**YESHIVAT HAR ETZION**

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

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**THE LAWS OF THE BERAKHOT**

**Rav David Brofsky**

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Please daven for a refua sheleima for YHE alumnus
Rav Daniel ben Miriam Chaya Rut

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***Shiur* #66: *Birkot Ha-Mitzvot* (2)**

[Last week](http://etzion.org.il/en/shiur-65-birkot-ha-mitzvot), we began our study of *birkot ha-mitzvot*, blessings recited before performing *mitzvot*. We questioned why the Talmud states (*Pesachim* 7b) that “all blessings should be said *over le-asiyatan* [upon the performance of the *mitzva*],” and we developed different understands of the *birkot ha-mitzvot*. We suggested that the *birkat ha-mitzva* is a type of preparation for the *mitzva*, either a spiritual preparation, or, as R. Soloveitchik explained, something that permits one to perform the *mitzva* (a “*matir*”). Alternatively, we explained that the blessing may be an expression of praise, a type of *birkat ha-shevach* that we say upon fulfilling a *mitzva*.

This debate may affect the proper time in which one should say this blessing. 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, but the Rambam (*Hilkhot Berakhot* 11:5) disagrees. Apparently, the Rambam views the *birkat ha-mitzva* as a preparatory act before the *mitzva*, and he therefore rules that the blessing is no longer valid or necessary after the *mitzva* has been completed.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.

We also noted that 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*. We suggested the blessing is meant to integrate into the performance of the *mitzva* itself.

Finally, we discussed the numerous exceptions to this rules, including the one explicitly mentioned by the Talmud – *tevila* – and those mentioned by the *Rishonim*, such as the blessing before taking the *arba’at ha-minim*, the blessing said upon washing one’s hands, and the blessing said upon lighting Shabbat candles.

This week, we will discuss the text (*nusach*) of the *birkot ha-mitzvot*.

**“*Al*” or “*Le*”**

There are two different formulas of *birkot ha-mitzvot*. Some are phrased: “*asher kideshanu be-mitzvotav vetzivanu* ***al***…” (“Who has sanctified us with His commandments, and commanded us **regarding**…”); others are formulated in the infinitive: “*asher kideshanu be-mitzvotav vetzivanu* ***le*** …” (“Who has sanctified us with His commandments, and commanded us **to**…”). The Talmud (*Pesachim* 7a-7b) cites a debate regarding the proper text of the blessing recited before *bedikat chametz*, the search for *chametz* that is performed on the night of the 14th of Nissan, the night before Pesach:

R. Yehuda said: One who searches [for *chametz*] must say the blessing. What blessing does he pronounce? R. Pappi said in Rava's name: “[Who has commanded us] to remove leaven” (*le-va’er chametz*). R. Papa said in Rava's name: “[Who has commanded us] regarding the removal of leaven” (*al bi’ur chametz*).

The *gemara* first suggests that the two sides in this debate disagree as to whether the formulation of “*al*” (“regarding”) implies past or future tense. However, the Talmud then suggests that there may be another difference; when one performs a *mitzva* that he is personally obligated to fulfill, such as when a father is performing the circumcision of his own son, the proper formula is in the infinitive (“*la-mul*”), while when performing the *mitzva* for another person, the formula is “regarding” (“*al ha-mila*”).

 The Talmud then observes that when taking the *lulav*, a *mitzva* that one is personally obligated to perform, the formula is “regarding the taking of the *lulav*” (and not “to take the *lulav*”). The *gemara* explains that “there it is different, because in the [very] moment that he lifts it up, his duty is fulfilled.” As we discusses last week, this statement is very difficult to understand, as if one fulfills the *mitzva* immediately upon lifting the *lulav*, he should not recite the *berakha*;one is not supposed to say a blessing after the *mitzva* has been performed. Some (Tosafot, *Pesachim* 7b, s.v. *be-idana*) explain that the *mitzva* of taking the *lulav* actually lasts throughout the course of the lifting and the shaking (*na’anu’im*) of the *lulav*.

 The Talmud concludes that the proper blessing upon searching for *chametz* is “*al bi’ur chametz*,” but it does not further explore this question, and the *Rishonim* are therefore left to suggest different patterns for when different formulas are employed.

Interestingly, Tosafot (s.v. *ve-hilkhata*) report that the Ri “did not find a reason for all of the blessings.” Other *Rishonim*, however, suggest different rules and parameters, some of which reflect their understandings of different *mitzvot*.

**Different Theories Concerning *Al* and *Le***

Some *Rishonim* (Riva, cited by the Rosh, *Pesachim* 1:10, and the Ramban, *Pesachim* 7b, s.v. *de-amrinan*) suggest a general rule based on the exceptions mentioned by the *gemara*. They explain that the standard formula for a *birkat ha-mitzva* is in the infinitive, “*le*,” unless the *mitzva* can be fulfilled through an agent (*shaliach*), such as *mila* (circumcision) and *bi’ur chametz*, in which case the “*al*” formula is used. Furthermore, if the blessing may be said after the performance of the *mitzva*, such as in the case of *lulav* (as mentioned by the *gemara*), *tevila*, and *netilat yadayim*, the blessing is also not phrased in the infinitive.

 The Rosh (1:10) cites Rabbeinu Tam, who offers a different approach:

And regarding that which they distinguished between “*al*” and “*lamed*” [“*le*”], Rabbeinu Tam offered a reason. [He explained that for] all *mitzvot* that are performed immediately, it is appropriate to say “*al*” upon them, such as “*al mikra megilla*,” “*al ha-tevila*,” “*al netilat yadayim*,” “*al* *hafrashat teruma*,” “*al akhilat matza*,” and “*al akhilat maror*.” However, “*le-haniach tefillin*,” “*le-hitatef ba-tzitzit*,” and “*lei-shev ba-sukka*” are continuous. Therefore, the language [even] implies that one is “adorned with *tefillin*” and “enveloped by the *tallit*” and “sitting in the *sukka*” to eat and dwell the entire day.

This principle compels Rabbeinu Tam to explain other *mitzvot* whose blessing is phrased in the infinitive. For example, regarding the Chanuka lights, upon which one recites, “*le-hadlik ner shel Chanuka*,” Rabbeinu Tam explains: “And in lighting the Chanuka lights there is a continuity, as it says (*Shabbat* 21b): ‘The *mitzva* lasts from sunset until there are no more people in the market.’” Similarly, regarding *shofar*, upon which, according to Rabbeinu Tam, one says, “*le-shmo’a* *kol* *shofar*,” he explains, “There is a continuity [even] during the interruptions between the sounds, as the primary fulfillment of the *mitzva* is during the recitation of the [*Mussaf*] blessings.” Finally, regarding *Hallel*, upon which one says, “*li-kro et ha-Hallel*” (or “*li-gmor et ha-hallel*”), he explains, “In the recitation of *Hallel* one interrupts, and the congregation answers.”

 In addition to defining certain *mitzvot* as “continuous,” Rabbeinu Tam adds another rule: “For any *mitzva* that is not always obligatory, it is not appropriate to say ‘*al*.’” Therefore, he explains:

[Since] the prophets instituted that “Israel should recite [*Hallel*] at every important epoch and at every misfortune (may it not come upon them) and when they are redeemed they recite [in gratitude] for their redemption” (*Pesachim* 117a), therefore the formula *li-kro et ha-Hallel* is fitting, as it is not a constant obligation (*eina chova tamid*).

 The Rambam (*Hilkhot Berakhot* 11:11-15) suggests a different approach:

Whoever performs a *mitzva* for his own sake, whether it is an obligation incumbent upon him or not, should recite a blessing, [praising God “who sanctified us with Your commandments and commanded us] to perform (*le*)…” In contrast, if he performs a *mitzva* on behalf of another person, the form of the blessing is [“who sanctified us... and commanded us] regarding the performance of (*al*)…” What is implied? Before donning *tefillin*, one recites the blessing “to put on *tefillin*;” before wrapping oneself in *tzitzit*, one recites the blessing “to wrap...;” before sitting in the *sukka*, one recites the blessing “to sit in the *sukka*.” Similarly, one recites the blessings “to kindle the Sabbath light” and “to complete the *Hallel*.” Similarly, if one affixes a *mezuza* on one's own house, one should recite the blessing “to affix a *mezuza*;” if one erects a guardrail on one's roof, one should recite the blessing “to erect a guardrail.” Should one separate *teruma* for oneself, one should recite the blessing “to separate [*teruma*].” Should one circumcise one's own son, one should recite the blessing “to circumcise [one's] son.” Should one slaughter one's Paschal sacrifice or festive sacrifice, one recites the blessing “to slaughter...”

If, however, one affixes a *mezuza* for others, one should recite the blessing “regarding the affixing of a *mezuza*.” Should one construct a guardrail for others, one should recite the blessing “regarding the building of a guardrail.” Should one separate *teruma* for others, one should recite the blessing “regarding the separation of *teruma*.” Should one circumcise a colleague's son, one should recite the blessing “regarding the circumcision.” The same applies in all similar situations.

The Rambam explains that there is no permanent and established formula; whether one uses “*le*” or “*al*” depends on whether or not a person is performing the *mitzva* for himself or for another person.

 The Rambam qualifies this view:

When one takes the *lulav*, one should recite the blessing “regarding the taking of the *lulav*.” [This form is used] because a person fulfills his obligation when he picks [the *lulav*] up. If one recites the blessing before taking the *lulav*, one should recite the blessing “to take the *lulav*,” as one recites the blessing “to sit in the *sukka*.” From this, one derives the principle that a person who recites a blessing after performing [a *mitzva*] blesses “regarding...” [the *mitzva*'s] performance.

With regard to the washing of hands and ritual slaughter, since they are of a voluntary nature, even if a person slaughters on his own behalf, he should recite the blessings “concerning slaughter,” “concerning the covering of the blood,” and “concerning the washing of hands.”

The Rambam explains that when performing a *mitzva* which is not necessarily imperative, such as *shechita* or *netilat yadayim*, one also says “*al*.” Furthermore, when one says a blessing after having already started the *mitzva*, one says “*al*.” He insists that once one has decided to rid oneself of *chametz*, the *mitzva* has begun; therefore, before formally beginning the search, the appropriately blessing is “*al bi’ur chametz*.”

Finally, the Shiltei Giborim cites R. Yishayahi Di Trani (known as the Rid), who writes that one may choose to use either formula, “*al*” or “*le*,” unless one is performing the *mitzva* for another person, in which case one cannot use the infinitive and must say “*al*.”

This question regarding whether a blessing should be formulated as “*al*” or “*le*” not only raises interesting theories about the text of the blessings, but also leads to fascinating discussions regards the nature of certain *mitzvot*.

Next week, we will continue our study of the *Birkot Ha-Mitzvot*.