YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

**The Structure of and Meaning of the Daily Prayer**

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This week’s shiurim are dedicated in memory of
Henry Lehmann z”l
by Richard Lehmann

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**Shiur#05: *Birkat Ha-Torah***

In most ancient *siddurim*, the eighteen *birkot ha-shachar* are followed by the blessings on the Torah. Over the years, the place of *birkat ha-Torah* migrated earlier, and, while there are good reasons for this change, we shall address this special blessing in its ancient location. But first we must analyze why *birkat ha-Torah* belongs in the order of the daily prayer in the first place.

***Birkat Ha-Torah*: Standard *Birkat Ha-mitzva* or Something More?**

Offhand, *birkat ha-Torah* is an example of a *birkat ha-mitzva*, a blessing recited before the performance of a mitzva. The *Gemara* states, “One recites a blessing immediately before all commandments”(*Pesachim* 7b). A *birkat ha-mitzva* is easily identified by the formulation, “who has sanctified us with His commandments and has commanded us….” By that standard, *birkat ha-Torah*, or at least the first part of it, appears to be a *birkat ha-mitzva*, following the classic pattern – “who has sanctified us with His commandments and has commanded us to engage in the words of Torah.”

If this is correct, then we should not be discussing *birkat ha-Torah* in this course, as it is not actually part of *tefilla*. Rather, *birkat ha-Torah* is merely a *birkat ha-mitzva*,andhas the same status as the blessing recited before hearing the *shofar*. It is true that, unlike *shofar*, we are commanded to study Torah daily, and therefore the blessing before the study of Torah will necessarily be recited daily as well, but this is only a distinction of frequency. Even if one argues that the morning prayers themselves include verses of Torah, and therefore one must recite the *birkat ha-Torah* before reading them, there appears to be no intrinsic connection between this text and the morning prayers. If one, for whatever reason, is not going to learn Torah in the early hours of the morning, there would be no reason for him to recite the *birkat ha-Torah* during his morning prayers.

This notion is supported by the Talmudic source for *birkat ha-Torah*. First, the blessing is not mentioned in the list of *birkot ha-shachar* in *Berakhot* 60b, which we have cited repeatedly in previous *shiurim*. The source for *birkat ha-Torah* is a different *Gemara*:

R. Yehuda said in the name of Shemuel: “If one rises early in order to learn before reciting the *shema*,he must recite a blessing. [If he wishes to learn] after reciting the *shema*, he does not have to recite a blessing, as he has already discharged his obligation with *ahava rabba*. (*Berakhot* 11b)

It seems, according to Shemuel, that not only is the recitation of what we call *birkat ha-Torah* not a regular part of *tefilla*, it is not even a regular occasion in a halakhic day. Only someone who, apparently exceptionally, has decided to rise early (*mashkim*) to learn Torah before praying is required to recite the blessing. The *Gemara* seems to make it quite clear that it is the act of learning Torah that engenders the blessing, and not the regular daily ritual of prayer.

However, reading the Rambam gives a very different picture. First, to repeat a point about the other blessings we have examined, the Rambam quotes the laws of *birkat ha-Torah* in *Hilkhot Tefilla*, and not in *Hilkhot Berakhot*, or in the even more reasonable *Hilkhot Talmud Torah*. In fact, he quotes them in Chapter 7 (a chapter we have cited in previous *shiurim*), which begins with the words, “When the Sages enacted these prayers, they enacted other blessings to be recited every day….” The Rambam then proceeds to list all the blessings listed in *Berakhot* 60b (1-9), and immediately goes on to explain the necessity to recite *birkat ha-Torah*. This alone serves to place this blessing firmly in the context of the daily blessings.

But the Rambam is even more explicit. First, in Halakha 10, he cites the formulation of the *Gemara* in *Berakhot* 11b that we have already read, together with the exact formulation of the blessing(s). But then, in Halakha11, he adds, “A man is obligated to recite these three blessings every day and afterward read a little words of Torah.” This completely upends the relationship we thought we had discerned in the *Gemara*. Rather than “when you learn, say a *berakha* first,” we now read, “say a *berakha*, and then learn a little afterward.” Furthermore, rather than viewing the recitation of the three blessings collectively called *birkat ha-Torah* as a somewhat extraordinary occurrence, with *ahava rabba* as the normal way to fulfill the obligation to recite a blessing before learning Torah, it now is clear that the threefold *birkat ha-Torah* is the norm, and an obligatory one at that. Apparently, relying on *ahava rabba* is only an ex post facto exemption from the normal obligation. Just like the other *birkot ha-shachar*, there is an obligation to recite this *berakha* every day.

The Rambam's statement that one should learn some Torah after reciting the *berakha* is based on a passage in the *Yerushalmi*, which is quoted by the *Tosafot* on 11b. The *Yerushalmi* appears to be referring to the case where one has not recited the regular *birkot ha-Torah*, but relied instead on *ahava rabba*. The *Tosafot* alternatively suggest either that this requirement does not apply to the regular *birkot ha-Torah* or that the *Bavli* disagrees with the *Yerushalmi*. Accordingly, the *Tosafot* consider the possibility that one does not have to learn Torah immediately after reciting the blessing. This clearly indicates that it is not a regular *birkat ha-mitzva*, as it makes no sense to recite such a blessing without fulfilling the mitzvait describes. While the Rambam does require immediate learning of Torah (which is why the *siddur* places *birkat kohanim* and the *mishna* of *eilu devarim* immediately after the blessing), it is clear, as we have seen, that this is not because the mitzva of learning Torah engenders a blessing. Rather, it is because the blessing on the Torah needs to be related to Torah when it is recited; hence, after fulfilling the requirement to recite this blessing daily, one must learn a little Torah immediately.

In reality, a simple reading of *birkat ha-Torah* indicates that it is not **only** a *birkat ha-mitzva*. *Birkat ha-Torah* actually consists of multiple blessings: First, we recite the blessing of *la’asok be-divrei Torah*,which does resemble a typical *birkat ha-mitzva* in that it contains the formula “*asher kideshanu be-mitzvotav ve-tzivanu*.” Next, we recite “*ve-ha’arev na*,”a blessing that consists mostly of a request to make our Torah learning successful and pleasant. Finally, we recite a blessing that is familiar from public Torah readings: “*Asher bachar banu mi-kol ha-amim…*,”concluding with the words “*noten ha-Torah*.” A normal *birkat ha-mitzva* consists of one short blessing; clearly, something different is going on here.

**Torah: The Essence of the Jew**

The *Gemara* asks on what sort of Torah learning one recites *birkat ha-Torah*, and gives a complex collection of answers:

Rav Huna said: “For *Mikra* [Bible] one must recite a blessing; for *Midrash* one does not need to recite a blessing.” Rabbi Elazar said: “For *Mikra* and *Midrash* one must recite a blessing; for *Mishna* one need not recite a blessing.” Rabbi Yochanan said: “For *Mishna* one must recite a blessing as well, but for *Talmud* one need not recite a blessing.” Rava said: “Even for *Talmud* one must recite a blessing.” (*Berakhot* 11b)

While all agree that one can fulfill the mitzva of learning Torah whether he learns Bible, *Mishna* or *Gemara*, we see that, according to several opinions, *birkat ha-Torah* is only recited upon learning certain types of Torah. Though the halakhic conclusion follows the opinion of Rava, who does not distinguish between categories of Torah learning, it is clear from this *Gemara* that there is a factor operating here that is not merely the fulfillment of the mitzva of learning Torah.

Rav Chaim of Brisk[[1]](#footnote-1) claimed that the *birkot ha-Torah* are not *birkot ha-*mitzva, meaning that they do not relate to the fulfillment of the mitzva of learning Torah, but are blessings on the Torah itself. The focus of the blessings is not an **action** but an object (*cheftza*) – the Torah. Certain phenomena and objects that we experience in our daily lives engender an obligation to bless God. The Torah, given by God to Israel at Mount Sinai, is such an object, and we are required – daily – to bless God for that phenomenon.

This definition of *birkat ha-Torah*, a *berakha* on the Torah itself, explains the discussion and disagreement in the *Gemara* concerning which aspect of Torah engenders the blessing. The list of possibilities in the *Gemara*: *Mikra*, the written text of the Torah; *Midrash*,referring to the Oral Law derivations of the written verses; *Mishna*,the code of law based on the Torah but not arranged as a commentary on the written Torah; and *Talmud*,the free and open discussion of the laws, is a progression based on the degree of **objectivity** of each type of Torah. The Oral Torah, to some extent, lacks concrete objectification, unlike the *Sefer Torah*, which is a concrete object. The action of learning can relate to any form of Torah equally, but the form given to us at Sinai stands out, at least in the eyes of some, as an object with which we are engaged, and is therefore a better candidate for this blessing.

Rav Chaim claimed that this also explains the halakha that women are obligated to recite *birkat ha-Torah*, despite their exemption from the mitzva of learning Torah.[[2]](#footnote-2) Rav Chaim explained that even if the mitzvato learn Torah does not obligate women, the Torah itself is the possession of the Jewish people, and belongs to women no less than men. The blessing is not about the mitzva to learn, but about the importance of Torah in the life of a Jew. Halakha requires a Jew to recognize that importance and bless God every day for giving us the Torah. In light of this, it is clear that this obligation applies equally to men and women.

This also explains why a *birkat ha-Torah* is recited before the public reading of the Torah, even though everyone (including the *oleh*) has already recited the blessing earlier.[[3]](#footnote-3) Apparently, when the Torah is read in a public context, we experience an entirely different kind of encounter with Torah, and therefore the Sages instituted a separate blessing.

Finally, and most importantly for us, this explains why *birkot ha-Torah* are a daily requirement of prayer, as defined by the Rambam. Torah is an essential element in the life of a Jew, no less than breathing, dressing, rising, moving or any of the other elements that we celebrate in *birkot ha-shachar*. Hence, as part of the daily obligation of a Jew in relation to his Creator, one responds to the presence of Torah by blessing God, who has given it to us.

The question of whether one must **also** learn Torah immediately after reciting the blessing is basically similar to the question whether one must personally experience each of the triggers of the other *birkot ha-shachar*. It is surely conceivable that one must recognize the central role of Torah in the experience of living even if he is not experiencing the Torah immediately through the activity of study. Alternatively, it may be that one can actually experience Torah even if he is not presently learning. On the other hand, it seems to me that while thanking God for providing us with clothing (*malbish arumim*) even if one is not getting dressed may be appropriate, thanking God for choosing the Jewish people by giving them the Torah without simultaneously ingesting Torah is different. Having clothing is nice, and I can appreciate that any morning, whereas Torah defines us; it is the life of the Jew. Reciting *birkat ha-Torah* without partaking of what the blessing describes immediately thereafter is jarringly inappropriate, almost self-contradictory. Hence – and this is the ruling of the Rambam – one should immediately learn a little Torah after reciting the blessing, to show that we are taking our words seriously.

As I mentioned earlier, ancient *siddurim* place *birkot ha-Torah* **after** *birkot ha-shachar*, unlike modern *siddurim*, which reverse the order. There are various reasons for this migration, but based on what we have seen, the original placement makes sense. First of all, the other *birkot ha-shachar* relate to basic aspects of life as a human being (with the exception of “*she-lo asani…*”), whereas *birkot ha-Torah* relate to the experience of life as a Jew. Secondly, *birkot ha-shachar* speak of simply awakening, **being** alive, and conclude by requesting of God the ability to **act** during the day as His servants. *Birkot ha-Torah* are the first expression of that **acting**, of serving God by learning Torah. Therefore, it should not be surprising to find them immediately after the blessing of *ha-ma'avir sheina*.

The *Gemara* in *Berakhot* concludes by ruling that one should recite all three parts of *birkot ha-Torah* that were mentioned there, which produces the three-part blessing found in our *siddurim*. A quick examination reveals the three different themes.

1. *La'asok be-divrei Torah* – to **engage** in the study of Torah. Rather than setting a goal of accomplishment in Torah study, such as becoming a great Torah scholar, the blessing merely emphasizes the activity of being engaged in Torah. Rav Soloveitchik once commented that this blessing would apply even to one who suffers from senility, who retains nothing from what he learns, but who defines the core values of his life by learning – breathing, as it were, Torah together with oxygen.
2. *Ve-ha'arev na* – make the Torah pleasant for us so that we and our children can become “knowers of Your name and learners of Torah for its own sake.” Again, intellectual knowledge is not emphasized here, but rather the identity and personality of those who learn Torah, for whom it defines their relationship with God.
3. *Asher bachar banu* – Torah is the distinct core of Israel’s chosenness, and hence of Jewish identity.

Activity, personal meaning and national identity – all three are embodied by the Torah as a permanent facet of Jewish existence. Indeed, this would be true even if there were no particular mitzva to study. Just as a worshipper must daily thank God for his soul restored, he must bless God for the gift of Torah, which defines his life.

1. Cited in brief in *Chidushei HaGriz* in Hilkhot Talmud Torah. [↑](#footnote-ref-1)
2. The *Semag* answered this question by claiming that women are obligated to learn the sections of Torah that concern the observance of *mitzvot* in which they are obligated. [↑](#footnote-ref-2)
3. And we do not recite *birkat ha-Torah* more than once a day – see *Tosafot Berakhot* 11b. [↑](#footnote-ref-3)