**YESHIVAT HAR ETZION**

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

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**THE LAWS OF THE BERAKHOT**

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***Shiur* #65: *Birkot Ha-Mitzvot***

This week, we will begin our study of *birkot ha-mitzvot*, blessings recited before performing a *mitzva*. In the upcoming *shiurim*, we will discuss the function and nature of these blessings, as well as their relevant *halakhot*.

What is the role, purpose, or function of the blessing said before performing a *mitzva*? An analysis of the laws governing this blessing, especially the timing and placement of this blessing, may shed light on this question.

The Talmud (*Pesachim* 7b) teaches:

All blessings should be said *over le-asiyatan* [upon the performance of the *mitzvah*] … except for the blessing over *tevila* (ritual immersion).

What does “*over le-asiyatan*” refer to and why should it be said specifically then? Seemingly, these questions may be related to a far more fundamental question: Why do we say a blessing before fulfilling a *mitzvah* at all?

One might view the *birkat ha-mitzva* as a type of preparation for the *mitzva*. This idea is articulated in different ways.

The Ritva (*Pesachim* 7b, s.v. *kol ha-mitzvot*) explains:

The reason why the Rabbis said that one should say the blessing upon performing the *mitzva* is in order that the person should sanctify himself before [the *mitzva*] through the blessing, and reveal and announce that he is doing [the *mitzva*] because God commanded him.

The Ritva explains that the blessing said before performing a *mitzva* is meant to help the person prepare for the *mitzva*, almost like the more recent custom of saying “*heneni mukhan u-mezuman le-kayem*”.

 Others suggest that the blessing said before performing a *mitzva* is similar to the blessings said before eating food. The Rambam (*Hilkhot Berakhot* 1:3) writes:

Just as we recite blessings for benefit which we derive from the world, we should also recite blessings for each *mitzvah* before we fulfill it.

The Talmud (*Berakhot* 35a) teaches that one may not benefit from this world without first saying a blessing. R. Soloveitchik, based upon this passage from the Rambam, suggested that one similarly may not be permitted to perform a *mitzva* without first saying the appropriate blessing. This notion is based on a larger philosophical principle related to whether man may turn to and engage God without first asking “permission.” Although this idea is beyond the scope of this *shiur*, in brief, R. Soloveitchik asserts that without first acknowledging and thanking God by saying a blessing, one may not even perform a *mitzva*.

 Alternatively, one might suggest that the *birkat ha-mitzva* is not a preparation for the *mitzva*, but rather an expression of praise, a type of *birkat ha-shevach* that we say upon fulfilling a *mitzvah*. It is possible that the Ritva, in the continuation of the passage cited above, alludes to this. He writes:

In addition, the blessings are part of one’s service of the soul, and it is appropriate that the “service of God” should precede the “service of the body.”

This debate may affect the proper time in which one should say this blessing. The Talmud’s phrase, “*over le-asiyatan*,” can be translated as “before” or “upon” fulfilling the *mitzva*. If the blessing serves as preparation for the *mitzva*, it would seem that it should only be recited before it is performed.

### An interesting ramification of this debate may be whether the blessing may be said after performing the *mitzva*. The Or Zaru’a (*Hilkhot Keriat Shema* 1:25) rules that if one does not say the blessing before performing the *mitzva*, it may be said afterwards. The Rambam (*Hilkhot Berakhot* 11:5) disagrees.

Apparently, the Rambam, who compares the *birkot ha-mitzvot* to the *birkot ha-nehenin*, views the *birkat ha-mitzva* as a “*matir*,” something that permits one to fulfill the *mitzva*, or possibly as a preparatory act before the *mitzva* (like the Ritva), and he therefore rules that the blessing is no longer valid or necessary after the *mitzva* has been completed. In contrast, the Or Zaru’a must view the blessing as a *birkat ha-shevach*, a blessing of praise, which may be said shortly after fulfilling the *mitzva* as well. The *halakha* is in accordance with the Rambam.

Interestingly, the Yerushalmi (*Berakhot* 9:3) cites a view that maintains that the blessing should be say “*be-sha’at asiyatan*,” during the performance of the *mitzva*. This is especially relevant for *mitzvot* that are fulfilled over a period of time. Similarly, the Ra’avia (*Hilkhot Lulav* 691) writes:

All blessings should be said upon the performance [of the *mitzva*]. My father and teacher R. Yitzchak ben R. Mordekhai explained, while quoting our teach the Riva, that the phrase “*over*” does not come to exclude one who says the blessing while performing the *mitzva*, as long as the *mitzva* is fulfilled over a period of time.

Although the Ra’avia implies that reciting the blessing in this manner is *be-dia’vad*, not the ideal manner, the Ba’al Ha-Maor (cited by the Abudraham) rules that one should say the blessing specifically during, and not before, its performance.

Apparently, the Ba’al Ha-Ma’or offers third approach. The blessing does not prepare one for the *mitzva*, nor does it praise God for the *mitzva*; rather, the blessing in meant to integrate into the performance of the *mitzva* itself. In other words, while the actual performance of the *mitzva* is usually physical, the blessing adds a personal, spiritual element to the *mitzva* itself. This idea may be rooted in the Talmud (*Berkahot* 15a), which, according to the Tosafot Rosh, implies that had *birkot ha-mitzvot* been *mi-de’oraita*, failing to recite the blessing would even have prevented one from fulfilling his obligation.

The Talmud mentions one exception to the rule of “*over le-asiyatan*” – *tevila*. The *Rishonim* offer different explanations of this exception. Some *Rishonim* (Rif, *Pesachim* 3b-4a; Rambam, *Hilkhot* *Berakhot* 11:7; Rosh, *Pesachim* 1:10) explain that the *gemara* refers only to the immersion of a convert. Tosafot(*Pesachim* 7b, s.v. *al ha-tevila*), for example, explain:

Rabbeinu Chananel, in the name of the Gaon, [explains that the Talmud refers only to] the immersion of a convert, who is not fit before the immersion [to say the blessing]… But [in the case of] other immersions, including that of a *ba’al keri*, one may say the blessing before immersing.

It is not clear whether this view maintains that a convert should not say the blessing before immersion for technical reasons, as he is not yet Jewish, or whether the Tosafot maintain that fundamentally there should be no blessing over the conversion of a non-Jew; this blessing only appears to be a *birkat ha-mitzvah*, while in essence it is really a *birkat ha-shevach*, a blessing of praise said immediately after witnessing the beautiful sight of a non-Jew accepting upon himself the yoke of Heaven.

Other *Rishonim* understand “*tevila*” in a broader sense. Tosafot (ibid. and *Berakhot* 51a, s.v. *me-ikara*), for example, explain that just as the blessing of of a convert was established after the immersion, so too all other immersions, including even the *netilat yadayim* before the meal, precede the blessing.

Interestingly, Tosafot (*Pesachim*, ibid.) suggest another approach as well. Since the drying of the hands (*niguv* *yadayim*) is also considered to be a significant part of the *mitzva*, one who says the blessing after washing but before drying his hands is still considered to have said the blessing “*over le-asiyatan*.”

Although the Talmud only mentions one exception to the rule of *over le-asiyatan*, the *Rishonim* discuss other *mitzvot* upon which the blessing is said after the performance of the *mitzva*.

For example, the *Rishonim*discuss the proper time for reciting the blessing upon taking the *arba minim*. Some *Rishonim* (see Rambam, *Hilkhot* *Lulav* 7:6) write that one recites the blessing and then picks up the bundle of the *arba minim* from the table. However, many *Rishonim* offer other concerns. For example, the Talmud (see *Sukka* 42a; see also *Pesachim* 7b) teaches that “whenone lifts [the arba minim], he has fulfilled the mitzvah.” Thus, saying the blessing after picking up the *arba minim* may be too late!

 Tosafot (*Pesachim* 7b, s.v. *la-tzeit*; see also Tosafot, *Sukka* 29a, *s.v. over*) offer a number of possibilities. First, Tosafot suggest that one should take the *lulav* upside down, as one does not fulfill his obligation until he holds the four species in the manner in which they grow (*ke-derekh gedilatan*). He can thus hold the four species but still say the blessing, as he has not yet fulfilled his obligation. Alternatively, upon taking all four species, one should simply have in mind not to fulfill the obligation until after the blessing. Both of these suggestions accord with the language of the Talmud, which states that one should say the blessing before the *mitzva* is performed.

Tosafot (ibid., s.v. *be-idana*; see also Rosh, *Sukka* 3:33 and Ran *Sukka* 20b, s.v. *mi-deparkhinan*) then suggest that although one has already fulfilled the *mitzva* as soon as he lifts the *arba* *minim*, since one has not “completely finished the *mitzva*,” as the shaking of the *lulav* (*nanu’a*) is part of the *mitzva*, one may still recite the blessing.

R. Yoel Sirkis (1561-1640) asks a fascinating question in his commentary to the Tur (Bayit Chadash 521). He observes that the suggestion of taking the *arba minim* in an abnormal manner, such as turning over the *etrog* before the blessing, seems problematic, as when one takes even one of the *minim* properly, he has partially fulfilled the *mitzva*. The blessing should therefore no longer be considered to have been recited “*over le-asiyatan*,” before performing the *mitzva*! The Bach suggests that even though one may take all four *minim* separately, the *mitzva* is retroactively only fulfilled after taking all four *minim*. There is no inherent value in taking each species alone.

 Practically, the Shulchan Arukh (521:5) rules that one should recite the blessing before taking the *etrog* or while holding the *etrog* upside down. The Gra (521:5) writes that it may be preferable to take all four species in a normal manner and to have in mind not to fulfill the mitzva until after the blessing. (*Sefer Arba’at* *Ha-Minim* *Ha-Shalem*, p. 352, relates that this was the practice of the Chazon Ish.) Nevertheless, it is customary to recite the blessing when holding all four *minim* but while the *etrog* is upside down.

We find a similar discussion regarding the lighting of the *nerot* *Shabbat*. Some *Rishonim* maintain that by saying the blessing of “*le-hadlik ner shel Shabbat*,” the person has accepted Shabbat and may therefore no longer light the fire. The Shulkhan Arukh (268:5) rules that women should say the blessing before they light the candles, but the Rema adds:

One should say the blessing after the lighting, and in order that it should be considered to be *over le-asiyato*, he should not benefit from it until after the blessing, and one puts her had over her eyes during the time of lighting.

Next week, we will continue our study of the *birkot ha-mitzvot*.