YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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*Avodat Hashem*

Foundations of Divine Service

***Keriat Shema* (IV): “And What Does One Recite?”**

**Rambam’s Position**

**By Harav Baruch Gigi**

**Introduction**

 Rambam writes at the beginning of *Hilkhot Keriat Shema*:

We [are obligated to] recite the *Shema* twice daily – in the evening and in the morning – as it states, “When you lie down and when you get up” (*Devarim* 6:7) – i.e., when people are accustomed to sleep – this being night – and when people are accustomed to rise – this being daytime.

And what does one recite? These three passages: “Hear, O Israel!” (*Devarim* 6:4-9); “If, then, you obey” (*Devarim* 11:13-21); and “The Lord spoke” (*Bamidbar* 15:37-41). We begin with the passage of “Hear, O Israel!” since it contains [the concept of] the oneness of God, [the *mitzva* of] loving Him, and the study of Torah, it being a fundamental principle upon which everything is based. After it, [we read] “If, then, you obey,” since it contains the imperative to fulfill the rest of the commandments, and finally the portion of *tzitzit*, since it also contains the imperative of remembering all the *mitzvot*.

The *mitzva* of *tzitzit* is not obligatory at night. Nevertheless, we recite [the passage describing] it at night because it contains mention of the Exodus from Egypt. We are commanded to mention the Exodus both during the day and at night, as it states, “So that you may remember the day of your departure from the land of Egypt as long as you live” (*Devarim* 16:3). Reading these three passages in this order constitutes what is known as *keriat Shema*. (*Hilkhot Keriat Shema* 1:1-3)

Rambam notes here that the *mitzva* of *keriat Shema* requires that one recite all three passages. However, it is not clear from Rambam’s language if he believes that we are obligated to recite all three passages by Torah law. Because of Rambam’s ambiguity as to this point, the commentators were divided in their interpretation of Rambam’s view on the matter, as we will see below.

**Various Explanations of Rambam’s View**

1. **Only the first verse is *mi-de’oraita***

*Kesef Mishneh* implies that according to Rambam, the Torah obligation of *keriat Shema* applies only to the first verse. In *Hilkhot Keriat Shema* 2:13, Rambam rules that one who is uncertain if he recited the *Shema* must recite *birkhot keriat Shema* (the blessings before and after the *Shema*)again. Commenting on this *halakha*, *Kesef Mishneh* cites a question raised by Rashba: If *birkhot keriat Shema* are *mi-derabbanan*, why would one need to recite them again in a case of uncertainty? After all, there is a well-known principle that we are lenient in cases of uncertainty about a rabbinic law. Rashba answers:

And perhaps [Rambam] also learned this from what R. Elazar said: If one is in doubt whether he has recited the *Shema* or not, he says it again (*Berakhot* 21a). And since it does not specify when it says “he says it again,” this implies that **he must recite all the passages – even though only the first verse must be recited *mi-de’oraita*. It does not says that one must recite the first verse again and not the rest, as it is only required *mi-derabbanan***. The reason is that he is obligated to recite all [the passages] as they were truly meant to be recited. I believe that I heard this reason from my teacher, the pious master *z”l*, that one must recite all the passages again, and it is not enough to recite only the first verse again. **And it may be that this understanding led [Rambam] to apply this law even to the blessings**. (Responsa Rashba 1:320)

It seems from Rashba’s commentary (and from that of *Kesef Mishneh*, who cites Rashba without qualifications) that this is how they understand Rambam’s position – only the first verse is *mi-de’oraita*.

1. **The first two passages are *mi-de’oraita***

The position of *Peri Chadash* is that one must recite the first two passages of the *Shema* *mi-de’oraita* – “Hear, O Israel!” and “If, then, you shall obey.” In contrast, the third passage is merely a rabbinic enactment. Rambam’s position serves as a central pillar of support for the approach of *Peri Chadash*, who writes:

Now, what is left for us is to examine the third position, which is the most truthful of them all: that the passage of “Hear, O Israel!” and the passage of “If, then, you shall obey” are both [mandated] from the Torah and one must recite them every day two times, once when one lies down and once when one gets up. The words of Rambam *z”l* tend toward this [approach] in chapter 1 of *Hilkhot Keri’at Shema* – that is my view. (*Peri Chadash* 67)

 In the remainder of *Peri Chadash*’s commentary here, he cites numerous sources supporting his position. It seems that his proof from *Hilkhot Keriat Shema* is as follows. Rambam defines the *mitzva* of *keriat Shema* as the obligation to recite three passages. However, since it cannot be claimed that the obligation to recite the third passage (“The Lord spoke”) is *mi-de’oraita* (as *Peri Chadash* demonstrates later on in his commentary), we are forced to conclude that two of the passages are *mi-deoraita* and the third passage is a rabbinic enactment through which one fulfills the Torah commandment of remembering the Exodus.

 *Sha’agat Aryeh* understood the position of *Peri Chadash* in this way as well:

And he maintained that since Rambam wrote “We recite the Shema twice daily” and concluded “Reading these three passages… constitutes what is known as *keri’at Shema*,” we learn from this that the obligation to recite all three [passages] is [mandated] from the Torah. And regarding reciting “The Lord spoke”: Even though the words “when you lie down and when you get up” are not written there, nevertheless we recite it, because it mentions the Exodus from Egypt. And it is a *mitzva* from the Torah to mention the Exodus from Egypt, both during the day and at night, as Rambam wrote there. (*Sha’agat Aryeh* 2)

1. **Only the first passage is *mi-de’oraita***

*Sha’agat Aryeh*’s own position is that according to Rambam, the Torah only obligated us to recite the first passage. *Sha’agat Aryeh* presents various proofs for this position:

That which Rambam wrote in the beginning, “We recite the *Shema* twice daily,” refers to the passage of “Hear, O Israel!” alone. And that which he concludes “Reading these three passages in this order constitutes what is known as *keriat Shema*,” refers to the language of the Sages, who enacted that one must recite all these three passages… Know that what he wrote – “Reading these three passages in this order…” – implies that only this particular order – first “Hear, O Israel!”; then “If, then, you shall obey”; and then “The Lord spoke” – is considered [a valid] *keriat Shema*… Since the Torah certainly does not mandate an order for the passages, the order in which we must recite them is only mandated *mi-derabbanan*…[[1]](#footnote-1)

It seems to me that an additional proof that Rambam must maintain that only the passage of “Hear, O Israel” is *mi-de’oraita* – but not “If, then, you shall obey” – is that if one were to believe that both are *mi-de’oraita*, one would have to assign two separate positive *mitzvot* for reciting these two passages. This is because it is certain that neither passage’s omission prevents one from fulfilling the obligation to recite the other, since “When you lie down and when you get up” is written in each of the two passages independently. If one recited one of the passages and did not recite the second, he has certainly fulfilled his obligation with the one that he recited. (*Sha’agat Aryeh* 2)

Thus, aside for the other proofs for this approach,[[2]](#footnote-2) *Sha’agat Aryeh* claims that this is Rambam’s position as well: only the first passage must be recited *mi-de’oraita*.

1. **Only the first verse is obligatory; one fulfills the *mitzva* through all three passages**

Mabit (R. Moshe ben Yosef Mi-Trani), in his book *Kiryat Sefer*, suggests a new approach in understanding Rambam’s positionon this matter. According to him, one must distinguish between the obligation (*chiyuv*) and fulfillment (*kiyum*) of the *mitzva*. From the perspective of the obligation, it is enough to recite the first verse alone. However, each passage that one recites is considered a fulfillment of the *mitzva* *mi-de’oraita*, not merely *mi-derabannan*:

**And *mi-de’oraita*, since he recited the first verse** – “Hear, O Israel, the Lord is our God, the Lord alone” – **he has fulfilled his obligation**. This is only true if he maintained *kavana* while reciting it, as it is written here “Hear,” and it is written “Silence! Hear, O Israel!” (*Devarim* 27:9). Since there it implies *kavana*, as it says “Silence!” so too here there must be *kavana*. **And it seems that even so, if one recites all three passages, he fulfills a *mitzva* *mi-de’oraita*** even though he discharged his obligation once he recited the first verse…[[3]](#footnote-3) This is why the *gemara* states: In the case of *keriat Shema*, which is *mi-de’oraita*, one may interrupt between one section and another. Thus, in the case of *Hallel* [which is *mi-derabbanan*], it is certainly so. This implies that it is as if all three sections are *mi-de’oraita*, since one fulfills a *mitzva* *mi-de’oraita* upon reciting them. If this were not so, but rather that one would only fulfill a *mitzva* *mi-derabannan* upon reciting them, how could it say, “In the case of *keri’at Shema*, which is *mi-de’oraita*, one may interrupt”? One had already recited the first verse, which is *mi-de’oraita*, while the rest is *mi-derabbanan*! Rather, it is certainly as I have written. (*Kiryat Sefer*, *Hilkhot Keriat Shema* 1)

According to Mabit’s claim, some *mitzvot* have a relatively minimal threshold for fulfilling one’s obligation. However, the Torah itself recognized a person’s ability to fulfill the mitzva in a more expansive and encompassing manner. As Mabit details (see note 3), the *mitzva* of Torah study follows this model. The more one learns, the greater one’s fulfillment of the *mitzva* *mi-de’oraita* of Torah study becomes, even if in practice one could technically suffice with reciting the *Shema* in the morning and in the evening in order to fulfill his baseline obligation (according to *Menachot* 99b).

 However, with respect to the fulfillment of the *mitzva* of *keri’at Shema*, we must understand the relationship between the first verse and these three passages specifically. In the upcoming *shiurim*, we will explain the root of the relationship between the first verse and the three passages as a whole.

**Rav Soloveitchik’s Position – Remembering the Exodus as Part of *Keriat Shema***

R. Yosef Dov Soloveitchik *z”l*, maintained that, according to Rambam, all three passages are *mi-de’oraita* (see *Shiurim Le-Zekher Abba Mari*, the *shiur* entitled “*Mitzvat Keriat Shema U-Zekhirat Yetziat Mitzrayim*”). R. Soloveitchik derives this from Rambam’s language: “Reading these three passages in this order constitutes what is known as *keriat Shema*.” According to R. Soloveitchik, this statement implies that the three passages all together make up the version of *keriat Shema* that we must recite *mi-de’oraita*.[[4]](#footnote-4)

 However, even according to this position, there is a distinction between the first two passages and the third passage. The first two passages are *mi-de’oraita* by their basic meaning, as each of them contains the words “When you lie down and when you get up.” In contrast, the third passage was only incorporated into *keriat Shema* because it deals with remembering the Exodus.

 It must be stressed that according to R. Soloveitchik’s position, remembering the Exodus is an integral part of the *mitzva* of *keriat Shema*. According to R. Soloveitchik, the fact that Rambam does not include the *mitzva* of remembering the Exodus every day in his list of commandments in *Sefer Ha-Mitzvot* is rooted in the fact that it is not an independent obligation.[[5]](#footnote-5) Rather, it is part of the obligation of *keriat Shema*, a *mitzva* whose foundation is the acceptance of the yoke of God’s kingship upon oneself.

 R. Soloveitchik understands that full acceptance of the yoke of God’s kingship necessarily includes remembering the Exodus. Following the approach of his grandfather, R. Chaim Soloveitchik of Brisk, R. Soloveitchik maintains that **the *mitzva* of remembering the Exodus is an extension of the *mitzva* of *keri’at Shema***. At the heart of both commandments is the concept of accepting the yoke of God’s kingship, and remembering the Exodus is a fundamental part of accepting that yoke.

 Based on this concept that the passage of “The Lord spoke” was only included in *keriat Shema* because of the element of remembering the Exodus that it contains, it could theoretically have been possible to choose a different passage from the Torah that mentions the Exodus.[[6]](#footnote-6) Indeed, R. Soloveitchik writes:

And any passage that mentions the Exodus from Egypt can serve as the third passage of *keriat Shema*. Even by reciting the passages about Balak or the laws of interest and weights, one could fulfill one’s obligation regarding the third passage, which is mandated by the Torah; the designation of “The Lord spoke” specifically is *mi-derabbanan*. (*Shiurim Le-Zekher Abba Mari*)

The connection between the Exodus and the yoke of God’s kingship is patently, inherently clear, as we will discuss in the upcoming *shi’urim*.

 However, in my humble opinion, it is difficult to use this fundamental principle to explain Rambam’s omission of the *mitzva* of remembering the Exodus from *Sefer Ha-Mitzvot*. It is difficult to claim that Rambam included a separate *mitzva* within the *mitzva* of *keriat Shema* – whose foundation lies in the acceptance of the yoke of God’s kingship – as important as that additional *mitzva* may be. We find a similar overlap of *mitzvot* in the case of the *mitzva* of recognizing the oneness of God (*Sefer Ha-Mitzvot*, Positive Commandment 2)[[7]](#footnote-7) and the *mitzva* of *keriat Shema* (*Sefer Ha-Mitzvot*, Positive Commandment 10).[[8]](#footnote-8) Despite the fact that the *mitzva* of *keri’at Shema* is based on the concept of the oneness of God, Rambam viewed the latter as a *mitzva* in its own right. Thus, it is clear that we cannot identify the *mitzva* of *keriat Shema* with the *mitzva* of accepting the yoke of God’s kingship.

 In addition, the *mitzva* of recognizing the oneness of God is, at its core, a “duty of the heart”; its fulfillment is not dependent on any particular action at any particular time. It is a *mitzva* that applies constantly, and thus even women are obligated in it. In contrast, the *mitzva* of *keriat Shema* is a specific obligation to recite certain verses twice daily, when you lie down and when you get up. Women are exempt from this *mitzva*, as it is a positive time-bound commandment.

 Thus, while our ability to fulfill the *mitzva* of *keri’at Shema* and the *mitzva* of accepting the yoke of God’s kingship through the same action should not be ignored, the respective identities of the two *mitzvot* cannot be entirely conflated. As a result, when we discuss the *mitzva* to remember the Exodus in the day and in the night, we cannot view it as part of the *mitzva* of *keriat Shema*. In this respect, the *mitzva* of remembering the Exodus should not be considered more valuable than the *mitzva* of accepting the yoke of God’s kingship itself, which is enumerated as a separate *mitzva*.

 Furthermore, it is difficult to view the *mitzva* of remembering the Exodus as part of the *mitzva* of accepting the yoke of God’s kingship. This is because the key aspect of the *mitzva* of accepting the yoke of God’s kingship is fulfilled within a person’s heart, while the key aspect of the *mitzva* of remembering the Exodus is fulfilled through speech (“We are commanded to mention the Exodus both during the day and at night”). This requires further study.[[9]](#footnote-9)

 An additional point should be noted with regard to R. Soloveitchik’s position. According to him, as we said, the most important aspect of the third passage – the reason it was included in *keriat Shema* – is the element of remembering the Exodus from Egypt. However, it seems from R. Yehoshua ben Korcha’s statement in the *mishna* (*Berakhot* 13a) that the primary reason the third passage was included was because it discusses the *mitzva* of *tzitzit*. In fact, this led him to maintain that the third passage should not be recited at night, as the *mitzva* of *tzitzit* applies during the day only. If the reason for the third passage’s inclusion was that it mentions the Exodus, it is not clear why it should not be read at night, since the *mitzva* of remembering the Exodus applies equally at night. Thus, it seems that the passage of “The Lord spoke” was added to *keriat Shema* because it mentions the *mitzva* of *tzitzit*.

 In the following *shiur*, we will continue to deal with this topic.

Translated by Daniel Landman

1. At this point, *Sha’agat Aryeh* presents proofs that the order of the passages cannot be mandated by the Torah:

Because the order of the passages does not prevent one from fulfilling his obligation, *be-di’avad*… and as Rambam himself wrote in the second chapter of *Hilkhot Keriat Shema*: “One who reads [the *Shema*] out of order does not fulfill his obligation. This refers to the order of the verses. However, were one to reverse the order of the passages, even though it is not permitted, I maintain that he does fulfill his obligation, since these sections are not sequential in the Torah” (*Hilkhot Keriat Shema* 2:11). [↑](#footnote-ref-1)
2. A discussion of all the proofs that each of the *Acharonim* presents for his own position is beyond the scope of this *shiur*. However, we will point out the position of Ramban, found in the introduction to his *Sefer Milchamot Hashem*. Ramban writes there that there are no clear proofs supporting any side in this dispute, and that the central question is which position is most reasonable. One may adopt whichever position seems closest to the truth in this case. [↑](#footnote-ref-2)
3. At this point, Mabit compares this law to the *mitzva* of Torah study:

It is similar to reading the Torah, regarding which one discharges his obligation by designating a certain time of the day and of the night, as it says, “Recite it day and night” (*Yehoshua* 1:8). R. Yochanan said: “Even if one only recited the *Shema* in the morning and in the evening, he has fulfilled the *mitzva* of “Let not this book of the Torah cease from your lips” (*Yehoshua* 1:8), and even so, if one learns all day and night, he fulfills the *mitzva* of Torah study *mi-de’oraita*. Here too, even though one discharges his obligation of *keriat Shema* by reciting the first verse, when he recites all three passages, he fulfills a *mitzva* *mi-de’oraita*. (*Kiryat Sefer*, *Hilkhot Keriat Shema* 1) [↑](#footnote-ref-3)
4. See also *Ma’aseh Roke’ach*, who reaches the same conclusion in his commentary on *Hilkhot Keriat Shema* 1:1-3. [↑](#footnote-ref-4)
5. R. Soloveitchik presented an additional explanation for Rambam’s omission in the name of R. Chaim of Brisk. He explains that since we rule that one must remember the Exodus from Egypt in the day and in the night, there is no further derivation that would indicate that the *mitzva* applies in the Messianic era, and as a result, it must be that the *mitzva* does not apply at all for future generations. Thus, the *mitzva* is not enumerated in the list in *Sefer Ha-Mitzvot* (see *Sefer Ha-Mitzvot*, *Shoresh* 3). [↑](#footnote-ref-5)
6. R. Soloveitchik goes to great lengths here in discussing whether it is even necessary to recite a passage from the Torah, or if one may fulfill his obligation by remembering the Exodus in his own words. [↑](#footnote-ref-6)
7. He writes:

The second *mitzva* is that we are commanded to acquire knowledge of the nature of God’s oneness, i.e., to understand that the original Creator and source of all existence is one. The source of this commandment is God’s statement, “Hear, O Israel! The Lord is our God, the Lord alone.” In most *midrashim* you will find this *mitzva* described as “on condition that they unify My name”; “on condition that they unite Me”; or a similar expression… In many places the expression is used, “the *mitzva* of His oneness.” Our Sages also called this *mitzva* “kingship,” saying that it is said in order to accept upon oneself **the yoke of God’s kingship**. (*Sefer Ha-Mitzvot*, Positive Commandment 2) [↑](#footnote-ref-7)
8. He writes: “The tenth *mitzva* is that we are commanded to recite the Shema daily, both in the evening and in the morning” (*Sefer Ha-Mitzvot*, Positive Commandment 10). [↑](#footnote-ref-8)
9. In the next *shiur*, we will resolve this difficulty and suggest a way of understanding the relationship between all the various *mitzvot*: the *mitzva* of *keri’at Shema*, the *mitzva* of recognizing the oneness of God and accepting the yoke of God’s kingship, and the mitzva of remembering the Exodus from Egypt in the day and at night. [↑](#footnote-ref-9)