**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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In memory of Rabbi Jack Sable z”l and

Ambassador Yehuda Avner z”l

By Debbi and David Sable

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Birkat Ha-mazon

WHat is the mitzva of birkat ha-mazon? what is the nature of women's obligation to recite it?

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# The Mitzva

The Torah repeatedly describes God's bountiful provision of sustenance to the Jewish people in Eretz Yisrael. A few passages in *Devarim* juxtapose the promise of eating to satiety in the land with a charge for us not to forget God. The most familiar one appears in *keri'at Shema*:[[1]](#footnote-1)

*Devarim* 11:13-16

And it will be if you truly listen to My commandments that I command you today to love the Lord your God and to serve Him with all your heart and with all your soul. Then I will give the rain of your land in its time, a first rain and last rain, and you will gather your grain and your wine and your oil. And I will provide grass in your field for your cattle and **you will eat and be satisfied**. Guard yourselves lest your heart seduce you and you veer and serve other gods and bow down to them:

Another of these passages explicitly directs us to bless God when we eat and are satisfied.

*Devarim* 8:17-18

For the Lord your God brings you to a good land, a land of wadis of water, springs and groundwaters that emerge in the valley and the mountain. A land of wheat and barley and grapevine and fig and pomegranate, a land of olives for oil and [date] honey. A land in which you will eat bread without poverty, you will not lack for anything in it, a land whose stones are iron and from whose mountains you will hew copper. **And you will eat and be satisfied and bless the Lord your God for the good land that He gave you.** Guard yourself lest you forget the Lord your God by not keeping His commandments and laws and ordinances which I command you today. Lest you eat and be satisfied and build good homes and settle. And your cattle and your flocks multiply and silver and gold increase for you and everything that you have increase. And your heart become arrogant and you forget the Lord your God Who took you out of the land of Mitzrayim from the house of bondage. Who leads you in the great and awful wilderness with snake and serpent and scorpion and thirst for there is no water. Who brings forth water for you from the flint rock. Who feeds you *man* in the wilderness that your fathers did not know in order to afflict you and in order to test you for your ultimate good. And you may say in your heart 'my strength and the power of my arm made me this wealth.’ And you will remember the Lord your God, that He gives you strength to make wealth in order to uphold His covenant which He swore to your forefathers as on this day.

In the wilderness, God provided for us with a daily portion of *man* (manna). Once we entered the Land, the *man* ceased and the Land itself became the vehicle through which God sustains us. It is easy enough to remember God when we are always in direct need, but much more challenging to remember the Divine roots of our well-being.

We might imagine that *birkat ha-mazon* is a food-centered *beracha*, simply parallel to the *berachot* recited before eating. Its name does literally mean the beracha of nourishment, and it is recited after a meal. However, *birkat ha-mazon* is not about food itself. Rather, it is about God the Sustainer, and the land God has put at our disposal that enables us to eat. We recite *birkat ha-mazon* specifically after eating because it is then, in the moments of satiety, that we are most liable to forget God.

In a sign of its religious significance, *birkat ha-mazon* is the only *beracha* obligatory on a Torah level according to most opinions.[[2]](#footnote-2)

Rambam Laws of *Berachot* 1:1

It is a positive Torah-level mitzva to recite a *beracha* after eating nourishing food, as it is said "And you will eat and be satisfied and bless the Lord your God."

Let’s look at the parameters of the obligation, the content of the *beracha*, and finally the nature of women’s obligation.

Defining the Obligation

A close reading of the Torah's language helps us define exactly when *birkat ha-mazon* is obligatory, after eating which foods and of what quantity. The verse right before the one obligating us in *birkat ha-mazon* refers specifically to bread.[[3]](#footnote-3) Based on this juxtaposition, we recite *birkat ha-mazon* after eating foods whose initial *beracha* is *ha-motzi*.

Tosefta *Berachot* 4:7

…This is the rule: everything whose beginning [*beracha*] is *ha-motzi lechem min ha-aretz* [who brings forth bread from the land] one recites after it three *berachot* [*birkat ha-mazon*]…

How much must one eat to be obligated in *birkat ha-mazon*? The Talmudic texts on this seem to be in conflict. A *ke-zayit* (the volume of an olive) is the standard halachic measure (*shi'ur*) for acts of eating. In one passage, Rabbi Yehuda and Rabbi Meir debate how that measure relates to *birkat ha-mazon*.

*Berachot* 49b

Rabbi Meir reasoned: "And you will eat" – this is eating, "and be satisfied" – this is drinking. And eating is defined as a *ke-zayit*. But Rabbi Yehuda reasoned: "And you will eat and be satisfied" – eating that is sufficient for satisfaction. And what is this? A *ke-beitza* (the volume of an egg).

Rabbi Meir maintains that the obligation to recite *birkat ha-mazon* takes effect only when one has both eaten and drunk the typical minimum measure for each, a *ke-zayit* and a *revi'it*. Rabbi Yehuda argues that drinking is unnecessary, but one is obligated only after eating more than that, enough to be satisfied. The Talmud suggests a *ke-beitza* as a relevant measure. A simple reading of the derivations from the verse implies that these measures apply on a Torah level.

On the other hand, another Talmudic passage, written as though in the voice of God, suggests that the measures mentioned here are rabbinic stringencies. In that case the derivation from the words of the Torah would be a mnemonic device devised by the sages:[[4]](#footnote-4)

*Berachot* 20b

And will I not show favor to Israel? For I wrote to them in the Torah "and you will eat and be satisfied and bless the Lord your God," And they are exacting with themselves [to recite it] to an olive's worth and to an egg's worth.

Some halachic authorities, like Rabbeinu Yona, take the textual derivations advanced by Rabbi Yehuda and Rabbi Meir at face value, so that satiety is an objective measure, and therefore only one who eats a *ke-beitza* (egg's volume) or more is obligated in *birkat ha-mazon* on a Torah level.[[5]](#footnote-5)

Rabbeinu Yona *Berachot* 11b (Rif pagination)

The measure of satiety is no less than an egg's worth.

Others, including Rambam, rule that “and you will be satisfied” (*ve-savata*) is a subjective measure, so that the Torah-level obligation to recite *birkat ha-mazon* depends on whether one personally feels sated after eating, and not on some objective, universal scale.[[6]](#footnote-6)

Rambam Laws of *Berachot* 1:1

One is not obligated on a Torah level unless one is satisfied, as it says "And you will eat and be satisfied and recite a *beracha*" And from the words of the scribes [rabbinically], if one ate even an olive's worth, he recites a beracha after it.

In the spirit of the language "are exacting with themselves," Rambam adds that reciting *birkat ha-mazon* after eating to a smaller measure than subjective satiety is a rabbinic obligation.

# Text

Rabbinic discussions also help us define what we say. How did we get from the concise Biblical imperative to "bless God over the good land He has given you," to the long text of *birkat ha-mazon* as we know it? The Talmud explains the origins of the text in two distinct ways.

First, it presents *birkat ha-mazon* as a series of historical enactments:

*Berachot* 48b

Rav Nachman said: Moshe enacted for Israel *birkat ha-zan* [“Who sustains,” the first *beracha*] at the time that the *man* descended for them. Yehoshua enacted *birkat ha-aretz* [the second *beracha*, over the land] when they entered the land. David and Shelomo enacted *boneh Yerushalayim* [“Who builds Yerushalayim,” the third *beracha*]. David enacted [requesting mercy] "over Your people Israel and over Your city Yerushalayim," and Shelomo enacted "over your great and sacred house [the Temple]. They [the sages] enacted *ha-tov ve-hameitiv* [“Who is good and does good,” the fourth *beracha*] in Yavneh, as a response to those killed at Beitar. As Rav Matana said: on the day that those killed at Beitar could be buried, they established *ha-tov ve-ha-meitiv* in Yavneh, *ha-tov*, that they did not rot, and *ha-meitiv*, that they could be buried.

On this account, God's provision of the *man* precipitates praising God as a sustainer. The shift to agricultural production upon entering the land leads to praising God for the land which provides sustenance. David and Shlomo together include mention of Yerushalayim and then Beit Ha-mikdash as central to our spiritual aspirations. A miracle in the midst of a catastrophic defeat— the preservation of the corpses of those killed by the Romans at Beitar and the opportunity to bury them — leads us to thank God for what is good, even at difficult times.

A little later, however, the Talmud provides a different account, citing two possibilities for deriving each *beracha* of *birkat ha-mazon* directly from Biblical verses:

*Berachot* 48b

Our rabbis taught [in a *baraita*]: Whence do we know that *birkat ha-mazon* is from the Torah? For it is said "And you will eat and be satisfied and bless" This is *birkat ha-zan*. "The Lord your God" this is *birkat ha-zimmun* [the prologue invitation to *birkat ha-mazon*], “over the land” —this is *birkat ha-aretz*." The good" — this is *boneh Yerushalayim*, and so it says "this goodly mountain and the Levanon" (*Devarim* 3:25). "That He gave to you" This is *ha-tov ve-hameitiv*…Rabbi [Yehuda Ha-nassi] says: This is unnecessary. "And you will eat and be satisfied and bless" this is *birkat ha-zan*. But *birkat ha-zimmun* derives from "Exalt God along with me" (*Tehillim* 34:4). "Over the land" This is *birkat ha-aretz*. "The good" this is *boneh Yerushalayim*. And so it says "this goodly mountain and the Levanon" (*Devarim* 3:25). *Ha-tov ve-hameitiv* they enacted in Yavneh.

These two distinct accounts of the derivation of *birkat ha-mazon* don't fit neatly together. How can we then say that later figures, such as David and Shelomo enacted *berachot* if they were already commanded by the Torah?

Halachic authorities present two primary approaches to resolving this difficulty.

**I. Emphasizing the Textual Derivation** On this reading, the obligation to recite each of the first three *berachot* is indeed derived from the Torah. Later enactments only formulate precise language for the concluding line of each *beracha*. (The text of the body of each *beracha* remains variable, and to this day differs among different communities.) Rashba articulates this view:

*Chiddushei Ha-Rashba Berachot* 48b

That which we say "Moshe enacted for them *birkat ha-zan*, Yehoshua enacted for them *birkat ha-aretz*," etc., is difficult. **For we maintain afterwards that these *berachot* are from the Torah.** One can say that their language formula is what they [newly] formulated for them. For if it is on a Torah level, if one wished to say it [each *beracha*] with any language formula that he wants, he can say it. And Moshe and Yehoshua and David and Shelomo came and enacted for them a formula, for each one [of the *berachot*] in its time…And certainly prior to the conquest of the land and the building of Jerusalem, they would not say it as the formula that they said after the conquest and building, just as we don't say the same formula as David and Shelomo enacted, for we request to restore the kingship and to build the Temple and they would ask to preserve the kingship and to preserve the Temple and to continue the tranquility of the land.

Even though he considers the themes of the *berachot* to be derived from the Torah, Rashba takes it as a given that their language has gone through historical shifts. For example, he argues that the *beracha* for Yerushalayim before and after the Temple's destruction must have changed.

**II. Emphasizing the historical account** According to this view, the essential Torah mitzva is simply to recite a single *beracha* of some sort after eating. Over time, a series of *berachot* including specific ideas and language were enacted. Ramban explains:

Ramban's comments to Rambam's *Sefer Ha-mitzvot Shoresh* I

…They said regarding *birkat ha-mazon* which is certainly from the Torah (*Berachot* 48b): "Moshe enacted *birkat ha-zan*, Yehoshua enacted *birkat ha-aretz*, Shelomo enacted *boneh Yerushalayim*." For all of them, the formula is not from the Torah. **Rather we were commanded from the Torah to recite a *beracha* after our eating, every person as he chooses**…And the prophets came and enacted for us a text with correct language and clear phrasing. And we changed it already in the exile [to say] "and may You swiftly restore the kingship of the house of David your anointed one and build Yerushalayim Your holy city. For Shelomo and his court enacted the idea, but the language is said in accordance with the times.

Ramban sees the ideas of the *berachot*, such as *boneh* Yerushalayim, as established by each historical figure. The exact language remains flexible in accordance with the times. On this view, the Talmud's derivation of distinct *berachot* from the verse must be merely an *asmachta*, a mnemonic device.

Meaning

What are the *berachot* about? In her doctoral dissertation,[[7]](#footnote-7) Dr. Keshet Shoval delineates and connects the thematic strands of *birkat ha-mazon*.

Keshet Shoval "The Text of *Birkat Ha-mazon*," p. 146-147

In *birkat ha-zan* the food is God's absolute lovingkindness, similar to the *man* that was given to the wanderers in the wilderness. In *birkat ha-aretz*, in contrast, food is the result of working the land, this is the nourishment of the established settlers who draw livelihood from the ”*aretz*”….We have seen the particularist-national nature of *birkat ha-aretz*. In this context, the *beracha* of *boneh Yerushalayim* seems like a continuation of *birkat ha-aretz*, and together they constitute a journey of progressive proximity toward the center of the sacred: land-city-Temple…*Boneh Yerushalayim* is, from a conceptual perspective, a development and expansion of *birkat ha-aretz*…*Birkat ha-tov ve-hameitiv* has extensive connections with the state of mourning…*Birkat ha-tov ve-hameitiv*, which traverses the range between Yavneh and Beitar, grants a historic perspective to the *berachot* before it…as describing a reality that is lost, a reality to which those reciting the *berachot* aspire to return…

While the first blessing is universal in nature, praising God for sustaining all living creatures, the second is more particularistic, a blessing of thanks to God for the gift of the Land that was granted specifically to *am Yisrael* by dint of our commitment to God. The themes of Divine sustenance and the Land are intertwined in the Torah, yet distinguished in *birkat ha-mazon*.

The third *beracha* is a request that Yerushalayim be rebuilt, enabling us to reach the culmination of the Divine plan in the Land, carried out in part through the restoration of the Davidic dynasty. The fourth *beracha*, *ha-tov ve-hameitiv*, is rabbinic, its role in the progression less clear. This *beracha* perhaps expresses our recognition that even sustenance might not find us in a happy state, and that we praise God nevertheless.

Taken as a whole, *birkat ha-mazon* extends far beyond gratitude for the specific food that we have eaten.

Essential Components

The Talmud instructs us to mention a few specific, particularistic points in *birkat ha-mazon*. Most notably, the second *beracha*, *birkat ha-aretz*, should include mention of the land, *berit* and Torah, and the third *beracha* should mention the Davidic dynasty.

*Berachot* 48b

We learn in a *baraita*: Rabbi Eliezer says: whoever did not say "the desirable good and expansive land" in *birkat ha-aretz* or "the kingship of the house of David" in *boneh Yerushalayim* did not discharge his obligation. Nachum the elder said: One must mention in it [*birkat ha-aretz*] *berit*. Rabbi Yosei said: he must mention in it [*birkat ha-aretz*] Torah…

The Talmud later indicates that *berit* here refers to *berit mila*, circumcision.[[8]](#footnote-8) Why introduce *berit mila* and Torah into the *beracha* of the land? The Talmud Yerushalmi addresses this question with regard to the importance of mentioning Torah:

Talmud Yerushalmi *Berachot* 1:6

Rabbi Simon in the name of Rabbi Yehoshua ben Levi said: If he didn't mention Torah in [*birkat*] *ha-aretz*, we make him go back [and repeat it]. What is the reason? "And He gave them the lands of the nations" [*Tehillim* 105:44]. Why? "In order that they keep His ordinances and guard His teachings" [*Tehillim* 105:45] R' Ba son of R' Acha in the name of Rabbi [Yehuda Ha-nassi]: If he didn't mention *berit* in *ha-aretz* or didn’t mention the kingship of the house of David in *boneh Yerushalayim*, we make him go back.

Rashi presents a parallel explanation for the mention of *berit*, specifically *berit mila*:

Rashi *Berachot* 48b

**He must mention in it *berit*:** In *birkat ha-aretz*. For by virtue of the *berit*, it [the land] was given to Avraham in the portion about circumcision: "And I will give to you and to your seed after you the land of your sojourning" *Bereishit* 17).

As Rashi notes, in Bereishit, *berit mila* comes together with God’s promise of the Land to Avraham’s descendants.

God gives us the land as part of a *berit* in which we accept covenantal responsibility to keep the Torah. When we include mentions of *berit* and Torah in the *beracha* of the land, we acknowledge that our possession of the land is conditioned on keeping them.

As central as these concepts are, it is by no means clear that mentioning them is obligatory on a Torah level. As we've seen, the precise language of *birkat ha-mazon* is rabbinic in nature. This is the case even though the Yerushalmi suggested that one who omits their mention needs to repeat *birkat ha-mazon*.

Indeed, while Rav Yosef Karo rules in Shulchan Aruch that someone who has omitted mention of *berit* and Torah must recite *birkat ha-mazon* again,[[9]](#footnote-9) he notes that that ruling does **not** depend on considering their mention obligatory on a Torah level. It is simply in deference to the Yerushalmi:

*Beit Yosef* OC 187

…For given that *birkat ha-mazon* is on a Torah level, its formula is rabbinic and since he only changed the rabbinic formula, it is possible that he discharged his obligation [even when omitting mention of *berit* or Torah], but…It is written explicitly in the Yerushalmi at the end of the first chapter of *Berachot*, "If he didn't mention Torah in *ha-aretz*, we make him go back…

How should one include these mentions? *Siddur* Rav Sa'adya Ga'on provides us with an early, distilled version of *birkat ha-aretz*, in which *berit* and Torah find expression without embellishment.

Siddur Rav Sa'adya Ga'on, *Birkat Ha-aretz* from *Birkat Ha-mazon*

We give thanks to You, Lord our God, for your granting us a desirable, good ,and expansive land, *berit* and Torah, life and nourishment, and for all of them we thank you and bless Your great and sacred name forever and ever. Blessed are You Lord for the land and for the nourishment.

An expanded version of the text also makes an appearance in Ge’onic literature. It adds explicit thanks to God for "*beritecha she-chatamta bi-vsareinu*" and "*Toratecha she-limadtanu*": "Your covenant that You sealed in our flesh" and "Your Torah that You taught us." We will see that the language of the second *beracha* is particularly relevant to understanding women's obligation in *birkat ha-mazon*.

# Obligation

Women's obligation in *birkat ha-mazon* first appears in the mishna.

Mishna *Berachot* 3:3

Women and bondsmen and minors are exempt from reciting *Shema* and from *tefillin* and obligated in prayer and in *mezuza* and in *birkat ha-mazon*.

Parallel discussions of this mishna in the Talmud Yerushalmi and the Talmud Bavli seem to indicate that the mishna means that women are obligated on a Torah level in *birkat ha-mazon*. They reject the possibility that *birkat ha-mazon* would be a positive time-bound commandment from which women are exempt. (Elsewhere, we discuss women and Shema, tefillin, and prayer.)

Talmud Yerushalmi *Berachot* 3:3

"And *birkat ha-mazon*" as it is written "And you shall eat and be satisfied and bless the Lord your God." There we learn: every positive time-bound mitzva, men are obligated and women are exempt, and every positive mitzva that is not time-bound, both men and women are obligated…

*Berachot* 20b

"And in *birkat ha-mazon*" – that is obvious! What might you have said? Since it is written "When God gives you in the evening meat to eat and bread in the morning to satiety" (*Shemot* 16:8), it [*birkat ha-mazon*] is similar to a positive time-bound commandment. It [the mishna] teaches us [otherwise].

We might have thought *birkat ha-mazon* is time-bound because it follows full meals, which come at regular times (at least when God serves them).

An additional Talmudic passage further supports the view that *birkat ha-mazon* is obligatory for women. It presents a minority opinion in the name of Rav that omitting *berit* and Torah and mention of the Davidic dynasty from *birkat ha-aretz* is acceptable, at least after the fact, because these mentions are exclusive of women:

*Berachot* 49a

For Rav Chananel said Rav said: One who didn't say *berit* or Torah or kingship discharged his obligation [in *birkat ha-mazon*]. *Berit*, because it doesn’t apply to women, Torah and kingship, because it doesn’t apply to women or to bondsmen.

Rav seems to make a few assumptions: First, and most relevant to this point of discussion, that women are fully obligated in *birkat ha-mazon* on a Torah level. Second, that this should affect how we view the parameters of the obligatory text. Rav maintains that a text that fulfills the obligation for some groups must be able to fulfill the obligation for anyone, at least after the fact.[[10]](#footnote-10)

We'll come back to the next two assumptions— that a woman cannot be obligated to mention *berit* *mila* and Torah as part of her *birkat ha-mazon*, and that *berit* and Torah are not relevant for women— a little later.[[11]](#footnote-11)

At this stage, we've seen that a simple reading of the mishna, the Yerushalmi, and two passages in the Talmud Bavli leads to the conclusion that women are fully obligated in *birkat ha-mazon*.

Surprisingly, a last Talmudic passage questions whether women's obligation in *birkat ha-mazon* is Biblical or rabbinic.

*Berachot* 20b

Ravina said to Rava: Women in *birkat ha-mazon*, is it from the Torah or rabbinic?

In the continuation of the passage (which we'll discuss below), the Talmud explores a potential practical ramification of this question, whether a woman could discharge a man's obligation in *birkat ha-mazon*. But it does not provide a clear resolution to its question about the level of obligation and never explains what motivates it.

Why should a woman's level of obligation be in question to begin with? As we see in Rashi, the position that a woman has a Torah-level obligation is simple and straightforward to defend.

Rashi *Berachot* 20b

Women in *birkat ha-mazon*, is it from the Torah- as it is written "And you will eat and be satisfied" and it is a positive commandment that is not time-bound.

If we focus on the beginning of the verse, there is no indication of a gender-based distinction. Women are as likely to eat and be satisfied as anyone else, and have the same capacity to recite a *beracha*. Rashi also invokes the Talmud's likeliest argument for such a distinction, the possibility that the mitzva would be considered time-bound.

On what basis, then, might we view women as exempt from *birkat ha-mazon* on a Torah level and obligated only rabbinically? Rashi and Tosafot each venture an explanation:

**I. The land** Rashi suggests that the possibility of women's exemption on a Torah level derives from God’s gift of the land of Israel to the Jewish people. This makes sense because gratitude for the gift of the Land is central to *birkat ha-mazon*. The initial allotment of the land was by family, with each family defined by its patriarch:

*Bemidbar* 26:55

Surely by lot the land will be apportioned, according to the names of the staffs of their fathers will they inherit:

Still, why should this affect women's Torah-level obligation in *birkat ha-mazon*? Rashi suggests that the position that views women's obligation as rabbinic emphasizes the end of the verse that presents the obligation of *birkat ha-mazon*, about the land:

Rashi *Berachot* 20b s.v. Or

Or is it rabbinic? As it is written "for the good land that he gave you," and the land was not [initially] given to females to apportion. If [you would question this] because of the daughters of Tzelofchad, it was their father's portion that they took, for he was among those who left Egypt.

Rashi seems to assume that a woman cannot thank God for a personal gift of land "that He gave to **you**" (second person, singular) when it was not initially given to women. Even the daughters of Tzelofchad did not receive their own portions of the land, but shares of their father's.

Rashi's explanation likely draws inspiration from the halachic discussion of *bikkurim*, first fruits. *Bikkurim* actually entail two distinct Torah-level *mitzvot*: bringing the *bikkurim* as an offering to Beit Ha-mikdash and reciting "*mikra bikkurim*," a declaration to accompany the offering. *Mikra bikkurim* begins with a few verses that summarize the exodus (familiar to most of us from the Pesach Haggada) and concludes with the following:

*Devarim* 26:9-11

'And He brought us to this place and gave us this land, a land flowing with milk and honey. And now behold I have brought the first fruit of the land that God gave to me.' And place it before the Lord your God and bow down before the Lord your God.

*Mikra bikkurim* is intimately tied to our gratitude to God for the land, and highlights the path to receiving it.[[12]](#footnote-12) As on *leil ha-seder*, *mikra bikkurim* is recited in any generation as though the reciter was personally redeemed and granted a portion of the land of Israel.

The mishna teaches us that women are obligated to bring *bikkurim* but exempt from reciting *mikra bikkurim*. The stated reason is because *mikra bikkurim* entails thanking God for the gift of the land, which he "gave to me."

Mishna *Bikkurim* 1:5

…And the woman and the person of unclear gender and the androgynous person bring [*bikkurim*] and don't recite [*mikra bikkurim*], for they cannot say "that God gave to me."

When presenting herself as a member of the Jewish people at the time of entering the Land, a woman cannot claim to have directly, personally received a portion of it. This is likely why the mishna does not highlight the part of the verse saying that God "gave **us** this land," which is more general, as problematic for a woman to recite.

Perhaps for this reason, the mishna does **not** list women among those exempt from the adjacent mitzva of reciting *viduy ma'aser*, which declares that we have dealt with our *ma'aser* properly, and which includes only collective mention of the gift of the land.[[13]](#footnote-13)

*Devarim* 26:15

Look out from Your holy dwelling from the sky and bless Your people, Israel, and the ground that you gave us as you swore to our forefathers, a land flowing with milk and honey.

Mishna *Ma'aser Sheini* 5:14

From here they said: Israelites and *mamzerim* recite *viduy* [*ma'aser*] but not converts and not freed bondsmen, for they don't have a portion in the land. Rabbi Meir says: Not even *Kohanim* or *Levi'im*, for they did not take a portion of the land. Rabbi Yosei said: They have the Levite cities.

Tosafot poke a hole in Rashi's suggestion that women are exempted on Torah level because of how the land was apportioned. They note that Rashi's answer seems to overlook *Kohanim* and *Levi'im*. They also were not given portions of the land. Yet the Talmud raises no question about their Torah-level obligation in *birkat ha-mazon* (whereas it does take up this question with regard to *viduy ma'aser*):

Tosafot *Berachot* 20b s.v. Women

"Women in *birkat ha-mazon*, is it from the Torah or rabbinic?"- Rashi explained that you might have thought they were not obligated on a Torah level because it is written "for the good land" and women did not take a portion of the land, and what the daughters of Tzelofchad took was the portion of their father. And this is questionable because then you should also ask about *Kohanim* and *Levi'im*, for they did not take a portion of the land…

One could respond, though, as Rabbi Yosei did regarding *viduy ma'aser*: the *Kohanim* and *Levi'im* received the Levite cities.[[14]](#footnote-14)

Other aspects of Rashi's suggestion remain unclear. The mishna regarding *birkat ha-mazon* makes no mention of an exemption parallel to that from *mikra bikkurim*, and the situations are not fully analogous. One who recites *birkat ha-mazon* only refers to the gift of the land in first person plural.

Furthermore, “the good land that He has given you” may not refer to the specific inheritance of land allotments. God promised the Land to Avraham and all his descendants – male and female – and women take full part in receiving the land as a heritage from our forefathers. Rav Yosef Dov Soloveitchick makes this argument, drawing on an idea initially developed by his father, Rav Moshe Soloveitchick:[[15]](#footnote-15)

*Reshimot Shi’urim Ha-Grid Soloveitchick, Berachot* 20b

…For women are included in the seed of Avraham and are included in the law that the Land of Israel is in our domain from our forefathers, and behold they [women] are included in the promise of God to Avraham Avinu "To you I will give it and to your descendants." And the basis of the law that women do not take a portion of the land is because they are not those who conquer [militarily], and they are not included in the [obligation] of inheriting it and settling it…It is explained that *birkat ha-mazon* depends on the law of acquiring it through Avraham Avinu, and in the law that the Land of Israel is in our domain from our forefathers, and like the law of *viduy ma'aser*. And one must say that Tosafot thought that from the perspective of taking a portion of the land of Israel, women do recite the *beracha* of *birkat ha-mazon*, since even though the women didn't take a portion of the land, that is solely with respect to them not being included in the law of acquiring it based on the law of inheriting it and settling it. And in any case they are included in the law of acquiring the Land of Israel as our domain from our forefathers…

**II. Berit and Torah** A second possible explanation for questioning women's Torah-level obligation relates to the mentions of *berit* *mila* and Torah in the second *beracha*.

We saw above that Rav, in the Talmud, assumed both that women are obligated on a Torah level in *birkat ha-mazon* and that a woman could not possibly be obligated to give thanks for the *mitzvot* of learning Torah and circumcision, given her exemption from them. These assumptions lead Rav to the conclusion, rejected in practice, that *berit* and Torah are not obligatory, at least not after the fact, for anyone to recite.

There is a Ge'onic view that shares similar assumptions but arrives at a different conclusion. According to this view, a woman is fully obligated in *birkat ha-mazon* on a Torah level, but since she would not recite the expanded language of *berit* and Torah, she cannot discharge a man's obligation.

*Teshuvot Ha-ge’onim, Sha’arei Teshuva* 345

Rabbenu  He-chasid: A woman may not recite *birkat ha-mazon* to discharge the obligation for others, even though she is obligated…for its primary obligation is that the person reciting it needs to include the *berit* with the Torah. And how can she recite the *beracha* “on your *berit* that you sealed in our flesh and on your Torah that you taught us”? But for herself, she is obligated…and when she recites the *beracha*, she should skip over the *berit* and the Torah.

In an attempt to explain why a woman's level of obligation in *birkat ha-mazon* could be called into question, Tosafot take this argument a step further. They suggest that the challenge of a woman reciting *berit* and Torah might also affect her level of obligation in *birkat ha-mazon*:

Tosafot Rav Yehuda Sirleon, *Berachot* 20b

If we were to explain the rationale here, that he [Ravina] asks him [Rava] regarding women because it says later on in the chapter 'Three who Ate" if he didn't mention *berit* and Torah in *birkat ha-mazon*, he did not discharge his obligation. Now he asks since they [women] would not be able to say *berit* and Torah, are they [obligated] rabbinically, or perhaps is it specifically regarding men [the those mentions are required] for they have *berit mila* and the Torah, but women it is not applicable to them and they are thus [obligated] from the Torah. And he [Ravina] does not hold by this [statement] of Rav who said "he [who omits their mention] discharges his obligation since it does not apply to women. And this requires study.

According to this argument, women **can't** give thanks for circumcision and Torah in *birkat ha-mazon*, at least not as *mitzvot* personally given. Tosafot may mean that, even were a woman to find a way to give thanks for them, her doing so would not be able to fulfill the obligation for another, since she is not directly obligated in these *mitzvot*.

On this reading, inability to mention them in fulfillment of obligation, could mean that women cannot be obligated in *birkat ha-mazon* on a Torah level.[[16]](#footnote-16)

Tosafot's suggestion diverges from the assumption of Rav and the Ge'onim that women have a Torah-level obligation in *birkat ha-mazon*. Though we reject Rav's final position as practical halacha, Tosafot's taking some of his assumptions to reach a halachic position in the opposite direction requires further study.

In short, neither explanation for why women's Torah-level obligation would be called into question is airtight.

Women Reciting Berit and Torah

Before returning to the question of women's obligation, let's explore the assumption that women are not obligated to mention *berit* and Torah in *birkat ha-mazon*, because of exemptions from *mitzvot* concerning them.

In Shulchan Aruch, Rav Yosef Karo, does not express any hesitation about women mentioning *berit* and Torah, notwithstanding the reservations of Rav and Tosafot. Rema, on the other hand, rules that women in practice **should not** recite *berit* and Torah.

*Shulchan Aruch* OC 187:3

If one did not mention *berit* and Torah in *birkat ha-aretz*, even if he only left out one of them, we make him go back. Rema: and women and bondsmen do not say *berit* and Torah, for women are not *benei berit* [included in the covenant of circumcision] and bondsmen are not included in Torah.

Rema likely has in mind the lines referring to these concepts in their expanded versions, because they get more personally specific, expressing personal gratitude for circumcision and being taught Torah. Rema's ruling leaves room for women to skip over these lines.

Even so, Mishna Berura (below) says it is common custom for women to mention both *berit* and Torah in *birkat ha-aretz*, even reciting the expanded lines.

Halachic authorities typically justify a woman reciting both *berit* and Torah by suggesting that she directs her intention in reciting the words in one of three directions, referring to either her husband, her people, or herself:

**I. Her Husband** Beit Yosef writes that a woman expresses gratitude for *berit mila* because a man and wife are as one flesh.

*Beit Yosef* OC 187

Even regarding woman there is room to discuss [mention of *berit*], for one is not called a man unless he has a wife (*Yevamot* 63a) male and female are one flesh, and they [women] well could say "for Your covenant which You sealed in our flesh."

This argument could easily extend to a husband's Torah study. Beit Yosef doesn’t explain what this should mean for an unmarried woman.

**II. Her People** Meiri writes that a woman recites *berit* and Torah, having in mind gratitude for them as significant to the whole Jewish people, of which she is a part.

*Beit Ha-bechira, Berachot* 48b

There are those who say that women don't mention *berit* and Torah…and in our opinion, even women say this as in *birkat ha-aretz*, where they say it, even though they do not have a portion in the land, for they are a part of [*am*] Yisrael.

Meiri seems to maintain that women are obligated to mention *berit* and Torah, a view which has not been widely accepted as halacha.[[17]](#footnote-17) Mishna Berura employs a similar argument, however, to support women reciting them as a matter of custom, notwithstanding Rema's objection.

*Mishna Berura* 187:9

In our day women are accustomed also to say "on Your covenant which You sealed in our flesh and on the Torah which You taught us" etc., and the intention is for the circumcision of the males that You sealed in our flesh and similarly Your Torah that You taught us refers to the learning of males, for by merit of the Torah and circumcision, Israel received the land. Furthermore that also women need to learn their *mitzvot*, to know how to do them (as I wrote in 47).

Since these rituals are relevant and meaningful to all Jews, and the land belongs to our people as a whole in their merit, a woman can rightly express gratitude for them, taking "us" in a broad sense to mean the Jewish people as a whole. Mishna Berura adds that women also have a degree of obligation in Torah study.

**III. Herself** Magen Avraham cites *birkat ha-Torah* as proof that the Torah is given to women, and cites a Talmudic passage to the effect that a woman's lack of a foreskin may be seen as an inherent circumcision.

*Magen Avraham* 187:3

For women recite the *berachot* of *birkat Ha-Torah* because they are obligated to study their *mitzvot*…and we say "thus you will say to beit Ya'akov”---those are the women. If so, why should they [women] not say "on Your Torah that You taught us?" And furthermore they say in Avoda Zara 28a [27b]……A woman is similar to one who is circumcised…And if so, it is possible that "on Your covenant that You sealed in our flesh" they [women] can say, as those who are similar to one who is circumcised.

On this last reading, both Torah and the covenant are directly relevant to women, and she thus can express personal gratitude for them for them.

Each of these three arguments challenges the suggestion that a woman **couldn't** include these lines in her *birkat ha-mazon* or that we could not obligate women to recite them.

Why call women's connection to such basic concepts into question?

It can be hard to see why a woman could not freely express gratitude to God for berit and Torah if she recites a text which simply includes those words, though many women do feel awkward expressing personal gratitude for berit mila.

The central issue seems to be expressing gratitude for the gift of mitzvot from which one was personally exempted.

At the same time, as the gates of Torah study have been opened to women, there is less hesitation about a woman thanking God for "Toratecha she-limadtanu," "Your Torah which You have taught us."

Berit mila is different. Still, if we follow the view cited by Magen Avraham, women even have a direct connection to berit mila, by virtue of the Talmudic opinion that women, born without foreskins, are in a sense considered circumcised:

*Avoda Zara* 27a

A woman is similar to one who is circumcised

The later authorities who justify women reciting the full text of birkat ha-mazon clearly maintain that women can indeed express genuine gratitude and connection to the concepts of berit mila and Torah.

With respect to berit, we might say that Rav's suggestion, that making an expression of this type of gratitude obligatory is untenable, makes sense. A woman can choose to express gratitude to God for the centrality of berit mila and her relationship to it, but shouldn't **have** to, given that there is a way in which she does not take full part in this mitzva. And, though no longer customary, this remains a legitimate option, according to Rema.

If a woman does choose to mention berit, her words and intentions inevitably are distinct from those of a man who underwent the ritual at eight days old. It is plausible that Halacha would reflect that difference.

# In Practice

Let’s return to the question of women's obligation. Although we've seen Rashi and Tosafot explain why women's Torah-level obligation might be in doubt, neither indicates how they themselves rule on the question. A number of other early halachic authorities, however, maintain that women are in fact fully obligated in *birkat ha-mazo*n on a Torah level.[[18]](#footnote-18)

*Chiddushei Ha-Rashba Berachot* 20b

Regarding the matter of a halachic ruling, we do not follow Ravina…For we said above "And in *birkat ha-mazon*" – that is obvious! And we respond: What might you have said? Since it is written "When God gives you in the evening meat to eat and bread in the morning to satiety" (*Shemot* 16:8), it [*birkat ha-mazon*] is similar to a positive time-bound commandment. It [the mishna] teaches us [otherwise]. Therefore, it is a simple matter to all of them that women are obligated from the Torah…

Unlike the vast majority of early authorities, Rabbeinu Yona rules definitively that women are not obligated on a Torah level. Unfortunately, he does not explain his rationale.[[19]](#footnote-19)

Rabbeinu Yona *Berachot* 11b (Rif pagination)

…That which we say, that women are obligated in *birkat ha-mazon*, this obligation is rabbinic…

Others, including Rambam and Rosh (below), write that the matter is unresolved:

Rambam *Berachot* 5:1

Women and bondsmen are obligated in *birkat ha-mazon*, and there is a doubt as to whether they are obligated from the Torah, because it has no set time, or whether they are not obligated from the Torah…

Following this view, Shulchan Aruch considers the matter of a woman's Torah obligation to be in doubt.

*Shulchan Aruch* OC 186:1

Women are obligated in *birkat ha-mazon*, and it is a matter of doubt if they are obligated from the Torah and discharge the obligations of men or if they are only obligated on a rabbinic level and only discharge the obligation of someone whose obligation is only rabbinic.

Everyone agrees that women are obligated in *birkat ha-mazon* at least on a rabbinic level. Leaving this issue as a matter of doubt has practical ramifications in just a few scenarios: when a woman is unsure whether she recited *birkat ha-mazon*, when a man might rely on a woman to discharge his obligation, or when a woman might have left out an addition to *birkat ha-mazon*. Let's look now at practical rulings for each:

**I. Doubt if Recited** What should a woman do if she is unsure whether she has recited *birkat ha-mazon* after a meal? If she were clearly obligated on a Torah level, then she would repeat it, since we say "*safek de-orayta le-chumra*," that we are stringent about cases of doubt regarding Torah-level *halachot*.

*Shulchan Aruch* OC 184:4

One who ate and does not know whether he recited *birkat ha-mazon* or not, needs to recite it out of doubt because it is [obligatory] from the Torah.

In the case of a woman, we have a *sefek sefeika*, a compound doubt, which Halacha often treats with leniency. For that reason, Rabbi Akiva Eiger rules leniently that a woman in this case need not recite *birkat ha-mazon* for what may be the second time:

Rabbi Akiva Eiger OC 184

One needs to recite it out of doubt. A woman in this situation, one can say that she does not need to recite it. For regarding a Torah-level obligation, it is a compound doubt. A doubt as to whether women are obligated. And a doubt as to whether she already recited it. Regarding a rabbinic-level obligation, it is a single doubt as to whether she already recited it, and we are lenient.

Chayyei Adam, however, rejects this argument. A matter unresolved or in dispute is not necessarily a matter of doubt. He maintains that a woman who eats to satiety and is not sure if she recited *birkat ha-mazon* must then recite it.

*Chayyei Adam* I *Kelal* 47

In any case, if they [women] ate to satiety and were in doubt as to whether they had recited *birkat ha-mazon*, it is a doubt in a Torah-level obligation and they need to recite *birkat ha-mazon*… but if they ate to satiety it is not a compound doubt, [based on] the possibility that they are exempt on a Torah level, for an unresolved question is not considered a doubt.

Alternatively, we might say about both this case and the previous one, of a woman discharging another's Torah-level obligation, that there is such a preponderance of early authorities who view women as obligated on a Torah level that we should rely on them. This is the view of Rav Chayyim ben Attar:

*Rishon Le-Tzion Berachot* 20b

In the matter of ideal halacha, we are concerned about a doubt on a Torah level. After the fact, if they recited *birkat ha-mazon* on behalf of others, they discharged their obligation. And not just this but that – for if they are in doubt as to whether they recited *birkat ha-mazon* or not, they need to go back and recite it. For many authorities rule that it is a Torah-level obligation: Rabbeinu Hai Ga’on, and Behag, and Rif, and Ramban, and Rashba, and Ran with solid proofs that it is from the Torah. And thus seems to be the opinion of the sages of Lunel. And also Rambam and Razah and Rosh and Tosafot ruled that in a case of doubt, we hold that since many authorities rule that it is a Torah-level obligation, we practice according to them, and furthermore, since all the Ge’onim held thus, we always rule like them after the fact.

Mishna Berura writes in his *Bei'ur Halacha* that a woman uncertain about whether she recited *birkat ha-mazon* can rely on the opinions that she is obligated on a Torah level in these cases:

*Bei’ur Halacha* 186 s.v. *Ele*

… In the matter of a woman who is in doubt whether she recited *birkat ha-mazon*. Know that even according to the Shulchan Aruch, where it is implied that he followed the opinion of Rambam and Rosh and the Ma’or and Riaz and their faction, that it is a matter of doubt whether women are obligated in *birkat ha-mazon* on a Torah level… in any case, it is not entirely clear, and there are many major early authorities who maintain that they are certainly obligated on a Torah level… Therefore, it seems in my humble opinion that one who relies on the opinion of the Sha’arei Efraim and the other later authorities who require the woman go back and recite *birkat ha-mazon* has not lost out, for even without this there is the opinion of those early authorities that she is certainly obligated on a Torah level.

**II. Discharging a Man's Obligation** A person can discharge another's halachic obligation only when their own obligation is equal to or greater than that of the person whose obligation is being discharged. So, if a woman is only obligated on a rabbinic level in *birkat ha-mazon*, then she can only discharge rabbinic-level obligations in *birkat ha-mazon*, e.g. a man's when he eats to less than satiety.[[20]](#footnote-20)

The Talmud explores women discharging men's obligations as part of its unresolved attempt to clarify the nature of a woman's obligation.

*Berachot* 20b

Ravina said to Rava: Women in birkat ha-mazon – [is their obligation] on a Torah level or rabbinic? What is the practical implication? To discharge the obligation of the masses. If you say it is a Torah-level obligation, one [person with] a Torah-level obligation comes and discharges [another’s] Torah-level obligation. But if you say it is rabbinic, that is, he is not obligated in the matter, and “anyone who is not obligated in a matter cannot discharge the obligation of the masses.” [Mishna *Rosh Ha-shana* 3:8]. What [is the halacha]?

We have seen that Shulchan Aruch rules that a woman's Torah-level obligation is in doubt. It follows that a woman should not recite *birkat ha-mazon* for a man if he has eaten to satiety and is thus certainly obligated on a Torah level.[[21]](#footnote-21)

*Aruch Ha-shulchan* 186:3

The halacha is in doubt, and this is also the opinion of Rambam in chapter 5, and thus ruled Rabbeinu the Beit Yosef in *se’if* 1, and therefore they only discharge the obligation of someone whose obligation is rabbinic, such as a woman or a minor.

Another possible reason for this is the Ge'onic argument that a woman's omission of *berit* and Torah would affect her ability to discharge a man's obligation. After the fact, though, if a woman has recited *birkat ha-mazon* for a man, we do consider her to have fulfilled his obligation, at least if she mentioned *berit* and Torah.[[22]](#footnote-22)

**III. Additions Omitted** A final practical question is what a woman should do if she omits the paragraphs *ya’aleh ve-yavo* or *retzeh* on days when they are added to *birkat ha-mazon*. In these cases, the rule of thumb is to repeat *birkat ha-mazon* when the sanctity of the day makes the meal itself obligatory.

*Berachot* 49b

…*Birkat ha-mazon*, when if he wants, he eats and if he wants, he doesn’t eat – we do not make him go back. But according to that, on Shabbatot and Yamim Tovim, when it is not possible not to eat, there too, if he erred, he goes back! He said to him, yes…

The obligatory meals for this purpose are the main meals of Yom Tov and Shabbat, with the exception of *se'uda shelishit*, on which omission of *ya'aleh ve-yavo* or *retzeh* leads to repeating *birkat ha-mazon*.[[23]](#footnote-23)

Women are obligated in the Shabbat meals, so it follows that women should repeat *retzeh* if omitted following the first two Shabbat meals. Women's obligation in Yom Tov meals – and thus, whether she needs to repeat *birkat ha-mazon* if she forgot *ya'aleh ve-yavo* – is subject to dispute. Here, though, the view of Rabbi Akiva Eiger has become prominent. He maintains that, while women are obligated in *simchat Yom Tov*, women are exempt from *oneg Yom Tov* because it is positive and time-bound. Since in his view the obligation to eat bread on Yom Tov derives from *oneg Yom Tov*, women need not repeat *birkat ha-mazon* after omitting *ya'aleh ve-yavo*. The exception is *leil ha-seder*, when a woman is obligated to eat matza:

Responsa of Rabbi Akiva Eiger, *Mahadura Kama* 1

…For the mitzva of *oneg* is included in the positive mitzva of “it will be a convocation for you”…If so, this mitzva should not be preferred over every positive time-bound mitzva, from which women are exempt. A woman’s obligation in the mitzva of Yom Tov is only in the negative mitzva of “do not perform any labor,” but not in the positive mitzva of Yom Tov,… and since she is not [obligated in] the mitzva of pleasure, she is permitted to fast, and certainly if she forgot to mention [*ya’aleh ve-yavo*] of Yom Tov *in birkat ha-mazon*, she does not need to go back and recite *birkat ha-mazon*, because Yom Tov for them [women] is like Rosh Chodesh for us [men]. Except for the first night of Pesach, when she is obligated in matza from an analogy [*hekesh*] to all who are included in the prohibition against eating *chametz*, and similarly on Shabbat if she forgot to say “*retzeh*,” since she is obligated in the positive mitzva of *kiddush* from the analogy of “*zachor*” [remember] and “*shamor*” [keep], she is also obligated in all the positive *mitzvot* of Shabbat…

Other halachic authorities, including Kaf Ha-chayyim, maintain that a woman never need repeat *birkat ha-mazon* upon omitting an addition, because a woman's obligation to recite *birkat ha-mazon* might be rabbinic:

*Kaf Ha-chayyim* OC 188:6

Women never go back [and repeat *birkat ha-mazon*], even on Shabbat and the first night of Pesach and Sukkot, and even though they are obligated to eat matza, since there is a doubt whether they are obligated in *birkat ha-mazon* on a Torah level…

There is no clear consensus on this point. Since repeating *birkat ha-mazon* when not necessary raises questions of *beracha le-vatala*, a *beracha* in vain, it is best for a woman in this situation to try and discharge her obligation by hearing someone else recite *birkat ha-mazon* when possible*.*

Concluding Thoughts

We have compelling arguments to view women as obligated on a Torah level or to view that obligation as a matter in doubt. Though we also have plausible arguments in the other direction, few halachic authorities rule decisively that a woman is obligated only rabbinically. The sides of this doubt are not equal.

The practical ramifications of this debate are limited, and don't arise all that often. Since there is no question that a woman is obligated to recite *birkat ha-mazon*, her experience of reciting it is no different than it would be were she indisputably obligated on a Torah level. The questions arise specifically regarding whether she recites or omits mention of *berit mila* and Torah, the meaning that she finds relating to them and to the land, and whether she may discharge a man's obligation in it.

Sensitive both to this halacha and to how it might have felt for his wife, Rav Yosef Eliyahu Henkin, a leading halachic decisor in twentieth-century America, reportedly created an intimate ritual at the end of their birkat ha-mazon.[[24]](#footnote-24)

Rav Yehuda H. Henkin “A Generation That Knew Not Yosef”: Remembering a Gadol Hador on His Thirtieth Yahrzeit." The Jewish Press, September 2003

He was recognized as a gadol hador without being a rosh yeshiva with disciples to praise him. Among many personal memories I have of him…is that in birkat hamazon his wife read the “harachaman” section out loud, and he answered amen. Why? To give her “nachat ruach” (satisfaction).

Within the bounds of Halacha, Rav Yosef Eliyahu Henkin found a way for his wife to maximize her spiritual satisfaction, and made an active and ongoing commitment to facilitate it.

1. Here's another:

   *Devarim* 6:10-12

   And it will be when the Lord your God brings you to the land that He swore to your forefathers, to Avraham, to Yitzchak, and to Ya’akov, to give you large and good cities that you did not build. And houses full of all good that you did not fill, and hewn cisterns that you did not hew, vineyards and olive groves that you did not plant and you will eat and be satisfied. Guard yourself lest you forget God Who took you out of the land of Mitzrayim from the house of bondage. [↑](#footnote-ref-1)
2. Ramban, on the other hand, also considers *birchot ha-Torah* to be on a Torah level. He lists them among the positive Torah-level *mitzvot*that he thinks Rambam erroneously omitted.

   Ramban's Comments on Rambam’s *Sefer Ha-mitzvot*, Forgotten Positive Commandments, Mitzva 15

   We are commanded to praise His name, may He be blessed, whenever we read the Torah, for the great good that He did for us in giving us His Torah and telling us of desirable deeds before Him, through which we may acquire life of the world to come…In the third chapter of *Berachot*(21a), they said: “Whence [do we learn] that the *beracha* recited before [learning] Torah is from the Torah? As it is written, ‘When I call out the Lord’s name, give greatness to our God’ (*Devarim*32:3).”…It arises from this that *birchat ha-Torah*before [reading from] Torah is a positive Torah-level mitzva. [↑](#footnote-ref-2)
3. 3*Berachot* 44a

   Mishna**:** If he ate grapes and figs and pomegranates, he recites three *berachot* [*birkat ha-mazon*] after them, these are the words of Rabban Gamliel. The sages say, one *beracha* (encapsulating three – *al ha-michya*)… Gemara: What is Rabban Gamliel’s reason? It is written “a land of wheat and barley etc.” and it is written “a land where you will eat bread without poverty etc.” and it is written “and you shall eat and be satisfied and bless the Lord your God.” And the rabbis: [the word] “land” interrupts the matter. [↑](#footnote-ref-3)
4. 4 Tosafot *Berachot* 49b s.v. “Rabbi Meir reasoned ‘and you will eat’ – this is eating and eating is a *ke-zayit*”

   Ri says that these verses are only an *asmachta* (mnemonic), for on a Torah level we require full satiety… [↑](#footnote-ref-4)
5. See also Levush:

   Levush OC 184:6

   The measure for eating to recite *birkat ha-mazon* over it is a *ke-zayit*, that is, if one ate a *ke-zayit* of bread, one is obligated to recite *birkat ha-mazon* over it, and this is specifically on a rabbinic level, since on a Torah level he is not obligated unless he ate to satiety, which is a *ke-beitza*. [↑](#footnote-ref-5)
6. Sefer Ha-chinuch makes this even more explicit:

   *Sefer Ha-chinuch* Mitzva 430

   This satiety does not have an equal measure for every person, but each person knows when he is satisfied, and we know that the measure of satiety for a righteous person is when he eats to satisfy his soul, meaning, only enough to sustain him. [↑](#footnote-ref-6)
7. Keshet Shoval, “*Nusach Birkat Ha-mazon ke-fi she-hu Oleh Mi-sifrut Chazal u-min Ha-siddurim Ha-kedumim*” (PhD diss., Ben Gurion University, 2011) [↑](#footnote-ref-7)
8. *8Berachot* 48b-49a

   Pelimu says: One must say *berit* [covenant] before Torah, for this [Torah] was given with three covenants and this [*berit mila*, circumcision] was given with thirteen covenants.

   Mishna *Nedarim* 3:11

   Rabbi Yishmael says: great is *mila* [circumcision], that thirteen covenants were made over it [↑](#footnote-ref-8)
9. Tur teaches that the requirement to repeat *birkat ha-mazon* in this case was subject to dispute:

   Tur OC 187

   My brother Rav Yechiel wrote: “I am in doubt regarding that which he said, that one did not fulfil his obligation, whether it was said as an absolute requirement or as a mitzva. I am inclined to think that it was said as a mitzva.” And it seems to me that since *birkat ha-mazon* is a Torah-level mitzva, it was said as an absolute requirement and one must go back, and if he finished the *beracha* he goes back to the beginning. [↑](#footnote-ref-9)
10. Rashba makes this point. He seems to have a text closer to that of ms. Munich 95, which states explicitly that Rav would not mention *berit* and Torah *lechatchila,* *ab initio*.

    Rashba *Berachot* 49a

    That is to say: in order that they not establish two formulas, even men do not mention it….for [mentioning] *berit* and Torah is not a Torah requirement, and therefore the sages did not formulate one formula for men and another for women and another for bondsmen.

    *Berachot* 49a, Manuscript Munich 95

    For ?Rav? Chananel said: Rav would not say *berit* or Torah or kingship [in *birkat ha-mazon*]. *Berit*, because it doesn’t apply to women, Torah and kingship, because it doesn’t apply to women or to bondsmen. [↑](#footnote-ref-10)
11. The idea that a woman cannot serve as monarch is based on the midrash halacha below. We plan to discuss it in a future piece.

    *Sifri Devarim Shofetim*, 157:15

    "Surely you shall place [upon you]"…"a king"— and not a queen. [↑](#footnote-ref-11)
12. 12*Sefer Ha-chinuch* Mitzva 406

    From the roots of the mitzva, because a person arouses his thoughts and forms truth in his heart through the power of the words of his mouth; therefore, when God does good for him, and He blesses him and his land to produce fruit, and he merits to bring them to the House of our God, it is fitting that he arouse his heart with the words of his mouth and contemplate that everything has come to him from the Lord of the universe, and tell of His kindnesses to us and to all the Jewish People in general…and from this arousal of his soul in praise of God and His goodness, he merits that his land is blessed. [↑](#footnote-ref-12)
13. Rambam does not list this mitzva as one from which women are exempt, though *Sefer Ha-chinuch* does. [↑](#footnote-ref-13)
14. This argument appears in Tosafot Ri Sirleon ad. loc. [↑](#footnote-ref-14)
15. 15 Rav Moshe Ha-levi Soloveitchik, *Be-din Ger Meivi Ve-korei, Kovetz Chiddushei Torah*, p. 4

    For women are truly included in the law and the acquisition that it is in our domain from our forefathers, for they are descendants of Avraham…For this acquisition is not equivalent to the laws of acquisition and apportioning inheritances…Therefore, women have full acquisition in the Land of Israel through the law that it is in our domain [from our forefathers], and from God’s promise to Avraham, “To you I will give it and to your descendants,” for with this promise Avraham acquired it for himself and his descendants for generations… [↑](#footnote-ref-15)
16. Tosafot's suggestion would leave questions open about how a woman could ever even theoretically discharge a man's obligation.

    *Yad Eliyahu*, Rav Eliyahu Rogiler

    Yet I still have difficulty with Tosafot’s answer, that they wrote that the reason is because women are not in *berit* and not in Torah. For if so, even if we say that women are obligated on a Torah level in *birkat ha-mazon*, how could they discharge men’s obligations? Either way – if the woman does not say *berit* and Torah, how do the men discharge their obligation? And even if you the woman does say *berit* and Torah, how does she discharge men’s obligations for *berit* and Torah? Since she is not obligated in this, it is impossible for her to discharge men’s obligations… [↑](#footnote-ref-16)
17. Even Rashi, who does not see recitation of berit and Torah as a potential factor in women's obligation assumes that women do not recite them:

    Rashi Arachin 3a s.v. Recite Zimmun for themselves

    …For women do not say *berit* [in *birkat ha-mazon*]… [↑](#footnote-ref-17)
18. 18Ramban, *Milchamot Hashem*, *Berachot* 11b-12a, Rif pagination

    It is written in *Sefer Ha-me’or*: Women’s [obligation] in *birkat ha-mazon* is an unresolved question. She does not discharge the obligations of others, lest [her obligation] is rabbinic, and a rabbinic obligation cannot discharge a Torah-level obligation, etc. The Rif did not explain this at all. The writer said, didn’t he explain and say that *tefilla* and *mezuza* and *birkat ha-mazon* are positive non-time-bound *mitzvot*, and women are obligated in all positive non-time-bound *mitzvot*. This signifies that they are obligated on a Torah level.

    Ra’avad writes there:

    *Katuv Sham*, *Berachot* 11b, Rif pagination

    Avraham said: It is Ravina who asked this to Rava, and he did not resolve it for him… But the discussion of the issue is as Rava resolved it, for we say in the gemara [20b]: *Tefilla* and *birkat ha-mazon* are positive non-time-bound *mitzvot*, and there are textual variants thus: *Birkat ha-mazon*" – that is obvious! What might you have said? Since it is written "When God gives you in the evening meat to eat …" (*Shemot* 16:8), I might say it [*birkat ha-mazon*] is time-bound. It [the mishna] teaches us [otherwise]. And the Rav [Rif] did not cite either the question or the answer but only the discussion, and thus wrote Rabbeinu Hai [Ga’on]. [↑](#footnote-ref-18)
19. The Zohar also seems to rule in this fashion, based on logic akin to that suggested by Tosafot:

    Zohar Vol 2 (*Shemot*), *Parashat Teruma* [126a]

    From here we learn that women are exempt from *birkat ha-mazon* to discharge obligations, because Torah and *berit* do not apply to them. [↑](#footnote-ref-19)
20. Even when a woman can discharge a man's obligation, it's not always clear halachically that she should. Tosafot raise this possibility regarding *birkat ha-mazon* in Sukkah 37a, based on a parallel to the continuation of this passage. We discuss this matter here: http://www.deracheha.org/discharging-obligations-in-practice/ [↑](#footnote-ref-20)
21. Tosafot suggest that a woman's ability to discharge a man's obligation in birkat [↑](#footnote-ref-21)
22. See also:

    *Kaf Ha-chayyim* OC 186:1:1

    In any case, after the fact if she recited *birkat ha-mazon* for men, they discharged their obligation.

    Rav Ovadya Yosef explains further:

    *Yechaveh Da’at* 6:10

    …. After the fact, women discharge men’s obligations in *birkat ha-mazon*, because it is a compound doubt. Perhaps the halacha is in accordance with the authorities who rule that women have a Torah obligation in *birkat ha-mazon*, and if you say that this is a matter of doubt, perhaps the halacha is in accordance with the position that we rule stringently on a Torah level regarding a doubt in a Torah-level matter. Or in any case that everyone agrees that this is a positive mitzva from the Torah, and one [person with a] Torah-level obligation discharges another [person’s] Torah-level obligation.

    He views this situation as a stringent *sefek sefeika*: the woman might be obligated. If her obligation is in doubt, we might need to treat that doubt as a *safek d'orayta*, where we err on the side of stringently assuming that the discharging worked.

    This argument notwithstanding, in the case of a woman unsure if she recited *birkat ha-mazon*, Rav Ovadya rules that she does not recite it again, because of his concern for *beracha le-vatala*:

    *Yechaveh Da’at* 6:10

    A woman who is in doubt as to whether she recited *birkat ha-mazon* or did not recite it after she ate to satiety, does not go back to recite *birkat ha-mazon* out of doubt, and in any case it is good for her to silently recite *birkat ha-mazon* in her heart, since in the opinion of Rambam, if one recited *birkat ha-mazon* in one’s heart, one discharged his obligation after the fact. And thus ruled Semag. For the prohibition against an unnecessary *beracha*, which the sages linked to the verse “do not take the name of the Lord your God in vain,” is only when one says it aloud. [↑](#footnote-ref-22)
23. *Shulchan Aruch* OC 188:6

    If he erred and did not mention [include the additions] of Shabbat…if he did not remember until he had begun *ha-tov ve-hameitiv*, he needs to go back to the beginning of *birkat ha-mazon*. If he erred and did not mention in it [the additions] of *Rosh Chodesh*… if he did not remember until he had begun *ha-tov ve-hameitiv*, he does not go back, because he is not obligated to eat bread, which would obligate him in *birkat ha-mazon*, and the law for *chol ha-mo’ed* is like *Rosh Chodesh*…and the law for *se’uda shelishit* on Shabbat is like *Rosh Chodesh*. [↑](#footnote-ref-23)
24. Available here: https://www.jewishpress.com/indepth/opinions/a-generation-that-knew-not-yosef-remembering-a-gadol-hador-on-his-thirtieth-yahrzeit/2003/09/05/ [↑](#footnote-ref-24)