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Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

[A ba'al keris is someone who experiences a seminal emission. Biblically, he is tamei, and he may not consume sacrificial meat or terumah until he immerses in a mikvah and waits until nightfall. Ezra decreed that he should also not pray or study Torah until he immerses in a mikvah; if he is sick, he may have nine kavim of water poured over him.]

A ba'al keris thinks the words (of the Shema – when it is the time for recital) mentally. And he does not recite a blessing (even in his heart) either before or after (the Shema). [This is because the requirement for these blessings is not Biblical, the Rabbis did not mandate that he should say them.] Regarding food, he says (in his heart) the blessings after the meal, but not the blessings before eating (for the blessings before eating food are of Rabbinic origin). Rabbi Yehudah says: He says (with his mouth) the blessings both before and after (the Shema and a meal). (20b)

Thought Equivalent to Speech, or not?

Ravina said: This would prove that saying something mentally is equivalent to actual saying it (and whenever someone would need to “say” something, he could discharge his obligation by “thinking” it), for if you would maintain that it is not equivalent to actual saying, why should he even say it mentally? [What would be the purpose for him to think about the words of Shema, if it is not equivalent to speech?]

The Gemora counters: But what then? If you say that saying something mentally is equivalent to actual saying it, then let him utter the words with his lips!

The Gemora answers: [While it is true that “thought” is tantamount to “speech,” when it comes to Ezra’s decree regarding a ba'al keris studying Torah or praying] we do as we find it was done at Sinai. [The men were instructed to keep away from their wives several days before receiving the Torah, a time when they experienced a verbal articulation of the Torah from the Mouth of God; Ezra used this as a basis for his decree, and he therefore only barred actual speech – Torah study or prayer, but sacred thoughts remained permitted.]

Rav Chisda said: Saying something mentally is **not** equivalent to actual saying it (and whenever someone would need to “say” something, he could not discharge his obligation by “thinking” it), for if you would maintain that it is equivalent to actual saying, then let him utter the words with his lips!

The Gemora counters: But what then? If you say that saying something mentally is not equivalent to actual saying it, why then should he say it mentally? [What is the benefit of that?]

Rabbi Elozar answered: It is because we do not want that while everyone else is engaged saying the Shema, he (the ba'al keris) will be sitting and saying nothing.

The Gemora asks: Then let him think about some other section (in the Torah, for he is not fulfilling his Shema obligation anyway)?

Rav Adda bar Ahavah said: [We want him to be thinking about] the same section with which the congregation is engaged.

The *Gemora* asks: But what of *tefillah* (*prayer*), which is a thing with which the congregation is engaged, and yet we have learned in a *Mishna*: If one was standing reciting the *tefillah*, and he suddenly remembered that he was a *ba'al keri*, he should not stop praying, but rather, he should shorten (*each of the blessings*). Now, the reason (*he continues*) is that he had already begun, but if he had not yet begun, he should not do so! [*But according to what we have stated, he should, at least, contemplate the Shemoneh Esrei, since the entire congregation is presently involved in reciting it!?*]

The *Gemora* answers: *Tefillah* is different, because it does not mention the Kingdom of Heaven (*for we are not accepting the Kingdom of Heaven in any of its blessings; therefore, it is not so imperative that the ba'al keri should contemplate the words while the public is reciting it*).

The *Gemora* asks: But what of the Grace after Meals, in which there is no mention of the Kingdom of Heaven, and yet, we have learned in our *Mishna*: Regarding food, he says (*in his heart*) the blessings after the meal, but not the blessings before eating. [*Why do we require him to recite Birchas Hamazon?*]

The *Gemora* explains differently: Rather, the answer is because both the recital of the *Shema* and Grace after Meals are Biblical obligations, whereas *tefillah* is only a Rabbinical ordinance.

Rav Yehudah said: From where do we know that *Birchas Hamazon* is a Biblical obligation? It is because it is written: *And you shall eat and be satisfied and bless*. From where do we know that a blessing before studying the Torah is a Biblical obligation? It is because it is written: *When I proclaim the Name of Hashem, ascribe greatness to our God*.

Rabbi Yochanan said: We derive that a blessing should be recited after studying the Torah by a *kal vachomer*¹ from the blessing after a meal; and we learn that a blessing should be recited before the consumption of food by an argument a

fortiori *kal vachomer* from the blessing over (*before studying*) the Torah.

The *Gemora* explains: The blessing after the Torah is derived using a *kal vachomer* from the blessing after a meal as follows: Seeing that food, which requires no blessing before it (*for there is no Scriptural verse mandating this*), requires a blessing after it, does it not stand to reason that the study of the Torah, which requires a blessing before it, should certainly require one after it? And the blessing before food is derived using a *kal vachomer* from the blessing over the Torah as follows: Seeing that the Torah, which requires no blessing after it (*for there is no Scriptural verse mandating this*), requires one before it, does it not stand to reason that food, which requires a blessing after it, should certainly require one before it?

The *Gemora* asks: A refutation can be asked on both arguments. How can you derive from (*the blessing after*) food to (*the blessing after*), seeing that from food, he derives physical benefit? And how can you derive from (*the blessing before*) Torah to (*the blessing before*) food, seeing that from Torah, he obtains eternal life?

And furthermore, we have learned in our *Mishna*: Regarding food, he (*a ba'al keri*) says (*in his heart*) the blessings after the meal, but not the blessings before eating (*and the reasoning for this distinction was because Birchas Hamazon is a Biblical requirement, and the blessing before one eats is merely of Rabbinic origin!*)?

The *Gemora* notes: This is indeed a refutation. (20b – 21a)

Biblical or Rabbinic?

Rav Yehudah said: If a man is in doubt whether he has recited the *Shema* (*in the morning*), he is not required to recite it again. If he is in doubt whether he has said *Emes ve'Yatziv* (*True and Certain; the blessing after the Shema*) or not, he must say it again. What is the reason for this distinction? The recital of the *Shema* is only a Rabbinical ordinance (*which is an*

the following reasoning: if a specific stringency applies in a usually lenient case, it must certainly apply in a more serious case

¹ literally translated as light and heavy, or lenient and stringent; an a fortiori argument; it is one of the thirteen principles of biblical hermeneutics; it employs

assertion that the Gemora will question below), whereas the recital of *Emes ve'Yatziv* is a Biblical obligation (for it mentions the Exodus from Egypt, and one is Biblically required to mention that daily, and the principle is that when one is in doubt if he has fulfilled an obligation, if it is a Biblical one, we rule stringently and he must do it "again," but if it is only Rabbinical, he is not required to).

Rav Yosef asked: But it is written: *u've'shachbecha uv'kumecha* -- when you lie down and when you arise (meaning that there is a Biblical obligation to recite the *Shema* in the morning and in the evening)!?

Abaye said to him: That was written with reference to words of Torah (and as long as one recites any section in the Torah, he has discharged his obligation; the recital of *Shema*, however, is a Rabbinical ordinance).

The Gemora asks from our Mishna: A *ba'al keri* thinks the words (of the *Shema* – when it is the time for recital) mentally. And he does not recite a blessing (even in his heart) either before or after (the *Shema*, which would be the blessing of *Emes ve'Yatziv*). [This distinction, the Gemora explained, is because the requirement for these blessings is not Biblical, the Rabbis did not mandate that he should say them.] Regarding food, he says (in his heart) the blessings after the meal, but not the blessings before eating (for the blessings before eating food are of Rabbinic origin). Now, if you hold that *Emes ve'Yatziv* is a Biblical requirement, he should also recite the blessing after the *Shema*?

The Gemora answers: Why should he recite the blessing after the *Shema*? If it is in order to mention the Exodus from Egypt; that was already mentioned in the (third section of) *Shema*!

The Gemora asks: But then let him say this one (*Emes ve'Yatziv*), and he will not need to say the other (*Shema*)!?

The Gemora answers: The recital of *Shema* is preferable, because it has two points (the acceptance of the yoke of the Kingdom of Heaven, and the Exodus from Egypt).

And Rabbi Elozar says: If a man is in doubt whether he has recited the *Shema* (in the morning), he is required to recite it again (for he maintains that it is a Biblical obligation). If he is in doubt whether he has recited the *tefillah* or not, he does not recite it again (for *tefillah* is merely a Rabbinic ordinance). Rabbi Yochanan, however, said: Would that a man go on praying the entire day (it would be praiseworthy, for he is asking for God's compassion; therefore, if he is in doubt if he prayed or not, he should pray "again")! (21a)

Reciting a Second Time

And Rav Yehudah said in the name of Shmuel: If a man was standing saying the *Tefillah* and in middle he remembered that he had already recited it, he stops - even in the middle of a blessing.

The Gemora asks: Is that so? Didn't Rav Nachman say that when we were in the school of Rabbah bar Avuhah, we asked him the following: with reference to disciples of the school, who, at times, make a mistake, and mention the weekday blessing (in *Shemoneh Esrei*) on *Shabbos*, should they finish it (the incorrect blessing)? And he said to us that they should finish that blessing! [Shouldn't the same ruling apply here when he realized in middle of a blessing that he had already prayed?]

The Gemora answers: So now, (are these cases parallel); in that case, he is someone, who, in reality, is under obligation (to pray), and it is the Rabbis who did not trouble him (to recite the *Shemoneh Esrei* with all the intermediary blessings) out of respect for the *Shabbos* (but, in truth, those blessings are appropriate), but in this case, he has already recited the prayer (and therefore, he stops – even in middle of a blessing).

And Rav Yehudah said in the name of Shmuel: If a man had already recited the *Tefillah* and went into a synagogue and found the congregation reciting the *Tefillah*, if (while reciting the *Tefillah*) he can add something new, he should recite the *Tefillah* again, but otherwise, he should not recite it again.

The Gemora notes that both of these rulings are necessary, for if he would have told us only the first (that when one

realized in middle of a blessing that he prayed already, he should stop), I might have said that this applies only to a case where he had recited the (first) Tefillah as an individual and is now repeating it as an individual, or in a case where he recited it with a congregation and is now repeating it with a congregation (that is where he stops and does not continue, for he is not adding anything with this prayer), but in a case where he had recited the (first) Tefillah as an individual and is now repeating it with a congregation, perhaps we should regard the first prayer is as if he had not prayed at all (and he should therefore continue); therefore, we are informed that this is not so. And if he would have told us only the second case (regarding one who prayed already and entered a synagogue which was praying), I might have thought that this ruling applies only because he had not yet begun to pray, but where he had begun (such as in the case where he realized in middle of Shemoneh Esrei that he had already prayed), I might have said that he should not stop; therefore, both rulings are necessary. (21a – 21b)

**Congregation Began Praying –
what should he do?**

Rav Huna said: If a man goes into a synagogue and finds the congregation saying the Tefillah, if he can begin and finish before the chazzan (prayer leader) reaches Modim (We give thanks), he may recite the Tefillah, but otherwise, he should not recite it (but rather, wait until after the chazzan reaches Modim). Rabbi Yehoshua ben Levi says: If he can begin and finish before the chazzan reaches the Kedushah (the Sanctification), he should recite the Tefillah, but otherwise, he should not recite it.

The Gemora explains the point at issue between them: One master (Rav Huna) holds that a man praying by himself recites the Kedushah (even in his own private Shemoneh Esrei; and accordingly, it is not important for him to conclude before the chazzan reaches Kedushah, for he can recite it himself), whereas the other master (Rabbi Yehoshua ben Levi) holds that a man praying by himself does not recite the Kedushah (and therefore, it is important for him to conclude his prayer

before the chazzan reaches kedushah, in order for him to recite Kedushah).

The Gemora notes that Rav Adda bar Ahavah said this as well: From where do we know do we know that an individual praying by himself does not say the Kedushah? It is because it is written [Vayikra 22:32]: *I will be sanctified among the Children of Israel*. We derive from here that all matters of sanctity (including the recital of Kedushah) must be performed with at least ten men present.

The Gemora asks: How is it illustrated in this verse that ten men are needed?

The Gemora answers: For Rabbenai, the brother of Rabbi Chiya bar Abba, taught: We derive through a *gezeirah shavah*² using the two occurrences of the word *toch* -- among. It is written here: *I will be sanctified among the Children of Israel*, and it is written elsewhere (by Korach): *Separate yourselves from among this congregation*. Just as in that case, there were ten, so too here, it refers to ten.

The Gemora notes that both opinions agree that one does not interrupt his Tefillah (to recite the Kedushah or Modim when the congregation reaches there).

They inquired: What is the rule about interrupting one's Tefillah in order to respond with *Yehei shmei hagadol mevorach* -- *May His great Name be blessed forever and ever?*

When Rav Dimi came from Eretz Yisroel (to Bavel), he said that Rabbi Yehudah and Rabbi Shimon, the disciples of Rabbi Yochanan, say that for everything, one does not interrupt, except for *Yehei shmei hagadol mevorach*, for even if he is occupied in studying the *Ma'aseh Merkavah* (the vision of God and the angels), he must interrupt (to say *Yehei shmei*).

The Gemora concludes that the halachah, however, is not in accordance with this opinion (and one doesn't interrupt his Shemoneh Esrei even for the recital of *Yehei shmei*). (21b)

² one of the thirteen principles of Biblical hermeneutics; it links two similar words from dissimilar verses in the Torah



Rabbi Yehudah's Opinion

The *Mishna* had stated: Rabbi Yehudah says: He (*a ba'al ker*) says the blessings both before and after (*the Shema and a meal*).

The *Gemora* asks: This would imply that Rabbi Yehudah is of opinion that a *ba'al ker* is permitted to say words of the Torah. But didn't Rabbi Yehoshua ben Levi say: How do we know that a *ba'al ker* is forbidden to recite the words of the Torah? It is because it is written: *Make them known to their children, and your children's children*, and the verse immediately afterwards says: *The day that you stood (referring to the Giving of the Torah at Mount Sinai)*. We derive from the juxtaposition of the verses that just as on that occasion, those who had a seminal emission, were forbidden (*from participating in the Giving of the Torah; that is until they immersed*), so here too, those who have a seminal emission are forbidden?

The *Gemora* notes that you cannot answer that Rabbi Yehudah does not derive lessons from the juxtaposition of texts, for Rav Yosef has said: Even if generally, one does not expound Scriptural verses in the Torah through juxtapositions, in *Sefer Devarim (Deuteronomy)*, he would. He proves this from Rabbi Yehudah, who maintains that throughout the Torah we do not expound juxtapositions, but in *Devarim*, he does.

The *Gemora* proceeds to prove that Rabbi Yehudah does not expound juxtapositions anywhere in the Torah, for it was taught in a *braisa*: Ben Azzai said: It is written: *You shall not permit a sorceress to live*, and the verse immediately afterwards says: *Whoever lies with an animal shall surely be put to death*. The two verses were juxtaposed to tell you that just as one that lies with an animal is put to death by stoning, so too a sorceress is put to death by stoning. Rabbi Yehudah said to him: Just because the two statements are juxtaposed, are we to single this one (*the sorceress*) out to be stoned? [*Evidently, R' Yehudah does not expound the juxtaposition of verses.*] Rather, it is derived from the following: [*A necromancer - one who communicates with the dead - is referred to as a Ba'al Ov; a Yidoni is one who speaks with his*

mouth through a bone of the Yadua animal.] The practitioners of *Ov* and *Yidoni* come under the category of a sorceress. Why then were they mentioned separately? It is to serve as a basis for comparison (*for all sorcerers*): Just as the practitioners of *Ov* and *Yidoni* are to be stoned, so too a sorceress is to be stoned.

The *Gemora* continues with its proof: And how do we know that he (*R' Yehudah*) expound juxtapositions in *Devarim*? For it has been taught in a *braisa*: Rabbi Eliezer said: A man may marry the woman violated by his father, and the woman seduced by his father, the woman violated by his son, or the woman seduced by his son. Rabbi Yehudah prohibits the woman violated by his father or the woman seduced by his father. And Rav Giddal said in the name of Rav: What is Rabbi Yehudah's reason? It is because it is written [Devarim 23:1]: *A man shall not take his father's wife, and he shall not uncover his father's robe*. Rabbi Yehudah understands this verse to mean that the robe (*the woman*) which his father saw (*that he was intimate with*), he shall not uncover (*he shall not have relations with her*). And the *Gemora* asks: And how is it inferred that the Torah is discussing a woman who was violated? It is from the preceding verse, which states [Devarim 22:29]: *Then the man that lay with her shall give the girl's father fifty shekels of silver.* [*Since that verse is referring to a violated woman, the following verse is also referring to a violated woman; based on the principle of the juxtaposition between two verses. Evidently, R' Yehudah concedes that we do expound juxtapositions in Devarim; if so, he should expound as well that a ba'al ker is forbidden from reciting the words of Torah!?*]

The *Gemora* answers: They replied: Yes, in *Devarim* he does expound juxtapositions, but this juxtaposition is required for a different statement of Rabbi Yehoshua ben Levi, for Rabbi Yehoshua ben Levi said: If a man teaches his son Torah, the Torah regards him as if he had received it directly from Mount Horeb (*Sinai*), as it is written: *Make them known to their children, and your children's children*, and the verse immediately afterwards says: *The day that you stood before Hashem, your God, at Horeb.* (21b)

INSIGHTS TO THE DAF



The Land Became Lost

Rav Yehudah said in the name of Rav: What does the verse mean when it says: *Who is the man who is wise and can understand this?* This (*the reason for the destruction of the Second Temple*) was asked to scholars and prophets and they could not explain it, until Hashem explained it Himself, as it says: *And Hashem said that it is because they left my Torah.* Isn't the phrase "*and they did not listen to My voice*" the same as the phrase "*and they did not go in its ways*"? Rav Yehudah explains in the name of Rav: This means that they did not recite a blessing before learning Torah.

The Chanukas *HaTorah* explains: The *Gemora* asks: From where do we derive that one should recite a blessing prior to studying Torah? Rabbi Yishmael says: It is derived by means of a *kal vachomer*. If a blessing is recited before partaking in "*sustenance for the moment*" (*food*), it certainly follows that a blessing should be recited on "*eternal sustenance*"! The *Gemora* (*Brochos 38a*) also states: Prior to reciting a blessing, the land belongs to Hashem; after the blessing is recited, the land is given over to man.

Accordingly, it can be said that if they refrained from reciting a blessing before studying Torah, it is clearly evident that they did not recite a blessing before eating as well. For if they would have made a blessing before the consumption of food, they certainly would have made a blessing before studying Torah (*based upon the kal vachomer*). Since they didn't recite a blessing on their food, *the land became lost*, for prior to a blessing, the land belongs to Hashem.

HALACHAH ON THE DAF

Birchas HaTorah

The *Gemora* in Nedarim (81a) records that Hashem told the Jewish people that *Eretz Yisroel* was lost due to the fact that the Jews did not say *Birchas HaTorah*.

The Ran (s.v. *davar zeh*) cites Rabbeinu Yonah who explains that the *Gemora* is telling us that although the Jewish people

were learning Torah, they didn't consider it worthy of meriting its own *Birchas HaMitzvah*. Rather, they viewed it as any other subject that was to be studied in order to increase one's knowledge, but not something that carried an inherent spiritual value. Therefore, their Torah study did not achieve for them what it should have, and as a result, the Jews were left spiritually barren.

From this *Gemora*, we see the value of saying *Birchas HaTorah* as an enhancement of our Limud *HaTorah*. But what about the *mitzvah* itself?

Our *Gemora* asks: How do I know that *Birchas HaTorah* is Biblical? Because the verse says: When I call in the name of Hashem, I must give praise to our master. The *Gemora* continues and attempts to prove that *brachah rishonah* is Biblical as well using *Birchas HaTorah* as a source of a *Kal Vachomer*. It seems clear from this *Gemora* that *Birchas HaTorah* is a Biblical *mitzvah*.

This is the opinion of the Rashba, and the sefer Hachinuch. However, the Rambam leaves this *mitzvah* out of his Minyan Hamitzvos, and the Ramban takes him to task for this. He writes (paraphrased): The fifteenth *mitzvah* (that the Rambam neglected) is that we are commanded to thank Hashem any time that we read from the Torah for the great gift that he has given us... Just as we are commanded to bless Hashem after we eat, so too we are commanded in this. The Ramban continues and says that there is no way that the *Gemora* would have tried to prove that *brachah rishonah* is Biblical using *Birchas HaTorah* if it had not assumed that *Birchas HaTorah* itself is Biblical. He then explains that one should not assume that *Birchas HaTorah* should be included in the *mitzvah* of Talmud Torah, (thereby disproving the notion that perhaps the Rambam agrees that *Birchas HaTorah* is Biblical, and his oversight of its inclusion in his Minyan Hamitzvos is due to the fact that it is included elsewhere) just as we do not include the recital of *bikkurim* in the overall *mitzvah* of bringing the *bikkurim*, nor do we include the *mitzvah* of relating about the Exodus from Egypt in the *mitzvah* of eating Korban Pesach.

Thus, we see that the Majority of Rishonim claim that *Birchas HaTorah* is Biblical, and the Rambam assumes that it is only Rabbinic in origin. However, the Aruch Hashulchan (*siman 47, sif 2*) claims that even the Rambam agrees that *Birchas HaTorah* is Biblical, and he includes it in the *mitzvah* of Talmud Torah.

Concerning the Ramban's disproof to this explanation, he explains that recital of *bikkurim* and the *mitzvah* of relating about the Exodus from Egypt are both *mitzvos* that are done at separate times from their general categories, whereas *Birchas HaTorah* is said immediately preceding the act of learning, and is the same action. Whether we accept the Aruch Hashulchan's understanding of the Rambam or not, it is clear that the consensus opinion is that *Birchas HaTorah* is a *mitzvah min HaTorah*.

The most obvious practical difference in any clarification of a *mitzvah's* biblical status is what to do in a case of doubt. Generally, if one is unsure if he recited any *brachah* (except *Birchas HaMazon*) we say that he need not repeat it because of *safek brachos l'hakel*. However, this is generally assumed to be based on the rule of *sfeikah d'rabanam l'kulah*. Therefore, by *Birchas HaTorah*, this would seemingly not apply, and one would be required to repeat *Birchas HaTorah* in a case where he was in doubt as to whether he has already said it. Indeed this is the opinion of both the Aruch Hashulchan (*sif 6*) and the Mishnah Berurah (*s.k.1*). They recommend (based on the aforementioned Sha'agas Aryeh) that one should only recite the *brachah* of *Asher Bachar Banu*, because that itself is enough to satisfy the Biblical requirement. The Mishnah Berurah further recommends, that due to those whose opinion is that one should not repeat *Birchas HaTorah* in a case of doubt, one should ideally try to hear the *brachos* from someone else and discharge his obligation through, him, or to have in mind during *Ahavah Rabbah* that he wishes to fulfill his obligation of *Birchas HaTorah* and to learn immediately after *Davening*.

DAILY MASHAL

They didn't Recite the Blessing on the Torah "First"

Rav Yehudah said in the name of Rav: What does the verse mean when it says: *Who is the man who is wise and can understand this?* This (*the reason for the destruction of the Second Temple*) was asked to scholars and prophets and they could not explain it, until Hashem explained it Himself, as it says: *And Hashem said that it is because they left my Torah.* Isn't the phrase "*and they did not listen to My voice*" the same as the phrase "*and they did not go in its ways*"? Rav Yehudah explains in the name of Rav: This means that they did not recite a blessing before learning Torah.

The language of the *Gemora* is that they didn't recite a blessing on the Torah "*techilah*." What is that word coming to exclude? We do not recite any blessings after we conclude learning Torah! (*The Levush says that the two blessings that we recite before studying Torah are actually "one before" and "one after," except that we never finish studying Torah, so the Rabbis instituted that both blessings should be recited beforehand.*)

The Orach Yescharim explains: When a person receives a present, he values both the gift and the giver. Even if the gift is a small one, he will value it, if it was given to him by a prominent person. Similarly, he will appreciate something given to him by an ordinary person, if the item is a valuable one. The Torah is praised with both elements. It is written: *Ki lekech tov nasati lachem*, the Torah itself is valuable, and that it is being gifted to Klal *Yisroel* from Hashem.

This could be the explanation as to why we recite two blessings before studying Torah. The first *brachah* is *asher bachar banu*, Hashem chose us; Torah is special because Hashem has given it to us. The second *brachah* is *v'chayei olam nata b'socheinu*, Torah is precious because of its inherent value.

This is the meaning of the *Gemora*: They appreciated the value of Torah, and therefore, they recited the second blessing. However, they were not fully appreciative of the Giver of the Torah, and they therefore refrained from reciting the first blessing on the Torah. This is why the Torah did not continue to flourish with their children.