



BS"D

To: parsha@parsha.net
From: cshulman@gmail.com

INTERNET PARSHA SHEET ON SHAVUOS - 5769

In our 14th year! To receive this parsha sheet, go to <http://www.parsha.net> and click Subscribe or send a blank e-mail to subscribe@parsha.net Please also copy me at cshulman@gmail.com A complete archive of previous issues is now available at <http://www.parsha.net> It is also fully searchable.

To sponsor an issue (proceeds to Tzedaka) email cshulman@gmail.com

Kerem B'Yavneh Online <feedback@kby.org> Wed, May 27, 2009 at 8:42 AM

Shavuot We Will Do and We Will Listen **Rosh Hayeshiva Rav Mordechai Greenberg shlita** (Translated by Rav Meir Orlian)

On the famous pasuk of "na'aseh v'nishma" -- "we will do and we will listen!" (Shemot 24:7), the Gemara in Masechet Shabbat (88a) comments:

At the moment that Yisrael preceded "we will do" to "we will listen," a heavenly voice rang out and said to them, "Who revealed to my children this secret that the angels use, as it says, "Bless Hashem, O His angels; the strong warriors who do his bidding, to listen to the voice of his word." First -- "who do," and afterwards -- "to listen."

Rav Kook zt"l writes about this in his book, "Orot Hatorah" (ch. 8):

Preceding "na'aseh" to "nishma" indicates an appreciation of the Torah because of its Divine quality, in addition to the appreciation that it deserves because of the pragmatic value in learning it. Since they already said, "we will do," the link to the value of pragmatic learning is already implicit, so that "we will listen" indicates the link to its inherent, qualitative, value.

What Rav Kook wrote in a few, brief words, the "Beit Halevi" explains at length in the introduction to his book, which can help us understand Rav Kook's comment. In the Zohar it says, "na'aseh" -- with acts of Torah; "nishma" -- with words of Torah. In other words, "na'aseh" refers to observance and "nishma" refers to learning. There are two fundamentals in Talmud Torah:

1. Learning as a means to know how to observe the mitzvot, as it says in Pirkei Avot, "An am ha'aretz (unlearned person) cannot be a chasid."
2. Learning as an end in and of itself, which is a unique quality of the Torah.

Women, for example, are not obligated in Talmud Torah, yet they make Birchos Hatorah, since they are obligated to learn the halachot that they are commanded in. In contrast, men are obligated in Talmud Torah even regarding those mitzvot that they are not obligated in.

With this, the "Beit Halevi" explains the dispute between R. Yishmael and his nephew, who asked him, "Someone like myself, who already learned the entire Torah -- can I learn Aristotelian Philosophy?" R. Yishmael responded, "It says, "You should contemplate it day and night.' Go and find a time that it neither day nor night!" R. Yishmael's nephew thought that the mitzvah of Talmud Torah is merely a means to knowing it, and since he already knew the entire Torah, it was possible for him to learn other things. R. Yishmael answered him that besides learning Torah as a means to observance, there is an inherent purpose in learning Torah, and therefore a person is obligated to learn Torah even if he thinks that he learned and knows it all.

This is why there is special significance to preceding "na'aseh" to "nishma," and this is also the intention of Rav Kook zt"l. When Bnei Yisrael said, "we will do," they certainly accepted also to listen before doing, since it is impossible to do without learning first how to observe. Therefore, when they said "na'aseh," it is as if they already said implicitly, "we will listen [i.e., learn for the purpose of observance] and we will do." When they said again afterwards, "nishma," they clearly were referring to that aspect of learning that is already after knowing, due to the special quality of the Torah, and not due to its pragmatic value.

This is the secret that the angels use, which has no parallel in this world, that a person should learn something as an end in and of itself, and not as a means to something else. Bnei Yisrael discovered what the angels knew of the special quality of the Torah!

To unsubscribe, or to subscribe to additional mailings, please visit <http://www.kby.org/torah/subscriptions.cfm>.

Rabbi Yonason Sacks - Eruv Tavshilin Inbox TorahWeb
<torahweb@torahweb.org> Wed, May 27, 2009 at 9:37 PM
To: weeklydt@torahweb2.org Eruv Tavshilin

Although cooking on yom tov itself is generally permitted, the Gemarah (Pesachim 46b) teaches that one may not cook on yom tov for the sake of a weekday. The Amoraim dispute the punishment incurred for violation of this prohibition. Rabbah exempts such an individual from lashes on account of the principle of "ho'eel u'mikl'ei leih orchim chazi leih" - because the remote possibility exists that uninvited guests may subsequently arrive in one's home on yom tov, the individual's cooking can halachically be considered to be "for the sake of yom tov." Rav Chisda, however, rejects the principle of "ho'eel," arguing that one who cooks on yom tov for the sake of a weekday does receive lashes.

In light of Rav Chisda's rejection of the "ho'eel" principle, Rabbah questions how Rav Chisda would account for the accepted halachic permissibility of cooking on yom tov for the sake of a following Shabbos. Rav Chisda explains his opinion by distinguishing between a subsequent weekday and a subsequent Shabbos. While one who cooks on yom tov for the sake of a weekday violates a Biblical commandment, one who cooks on yom tov for the sake of Shabbos violates no Biblical prohibition, since "Tzorchei Shabbos na'asin b'yom tov" - on a Biblical level, one may cook on yom tov for the sake of Shabbos. Rabbah admits, however, that the Rabbis nonetheless prohibited such an activity, lest one come to cook on yom tov for the sake of a weekday. If, however, one establishes an eruv tavshilin as a "recognizable sign," he will never come to accidentally cook on yom tov for a weekday, and the Rabbis then permitted him to cook on yom tov for Shabbos.

Aside from the practical ramification of lashes, the machlokes between Rabbah and Rav Chisda may bear further ramifications. Tosafos (s.v. "Rabbah"), for example, argue that Rabbah's leniency of "ho'eel" does not permit cooking for the sake of a weekday that is performed immediately prior to nightfall. At such a late hour, one cannot reasonably argue that the cooking is for the sake of potential guests, since the food would not be ready in time for them to eat on yom tov. Therefore, according to Rabbah, who views the permissibility of cooking from yom tov to any other day - Shabbos or weekday - as a function of the principle of ho'eel, one may not cook prior to nightfall on yom tov that falls on Erev Shabbos. Rav Chisda, however, who views the allowance to cook on yom tov for the sake of Shabbos as an independent sanction ("Tzorchei Shabbos na'asin b'yom tov"), would permit cooking even at such a late hour. Based on Tosafos' ruling, the Magen Avraham (O.C. 527) notes that it is customary to daven early when yom tov falls on a Friday, in order to prevent people from cooking too close to nightfall.

An additional practical ramification between Rabbah and Rav Chisda may emerge regarding a person who may not cook for himself. The Mahr'ee Weil (Chelek Dinim 55-56) argues that one who fasts on yom tov may not cook for someone else, since such an individual is halachically prohibited from cooking for himself. The principle of "ho'eel" can only operate if a person is capable of cooking for himself. Thus, according to Rabbah's reasoning, even if such a person would wish to cook on a yom tov that falls on Erev Shabbos, he would be prohibited, given the inapplicability of the "ho'eel" principle. If, however, one assumes like Rav Chisda, that the independent permit of "Tzorchei Shabbos na'asin b'yom tov" is what permits cooking on Friday afternoons, such an individual would be permitted to cook for the sake of Shabbos.

The Chochmas Shlomo suggests a further practical ramification. Citing Tosafos (Beitzah 2. s.v. v'haya), the Chochmas Shlomo suggests that the leniency of "ho'eel" only works in settings where guests are generally expected. Therefore, according to Rabbah, a reasonable possibility must exist that guests will arrive on yom tov in

order to cook. According to Rav Chisda, however, one may cook on Friday afternoons irrespective of the likelihood of guests' arrival.

The Rambam implies yet an additional practical ramification. In Hilchos Yom Tov (1:15), the Rambam rules that if one cooks on yom tov for a non-Jew, an animal, or for a weekday, no lashes are incurred, because Jewish guests might come and consume the dish on yom tov. The Rambam's ruling implies that such cooking is only permitted if one accepts the broad leniency of "ho'eel." Without this principle, however, one could not simply "overlook" such inappropriate cooking, and such an activity would indeed warrant the administration of lashes.

The Needs of Shabbos are Done on Yom Tov

Rashi (Pesachim 46a, s.v. "M'd'oraisa") explains that the argument between Rabbah and Rav Chisda regarding whether or not "the needs of Shabbos may be performed on yom tov depends on the halachic relationship between Shabbos and yom tov. Rav Chisda maintains that one is Biblically permitted to cook on yom tov for the sake of Shabbos because Shabbos and yom tov are considered "kedusha achas"- the same level of holiness. Because they share the same degree of holiness, the sanctity of yom tov fuses with the sanctity of Shabbos, as if yom tov and Shabbos constituted a single forty-eight hour day. Thus, according to Rashi, the concept of "kedusha achas"-underlies the leniency of Rav Chisda.

The Meiri (Beitzah 4a, s.v. "Beitzah"), however, disagrees with Rashi's application of "kedusha achas." The concept of "kedusha achas," argues the Meiri, is merely a Rabbinic innovation introduced to create stringencies. For example, if Shabbos and yom tov are considered "shtei kedushos"- two different degrees of holiness - an egg that was laid on Shabbos (and therefore muktzeh) would be permitted on yom tov (if yom tov falls on the next day): because Shabbos and yom tov constitute two distinct entities, the prohibited status of the egg on the first day does not automatically carry over into the second day. If, however, the Rabbis decreed that Shabbos and yom tov are considered to be a fused "kedusha achas," tantamount to a forty-eight hour day, then an egg laid on Shabbos would remain prohibited through yom tov, given that the second day is merely a halachic extension of the first day.

The Rambam and Raavad appear to maintain a similar disagreement regarding whether or not the concept of "kedusha achas" can ever generate a leniency. On Shabbos and yom tov, a person may elect to change his techum boundaries by establishing an "Eruv tichumin" in a particular location. As long as the "Eruv tichumin" is extant at the onset of Shabbos or yom tov, it remains valid throughout the entire duration of Shabbos or yom tov. The Rambam rules (Hilchos Eruvin 8:8) that one who establishes an "Eruv tichumin" at the start of a two-day yom tov in the diaspora must nonetheless establish a new eruv (or ensure the continued existence of the first eruv) for the second night of yom tov, because the two days of yom tov are considered to exist independently of one another as "shtei kedushos." If, however, one was dealing with a situation of "kedusha achas" (for example, the two days of Rosh Hashannah), the halacha would be different: the establishment of a single "Eruv Tichumin" at the onset of the first night would suffice for both days of yom tov, since the second day exists as an extension of the first. The Raavad, however, argues with the Rambam's understanding of "kedusha achas." Even the two days of Rosh Hashana, which exist as a fused "kedusha achas," require an independent Eruv on each night, since the concept of "kedusha achas" can never result in a leniency. The Rambam and Rashi thus appear to agree that "kedusha achas" can indeed generate leniencies as well as stringencies.

Based on Rashi's explanation of the argument between Rabbah and Rav Chisda, the Ramban (Milchamos Hashem, Beitzah 15a) rules that the halacha must follow Rabbah. The Ramban bases his argument on the fact that we traditionally consider yom tov and Shabbos to be "shtei kedushos." If yom tov and Shabbos exist as two independent sanctities, the Ramban reasons, Rashi's explanation of Rav Chisda would force us to reject the principle of "Tzorchei Shabbos na'asin b'yom tov." Tosafos (Pesachim 47a, s.v. v'ee), however, argue on Rashi, maintaining that Rav Chisda's opinion of "Tzorchei Shabbos na'asin b'yom tov" is not rooted in the link between the kedusha of Shabbos and yom tov. Rather, Rav Chisda permits preparation for Shabbos on yom tov because if one would not do so, one would not prepare for Shabbos at all (in contrast to a weekday). Because there is no other opportunity for such an individual to prepare, this preparation is deemed "ochel nefesh" - necessary food preparation, of yom tov itself.

The Baal HaMaor (ibid.) disputes the Ramban's conclusion, maintaining that the halacha indeed does follow Rav Chisda. He proves this halacha from the Rabbinic prohibition of inviting a non-Jew to one's home on yom tov, lest one come to cook for the non-Jew. The Baal HaMaor reasons that if the Rabbis enacted an additional protective prohibition to prevent cooking for a non-Jew, then cooking for a non-Jew itself must constitute a Biblical prohibition. If cooking for a non-Jew was itself a Rabbinic prohibition, the Rabbis would not enact an additional preventive prohibition, as such a safeguard would constitute a "gezeirah legezeirah - fence for a fence", which Chazal generally do not enact. The Baal HaMaor thus concludes that the halacha must follow Rav Chisda: according to Rabbah, cooking for a non-Jew can only be a Rabbinic injunction, because the principle of "ho'eel" recognizes the

possibility that other Jewish guests might arrive on yom tov. According to Rav Chisda, we do not accept the principle of "ho'eel," and cooking for a non-Jew on yom tov violates a Biblical prohibition.

Whether Shabbos and yom tov constitute "kedusha achas" or "shtei kedushos" may depend upon the nature and scope of the permit to perform food related activities ("melechtes ochel nefesh") on yom tov. The Rambam (Hilchos Eruvin 8:10) relates that when the calendar was fixed on the basis of lunar sightings, Yom Kippur could theoretically fall on a Friday or Sunday (in the current calendrical system, such an occurrence is impossible). In such a situation, the two days would be considered like a single day - "kedusha achas." The Maggid Mishneh explains that this relationship is due to Shabbos and Yom Kippur's equal level of prohibited melachot - both Shabbos and Yom Kippur grant no permit for food related activities. The Ran in Beitzah (22a in Rif, s.v. Ashkachan) echoes a similar sentiment as well. The Rambam and the Ran thus reveal a critical principle: the status of "kedusha achas" or "shtei kedushos" depends on whether or not the two days share identical prohibited melachot. The question that remains, then, is whether Shabbos and yom tov actually share an identical set of melachot or not.

There is three-way argument regarding the scope and nature of the permissibility of meleches ochel nefesh on yom tov. The Mishnah in Beitzah (23b) teaches that one may not trap fish on yom tov. Rashi (s.v. ein) explains that this form of trapping is prohibited, even though it is meleches ochel nefesh, because one could have trapped the fish before yom tov. Apparently, Rashi holds that meleches ochel nefesh only permits doing a melacha that could not have been done before yom tov. This limitation implies that the nature of the heter of ochel nefesh is not carte-blanche, categorical permissibility, but rather, a limited dispensation to perform activities which are absolutely and unavoidably necessary for yom tov. The Achronim refer to this restricted permit as "dichui" - literally, "pushed aside." That is, on yom tov, all thirty nine melachos of Shabbos exist on yom tov as well, but extenuating circumstances (things which could not be performed the day before) allow for overriding these prohibitions for the sake of yom tov.

Tosafos (ibid 3a s.v. gizerah), however, disagree with Rashi's limited dispensation. They argue that meleches ochel nefesh is permitted on yom tov, even if one could have easily completed the melacha before yom tov. The Ran (12a in Rif, s.v. ein) agrees with Tosafos as well. Tosafos and the Ran thus appear to maintain a broader, more generous understanding of the Torah's permit to perform meleches ochel nefesh. As opposed to merely "pushing aside" the prohibitions of food preparation in a limited fashion (dichui), the preparation of food on yom tov is absolutely permissible, a term referred to by the Achronim as "hutra".

The Ramban goes a step further: not only is meleches ochel nefesh absolutely permitted (hutra) on yom tov, it was never even prohibited to begin with. According to Rashi, Tosafos, and the Ran, the list of prohibited melachos on Shabbos is identical to the list of prohibited melachos on yom tov. In their eyes, the only difference between Shabbos and yom tov is that on yom tov, we have a right to override some of these prohibited melachos for the sake of food preparation (Rashi merely debates Tosafos and the Ran regarding the extent of this "overriding"). In the Ramban's eyes, however, the list of prohibited melachos on yom tov is fundamentally different from the list of prohibited melachos on Shabbos. When a person performs an act of food preparation on yom tov, he is not overriding a prohibition; he is rather performing an activity that was never prohibited in the first place. The Ramban (Vayikra 23:7) proves this distinction from a close reading of the Torah's wording. Regarding Shabbos, the Torah prohibits the performance of "Kol melacha" - all types of labor. Regarding yom tov, however, the Torah only prohibits "melechtes avodah"- laborious work. The Ramban explains that "melechtes avodah" refers to melacha which brings no pleasure - i.e., melacha not performed for the sake of food preparation. If, however, one is engaged in "melechtes hana'ah," pleasurable food preparation, one is not violating any prohibition whatsoever. Thus, argues the Ramban, the melachos involved in food preparation were never prohibited by the Torah (see also Milchamos Hashem Beitzah 13a in Rif).

A practical ramification between the Ran and the Ramban may emerge with regard to one who performs melachos for the sake of food which are not permitted. Although most food-preparation activities are permitted on yom tov, certain food-related melachos such as harvesting and grinding peppers are nonetheless prohibited. The Ran (Beitzah 12a in Rif, s.v. ein) and the Ramban argue as to whether or not these prohibitions are Biblical or Rabbinic. According to the Ran, these prohibitions are merely Rabbinic. According to the Ramban, however, one who performs such activities violates a Biblical prohibition.

Perhaps this dispute is a function of their understanding of the permit meleches ochel nefesh on yom tov. According to the Ramban, there is no "permit" of Ochel Nefesh. Rather, certain activities fall into the category of "melechtes avodah" and are prohibited, and other activities fall into the category of "melechtes hana'ah" and were never prohibited to begin with. Thus, if a melacha is not labeled as "melechtes hana'ah," it is by default Biblically prohibited. According to the Ran, however, the Torah provides a general "permit" of "hutra" across the board to override all food-

related prohibitions, and the Rabbis determined which melachos should and should not be included in this permit. Thus, one who performs a melacha for the sake of food can only be violating a Rabbinic prohibition.

Perhaps one can understand the disagreement between Rabbah and Rav Chisda in light of this background. Citing the aforementioned Maggid Mishneh (Hilchos Eruvin 8:10), Rav Hershel Schachter (Eretz HaTzvi 9: 4) explains that whether Shabbos and yom tov constitute "kedusha achas" or "shtei kedushos depends on the argument between the Ramban and the Ran. Rav Chisda, who holds that Shabbos and yom tov constitute "kedusha achas," would agree with the Ran. In essence, Shabbos and yom tov share the same set of prohibited melachos. Yom tov merely bears a special dispensation to sometimes override these melachos for the sake of food preparation. This dispensation could perhaps be analogized to the dispensation of pikuach nefesh - matters of life and death - on Shabbos. Although the permit of pikuach nefesh overrides the Shabbos, it does not alter the essential identity of the melachos. Given their essential equality of melachos, Shabbos and yom tov constitute a "kedusha achas." Rabbah, however, would likely hold like the Ramban: fundamentally, Shabbos and yom tov have entirely different sets of melachos, and therefore constitute two independent kedushos.

Rav Schachter adds that this explanation may further elucidate the argument between Rabbah and Rav Chisda regarding the principle of "ho'eel." In accepting the principle of "ho'eel," Rabbah entirely ignores the intent of an individual: even if a person expressly intended to cook for after yom tov, the halacha "pretends" that he is truly cooking for the sake of potential guests on yom tov. Rav Chisda, however, rejects "ho'eel," presumably because he perceives the person's intent as critical. Why, then, does Rabbah disregard the actual intent of the individual, while Rav Chisda requires it?

Perhaps this dispute is further consistent with the above analysis. The Gemarah (Yevamos 64a) teaches that whenever a prohibition is overridden, one must have intent to override it. For example, if a person spreads out a fishing net on Shabbos intending to catch fish (a Biblically prohibited activity), and completely unintentionally, his net retrieves and saves the life of a drowning baby, the person is nonetheless liable for violating the Shabbos. Although he ultimately did perform an act of "pikuach nefesh" which normally overrides the Shabbos, "pikuach nefesh" can only override the Shabbos if an individual intends for it to do so. Thus, if the permit of oichel nefesh is "overriding" the prohibition of melacha on yom tov, as the Ran maintains, one's intent is critical. Thus, Rav Chisda, who sides with the Ran, requires proper intent and dismisses the principle of "ho'eel." If, however, oichel nefesh activities were never prohibited to begin with, no "overriding" is occurring. Rather, one is permitting an activity that is fundamentally permitted, much like drinking water or taking a nap. Because there is no trace of a prohibition in this activity, a person's mindset is irrelevant. Hence, Rabbah, who holds like the Ramban that food preparation activities were never prohibited on yom tov to begin with, can accept the principle of "ho'eel."

Copyright © 2009 by The TorahWeb Foundation. All rights reserved.

<http://www.revach.net/article.php?id=2312>

Section: Moadim Category:

Shavuot

Rav Aharon Kotler:

Why Always "Zecher Yetzias Mitzrayim" and Not "Zecher Har Sinai"?

We find in the Torah that many mitzvos are Zecher L' Yetzias Mitzrayim. We don't find mitzvos that are Zecher L' Maamad Har Sinai. Rav Aharon Kotler asks, since the whole point of leaving Mitzrayim was to receive the Torah, aren't we focusing on the wrong thing? Mitzrayim is only a means to the end of receiving the Torah. Shouldn't we be concerned with remembering Har Sinai?

He answers that memories are needed for something that happened in the past and isn't here right now. We can't move the past forward, so we take ourselves back in time. This applies to Yetzias Mitzrayim where remembering is appropriate. However says Rav Aharon, Ma'amad Har Sinai is something that can happen every moment of every day. When a person learns the way he should, that moment itself is no less than when we stood by Har Sinai. He proves this from the gemaros where we find Tanaim learning Torah and consumed in fire, such as Rabbi Eliezer and Rabbi Yehoshua at the Bris Milah of Elisha ben Avuya (Yerushalmi Chagiga 2:1) and Yonason ben Uziel where birds flying overhead were burned by the fire (Succah 28a).

We see from here that limud hatorah BiKedusha UB'Tahara can actually bring the same Kedusha of Ma'amad Har Sinai right here and right now. Even people with short memories can constantly enjoy hearing the words of Hashem anytime anywhere! (Kol MeiHeichal - Shavuot 5766)

<http://www.yutorah.org/togo/5769/shavuot>

Liturgical and Musical Aspects of Shavuot Cantor Bernard Beer

Director, Belz School of Jewish Music

When G-d gave the Torah at Sinai, Moshe was taught the melodious tune (neimah) that accompanies scriptural reading. It is on the festival of Shavuot that we mark the anniversary of the revelation at Mount Sinai - zeman matan torahteinu--the season of the giving of our Torah.

The Origin of Biblical Cantillation Moses spoke and G-d answered him with a loud voice Exodus 19:19

This teaches that G-d instilled in Moshe power and assisted him with His voice and the tunefulness that Moshe heard, he transmitted to the Israelites Mekhilta D'Rebbi Yishmael, Yitro, 4

The saintly Judah HaHassid, in his Sefer Hahassidim, remarks based on this same verse that G-d taught Moshe the Biblical modes. Simhah ben Shmuel, a pupil of Rashi, notes further, "The method of chanting the accents was revealed to Moshe; when one should draw out the tune, raise one's voice, dwell on a syllable, stand, raise, lower, and when to rest." This method of chant with its various modes has been preserved and transmitted orally from generation to generation, from century to century, and has remained authentic to this day. A striking fact about Biblical cantillation is that despite centuries of isolation from each other, Ashkenazic and Sephardic Jews use motives which are surprisingly similar and have a common ancient ancestry. Biblical cantillation has surprised many a musicologist and is considered to be the most ancient source of Jewish music.

The Aseret Hadibrot and its Festive Melody The reading of the Torah on Shavuot is highlighted with the cantillation of the aseret hadibrot (the Ten Commandments). When standing in awe and listening to the 120 words it contains, the worshipper feels the trembling experienced by those at Mt. Sinai. This spectacular event manifests itself in the synagogue when the reader chants the aseret hadibrot in accord with the ta'am ha'elyon; that is, according to the superlinear position of the te'amim (accents) in much the same way that it was likely read and given at Mt. Sinai, stressing that the commandments are ten in number. In contrast to the ta'am ha'elyon is the ta'am ha'tachton, the sublinear position of the te'amim used when one reads the aseret hadibrot for oneself. The objective of the ta'am ha'tachton is to break up longer verses and bring together the shorter ones with the view of easing and equalizing the reading. Ya'akov Emden and other rabbinical scholars have commented that the accent marks in the ta'am ha'elyon are more pronounced in character than those in the ta'am ha'tachton. The accent marks of the ta'am ha'elyon are of higher pitch and require strong dynamic levels; those of the ta'am ha'tachton are of lower pitch and call for less dynamic levels. Therefore, when the aseret hadibrot is cantillated in public and especially on Shavuot, which commemorates the giving of the Torah and is identified with the anniversary of giving the aseret hadibrot, these verses must be chanted with the festive melody (ta'am ha'elyon) and not with the low chant (ta'am ha'tachton) meant for individual reading.

The Akdamut Melody

A piyut (poem) highlighting the festival of Shavuot, introduced into the synagogue service prior to the reading of the Torah, is the ninety line Aramaic poem called Akdamut (Introduction), composed by the eleventh century hazzan and paytan (poet), Meir ben Isaac Nehorai. During his lifetime, he was forced to debate the priests who attempted to persuade him to forsake his faith and accept theirs. He answered them appropriately and

scorned them. As a legacy, he left his famous Akdamut poem that is in praise of Hashem, the Creator of the Torah and Israel.

Since there was no old melody that was fitting to this new text, the author no doubt had to borrow the melody from other sources. Several musical settings have been notated by Abraham Baer in his nusach anthology entitled Ba'al Tefillah. Two settings, still used today, originate from the Eastern and Western European branches of Ashkenazic rite. The more popularly known melody of Eastern European origin claims great antiquity by its psalmodic style of recitation and has been applied to Kiddush of the "Three Festivals." In some communities it was also adapted to a recital called Reshut Le-hatan Torah, an introduction to the person who is honored with the aliyah for the reading of the concluding section of the Torah on Simhat Torah morning. Another melody serves as a motto theme in numerous German synagogues that follow the Western European tradition and is applied on Shavuot to parts of Ma'ariv, Hallel and Duchenen. It has been suggested that this tune with its variants has its origin in secular German folk song transmitted in the specifically Germanized tradition of chanting Psalms.

The Akdamut melody has become universally known in both branches of Ashkenazic rite and is immediately recognizable. In generations when Jews faced persecution and forced conversion, they found strength and encouragement in this tune which became associated with the Jewish faith. Perhaps it is for this reason that the melody is used as a seasonal theme at the outset of each of the Shalosh Regalim when reciting Kiddush.

YESHIVA UNIVERSITY • SHAVUOT TO-GO • SIVAN 5769

<http://community.ou.org/>

Shavuot: A Wedding, Omer & Ultimate Humanity By Rabbi Asher Brander

May 21, 2009 Shavuot: A Wedding, Omer & Ultimate Humanity By Rabbi Asher Brander Submit a Comment E-Mail This Print This RSS Feed 1. Shavuot night is like a wedding without worrying about the color scheme - a night of pure encounter. Torat Hashem Temimah Meshivat Nefesh - Torah heals the soul. Pikudei Hashem Yesharim Misamchei Leiv. It brings great inner joy. So why do we stay up all night? It's like that first taste of love. Picture that crazy-about-each-other couple, where nobody wants to put the phone down: Say Goodbye. No, you say goodbye. OK. Still there? Even when talking becomes like an outer body experience, its still geshmak. Sit down with a Coke and a Gemara and enjoy.

2. A fascinating question: If sefiras haomer [the omer-count] is only Rabbinic today (1) [since we cannot bring the omer (barley) offering], then why is Shavuot still considered Biblical? Isn't Shavuot the fiftieth day of the Omer?

It's a bit complicated question. For Rambam, the question does not start: he believes that the omer-count remains a Torah imperative. Shavuot, then is the culmination of the Omer process. Most commentaries disagree [they believe that the omer-count is Rabbinic]; according to them, we may rightfully ask why Shavuot remains a Torah holiday.

Ramban [cf. Vayikra, 23:14] to the rescue, he teaches that the verse b'etzem hayom hazeh-the essence of this day [mentioned in the context of Shavuot] teaches the imperative to celebrate the essential Shavuot, independent from any sacrifices and from the Omer.

It thus emerges that the relationship between counting the omer and the holiday of Shavuot is a dispute between Rambam (a tight connection) and Ramban (less so). On the front end, the dispute is inverted. According to Rambam, the omer offering is not connected with the omer-count, whereas for Ramban the absence of the omer offering renders the whole omer-count Rabbinic- meaning they are deeply connected. Got that?

It is axiomatic that the Omer period is a preparation for the Torah. As such, perhaps Ramban believes that the Omer offering and the subsequent count are linked because they mark the process of transformation (from slavery) and preparation (for Torah). That process, one of self development,

of major midot work is independently significant from the receiving of the Torah. Rav Chaim Vital explains that Derech Eretz is a prerequisite for Torah thus the Torah gives it nary a mention. To paraphrase Mishlei: A Torah superimposed upon bad character is like the gold ring in the nose of a swine its dirty and disgusting. Once good character is achieved, receiving the Torah is a separate significant milestone.

To Rambam the preparation for receiving the Torah must culminate in receiving it. The Omer, a barley offering, which is considered animal food (at least back then) reminds us of our unrefined state. Duly reminded, we prepare to receive the Torah by developing our character. Ultimate midot and ethics, however are defined by the Torah itself (2). Character work and ethics demand a Torah perspective: When is stealing permitted and when does life end and how do I balance peace with truth are among the myriad moral dilemmas we face in life. We need that Torah to clarify our morality and midot.

3. Many eat dairy on Shavuot. Some claim the custom goes back as far as the 2nd Temple period. Why? 12 reasons and counting. One fascinating notion is based on Midrash Tehillim. The angels want the Torah also. They are rebuffed by Moshe, with God's assistance. The Talmud has one account, the midrash another. The angels rejoice when the tablets are broken and stake their claim. God, look they have violated the 2nd of the 10 commandments. G-d reminds them that when they greeted Avraham (after the brit milah), they ate meat and milk, something that every Jewish child knows not to violate. The angels cede their claim. We emerge victorious with our Torah. We eat dairy to remind ourselves of our victory.

The message: I am sure there are many. A simple inference: It is worse for an angel to eat meat and milk than for a human being to build a Golden Calf. Different levels exist in God's creation. Commensurate to the level of perfection are the demands; this is surely true among human beings as well. Let us be more self-critical and other- transcendent. That would be truly angelic or perhaps an ultimate definition of humanity.

Wishing all a meaningful Shavuot Asher Brander

VBM-Special Shavuot Package Inbox Yeshivat Har Etzion
<office@etzion.org.il> Wed, May 27, 2009 at 8:16 AM To: yhe-
holiday@etzion.org.il

Torah Reading and Mount Sinai By Rav Moshe Taragin

Keriat ha-Torah (public Torah reading) is based on an intriguing source. Unlike typical biblical mitzvot, which are founded upon explicit verses or exegesis of verses, keriat ha-Torah stems from a pre-Sinai response to a national spiritual crisis. In parashat Beshalach the Torah records that after encountering the Divine at the Red Sea through the epic miracles, the Jewish people wandered three days "without water." Though the literal reading refers to the absence of hydration, Chazal sense a more ominous danger: Three days had elapsed since their previous contact with God. This detachment had plunged the nation into spiritual torpor. Recognizing this peril, the "contemporary prophets" (a fascinating reference to Moshe and perhaps other prophets) instituted keriat ha-Torah on Mondays, Thursdays, and Shabbat Mincha to ensure that three days would never elapse without contact with the word of God. Since the experience of keriat ha-Torah stems from this pre-Sinai stage, the details of the halakha are more elusive; unanchored to any legislative verse, there are scant sources available to generate the constituent halakhot.

REENACTMENT OF SINAI

Rav Soloveitchik zt"l developed a powerful theory regarding the essence of keriat ha-Torah. The mishna in Megilla (21a) asserts that Megillat Esther may be read while sitting. Commenting on this leniency, the gemara asserts that keriat ha-Torah, in contrast with Esther reading, must be read while standing. Rashi believes that the gemara is merely "encouraging" standing during Torah reading as a "lekhatchila" ideal. Unlike Megillat Esther, in which standing is meaningless, Torah reading should inspire the

greater respect expressed through standing. Halakhically, though, keriat ha-Torah may be fulfilled while sitting. The Rambam disagrees, concluding that standing is mandatory for keriat Ha-Torah. He does not suggest a reason, and certainly the requirement of standing is not immediately obvious.

The Rambam's reading of the gemara in Megilla is reinforced by an interesting Yerushalmi in Megilla (perek 4, which is parallel to the Bavli's perek 3). The Yerushalmi cites an episode in which Rav Shmuel bar Rav Yitzchak visits a shul and witnesses keriat ha-Torah in which the reader is "leaning on a post." He claims that "This posture is forbidden; just as it was delivered at Sinai in a manner which instigated fear and trembling, so must it be rendered in public in a manner which evinces awe."

This vignette supports the Rambam's position and actually provides a logical basis. Keriat Ha-Torah, the Rav claimed, is not merely the collective or communal recital of Torah text. Instead, it reenacts the pivotal moment at Har Sinai during which God's word was delivered to a human audience. As a re-dramatization of Sinai, the posture of the audience must resemble the quaking and trembling reported about the participants at Sinai. (Regarding the actual Halakha, the Shulchan Arukh requires that the reader stand but not the audience. The Rema cites that there are those "who are machmir to stand" during keriat Ha-Torah. See Orach Chayim 141:1 for a discussion regarding the reader, and 146:4 regarding the audience.)

The continuation of the Yerushalmi cites a related episode in which the same Rav Shmuel bar Rav Yitzchak visits a keriat ha-Torah (presumably in a different shul) and witnesses the reader standing alone on the podium. He registered his disapproval, claiming "Just as Torah was delivered through an intermediary agent (sirsur), so must it be rendered during keriat Ha-Torah." The Torah reports that Moshe spoke the words of Torah as G-d replied (Moshe yedabber ve-ha-Elokim ya'anenu be-kol – Shemot 19:19). Ignoring the exact details of this "teamwork," it is clear that the delivery at Har Sinai was executed "jointly." To capture this ambience, keriat ha-Torah must be performed by multiple personalities - sirsur. This symbolic role of intermediary is played by the gabbai who stands alongside the reader. Again, the Yerushalmi insists on recreating Har Sinai during keriat ha-Torah because it viewed the process as a symbolic re-dramatization of that moment in time.

This theory may be based in part on an interesting position of the Ramban. While listing the prohibitions which the Rambam omitted in his enumeration of the mitzvot, the Ramban cites the prohibition to forget the events at Har Sinai (see Devarim 4:9-10). The Ramban does not deduce any particular actions necessary to avoid this neglect and the violation of this mitzva; simple memory will do. However, the spirit of his description certainly supports the institutionalization of symbolic ceremonies to help recall the experience at Sinai.

FURTHER SINAI EXPRESSIONS

The Rav deciphered an additional element of keriat ha-Torah based on this association with Sinai. The gemara in Megilla (21b) demands a minimum of three aliyot during keriat Ha-Torah. Special days augment the number of aliyot, but the base number remains the same. One version of the gemara attributes this minimum number to the three-part demographic division of our people into Kohanim, Leviim and Yisraelim. Why should keriat ha-Torah be modeled upon this symbolic division of different populaces? (This gemara should not be confused with the gemara in Gittin 59b, which awards the first aliya to a Kohen and the second a Levi, etc. That gemara explains the secondary evolutionary stage: having established in the gemara in Megilla the need for three aliyot, how do we best allocate these aliyot with an eye to honoring the Kohen as well as preventing contention in the struggle to receive aliyot?)

The Rav suggested that to fully capture the Sinaitic flavor of keriat Ha-Torah, the attendance of an entire nation would be necessary. Har Sinai is repeatedly referred to (Devarim 9:10, 10:4, 18:16) as "yom ha-kahal" – the day of assembly, in which the entire nation (according to midrashic sources, even future unborn Jews) convened to receive the word of God.

Reinstating that experience would demand a similar kahal or population of Jews. Obviously, unable to convene a national audience, we allocate three aliyot to capture symbolically that which we cannot achieve through actual expression. By designating three aliyot, we achieve a representative sampling of an entire nation and capture the full flavor of yom ha-kahal, thereby lending to keriat ha-Torah its Sinaitic quality.

An additional halakhic consequence of this aligning keriat ha-Torah to Sinai emerges from the Rambam's ruling (Hilkhot Tefilla 12:6) that requires the reader to correct basically any mistake in the reading - even phonetic mistakes which may not alter the actual meaning. Interestingly, the Rema does not adopt this stringency, forcing correction only for instances in which the content was affected by the misreading. The Rav explained the Rambam's stringency about keriat ha-Torah as an enactment of Har Sinai. To fully capture the moment at Sinai, it is not enough for the "stage" to resemble the original delivery (standing, intermediaries and an assembly). The rendered text must exhibit fidelity to the original rendering. Even if no cognitive differences emerge, if the text is rendered differently the experience of Sinai may be compromised. In fact, the Rav reported, that Rav Chayim of Brisk would typically correct the reader (and encourage repetition) even for misread cantillation (trup), which does not affect meaning. Evidently, he felt that the accurate cadences could also help capture the sense of Har Sinai.

Of course, this tethering of keriat ha-Torah to Har Sinai cannot be predicated upon the aforementioned source in Parashat Beshalach of wandering without water for three days - a description which occurred prior to Har Sinai. Evidently, keriat ha-Torah was instituted for alternate reasons, and after Har Sinai it became reconstituted as a reenactment of Har Sinai.

HAKHEL

The Rav asserted, instead, that employing public Torah reading as a reenactment of Har Sinai stems from a more concrete source - the practice of hakhel. When the Rambam describes the once-in-seven year public reading, he writes (Hilkhot Chagiga 3:6):

Even converts (who may not yet appreciate the nuances of Torah) are obligated to listen with fear and awe as though it were the actual day in which the Torah was delivered...each person should envision himself as if just now commanded from G-d Himself.

The Rambam justifies the rendering of hakhel by the king because he serves as God's agent to deliver Torah. Hearing Torah from him (with the typical fear associated with a king) helps arouse the requisite fear and awe in memory of Sinai. The Rambam views hakhel's reading of the Torah as an attempt to recreate the experience at Har Sinai. This association is captured in the very name of the mitzva – hakhel – which invokes the great assembly that characterized Har Sinai. The Torah actually demands the presence at hakhel of every man, woman and child, even though the latter two may not be formally obligated to study Torah, since their presence assures the presence of a sweeping and all encompassing assembly. The legislation of hakhel as a reenactment of Sinai may have been the source for the reconstitution of keriat ha-Torah (a pre-Sinai custom) into a reenactment of Har Sinai.

<http://www.yutorah.org/togo/5769/shavuot>

Eating Dairy on Shavuot
Rabbi Avrohom Gordimer
Rabbinic Coordinator, OU Kosher

The Remo on Orach Chaim 494:3 quotes a widespread minhag to eat dairy foods on Shavuot. The Mishnah Berurah (ibid. #12) proffers the famous explanation for this custom: Bnei Yisroel, upon receiving the Torah on Shavuot, were unable to eat meat right after the Torah was given. There was no time to prepare and check shechitah knives, remove blood and cheilev (non-kosher fats) from meat, and kosher utensils needed to cook and prepare hot meat. Thus, it was necessary on that first Shavuot to consume cold dairy foods. We therefore commemorate this event by also partaking of dairy dishes on Shavuot.

The Remo himself offers another rationale for eating dairy food on Shavuot: The korban (sacrifice of) Sh'tei Ha-Lechem, the "Two Breads", is commanded to be

brought on Shavuot; we therefore eat both dairy and meat foods on Shavuot, as this will require us to have two different breads (because we cannot eat the same bread with dairy and meat foods); the two breads necessitated by serving dairy and meat dishes, served on the table, which symbolizes the mizbayach (altar), commemorate the korban Sh'tei Ha-Lechem. (MB ibid #14)

There are some other, less-known explanations as to why we eat dairy foods on Shavuot:

- Moshe Rabbeinu was taken out of the Nile on Shavuot and was thereafter brought to be nursed, and he refused to drink milk from non-Jewish women.
- The gematria of "chalav" (milk) is 40, corresponding to the forty days that Moshe was on Har Sinai.
- One of the names of Har Sinai is "Gavnunim", similar to the word "gevinah" - cheese.
- The Chok Yaakov (OC 494:9) quotes the Kol Bo (s. 52) that the minhag is to eat both honey and milk on Shavuot, as the Torah is compared to honey and milk (Shir Ha-Shirim 4:11).

The custom of eating dairy foods on Shavuot, however, remains cryptic and is not mentioned by many halachic sources, and that is why there are so many possible explanations. (Note that the Remo explains the basis for the custom with a partial conjecture, "and it seems to me that the reason is...", rather than stating a definitive rationale, as this minhag is of unclear background.) The most common methods whereby people fulfill the custom to eat dairy foods on Shavuot are by having dairy Yom Tov meals or by serving dairy "mezonos" foods after making kiddush on Shavuot morning (and consuming a regular Yom Tov seudah later). Each of these approaches requires a bit of halachic analysis.

Dairy Meals on Yom Tov

When the Beis Ha-Mikdash stood, the mitzvah of simchas Yom Tov (rejoicing on Yom Tov) was fulfilled by partaking of the korban Sh'lammim. However, when there is no Beis Ha-Mikdash, the mitzvah of simchas Yom Tov is expressed in alternative forms. (See Pesachim 109a.) The Rambam (Hil. Yom Tov 6:18) states that - in addition to eating the Korban Sh'lammim - the mitzvah of simchas Yom Tov is fulfilled by men partaking of meat and wine, women wearing fine clothing and jewelry, and children partaking of treats. Some poskim interpret the Rambam as mandating two levels of simchas Yom Tov: an objective one, consisting of eating Sh'lammim, as well as a subjective level, such that all people should experience the simchah of the festival as they personally prefer. Accordingly, eating meat is merely an illustration of what generally causes simcha, but there is no mitzvah to partake of meat per se. Therefore, the mitzva of simchas Yom Tov can be fulfilled by engaging in any act that brings one to simcha. The Tur (OC 529) quotes the Rambam, and one can assume that he agrees with this interpretation of the Rambam's position. The Beis Yosef and Shulchan Aruch (OC 529:2) opine that there is no mitzvah to eat meat on Yom Tov in the absence of the Beis Ha-Mikdash, whereas the Bach and others hold that one should eat meat, even though it is not from a korban Sh'lammim. The Mishnah Berurah concurs with the Bach. (See Bi'ur Halacha ibid.) The Bach and Mishnah Berurah seem to hold that one fulfills the mitzvah of Simchas Yom Tov even without eating meat, but that there is an enhancement of the mitzvah when meat is consumed.

When applied to Shavuot, one who follows the Bach and Mishnah Berurah should ideally eat a meat meal rather than a dairy one on Yom Tov day, although he nonetheless technically fulfills the mitzvah of Simchas Yom Tov with a dairy se'udah so long as he enjoys it. One who goes according to the Rambam and Tur would be advised to eat whatever type of meal he most prefers. (According to the Rambam and Tur, if one enjoys poultry as much as beef, he can eat chicken as his main course, whereas the Bach and Mishnah Berurah seem to hold that beef is preferred, as they note the idea of simchah being identified with basar, meaning "meat" proper.) Partaking of "Mezonos" Foods After Kiddush

There is a fundamental principle of "ain kiddush 'ela bim'kom se'udah" - kiddush may only be made at (the site of) the meal. (Pesachim 101a, Rambam Hil. Shabbos 29:8, Shulchan Aruch OC 273:1) Regardless of the rationale for the axiom of ain kiddush 'ela bim'kom se'udah, one who makes kiddush without a meal (i.e. he does not eat a se'udah after kiddush or he recites kiddush in a location other than where he eats the meal) does not fulfill the mitzvah of kiddush and must make kiddush again when and where he eats.

The Tur and Shulchan Aruch (ibid. s. 5) quote the Ge'onim that one can fulfill the mitzvah of kiddush without actually eating a full meal at the time and place that he makes kiddush. Rather, posit the Ge'onim, a person can consume a mere k'zayis of bread or even drink a revi'is of wine as his kiddush-time "meal", so that he fulfills the requirement of kiddush bim'kom se'udah - kiddush at time (and site of) the meal. The Magen Avraham (ibid. s.k. 11) and Aruch

Ha-Shulchan (ibid. s. 8) explain that, according to the Ge'onim, one can eat what we refer to as "mezonos" (grain-based) foods after kiddush and satisfy the rule of "ain kiddush 'ela bim'kom se'udah". This interpretation of the Ge'onim's opinion has become widely accepted, and many poskim permit partaking of "mezonos"

foods after kiddush but advise against satisfying the mitzvah by merely drinking a revi'is of wine. (See MB ibid. s.k. 25.)

The overall position of the Ge'onim is one of dispute, as the simple interpretation of "ain kiddush 'ela bim'kom se'udah" is that one must actually have his se'udah - a full meal with bread - upon making kiddush, and some therefore advise that one is best not relying on the Ge'onim's approach. (See Aruch Ha-Shulchan and Bi'ur Halacha ibid.; Hag. Rabbi Akiva Eiger on Magen Avraham ibid. s.k. 10) However, the more prevalent practice is to rely on the Ge'onim's view and make kiddush followed by cake or other "mezonos" foods. (Some halachic authorities, including Rav Yosef Dov Soloveitchik, have ruled that if one makes Kiddush and then eats Mezonos foods, he must make Kiddush again later at his actual se'udah.) If one follows common custom (the opinion of the Ge'onim), it would seem that he can satisfy the minhag of consuming dairy food on Shavuot by eating cheesecake after Kiddush on Shavuot morning. However, it is not so simple.

The approach of the Ge'onim only postulates that mezonos food eaten after kiddush satisfies the requirement of kiddush bim'kom se'udah when the amount of mezonos food is at least a k'zayis. (See MB 273: 21) The problem is that many types of cheesecake have very little flour, and one does not typically consume a k'zayis of the dough or flour part of a slice of such cheesecake in the requisite period of k'dei achilas p'ras - "the time it takes to eat a piece of bread". Thus, cheesecake with minimal dough/flour content would not seem to qualify as the mezonos food to eat after kiddush.

Additionally, even though the b'racha rishona for cake and pie is "mezonos", even when the majority of the cake or pie consists of filling or fruit rather than flour, there is an exception when the flour or dough part of these desserts serves merely to hold the filling or fruit in place and is not intended to provide flavor (OC 208:2). Some cheesecakes are virtually all cheese, and they have a paper-thin layer of tasteless dough which merely keeps the cheese in place. This situation would warrant reciting a "shehakol" and would likely not enable one to consume the cheesecake directly after kiddush. (See OC 208:9 and MB ibid. #45.)

Should one wish to have cheesecake after morning kiddush, the solution would be to either purchase a cheesecake that has sufficient dough/flour (a k'zayis worth that will be consumed within the shiur of k'dei achilas p'ras), or to also eat a k'zayis of another type of mezonos food (e.g. cookies, pastry or cake), making sure to have a k'zayis of the mezonos food in a period of k'dei achilas p'ras, as above. In case one wishes to consume a "shehakol" cheesecake, he should first eat a mezonos item right after kiddush prior to eating the shehakol cheesecake.

Eating Meat After Milk

What is the halacha if one makes Kiddush and eats dairy foods, planning to later eat a meat seudah Yom Tov? What if one partakes of a dairy Yom Tov seudah at midday and plans to eat a meat Se'udah Sh'lissah later? How does one transition from milk to meat?

The Gemara in Chullin (105a) quotes Rav Chisda, who states that one need not wait at all after eating cheese before consuming meat. However, if one consumes cheese and then plans to eat meat (as opposed to fowl), one must ascertain that his hands are clean, and he must cleanse and rinse his mouth. The Gemara's discussion there elaborates on what constitutes proper kinuach (cleaning of the mouth) and hadachah (rinsing of the mouth). The Shulchan Aruch invokes the Gemara's discourse on this topic.

"One must cleanse his mouth (kinuach) and rinse it (hadachah); kinuach I involves chewing bread, thereby cleansing the mouth very well. [Although the Gemara and Shulchan Aruch stipulate that kinuach is done with food, may a person fulfill the requirement of kinuach by brushing his teeth instead? This issue is not widely discussed by poskim, although the issue is debatable and should be referred to one's individual rabbi. There is a view that brushing teeth does not constitute kinuach, as a toothbrush does not rub against the insides of the mouth to cleanse it as does food; others argue that tooth brushing is fully effective.] One may perform kinuach with anything that he desires, except for flour, dates and vegetables, since they adhere to the gums and do not cleanse well. And then one must rinse his mouth with water or wine. This is only for basar behemah or chayah, but for fowl, there is no need for any cleaning or washing of hands." Shulchan Aruch Yoreh Deah 89:2

The above procedures appear pretty simple. However, the commentaries of the Shulchan Aruch add a few noteworthy caveats.

- The Shach (#9) quotes the Rif's position that one should always wash his hands after eating cheese before partaking of before meat and not rely on visual inspection of the hands, as one cannot really tell if his hands are truly free of residue by merely looking at them; the Shach further quotes the Iturei Zahav, who states that this is the common custom. In practice, one should conduct himself according to this position and always be sure to wash his hands after eating dairy foods before then consuming meat.

- The Be'er Hetev (#5) notes that the Pri Chadash maintains that one need not wash his hands before meat if he ate cheese with a fork; it appears that the Be'er Hetev rules this way as a matter of practical halachah. The Aruch Ha-Shulchan (89:8)

concur with the Pri Chodosh in this matter, and this is the accepted halachah. (Nevertheless, one must be very careful with this exception, as all too often food eaten with utensils somehow ends up on one's hands. This almost inevitably happens in the course of eating, serving or cleaning up after a meal.)

Although the Shulchan Aruch rules that one must first perform kinuach and then do hadachah, the Shach (#13) and Be'er Hetev (#7) contend that the order does not matter. The Shach invokes the position of the Beis Yosef (Tur 89:11) that one may perform kinuach and hadachah in whichever order he prefers. The halachah is according to the Shach on this point, and one may perform kinuach and hadachah in the order of preference or convenience.

Once one has finished eating dairy food and has performed kinuach and hadachah and has cleansed his hands, may he eat meat right away? The Gemara does not stipulate any waiting period. In fact, the Shulchan Aruch (YD 89:2) notes that one may eat meat "miyad" – "immediately" – and the Rif, Rambam and Tur also do not record any requirement for a waiting period. However, the Zohar in Parshas Mishpatim (155a) indicates that one must recite the beracha acharonah after a dairy meal and then wait an hour before being permitted to consume meat. Many conduct themselves as such and wait half an hour or an hour in light of the Zohar's position, although the bottom-line halachah is not to require any such waiting period.

The above pertains only to one who ate a dairy meal and then wishes to eat "meat" in the true sense of the word, such as beef, veal or venison. Poultry requires no washing of hands nor cleansing and rinsing of the mouth when eaten after dairy foods.

Waiting After Eating Hard, Aged Cheese

The Remo (YD 89:2) notes that the custom is to wait after eating hard cheese before partaking of meat, just as one waits after meat before dairy; this minhag has become accepted practice for

Ashkenazim. (See Chochmas Adam 40:13.) What is the reason for this chumra (stringency)? Poskim point to the reasons for waiting after eating meat before consuming dairy foods and apply these reasons to the case of hard cheese (before meat) as well. According to Rashi (Chullin 105a d.h. "Assur"), one must wait after eating meat before partaking of milk due to the residual aftertaste of meat left in one's mouth as a result of the meat's fattiness. According to the Rambam (Hilchos Ma'achalos Asuros 9:28), the rationale for waiting after meat before dairy is due to the likelihood of meat stuck in one's teeth ("basar bein ha-shinayim"); any such meat requires time to dislodge or disintegrate before one subsequently consumes dairy food¹³.

Not all authorities concur to the custom of waiting after eating hard cheese before eating dairy. The Tur and Shulchan Aruch omit this restriction entirely, and the Maharshal (quoted by the Shach, YD ibid. #17) dismisses it as "minus" (heresy), arguing against it and noting that the Gemara (Chullin 105a) specifically states that there is no need to wait at all after consuming cheese before then partaking of meat. However, the Gra (ibid. #11) writes that the Zohar in Parshas Mishpatim endorses the position of the Remo, and the Gra takes issue with the Maharshal's contention that the Remo contradicts the Gemara's statement that one may eat meat after cheese, explaining that the practice to refrain from hard cheese before meat is a chumra akin to other personal chumros practiced by the Amoraim and recorded in the sugya in Chullin. In fact, the Beis Yosef himself (OC 173) invokes the Zohar and endorses the practice of waiting after (hard) cheese, and he also quotes the Mordechai (Chullin #687), who noted that the Maharam would wait before partaking of meat after he ate (hard) cheese due to the likelihood of cheese residue stuck in the teeth, similar to the rationale of the Rambam noted above. What Is The Waiting Period After Hard Cheese?

After eating meat, there is a dispute as to how long one must wait before consuming dairy products. The Shulchan Aruch (YD 89:1) is of the opinion that the waiting period is six hours, and the Remo (ibid.) also advises that one wait this period, although he references various other prevalent opinions and customs, such as waiting one hour. (German Jews traditionally wait three hours, while Dutch Jews wait only one hour.)

The various opinions and resultant minhagim as to how long one must wait after eating meat before consuming dairy revolve around Mar Ukva's statement in the Gemara (Chullin 105a), that upon eating meat he would wait "until the next meal" to partake of cheese. The question is how one should understand the break period of "until the next meal". It may be short or long, depending upon how one defines the day's meals and the relationship between them; Mar Ukva's practice may also not have mandated any waiting period, as any real break between meals may suffice. These are the issues upon which the various customs are based on.

The poskim are clear that the waiting period after consuming hard cheese before then eating meat is identical to the waiting period after eating meat before one then partakes of dairy foods. ¹⁴ Thus, one should follow his personal custom regarding waiting after meat for the purpose of waiting after hard cheese. A most critical question, however, is what constitutes hard cheese (for the purpose of

waiting) according to the Remo. Is all cheese which we refer to as "hard" included in this category? The answer is a clear "no".

The Shach (YD 89:15) and Taz (89:4), among other major early poskim, explain that with regard to waiting before eating meat, cheese is considered to be hard if it is six months old (or if it has developed holes, done via worms in those days - see Aruch Ha-Shulchan ibid.). It should be noted that the six-month period is apparently not absolute. This is emphasized by some contemporary poskim, for the Shach (ibid.) writes that, "In general, six month-old cheese is classified as hard". The Shach seemingly posits that six months is an approximate estimation of when cheese is categorized as hard for the purpose of waiting.¹⁵

There are three basic positions among American poskim (and the kashrus agencies which they guide) regarding how to determine which types of cheese require one to wait after consuming them before then partaking of meat:

1) Some poskim advance a quite conservative position in categorizing hard cheese. These poskim look exclusively to the cheese's texture and only require a waiting period for cheese which is so brittle such it shreds or grates when cut, unable to be sliced. The vast majority of cheeses do not fit into this category; parmesan is the only common cheese which meets this extremely-limited definition of hard cheese.

2) Other poskim and kashrus agencies take a totally different approach. They hold that if cheese is six months old, it requires a waiting period, regardless of the cheese's texture (or taste). In fact, these poskim and agencies assure (by use of production-date codes) that the consumer is knowledgeable of the date of manufacture of any cheese they certify so that the consumer can easily determine when the product has become six months old. These poskim and agencies are aware that the date of manufacture is especially relevant for cheese with a long shelf-life. Many varieties of cheese (e.g. muenster, provolone, some types of cheddar) are not always aged by their manufacturers for significant periods of time. However, these cheeses may become six months old or more by the time they arrive on the consumer's table, as they are well-preserved and are able to remain fresh for extended durations. Consultations with dairy and cheese experts have revealed that cheese indeed continues to "ripen" (develop) even after it is packaged, but the extent and quality of such ripening depend on a variety of conditions, including the type of cheese, storage temperature and moisture level, as well as method of packaging.

Those who are machmir to wait after all cheese which is six months old, even if the cheese reaches the six-month period incidentally while sitting on a supermarket shelf, point to the ongoing ripening process even after packaging. Those who do not require waiting after such cheese hold that the rate of ripening after packaging is insignificant, as – if ripening after packaging would affect the cheese in any serious way, noticeably transforming the texture or taste – the manufacturer would not be able to sell stable and predictable product, for the ability of the cheese to ripen so as to materially change it would be present once the cheese leaves the factory. Although it is true that one can retain many non-aged cheeses well past their expiration dates and thereby cultivate a truly ripened, highly-enhanced product, this latter position points to the fact that cheese eaten within its expiration date is expected by the manufacturer to retain its qualities and characteristics as at the time of sale, when the cheese was surely not aged (for six months).

3) A third, arguably more complex but quite textually-grounded approach, is that (a) cheese which must be aged for approximately six months in order to attain proper firm texture, and (b) cheese of any age which has a potent aftertaste, are categorized as hard cheeses for the purpose of waiting after their consumption. Thus, a three-month aged cheese may subject one to a waiting period if its aging endows the cheese with a very pungent flavor (resulting in a strong aftertaste) which it would not possess were it aged for a lesser duration, and cheese which must be aged at the cheese factory for around six months in order to be considered to be that specific variety of cheese, both necessitate waiting after their consumption before eating meat. (Since the "six-month" aging period is likely really an estimate reflective of significant hardening, and earlier poskim have posited that a cheese's lingering aftertaste due to its fattiness is a factor in having to wait after eating it, this position does not adopt an exact number of months for which a cheese must be aged in order to require a waiting period, as each cheese must be evaluated by the two factors above.) On a practical level, this approach mandates waiting after romano cheese (among others), as it cannot be made unless it ages for five to seven months (which meets the six-months approximation), while a cheese which does not need such aging but has nonetheless aged on a supermarket shelf for six months or longer would not necessitate waiting.

The truth is that many cheeses undergo several phases of aging. These cheeses are initially left to sit for one day to several weeks in order for whey (excess liquid) to drain and for the curd (cheese mass) to dehydrate and stiffen, as a metamorphosis from a loose, moist curd to a dry, firm one occurs. The second phase of aging is when these cheeses develop their unique taste profiles and harden to much stiffer textures. Cheeses which must age and ripen during this second phase for approximately six months to a degree which significantly hardens them as necessary,

and cheeses which are aged for even shorter durations during this phase in order to bring out an extremely powerful taste, are those which this approach addresses.

It should be kept in mind that cheese which is intended for conversion to cheese powder often does not require prolonged aging periods, as firm texture is not necessary and taste can be artificially developed in shorter periods by use of lipase and other enzymes and flavor agents. Furthermore, different sub-varieties of cheese of the same cheese type can be aged for vastly different amounts of time. These differences reflect divergent grades of the same variety of a specific cheese, as determined by its aging.

An exception to the practice of waiting after aged hard cheese should likely be made for feta, a Greek rennet-set cheese which is cured in brine (salt-water solution) for a period that ranges from a two months to six months. Unlike other types of aged cheese, feta is not exposed to air during its curing, and its texture is not excessively hard. It is therefore possible that feta would not be considered a hard cheese for purposes of waiting six hours, even if it is cured for six months. As there is no halachic literature on the subject, one should ask his personal moreh hora'ah if any waiting period is advised.

What is the rule if hard cheese is melted? There is a well-known approach of the Yad Yehuda (YYK 89:30), who asserts that melted cheese is not subject to the Remo's chumra. Some apply this ruling to all melted cheese (e.g. parmesan cheese melted onto pizza), while others contend that the Yad Yehuda's position only pertains to cheese melted into food (e.g. lasagna), whereas hard cheese melted onto food and melted cheese which is not integrated to become part of another food remains subject to the Remo's waiting period. Others apply the Yad Yehuda's position to all cheese which has been melted, even if it has become re-hardened by the point of consumption (as is the case with American cheese, which is basically cheddar that is melted and mixed with additives, and is then re-hardened). Furthermore, not all poskim concur with the Yad Yehuda's leniency. This author has been told by students of Rav Dovid Feinstein shlitza that Rav Feinstein does not accept the Yad Yehuda's position at all. (The great exception for melted cheese as advanced by the Yad Yehuda is absent in the classical poskim and halachic codes.) It is thus clearly necessary to consult one's posek as to how to deal with the matter.

The OU's poskim have adopted the opinion of the Yad Yehuda that aged cheese which has been melted is not subject to the special waiting period. The OU's poskim also do not require one to wait after eating unintentionally-aged cheese, meaning that the cheese was not aged at the factory for very long, but the cheese incidentally "aged" on a store or refrigerator shelf for six months. Only cheese which must be aged for six months by its manufacturer (or is very pungent) subjects one to the waiting period. Among the most common cheeses which are aged approximately six months are sharp (or "aged") cheddar, emental (Swiss cheese made in Switzerland – not US-made Swiss cheese), parmesan, romano and sharp or aged (not regular) provolone.

YESHIVA UNIVERSITY • SHAVUOT TO-GO • SIVAN 5769

from Rabbi Aryeh Striks <striks@vths.org> Mussar HaTorah Torah insights into human nature from the weekly parasha. **Based on the talks of Rabbi A. Henach Leibowitz zt"l** (Rosh HaYeshiva of Yeshivas Chofetz Chaim - RSA) and dedicated in his memory. This week's Mussar HaTorah - a weekly parasha newsletter - can be downloaded at this link: [Mussar HaTorah Shavuot 5769](http://www.mussar.com) Or visit the Mussar HaTorah page on TorahStation.com Have a Gut Yom Tov and a Gut Shabbos!

Sincerely,

Rabbi Aryeh Striks Valley Torah High School
6 Sivan, 5769 Vol. 10, No. 31 Shavuot

"And she went to the threshing floor, and did all that her mother-in-law commanded." (Rus 3:6)

Our sages extol the modesty of Rus and tell us that Boaz noticed the dignified and reserved way she conducted herself. Naomi had hoped that Boaz, who was a close relative of theirs, would take Rus as a wife and thereby continue the lineage of her late husband, Machlon. When the harvest season was drawing to a close, and Boaz had still not acted, Naomi felt that Rus had no other choice but to take the unconventional step of approaching Boaz privately at his field's threshing floor. Once there, Naomi hoped, Boaz would offer to marry Rus. In preparation for this encounter, Naomi instructed Rus to, "Wash ... wear nice clothes and go down to the threshing floor," (Rus 3:3). The Gemara (Shabbos 113b, Rashi ibid.) tells us that Rus heard Naomi's command and wisely understood that she should actually turn the sequence of events around. She should first go to the threshing floor and, only there, change into her more elegant clothes and wait for Boaz to arrive. She correctly reasoned that going to the threshing floor already dressed-up would cause onlookers to wrongly assume that she was an immodest woman on her way to an illicit relationship. Rus grew up in the palace of Moav, and yet she was a paragon of modesty. Waiting for Boaz to come to the threshing floor and meeting him there

alone at night, went against every grain of her personality. Nevertheless, Rus overcame her naturally modest tendencies and followed Naomi's advice. This reversal of one of her most primary character traits must have demanded a complete nullification of the feelings she had toiled for so long to develop. How could Rus – at the very same time that she was correctly suppressing her native predisposition for modesty – be super-sensitive to her need to maintain a small detail of modesty?

Only because of her heightened awareness of tznius and her great wisdom was she able to properly interpret Naomi's words. How could Rus suppress her modesty and concurrently detect this delicate nuance of tznius?

Hashem created each human being with the unique ability to juggle many different – and even opposite – emotions at the very same time. There are times when we have to act with assertiveness, even "arrogance," to take command of a situation when no one else is standing up for Hashem's honor or the honor of the Torah and its scholars. At the same time we have the capacity to remain humble and not violate the midah of anavah even one iota more than absolutely necessary. The Talmud teaches us that, "It is degrading for a woman to have a man stare at her." The Gemara doesn't limit this statement to only very pious or modest women. Apparently, every woman, even an immodest woman who is deliberately presenting herself in a manner that attracts attention, is simultaneously degrading herself and internally feeling some degree of discomfort and even pain. Even this woman, who has repressed her natural feelings of tznius, still is sensitive on a subtle level to the shame she is wreaking on her neshama.

Let us be aware of the depth and breadth of the human being, and the breathtaking range of feelings than can coexist within us. No matter where our circumstances take us, we can still summon the most beautiful, delicate and exquisite sensitivities from within ourselves. This can connect us to the frequency of the radio signal of Sinai, which still calls to every Jew for over three thousand years, since the giving of the Torah on this very day of Shavuot

Based on the talks of Rabbi A. Henach Leibowitz zt"l, Rosh HaYeshiva of Yeshivas Chofetz Chaim – RSA © 2009 by Rabbi Aryeh Striks & Rabbi Shimon Zehnwirth. For more information call (818) 505-7999 or e-mail mht@vths.org

<http://www.yutorah.org/togo/5769/shavuot>

Well-Bread **Rabbi Reuven Brand**

Rosh Kollel, Yeshiva University Torah Mitzion Kollel of Chicago

Counting toward Bread

The Torah's description of the holiday of Shavuot highlights a surprising theme. After describing the Chag Hamatzot, it frames the next holiday in light of the Korban Shte Halechem, the two breads:

And you shall count from the next day after the Sabbath, from the day that you brought the sheaf of the wave offering; seven Sabbaths shall be complete; To the next day after the seventh Sabbath shall you count fifty days; and you shall offer a new meal offering to the Lord. You shall bring out of your habitations two wave loaves of two tenth deals; they shall be of fine flour; they shall be baked with leaven; they are the first fruits to the Lord. And you shall offer with the bread seven lambs without blemish of the first year, and one young bull, and two rams; they shall be for a burnt offering to the Lord, with their meal offering, and their drink offerings, an offering made by fire, of sweet savor to the Lord. Then you shall sacrifice one kid of the goats for a sin offering, and two lambs of the first year for a sacrifice of peace offerings. And the priest shall wave them with the bread of the first fruits for a wave offering before the Lord with the two lambs; they shall be holy to the Lord for the priest. And you shall proclaim on the same day, that it may be a holy gathering to you; you shall do no labor in it; it shall be a statute forever in all your dwellings throughout your generations. Vayikra 23:15-21

The Torah states that after counting seven weeks, forty nine days, from Pesach, the fiftieth day is a Chag on which we offer two loaves of bread. This holiday, which we call Shavuot, is the culmination of Sefirat Haomer, and it is celebrated by two loaves of bread, the central feature of the chag. It is noteworthy that the Torah does not make mention of Matan Torah, which the Talmud teaches occurred on Shavuot.

This description is puzzling. Why is this Chag characterized by one activity- one maaseh mitzvah- the offering of the Korban Shte Halechem, the two breads? Why is it the culmination of the counting from Pesach? In addition, how does this relate to the description found in the nusach hatefillah of "zman matan torateinu" and to the reading of Megillat Rut on Shavuot? In short, what is the meaning and message of the bread of Shavuot?!

A Foundation of Matzah

No one disputes the importance of matzah. Matzah, the unleavened bread we are commanded to eat on Pesach is of paramount importance both from a halachic and hashkafic perspective. Eating matzah on Pesach is a biblical responsibility, and conversely, eating leavened bread on Pesach is punishable by karet. We know that Jews go to great lengths to ensure the kashrut of matzah, and we distance ourselves

from chametz with great stringency over Pesach. Rav David Ben Zimra (1479-1573) explains the rationale for this phenomenon:

And therefore I rely [in my explanation] on what the Rabbis taught in their teachings that chametz on Pesach is an allusion to the Yetzer Hara and that is the leavening in the dough, and therefore a person must be completely rid themselves of it and search it out from all the recesses of his mind and even a minute amount is not insignificant. Shu"t Radbaz 3:546

Chametz represents the evil inclination, with its fermentation-induced inflation, the symbol of arrogance and hubris. In contrast, matzah, with its basic ingredients and unpretentious appearance, represents the ideal Jewish perspective, one of humility and simplicity. Hence, we begin our year of Jewish festivals fashioning our personalities in the model of matzah, the basic symbol of Pesach. Similarly, the Korban Omer, the meal offering brought on the second day of Pesach, which marks the beginning of the counting until Shavuot, is comprised of matzah. However, the Torah's description of Shavuot mentioned above may indicate another perspective. Wellness of Chametz

The concept of counting from Pesach until Shavuot described by the Torah suggests a period of growth and anticipation. This notion is amplified by many commentaries who characterize this time as one of personal refinement and improvement in preparation for kabalat hatorah on Shavuot. Many recite a daily prayer after counting the Omer asking Hashem for inspiration during this time, which is focused on purity and heightened kedusha. If, in fact, we are climbing the ladder of spirituality to the climax of kabalat hatorah, why at the apex do we offer a korban of leavened bread- the Shte Halechem? I would have expected the korban of Shavuot to be one of spiritual perfection, symbolized by matzah? Perhaps we can suggest that from a different perspective, lechem, leavened bread, is nobler and more refined than matzah.

Matzah is lechem oni, the bread of affliction of Egypt and the bread of our exodus from slavery, which represents basic survival. The Jewish people ate matzah at their lowest spiritual plane, as they were rescued from the depraved Egyptian society. Matzah, according to the Zohar (cited by Rav Zadok Hakohen of Lublin in Pri Tzaddik, Vayikra, LChag Hapesach) is meichlah datvatamedicinal food. It is spiritual medicine designed to help nurture a desperately assimilated nation of slaves to spiritual health and wellness. Hence, just as a critically ill patient begins his regimented diet with only the most elemental foods, so too the Jews ate matzah, the most basic of foodstuffs, to survive and begin a path to health. In contrast to this strict, rigid diet, bread represents the expansion of health and fullness of life. Whereas the critically ill person is limited not only in his diet, but in his ability to be involved in the world, the healthy person may eat and partake in the goodness of the world around him. Bread represents this wellness. The Holiday of Bread: Of Torah and Chessed

Shavuot, the culmination of the period of Sefirat Haomer, exemplifies the spiritual wellness of the Jewish people. During our march to Sinai, we matured from a band of slaves to an am segulah, a treasured nation, prepared to receive Hashem's exalted gift, the Torah itself. This achievement is expressed through a korban of chametz, the Shte Halechem. Our diet on Pesach is limited and restricted both physically, with the mitzvah of eating matzah and a Korban Omer of matzah, and spiritually, as we had only a handful of mitzvot. In contrast, on Shavuot, we are prepared for a regimen that is open and expansive, one of leavened bread. We are prepared to face the multifaceted opportunities and challenges of life, having refined ourselves during the period of the Omer and equipped with a Torah that guides us through every aspect of life. Perhaps this is why Shavuot does not have a specific date and name in the Torah; it is not an independent holiday. Shavuot is the culmination of Pesach, the fulfillment of the process of our national birth after we reached a state of spiritual health.

We can now appreciate why Matan Torah occurred on Shavuot. This is the time when we were spiritually mature and ready to embrace the world, and we were given the Torah to engage, and inspire it. Although we must be grounded and rooted in a world of matzah with humility and rigid discipline, we should not be confined. We should use this foundation of spiritual medicine as a beginning to expand into the world, a world of chametz, to elevate it as an offering to Hashem. Perhaps this can shed light on the story of Rut and its relevance to Shavuot. The theme of geirut, conversion to Judasim, which is prominent in Megillat Rut, also manifests the role of bread. A potential convert approaches the Jewish community and begins with an experience of matzah. The Talmud requires that we teach a potential convert miktzat mitzvot kalot and miktzat mitzvot chamurot, a narrow sampling of commandments. However, the destiny of the conversion and acceptance of Mitzvot is not limited to these few. Kabalat Hatorah of the individual, much like the communal geirut at Sinai, means is to embrace the Torah in its entirety as way of life. This acceptance of the entire Torah, the convert's personal Naaseh Venishmah, is the commitment to follow the path of Torah throughout all of life, the vast experience of Matzah. Rut tells Naomi that wherever Naomi will go, Rut will go.

She wants to live a life inspired by Torah at each and every turn, a life that engages chametz and sanctifies it as a Korban.

Finally, the expansiveness that is reflected in a life of chametz is the expansiveness of heart and spirit that is manifest in a life of generosity. That generosity, chessed, can exist only with harvacha and harchava, a life lived to its fullest. Ultimately, Chazal see the most important message of Rut as one of chessed. This element of chessed is part and parcel of the life of Beit Lechem, literally the "house of bread." It is this generosity, personified by Boaz, who opens his fields and eventually his heart and marries Rut, that is celebrated on this Yom Tov of Matan Torah. Our Kabalat Hatorah is our commitment to the ideal of chessed, the value with which the Torah begins and concludes according to our tradition. A life of Torah is a life of chessed, a life lived to its fullest, a life represented by chametz, "well-bread."

YESHIVA UNIVERSITY • SHAVUOT TO-GO • SIVAN 5769

<http://www.vosizneias.com/32295/2009/05/26/new-york-all-night-shavuot-learning-what-to-learn-and-its-controversy/>

All Night Shavuot Learning: What to Learn? And Its Controversy

Published on: May 26, 2009 at 10:58 AM EST

Source: VIN News By **Rabbi Yair Hoffman**

New York - It is a custom whose roots reach back to the earliest era of our nationhood.

To make up for the fact that our ancestors actually had slept the night of the Sinaitic revelation, religious Jews stay up all night and study Torah (Midrash Shir HaShirim Rabbah 1:56). The custom does not fault our ancestors for being ill-prepared, for how does one prepare for something that one does not know anything about? Rather, it is a custom that allows Klal Yisroel to shine ever further.

The practice is mentioned in the Zohar (Parshas Emor 98a). There it even describes the reward that awaits one who studies Torah all night. The all-night learner receives no less than seventy divine blessings from above and is crowned with a special celestial crown of the upper heavens. Then they are inscribed in a special Sefer HaZikaron.

The Arizal writes in Shaar HaKavanos that whoever stays up all night learning is assured that he will certainly live out the year. (This seems to be true under all conditions, Swine Flu or no Swine Flu.) The Chofetz Chaim records this statement lehalacha (Mishna Brurah 494:1).

There is another interesting point too. Rav Dessler zatzal writes in Michtav M'Eliyahu that time is not a straight continuum. Rather, the nature of time is like a carousel that turns in circles. He writes that each Yom Tov is actually the very same Yom Tov that Klal Yisroel experienced in thousands of years ago in the year 2448. Each day on this carousel of time has its own special unique aspect to it. With this thought of Rav Dessler in mind, let us examine the words found in the Siddur Etz Chaim (page 46a). There it states that fulfilling this practice of learning all night makes it as if we ourselves received the Torah when we hear the Krias HaTorah of Shavuot. It is therefore, as if we were actually there at Har Sinai on the actual day of Matan Torah itself!

The question is, however, what should one learn? There is a special Tikkun Lail Shavuot that much of Klal Yisroel studies each Shavuot night. It encompasses Torah, Neviim, Ksavim, Midrashim, and certain mystical parts of Torah. The Tikkun was established by the AriZal HaKadosh.

And here is exactly where the controversy begins.

The Shlah HaKadosh (Tractate Shvuos 47) writes that this order of what to learn has become a Minhag in Klal Yisroel and this is what we learn. The Shvus Yaakov, however, (Chok Yaakov 494) writes that this Tikkun was only enacted for the masses of people, and those that are capable of doing so should learn their own study regimen.

What is the common custom? Chassidim generally learn the Tikkun, but Litvaks generally learn their own study regimen. Sefardim also generally learn the Tikkun, particularly because the Chida writes (Lev David 31) that one should do so. Indeed, he writes that a group of people who changed the study regimen to studying the Rambam did the wrong thing. He compares what they did to building a Bamah – an unauthorized sacrificial platform.

The minhag in virtually all of the Litvish Yeshivos, however, is to study what the Yeshiva itself studies during the regular Zman. What about the Chida's point against the group of people that studied the Rambam? We should note that this group created a new regimen for Shavuos. They did not continue their regular yearly regimen. Our Yeshivos are continuing their regular regimens.

It is interesting to note that the Vilna Gaon himself learned the Arizal's special Shavuos regimen. It is also interesting to note that in the time of Rav Aharon Kotler zatzal in Lakewood there were many bochurim that learned Torah on both nights of Shavuos.

So what should one be studying on this night? The Gemorah tells us (Avodah Zarah 19a) that a person does not learn except for where his heart desires. The Yeshivos should therefore continue their practice, and the places that study the Tikkun should continue their practice too.

Rabbi Hoffman is a Mechanech in a Bais Yaakov and the former Morah D'Asrah of the Young Israel of Patchogue. He has written Seforim on Hilchos Mezuzah, Lifnei Iver, Chanukah, Purim, Niddah, His seforim have Haskamos from Rav Yisroel Belsky, Rav Malkiel Kotler, Rav Dovid Kviat, Rav Shmuel Kaminetsky, Rav Chaim Scheinberg, and Dayan Roth's Beis Din. He is also the author of the forthcoming Sefer entitled, "Not Your Usual Halacha."