

## Eating before Tekias Shofar

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- I. **Introduction.** In many communities, and in most *yeshivos*, the custom has developed to recite *kiddush* and eat a light snack prior to *tekias shofar*. The primary motivation for this practice is that due to the length of the *Rosh Hashana* davening people are unable to eat until late in the afternoon.
  
- II. **The Dilemma.** In general, one is not permitted to eat a meal prior to the performance of a *mitzvah* that is incumbent upon him to do that day, lest he get caught up in his meal and forget to perform the *mitzvah*. The source of this rule is the *mishnah* in *Succah* (38a). The *mishnah* rules that if one began to eat prior to taking the *lulav* and *esrog*, he must stop his meal in order to perform the *mitzvah*. It therefore follows that one may not eat prior to taking the *lulav* and *esrog* (*Shulchan Aruch Orach Chaim* 652:2). Similarly, once the time has arrived to *daven minchah* one may not eat until he does so (*Shulchan Aruch Orach Chaim* 232:2-3). For this reason, it seems clear that it is prohibited to eat a meal prior to *tekias shofar*. However, the *Mishnah Berurah* (652:7) rules that one may eat a small amount of food (*te'ima b'alma*) before performing the *mitzvah* whose time has already arrived.

Based on the above information alone, it would seem that one may recite *kiddush* and have a small taste of food prior to *tekias shofar*. Responsa *Lehoros Natan* (1:29) points out that in order to fulfill the requirement of having a meal together with *kiddush* (*kiddush b'makom seudah*) one must eat a minimum of a *k'zayis* of food. Any amount of food, up until a *k'beitzah* (which is significantly larger than a *k'zayis*), would only constitute a *te'ima*, and would therefore be permissible to eat prior to *tekias shofar*. Although technically one could make *kiddush* and eat an amount of food that is greater than a *k'zayis* and less than a *k'beitzah*, it is difficult to measure exactly how much food would fit into these guidelines. Furthermore, Responsa *Beis Yitzchak* (*Yoreh Deah* 2:kuntros acharon:18) suggests that when one eats a *k'zayis* in fulfillment of the requirement of *kiddush b'makom seudah*, that *k'zayis* is now considered to be a *seudah* regarding

eating before performance of a *mitzvah* as well. It should follow that one may not make *kiddush* and eat before *tekias shofar* because eating a *k'zayis* in fulfillment of *kiddush b'makom seudah* would constitute a violation of the prohibition to eat before performing a *mitzvah*.

Although one may not eat before *tekias shofar*, not eating until after *musaf* may also present a *halachic* problem. If there is an obligation of *simchah* on *Rosh Hashana* (see *Shulchan Aruch* 597:1) it may be forbidden to fast past midday (see *Shulchan Aruch Orach Chaim* 288:1, and *Mishnah Berurah* 529:1). If this is the case, one may not eat before *tekias shofar*, but he may also not fast until after *tekias shofar*.

III. **The Stringent View.** For the reasons cited above, many leading *poskim* rule that one may not partake of any *kiddush* prior to *tekias shofar*.

A. What about the prohibition to fast until midday? Obviously, those who discourage partaking of the *kiddush* must address the issue of fasting until midday. A number of solutions may be suggested to remedy this problem:

1. **Mishnah Berurah.** The *Mishnah Berurah* (597:1) rules that although one may not fast until midday on other holidays, on *Rosh Hashanah* we may fast until midday. In fact, the *Rama* (*Orach Chaim* 584:1) rules that we should extend our prayers on *Rosh Hashanah* until past midday.
2. **Rav Hershel Schachter.** My Rebbe, Harav Schachter, has suggested that one drink a glass of water prior to davening in the morning. There is no problem with drinking water before performing a *mitzvah*, and the obligation to recite *kiddush* before ingesting food does not set in until after the completion of *tefilas shacharis* (see *Magen Avraham* and *Mishnah Berurah* to *Shulchan Aruch* 286:3). Furthermore, although the *Mishnah Berurah* rules that one may not have coffee or tea

with sugar before davening, Rav Shlomo Zalman Auerbach has ruled that nowadays we may drink coffee with sugar before davening, as coffee with sugar is not considered a significant meal.

3. **Piskei Teshuvos**. The *Piskei Teshuvos* (585:2) cites numerous *poskim* who rule that even after the obligation to recite *kiddush* has set in, one may drink non-intoxicating beverages. It would follow that one may drink soda while the shul is having their *kiddush* even though the individual is not reciting *kiddush*.

IV. **The Lenient View**. Responsa *Hisorerus Teshuva* (#225) strongly defends the practice to have a *kiddush* before *tekias shofar*. Although, as we have cited above, we generally may not eat prior to performing a *mitzvah* (like *lulav*), he argues that this rule does not apply to *tekias shofar*. First, the logic for the prohibition to eat before the *mitzvah* is that one may get so caught up in his meal that he will forget to blow the shofar. This is not a concern on *Rosh Hashanah* because when we are up against the Divine judgment we are unlikely to forget our most potent force to defend ourselves from an unfavorable ruling. Furthermore, it is highly unlikely that *Chazal* would have forbidden eating prior to *tekias shofar* for an entirely different reason. During the times that the *beis din* would establish the calendar based on testimony about the new moon, they would not blow *shofar* until the testimony had been accepted. Because the witnesses often did not arrive in court until much later in the day it is unlikely that it was forbidden to eat that entire time. One can argue that there is a distinction to be drawn between eating before a *mitzvah* that one will definitely have to perform that day and eating before a *mitzvah* that one *may* be obligated to do later that day. While the former is prohibited, the latter would most certainly be permissible.

V. **Conclusion**. We have outlined the various issues involved with eating before *tekias shofar*. While the *halachic* basis to forbid the practice of making *kiddush* before the *tekios* is very strong, and many *poskim* do in fact forbid this practice (see

*Mateh Ephraim* 588:2), the overwhelming majority of *yeshivos* do have a *kiddush* before *tekias shofar*. As such, some leading *poskim* have worked to justify this custom (see *Moadim U'zmanim* 1:4, and *Hisorerus Teshuvah* *ibid.*).