



חבורת מהות היהדות

Weekly Newsletter

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פרשת פקודי
ו אדר ב' תשפ"ד

From the Chaburah
By: Adam Friedmann

Don't Walk and Read

We continue to discuss the exceptions to Beit Hillel's maxim (*Berachot* 10a) that one may read the Shema in any position or circumstance of daily life.

The Gemara has three different rulings about activities forbidden while reading certain parts of the Shema:

1. One who is walking while reading the Shema must stop to recite the first part.
According to one view this applies until the words *al levavecha* in the first paragraph.
According to another view it includes the whole first paragraph. (*Berachot* 13b)
2. Workers must stop working while reading the first paragraph of the Shema. (*Berachot* 16a)
3. It's forbidden to engage in alternate communication such as eye or hand gestures to another person while reading the first paragraph of the Shema. (*Yoma* 19b)

What's the logic driving these halachot? This question generated significant debate among the Rishonim.

One possibility is that all of these halachot have to do with intention (*kavanah*). As we noted in previous weeks, the Gemara lists a number of opinions about how much of the Shema has to be read with intention (*Berachot* 13a-b). They range from the first verse to the entire first paragraph. Perhaps the prohibitions against walking, working, and gesturing during the Shema are safeguards to ensure proper intention. One of the challenges to this reading is the quantity of the Shema mentioned in each of the halachot cited above. The accepted halachic position is that only the first verse of the Shema needs to be read with intention. But none of these halachot mention this quantity. Rather, they make a distinction between the first and second *paragraphs*. Nevertheless, some Rishonim assume that all of these halachot have to do with intention (*Rashi* commenting on all the passages cited above; *Ba'al Hame'or* to *Rif*,

Berachot 9a). Presumably, this means that they only apply while reading the first verse of the Shema (see *Rif*, *Berachot* 7b). The fact that the Gemara doesn't mention this quantity is only because there was no need to repeat all the possible views on intention in each passage.

A second possibility is that none of these halachot have to do with intention. This is Ra'avad's view (*Hasagot* on *Rif*, *Berachot* 9a and as cited in *Rosh*, *Berachot* 2:3). But if the concern isn't intention, then what is it? Ra'avad cites the position of earlier authorities that the forbidden activities make reading the Shema seem mundane and unimportant. This is a problem because the important themes of the Shema demand our reverence. According to this view, we follow the quantities mentioned in each halachah precisely.

A third option finds a middle ground between the first two. According to the *Rif* (*Berachot* 7b), the first halachah about walking is about intention, and applies only to the first verse. The last halachah is about making the Shema seem unimportant. The *Rif* seems to accept this as a tradition from earlier authorities. Regarding the second halachah, he argues that if we read it as talking about intention, it leads to an unacceptable contradiction in the Gemara. As a result, he is forced to interpret it as dealing with making the Shema seem unimportant (*Rif*, *Berachot* 9a-b). The Rambam (*Mishneh Torah*, *Hilchot Keriat Shema* 2:3-4) accepts the *Rif*'s view as does Shulchan Aruch (*Orach Chaim* 63:3,6-7). This is the accepted position.

In the end, then, the halachah about walking while reading the Shema is understood to be about intention. It therefore applies only while reading the first verse. The rules about workers and gesturing are about treating the Shema as unimportant. They apply during the whole first paragraph. The accepted position raises two fundamental questions:

1. If the Torah says that the Shema must be read with intention, and the Torah says that the Shema can be read while walking (*uvelechtecha baderech*), how can the halachah say that walking while reading the Shema undermines intention?
2. Why does the concern about making the Shema seem unimportant apply only to the first paragraph? Aren't the other paragraphs important too?

The answers to these questions will lead us to a clearer understanding of the nature of the Shema. God willing, we'll consider them next week.

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When: Thursday nights at 8:45 (following Maariv)

Where: Kehillas Shivtei Yeshurun, Nachal Dolev 12, Bet Shemesh

Mishnah: A Philosophy of Life

By: Dovid Campbell

Berachot 3:3 — Stringency and the Spirit of the Law

Our mishnah explores the obligations of women, Canaanite slaves, and children as they pertain to five common mitzvot. We'll explore one of these mitzvot in particular, Shema, as our mishnah reveals some fascinating insights about the line between the letter and the spirit of the law.

Women, slaves, and children share the common feature of a more limited obligation in mitzvot, relative to men. Women and slaves are exempt from all positive, time-bound mitzvot. Children, even those who are old enough to be educated, have certain dispensations as well. Nevertheless, we should be surprised when the mishnah informs us that all of these individuals are exempt from the mitzvah of Shema. The exemption of women and slaves is surprising because it is already so obvious – Shema is certainly a time-bound mitzvah! And the exemption of children is surprising for its novelty – what dispensation could possibly apply to such a fundamental mitzvah?

Bartenura explains that despite the well-known principle regarding positive, time-bound mitzvot, we might have thought that Shema is an exception to the rule. Why? Because it contains the acceptance of the yoke of heaven. This core recognition of our spiritual mission, whose importance we have already explored in previous *mishnayot*, would seem to trump the standard rules for exemption. Shockingly, it does not.

Children are exempt for a surprising reason. Bartenura explains that since the obligation to educate them rests on the father, and he is not commonly with his children at the appointed times for reciting Shema, Chazal did not require him to educate them in this mitzvah. It would seem that preserving the father's regular work schedule (and his children's regular sleep schedule) takes precedence over learning to accept the yoke of heaven.

Nevertheless, the later *poskim* are essentially unanimous in their recommendation that women recite the first verse of Shema in order to accept the yoke of heaven. As for children, the *Shulchan Aruch* notes that Rabbeinu Tam limits this dispensation to children who are not yet old enough to be educated. Although Rashi explains that even older children are exempt, the *Shulchan Aruch* writes that it is “appropriate” to follow Rabbeinu Tam here.

There are various reasons why one might choose to adopt a stringent halachic position. Sometimes the practical halachah is not clear, and stringency provides a way to cover our bases. In our case, stringency serves a rather different function. There is no doubt that women are exempt from Shema, and yet the underlying purpose of this mitzvah, the religious value that it seeks to instill, is too precious to pass up. When the letter of the law leaves some individuals isolated from the spirit of the law, stringency can often serve to fill the gap.

Repetition in the Torah — Historical Expectation or Pedagogical Technique?

The Torah seems to be unafraid of repetition. Narratives and laws are stated and then restated, but often with subtle differences that serve as the basis for profound insights. Nevertheless, it is still puzzling why the Torah chooses to convey its lessons in this way. It would seem to be much more concise, clear, and orderly to simply state everything once. Indeed, this is probably what we would expect from a divine book. We'll therefore survey three approaches to this question, particularly as it pertains to repetitions in the description of the Mishkan. All three are listed at the end of our *parashah* by Rabbi Levi ben Gershom, Ralbag.

The first approach asks us to consider the Torah's historical context. The Torah had to adapt its language to the time period in which it was given. For example, the laws of damages are conveyed through oxen, not automobiles. Similarly, the Jews leaving Egypt had certain expectations for the form and structure of a story. It is likely that the repetition of certain plot elements was simply expected in the ancient world.

Alternatively, Ralbag considers how a reader tends to interpret brevity versus repetition in a story. Often, when an important subject is passed over very quickly or cryptically, it suggests a hidden meaning to the reader, as if the text were alluding to something unsaid. But if the Torah's general approach was brevity, then it would be impossible to highlight certain verses in this way. By being very repetitive or wordy in subjects where it will do no harm, the Torah indicates that its mysteriously brief treatment of other subjects is intentional and meaningful.

A final approach, relating to the Mishkan specifically, suggests a connection between repetition and precision. Repeating a subject is often a way of indicating how important its details are. By reviewing the structure and construction of the Mishkan, the Torah highlights the meaningful character of all its components and encourages us to inquire about their deeper meaning.

Do you feel more drawn to one of these approaches than the others? If yes, why? Some might feel that the first approach is an affront to the Torah's divine status, since it suggests that elements of the Torah were shaped by ancient literary trends. Others might see it as a sign of the Torah's wisdom in recognizing the sensitivities of its earliest audience. Interestingly, even Ralbag's second and third approaches do not suggest specific moral lessons but rather general pedagogical techniques that the Torah employs. What does this suggest about the various ways in which the Torah guides us towards meaning, without necessarily defining it for us?

Questions, comments, and concerns: [**contact@essenceofjudaism.com**](mailto:contact@essenceofjudaism.com)

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