



## SHAVUOS: Brachos After Being Awake All Night

The Mishna Brura (M"B) (494:1) writes that based on the Zohar, the Minhag has become to stay up learning all night on the first night of Shavuos. The Magen Avraham explains it's to atone for the fact that when Hashem was ready to give the Torah to Klal Yisrael at Har Sinai, they were still asleep and need to be awakened. Wonderful blessings have been attributed to those who follow this practice; the Arizal writes that one who does so is guaranteed to live out the year with no harm befalling him. Many halachic questions arise for one who is awake all night, specifically concerning recital of the morning Brachos. Here is a short guide to help you familiarize yourself with these Halachos.

### "Executive Summary:"

If one will be davening in Shul the Minhag is to listen to most Brachos from the Ba'al Tefillah and be Yotze, aside from Al Netilas Yadayim and Asher Yatzar. However, some may not have the option of hearing the Brachos from someone else. In that case, one who napped on Erev Shavuos may recite all Brachos following the guidelines below. One who did not nap on Erev Shavuos would have to omit Birchos Hatorah.

### Netilas Yadayim

The Shulchan Aruch (S"A) (4:13) writes that when one is awake the whole night, it's a Safek (doubt) whether he should wash his hands for the Mitzva of Netilas Yadayim, and therefore the Rama says to wash without a Bracha. The M"B writes that others disagree with the Rama and hold that a Bracha should be said. However, all agree that one who used the bathroom and soiled his hand in the process *should* recite the Bracha. Therefore, Lichatchila (ideally) one should use the bathroom, and then he can (and should) say the Brachos of Al Netilas Yadayim and Asher Yatzar. [Even someone who *did* sleep but awoke before Alos (dawn), washed and said Al Netilas Yadayim, when Alos arrives it's possible that the Ruach Ra'ah (impure spirit) returns to the hands and would require another washing; therefore, he should wash again without a Bracha.]

### Learning Before Washing

Sometimes it may be difficult to wash exactly at Alos. (In Shul there are often long lines at that time; at home it may be easier to be precise.) The Minhag (custom) is that it is still OK to continue learning after Alos, even if one hasn't yet washed his hands. The reason is because the S"A says the Takana (decree) to wash hands was really made for davening, Shema and Shemona Esrei. The M"B there does say (citing the Shaarei Teshuva) that one also shouldn't say Brachos or learn without washing, but that is when there is a definite Chiyuv (obligation). In our case it is only a Safek, and therefore there is no need to be Mevateil (refrain from learning) Torah. However, due to the danger that uncleansed hands can cause, one *should* be careful about touching food or eyes, nose, ears and mouth until he washes.

### The Obligation of Birchos Hatorah After Being Awake All Night

The S"A (47:11) cites two opinions whether there is an obligation for one who napped during the day to repeat Birchos Hatorah after awakening. S"A concludes that the Minhag is not to say them. The disagreement is dependent on the following question: Is the obligation to say Birchos Hatorah each morning because sleep is a Hefsek and Hesech Hada'as (interruption)

from the previous day's Brachos, or is it just that Chazal instituted that Birchos Hatorah be recited daily just like all the other morning Brachos. According to the first rationale, after a day-time nap one would need to recite the Brachos again, while according to the second reason one would not.

M"B notes that many do not follow the S"A's conclusion, and they *do* recite the Brachos in such a case. In practice we follow the S"A, but ideally one who napped should have in mind at Maariv during the Bracha of Ahavas Olam that it should count as Birchos Hatorah, and then right after Maariv he should learn something.

The Halacha for one who was awake all night depends on the previous question. If the reason in that case is because sleep is a Hefsek, then in this case there was no Hefsek and no new Bracha is required. But if the reason is because each new day requires a new Bracha, then even if he didn't sleep, he would still say Birchos Hatorah. In practice there is a rule of Safek Brachos L'hakel (when in doubt about Brachos, be lenient) and therefore no Bracha should be said. However, the M"B says one should either try to hear the Brachos from someone else and be Yotze, or else have in mind by Ahava Rabba that it should cover Birchos Hatorah.

M"B quotes the opinion of R' Akiva Eiger that one who napped by day and then stayed up all night may say Birchos Hatorah in the morning. The reason is Mi'ma Nafshach, meaning either of the reasons above would require the Brachos in this case, because he *did* have a Hefsek of sleep since his Brachos of the previous day, and it is now a new day. In practice the Minhag is that even those who napped by day should listen to the one making Brachos for the Tzibur and be Yotze with him. The reason is that many disagree with R' Akiva Eiger. R' Chaim Kanievsky said in the name of the Chazon Ish that daytime sleep is never considered "Keva" to require Birchos Hatorah. The Brisker Rav is also quoted to have been Mesupak (doubtful) about this ruling of R' Akiva Eiger. Certainly, in this circumstance one *should* say the Brachos if there isn't anyone available to say them for him. One who stayed up learning, went to sleep at Alos and awakened later to daven may certainly say the Birchos Hatorah himself.

### Learning Before Reciting Birchos Hatorah

One who stayed up all night does not have to say Birchos Hatorah, because it is a Safek, as discussed above; therefore, he may continue to learn. The question arises for one who napped during the previous day and may therefore have an obligation to say the Brachos, yet he wishes to hear them from someone else; may he learn prior to hearing them? There are some Poskim who hold that one should not learn at that time (but he may think in learning), however numerous reasons are offered to allow it, and many in practice will continue learning after Alos.

### Other Brachos

It is also questionable whether one should say the Brachos of Elokai Neshama and Hama'avir Shayna if he was awake all night. M"B quotes opinions that one should not say them, while others argue; therefore, they should be heard from someone else. If no one is available, they may be recited. The Bracha on the Tallis Katan should not be said; have it in mind when donning the Tallis Gadol with a Bracha. Or else (as is the case with bachelors who don't wear a Tallis Gadol) listen to someone else's Bracha.