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Please do not
read during
Davening or
Krias Hatorah

One Who Stayed Up All Night

Bamidbar 5785

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- At times, people stay up all night. On Thursday nights, some toil all night in Torah to fulfill Chazal's dictum that 'You should toil in Torah' (רש"י ריש בחוקי). The Zohar says that the early chasidim would stay up all Shavuot night learning Torah. Most of those able to learn do so (מ"ב תצ"ד סק"א). One who does so is assured that he will live out that year and not encounter any harm (א"ר"י הק). This can also happen when traveling. Many shailos arise about which brochos one may make. Thus, we saw a need to clarify these halochos.

Eating and Drinking

- Many botei medrash provide refreshments on Shavuot night to give people energy to learn steadily all night. Everyone should keep in mind that the minhag to stay up all night is to rectify Klal Yisroel's sleeping the night before Matan Torah through toiling in Torah (מג"א). (סי' תצ"ד סק"א); not because Klal Yisroel didn't eat that night..

When to Stop Eating

- Seudoh.** When staying up all night, one may not be koveia seudoh with more than a kebeitzoh within the half hour before alos (מ"ב סי' פ"ט סק"ז). Even if one began before that half hour, he must completely stop eating by alos (ש"ע שם סי' פ"ט).
- Mezonos.** Similarly, one may not begin to eat more than a kebeitzoh of pas habo'oh bekisnin – certain mezonos like rogelach and the like – within the half hour before alos (מ"ב סי' תרל"ט סק"ז). (מסגרת השלחן על קצו"ע סי' ס"ט סק"ב).
- One may eat cooked mezonos over which one is not normally koveia seudoh, e.g., cereal, up until alos (מ"ב סי' רל"ב סק"ד).
- Fruit or drinks.** One may eat fruits or drink up until alos. However, like bread, one may not drink alcoholic beverages, e.g., wine, within a half hour of alos (מ"ב סי' רל"ב סק"ה).
- Coffee.** One may drink coffee even after alos as per the minhag of many to drink coffee before davening to have energy and focus for davening (ע"פ מ"ב סי' פ"ט סק"ב). Nowadays, one may even put in sugar and a bit of milk since that is standard in coffee (ארחות רבינו ח"א עמ' נ"ז). (הליכות שלמה תפלה פ"ב ס"ב). Still, one should take care not to drink with a group of friends gathered in a coffee room (מ"ב שם).
- When drinking coffee with milk, one must make sure six hours have passed since the Shavuot night seudoh if he ate fleishigs then.
- Wedding.** These halochos are very relevant at wedding seudos which, in the summer, often stretch until alos. Food and alcohol are brought out at the 'mitzvoh tantz' as if people did not eat all night.. One must stop eating by alos, as elucidated above.

Netilas Yodayim

Awake All Night

- The Shulchon Oruch is unsure if one who stayed up all night must wash his hands in the morning to daven and rid his hands of ruach ro'oh (ש"ע סי' ד ס"ג). Thus, one should wash them three times without a brochoh (רמ"א). Some argue and say one should wash with a brochoh (מנשה רב). Therefore, it is advisable to relieve oneself after alos before davening. Then all agree he must wash three times and say 'al netilas yodayim' and 'asher yotzar' (מ"ב שם סק"ל וס"י). Still, some prefer hearing the brochoh from someone else if possible to avoid all doubts (ש"ת מהר"ם שיק סי' א).

- One who tovles in a mikvoh as is customary after learning Shavuot night (חק יעקב סי' תצ"ד סק"א, של"ה ריש מס' שבועות) may subsequently wash his hands with a brochoh.
- Even when learning,** some say one must stop to wash his hands right at alos (ש"ע הרב סי' ג). However, many poskim hold one may wash before davening and does not need to interrupt his learning to wash (חזו"א, הגרש"ז הליכות שלמה שבועות פ"ב ס"ד).
- Walking four amos.** Although the minhag is to wash the hands after being up all night, since it is just a sofeik, there is no issur to walk four amos before washing (א"א סי' ד"ה ממו"ח).

Birchos Hatorah

The Institution of Birchos Hatorah

- Some poskim hold that Chazal instituted Birchos Hatorah each day in a similar vein to Birchos Hashachar (מג"א סי' מ"ז סק"ב, א"ר) (סק"ט, דה"ח ורע"א בהגש"ע); others hold that Chazal instituted Birchos Hatorah like all brochos on mitzvos and one does not need to make a new brochoh as long as he did not lose focus of his original brochoh. A night's sleep is a loss of focus after which one would need to make Birchos Hatorah again (ח"א, פ"ה, ביאור הגר"א).
- Birchos Hatorah** consist of 'אשר קדשנו במצוותיו וצונו לעסוק בדברי' (ש"ע סי' מ"ז ס"ה), 'אשר בחר בנו', and 'ואהרב נא', 'תורה'.

Awake All Night

- The above machlokes has a ramification for one who was awake all night. According to the first opinion that Birchos Hatorah are like Birchos Hashachar, even if one did not sleep all night, he still has a new chiyuv in the morning (מג"א והאחרונים הנ"ל) from alos and on (א"א בוטשאטש סי' מ"ז).
- According to the second opinion that they are like brochos on mitzvos and one is yotzei until he goes to sleep, one who was awake all night continues to be yotzei with the prior day's Birchos Hatorah and should not make new brochos in the morning (ח"א והאחרונים הנ"ל).
- Being yotzei with others.** Since there is a sofeik if one should make new brochos in the morning, the Mishneh Berurah writes that one should not make the brochos himself in accordance with the rule of sofeik brochos lehokeil (מ"ב סי' מ"ז סק"ה). If possible, he should hear the Birchos Hatorah from someone who slept at night, or at least from someone who slept during the previous day (see 25 below) and instruct him to have in mind to be motzi him with the brochos. He should have in mind to be yotzei and answer omein (מ"ב שם), and then immediately say the pesukim of "וברכך וכו'" or another posuk (מ"ב שם).
- A man should neither be yotzei Birchos Hatorah with a woman since the poskim are unsure if their chiyuv is de'oraiso or not (ביאה"ל), nor with a koton (שם), (סמ"ח ד"ה נשים).
- If, at the moment, one does not have someone to be motzi him, he may continue learning until he finds someone or until Shacharis and have in mind to be yotzei with 'אהבה רבה' since he is unable to make the brochos (חזו"א דינים והנהגות פ"א אות י"ב, שו"ת מנחת שלמה סי' צ"א אות א).
- If one does not have anyone to be motzi him** or came to shul after someone was motzi everyone for Birchos Hatorah, he should have in mind to be yotzei with 'אהבה רבה' of Birchos Kerias Shema and learn a little immediately after davening (מ"ב שם).

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22. Many poskim hold that it is just a chumroh to be yotzei Birchos Hatorah with someone else and one may make his own Birchos Hatorah if he cannot find anyone, in accordance with the Mogen Avrohom's psak that Birchos Hatorah were instituted to be said every day (ערוה"ש סכ"ג, שו"ע הרב ס"ז, חזו"א ארחות רבינו ח"א עמ' מ"ז). If one cannot find someone to be motzi him and is making the brochos himself, he should do so immediately at alos to avoid learning without first making the brochos (שו"ת שבת הלוי ח"י סי' ע"ז אות ב').
23. Thus, ideally one should try to find someone to be motzi him in these brochos (שע"ת שם, מ"ב סי' מ"ז סק"ד). Nevertheless, one who is not able to and makes them himself has poskim to rely on (ערוה"ש). (סי"ג, כף החיים סקמ"ט, סי' מרא דשמעתנת אות כ"ה בשם הגרמ"א פריינד).

Tzitzis

Tallis Godol

34. One who wears a tallis godol for Shacharis may make a brochoh on it despite having worn a tallis koton all night since it is a separate garment.

Tallis Koton

35. There is a machlokes among the poskim if one who wore a tallis koton all night may make a brochoh on it in the morning (שו"ע סי' ח'). Therefore, one should have in mind to cover the brocho when putting on his tallis godol. One who does not wear a tallis godol should ask someone who does to be motzi him in the brochoh (מ"ב סי' תצ"ד סק"א). He is yotzei even though its brochoh is 'על מצות ציצית' and most make 'להתעטף בציצית' (מ"ב סי' ח' סק"ז). After the motzi makes the brochoh, he should move his tzitzis (מ"ב סי' י"ח סק"א).

When to Put on the Tallis

36. **Misheyakir.** Ideally, one should not make a brochoh on his tallis in the morning until it is light enough to distinguish between its techeiles and white (שו"ע סי' י"ח ס"ג), which is the same time one can recognize a somewhat familiar acquaintance from four amos away (מ"ב סק"ט). Bedieved, if he has no other choice, he may put it on before this time, but after alos, and make the brochoh when misheyakir arrives (שו"ע הרב ס"ז). (רמ"א ופמ"ג שם, שו"ת אג"מ ח"ב סי' ז', שו"ע הרב ס"ז). He should then feel his tzitzis and kiss them (מ"ב סי' י"ח סק"א).
37. Nowadays that there are streetlights that light up the night, it is difficult for a person to determine when this is. On several Shavuot mornings, the Rebbe, Moron the Ga'avad of Yerushalayim looked outside to check for himself if misheyakir had arrived.
38. Contemporary gedolim give several opinions. Some say **minhag Yerushalayim** is 60 minutes before neitz (ספר א"י פ"א) (אות ד'); others say it is 52 minutes before neitz (אורות) (חיים פ"א אות ה'); Hagaon Rav Elyashiv was very machmir and only put his tallis on 30 minutes before neitz.

Going to Sleep Before and After Alos

Sleeping Before Davening

39. One may not sleep a half hour before the evening zman Kerias Shema lest he sleep too long and lose the mitzvoh (מ"ב סי' רל"ה סק"ז). Based on this, several poskim write that one who stayed awake all night should not go to sleep within a half hour of alos, and certainly not after alos, without first saying Shema (שו"ת הקמח ס"ק ס"ז) and davening (שו"ת בנין עולם ח"א סי' א').
40. Nevertheless, sometimes one has a heavy head and he needs to sleep to be able to daven with kavonah and a clear mind and without dozing off during Megilas Rus or the like (סידור יעב"ץ). The minhag of many Chasidim today is to daven later than neitz on Shavuot morning. Thus, one may appoint a shomer who slept at night to wake him up with enough time to say Shema and daven before their respective end times (שו"ת בנין עולם שם). He may also rely on an alarm clock for this (לקט הקמח שם).

Kerias Shema Al Hamitoh

41. One who stays up all night does not say Kerias Shema Al Hamitoh (מ"ד שו"ת שבת הקהתי ח"ו סי' ק"מ), nor does one who goes to sleep after alos. He certainly should not say the brochoh of Hamapil (ביאה"ל ריש סי' רל"ט).

Birchos Hashachar

42. **Birchos Hatorah.** As written above (26), one who takes a substantial nap after staying up all night may say Birchos Hatorah upon awakening.
43. **אלקי נשמה.** If one goes to sleep after staying up all night, even if he goes to sleep after neitz and his entire sleep is during the day, he should make the brochoh of **אלקי נשמה** himself after waking (שו"ת מחזה אליהו ח"א סי' א' אות ו' ד').
44. **המעביר שינה.** One who was awake all night and is going to sleep before neitz may make the brochoh of **המעביר שינה** upon awakening since he went to sleep at a time when many people are still sleeping. However, one who only goes to sleep after neitz should preferably be yotzei with someone else and not make his own brochoh (שו"ת מחזה אליהו ח"א סי' ב' וסי' ג').

Slept by Day

23. Some poskim hold that a substantial nap during the day is a hefsek for Birchos Hatorah (דעת הרא"ש, לזם חמודות, פ"ה, א"ר והגר"א) since all brochos on mitzvos are only effective without a lapse in focus, in accordance with the second opinion above (14).
24. Others hold that it is not a hefsek since Birchos Hatorah are brochos of praise instituted to be said daily, in accordance with the first opinion above. Therefore, after arising from a nap during the day, one need not make Birchos Hatorah again before learning (שו"ע סי' מ"ז ס"א, מ"ב סקכ"ה). This is the accepted minhag (שו"ע הרב ס"ז, חזו"א ועוד).

Awake All Night but Slept by Day

25. **Slept by day before the night.** If one was up all night but had a substantial nap the prior day, all agree he may make Birchos Hatorah in the morning at alos with the following rationale: if sleep is a hefsek (second opinion, above, 14), he made this hefsek; if the brochoh is to be said daily (first opinion ibid.), it is a new day (הג רע"א לשר"ע).
26. **Slept by day after the night.** Also, if one did not sleep the prior day, but after staying up all night, he plans to have a substantial nap before Shacharis, [which is mutar if he appoints a shomer who is not sleeping to wake him up for Shema and tefilah before their respective latest times (שו"ת בנין עולם ח"א סי"א; see below, 40)] even if he goes to sleep after neitz and his entire sleep was during the day, it is best to make Birchos Hatorah after waking up since, in any case, all agree he may make the brochos. He does not need someone else to be motzi him (ע"פ רע"א הנ"ל).
27. In the above scenario, if one fears he will miss zman Kerias Shema by sleeping, he may say Shema before sleeping – ideally after misheyakir (below, 38) and in case of a pressing situation, after alos (סי' ישראל והזמנים ח"א סי"ח) – having in mind to only be yotzei the mitzvoh of Kerias Shema in its proper time, not the mitzvoh to learn Torah. This avoids the need to be yotzei Birchos Hatorah before saying Shema (שו"ת יוסף אומץ להחיד"א סי' ס"ז, שו"ת בצל החכמה ח"א סי"א).

Definition of a "Substantial Nap"

28. The consensus of many poskim is that a nap is considered substantial [both to be considered a hefsek, and to create a chiyuv of Birchos Hatorah when staying up all night] if one got undressed as usual, slept in his bed, and slept for at least a half hour (קצשי"ע ס"ב). If the quality or duration of his nap was less, it is considered arai and not a hefsek (פסקי תשובות סי' מ"ז אות ט"ז).
29. **Slept in the beis medrash.** Thus, if one was awake all night, dozing off on a gemara or on one's folded arms in the beis medrash is considered arai (מ"ב סקכ"ג).
30. **Sleep on an airplane.** Reclining on a first or business class seat and sleeping for a half hour is considered a substantial nap. Also, sleeping sitting down for a half hour in economy class when there is no option to sleep in a bed that night is considered a substantial nap since in those circumstances, that is substantial (הגר"ש"א, פניני). This is especially true if one covered himself with the provided blanket or covered his eyes etc.

אלקי נשמה and המעביר שינה

Birchos Hashachar

31. Even one who was up all night may say Birchos Hashachar as usual (רמ"א סי' מ"ז ס"ח) [this psak of the Rama has also been accepted by Sephardim, even though they generally follow the Beis Yosef, who has a differing opinion on this topic (ברכי' סק"ה, פ"ה סק"ה)].

אלקי נשמה and המעביר שינה

32. Some hold that the brochos of **המעביר שינה** and **אלקי נשמה** should not be made by one who was awake all night since they refer to the one saying them in the singular, e.g., "Who removes sleep from my eyes" and "the neshomoh You gave me" (אות י"ג); others hold that even these brochos may be said since although they are phrased in the singular, their essence is acknowledging Hashem's creation of the world's needs (ע"פמ"ג א"א). (סק"ב, שע"ת סק"י).