writes that this would apply to someone who slept in the daytime before as he may recite these berachos on his own.

¹¹⁴ 494:1

¹¹⁵ Kovetz Halachos pp.159-160. If a Kohein forgot about Akdamus and recited the beracha on the Tora, he should not interrupt and read the Torah, then between the two aliyo he should recite Akdamus (kovetz Halachos, ibid). However, if he only recited "Barchu" and not the berachos of the Torah , he should read Akdamus and afterwards start again by saying Barchu (Kovetz Halachos, ibid).

¹¹⁶ 494:1

¹¹⁷ Machzor Vitri writes that originally Yitziv Piskam was written when there was "a translator" who would translate the words of the Navi and was a way of asking permission to state the translations.

¹¹⁸ 490:17

¹¹⁹ Teshuvos, 263; see also Emes l'Yaakov (Algazi) 7:5

¹²⁰ Based on the Rema (1:5) who rules that one may not recite the Aseres Hadibros as a Tzibur as one may suspect that we are following the heretics who believe that *only* the Aseres Hadibros were given at Har Sinai (Magen Avraham 1:9).

¹²¹ Tov Ayin, 11; see Igros Moshe O.C. 4:22

¹²² L'Dovid Emes on Sefer Emes l'Yaakov, ibid

¹²³ Kovetz Halachos p. 162

¹²⁴ 208:2

¹²⁵ Mishna Berura 208:7

¹²⁶ Mishna Berura 208:8

¹²⁷ Mekadesh Yisroel, 94; Kovetz Halachos p. 143

¹²⁸ This would seem to be determined by the one baking the cake and one would need to ask the baker what their intention was when using the pie crust (Mekadesh Yisroel, 94).

¹²⁹ Mekadesh Yisroel, 94. However, Kovetz Halachos (p. 143) writes that one may first take a piece of the pie crust and recite mezonos on it and then recite shehakol on the cheese (based on Igros Moshe O.C. 4:43). If one's main reason for using the mezonos is to hold the cheese but as a secondary reason it also adds to the taste it would be questionable which beracha to recite. Kovetz Halachos (p. 144) writes that according to the Machtzis HaShekel one would recite both berachos but according to the other pokim one would recite only a Mezonos. [See Mekadesh Yisroel, ibid, who holds that in this case only a Shehakol would be recited.]

¹³⁰ The Mishna Berura (208:48) writes that in such a case that the food does not consist of a k'zayis of mezonos the minhag ha'Olam is still to recite Al Hamichya; perhaps their reason is that since the other ingredients are added to enhance the mezonos it becomes part of the mezonos food. However, Rav Moshe Feinstein (1:71) writes that this custom is difficult to understand and thus one should only recite Al Hamichya if there is a k'zayis of mezonos [this is also the ruling of the Divrei Yoel, 13].

¹³¹ Shiurei Halacha p. 213; Mekadesh Yisroel, 103

¹³² 273:1

¹³³ 273:21

¹³⁴ P. 215

¹³⁵ Chasam Sofer (6:16); Kol Dodi Haggadah pg. 15 note 1