

## Insights into Halacha: Rosh Hashana

Rabbi Yehuda Spitz

This year (5784), the upcoming holiday of Rosh Hashana falls out on Shabbos. Although that may not sound so remarkable in of itself (as statistically speaking, this actually occurs over 25% of the time),<sup>[1]</sup> it actually will cause several halachic and minhagic (if that is a word) shifts.

The first deviation from the norm is that the Shofar will not be sounded on the first (Biblical) day of Rosh Hashana, but rather only on the second (Rabbinic) day. The reason given for this 'silencing of the Shofar' is the remarkable Gezeira of Chazal that one may come to mistakenly carry a Shofar out of the permitted area on this Shabbos in order to learn how to properly blow it.<sup>[2]</sup> Whenever Shabbos Rosh Hashana occurs, we are collectively astounded as to the strength of this extraordinary Gezeira – for all of Klal Yisrael desisting from performing an outright Mitzva Deoraysa simply due to a far-out possibility of one person unwittingly and unintentionally transgressing another – that of Hotza'ah – carrying, especially in an age when many of us have Eruvin<sup>[3]</sup> [a.k.a. 'Eiruv'] (and thus technically, the issue moot), is simply incredible.

Yet, there is an alternate, and perhaps more appropriate way to view this situation. Not sounding the shofar on Shabbos Rosh Hashana as per Gezeiras Chazal showcases to us all that Kedushas HaShabbos is of paramount importance in all that we do – and yes, even to the extent of pushing off a precious, once-a-year (OK, twice-a-year) Mitzva Deoraysa.<sup>[4]</sup> Several of our Rabbinic luminaries, including the Chasam Sofer, the Aruch LaNer, and Ben Ish Chai, stressed that in a way, a year like ours is a gift<sup>[5]</sup> – that not blowing the shofar due to Shabbos credits us with whatever spiritual gain we would have obtained had we been able to blow the shofar.<sup>[6]</sup> Yet, there is a caveat – we need to show how much we honor, respect, and delight in our Shabbos observance in order to properly reap the spiritual rewards of a Shabbos Rosh Hashana.<sup>[7]</sup>

### No Lulav

As the Gemara continues,<sup>[8]</sup> the same Gezeira holds true regarding Lulav and Megillah as well. Meaning, if the first day of Rosh Hashana occurred on Shabbos, then the first day of Sukkos two weeks later will also occur on Shabbos. And just as there was no fulfilling the Mitzva Deoraysa of Shofar on Rosh Hashana, but rather only the second day M'Derabbanan, there will also be no fulfilling the Mitzva Deoraysa of taking and waving the Arba Minim on Sukkos at all.<sup>[9]</sup> This is because waving the Arba Minim is actually considered a Biblical Mitzva exclusively on the first day of Sukkos,<sup>[10]</sup> whereas performing this Mitzva on all the remaining days of Sukkos is only a Mitzva M'Derabbanan. Another spectacular testament to the prominence and centrality of Kedushas HaShabbos.

### Minhagim Mash-Up

Back to Rosh Hashana itself, Rosh Hashana falling out on Shabbos also creates several other divergences from the norm, at least for Ashkenazim. For example, although the famous Tefillos of "Avinu Malkeinu"<sup>[11]</sup> as well as "Tashlich,"<sup>[12]</sup> where we "throw away our Aveiros, down by the river," are both considered emblematic of Rosh Hashana, nevertheless, Ashkenazic minhag for the most part is that neither are actually recited on a Shabbos Rosh Hashana,<sup>[13]</sup> but rather get pushed off to be exclusively recited on the second day of Rosh Hashana.<sup>[14]</sup> On the other hand, general Sefardic practice is that both of these fundamental Tefillos are nonetheless still recited on Shabbos Rosh Hashana.<sup>[15]</sup> <sup>[16]</sup>

### What Time is Shalashudis?

Another issue to be aware of is that as the first day of Rosh Hashana is Shabbos, there is a requirement to eat Seudas Shlishis. As discussed in previous articles, lechatchilla, Seudas Shlishis should preferably be eaten after davening Mincha.[17] Although that may not sound like a big deal, there is a compounding factor. When there is another following required Seudah the coming night, as is the case on Erev Shabbos or Erev Yom Tov (in this instance, we have the Leil Shini Yom Tov Seudah coming up), one is not supposed to wash and start a bread Seudah from three halachic hours prior to the end of the day.[18] Hence, due to Rosh Hashana's extensive tefillos, unless one davens pretty early, has his Seudas Yom Tov soon afterwards, followed by Mincha and immediately followed by Seudas Shlishis, fulfilling all of these requirements in an optimal manner may be quite a daunting, if not near-impossible mission, perhaps second only to when Erev Pesach occurs on Shabbos.[19]

In this situation, several Poskim advise to daven Mincha immediately after Mussaf, and then perhaps split the Yom Tov Seudah in two, reciting Birkas Hamazon and taking a short break before washing again for Seudas Shlishis, all before the 'Sof Zman Mitzva Limnoa M'Seudah' (in Yerushalayim this Rosh Hashana, this Zman is estimated at 3:39 PM).[20] Yet, if one cannot do so, he should still have Seudas Shlishis at its usual time toward the end of the day, making sure to only eat a small amount of Pas (estimated at around a shiur of 'k'beitzah').[21]

#### YaKNeHa"Zes

Rosh Hashana occurring on Shabbos also leads us into the realm of several YaKNeHa"Zes over the course of the year for those in Chutz La'aretz (but only one for those of us in Eretz Yisrael). YaKNeHa"Z refers to the special hybrid Kiddush-Havdalah that is only recited when a Shabbos exits directly into a Yom Tov. This occurs more frequently in Chutz La'aretz than in Eretz Yisrael due to the prevalence of two-day Yomim Tovim.

In Chutz La'aretz this year there is the:

Second night of Rosh Hashana

Second night of Sukkos

Night of Simchas Torah

Yet, in Eretz Yisrael there is only one YaKNeHa"Z occurring, that of the second night of Rosh Hashana.

The reason for this discrepancy is due to Yom Tov Sheini, which is observed in Chutz La'aretz and not in Eretz Yisrael.[22]

Of course, along with each YaKNeHa"Z is the special Havdalah bracha addition recited in the Yom Tov Maariv Shemoneh Esrei at the time that Shabbos "is going away" – "Vatode'ainu," which concludes with the not too common "HaMavdil Bein Kodesh L'Kodesh." [23]

The word YaKNeHa"Z is an acronym of the proper order of brachos in this Kiddush/Havdalah. It stands for Yayin (Borei Pri Hagafen), Kiddush (Mekadeish Yisrael V'Hazmanim), Ner (Borei Me'orei Ha'Aish), Havdalah (Hamavdil Bein Kodesh L'Kodesh), Zman (Shehechiyanu). [24]

To help facilitate this special Kiddush that needs its own Havdalah candle(s) that will go out by itself/themselves (in order not to unwittingly transgress the prohibition of 'Kivui', extinguishing, or even 'Gram Kivui', causing it to be extinguished), [25] several companies recently started making "YaKNeHa"Z Candles"

(a.k.a. “avukalehs”) – small candles containing several wicks (to be classified as an ‘avuka’ – torch, for Havdalah;[26] as opposed to the traditional one-wick candle) that go out by themselves after several minutes – made especially to facilitate easy YaKNeHa”Z performance. It is reported that Rav Yosef Shalom Elyashiv’s “face lit up with joy” the first time someone brought him one of these YaKNeHa”Z candles, as it enabled him to properly perform this Kiddush/Havdalah without any potential chashashos.[27] Mi K’Amcha Yisrael!

### Wabbit Season?

All of these YaKNeHa”Z es in one year makes this author ruminate about what is possibly the oddest connection to it. In what appears to be an interesting turn of phrase, many classic Ashkenazic Illuminated Haggados over the centuries, including the Cincinnati, Ashkenazic, Prague, Venice, and Augsburg Haggados,[28] depict an interesting phenomenon next to the hybrid Kiddush-Havdalah of YaKNeHa”Z: a rabbit hunt. Yes, you read that right. Not even remotely related to either Kiddush or Havdalah (or in fact anything else in Yiddishkeit; except possibly the Noda B’Yehuda’s famous responsum regarding hunting for sport or pleasure),[29] a full-fledged rabbit hunt. Scholars theorize that the reason this picture is placed specifically at this point of the Haggada is the similar-sounding German phrase “Jag den Häs,” which translates to “Chase the Rabbit” or “Hunt the Hare.” Apparently this was an easy, albeit whimsical way to remind the locales in their vernacular of the proper order of brachos of this Kiddush-Havdalah on Seder Night.

YaKNeHa”Z depiction in the famous Illuminated 1629 Venice Hagaddah.

This author has recently heard a similar-type of explanation for the “minhag” to eat stuffed cabbage on Hoshana Rabba: “Kraut Mit Vasser” – “Cabbage (cooked) with Water,” sounds similar to the special Tefilla recited on Hoshana Rabba associated with the klopping of Hoshanos: “Kol Mevasser.”

### Megillah Mystery

Our unique calendar setup also means that this year there is no Shabbos Chol HaMoed – which ordinarily means more time for Chol HaMoed activities. Yet, this also means that the Yom Tov days of both Sukkos and Pesach had/will have longer tefillos, at least for Ashkenazim. This is due to Megillah readings – Koheles on Sukkos and Shir HaShirim on Pesach. As both of these Megillos are ordinarily read on the Yom Tov’s respective Shabbos Chol HaMoed, when there isn’t one, they get pushed off to other days of Yom Tov. [30] [31] But there is another fascinating divergence between Eretz Yisrael and Chutz La’aretz. Without Shabbos Chol HaMoed, in Eretz Yisrael Koheles gets pushed forward to Yom Tov Rishon of Sukkos, whereas in Chutz La’aretz it gets pushed off further to Shemini Atzeres. Meaning, although Ashkenazim all read Koheles on a Shabbos Yom Tov day of Sukkos, in Eretz Yisrael it is leined a full week (!) before it is read in Chutz La’aretz.[32]

### Shemini Atzeres or Simchas Torah?

Another interesting calendar quirk that distinguishes between Eretz Yisrael and Chutz La’aretz is that as Simchas Torah is Shemini Atzeres in Eretz Yisrael, and this year it falls out on Shabbos, at Mincha, the Kriya of the upcoming Parashas Bereishis will be read; something that is an impossibility to occur in Chutz La’aretz.[33] Since in Chutz La’aretz it will still be Shemini Atzeres, and Simchas Torah only starts that evening, this means

that the Torah cycle will not yet have concluded, and hence, at that same Shabbos Mincha leining albeit in Chutz La'aretz, the next parashah in the on-deck circle, V'Zos HaBracha will be read.[34]

There is another potential distinction between Eretz Yisrael and Chutz La'aretz this year. In Eretz Yisrael, as Simchas Torah is Shemini Atzeres, it will be observed on Shabbos this year, as opposed to Chutz La'aretz, where Shemini Atzeres will be Shabbos and Simchas Torah will be on Sunday. Classically, on Simchas Torah, aside from certain halachic dispensations, such as dancing and clapping, due to the tremendous Simcha Shel Mitzva engendered by the day,[35] there have also been certain "minhagim," or more accurately, liberties taken, or laxities that have been tolerated over the generations in the name of "simcha," ostensibly due to the Rabbinic nature of the Yom Tov. These include(d), kids burning down Sukkos [36] and setting off firecrackers (!).[37] Although there is no lack of admonishment in halachic literature not to encourage such extreme forms of "merriment,"[38] nevertheless this year, in Eretz Yisrael many of these "minhagim" will not apply at all. As Simchas Torah is on Shabbos, and as opposed to Yom Tov by itself, transfer of flame is strictly prohibited.[39] Hence, the possible need for stronger vigilance than is usually necessary on Simchas Torah.

A flip side of this, is that perhaps this year, the common minhag in Yeshivos to make Kiddush on Mezonos (as the 'Seudah') on Simchas Torah Night as per the Chazon Ish, may not equally apply due to it being Shabbos. This is because the Leil Shabbos Kiddush is mandated M'Deoraysa, as opposed to Leil Yom Tov Kiddush, which is Derabbanan (and hence halachically akin to the Shabbos day Kiddush).[40] Hence, many more may be makpid to make this Kiddush specifically with a full-fledged Hamotzi Seudah, than may have in a regular year's Simchas Torah. Although these Simchas Torah divergences may seem like mere nuances, in this author's opinion it always pays to pay attention to the details.

Certainly a fascinating time of year, indeed!

For any questions, comments or for the full Mareh Mekomos / sources, please email the author: [yspitz@ohr.edu](mailto:yspitz@ohr.edu).

Rabbi Yehuda Spitz, author of M'Shulchan Yehuda on Inyanei Halacha, serves as the Sho'el U'Meishiv and Rosh Chaburah of the Ohr Lagolah Halacha Kollel at Yeshivas Ohr Somayach in Yerushalayim.

His recently published comprehensive English halacha sefer, "Insights Into Halacha: Food: A Halachic Analysis" (Mosaica / Feldheim), focusing on the myriad halachos related to food, is now available in Jewish bookstores worldwide as well as through Feldheim.com

[1]Last occurring three years ago in 5781, the previous time this transpired was eleven years prior, back in 5770. According to R' Yosef Yehuda Weber, author of Understanding the Jewish Calendar, Rosh Hashana falls out on Shabbos 28.57142% of the time. The next seven times that Rosh Hashana is slated to fall out on Shabbos are 5787, 5788, 5791, 5794, 5801, 5808 and 5811.

[2]Mishnah and following Gemara in Rosh Hashana (29b), Beitzah (17b-18a), Megillah (4b), Pesachim (69a), and Sukka (42b). See also Rambam (Hilchos Shofar Ch. 2:6, 8, 9) and Ritva (Megillah 4b s.v. hani taama) as to how fundamental this rule is – even though we now have a set calendar, and ruled practically in Orach Chaim (588:5). Yet, several Rishonim [including the Rosh (Rosh Hashana Ch. 4:1), Ran (ad loc. 8a s.v. nireh in the Rif's pagination), Maggid Mishnah (on the Rambam ad loc. 9), Sefer Hachinuch (Parashas Pinchas, Mitzva 405), and Tur (O.C. 588:5)] point out that although seemingly against the halachic consensus, it is known that the Rif had the Shofar blown for him on Shabbos Rosh Hashana, as he understood that a Beis Din Kavua (or

Beis Din Muflag B'Doro) had the ability to do so. The Ramban, in a Drasha L'Rosh Hashana, writes that he did so as well, citing precedent from "Ziknei Anshei Sefard." Yet, the halacha pesuka follows the Rambam, that samuch to or in Eretz Yisrael, as well as being a Beis Din Gadol that is Mekadeish the Chodesh is also needed to allow this – prerequisites that are sorely lacking nowadays. In more contemporary times, records of Rav Akiva Yosef Schlesinger in the early 1900s trying to convince the Rabbanim and Batei Dinim of his time in Yerushalayim to allow shofar blowing on Shabbos Rosh Hashana overlooking the Makom Hamikdash are legend, as is the listing of several Rabbanim that came to listen (while hidden) to him blowing on the tzad that his position was correct. See Rabbi Elyakum Dvorkes's recent Nesivei Minhagim (B'Inyanei Elul, Rosh Hashana, V'Aseres Yemei Teshuva) who devotes a chapter to this fascinating machlokes of historical record.

[3]See previous article titled "The Curious Case of the Karpef."

[4]Phil Chernofsky, editor emeritus of Torah Tidbits, and compiler of Philo-Torah, related a story on topic to this author. One Shabbos Rosh Hashana, a secular youth showed up at his shul, rebuffing all offers of assistance. He stated that he was simply waiting to hear the Shofar blown. When he was told that there was no shofar-blowing that day due to it being Shabbos, noticeably dismayed, he declared, "I thought this was a dati Beit Knesset," and promptly left. It seems that the idea of Kedushas Shabbos being of paramount importance never crossed the mind of this secular youth,

[5]For those who ask how can this possibly hold true, when the Gemara in Rosh Hashana (16b) famously states that "any year that the Shofar is not blown at the beginning of the year, there will be Teruos at the end of the year, as the Satan was not confused," ostensibly referring to being the harbinger of a difficult year (see Rashash ad loc. for an explanation), and we know that as Rosh Hashana falls on Shabbos this year, we do not blow the Shofar except on the second day. To these questioners I refer to Tosafos' brief elucidation (Rosh Hashana 16b s.v. she'ain; citing the BeHa"G), that this dictum is specifically not referring to when Rosh Hashana occurs on Shabbos, but rather a regular year when the Shofar was not blown due to some other oness (unforeseen extenuating circumstance).

[6]See, for example, the Chasam Sofer's Toras Moshe (Parashas Nitzavim, pg. 51a s.v. v'chein sha'alu), the Aruch LaNer's posthumously published Minchas Ani (Parashas Haazinu, Shabbos Shuva 5632, pg. 133b-134a) and "Rav Yechezkel Kachli's" Shu"t Torah Lishma (436; generally attributed to the Ben Ish Chai).

[7]Toras Moshe and Minchas Ani (ibid.). This was actually part of the content of the Aruch LaNer's drasha on his final Shabbos Shuva - 5632.

[8] See Mishnah and following Gemara in Rosh Hashana (29b), Beitzah (17b-18a), Megillah (4b), Pesachim (69a), and Sukka (42b).

[9] Mishnah and Gemara (Sukka 41a and 44a and Rosh Hashana 30a), and practically in Orach Chaim (658:1-2).

[10] Parashas Emor(Vayikra Ch. 23:40).

[11] Regarding Avinu Malkeinu, see Rema and main commentaries (O.C. 584:1), as well as the Matteh Efraim(ad loc. 11-15). This recital is based on the famous Gemara in Taanis (25b) regarding Rabbi Akiva davening this formulation publicly during a drought and being immediately answered with strong rainfall.

[12] Regarding Tashlich, see Rema and main commentaries (OC 583:2), Matteh Efraim (598:4-7), and Kitzur Shulchan Aruch (129:21). This minhag is based on the Midrash Tanchuma (Vayera 22) regarding Avraham Avinu overcoming the Satan representing himself as a raging river trying to stop Akeidas Yitzchak. The main part of this Tefilla is the pasuk in Micha (Ch. 7:19) 'V'sashlich b'metzulos yam kol chatosam,' that Hashem should cast all of our Aveiros away to the depths of the sea.

[13] This omission is mainly due to Avinu Malkeinu being a Tefilla dedicated to requesting specific needs, which we are to refrain from on Shabbos (see Yerushalmi Shabbos Ch. 15, Halacha 3). See Rema (O.C. 584:1), Levush (ad loc. 1), Magen Avraham (ad loc. 3; citing the Ran, Rosh Hashana 9a and the Rivash, Shu"t 512), Shulchan Aruch Harav (ad loc. 5), Matteh Efraim (ad loc. 11), Elef Hamagen (ad loc. 19), and Mishnah Berurah (ad loc. 4). This is also the common Ashkenazic minhag, as per the essential Tukachinsky Luach Eretz Yisrael (5784; Rosh Hashana), and the authoritative Ezras Torah Luach (see also Shu"t Gevuros Eliyahu vol. 1, O.C. 155:6 and 10).

[14] Although the Shaarei Teshuva (O.C. 583:6) and Matteh Efraim (598:4-7) cite minhagim both ways, including that Tashlich should be recited even on Shabbos [as per the Shevus Yaakov (Shu"t vol. 3:42) and Rav Yosef Irgaz (Rebbi of the Chida; cited in Machzik Bracha ad loc. 4), as well as implied by the Maharil (Hilchos Rosh Hashana and Shu"t 136) who was of the first to cite the minhag] and the Shaarei Teshuva concludes "v'chein anachnu nohagim," and the Mishnah Berurah (ad loc. end 8) writing that only "u'vktzas mekomos ra'isi" that Tashlich is pushed off to the second day of Rosh Hashana when the first day is Shabbos, nonetheless, as cited in the Elef Hamagen (598:11) the common Ashkenazic minhag is that Tashlich is pushed off to the second day of Rosh Hashana. This follows the precedent of the Shlah (Kitzur Shlah, Rosh Hashana, Inyanei Rosh Hashana s.v. v'yeish leilech), Chida (Birkei Yosef ad loc. 6 and Shu"t Yosef Ometz 17:3; concluding "shev v'al taaseh adif"), Pri Megadim (ad loc. M.Z. 3 and E.A. 5), and Kitzur Shulchan Aruch (129: end 21), all who rule that Tashlich should not be recited on Shabbos Rosh Hashana. Several of these authorities are concerned with the possibly transgressing the prohibition of 'Hotza'ah,' carrying Machzorim in places where there is no Eruv on Shabbos. See also Sdei Chemed (Asifas Dinim, Maareches Rosh Hashana 2:2). [Although there are some opinions who are chosheh for this on Yom Tov as well – see Shaarei Teshuva (O.C. 589:6) citing the Shaagas Aryeh (Shu"t 106-108).] This has since been considered the common Ashkenazic minhag, as per the essential Tukachinsky Luach Eretz Yisrael (5784; Rosh Hashana), as well as the authoritative Ezras Torah Luach (see also Shu"t Gevuros Eliyahu vol. 1, O.C. 155:10); see also Halichos Even Yisrael (Moadim vol. 2, pg. 55:4). As an aside, it is noteworthy that in his brief description of Tashlich, the Aruch Hashulchan (ad loc. end 3) adds that if Tashlich becomes a mingling event, it would be preferable to stay home. A similar point is made by the Katzeh Hamatteh (598:7). As it is known that the Vilna Gaon did not actually go to a body of water to recite Tashlich (Maaseh Rav 209); perhaps this was his intent as well. See also Halichos Shlomo (Moadim vol. 1, Ch. 1, footnote 71, pg. 12) relating that for several years Rav Shlomo Zalman Auerbach did not go out to perform Tashlich, but rather recited it in shul, due to this concern.

[15] This recital of Avinu Malkeinu on Shabbos Rosh Hashana is based on the Tashbetz (Shu"t vol. 3: 176; as cited by the Beis Yosef, beg. O.C. 584, although curiously absent from the Shulchan Aruch), as well the Arizal (Shaar Hakavannos pg. 90a), and later the Ben Ish Chai (Shu"t Torah L'Shma 161), implying that Kabbalistically speaking, one should still recite Avinu Malkeinu on Shabbos, just being careful not to mention "cheit". The Kaf Hachaim (O.C. 584: 8; see also 582:16, where he cites that Kabbalistically it should be recited) cites several Sefardic authorities on both sides of the debate, concluding that the Ashkenazic minhag is decidedly not to recite Avinu Malkeinu on Shabbos, whereas as the Sefardic minhag is debated, one should follow his own minhag. See Shu"t Yechaveh Daas (vol. 1:54; see also Chazon Ovadia on Yomim Noraim pg. 104) and Shu"t Ohr L'Tzion (vol. 4, Ch. 4:1) who rule that the minhag of reciting Avinu Malkeinu is founded

'b'hararei kodesh' and should still be recited on Shabbos. The Yalkut Yosef (Kitzur Shulchan Aruch O.C. 582:25 and Moadim pg. 27) adds "v'chein rai linhog," unless one specifically has a minhag not to. Reciting Avinu Malkeinu on Shabbos Rosh Hashana is also the proper Sefardic minhag as noted in Rav Yaakov Hillel's Ahavat Shalom Luach (5784; pg. 32-33 and footnote 162), stating to follow the precedent of Rav Chaim Vital, the Ben Ish Chai, and Kaf Hachaim [and not that of the Zivchei Tzedek (Shu"t vol. 3:150, pg. 269) who held not to recite it], as well as in Rav Mordechai Eliyahu's Darchei Halacha glosses to the Kitzur Shulchan Aruch (129:14). On the other hand, as mentioned, there are several Sefardic Kehillos (most notably of Moroccan origin), who follow the alternate minhag, of skipping Avinu Malkeinu when Rosh Hashana occurs on Shabbos.

[16] As mentioned in previous footnote, many authorities held that Tashlich should still be recited on Shabbos Rosh Hashana, being vigilant not to come into issues of 'Hotza'ah, carrying.' The Ben Ish Chai (Year 1, Nitzavim 12) cites this as correct from a Kabbalistic perspective, citing precedent from the Rashash. The Kaf Hachaim (O.C. 583:31) concludes similarly, citing Kabbalistic precedent from the Arizal, adding the perhaps the Shlah would agree, as long as there is no chashash of Chilul Shabbos involved. This is also the conclusion of most contemporary Sefardic Poskim, including Rav Ovadia Yosef (Shu"t Yabia Omer, vol. 4, O.C. 47, Shu"t Yechaveh Daas vol. 1:53, and Chazon Ovadia on Yomim Noraim pg. 186), Rav Ben Tzion Abba-Shaul (Shu"t Ohr L'Tzion vol. 4, Ch. 4:10), Rav Mordechai Eliyahu (Darchei Halacha glosses to the Kitzur Shulchan Aruch; 129:30), Rav Yaakov Hillel (Shu"t Vayashev Hayam, vol. 3, 21:2 and in his Ahavat Shalom Luach, 5784, pg. 46), and the Yalkut Yosef (Moadim pg. 34 and Kitzur Shulchan Aruch O.C. 584, Hanhagos Yom Rosh Hashana 6) that it would be preferable to perform Tashlich on Shabbos unless there is a chashash of Chilul Shabbos due to carrying. On the other hand, as mentioned, there are several Sefardic Kehillos (most notably of Moroccan origin), who follow the alternate minhag, of pushing Tashlich off when Rosh Hashana occurs on Shabbos.

[17] See Tur, Shulchan Aruch, and Rema (O.C. 291:2, 3, and 5), and Biur Halacha (ad loc. s.v. lo). As the Kaf Hachaim (O.C. 444: end 8 and O.C. 291:12) notes, this shittah of the Shulchan Aruch's is leshittaso, as he maintains that even if one eats a Seudas Shlishis prior to the earliest Zman of Mincha – he did not fulfill his obligation even b'dieved. Although this is the Tur's opinion as well, on the other hand, the Rema cites precedence from several Rishonim, that this is only lechatchilla; yet if need be, one may also have his Seudas Shlishis prior to Mincha (shittah of the Ran and BeHa"G; see Beis Yosef ad loc. 2). Hence, if one somehow splits his Seudah in the morning, although the Shulchan Aruch would hold it is irrelevant, nonetheless, according to the Rema he fulfilled his Seudas Shlishis requirement, and technically does not need to rely upon the lesser levels of Seudas Shlishis fulfillment, such as consuming fruit, meat, or other Shehakol items, or even Mezonos after Mincha. See the Magen Avraham's introduction to (O.C. 291). Although there is a machlokes Rishonim whether it is necessary to have a bread-based meal for Seudas Shlishis, the Tur (O.C. 188: 8), as well as the Shulchan Aruch (O.C. 291: 4 and 5), conclude that one should wash for Seudas Shlishis, due to the three times the Torah states 'Hayom' in the Parshas HaMann. Although the Rema (O.C. 291: 2) concludes that lechatchilla one should actually daven Mincha prior to eating Seudas Shlishis, nevertheless, m'dina one is still yotzei his chiyuv after Zman Mincha Gedolah. Either way, practically speaking, lechatchilla, Seudas Shlishis should be eaten after Zman Mincha Gedolah, preferably after actually davening Mincha.

[18] One should not start a seudah on Erev Yom Tov within three halachic hours before shkiya. See Rema (O.C. 529:1), Magen Avraham (ad loc. 1), Elyah Rabba (ad loc. 3), Shulchan Aruch Harav (ad loc. 3), Mishnah Berurah (ad loc. 5 and 8), Kaf Hachaim (ad loc. 25), and Shu"t Igros Moshe (O.C. vol. 3:68). This is based on a similar din in Hilchos Shabbos regarding Erev Shabbos (O.C. 249:2).

[19] As detailed at length in a previous article titled 'Erev Pesach Shechal B'Shabbos: A Halachic Guide'. Perhaps another reason to specifically daven Haneitz this Rosh Hashana, even without the blowing of the Shofar. For more on this, see the postscript to a previous article titled 'The Puzzle of Performing Kiddush Prior to Tekiyas Shofar.'

[20] See the Tukachinsky Luach Eretz Yisrael (5784; Rosh Hashana), Halichos Even Yisrael (Moadim vol. 2, pg. 55:2), and Rav Yaakov Hillel's Ahavat Shalom Luach (5784; pg. 47, footnote 288). [As an aside, the Vilna Gaon (Maaseh Rav 207; and cited in the Tukachinsky Luach) held that any time davening on Rosh Hashana extends until after Chatzos, it is preferable to immediately daven Mincha before going home for the Seudas Yom Tov.] See also Matteh Efraim (601:5) that one can rely on making his Seudah on Mezonos in a similar situation.

[21] See Rema (O.C. 529:1), Shaarei Teshuva (O.C. 471), Machatzis Hashekel (O.C. 529:2), Shaar Hatziyun (ad loc. 10), and Kaf Hachaim (ad loc. 16; he actually holds that this is the preferred option from a Kabbalistic perspective, having Seudas Shlishis at its usual time utilizing a smaller amount of Pas; yet, see the Ahavat Shalom Luach (5784; pg. 47, footnote 288) who maintains that this may no longer be the case nowadays).

[22] See previous articles titled "Rosh Hashana: The Universal Two-Day Yom Tov", "One Day or Two?," and "Sukka on Shemini Atzeres?"

[23] See Rambam (Hilchos Tefilla Ch. 2:12) and Tur and Shulchan Aruch (O.C. 492:2 and 599:1), based on Gemara Brachos (33b). It is important to note that it is only when Motzai Shabbos is Yom Tov when "HaMavdil Bein Kodesh L'Kodesh" is recited and effective as a Havdalah. In the reverse scenario, when Motzai Yom Tov is Shabbos - there is no Havdalah, due to the increase of Kedusha from Yom Tov to Shabbos and din of Tosefes Shabbos. [In such a case, and as opposed to when Yom Tov immediately follows Shabbos (when this would be forbidden), one may prepare on Yom Tov for Shabbos, but exclusively when an Eruv Tavshilin was performed before said Yom Tov. See Orach Chaim (527) at length, based on Mishnah and Gemara in the beginning of the second Perek of Beitza (15b).]

[24] See Gemara Pesachim (102b-103a), Rambam (Hilchos Shabbos Ch. 29:22 and Maggid Mishnah ad loc.), Matteh Efraim (600:2), and Aruch Hashulchan (O.C. 473:5).

[25] On this topic, as well as to the permissibility of placing matches and/or candles together and/or then taking them apart on Yom Tov, as well as if it may be preferable to simply recite the bracha on the Yom Tov candles and not a halachic 'avuka' in this instance, see Elef Hamagen (on the Matteh Efraim 620:3; citing Yesod V'Shores Ha'Avodah, Shaar 9, Ch. 5), Mishnah Berurah (502:19 and 20 and Biur Halacha 514:2 s.v. v'yichbeh b'meheirah), the Shulchan Aruch Harav's Lekutei Taamim U'Minhagim L'Haggada shel Pesach (at the end of vol. 3; Kadeish, Havdalah), Shu"t Igros Moshe (O.C. vol. 5:20, 30), Shu"t Ba'er Moshe (vol. 8:184), Shu"t Mishnah Halachos (vol. 8:217), Shemiras Shabbos Kehilchasa (vol. 2, Ch. 62:18 and vol. Tikkunim U'Miluim ad loc. footnote 31), Orchos Rabbeinu (new edition; vol. 2, pg. 133:43), Yom Tov Sheini Kehilchaso (Ch. 1:20; and extensive footnotes), Halichos Shlomo (Moadim vol. 2, Ch. 9, footnote 155 s.v. uv'taam), Halichos Even Yisrael (Moadim vol. 1, pg. 162-163:7-9 and pg. 273-274:6-7), Rav Pesach Eliyahu Falk's Zachor V'Shamor (original edition, vol. 7, pg. 33-e and 52-d), and Rav Shimon Eider's Sefer Hilchos Shabbos (pg. 263 and footnote 34).

[26] See Shulchan Aruch, Rema, and main commentaries (O.C. 298:2; as well as Hagahos Rav Akiva Eiger, Y.D. 11:1 s.v. u'shnei' neiros; citing the Orach Mishor), based on Gemara Pesachim (103b).



[27]Alon Shoalin U'Dorshin(#137, Rosh Hashana 5781), from Rav Elyashiv's noted talmid Rav Ben Tzion Kook.

[28]As per the renowned Beit HaTefutzot museum in Tel Aviv.

[29] Shu"t Noda B'Yehuda(Tinyana Y.D. 10).

[30] Rema(O.C. 490:9; citing the Abudraham, Hilchos Tefillas HaPesach, pg. 266 s.v. nahagu, and O.C. 663:2; citing the Maharil, Seder Tefillos Chag HaSukkos). See also Levush (O.C. 490:5 s.v. v'korin and 9 s.v. v'im and 666:2 s.v. v'omrim), Biur HaGr"a (O.C. 490:14), Magen Avraham (ad loc. 8), Mishnah Berurah (ad loc. 17), and Shu"t Igros Moshe (O.C. vol. 4:99, 2).

[31] For those who ask how these Megillos can be specifically read on Shabbos Chol HaMoed, when there is a Gezeiras Chazal against reading the Megillah on Shabbos due to possibly carrying it on Shabbos, this is not an issue with Shir HaShirim or Koheles. That Gezeira only applies to Mitzvos Hayom that are incumbent as outright obligations, such as Shofar on Rosh Hashana, Lulav on Sukkos, and Megillas Esther on Purim. The public leinings of Koheles on Sukkos and Shir HaShirim on Pesach are not chiyuvim, but rather Ashkenazic minhagim. There is a machlokes HaPoskim whether or not a bracha may be made on them at all at their leinings, and the halachic consensus is that unless these Megillos are being leined from actual kosher Megillah written on klaf [as is Minhag Yerushalayim based on the Vilna Gaon; see Maaseh Rav (175), Rav Yechiel Michel Tukachinsky's authoritative Luach Eretz Yisrael (5781, Yom Tov Rishon shel Sukkos), and Halichos Even Yisrael (Moadim vol. 1, pg. 197-198:4 and Moadim vol. 2, pg. 307:7); Shechianu is recited as well] then a bracha would not be recited on these Megillos. See Maseches Sofrim (Ch. 14:3), Hagahos Maimoniyus (Hilchos Taaniyos Ch. 5:2), Sefer Haminhagim (Tirna/Tyrnau; Pesach 26), Beis Yosef (O.C. 559 s.v. kasvu), Bach (ad loc. end s.v. hagahos),Darchei Moshe (O.C. 490:1), Rema (O.C. 490:9, O.C. 663:2), Teshuvos HaRema (35), Levush (ad loc. 5 s.v. v'korin), Biur HaGr"a (ad loc. 14), Magen Avraham (ad loc. 9), Taz (ad loc. 6), Elyah Rabba (ad loc. 6), Chok Yaakov (ad loc. 11), Ba'er Heitiv (ad loc. 9), Pri Megadim (ad loc. E.A. 9), Aruch Hashulchan (ad loc. end 5), Mishnah Berurah (ad loc. 19 and Shaar Hatziyun 14), and Kaf Hachaim (ad loc. 81). Moreover, as this inyan is conspicuously absent from the words of the Shulchan Aruch, Sefardim do not lein these Megillos at all over the respective Yomim Tovim. In the words of Rav Yaakov Hillel's Ahavat Shalom Luach (5781; Chag HaSukkos, Yom Tov Rishon shel Sukkos) "Lo nahagu likro Megillas Koheles afilu b'lo bracha... u'delo k'Rama." Rav Yitzchak Yosef (Yalkut Yosef, Kitzur Shulchan Aruch, O.C. 490:6) adds that a Sefardi davening in an Ashkenazic shul should not even answer Amen to the bracha on these Megillos. Hence there is no Gezeira against reading these Megillos on Shabbos.

[32] See Pri Megadim (O.C. 490 E.A. 8), Rav Yechiel Michel Tukachinsky's authoritative Luach Eretz Yisrael (5781, pg. 30), Rav Sroya Debilitzky's Sakosa L'Roshi (Sukkos 14, pg. 27-28), Luach Hahalachos U'Minhagim B'Eretz Yisrael (5781, pg. 86 and footnote 570), and Luach Itim L'vina (5781, Shabbos Chag HaSukkos).

[33] This is because of the rule of "Lo AD"U (× ××××)Rosh" – that Rosh Hashana cannot fall out on Sunday, Wednesday, or Friday. See Tur and Shulchan Aruch and main commentaries (O.C. 428:1), as well as Abudraham (Seder HaParshiyos, Simanei HaMoadim). Both the first day of Sukkos and Shemini Atzeres share this same rule, as they always occur on the same day of the week as Rosh Hashana did several weeks prior. So, if Shemini Atzeres cannot fall out on Friday, that means that Simchas Torah in Chutz L'aaretz, which is the next day, cannot fall out on Shabbos. Hence, there is never the opportunity for a Shabbos Mincha Kriyas HaTorah for the next Shabbos being Parashas Bereishis in Chutz La'aretz.

[34] Thanks are due to R' Milton (Pipa) Ottensoser for pointing this out.

[35] See Mahari"k (Shoreshe 9, Anaf 2; quoting Rav Hai Gaon; cited in Beis Yosef O.C. 339:3 s.v. v'kasav), Shaar HaKavannos (beg. Drushei Chag HaSukkos), Magen Avraham (O.C. 339:1 and beg. O.C. 669), Pri Megadim (E.A. ad loc.), Maaseh Rav (end 233), Mishnah Berurah (339:8 and 669:5-6 and 11, and Shaar Hatziyun ad loc. 5), Aruch Hashulchan (O.C. 339:8-9), and Kaf Hachaim (O.C. 669:23). See also Eishel Avraham (Butchatch; O.C. 339:3 s.v. ain) who maintains that there never is a gezeira against dancing and clapping when they are performed as part of Avodas Hashem. The potential issues with dancing and clapping etc. on Shabbos and Yom Tov are discussed in Orach Chaim (339:3).

[36] See Maharil (Minhagim; Hilchos Chag HaSukkos 9, pg. 397), DarcheiMoshe(O.C. 669:3), ElyahRabba(ad loc. 1; and ElyahZuta ad loc. 7), and Ba'erHeitiv(ad loc. 2).

[37]See MagenAvraham(O.C. 514:13), ElyahRabba(O.C. 669:1), MachatzisHashekel(ad loc. end), ChayeiAdam(vol. 2:153, 9), MishnahBerurah(669:5), and KafHachaim(ad loc. 20).

[38]See DarcheiMoshe(O.C. 669:3), ElyahRabba(ad loc. 1), MalbusheiYomTov(ad loc. 1; citing Rabbeinu Bachyei), Bikkurei Yaakov(ad loc. 6), Ba'er Heitiv (ad loc. 2), Chayei Adam(vol. 2:153, 9), MishnahBerurah(ad loc. 6), and KafHachaim(ad loc. 21). Already in the late 1500s, the Levush(ad loc.; also briefly cited in Mishnah Berurah ad loc. 17) noted that "shechicheishikrus" on Simchas Torah - upon which the ElyahZuta(ad loc. 7) commented that the Maharam Lublin (Shu"t72) ruled that if one forgave another's debt to him on Simchas Torah the transaction is valid, unless he was "shikur k'shikruso shel Lot." Unfortunately, centuries later, in many places it seems that this drunkenness, ostensibly in the name of "simcha," is still the norm and not the exception.

[39]"Lo Sevaaru Aish Bechol Moshvoseichem B'Yom HaShabbos, You shall not kindle fire in any of your dwellings on the Shabbos day"(Shemos, Parshas Vayakhel Ch. 35:3). See Gemara (Shabbos 70a and Krisus 20a-b), Rambam (Hilchos Shabbos Ch. 9 and Ch. 12:1), and Tur and Shulchan Aruch and main commentaries (O.C. 253, 318, and 334; see also the Aruch Hashulchan's introduction to Hilchos Shabbos in O.C. 242). This is opposed to regular Yom Tov, when transferring fire is permitted. See Mishnah(Beitzah 36b and Megillah 7b), Rambam (Hilchos Yom Tov, Ch. 1:4), and Tur and Shulchan Aruch and main commentaries (O.C. 495:1 and 511).

[40] This issue is basically a machlokes Magen Avraham (O.C. 273:11; based on the Beis Yosef's understanding of the machlokes between the Gaonim vs. Tosafos and the Rosh) and Vilna Gaon (recorded in Ma'aseh Rav 122 and cited in Biur Halacha 275:5 s.v. kasvu), whether or not the requirement of Kiddush B'makom Seudah (Pesachim 101a) can be fulfilled with Mezonos, or if a full bread Seudah (Hamotzi) is mandated. Although "Minhag Yisrael" is to be lenient, nonetheless, due to the strength of the opposition, several Acharonim, including Rav Yitzchak Elchanan Spektor (Shu"t Ein Yitzchok 12:5 and 11) and the Chazon Ish (cited in Orchos Rabbeinu, new edition; vol. 1, 'Hora'os m'Maran HaChazon Ish', pg. 423:36 and vol. 3, pg. 119:22), maintained that when the Kiddush is Deoraysa (such as Leil Shabbos Kiddush) it is preferable to be machmir and only make Kiddush with Hamotzi, whereas when the Kiddush is M'Derabbanan (such as Shabbos Day Kiddush or Leil Yom Tov Kiddush) one may be lenient. Hence, many Yeshivos, following the Chazon Ish's precedent based on this approach, generally speaking, do make Kiddush on Simchas Torah night on Mezonos, as the Kiddush on Yom Tov, even at night, is also Derabbanan. But this year, as in Eretz Yisrael Simchas Torah is Shabbos, the night Yom Tov Kiddush is Deoraysa, so perhaps, the general Kiddush minhag

would be changed. This topic was discussed at length in a previous article titled “More Common Kiddush Questions: Kiddush B’Makom Seudah.”

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda.