

Laws of Blessings, Chapter 11 (Auto Translated)

English

Auto Translated

Shiur Overview

Summary of Shiur — Rambam Hilchos Berachos, Chapter 11

Halacha 1: General Rules of Beracha Text — Opening and Closing with "Baruch"

The Rambam's words: "All berachos open with 'Baruch' and close with 'Baruch,' except for a beracha that is adjacent to another..." He then divides: berachos of praise and thanksgiving — some open with "Baruch" but don't close, some close with "Baruch" but don't open. **Berachos on mitzvos — most of them open with "Baruch" but don't close, except for a few like bircas haTorah and bircas sefer Torah.**

Explanation:

The Rambam gives a general introduction to the chapter about berachos on mitzvos, but begins with a broader general halacha about the text of all types of berachos — when we say "Baruch" at the beginning, when at the end, when both, when neither.

Chiddushim and Explanations:

1. **The Rambam's position that all berachos are derabbanan:** The Rambam holds that all berachos (except bircas hamazon) are derabbanan — including birchos hamitzvos, and also bircas haTorah. The Rambam didn't mention bircas haTorah in Hilchos Talmud Torah (which would have been appropriate if it were d'oraisa). He doesn't accept like certain Rishonim that bircas haTorah is d'oraisa from the kal vachomer in the Gemara ("if bircas hamazon..."). This is a chiddush in psak.

2. Beracha hasmuchah lachaverta — the mechanism:

A beracha hasmuchah lachaverta doesn't need to begin with "Baruch" because the previous beracha's closing also serves as an introduction for the next one. Example: "Ahava Rabba" doesn't begin with "Baruch" because it comes right after "Yotzer Or" which already ended with "Baruch." Similarly "Emes V'yatziv" — doesn't begin with "Baruch" but ends with "Baruch Ata Hashem Ga'al Yisrael."

3. Why short berachos don't have two "Baruch"s:

Bircas hapeiros and birchos hamitzvos are too short to insert two "Baruch"s. One can't say "Baruch Ata Hashem hamotzi lechem min ha'aretz — Baruch..." — there isn't enough text between them. Only when there's a long beracha (with content in between, like a tefilla or praise) is a closing with "Baruch" appropriate. The example of "Borei Nefashos" is brought — there enough words are inserted that a closing with "Baruch" would technically fit (though we don't say it).

4. Which birchos hamitzvos have both opening and closing with "Baruch":

The Rambam says "a few of birchos hamitzvos" have both — he brings the example of **bircas haTorah** and **bircas sefer Torah**. By sefer Torah there are two berachos — "asher bachar banu mikol ha'amim v'nasan lanu es Toraso" (before the reading) and "asher nasan lanu

Toras emes" (after the reading) — both have opening and closing with "Baruch." These are separate berachos, not a continuation of one another. Also bircas haTorah in the morning (with "v'ha'arev na") has opening and closing.

5. **"Kivrei Yisrael" as an example of praise and thanksgiving with opening and closing:** "Haroeh kivrei Yisrael" is also a beracha that has opening and closing with "Baruch," though the Rambam counts it under "derech shevach v'hoda'ah." Question: How does tzidduk hadin / "Dayan ha'emes" fit under praise and thanksgiving? Answer: "Dayan ha'emes" is also praise — one praises the Ribbono Shel Olam's true judgment, just as "keshem shechayavim leverech al hatova" — thanksgiving for bad is also a type of praise, because hoda'ah means acknowledging the truth.

6. The placement of the halacha — introduction to Chapter 11 or conclusion of Chapter 10:

This halacha is more than just an introduction to birchos hamitzvos — it's a general halacha relevant to all types of berachos (birchos hanehenin, shevach v'hoda'ah, and mitzvos). Apparently it can also serve as a conclusion to the previous chapter. The placement of the halacha specifically here is significant.

7. Why do some berachos have opening and closing and some don't:

It's asked: When the Rambam presents it as a lechatchila principle, why aren't all berachos like this? Simply: Not the same chacham was mesaken each beracha. Shemoneh Esrei is touched upon — there each beracha is a beracha bifnei atzma, not opening and closing. The vast majority of all berachos (Shemoneh Esrei, birchos hamitzvos, birchos hanehenin) are not opening and closing — only specific long berachos are like this.

Halacha 2: Distinction Between Obligatory Mitzva and Kiyumis Mitzva

The Rambam's words: "There are mitzvos aseh that a person is obligated to strive and pursue until he does them, such as tefillin and sukka and lulav and shofar, and these are called chova... And there are mitzvos that are not chova but similar to reshuv, such as mezuzah and ma'akeh, for one is not obligated to dwell in a house that requires mezuzah in order to make a mezuzah, but if he wishes to dwell all his days in a tent or on a ship he may sit... And similarly one is not obligated to build a house in order to make a ma'akeh." Then: "And all mitzvos aseh between man and Hashem, whether a mitzva that is chova or a mitzva that is not chova — one makes a beracha on it before doing it."

Explanation:

The Rambam divides mitzvos aseh into two: (1) **Chova** — one must strive and pursue until one does them (tefillin, sukka, lulav, shofar); (2) **Domeh lereshev** — one is not obligated to put oneself in the situation that brings the obligation (mezuzah,

ma'akeh). On both types one makes a beracha before the action.

Chiddushim and Explanations:

1. "**Lehishtadel v'lirdof**" — a part of the mitzva itself: This doesn't just mean if you already have tefillin you should put them on, but you must go write, buy, figure it out. When the Torah says "put on tefillin" it also means "ensure that you have tefillin" — because tefillin don't grow. Part of the mitzva itself is the hishtadlus. The language "al kol panim" means: in any case, however you are, you must make an effort.

2. **Mezuzah vs. ma'akeh — bein adam laMakom vs. bein adam lachaveiro:** Mezuzah is a mitzva bein adam laMakom, ma'akeh is bein adam lachaveiro. The Rambam brings both as examples of "domeh lereshus," but when he speaks about berachos, he says only that mitzvos bein adam laMakom receive a beracha — which excludes ma'akeh (bein adam lachaveiro) from a beracha. (But later in halacha 8 the Rambam brings that ma'akeh does have a beracha — see there.)

3. **Why does the Rambam bring this distinction here:** Apparently the distinction between chova and domeh lereshus is not really relevant to berachos, since both receive a beracha. The Rambam wants to **exclude** from a sevara that only obligatory mitzvos (where one must strive) receive a beracha, but kiyumis mitzvos don't. Perhaps there's a source where it says certain mitzvos are "reshus" — and the Rambam wants to exclude that on a "reshus" one doesn't make a beracha. Therefore he must explain that "domeh lereshus" is not actually reshush, and one does make a beracha.

4. **Tzitzis as a third category:** Tzitzis is mentioned as a possible third category: a mitzva that is not chova mid'oraisa (one doesn't have to wear a four-cornered garment), but the normal practice is that a person wears such a garment. It's not chova mid'oraisa but perhaps a chova mid'erabbanan.

5. **Krias Shema — chova or not:** Krias Shema is certainly a chova lehishtadel, but if a person is always in a situation that exempts him (for example always in a makom hazuhama) — has he "exempted himself" like one who dwells in a tent is exempt from mezuzah? The distinction: By mezuzah the obligation never came (he doesn't dwell in a house), but by Krias Shema the obligation did come — he's only exempt due to a situation, which is a completely different type of exemption.

6. **Third category: "Hechroniyos" (midos):** The Rambam in other places counts a third category of mitzvos — "hechroniyos" — things that a normal person needs in order to live a normal Jewish life (like mezuzah, ma'akeh, kiddushin). This doesn't mean one is obligated to create the situation (one doesn't have to dwell in a house with a mezuzah), but that the Torah lays down the picture of a normal life.

Halacha 2 (continued): Berachos on Mitzvos Derabbanan — "V'tzivanu"

The Rambam's words: "All mitzvos that are midivrei sofrim... there are mitzvos that are chova from their words such as mikra megilla and hadlakas ner Shabbos and hadlakas ner Chanuka... and there are mitzvos that are not chova such as eruv and netilas yadayim... and on all these mitzvos one makes a beracha first before doing them 'asher kidshanu

b'mitzvosav v'tzivanu la'asos." Then: "**And where did He command us? In the Torah it is written 'al pi haTorah asher yorucha ta'aseh'" (Devarim 17:11).**

Explanation:

Also on mitzvos derabbanan — whether chova or reshush — we say "asher kidshanu b'mitzvosav v'tzivanu." The Rambam asks where did Hashem command us, since Chazal were mesaken this, and answers: In the Torah it says "al pi haTorah asher yorucha ta'aseh" — Hashem commanded to follow what Chazal say.

Chiddushim and Explanations:

1. **How does the Rambam interpret the "v'tzivanu":** Normally "asher kidshanu b'mitzvosav v'tzivanu" means a specific mitzva — when one says "v'tzivanu la'asok b'divrei Torah" it means that Hashem commanded to learn Torah. But by mitzvos derabbanan one must squeeze in a whole clause in the middle: "asher kidshanu b'mitzvosav" — through His mitzvos (which includes "lo tasur"), "v'tzivanu" — to follow Chazal, "who commanded lehadlik ner Chanuka." This is a **great difficulty** — one must insert a whole intermediate sentence into the text.

2. **The Rambam brings specifically the asech, not the lav:** The Gemara in Maseches Shabbos brings "lo tasur" (a lav) as the source for the obligation to follow Chazal. But the **Rambam brings specifically the asech — "asher yorucha ta'aseh"** — because he wants the "v'tzivanu" to be connected to a mitzvas asech, not to a lav. This fits better with the language "v'tzivanu" which is a positive command.

3. **Shitas haRamban — a fundamental dispute:** The **Ramban** doesn't agree with the approach that "lo tasur" is a general source that creates mitzvos. The Ramban wants to find in the Torah itself a source for each mitzva derabbanan (like Chanuka, Purim) through klalim and pratim. **However** — the Ramban **does agree** that there is a chiyuv d'oraisa to follow Chazal; he only holds that this doesn't constitute the "v'tzivanu" on each specific mitzva derabbanan. The Ramban's interpretation of "v'tzivanu" is: "lishmoa divrei chachamim shetzivanu lehadlik ner Chanuka" — the command is to **listen** to Chazal, and they said to light.

4. **"Asher kidshanu b'mitzvosav" — two possible interpretations:** One can interpret "asher kidshanu b'mitzvosav" that Hashem made us **sufficiently** kadosh with His mitzvos — specific, defined mitzvos, and nothing more comes in. But the Rambam's interpretation is that "b'mitzvosav" includes **all** mitzvos, including the principle of "lo tasur" / "asher yorucha ta'aseh," which brings in also mitzvos derabbanan.

5. **Analogy to kibbud av:** When a father says "bring me tea," there's a mitzva to bring the tea — from the side of kibbud av. But Hashem never commanded to bring tea. Similarly: After Chazal commanded mikra megilla, there's automatically a "command" from Hashem (through "lo tasur"). The question is however: Can one say "v'tzivanu" on the specific action, or only on the principle of following Chazal?

6. **The Rambam's fundamental approach — Chazal don't have Hashem's "stamp":** The Chazal have an inyan of "**lishmor v'la'asos**" — there's an extra mitzva to follow their takanos, but this is a **mitzva derabbanan, a "lighter" mitzva**. But **there is no mitzva whatsoever to light Chanuka lights** in the sense that Hashem never commanded

to light Chanuka lights. **This distinction is very important for the Rambam.**

7. **Connection to bal tosif:** The Rambam's concern is connected to **bal tosif** — one may not say about something that is not a mitzva that it is a mitzva. The text "**asher kidshanu b'mitzvosav**" can imply that it's d'oraisa. The answer is that "**v'tzivanu**" refers to the koach hahekesh — Hashem commanded to follow the Chazal, not that He specifically commanded to light Chanuka lights.

8. **Terminology: "Sofrim" vs. "Chachamim":** The Rambam uses the language "**midivrei sofrim**" for mitzvos derabbanan, but when he quotes a statement of Chazal he says "chachamim." The term "sofrim" perhaps comes because **they wrote** (sofrim = scribes) the mitzvos. The language of Chazal is mentioned: "chavivin alai divrei sofrim," "divrei sofrim tzrichin chizuk."

Halacha 8: Asiyasa Hi Gemar Chovasa — Beracha at the Time of Action

The Rambam's words: "Any mitzva whose action is the completion of its obligation, one makes a beracha on it at the time of action... One who makes a sukka or lulav or shofar or tzitzis or tefillin or mezuzah doesn't make a beracha at the time of making 'asher kidshanu b'mitzvosav v'tzivanu la'asos sukka'... because after their making there is another command... But ma'akeh one makes a beracha at the time of making 'asher kidshanu b'mitzvosav v'tzivanu la'asos ma'akeh.'"

Explanation:

The Rambam distinguishes between two types of mitzvos: (1) mitzvos where the action itself is the gemar chiyuv — there one makes the beracha at the time of action; (2) mitzvos where after the action there is still another command (like sukka — one must then sit in it, shofar — one must then blow it) — there one doesn't make a beracha on the preparation/action, but on the kiyum itself. Ma'akeh however, where after the action there is no other command, one makes the beracha at the time of action.

Chiddushim and Explanations:

1. **Asiyas hasukka is itself a mitzva — not just preparation:** The Rambam learns clearly that asiyas hasukka (building the sukka) is itself a mitzva, not just a hechsher mitzva. The Rambam said earlier (in halacha 2) that there are mitzvos that one must "lehishtadel v'lirdof acharihem" — here it's revealed that the entire process of hishtadlus is itself a mitzva. Every part of the process — even driving to Home Depot to buy a drill, the building itself — is part of the mitzva. The chiddush is that one doesn't make a beracha on each step separately, but once at the end of the entire process (when one sits in the sukka), because "yesh achar asiyasan tzivui acher." Other Rishonim argue and hold that asiyas hasukka is not a mitzva in essence.

2. **Ma'akeh — an "unusual" mitzva with a beracha:** Ma'akeh is an unusual mitzva that receives a beracha, because almost all mitzvos that have berachos are "ritualistic" mitzvos (a ceremony — putting on tzitzis, laying tefillin), but ma'akeh is a practical/security mitzva. This is like a procedure, similar to a get, where one wouldn't expect a beracha. Therefore the

Rambam says that one does make a beracha. In practice we don't see that people make a beracha on ma'akeh.

3. **Ma'akeh as "beis av" for all matters of "v'nishmartem":** Ma'akeh is a "beis av" (principle-mitzva) for all matters of protection and safety. The moment of making a ma'akeh is the moment when one takes upon oneself the entire inyan of "ki yipol hanofel mimenu." When a person installs a security system in his car (for example an alarm so one won't forget a child), he is mekayem literally mitzvas ma'akeh — not just an inyan of "v'nishmartem" in general, but literally the content of ma'akeh. But in practice we haven't established a text of beracha on such "ma'akeh-like" actions.

4. **The Rambam's approach that the language of berachos is one inclusive system:** By the Rishonim there's great dispute about the language of berachos. The Rambam makes from all the rules one clear, unified system. This is the first text that the Rambam brings in all of Hilchos Sefer Ahava.

Halacha 9: Shehecheyanu on Mitzvos

The Rambam's words: "Any mitzva that is from time to time such as shofar and sukka and lulav and mikra megilla and ner Chanuka, and similarly any mitzva that involves acquisition [new tzitzis, tefillin, mezuzah], and similarly a mitzva that is not frequent and not found at all times for it is similar to a mitzva that is from time to time such as milas haben and pidyon haben — one makes a beracha on it at the time of action 'shehecheyanu v'kiyemanu.'"

Explanation:

Three categories of mitzvos receive shehecheyanu: (1) mitzvos from time to time — that occur once a year (shofar, sukka, lulav, megilla, ner Chanuka); (2) mitzvos that involve acquisition — a new object of mitzva (new tzitzis, tefillin, mezuzah, ma'akeh); (3) mitzvos that are not frequent and not found at all times — that are similar to from time to time (mila, pidyon haben). On all three one makes shehecheyanu at the time of action.

Chiddushim and Explanations:

1. **Connection to shehecheyanu on simcha:** The foundation is the same as shehecheyanu on a simcha ("lo ra'isi es chaveri sheloshim yom") — "lo ra'isi es hamitzva" — one hasn't seen the mitzva of shofar for a long time, therefore one makes shehecheyanu.

2. **Shehecheyanu by bris mila — tzaar hatinok:** A question is raised: How does one make shehecheyanu by bris mila, when there is tzaar hatinok?

3. **First time tefillin — shehecheyanu:** When one lays tefillin for the first time, one makes shehecheyanu. Similarly by new tzitzis — like by a new garment in general.

4. **Sukkos — possibly three shehecheyanu's:** Apparently three shehecheyanu's come: (1) when one buys a lulav, (2) when one builds a sukka, (3) when one sits in the sukka (on the Yom Tov itself). The Rema says that shehecheyanu should be made when building the sukka, but our custom is we put everything together by kiddush.

5. **Distinction between shehecheyanu of Yom Tov and shehecheyanu of mitzva:** By kiddush one makes shehecheyanu on the Yom Tov (bircas hashevach/hoda'ah that

one has lived to another celebration), and by shofar/megilla one makes a separate shehecheyanu on the specific mitzva — two different things.

6. Shehecheyanu is not bircas hamitzvos — it's bircas hashevach, a thanksgiving. Therefore one can say it on shevitas Yom Tov even without an action, because one doesn't need an action for bircas hashevach.

Halacha 11 (First Part): Text of Beracha — "La'asos" vs. "Al"

The Rambam's words: One who does a mitzva... if he does for himself he makes a beracha "la'asos" (such as lehaniach tefillin, lehit'atef b'tzitzis, leishev b'sukka, lehadlik ner shel Shabbos, ligmor es haHallel, likboa mezuzah, la'asos ma'akeh, lehafrin teruma, limol es haben, lishchot es haPesach v'es hachagiga). But one who does for others makes a beracha "al" (such as al kevias mezuzah, al asiyas ma'akeh, al hamila, etc.).

Explanation:

When someone does a mitzva for himself, he says the language "la'asos" (infinitive — "to do"), because he himself is obligated. When he does for others, he says "al" — "about" the mitzva — because he himself is not obligated in that specific obligation, but he is doing the action of the mitzva.

Chiddushim and Explanations:

1. Someone who is motzi others after he was already yotzei: For example, someone already blew shofar for himself, and now he is motzi a new minyan. He makes shehecheyanu again, because he has a new mitzva — the mitzva of doing for others. The Rambam is not so strong on the inyan of "yotzei yedei chovaso" — **bircas hamitzvos is on the essence of the mitzva, not just on the obligation of the mitzva.** Even when the person has already fulfilled his obligation, he still has a mitzva when he does for others.

2. Practical question about mezuzah through agency: When someone is asked to put mezuzos on someone else's house — the agent says "al kevias mezuzah" (not "likboa"), because he himself is not obligated. **Question:** Does the agent's beracha exempt the homeowner? Apparently **no** — because the text is different. The homeowner would have said "likboa mezuzah," and the agent says "al kevias mezuzah." Therefore there's a reason that **the homeowner should put the mezuzah himself.**

3. We don't do mitzvos in bundles: Each mitzva is important separately, one shouldn't combine mitzvos. This is mentioned in the context of different berachos on different mitzvos.

4. [Digression: "Lilmod u'lelamed"]: Why don't we make a separate beracha when we teach children? Because bircas haTorah already includes "lilmod u'lelamed" — learning and teaching others is one mitzva.

Halacha 11 (continued) / Halacha 12: Beracha on Mitzvos When One Didn't Make Before the Action

The Rambam's words: "If it's a mitzva whose action still continues, one makes a beracha after the action. How so? One wrapped himself in tzitzis or lulav or

tefillin or sat in a sukka and didn't make a beracha, he makes a beracha after the action... But one who slaughters without a beracha doesn't go back after the slaughter and make a beracha... And similarly if he covered the blood without a beracha, or separated terumos and ma'asros, or immersed and didn't make a beracha, he doesn't go back and make a beracha after the action."

Explanation:

The Rambam distinguishes between mitzvos whose action continues (tzitzis, tefillin, sukka, lulav) — there one can still make a beracha afterward — and mitzvos whose action is already past (shechita, kisui hadam, hafrasha terumos, tevila) — there one has missed the opportunity.

Chiddushim and Explanations:

1. Two explanations for why one can still make a beracha by mitzvos she'asiyas kayemes:

a) **Over la'asiyas-sevara:** It's still "over la'asiyas" — not over to the *previous* action, but to the *continuation* of the action. Lechatchila one must make it over la'asiyas at the first moment, but bedieved the continuation is also good.

b) **Beracha-chalus sevara:** The Rabbanan cannot be mesaken a beracha on a mitzva that no longer exists. When the mitzva still exists (he's still sitting in the sukka, he's still wearing tefillin), there's a cheftza of mitzva that can receive a beracha. But when the mitzva is already past, there's no place for a beracha.

2. Text of berachos — proof that it refers to the beginning action: The text "lehit'atef b'tzitzis," "lehaniach tefillin," "leishev b'sukka" — all speak of the beginning action (putting on, sitting down), not of the continuation. This shows that lechatchila the beracha is meant for the beginning, but bedieved one can still say it because the situation continues.

3. The Rambam's text "kodem la'asiyas" vs. Gemara's "over la'asiyas": The Rambam wrote "kol hamitzvos mevarech aleihen kodem la'asiyas" — instead of the Gemara's language "over la'asiyas." The Gemara emphasizes with "over" — immediately adjacent to the action — which the Rambam abbreviated.

4. Safek berachos — teruma on demai: On demai one doesn't make a beracha, because safek divrihem lehakel. Even when Rabbanan require teruma, one doesn't make a beracha when it's a safek. The Pri Chadash is mentioned that the Rambam perhaps has a distinction in this.

Halacha 12 (continued): Tevilas Hager — Beracha After Action Always

The Rambam's words: "And similarly there are mitzvos that one makes a beracha on them after their action always — tevilas hager, for he is not yet kadosh and not commanded until he immerses."

Explanation:

The only mitzva that one always makes specifically after the action is tevilas hager, because before the tevila he is not yet a Jew and cannot say "asher kidshanu b'mitzvosav v'tzivanu."

Chiddushim:

1. The logical paradox: The ger cannot say "asher kidshanu b'mitzvosav v'tzivanu" before the tevila, because he is not yet "kadosh" and not "commanded." It's "talui v'omed" — he

becomes a Jew through the same action on which he must make a beracha.

2. Which mitzva is tevilas hager: It's not from the seven mitzvos of Bnei Noach. The Rambam learns that "viheyisem kedoshim l'Elokeichem" / "viheyisem li kedoshim" is a mitzva — to be a Jew. For a non-Jew this is not a mitzva, but for a Jew yes. After the tevila, when he is already a Jew, he makes a beracha on the foundation of his Jewishness. It's a "kiyumis mitzva" — if one wants to become a Jew one must immerse, but the mitzva is only on a Jew, not on a non-Jew.

3. The paradox of "when does he become a Jew": When does a Jew "suddenly" become a Jew? He was already a Jew — he was "always." This is unusual but that's how it stands.

4. Seven mitzvos of Bnei Noach and berachos: A non-Jew who keeps the seven mitzvos of Bnei Noach cannot make a beracha on them — Chazal were not mesaken berachos for Bnei Noach. Further question: Once Chazal were mesaken berachos, does it become the "ofen asiyas hamitzva" — are Bnei Noach also obligated to do their mitzvos according to how Chazal say? For example, if one blows shofar without a beracha, something is lacking in the "quality" of shofar. **But the Rambam doesn't say this chiddush** that Bnei Noach must follow Chazal's manner.

5. The Meiri's approach — berachos only on mitzvos special to Jews: Bircas hamitzvos one makes only on mitzvos that are special to Jews. A mitzva that is obligatory "as basic human duties" — basic human obligations — doesn't receive a beracha. The inyan of "asher kidshanu b'mitzvosav v'tzivanu" is that Hashem gave us "chiba yeseira" — "asher bachar banu mikol ha'amim b'ahava." **R' Avner's question:** On the contrary, we do make berachos on such mitzvos. Answer: The beracha addresses the fact that Hashem chose us, that mitzvos should be "revealed" through us as Jews.

6. Beracha after tevila — nidda and other tevilos: The Rambam says explicitly

Halacha 12 (continued): Tevilas Hager — Beracha After Action Always (continued)

6. Beracha after tevila — nidda and other tevilos: The Rambam says explicitly in Hilchos Nidda that one makes the beracha **before** the tevila. But **our custom** (and other Rishonim): Not only a ger, but **every tevila** — also a nidda (tevila d'oraisa) — one makes the beracha **after** the tevila. One immerses again after the beracha, but this is not me'akev, because she is already tehora. The **Shulchan Aruch** writes that a nidda also makes a beracha **before** the tevila. The reason for the custom afterward: because one couldn't make a beracha when one is tamei.

7. [Digression: Siddur kiddushin — yichud edim]: At a siddur kiddushin the mesader kiddushin was meyached edei kesuva but forgot to be meyached edei kiddushin before the chasan gave the ring. He immediately caught himself afterward, was meyached two witnesses, and asked that the kalla should return the ring as a gift and the chasan should be mekadash again. The halachic foundation: One must be meyached witnesses because "edus shebatla miktzasa batla kula." If one had only caught oneself after sheva berachos, one would have needed to make a new bircas eirusin over la'asiyasan. There's a dispute between Rambam and Rosh whether bircas eirusin is a bircas hamitzvos or a bircas

hashevach — according to the Rosh (bircas hashevach) one can make it afterward.

Halacha 11 (Text "Al" — continued): When One Does for Oneself and Others Together, and When One Makes Afterward

The Rambam: When a person does a mitzva for himself **and** for others at once — such as **eruv**, where one person makes it as an agent for all the residents of the courtyard — one makes a beracha "al mitzvas eruv."

Chiddushim:

1. Three rules of the Rambam summarized: (a) For oneself alone — one makes "la"; (b) For others — one makes "al"; (c) If one makes afterward (like tevila, netilas lulav) — one makes "al" and not "la."

2. Netilas lulav — why "al" and not "la": By lulav one should have said "litol lulav," but in practice we say "**al netilas lulav**" — because "**keivan shehigbihu yatza yedei chovaso**" — the minute one lifts the lulav one is already yotzei, and usually one makes the beracha after one was already yotzei. The **Rema** says: If one makes the beracha **before** one takes it (when it's still lying on the table), then one makes a beracha "**litol es halulav.**" The **Rambam** means that also by sukka one makes the beracha **before** one sits down ("leishev b'sukka"), not like us who make it after kiddush.

3. Question on megilla: We say "al mikra megilla" — according to this rule one should have said "likro megilla" or "lishmoa megilla." Tosfos have a different distinction.

4. Netilas yadayim — question on the Rambam: By netilas yadayim we say "al netilas yadayim" — no one says "litol yadayim," even when one washes for oneself. Also by shechita we say "al hashechita" — even when one slaughters for oneself. **Answer:** Netilas yadayim is not the essence of the mitzva — it's a practical thing (if your hands are dirty). Shechita is a mitzva if you want to eat a kosher animal. **Another point:** The Rambam said that the beracha on netilas yadayim one makes **afterward** — so one won't have dirty hands during the beracha. By bircas hamazon the Rambam says it's not appropriate to bentch with dirty hands (kavod for shem umalchus), but this is not enough reason to change the order of beracha. **Only when one is a "goel gamur"** — when one has already finished — does one change the order.

5. Biur chametz — "al biur chametz" not "levayer chametz": We say "al biur chametz" because "**mei'es shegamar belibo levatel**" — from when he began with the bitul in his heart, the mitzvas habiur is already mekuyam **before** he begins to check. Therefore the beracha is "afterward" — and we say "al." **Chiddush about kol chamira:** Someone who truly thinks gmar belibo levatel — he truly was mevatel in his heart — doesn't need to say "kol chamira." Kol chamira was instituted for someone who didn't think of it. Even if he forgot to say kol chamira, in most cases he is yotzei.

Halacha 11 (Text — continued): Hadlakas Ner Shabbos — Beracha Afterward

Chiddush:

Another example where one makes the beracha afterward is **hadlakas ner Shabbos**. The reason: If one makes the beracha before lighting, one has already accepted Shabbos, and one can no longer light. Therefore one lights first, covers the eyes, makes the beracha, and then sees the lights.

Question: The Rema says this, but it's noted that this is "a chumra of the Acharonim" — the Rema himself doesn't say that one must accept Shabbos through the lighting.

Another chiddush: By ner Shabbos perhaps the mitzva is not the "hadlaka" itself but that "it burns" — it is one of Shabbos. This is different from ner Chanuka where "hadlaka osa mitzva."

[Digression: Why Don't Some Mitzvos Have a Standard "Asher Kidshanu" Beracha?]

Kiddush:

Why isn't there a beracha "asher kidshanu b'mitzvosav v'tzivanu al mitzvas kiddush"? Answer: Kiddush hayom al hayayin is itself a shevach v'hoda'ah — Chazal were mesaken that the kiddush itself should be praise on Shabbos and on wine, instead of a separate "dry" bircas hamitzvos.

Krias Shema:

The same foundation — instead of "asher kidshanu b'mitzvosav v'tzivanu likro krias Shema" Chazal were mesaken "Ahavas Olam" / "Ahava Rabba" — a much more beautiful beracha that speaks about the great love from kabbalas haTorah, which is the content of Shema.

General Rule:

When Chazal designated a more beautiful, richer beracha, there's no place for the minimum format of "asher kidshanu b'mitzvosav v'tzivanu." The minimum format is for when one doesn't have much to say — like "borei pri ha'adama" for eating. But when there's richer content, one makes a more beautiful text.

Halacha 11 (End): Netilas Yadayim Acharona — No Beracha Because It's Due to Danger

The Rambam's words: Why doesn't one make a beracha on mayim acharonim? "Because one is not obligated in this matter except due to danger" — the obligation of mayim acharonim is only because of the danger of melach Sedomis. "And something that one is obligated in due to danger, one doesn't make a beracha on doing it."

Explanation:

The Rambam establishes a rule: Something that one is obligated only because of danger, one doesn't make a beracha on it.

Chiddushim and Explanations:

1. **The distinction between netilas yadayim rishona and acharona:** The Rambam earlier listed **eruv and netilas yadayim** among mitzvos derabbanan on which one does make a beracha. This refers to **netilas yadayim barishona**. But **netilas yadayim ba'acharona** has **no beracha**, because the entire obligation is only mipnei hasakana.

2. **Example: Mesanen es hamayim: "Hamesanen es hamayim v'achar kach shose balayla"** — someone who wants to drink water at night is obligated to strain the water,

because at night one cannot see if a creature (parasite) has entered. This is **mishum sakanas aluka**. One does **not** make a beracha "asher kidshanu b'mitzvosav v'tzivanu lesanen es hamayim," because although there is a general mitzva of **"v'nishmartem me'od lenafshoseichem,"** Hashem **did not make such a specific mitzva** to strain water.

3. **Question from ma'akeh: Ma'akeh** the Rambam earlier listed among the things on which one **does** make a beracha — but ma'akeh is also **mishum sakana** ("pen yipol hanofel mimenu")! How does this fit with the rule that "something obligated due to danger, one doesn't make a beracha"?

4. **First answer — specific mitzva vs. general: Ma'akeh is a specific mitzva** that the Torah specifically commanded. But **netilas yadayim acharona** and **mesanen es hamayim** are only derived from the **general mitzva** of "v'nishmartem me'od lenafshoseichem" — there's no specific particular mitzva on it.

5. **Second answer — ma'akeh is for others, not for oneself: Ma'akeh is a mitzva to protect others** from danger, not for oneself. When a person makes a ma'akeh on his house, he prepares it so that tomorrow when another person comes he won't fall. This is different from netilas yadayim acharona, which is an obligation on each individual for himself.

6. **Chiddush of Chazon Ish about ma'akeh:** The **Chazon Ish** explains that ma'akeh is a **chiddush** — a person himself goes on the roof, he knows he must be careful. But **why must I make a fence on my roof?** Tell the person not to go! Or "adam moed le'olam" — a person must be careful. The chiddush of ma'akeh is that **you must make a physical barrier** — this is a specific mitzva that the Torah was mechadesh, not just general protection.

7. **Ma'akeh as a din on the homeowner: Ma'akeh is a din that the Torah places the obligation of protecting a roof on the homeowner.** By other dangers (like netilas yadayim) each person has an obligation for himself — we don't say that the host must ensure that everyone washes mayim acharonim.

8. **Whether ma'akeh depends on actual danger:** By **melach Sedomis** we saw that a **place where it's not common, is not obligated**. But by ma'akeh it may be that **once there's a mitzva, one must do it** — it's more a formal fence.

[Digression: Broader Discussion — Which Mitzvos Don't Have a Beracha]

Mitzvos that depend on someone else's brokenness:

Everything that has to do with someone else's brokenness doesn't fit to make a beracha. For example: A Jew is standing hungry and you give him food — it doesn't fit to make a beracha "al mitzvas tzedaka."

Hashavat gezeila and peri'as ba'al chov:

Why doesn't one make a beracha on paying a debt or returning stolen property? By hashavas gezeila: **the other person is connected to a sin** — it doesn't fit that a person should thank Hashem for returning the stolen item. But **peri'as ba'al chov is a mitzva** — and yet we don't make a beracha.

Mitzva lachaveiro:

A mitzva lachaveiro one doesn't make berachos. But the **Rambam in Moreh Nevuchim** says that **most mitzvos bein adam laMakom are also in truth a mitzva lachaveiro**, because when one goes through the ta'amei hamitzvos one sees that many things have benefit for other people. "Bein adam laMakom" means what is **the primary mitzva, more directly.**

Teshuva:

[Digression: Why doesn't one make a bircas hamitzvos on teshuva] R' Leibish in Antwerp gave an entire lecture on Erev Yom Kippur why one doesn't make a bircas hamitzvos on teshuva, with a piece from the **Brisker Rav**. The rule of **R' Menachem Azarya of Fano** in the name of **R' Avraham Ibn Ezra: A mitzva where it's not clear when it actually happens**, one doesn't make a beracha. For example, ahavas re'im — it can sometimes take ten years until one becomes a friend. Teshuva is also such a thing — **it's a process**, not just an action of saying "ashamnu."

The Rashba's approach:

The **Rashba** brings several mitzvos where there is or isn't a beracha, but **he concludes that we cannot know the reason**, because with every reason one can come up with another mitzva that is similar and doesn't fit the reason. **His conclusion: Essentially we don't know precisely on which things the Chazal did or didn't institute a beracha, and one must only follow the tradition.** Other Rishonim did propose reasons (for example a mitzva that depends on others), but the Rashba means that no single rule can explain everything.

The foundation of berachos — simcha:

A beracha must fit with simcha. One makes a beracha with simcha — "asher kidshanu b'mitzvosav v'tzivanu" is praise with joy. Therefore: On sad things one doesn't make a beracha (except "Baruch Dayan ha'emes" which is a special beracha); on a mitzva haba'a ba'veira one doesn't make a beracha. **Question on get:** Why doesn't one make a beracha on a get? Answer: Chazal simply weren't mesaken a beracha on a get — it's not a "rule" but a practical takana.

The essence of bircas hamitzvos:

The essence of bircas hamitzvos is "**giving importance**" to each mitzva. Whether it's "asher kidshanu al shofar" or "Ahava Rabba" (which is a beracha for Krias Shema without saying "asher kidshanu") — both give importance to the mitzva. Also berachos on events — one gives importance to the event, one is "being meyached shem shamayim all the time."

Halacha 14: Custom of Prophets and Custom of Sages — No Beracha

The Rambam's words: "Anything that is a custom, even though it is a custom of prophets... such as taking the willow on the seventh day of the festival... and needless to say a custom of sages such as reading Hallel on Rosh Chodesh and on Chol HaMoed Pesach — one doesn't make a beracha on it."

Explanation:

On a custom — even a custom of prophets — one doesn't make a beracha. Kal vachomer on a custom of sages (like Hallel on Rosh Chodesh).

Chiddushim:

1. **Distinction between mitzvos midvrei sofrim and custom:** The Rambam distinguishes between **mitzvos midvrei sofrim** (one makes a beracha) and **custom** (one doesn't). A custom is not in the category of mitzvos — it's not an obligation on people, but a custom that it should happen.

2. **In practice** we do say a beracha on Hallel on Rosh Chodesh — because the **Rosh, Tosfos, and other poskim** argue with the Rambam, and the **Rema** holds that one does make a beracha on a custom.

3. But on **Hoshana Rabba** (circling the bima) one doesn't make a beracha — even according to those who make a beracha on a custom.

Halacha 15: Safek Berachos

The Rambam's words: "Anything about which you are in doubt whether one makes a beracha on it or not — one does it without a beracha."

Explanation:

If one doesn't know whether one needs a beracha, one does the mitzva without a beracha.

Chiddushim:

1. Apparently one could think: "On every mitzva I make a beracha" — but the Rambam says no: if you don't know, you don't make it.

2. The simple reason that's given is "**safek berachos lehakel**" — but the Rambam didn't say this explicitly. The Rambam holds that when one has a doubt **one may not** make the beracha.

3. The Rambam is **not willing** to say a beracha "b'elo shem umalchus" as a compromise.

Halacha 16: Beracha She'eina Tzricha / Yarbeh B'verachos Hatzrichos

The Rambam's words: "Always a person should be careful about a beracha that is not needed... one should increase in berachos that are needed" — as David HaMelech says "bechol yom avarechecha va'ahalela shimcha le'olam va'ed."

Explanation:

The Rambam establishes a balance — on one hand one should not make berachos levatalah, on the other hand one should increase in berachos that one needs to make.

Chiddushim:

1. **Ending Sefer Berachos with a positive message:** The Rambam wants to end Hilchos Berachos in the same manner as he ended Chapter 10 — with a positive note. When a person finishes learning Sefer Berachos, he should not leave with the feeling that berachos are a "scary thing" where one must always worry perhaps one is making too many. On the contrary — berachos are a **good thing** that one should make more. The Rambam wants the learner to leave with simcha of berachos.

2. **What does "berachos hatzrichos" vs. "beracha she'eina tzricha" mean:** "Berachos hatzrichos" means every time a situation arises where a beracha is designated — like one smells a fragrance (bircas hare'ach), one eats (bircas hanehenin), one puts up a mezuzah — this is a beracha hatzricha, and this one should indeed make every time. But a

"beracha she'eina tzricha" — like safek berachos, or berachos that one is not obligated — one should **never** make. Even Hallel on Chol HaMoed Pesach, which is only a custom, one should not make a beracha on it (safek berachos lehakel).

3. **"Yarbeh" doesn't mean just making more — but when one should:** The Rambam's language "yarbeh b'verachos hatzrichos" doesn't mean that one should artificially increase berachos. It means that when a situation arises where a beracha is tzricha, one should gladly make it and not avoid it.

4. **The verse "bechol yom avarechecha" — va'ahalela:** All berachos are a type of "ahalela" — thanks and praise to HaKadosh Baruch Hu. This is the character of berachos hatzrichos.

5. **How does this fit with the end of Chapter 10:** The Rambam said at the end of Chapter 10 that it's a tremendous thing to make berachos and thank Hashem every day. And here he says one should be careful of unnecessary berachos — it looks like a contradiction. **Answer:** There's no contradiction at all — **berachos hatzrichos** one should indeed make. **Beracha she'eina tzricha** — which is never necessary — one should be careful of.

Transition to Chapter 17 — "Brich Rachmana D'sayan" Chiddushim:

Full Transcript

Rambam Laws of Blessings Chapter 11 – Blessings on Mitzvot

Opening: Announcement About the Campaign

We are learning a Rambam, Laws of Blessings in Sefer Ahava, we are now holding at the eleventh chapter, chapter 11, and we're going to talk about the topic of birkat hamitzvot (blessings on mitzvot). And since we're already talking about mitzvot and about blessings, we must give a blessing to all the dear Jews who have fulfilled the mitzvah of talmud Torah d'rabim (teaching Torah to the masses), who help to increase and glorify Torah, who have given money for our campaign in order to be able to continue with the shiurim (lectures), with many more shiurim that clarify the Torah for Jews.

And the Jews who have not yet called should warm up to it, so that they can continue the shiur, and spread Torah, and take it to the next level, improve the shiur and so on. And we must thank the head and first of the campaign who matches all funds, the sponsor, the distinguished philanthropist Rabbi Yoel Wertzberger, who matches every donation. Therefore, those who have long had a desire to extract money from a philanthropist for Torah, now have an opportunity. You give five thousand dollars, it will only make our esteemed sponsor give another five thousand dollars to match it, so your money is doubled, and may the merit stand by you all, and may the great merit of Torah bestow all good things.

Introduction: The Types of Blessings We Have Already Learned

The Rambam says, yes, we have already learned about different types of blessings. The most important blessing apparently is the mitzvah d'oraita (biblical commandment) of

1. **Brich Rachmana d'sayan — a beracha without shem umalchus when finishing a chapter:** The Rambam's approach is that when one finishes learning a chapter, one should not make a formal bircas haTorah with shem umalchus, but say "**Brich Rachmana d'sayan**" — a beracha without shem umalchus. This is **not like the opinion of Rabbi Yitzchak** (who perhaps holds that one needs a formal beracha).

2. **The concept of "Brich Rachmana" in the Gemara:** In the Gemara one finds many berachos of the type "Brich Rachmana" — these are berachos of thanksgiving without shem umalchus, that one says at various occasions. This is a legitimate form of gratitude to HaKadosh Baruch Hu without the concern of beracha levatalah.

3. **Practical examples:** The Belzer Rav said "Baruch Hashem" at a certain occasion, and a modern example of a device in a car that reminds one not to forget a child — one says "Baruch Hashem" for it. All this is without shem umalchus, and this is the manner in which one can increase in thanksgiving without the concern of beracha she'eina tzricha.

Note About the Rambam's Style in Hilchos Berachos

The Rambam's style in **Hilchos Berachos** is **very organized** but **interesting** — he is lengthy, but he doesn't **really go from a rule to details**. He brings halachic definitions but not always with clear rules.

birkat hamazon (grace after meals), all other blessings are rabbinic. We have already learned all types of blessings on fruits, blessings of enjoyment, as well as on pleasures that are not eating. And after that we learned various other types of blessings, some of them because when one sees an interesting thing, or when one sees something that brings praise and thanksgiving, a beautiful thing, or troubles of Israel, all these things as we learned yesterday, various types of prayers, thanksgivings and blessings, which are all under one category.

Now we are going to learn another type of blessing that we have not yet mentioned, that is birkat hamitzvot, an enactment of the Sages. When one performs a mitzvah, one should make a blessing beforehand, thanking the Almighty for the mitzvah.

The Rambam's Position That All Blessings Are Rabbinic

The Rambam, before the first law, the Rambam says, just a question that comes in here, he says simply, he already said, the Rambam already said at the beginning of Laws of Blessings, he says that there are three types of blessings, and one of them is birkat hamitzvot, and he says that all blessings are enactments of the Sages. Now he begins to say that he is going to state the laws of birkat hamitzvot, what can one say.

In Laws of Talmud Torah did the Rambam mention birkat haTorah (blessing on Torah study)? No. But in any case, it is certain that the Rambam did not accept like some accept that birkat haTorah is biblical, because the Gemara says that it is a kal vachomer (a fortiori argument), if birkat hamazon is a blessing... one sees from this Rambam that he holds that all these blessings are rabbinic, including birkat hamitzvot.

Law 1: General Text of Blessings – Opening and Closing with "Baruch"

The Rambam says, "**All the blessings**", first he begins, before he goes to birkat hamitzvot he still begins with an interesting introduction. Yes, in the categories of blessings he counted this for us. Now he is going to state the laws of how one makes birkat hamitzvot. So first he says a certain law, a general law of blessings, whether one begins with "baruch," whether one closes with "baruch," it is also relevant for birkat hamitzvot, it is also relevant for all mitzvot, so it comes in here.

Yes, so the first law the Rambam speaks about the text of various blessings, how one begins and ends. The Rambam says, "**All the blessings one opens with 'baruch' and closes with 'baruch'**". All blessings one begins with "baruch" and one ends, for example like "Baruch... asher bara olam," and one ends "Baruch... melech ha'olam."

A Blessing Adjacent to Another

"**Except for the last blessing of Kriat Shema**", the last blessing before Kriat Shema one begins with "Ahava Raba," one does not begin with the text of "baruch," one only ends with "Baruch habocheh b'amo Yisrael b'ahava," unlike for example "Yotzer Or" which one begins with "Yotzer Or" and ends with "Yotzer hame'orot."

Speaker 2: The last blessing, the Ahava... why not Ahava? Ahava Raba one still begins with "baruch."

Speaker 1: Yes, but this is apparently simple, because... ah, a blessing adjacent to another. Ah, okay. The last blessing of Kriat Shema, the last blessing means the blessing after Kriat Shema. The last blessing, the blessing after Kriat Shema, begins with "Emet v'yatziv" and ends with "Baruch ata Hashem ga'al Yisrael."

And as Rabbi Yitzchak says correctly, that Ahava Raba is also so, but now there is another reason. The Rambam says, "**A blessing adjacent to another**". A blessing that comes right after another, it is simple that the blessing that was just said is like also the introduction. Yes, "Yotzer or u'vorei choshech" is a continuation.

A blessing is basically like a speech. One begins, one begins "Baruch ata Hashem," and one also ends "Baruch ata Hashem." Because one already said "Baruch ata Hashem" in the middle earlier. It is already a blessing adjacent to another. There are blessings that are not so, for example the morning blessings, for those who don't say like the Rambam, one says many times "Baruch," "Baruch," "Baruch," "Baruch." Or in the blessings on Torah that the Rambam is going to enumerate.

Short Blessings – Blessings on Fruits and Thanksgiving and Blessings on Mitzvot

The language of the Rambam is a bit different, which we will see. "**Blessings on fruits and thanksgiving**", all these blessings of enjoyment that we enumerated are also short blessings that do not end, because "**they are short as the Sages established**" – it is not long enough to insert two "baruchs" in it at all. And blessings on performing mitzvot also do not have a closing "baruch."

Discussion: Why Long Blessings Have Two "Baruchs"

Speaker 2: There is someone who once came to me and could say that a comprehensive blessing has only one "baruch," except for the blessing of prayer which has two "baruchs." Actually it comes out so.

Speaker 1: No, I say that it comes out so is also apparently connected that it comes out so when there is a prayer in the

middle. So it is very fitting. One thanks the Almighty, one says "baruch," and one begins to enumerate His praise, and one ends again like one ends an opening. But for example blessings on fruits, it is not... even "Borei nefashot," where one made in the middle a text, "Baruch ata Hashem Elokeinu melech ha'olam borei nefashot rabot v'chesronan al kol ma shebarata l'hachayot bahem nefesh kol chai," one inserted enough words that there is a place for two "baruchs." One cannot make "Baruch ata Hashem hamotzi lechem min ha'aretz baruch." It is not applicable.

Speaker 2: Right, it is indeed a long blessing, and I admit to you that the long one means that there is a closing with "baruch." It is simple that there is a closing. It is correct. One cannot make sense to say "baruch" twice. One says "al kol ma shebarata." The "al kol ma shebarata" is actually what makes that there is a closing with "baruch." Another reason why there can be a closing with "baruch." I know, there is another place in the Rambam where... Yes, I once heard it said that normally the... perhaps he means the blessings, most blessings that the Sages made, are indeed so, yes? I mean, think Kiddush, Havdala, all these are so, they begin with "baruch" and end with "baruch." It is many blessings. I mean it is really a majority that we count on our hands, the majority is so.

Blessings of Praise and Thanksgiving – Opening Without Closing, Closing Without Opening

The Rambam says so, "**And these blessings that we said are by way of praise and thanksgiving**", the blessings that we just enumerated in the last chapter, all these blessings like one who sees graves or one who sees trees, "**by way of praise and thanksgiving, some of them open with 'baruch' and do not close**". There are some of them that open with "baruch" and do not close, like "oseh ma'aseh bereishit," yes, "Baruch shekacha lo b'olamo." "**And some of them close with 'baruch' and do not open**", one begins with something else and ends with "baruch." For example, like the traveler's prayer that the Rambam said, one does not begin with "baruch," one begins with "Yehi ratzon" and ends with "baruch."

Speaker 2: The Rambam's text was actually not any "baruch," but what ends with "baruch" and does not begin? Here, the "Yehi ratzon" for example, no, it is also the second... ends with "Baruch rofeh cholim." The second, something else, ends, yes. I don't see the "Baruch ata Hashem." We don't see one. Which one does not open with... does not open with "baruch" and ends with "baruch"?

Speaker 1: Ah, I'll tell you, for example the prayer for rain, yes? "Morid hatal," "Baruch ata Hashem rov brachot." Okay, right.

A Few of the Blessings on Mitzvot – Blessing on Torah and Blessing on a Torah Scroll

"**And some of them close with 'baruch' and do not open. Only a few of the blessings on mitzvot**". Ah, the way of praise and thanksgiving, even the majority does not open and close with "baruch." Only which of the way of praise and thanksgiving does indeed open and close? A few of the blessings on mitzvot open and close, like for example the blessing on Torah. Ah, "**such as the blessing on Torah**". Most of the way of praise and thanksgiving does not close and open. But there are indeed the blessings on mitzvot, the blessing on Torah, where one says "Baruch ata Hashem,"

"Baruch ata Hashem," or **"a few of the blessings on mitzvot"**.

Speaker 2: Which blessings on mitzvot have both? Don't know. "Asher kidshanu b'mitzvotav v'tzivanu." Which blessing on mitzvot has "baruch" twice? Yes, the blessing on Torah. "Baruch ata Hashem Elokeinu melech ha'olam asher bachar banu." Such as, he says immediately such as the blessing on Torah. Ah, the blessing on Torah. And the blessing on a Torah scroll. A Torah scroll? The blessing on a Torah scroll. Ah, it is a very interesting thing. What does it mean? Always when one reads Torah.

Speaker 1: No, he perhaps meant that there is another blessing that one says at the Torah scroll, "asher natan lanu torat emet." It is not the same as what one says at the... Is there a blessing, a blessing on Torah that one says only at the Torah scroll? Not that I know of. "Asher natan lanu torat emet," when someone has been called up one says it.

Speaker 2: Aha, right. The second blessing is at the Torah scroll. But it is not a continuation. The first has "Baruch ata Hashem Elokeinu melech ha'olam asher bachar banu mikol ha'amim v'natan lanu et torato," and the other blessing on Torah also has "Baruch ata Hashem Elokeinu melech ha'olam asher natan lanu torat emet." Both. Okay, could be he had a different text in one of the two blessings? "Asher natan lanu" is both true, but when you say it at the Torah scroll, you can also say it in the morning, but also the first blessing has both. The last blessing has the "v'ha'arev na" for the continuation. Right.

Speaker 1: Such as what else has two "baruchs"? "Kivrei Yisrael." Such as "ro'eh kivrei Yisrael."

Speaker 2: It doesn't occur to me... I'll go like this, we just learned that there are two types of blessings. Right, of this there is praise and thanksgiving. Of the blessings on mitzvot, most of them do not open and close, except... except how does he say, the blessing on Torah for example. Such as a blessing of praise and thanksgiving, most of them do not open and close, except for the example of graves of Israel. And they are so because graves of Israel is really not praise and thanksgiving, but he puts it under the category. It is a revival of the dead, it is some kind of justification of judgment. You say that it is some kind of blessing for the dead, some kind of taking permission from the dead. But the Rambam includes it in the way of praise and thanksgiving. It is a praise. "Dayan ha'emet" is also a praise. Justification of judgment is justifying, but it is praising the Master of the Universe. Aha, so when you say "Baruch dayan ha'emet" it is also by way of praise and thanksgiving. Not thanksgiving, but praise. A type of thanksgiving. Yes, just as one is obligated to bless on the bad... thanksgiving is praise. "K'modecha Hashem Elokeinu." Yes.

General Rule: Other Blessings on Mitzvot – Opening with Baruch and Not Closing

But the rest of the blessings on mitzvot... But the rest of the blessings on mitzvot we come to the rule. All other blessings on mitzvot **open with 'baruch' and do not close.** One begins with a "baruch," but at the beginning and the closing there is not a "baruch."

It is an introduction to the blessings on mitzvot. It is interesting, because it is more than an introduction to blessings on mitzvot, it is a general law that is relevant in the laws of blessings. Apparently it is also the conclusion to the

previous chapter. I saw it in the Rambam, I saw that the matter is not so simple.

Chapter 11: Blessings on Mitzvot – Distinction Between Obligatory Mitzvot and Situational Mitzvot

Law 1 (Continued) – Opening and Closing in Blessings

Speaker 1:

What does that mean? Because graves of Israel is really not praise and thanksgiving, but he puts it under the category.

It is a "Baruch dayan ha'emet," it is a justification of judgment, you say that it is a blessing for the dead, it is a taking permission from the dead, and the Rambam includes it in the way of praise and thanksgiving.

It is a praise, "Baruch dayan ha'emet" is also a praise. It is a justification of judgment, it is justifying, but it is not praising the Master of the Universe.

Aha, so "Baruch dayan ha'emet" is also by way of praise and thanksgiving. Not thanksgiving, but praise, a type of thanksgiving. Yes, just as a person is obligated to bless on the bad, yes. Thanksgiving is indeed acknowledging the truth, yes.

But the rest of the blessings on mitzvot, all of them, all the other blessings on mitzvot, open with 'baruch' and do not close. One begins with a "baruch," at the beginning, and at the closing there is not a "baruch." So, it is an introduction to the blessings on mitzvot. It is interesting, because it is more than an introduction to blessings on mitzvot, it is a general law in the laws of blessings.

Apparently it is also the conclusion to the previous chapter. But the Rambam says that it is indeed not opening and closing, because not all the previous things. To this the Rambam certainly does not perhaps one needs to be able to put together to be.

Speaker 2:

Why actually? I don't know. And graves of Israel comes with both, but just shehecheyanu does not come. One must understand.

Speaker 1:

No, one must know. Apparently the very practical, physical answer is that not the same Sage made each blessing. But one must indeed know, if there is a principle, a principle of saying opening and closing, as it appears in the Rambam that this is the ideal, when one can make opening and closing, one must know which Sages indeed enacted it so.

For example the Shemoneh Esrei blessing also does not close and open.

Speaker 2:

Yes, one begins with a text.

Speaker 1:

Ah, each one is a blessing in itself. The Rambam says that he simply counts all blessings, so the vast majority is indeed not closing and opening, because you have all eighteen, all blessings on mitzvot, blessings of enjoyment. So, let it be that he begins "all the blessings." The only place is only as you say, that so it must be. All others are, that is when the clock is ten o'clock every student is in yeshiva even if it is idle, because now it is the time, because that is the right way how it should be.

Speaker 2:

No, the form is such that it is interrupting companionship, it doesn't make sense. You can even say one fulfills with the previous blessing, it is as if his lips are called etc. Okay.

Law 2 — Distinction Between Obligatory Mitzvot and Situational Mitzvot

Speaker 1:

Good, now one is going to learn. The Rambam says law 2, a very interesting law. The Rambam is going to tell us here a principle, on the surface it is not really so strongly connected to blessings, and if someone has a better explanation how it comes in here to blessings, on the contrary, I am ready to hear an explanation. The Rambam says here a great beautiful definition of, there are mitzvot that in today's language, in the yeshiva language one calls it a mitzvah that is an obligation, an obligatory mitzvah, and a mitzvah that if a certain circumstance arises one should fulfill the mitzvah, one should do it in a certain manner, a situational mitzvah.

The Rambam says so, **there are positive commandments that a person is obligated**, a negative commandment is in the other category, a negative commandment always means not to do, and positive commandments there are two types of yes to do.

The Rambam in Sefer Ahava speaks almost only about positive commandments, he speaks almost not at all about negative commandments.

The Rambam says, **there are positive commandments that a person is obligated to strive and pursue until he does it**. He must strive and pursue, or as for example to pursue, the Rambam already told us that a pursued person we already said that one must run, but one must strive, to pursue.

Speaker 2:

No, I say that to strive and pursue also has laws. I don't know how the Rambam says for example this that a person should forfeit a certain amount of money for a mitzvah or a certain... The Rambam does not bring it.

Speaker 1:

No, I say that the Rambam does yes, and we will learn it after the end of the laws of tefillin, I mean in the later chapters. There it says that there are things that one must not speak. What one means literally, one must go in... Yes, I say, earlier for example washing before praying we had rules, how many miles one must walk backwards, forwards... But precisely on that thing there is a rule, on other things there is not so strong a rule. But in any case, one must strive and pursue until he does it. One means more like... You must do it, **such as... one must mean I said more than you must do, you must have a strap for tefillin, not only if you have tefillin must you put it on, you must also see that you have tefillin. Go write, go buy, go figure it out. That a person is obligated to strive and pursue until he does it, such as tefillin and sukka and lulav and shofar.**

Translation

All these things are not simple, because if you have tefillin you must put on tefillin, but the Torah says you should put on tefillin, the Torah says you should make a sukkah, the Torah didn't mean to say that suddenly you'll find yourself with tefillin. No one is... tefillin don't grow. When the Torah said that one must put on tefillin, it's obvious that part of this is that one must make tefillin, that's what is required of a Jew,

that's the mitzvah. One must have a lulav, one must go acquire and cut a lulav, because otherwise one would never fulfill it. Shofar. **"And these are called obligatory,"** that means obligatory, always when the word "obligated" appears, because obligatory means something **"that a person is obligated in any case to do."** That's the word "in any case," in any manner he means, however you are, you should make an effort to obtain tefillin and to have a lulav and so forth.

"But there are mitzvos that are not obligatory," it's not an obligation, **"rather similar to optional, such as mezuzah and ma'akeh (fence)."** Mezuzah or ma'akeh is similar to optional. Why? In what way is it optional? **"Because one is not obligated to dwell in a house that requires a mezuzah in order to make a mezuzah."** A person doesn't have an obligation to dwell specifically in such a type of house that requires a mezuzah in order that he should make a mezuzah, **"rather if he wants to dwell all his days in a tent or on a ship, he may sit."** If he wants his whole life to live in a house that is not obligated in mezuzah, a place that is not obligated in mezuzah like a tent or ship, a ship or a tent, he can live that way. **"And similarly he is not obligated to build a house..."** The same thing with ma'akeh. First mezuzah, mezuzah is only obligatory for a certain type of house, but one doesn't have to live in a specific type of house.

The same thing with ma'akeh, a ma'akeh is an obligation after one has a house, **"but he is not obligated to build a house in order to make a ma'akeh."** That's the distinction between tefillin or lulav. But if one has a roof, in reality yes he's talking about this. Very good.

Speaker 2:

One minute, let's still... let's still... bring the Rambam itself, yes? Yes. Yes. Indeed, it's interesting. It's an interesting thing. **"And all positive commandments between man and the Holy One Blessed be He."** Every mitzvah, uh... he doesn't tell us that there are two categories, there is between man... he doesn't tell us that the other one is between man and his fellow.

Speaker 1:

No, in the Rambam's times there was already a... uh, it says mitzvos between man and his fellow, yes, it says. Between man and God and between man and his fellow. **"And all positive commandments between man and the Holy One Blessed be He, whether a mitzvah that is obligatory or a mitzvah that is not obligatory,"** that means that for example mezuzah is a mitzvah between man and the Holy One Blessed be He, unlike ma'akeh which is between man and his fellow.

Okay, but... but he says that the mitzvos between man and the Holy One Blessed be He, whether tefillin, or such a thing as mezuzah, when one does it, **"one blesses upon it before doing it a blessing,"** before one does the mitzvah, before performing the mitzvah.

Speaker 2:

So the whole introduction is as you meant that now there will come a distinction between the two types, but there comes a distinction which is not. No. Both, the both categories are similar that they both have a blessing. Indeed interesting. Yes.

Speaker 1:

A person could have thought that only what one is obligated to strive and pursue what one must have, there should be a blessing. So one could have perhaps, perhaps this is to exclude, the Rambam wants here to exclude from such an approach, or a person could have thought so. But I also don't see clearly why.

Discussion: Why does the Rambam bring this distinction here?

Speaker 2:

Perhaps he means something, does it say somewhere a language that here mitzvos are obligatory and the others are similar to optional? You say that there is a language, perhaps there is a language that will help more to understand what he means from this inference. That is not obligatory, yes. Perhaps there is perhaps a place where it says that this is optional, and one must therefore obligatory for I soon him are. There are things where it says that it's optional. Perhaps the Rambam doesn't mean these foolish things. I remember such a language where it says obligatory or optional. The Rambam says indeed foolish things, if it would have said optional, one doesn't make a blessing. Something like that, do you understand what I mean? But I don't know where such a language appears on something that it's optional or obligatory conversely. Not clear what he wants here to have from this whole thing.

Speaker 1:

No, it's not clear to me. No, what you're saying is very good, simple. But what the question is is only where does this come in, right?

No, the halachah is very important to know, a person should be able to think about a certain mitzvah, it's in this category or in that category. For example, if someone... for example sukkah is very relevant. If someone doesn't eat a measure, he will say... a person can think that sukkah is a mitzvah that is not obligatory, but in practice the Rambam rules that the first night is indeed an obligation, yes? For example. It's not relevant, but I'm telling you it's important for people to understand the category. The Rambam one can understand, let one understand it, because it's important in life and in Torah. But precisely why he places it here so importantly...

Speaker 2:

Would someone have thought that one is obligated to go buy a house to make a ma'akeh? Look, by this example not, but one is certain that there are mitzvos that are not obligatory where one can indeed think this way or that way. For example a garment that one should make tzitzis on it, a person will indeed think, it's very easy to buy such a thing, why shouldn't I buy a garment...

Speaker 1:

They indeed learned at the end of tzitzis that there is a third category of mitzvos where the normal order is that one goes and is. A normal person goes with a garment. But what does that mean? It's still not a positive Torah commandment. It's not a Torah obligation, it's a rabbinic obligation, or what it is. It's a matter to discuss what it is.

No, these things are interesting, for example because you can think this way. Reading Shema is certainly also a mitzvah that a person is obligated to strive for. But if a person is preoccupied or on the road, he is exempt. I mean to say, if a person always has such a situation, a person always has intestinal illness, is he exempt from other categories which is

more like a sick person who is exempt, or doesn't he fall into it? A person always lies in a filthy place, he lives in a house that is a filthy place, is he always exempt from prayer? Has he exempted himself, just as one who lives in a tent has exempted himself from a mezuzah? It's not the same kind of thing, because an obligation has come.

Blessings on Mitzvos: Distinction between Obligatory and Optional, and the Text of the Blessing on Rabbinic Mitzvos

Continuation: Distinction between Obligatory and Optional Mitzvos

Speaker 1:

But if a person is sad or a traveler, is the simple... No, I mean to say, if a person always has such a situation, a person always has intestinal illness, is he exempt from... That's a different category, because it's more like a sick person who is exempt, or he doesn't fall into it. A person always lies in a filthy place, he lives in a house that is always exempt from prayer. Has he exempted himself? Just as one who lives in a tent has exempted himself from a mezuzah? It's not the same kind of thing. Because an obligation has come, but he has perhaps a constraint, perhaps an exemption. It could be that he has an obligation not to live in such a place. How far? How far? It depends precisely how strongly he must run away. It's a bit of a constraint, or an exemption, and the like. It's not... This is more a basic thing. There are two types of mitzvos.

But it turns out that one can think that one only makes a blessing on the obligatory. As you made the sense, must it have no, one makes on both. But the distinction between them is not just practical, because a person must have a wedding to have children. It's not for example procreation, that if he has a wife and it works out for him. No, this is a mitzvah that he must go have children.

There is a third category of mitzvos that the Rambam lists, which we spoke about regarding wars. There are two types of mitzvos, which he calls mitzvos... I don't remember what his language is there, I've already forgotten. Necessary there? Necessary with character traits. In order to be a Jew and a normal person one must. It could be perhaps such a strange person who doesn't have a wedding, or he doesn't have the mitzvah of kiddushin, he doesn't have an obligation perhaps for a wedding, or other things. It can... even ma'akeh, I mean, mezuzah he counts in one of the mitzvos. A normal person has a house with a mezuzah.

Why is this a question? That the Torah lays down the picture that this is how a life belongs, doesn't yet make it a mitzvah, but you can indeed say that the Torah wants you to do this. Anyway, no, you can't say. A person could have thought that the Torah says one is obligated in mezuzah, and the simple meaning is that this is the house that the Torah expects. But one doesn't say this. No, you can live in a tent. The Torah only speaks of a place where you are indeed obligated in mezuzah.

What doesn't come in here, I don't know why he will here... The distinction of optional and obligatory is only that one doesn't have to pursue it. But if one has the opportunity, if one has the possibility, one is indeed obligated. That's somewhat the point. Okay, Chaim.

Law 3: Blessings on Rabbinic Mitzvos — The Text "And Commanded Us"

Speaker 1:

All mitzvos are from the words of the scribes. All mitzvos are from the words of the sages. The Rambam when he speaks of mitzvos says many times "from the words of the scribes." He doesn't call them "scribes" at all, sages he doesn't call "scribes." But when he wants to quote something from the sages' statement, he says "sages." He doesn't call them "scribes." But mitzvos from the words of the scribes. It could be because they wrote the mitzvos, so that's the word "scribes." Yes, yes, I remember in the Gemara, "beloved to me are the words of the scribes," "the words of the scribes require strengthening." Yes, rabbinic mitzvos.

All mitzvos are from the words of the scribes, and in this there is also a distinction: there is a mitzvah that is an obligation from their words, such as reading the Megillah and lighting Shabbos candles and lighting Chanukah candles, for this is an obligation from their words, that a person is obligated to do it, and there is a mitzvah that is not obligatory, such as eruv and washing hands. For if he didn't want to make an eruv or didn't want to eat bread, he is not obligated.

And on all these mitzvos one blesses first before doing them, "Who sanctified us with His commandments and commanded us to do." So the Rambam has given us an introduction, that blessings on mitzvos are on Torah mitzvos and on rabbinic mitzvos, and in both cases there is no distinction whether it's an obligation or it's a mitzvah that is in the category of optional.

The Question: "And where did He command us?"

But the Rambam addresses the text, when we say "Who sanctified us with His commandments and commanded us to do," how can we make this text? "And where did He command us?" Where did the Almighty... how can we say the words "Who sanctified us with His commandments and commanded us," it goes back to "our God King of the universe" who commanded us? The Almighty didn't command, the rabbis commanded.

The Rambam's Answer: "According to the Torah that they shall instruct you"

The Rambam answers, in the Torah. The Almighty did indeed command us in the Torah. Where? Because in the Torah it says **"according to the Torah that they shall instruct you, you shall do."** That everything the sages tell you, you should do. Everything the court tells you, you should do. "That they shall instruct you, you shall do" says indeed what... what does it say before and after? In the portion of judges it says "you shall not turn from the matter." Yes, okay, the Rambam brings "that they shall instruct you, you shall do" in the category of a positive commandment.

We find the matter of the things and their doing is a commandment from the Torah. These are the words of the verse, who sanctified us with His commandments. What are the words? How can one say the words? When one says the words on the specific thing. **Who sanctified us with His commandments that He commanded in them, He sanctified us with His commandments that are in the Torah, and one of the commandments is that He commanded to listen to those who commanded to read the Megillah.**

So is the matter to light Chanukah candles, and the obligation of all the other mitzvos that are from the words of the scribes. This is the Rambam's approach. That

not after there is a mitzvah, now one will be able to say who sanctified us with His commandments and commanded us on reading the Megillah. No, one cannot say and commanded us on reading the Megillah. One must insert the whole thing in the sentence, add a whole piece, and say who sanctified us with His commandments and commanded us to listen to those who commanded to read the Megillah. Such a language doesn't appear, it's a very great difficulty.

Analysis: The Problem with the Text

It's interesting, because who sanctified us with His commandments and commanded us doesn't mean generally, one always means specifically. When one says who sanctified us with His commandments and commanded us to engage in words of Torah, one doesn't say generally, one says that the Almighty commanded the mitzvah. Here is something suddenly, the who sanctified us with His commandments and commanded us speaks something else. He says the Almighty gave us the commandments on the Torah, and the Torah... the Rambam inserts a sentence in the middle of the sentence, he inserts a clause, he inserts who sanctified us with His commandments and commanded us, and which commandment? From the commandment of you shall not turn, and therefore one must listen to those who commanded us.

I don't know, perhaps he means to say and commanded us, he doesn't say how the and commanded us, how he translates the and commanded us. Who sanctified us with His commandments and commanded us to follow the sages, and therefore it's a mitzvah now to read the Megillah. No, no, he doesn't say so. He should have said so, he should have said so, he doesn't say so. Who sanctified us with His commandments and commanded us to listen to those who commanded. The and commanded us, I can be that it means and commanded us, it means and they commanded us. Who sanctified us with His commandments to listen to those... The other words, to light Chanukah candles means, this is a continuation of some sentence that begins "and the sages commanded to light Chanukah candles."

"Who sanctified us with His commandments" - ah, interesting. As if "who sanctified us with His commandments" that the Almighty gave us commandments, and the Almighty put into the commandments a principle that can bring more commandments. He gave us the commandment of "you shall not turn from the matter that they shall instruct you," and so they shall instruct you, we have now become obligated with the mitzvah that the sages said "to light Chanukah candles."

That's the simple meaning though of the blessing. The simple meaning of the blessing is as if I have fulfilled a deed, which sage to follow? Those who said "to light Chanukah candles." No, it cannot be that this is the simple meaning.

The Ramban's Approach

I see that the Ramban makes a big thing of this verse in the blessing. But that's what he says, because the Ramban is very strict, the Ramban doesn't agree with an approach of a principle as a source that makes commandments. That's perhaps the rabbis or other people agreed. No, the Ramban goes further, the Ramban wants to find how in the Torah itself one sees the mitzvah, just as for example Chanukah or Purim. That there are principles and details and such things, that the Ramban, remember, I don't hold so. The Ramban holds that here is an obligation, as if yes, you have an obligation to follow

the rabbis, but he doesn't make a "and commanded us" on "who sanctified us with His commandments to listen to the words of the sages." He doesn't make "who sanctified us with His commandments to light Chanukah candles," he doesn't make about this. He says that "to listen to the words of the sages who commanded us to light Chanukah candles."

Speaker 2:

Ah, such an interpretation.

Speaker 1:

Um... that's not I mean, the simple simple meaning in the Gemara, the Gemara says in tractate Shabbos "not to do." But it's interesting, the Gemara says "not to do," but the Rambam brings specifically the positive commandment, because he wants that it should be a blessing that is obligatory on the positive commandments. That "who sanctified us with His commandments" goes back to the commandment of "that they shall instruct you, you shall do."

But this can be. But also the simple simple meaning in the Gemara is more so. The Gemara says that now that the Almighty commanded "you shall not turn," the simple meaning is yes, here is a mitzvah to light Chanukah lights. The Gemara has already fallen into that one must squeeze into the blessing.

I imagine that one can see in the early authorities, "you shall not turn" laws whether one must always follow. I don't know what the Rambam's simple meaning is, I mean that one must make it well ordered. I don't know what the simple meaning is, I must look into the Rambam's interpretation. I'm not so in agreement, I don't see what you're saying that everyone agrees that this is the interpretation. That's your own interpretation.

You say that the Rambam also holds that there is an obligation to follow the rabbis, it's important that every rabbinic mitzvah should have a positive language. He has an argument, why precisely by Chanukah candles must one say this? But the Rambam holds that the rabbis must have the rabbis, and the Rambam agrees with the Rambam that there is a Torah obligation to do every rabbinic mitzvah. So, it could be that there's no contradiction at all.

Speaker 2:

Okay.

Speaker 1:

Okay, let's continue.

Discussion: What does "Who sanctified us with His commandments" mean?

Discussion About Blessings on Mitzvos: The Rambam's Approach to Rabbinic Mitzvos and Mitzvos Done Because of Danger

The Sages Don't Have Hashem's "Stamp"

Speaker 1: No, the sages don't have Hashem's stamp that they can do whatever they want with this. The sages have a concept of lishmor v'la'asos (to guard and to do). You don't need a stamp for this, I'm telling you. When you tell me, you have, there is a mitzvah that you should now do the specific thing that you're learning now, it doesn't say in the Torah that at twelve o'clock in the afternoon in 5783 you must learn. So, you don't need to learn.

Speaker 2: Let me be an editor for you. Okay.

Speaker 1: No, but I'm saying, you can, you can say that regarding avodah (service) you're right, but when a father asks a favor, that thing which the father asked for, that now becomes a mitzvah that you must do.

Okay, let's continue. I agree with the point you're making, that perhaps you do agree with what the Rambam says, that the Rambam is not a daas yachid (lone opinion), this is not just the Rambam. But, fine, I don't want to get into whether the sages are the Rambam. I don't believe all Jews agree with this. And you actually go out, very good, you're making the Rambam, you're not standing still. I don't agree.

The Rambam's Fundamental Approach: No Specific Mitzvah on Chanukah Lights

But you see that the Rambam was bothered, and he was very strongly bothered by the Rambam's way of thinking very concretely regarding mitzvos. The Rambam doesn't believe that the sages have Hashem's stamp. The Rambam believes that there is a separate mitzvah of lishmor v'la'asos, because that is indeed a mitzvah d'rabbanan (rabbinic commandment), an easy mitzvah, but there is no mitzvah at all to light Chanukah candles, because Hashem never commanded to light Chanukah lights. This distinction is very important. This distinction is very important for the Rambam.

The Concern About Bal Tosif and the Text "Asher Kidshanu B'mitzvosav"

Speaker 2: No, I can understand when it's relevant to him. For example, it could be relevant if a beis din comes that does have the right to nullify, for example, certainly one won't be able to make the blessing, because then the mitzvah of Chanukah is expired. The falsehood is in the text, you mean?

Speaker 1: Ah, yes. That means, it could be that the Rambam is bothered by something else, because the Rambam is very strongly bothered by lo sosif (do not add). But one may not say about something that is not a mitzvah that it is a mitzvah. This is what he's concerned about here very possibly, because the language is "asher kidshanu b'mitzvosav" (Who sanctified us with His commandments), but you're saying it's from the Torah, that it's from the mitzvos.

This is what bothers him, that you're transgressing a possible prohibition, that you're placing it as part of itself. The sages said this prohibition. Okay.

Speaker 2: No, the Rambam looks at it this way. It's very important to make the distinction, true. That you have the power of analogy. Yes.

Law 11: Washing Hands at the End — No Blessing Because It's Due to Danger

Speaker 1: Okay, very good. He now asks, why does the Rambam now think about blessings on mitzvos? He asks, ah, there's no mitzvah on washing hands. And seemingly, he already listed washing hands earlier. Yes, he went into an eruv. He already listed washing hands. He just listed washing hands.

We learned earlier that there are two times for washing hands, at the beginning and at the end. Why doesn't the end washing have a blessing? Let's make a blessing on washing hands at the end.

The Rambam says, "**Because one is only obligated in this matter due to danger**". This is a mitzvah d'rabbanan, just like making an eruv. Yes, just like washing hands at the beginning. He listed earlier eruv and washing hands. We're going up to the washing hands that he just listed.

Why don't we make? **"Because one is only obligated in this matter due to danger"**. The washing hands at the end, the Rambam said earlier that one became obligated because of the danger of Sodomite salt. **"And something that one is obligated in because of danger, one does not bless upon doing it"**. It's a concept, we also don't make a blessing there.

Example: Straining Water

But a concept, okay, **"And so too all similar cases"**. For example, **"One who strains water and then drinks at night"**. Someone who at night when he wants to drink, during the day when one drinks one doesn't need to strain because one can check the water. But if someone wants to drink water at night, a person is obligated, because it's a mitzvah of "v'nishmartem me'od l'nafshoseichem" (guard yourselves greatly), because a person wants to live, to strain the water so that nothing has entered into it, some creature, some parasite.

So someone who strains the water, "and then drinks at night" and drinks because of the danger of a leech because he's afraid of a parasite, one doesn't make a blessing "asher kidshanu b'mitzvosav v'tzivanu l'sanen es hamayim" (Who sanctified us with His commandments and commanded us to strain the water), because there is indeed such a mitzvah, but the specific mitzvah, Hashem didn't make such a specific mitzvah. There is a general mitzvah of guarding oneself. **"And so too all similar cases"**. The same thing is washing hands. A principle, it's indeed an obligation because it's "v'nishmartem," but "v'nishmartem" is... the Rambam wasn't clear with guarding one's life, a branch of lo sirtzach (do not murder), yes.

"V'nishmartem me'od l'nafshoseichem," aha. The Rambam says, one doesn't make a blessing. Why? What he says is, "Things that one is obligated in because of danger, one does not bless."

Question: Ma'akeh (Parapet) Is Also Because of Danger

But what about ma'akeh? Ma'akeh he listed earlier among the things on which one does make a blessing. But he did list it among the things on which one makes a blessing, but Hashem listed it. But it's because of danger, it's a mitzvah because of danger, as it says "lest one who falls should fall from it."

Speaker 2: No, the distinction is presumably whether it's a specific mitzvah that was commanded on this or not?

Speaker 1: Yes, but they were commanded within the context of explaining to avoid dangers. Ma'akeh the Torah singled out ma'akeh. Washing hands at the end, indeed, yes the sages singled out kelayim (forbidden mixtures), that it's a mitzvah, it's a takanah (enactment), I don't know. They said a measure of how much one washes off.

But you can tell me about such a Torah, but it's also not correct that the sages didn't mean to make such an enactment. The sages only said that one should be careful about dangers, and if there's no danger one indeed doesn't need to do mayim acharonim (final washing), as we seemingly learned in Shulchan Aruch.

Answer: Ma'akeh Is for Others, Not for Oneself

But I think there's another explanation, and ma'akeh is a mitzvah to guard against danger for others, not for oneself. Aha. It makes no difference to you that you have the reward of this person, but it's guarding for others.

It could be that ma'akeh is not only a mitzvah if someone turns around, but even if your roof is closed. It's perhaps such a fence that the Torah made. Which is not the case with Sodomite salt where we saw that in a place where it's not found it's not common.

But by ma'akeh it could be, one can't say, "Ah, in modern times, for example, if people build very soft floors, ah, there's no mitzvah of ma'akeh." No, it could be that once there's a mitzvah, one must do it. It's more of a fence.

Innovation of the Chazon Ish: Ma'akeh Is an Innovation in Guarding

The truth is, let's say the truth is, I once learned about ma'akeh in another context, that the truth is that the mitzvah of ma'akeh — I don't know if this is the answer you're looking for — that the truth is that the mitzvah of ma'akeh is not simply that you shouldn't let people fall from your roof, because for that you wouldn't have needed a mitzvah. There must be an innovation in the mitzvah of ma'akeh.

As the Chazon Ish I think explains there, that the essence, he says, a person himself goes up on the roof, he knows that he must be careful. But I must make a fence on my roof? Don't go! Or adam mu'ad l'olam (a person is always forewarned), a person must be careful. So there's an innovation that you must make a fence.

You can say that that is a roof, he commits sins, you're asked, kelayim, which a person is exempt from. A person must be careful, a person must have common sense, a person shouldn't go on a roof. But there's an innovation that you must make a danger, which is dangerous, and you need an innovation.

Ma'akeh as a Law on the Homeowner

Speaker 2: Basically what you're saying is that ma'akeh is a law that the Torah says that the obligation of guarding a roof is on the homeowner, because other things, everyone has an obligation for themselves. One doesn't say about washing hands that the homeowner, the host of the meal, must pay attention that no one should already do mayim acharonim. It's a mitzvah for each person to wash their hands.

Speaker 1: But the reason is because of danger, and for danger one needs an innovation, it's not simple. But I think this brings in the example of straining water. Everyone understands that this is in the Gemara, but it stands on its own that it's not a mitzvah, it's not a mitzvah. Now, make sure it's private, not the same as water.

Broader Discussion: Other Mitzvos That Don't Have a Blessing

Okay, the Rambam here threw in only one thing, one mitzvah d'rabbanan on which one doesn't make a blessing. Other Rishonim have many, there's a lot of yeshiva discussion on this, but we won't elaborate on this. For example, the Rashba, wait a minute, the holy Rashba, brings a few mitzvos where there is or isn't a blessing, but he concludes that one can't know the reason, because one can always come up with another mitzvah that is similar and doesn't fit the reason. So he concludes that essentially we don't know precisely on which things the sages did or didn't institute a mitzvah, and one must only follow the tradition that we know that here there is a custom to make a blessing.

But others do have a few nice reasons, for example a mitzvah that depends on others, and other such things.

If you'll let me finish the whole section, we'll see if it's clear this way. The Rambam already said a rule, and I don't know about the mitzvah that depends on others, and other such things.

Question: Lashes and Returning Stolen Property

Or one can ask, I thought of another question, you already mentioned lashes. Lashes is seemingly the same Torah, this is indeed an innovation of the Torah, it's not just lashes. And in other words, on paying, let's say, on what is theft, or on paying one's debt, one doesn't make a blessing.

Speaker 2: That is connected to a sin. That is connected to a sin.

Speaker 1: That makes sense! It makes sense that it's not fitting that a person should thank Hashem for returning stolen property.

Paying a creditor is a mitzvah. Paying a creditor is a mitzvah. Is that a problem?

Speaker 2: No, it's not that it's a mitzvah to one's fellow. A mitzvah to one's fellow, one doesn't make a blessing.

Mitzvah L'chaveiro vs. Bein Adam L'Makom

Speaker 1: But one can't say that it's a mitzvah to one's fellow. The Rambam in Moreh Nevuchim said that most mitzvos bein adam l'Makom (between man and God) are also in truth a mitzvah to one's fellow, because when one goes through the reasons for the mitzvos one sees that many things have benefit for other people too. However, when one says bein adam l'Makom, it doesn't mean to say that it has no benefit bein adam l'chaveiro (between man and his fellow). It means to say what is the primary mitzvah? More directly.

Now, one makes a ma'akeh. When a person makes a ma'akeh, he's not helping a second person, he's not speaking about a second person. He makes a ma'akeh on his house, he prepares it so that tomorrow a second person shouldn't fall. It's not a mitzvah l'chaveiro.

Digression: Why Doesn't One Make a Blessing on Teshuvah

I was in Antwerp a few years ago by Reb Leibish, by my uncle, on Yom Kippur. At the meal of Erev Yom Kippur he gave over a whole meal about why one doesn't make a blessing on mitzvos on the mitzvah of teshuvah (repentance). He cooked up a sugya (talmudic topic), he said a piece from the Brisker Rav. But teshuvah is indeed an example of... But there's a rule that the Rama MiPano brings from Rabbi Avraham Ibn Ezra, Plaos, not well-known names, but he is the great author of Moreh D'ashtamtasa. He says that a mitzvah where it's not clear when it actually happens, for example, one can't make a mitzvah on ahavas re'im (love of friends), it can sometimes take ten years until one begins to become a friend, yes? For example. But teshuvah is also such a kind of thing. When someone says that teshuvah is only an action, one says "ashamnu" (we have sinned), it's not so. Teshuvah is indeed a process, it's indeed something that a person must work on the person.

Mitzvos That Depend on Another's Brokenness

Anything that has to do with another's brokenness is also not fitting. A Jew stands hungry, poor thing, and you go give him to eat and you make a blessing "al mitzvas tzedakah" (on the mitzvah of charity). The Rambam even made a greater rule in this, that on blessings of enjoyment one doesn't make blessings.

Comment on "V'lo Beirach"

Can stop for a moment. Lo beirach (and did not bless). The Rambam says **"One who does a mitzvah and did not bless"**. But he said that a blessing one makes before one does a mitzvah, and he also said that it always goes with "va'asisem es kol mitzvosai" (and you shall do all My commandments). So I don't know about that already.

Speaker 2: Yes, it's interesting. It's very interesting how he learns halachos with very... Hilchos Berachos he's very organized. In Hilchos Birchas HaMitzvos he begins very interestingly. He elaborates, but he also doesn't really go from a general rule to specifics. It's very interesting. He elaborates, but not with rules. As I say, he elaborates with the halachos, he begins Hilchos Avodah Zarah, he begins the halachos... He says such halachic definitions, what is the connection to the connection.

Hilchos Birchas HaMitzvos: Blessing After Performance and Immersion of a Convert

Laws 11-12: Blessing After Performance — Mitzvos Whose Performance Continues

Speaker 1:

So you don't know about that already. Yes, it's interesting. It's very interesting how he learns. Hilchos Berachos he's very organized, and in Hilchos Birchas HaMitzvos he begins very interestingly. He elaborates, but he also doesn't really go with a general rule to specifics. It's very interesting. He elaborates, but not with rules. Very often he elaborates with the halachos, he begins Hilchos Avodah Zarah, or he begins... He says two such halachic definitions, what is the connection to the continuation of the roof.

The Rambam says thus, what happens if someone made the... didn't follow the enactment of the sages to make a blessing on a mitzvah? He did a mitzvah and did not bless, he didn't make a blessing beforehand. **"If it's a mitzvah whose performance still continues, one blesses after performance"**. There's always an obligation to make a blessing beforehand. But it's so, if it's a mitzvah that's still going on, for example seemingly a sukkah, yes? Or the Rambam will already say the examples. But if it's something that once one has finished doing the mitzvah and he didn't make the blessing, and the Rambam will already give the examples.

How?

A person has put on tzitzis, or lulav, or tefillin, **or sat in the sukkah**, he sat down in the sukkah, and he didn't make the blessing before he sat down, or before he put on the tefillin, he makes the blessing after he has done the mitzvah, because he still has the tzitzis. So on tzitzis he says **"asher kidshanu b'mitzvosav v'tzivanu l'hisateif b'tzitzis"**, because tzitzis, here is how the Rambam tells us the blessing. After he has put on the tefillin, he says **"asher kidshanu b'mitzvosav v'tzivanu l'haniach tefillin"**. And when he is already sitting, he makes **"asher kidshanu b'mitzvosav v'tzivanu leisheiv basukkah"**, and so all similar cases, because he is still doing it. It is indeed l'hatchilah (ideally) before doing it, but now he is still the doer.

Innovation: Over La'asiyan or Continuation of the Action?

I mean the Rambam already said once the law in Hilchos Tefillin, I remembered, by over la'asiyan (before their

performance). Can one say that now he is going to say the blessing in the exact minute of doing, or can one say a bit... I mean that it is still over la'asiyasan. It's not over the previous action. L'hatchilah one must do it at the very moment of over la'asiyasan, before doing the first moment. But it's basically a continuation.

One can also interpret that the decree is that the Rabbis cannot make an entire mitzvah end with a blessing, because there is already an exemption, the mitzvah is not there. Now the mitzvah is indeed there, it is ready indeed itself for the blessing, but there is still the action, because l'ateif (to wrap) one doesn't say l'ateif, l'ateif means to do the action, l'haniach doesn't mean l'haniach alai tefillin (to place upon me tefillin), and the same thing, one should have said lasheives basukkah (to sit in the sukkah), leisheiv means he is sitting down, the beginning of the mitzvah, yes yes, it can still push it up, **and so all similar cases.**

Mitzvos That Have Passed — One Does Not Return and Bless But one who slaughters without a blessing, he slaughtered without a blessing, he finished, one doesn't slaughter again, **he does not return after the slaughter and bless asher kidshanu b'mitzvosav v'tzivanu al hashechitah,** he missed it. **And so if he covered the blood without a blessing,** or for example the next thing can be like this, kisui hadam (covering the blood), **or separated terumah and ma'aser, or immersed and did not bless,** so here the Rambam lists for us the types of things that need to have a birchas hamitzvos (blessing on mitzvot), **he does not return and bless after doing,** because he already did it, **and so all similar cases.**

For example the Rambam would not have said for example immerse yourself again this time with a blessing, because no, because he already immersed, the effect has already happened.

Digression: Blessing on Terumas Demai

Speaker 2:

And so these are not mitzvot that one blesses on them after their performance ever, all mitzvot, right, right, that's what you are a Brisker and you make it a few times terumah, don't make it a fundamental law. But certainly out of doubt there can be he makes a blessing, on demai he doesn't make any blessing, right? What is the principle of the Rabbis, safek d'rabbanan l'hakel (doubt in rabbinic law, be lenient). Even if the Rabbis need to make a terumah again he doesn't make any blessing on it, even ah, that means safek d'rabbanan, the Gemara, yes.

Speaker 1:

Aha, but the Rambam is not the halachah. Interesting what they bring in the Pri Chadash, I imagine that the Rambam has such a distinction, I remember that there is a whole, perhaps later we will see when we will speak.

Speaker 2:

Okay. In any case, yes.

Halachah 12: Immersion of the Convert — Blessing After Its Performance Always

Speaker 1:

But here yes, there is one mitzvah that one makes the blessing after its performance. What is that?

Speaker 2:

Yes.

Speaker 1:

Someone told me that the blessing is after its performance always. We are also, the Rambam did not change the halachah that all blessings one blesses over la'asiyasan, as the Gemara says it. It would have been fitting for the Rambam. Because the Rambam thought that he writes more concisely. The Rambam wrote "**all mitzvot one blesses on them before their performance**".

Speaker 2:

Ah, ah, ah, ah.

Speaker 1:

It was a simplification, but the Gemara places an emphasis. First you should know that the Gemara says from where we learn it out. And and and he missed it, it's like a fool. He doesn't say that one must redo it or whatever. He missed it, it doesn't help to redo it essentially, yes. Except by the sukkah, one is still sitting, yes.

Okay. There is...

Digression: Wedding Ceremony — Designating Witnesses

I had a quick question, it doesn't really come in. I had a wedding ceremony, it's a bit embarrassing but it happened. I had a wedding ceremony where there wasn't someone there who could take it so well from the chuppah. It was like, how it happened, we took such a rented place. And I had designated witnesses for the kesubah, I could take from the kesubah before the chuppah. We went to the chuppah, and we started, and I didn't designate witnesses before before the groom gave the kiddushin. That means, I made the blessing, and afterwards the groom said "harei at mekudeshes li" in front of the people who were standing there, and the witnesses for the kesubah, I didn't say "witnesses for kiddushin".

I caught myself right afterwards, and I designated two witnesses, and I asked the groom to transfer back to the... the bride should transfer back to the groom her ring, and we did it over in front of the two witnesses. And the reason is, because there is a law, essentially the whole world saw it, including the two witnesses, but there is a concept that one must designate witnesses, because if not there is the concern that "testimony that was partially nullified is entirely nullified", part of them are relatives, a halachic reason. So essentially there were witnesses, but there is the halachic reason why one must indeed designate witnesses. In practice it was not an interruption, because one was more engaged in the matter of the wedding ceremony. We didn't do it so properly, and we now fixed it, it was not invalidating. But for example, if I would have caught myself now after we already made all the sheva brachos, yes? Apparently one would now have had to make a blessing on the kiddushin over la'asiyasan.

Speaker 2:

Okay, one must know that the kiddushin is a valid kiddushin, especially in the manner that I say. First of all there is a stringency, and we were careful about the stringency. Second, there is a dispute between the Rambam and the Rosh whether the blessing of erusin is a birchas hamitzvos or a birchas hashevach (blessing of praise). If it's a birchas hamitzvos, and the Rosh learns that it's a birchas hashevach, one can make it afterwards.

Digression: Birchas Hamitzvos vs. Birchas Hashevach — Kiddush and Krias Shema

Speaker 1:

No, the Rambam doesn't tell us which birchas hamitzvos are a birchas hashevach. For example kiddush, you also have a bit of a... Kiddush is mitzvas kiddush on the wine, but it's also a birchas hashevach. But isn't it a blessing on mitzvas kiddush? It is a blessing on mitzvas kiddush, no?

Speaker 2:

No, no, no. Mitzvas kiddush is to sanctify the day on the wine, to make praise and thanksgiving on the wine. On what should there be a blessing "asher kidshanu b'mitzvosav v'tzivanu al mitzvas kiddush"?

Speaker 1:

Ah, it's exactly the same question that I asked you why one says an extra text on "asher kidshanu b'mitzvosav v'tzivanu likro krias shema". Instead of that one says "ahavas olam".

Speaker 2:

No, I mean the true answer, excuse me that you are my teacher and rabbi, I'm just saying another answer that one can say is, that there is when Chazal designated a much more beautiful blessing. Instead of it being a dry blessing, the minimum is, when you don't have much to say, say like when a person... There are the small blessings. Instead, there is how one says yes "modim anachnu lach" when rain comes, there is a whole beautiful text. But usually, thank the Creator for the food. "Borei pri ha'adamah" is not thanks, because you say "baruch atah" before the food. That is a minimum.

On krias shema Chazal did indeed designate a much more beautiful birchas hamitzvos, which speaks about great love from the receiving of the Torah, from that we speak about Shema. One is accepting, "habocheh b'amo Yisrael b'ahavah" to say Shema. So therefore there is no place to say "asher kidshanu b'mitzvosav v'tzivanu likro shema", because you have a much more beautiful one, ahavas rabah is everything dependent on that, everything is already included in that. When you say plainly, ah, I take upon myself the yoke of Heaven, there isn't on that, they didn't establish on that a prayer or a praise.

And the mitzvah of kiddush, do you hear what I'm saying? Chazal made not just a blessing on kiddush, but they made that the kiddush is a praise and thanksgiving on Shabbos and on the wine.

Speaker 1:

We learn in the Ramban that kiddush is itself a mitzvah, that means... yes, kiddush hayom on the wine is itself a mitzvah. What makes a mitzvah on the kiddush? That's right, that's a question. I mean a bent holy...

Speaker 2:

Okay, let's just go further. I don't have any mitzvah in speech that I remember that one makes a blessing on it.

Speaker 1:

No, I mean that kiddush hayom also means in general that it's a prayer, because one also prays it at the... before one does it especially on the wine, one does it at prayer. That means that it's a prayer, and it's still a prayer on wine.

Speaker 2:

Okay, let's go further. You said that one is not fulfilled with a general rule.

Immersion of the Convert – Why After Its Performance?**Speaker 1:**

The only mitzvah that one makes a blessing on it after its performance always, is immersion of the convert. Right, right. What one makes always specifically after its performance, is immersion of the convert. Why? Because a convert, before he goes to immerse, he goes to immerse for his conversion, does he have the blessing... He can't say "asher kidshanu b'mitzvosav v'tzivanu al hatevilah"? Yes, or what? Why can't he say it yet? **"Because he is not yet holy and not commanded until he immerses"**. It's pending. He is going to become a Jew when he goes to fulfill the mitzvah.

Speaker 2:

Which mitzvah is it at all to become a Jew? I don't know. Which mitzvah is it? It's righteous. He should have said "asher kidshanu b'mitzvosav v'tzivanu al kol hamitzvos" now when he immerses, because it's a condition for all mitzvos. But perhaps... the mitzvah... There is no mitzvah for a gentile to become a Jew, it's not from the seven mitzvos of Bnei Noach. But it's the foundation for all mitzvos.

Speaker 1:

So says the Rambam, the Rambam learns yes... that "v'heyisem kedoshim l'Elokeichem" or "v'heyisem li kedoshim" is a mitzvah. Good, for a gentile it's not a mitzvah, therefore he can't make the blessing on the purity of his body. But for a Jew it's a mitzvah to be a Jew. And this becomes a mitzvah with an immersion, and afterwards one makes a blessing for being a Jew. And when does a Jew immerse to suddenly be a Jew? He was already a Jew, he is already a widow. It's funny, but so is the halachah.

Birchas Hamitzvos: Laws of Blessing for a Convert, Immersion, and the Foundation of Blessings**Why a Gentile Cannot Make a Blessing Before Immersion**

Speaker 1: It's not a mitzvah for a gentile to become a Jew, it's not from the seven mitzvos of Bnei Noach.

But it's the foundation for all mitzvos. Like v'ahavta. The Rambam learns yes that v'ahavta es Hashem Elokecha is a mitzvah.

But for a gentile it's not a mitzvah, therefore he can't make the blessing as a gentile. But for a Jew it's a mitzvah to be a Jew. And how does one become a Jew? Through a mitzvah, one must immerse. And after he is a Jew, he makes a blessing for being a Jew.

And when does a Jew immerse to suddenly be a Jew? He was already a Jew, he always was. It's funny, but so it says here.

Therefore, yes, therefore... no, I say, according to the... according to the... ah, according to the Ramban, that there is a mitzvah which is a foundation for all mitzvos, circumcision is not a mitzvah, like fear of Hashem your God or love of Hashem. I mean that love of Hashem he does count. The Rambam doesn't count faith as a positive commandment. Can one say that... yes, okay, not part.

One doesn't say the mitzvah is to become a Jew. The mitzvah is immersion. It's a mitzvah like it's a conditional mitzvah. If one wants to become a Jew, one must immerse. But the mitzvah is only on a Jew, not on a gentile.

Therefore, when does one make the blessing? Like asher yatzar, one throws oneself into water.

Why doesn't he make a blessing? Because he was rejected from the beginning. It's the Rambam again, he gives again the words. **Because he was rejected from the beginning,** before this he was rejected from mitzvos, couldn't do any mitzvos, **he should not bless.**

Discussion: The Text of Birchas Hamitzvos

Speaker 2: He says that... no, perhaps he means to say more that... let's say one changes the text of asher kidshanu b'mitzvosav v'tzivanu. Baruch atah Hashem Elokeinu melech ha'olam al hatevilah, without asher kidshanu b'mitzvosav v'tzivanu. On that is one problem. The other text still fits.

Speaker 1: Perhaps gentiles make blessings, we learned that one doesn't answer amen. It can be that the gentile has other mitzvos.

Speaker 2: Ah, on the seven mitzvos of Bnei Noach. For example, a gentile who does the seven mitzvos of Bnei Noach, can he make a blessing?

Speaker 1: Ah, the Sages were not established.

Blessings and the Manner of Performing the Mitzvah

Speaker 1: The question is, whether once the Sages established, it becomes the manner of performing the mitzvah. So also the Bnei Noach are obligated to do the mitzvah of the seven mitzvos according to how Chazal say is the mitzvah.

It's very interesting, because the world knows that... no... actually, again we go further. No, I think, when someone blows shofar without a blessing, certainly it lacks in the quality of shofar. It's not just a deficiency in the laws of blessings. It's already become a rabbinic enactment how the mitzvah comes. But one must already blow the shofar. Must already blow the shofar.

At least, can I say that a gentile must do the same mitzvah in education? According to how Chazal say? Because once Chazal say, it's a manner of performing the mitzvah. Aha, what as Jews, yes. But the Rambam doesn't say so. He doesn't make the idea, he doesn't say this innovation.

Speaker 2: No, on all mitzvos, all mitzvos that are to fulfill across the board, that are actual.

Speaker 1: I heard Rabbi Avner he argues on this. I said it from... no, I don't have any memory, the Almighty should give me a better memory. What Rabbi Avner very strongly questioned that on the contrary we do we make the mitzvah.

The Meiri's Position: Blessings Only on Mitzvos Special to Jews

Speaker 1: But there is a place for this. Because one makes the blessing, on this the Almighty chose us as a Jew. **Asher bachar banu mikol ha'amim b'ahavah.**

We should have mitzvos, go between them, because there should be mitzvos revealed. But what should be special, there should be mitzvos that the pleasure is felt that as not just it in the... the Meiri, the Meiri says, it can be that it's a bit influenced from the Rambam. My Meiri is honestly a student of the Rambam. That birchas hamitzvos one makes only on mitzvos which is special for Jews. But a mitzvah which is obligated as basic human laws, for example I know perhaps not to eat... okay, a negative commandment there isn't, but I know... one should dress so that one shouldn't walk around, but it's only a rabbinic enactment that a Jew shouldn't walk around naked. It's no mitzvah, because that's a human being.

We will, on this that the Almighty has special affection for us **she'asher kidshanu b'mitzvosav v'tzivanu.**

Speaker 2: Yes. There is one blessing that mentions a negative commandment, yes? Asher kidshanu al hara'ayah, v'hitalanu.

Speaker 1: It seems that the Ramban in Hasagos says so. V'hitalanu is forbidden relations, it's actually interesting. On this there is also that it's a birchas hashevach, the Ran says that it's a birchas hashevach.

The Essence of Birchas Hamitzvos: Giving Importance

Speaker 1: It can be that birchas hamitzvos is from kiddushin. I mean that there is, I mean that there is, there is the same question that was asked about ahavas rabah. It can be that a birchas hamitzvah, the main thing is, I mean that one can say this so, one gives importance to every mitzvah by making before it a blessing. Whether the blessing is the words "asher kidshanu al shofar", or it's ahavas rabah opened me, and therefore we have a mitzvah to read krias shema, not saying the words krias shema, but just the ahavas rabah that we have awakened. Both give importance to the mitzvah, that's the point. Essentially the blessings on events is also, you give importance to the event, you are constantly sanctifying God's name.

Blessing After Immersion: The Rambam and Our Custom

Lecture on Blessings on Mitzvos: When to Recite Them

Speaker 1: I'm just saying that the Rambam says only a convert, what is a convert, a complete gentile, cannot make a blessing before immersion. But our custom, and other Rishonim learned that not only a convert, but every immersion, a niddah, a Torah-level immersion, in any case makes the blessing after the immersion. Our custom is that one immerses again afterwards, but this is not me'akev (indispensable) apparently, because she is already pure. This is simply a nice thing. But the Shulchan Aruch writes that a niddah also makes a blessing before immersion, "asher kidshanu" (who has sanctified us). We make all immersions after immersing, because it's the same kula (leniency), that's to say, a Gemara, it's a mitzvah, is it to make a blessing when one is tamei (impure), yes? The simple meaning is that immersion is a mitzvah, so there is also a mitzvah that a woman should immerse, so it includes all mitzvos.

There is that one makes the blessing afterwards, because there's no issue, but there are sources. The Rambam says explicitly in Hilchos Niddah, if I remember, that one makes the blessing before immersion. It's simply, one can understand it such that immersion is the matter that I now become pure. When one becomes pure, it's... yes. This is simply an idea, but there's another thing that leads to making the blessing afterwards. Lighting Shabbos candles, yes?

Lighting Shabbos Candles: Blessing After the Lighting

Speaker 2: Ah, lighting Shabbos candles, because if one accepts Shabbos in the middle of lighting the candles, and here comes the matter of covering the... one should now see the candles, afterwards you'll already be Shabbos, yes? One thinks it's simply a segulah (spiritual remedy), one covers the eyes so it's better, simply a folk thing. It doesn't make sense, but the Rama doesn't say that, right? But it's strange, you shouldn't accept Shabbos, I don't know what he means by that. It's the

mitzvah to light the candles before Shabbos. It's strange, it's a chumra (stringency) of the Acharonim, I don't know which ones. The Rama doesn't say that here, right?

Speaker 1: It could be that it has in it some practical reason, like... I think, it's cited, that she waits another minute until she makes the blessing, so yes? A Jewish mother wants all things to be finished from when she begins lighting the Shabbos candles until she makes the blessing. Well, no, that, go... make a charon (anger), yes? I don't know. No, I just think, the Rambam seems to take the lighting of candles very seriously. It could be our custom, other Rishonim, that when there's a need it's not so important. The Rambam says that if one has already given, one cannot... even eating and drinking, even immediately.

Discussion: What is the Mitzvah of Shabbos Candles

Speaker 2: No, but Shabbos candles is the mitzvah, but the mitzvah is perhaps that it burns, it's not that the lighting accomplishes the mitzvah. It's... on the contrary, Chanukah candles you're perhaps right, that if lighting accomplishes the mitzvah, but it's the matter that it should be illuminated, it's oneg Shabbos (Shabbos delight), a blessing on oneg Shabbos.

Speaker 1: Okay, now we're going to learn which candles get a blessing. On the contrary, one makes a blessing, I don't remember I haven't... It's the same order, the exact opposite of the entrance of the enactment of the Sages. A final blessing on a rabbinic enactment, it could be because it says because the altar brings down tears upon it, a matter of distress. Baruch dayan ha'emes (blessed is the true Judge) is indeed, for example, there's no mitzvah of mourning, mourning doesn't have "asher kidshanu b'mitzvosav v'tzivanu al mitzvas aveilos" (who has sanctified us with His commandments and commanded us concerning the commandment of mourning), a bit, right? Mourning doesn't have a mitzvah "asher kidshanu b'mitzvosav v'tzivanu al hilchos aveilos," right?

Discussion: Blessings on Mourning

Speaker 2: No, which one? There is tearing, on keriach (tearing) one makes a blessing.

Speaker 1: Yes, on keriach or dayan ha'emes. No, it has perhaps only customs, but there is a Torah mitzvah of mourning, but I don't know exactly which detail of mourning is from the Torah. The Rambam says there is a mitzvah.

Speaker 2: Okay. No, one must understand the Gemara. There is such a thing that on a sad thing one doesn't make a blessing, on a thing that has a bitter taste one doesn't make a blessing, on a mitzvah haba'ah ba'aveirah (mitzvah that comes through a transgression) one doesn't make a blessing. But in practice one sees yes, "baruch dayan ha'emes" is a special mitzvah, it's a blessing indeed on the evil. It means yes to address the... the word is that you can't thank the Almighty when there's a...

Discussion: Why Don't We Make a Blessing on a Get (Divorce)

Speaker 1: My answer was that get (divorce) is a good question, why does one make a blessing on a get. I hold that the answer is like there is in the language of the Rambam, that the Sages didn't enact that one should make a blessing on a get. And not what you say that there's a rule that you say, I'll tell you a reasoning. When does one make an encouraging blessing? Who made the first blessing that we make today? Who made the blessing "asher kidshanu b'mitzvosav v'tzivanu"

(who has sanctified us with His commandments and commanded us)? It's a thing that one does today, it's an empty thing. There's a reason that Rabbi Meir said, perhaps even before that, one made, one said "to make" praise and thanksgiving before the Almighty, "hu asher kidshanu b'mitzvosav v'tzivanu," a whole long blessing, with melodies, a huge... "aleichem rabanan kadishin" (upon you holy rabbis).

A whole thing. Now imagine, when does it enter your head beforehand, what kind of blessing will one make? A blessing one makes with joy. No, I'll tell you. Why does one make a blessing "al ha'tevilah" (on the immersion)? Immersing oneself one must know that it's a mitzvah. But why shouldn't there be for example a mitzvah on "u'zerisem min ha'aretz tumasah" (and you shall remove its impurity from the land), "v'lo yishama al picha" (and it shall not be heard from your mouth)? That when there will be a candle, he should make a blessing "asher kidshanu b'mitzvosav v'tzivanu al," it's also "u'zerisem," like "u'zerisem."

Speaker 2: Yes, according to the opinion that it's a positive commandment of distancing, a positive commandment of...

Speaker 1: No, my answer is like that a blessing must always be appropriate, a blessing is the joy of the thing. "Baruch dayan ha'emes" is like that you must in your time remind yourself of the Almighty. But on all other things, "al ha'tevilah" is when the entire... the mitzvah of immersion that the niddah immerses is apparently not only on the actual immersing, it's on the entire mitzvos niddah. But one couldn't make a blessing on she became impure, she should speak of... it's a terrible thing. This is the same reason why he doesn't make when the other is around. It says that he must have much time. This must be a known time, it must be a certain situation.

Conclusion: Every Mitzvah That Time Causes

Speaker 2: Every mitzvah that time causes. No, every mitzvah that time doesn't cause. This is also like a great discussion in the Rishonim also, that the Rambam makes of it one order. The language of the Rambam is...

Blessings on Mitzvos: Its Performance is the Completion of Its Obligation, Ma'akeh (Parapet), and Shehecheyanu

Law 8 (Continued) – Every Mitzvah Whose Performance is the Completion of Its Obligation

I have the entire mitzvos niddah, but one couldn't make a blessing on... he became impure, he should answer that now there's a lack of time. It's a great... the same reason why he doesn't make when the other is around. The strong thing that the Rambam feels, it's... there must be a measure for you, there must be a certain situation.

Every mitzvah that is from time to time... ah, no, every mitzvah that... yes.

This is also like a great discussion in the Rishonim also, what the Rambam makes of it one thing. The language of blessings, the Tosafos is about this exactly investigations, I call it politics, because I want it to be ruled that way. Dispute in halacha is politics. One says all reasons, I mean politics, that everything should be judged according to my... that it's a vitality. He says all... right, it's a struggle. Whether one makes all reasons, and the last... one is victorious. Not on everything, a time in the Gemara. A part the Rishonim themselves built according to certain rules that one had. Does the Rambam say this clearly.

Because in all of Hilchos Sefer Ahavah this is the first text that the Rambam brings that there... okay, let's begin, end of 8, let's see.

The Rambam's Distinction: Its Performance is the Completion of Its Obligation vs. After Their Performance There is Another Command

"Every mitzvah whose performance is the completion of its obligation" – every mitzvah where the action, the Rambam will already enumerate, what one will do, the action that one does, or the first action that one does, that is the entire mitzvah. Yes. For example, taking the shofar. Ah, **"one blesses on it at the time of its performance"** – one makes the blessing before one blows shofar, yes, at the time of its performance, before its performance, like before one does. Ah, not shofar, not a good example. Let's see, engaged... engaged... to make a sukkah... ah, that this, the preparation... the preparation... what one calls in other places, the preparation of the mitzvah. Right, he says making the mitzvah, preparing the mitzvah. He says a mitzvah to pursue to make.

So if the action that he does now is the end of the mitzvah, when it's completed, one makes then. If there's an action that one will still do after doing, then one blesses. Except when he makes it and birds or... but interesting. How so, **one who makes a sukkah or lulav or builds a lulav, or shofar** or prepares a shofar, **or tzitzis** he makes tzitzis, **or tefillin** he makes tefillin, **or mezuzah** if a scribe makes a mezuzah, **he doesn't bless at the time of making "asher kidshanu b'mitzvosav v'tzivanu la'asos sukkah o lichsov tefillin"** (who has sanctified us with His commandments and commanded us to make a sukkah or to write tefillin). Why? **Because after their making there is another command**, because this isn't yet finished. Making the sukkah is a mitzvah, and it's also the preparation for the mitzvah of actually sitting in the sukkah.

Innovation: Making the Sukkah is Itself a Mitzvah, Not Just Preparation

It means if for example he builds a sukkah and he doesn't afterwards sit in the sukkah, perhaps retroactively there was no mitzvah. But let's see, the performance of the mitzvah ends here what to do in the mitzvah. It's indeed a great mitzvah to write in a...

It's very interesting, because the Rambam told us earlier that there are mitzvos where it's a mitzvah to strive and pursue them. Here the Rambam tells us that when one strives and pursues them, one does the mitzvah essentially. It's not just a preparation for the mitzvah. Yes, the Rambam told us earlier that there's a mitzvah that one must... here he says now, he reveals to us here that the entire process of striving and doing is a mitzvah.

So according to Rabbi Yitzchak, who says every day hundreds of times on the blessing of fragrance and on the blessing of fragrance on spices and on a good study partner and on good weather and everything, a whole day when one makes the sukkah, when one pursues it and one drives to Home Depot to buy the drill, and then again when one builds it. But there comes afterwards the main thing, so one says it at the end. No, here one would have had to make the blessing, but it's exactly the mitzvah. Every part of the process is a mitzvah.

The innovation is that it's not so, that one makes it only the one time when one finishes the entire process of the mitzvah. Because it's very interesting, because the Rambam learns here

clearly that making the sukkah is a mitzvah. Other Rishonim say that it's not a mitzvah, there's no difference whether you go into another's sukkah or... again, it's clear that one fulfills... one fulfills have you missed a mitzvah, have you missed the mitzvah of making a mitzvah thought.

If you can ensure that there's a difference between a mitzvah where you strive, and a thing where one can fulfill like one pays for a teacher or one pays for a scribe for the mezuzah. He has a guest, he has a father, he makes it, he can buy it on Yom Tov. Okay, let's... actually we bless, let's just bring.

When Does One Make the Blessing?

Actually we bless, when does one yes make the blessing? **At the time of sukkah**, when he sits down in the sukkah, **or when he goes up for an aliyah**, when he goes up to the Torah, **or when he hears the sound of the shofar**, **or when he sits in tzitzis**, **at the time of putting on tefillin**, when one puts on the tefillin, **and when one affixes the mezuzah**.

Ma'akeh (Parapet) – The Exception to the Rule

But in practice ma'akeh (parapet), when one makes a ma'akeh there isn't afterwards any mitzvah. There isn't afterwards any mitzvah of putting up children should play on the roof and not fall off. The mitzvah of making the ma'akeh is the actual affixing of a ma'akeh, **one blesses at the time of making, "asher kidshanu b'mitzvosav v'tzivanu la'asos ma'akeh"** (who has sanctified us with His commandments and commanded us to make a parapet). **And everything similar to this.**

Discussion: Blessing on Ma'akeh and Modern Security Mitzvos

The second lesson is, that the Rambam says there's a blessing on the ma'akeh. But one must think, it could be that once the Rambam says there's a blessing on the ma'akeh, it could be that every time when a person does certain things of security, when a person puts in a certain security thing in his car that he should never forget a child, he makes the same mitzvah as ma'akeh, which isn't written out explicitly in the Torah. But the Rambam doesn't say that one didn't establish on this a blessing. But it could be, according to what you say with the Rambam, one could indeed shoot out blessings.

Again, it's not an enactment. The Torah made that there's an enactment that one must make a ma'akeh. Again, when a person puts in a system in his car, an alarm, that it should ring if there's a child, yes, because he heard that there are accidents, it doesn't happen. Does he do a mitzvah, yes? Is he fulfilling a positive commandment, a negative commandment. He does exactly the mitzvah of ma'akeh. Only that's what the Torah says ma'akeh. Exactly the opposite, imagine someone actually makes a ma'akeh on his roof, which is much more common. Has he God forbid not fulfilled the mitzvah of ma'akeh also not. Yes, but in the mitzvah of ma'akeh is a branch of "v'chai bahem" (and you shall live by them) or "lo sirtzach" (you shall not murder). So the main way of making ma'akeh one does indeed with what is in the valley, in the middle of putting in such a one with the car. So according to what you say, one would have had to make here quickly a blessing. Perhaps they don't yet have a text of the blessing. Perhaps one must do like the Belzer Rebbe said that one fulfills with what one says "baruch Hashem ozri" (blessed is Hashem my helper). The Belzer Rebbe said that when one sees

a Jew one says "baruch Hashem ozri," and with this one fulfills the mitzvah of shehecheyanu, that one must make a blessing.

You ask a good question on ma'akeh, I mean that it's indeed strange. I think that here there's a strange thing. Usually blessings on mitzvos one makes on mitzvos. That's what was discussed earlier about all the Rishonim who argue. In a certain sense, in reality, the mitzvos that one makes a blessing on them are like almost all are like a ceremony. How does one say ceremony in Yiddish? A ritual, an action that one does, a ritual. Something that one does... but ma'akeh is very strange, it's exactly a mitzvah that is about the overalls.

Approach: Ma'akeh is a Prototype for All Matters of "U'nishmartem" (And You Shall Guard Yourselves)

I have an approach. I have an approach that ma'akeh is a prototype for all matters of "u'nishmartem" (and you shall guard yourselves). It means, one must make one mitzvah on this, and one brings the rabbi of the synagogue to make an action of mitzvah, because on a communal agent he comes to make a blessing. When does one... so by ma'akeh is the time when one makes this. But this obligates us, this is the moment that one will always do the matters of ma'akeh, the concern of "ki yipol hanofel mimenu" (lest the fallen one fall from it). Like Rabbi Chaim Kanievsky... like the Chazon Ish told Rabbi Chaim Kanievsky not to have electricity in his house, also not from a machine, how is that called? From a generator. Because the house will show for Bnei Brak that it's a prototype that one may not use any electricity. Why does the nimshal (application) come in here, the mashal (parable)? Forget the mashal. No, no, you mean... I wanted to say that... so you know what? Ah, what you mention about the greater mitzvah.

A ma'akeh is indeed a practical mitzvah, which is almost like a get, which everyone understands that no blessing comes, it's a procedure once, one must carry it out. You say no, one must indeed yes put on a gartel and stand on the roof, and one must my rabbi should make a ma'akeh, I want to see that someone should make a blessing on making a ma'akeh meanwhile. Okay, one must like one sees, this is a nice thing. If someone has a porch, if some nail has bent and he has a nice porch, and he wants to call over for fifty thousand, come over to us with making a... we have already seen tzaddikim put on such hard hats, so we already know how the Sages were as it were a uniform for such a kind of mitzvah. Because this is a ma'akeh, yes, that I put on a hat that protects the head in a slaughterhouse, is a mitzvah of ma'akeh.

Law 9 – Shehecheyanu on Mitzvos

Okay, he says further. Now one will learn like one makes shehecheyanu on mitzvos, and yesterday we learned shehecheyanu on a joy once. Ah, like "I haven't seen my friend for thirty days," "I haven't seen the mitzvah." He hasn't seen the mitzvah of shofar for so long.

Three Categories of Mitzvos That Receive Shehecheyanu

Blessings on Mitzvos: Shehecheyanu, Text of the Blessing, and Mitzvos for Oneself and Others

"Every mitzvah that is from time to time, such as shofar and sukkah and lulav, and reading the megillah and Chanukah candles", all these things that happen once a year. "And likewise every mitzvah that involves acquisition", every mitzvah that has to do with something that he bought - a new tzitzis, or that he bought tefillin, or that he put up a ma'akeh (fence). "And likewise a

mitzvah that is not frequent and is not found at all times", a mitzvah that doesn't happen often, "for it is similar to a mitzvah that is from time to time, such as **circumcising a child, or pidyon haben for a child",** which is also not something that one can do whenever one wants, rather it depends on an event, "one blesses on it at the time of doing it Shehecheyanu vekiyemanu", because it's an event, it's a special time and one has merited the mitzvah, or once a year, or so forth. One says Shehecheyanu vekiyemanu.

Question: Shehecheyanu for Bris Milah - What About the Infant's Pain?

Shehecheyanu for bris milah, what about the infant's pain? Where does it say? Aha, indeed.

Practical Laws

The first time one puts on tefillin, must one? One must, certainly one must. Certainly one must. And a new tzitzis also has Shehecheyanu. So one has all of this. Just as one can on a new garment in general. A new garment, yes.

Blessings on Mitzvos: Shehecheyanu, Text of the Blessing, and Mitzvos for Oneself and Others

Shehecheyanu on Mitzvos - General Discussion

Speaker 1: What is there about the infant's pain? Is there something that says the infant's pain is a thing? I need the Shehecheyanu. By other things it doesn't seem clear to me why.

Speaker 2: Aha, indeed. The first time one puts on tefillin, one must, one must, certainly one must. Certainly one must. And a new tzitzis also has Shehecheyanu. On everything. So also on a new garment in general. New garment, yes. Not always, but if it's a mitzvah that depends on the immediate time, one must make Shehecheyanu if it goes together. Perhaps that's the point.

Shehecheyanu on Sukkah and Lulav

Speaker 2: Yes, "And if one did not bless on sukkah at night and the like Shehecheyanu at the time of doing", one can make Shehecheyanu when one fulfills the obligation with them. That means when one sits in the sukkah.

If he didn't make it on the mitzvah of leiseiv basukkah, he says that one doesn't need to... one can't afterwards. No, one does it afterwards. Leiseiv basukkah one only makes when one sits in the sukkah. Shehecheyanu, the Rema says, one should have made when one builds the sukkah, if it's a new sukkah that was made. But that's not necessarily the end, right? Shehecheyanu doesn't have to do with the mitzvah. But our custom is yes, we are stronger, one makes Shehecheyanu on the... by kiddush, yes. One has in mind also for the sukkah. We put it together by kiddush.

Speaker 1: No, Chazal put it together by kiddush.

Speaker 2: Yes, but that is on the Yom Tov, not on the building of the sukkah.

Speaker 1: Ah, Shehecheyanu is on living through the Yom Tov.

Speaker 2: Yes, every Yom Tov has a Shehecheyanu.

Discussion: Shehecheyanu on Yom Tov vs. Shehecheyanu on Mitzvah

Speaker 1: But does one make extra or does one include both?

Speaker 2: No, shofar one makes extra, yes. One makes shofar Shehecheyanu, extra from what one made kiddush last night. Two different things. That means, essentially comes another Shehecheyanu for building the sukkah, or one should make for the lulav. One buys a lulav...

Speaker 1: No, Shehecheyanu is on the time, or on the essence of the mitzvah of Rosh Hashanah, or the mitzvah of Shabbos Yom Tov, just as... there is a mitzvah of Shabbos Yom Tov, and there is a mitzvah of shofar. Two different mitzvos. The Yom Tov itself, I don't know how one calls it. Two different things. That means, by kiddush one makes Shehecheyanu, and by reading the megillah or by blowing shofar one makes Shehecheyanu. Two different things.

Speaker 2: The same thing Sukkos, essentially comes three Shehecheyanus on Sukkos. When one buys a lulav, one makes Shehecheyanu. One builds a sukkah, one makes Shehecheyanu. One sits down in the sukkah, one makes... from Shavuot for the day. Because besides shofar there is on the essence of the mitzvah, on the essence of the day.

Speaker 1: Yes, but perhaps it's because of Shavuot, perhaps it's more about the joy, that one has lived through another Yom Tov, another celebration.

Speaker 2: But perhaps it could be that one doesn't make a blessing on mitzvos on something that isn't an action, something that is a non-action one doesn't make. But Shehecheyanu isn't a blessing on mitzvos, Shehecheyanu is a blessing of praise, it's a thanksgiving that one has arrived at another Yom Tov.

Our Custom and the Possibility of Additional Blessings

Speaker 2: And our custom is to make all three Shehecheyanus at one time, but if someone wants he can certainly calmly make a Shehecheyanu. Why do I say all these things all the time? If someone wants he can calmly make Shehecheyanu when he has a lulav. If someone wants to know what blessings one can always make, let him check into the holy Komarner, and already, and one can make enough blessings. And if someone is really worried that he's making too many blessings, let him know that he should give himself a slap on the shoulder, he is among the distinguished of the nation.

And he says that when one makes a lulav, it's a great joy when one merits to praise the Almighty, one makes another blessing. Okay.

And he says that when one makes a lulav, it's a great joy when one merits to praise the Almighty, one makes another blessing. Okay.

Shehecheyanu at the Time of Doing - For Oneself and Others

Speaker 2: "And if one did not bless on sukkah and lulav etc., one blesses Shehecheyanu at the time of doing". Yes, and so one fulfills with this. "Whether one does a mitzvah for oneself or one does for others". There's no difference whether he makes the mitzvah for himself or for someone else. That means someone builds the sukkah for someone else, or he makes the Chanukah candles, yes, if he makes the blessing before doing, that asher kideshanu bemitzvosav vetzivanu la'asos.

It's even someone who has already blown shofar, but he is being motzi a new minyan, he makes again with the blessing, because he has the mitzvah of doing the mitzvah for other people. But someone who blessed, it's interesting, because the

Rambam says that he's not so busy here with the obligation that one has. The person has already been yotzei his obligation of shofar, and now he is being motzi another group, he makes again a Shehecheyanu, because he has again a mitzvah, just as building is a mitzvah. All these things are a mitzvah. The Rambam isn't so strong on the yotzei yedei chovaso or not yotzei yedei chovaso. Blessing on mitzvos is on the essence of the mitzvah, not only on the obligation of the mitzvah.

Discussion: Blessing on Mitzvos as an Agent

Speaker 1: He makes it for them, he does for them. But he can't say "asher kideshanu", he means them, he says it in their name.

Speaker 2: No, he makes the mitzvah of shofar. Or he is an agent and he makes bedikas chametz for someone else. He is obligated, the other person's! He makes it on behalf of... from the mitzvah the rabbis of us chametz or for the sake of the rabbin, and he makes it on the other person's blessing. He has done a mitzvah to make a blessing in the obligation.

Speaker 1: But... but not from blessing Shehecheyanu, rather a mitzvah that one does for oneself. One doesn't make for someone else. The other person must himself make... or no, not, it's not. One can't thank for someone else. One can't thank instead of someone else, as if.

Speaker 2: Ah, one can be motzi. It's known. He's talking about the obligation. It's not every mitzvah.

Speaker 1: Yes. And they have it explained in detail. Apparently one can be motzi and can say instead of the other person the community, as an agent of the other person, yes. That's not the question, that's not not his mitzvah, when a bit of an action.

Speaker 2: Apparently for mitzvos that work, and we ask about mitzvos, one with a blessing of asher, mitzvos and children, all mitzvos, just as when one eats different things there is, as we redeem all things, such a thing, such various types of grain, when he has different types of grain, and blessing on each and every one separately. Just such one who does mitzvos in bundles, every mitzvah is important, extra.

Law 11: Text of the Blessing - "La'asos" vs. "Al"

Speaker 2: Yes, says the next law, what is the text of the blessing? Says the Rambam, "**Anyone who does a mitzvah, whether it's a personal obligation, whether it's not an obligation, if he does for himself**", if he makes it for himself, "**he says la'asos**", for example to affix a mezuzah, "**if he does for others, he says al kevias mezuzah, al ha'asiyah**", on the doing.

Details of the Text of the Blessing

Speaker 2: How does the Rambam explain, "**He put on tefillin, he says, lehaniach tefillin**", the action of putting on tefillin. To put on tefillin. "**He wrapped himself in tzitzis, he says, he thanks lehis'atef**", for wrapping himself. "**He sits in the sukkah, leisheiv**", to sit. "**When he says lehadlik ner shel Shabbos**", to light. "**Ligmor es haHallel**", to finish the Hallel.

The same thing, "**if he affixes a mezuzah in his own house, he says likvo'a mezuzah. When he makes a ma'akeh for his roof, he says asher kideshanu bemitzvosav vetzivanu la'asos ma'akeh. When someone separates terumos and ma'asros for himself, he says lehafrish. He circumcises his son, he says lamul es haben. He slaughters his Pesach and his**

chagigah", someone slaughters his Pesach with his korban chagigah that comes with the Pesach, **"he says lishchot es haPesach ve'es haChagigah"**.

"But one who affixes a mezuzah for others", he can't say likvo'a mezuzah, because he has no obligation to affix a mezuzah here, he's making for someone else. He's making a kevias mezuzah, he can't say that he was obligated likvo'a mezuzah, rather he was obligated in the mitzvah of kevias mezuzah, therefore now I am the person who does it. Interesting.

Practical Question: Mezuzah as an Agent

Speaker 2: But the simple meaning is, it happens to me many times, I've already had such a thing that people have asked me to put mezuzos on their houses that they called, and I think about whether the one who makes the blessing al kevias mezuzah, is he also motzi the sender with the blessing or not? The blessing is a different text even. Simply, you only have the blessing on mitzvos, therefore perhaps there is a reason that the homeowner should himself put up a mezuzah, because he now has an opportunity to do a mitzvah with a blessing, let him put it up himself. Because it's not that I can say no, that when I say likvo'a mezuzah, I do as his agent both the mitzvah and the blessing. But I'm talking even mitzvah ba'ah al yedei shaliach, but it's not the blessing on mitzvos, because I don't even say it with the language. When I say it as Shmuel would have said it likvo'a, I'm not being motzi him with the blessing. Essentially I fulfill the mitzvah instead of him, and he doesn't need to anymore, he becomes exempt, but he hasn't done the mitzvah.

A person needs a mitzvah for himself to make, not that someone should do it for him. This is a mitzvah that I do as an agent, just like anything. I make for you yourself, so what's the problem? I have other mitzvos that I'm obligated to do, I don't know.

Discussion: "Veshinantem Levanecha" and Blessing on Torah

Speaker 1: Learning with the children, "veshinantem levanecha", there's no mitzvah, there's no blessing, there's blessing on Torah.

Speaker 2: But no, because perhaps the teacher must make, because he is the... and one hires him.

Speaker 1: Yes, for learning Torah.

Speaker 2: Ah, learning Torah includes "lilmod ulelamed". The question should be why don't we make a blessing when we sit down for Mishnayos. But the blessing on Torah, "lilmod ulelamed", is part of the mitzvah. I'm not going into... Ahavah Rabbah has it. Already.

Text of the Blessing for Ma'akeh, Terumah, Milah

Speaker 2: The same thing, by ma'akeh one says "al asiyas ma'akeh", "lehafrish terumah". Or one who circumcises another's son, another mohel, he says "al hamilah", "lehachniso bivrito shel Avraham avinu". Which Rishonim argue about this certain thing, about the blessing "lehallel uleshabe'ach"? Let's first go to the next thing. Very good. But in practice, that's how we do it by us, as far as I remember.

Let's go further. What is a mitzvah to love Hashem your God? This is another interesting thing.

Law 12: Mitzvah for Oneself and Others Simultaneously - Eruv

Speaker 2: So, yes, this discusses why the Rambam... there is a distinction between mitzvos that are an obligation and mitzvos that are not an obligation. Ah. There is a distinction here. When a person does... let's explain. First of all, when one does a mitzvah oneself one makes "la'asos", when one does for someone else one makes "al". Yes, but what happens when one does both at once? What is a mitzvah to love Hashem your God?

So, there are two types of categories when a person does a mitzvah for himself and for others. If it's a mitzvah that is one's own obligation, such as eruv, one blesses "al mitzvas eruv". The simple meaning is this: eruv is a mitzvah on every person who lives in the courtyard that they should only carry if there is an eruv. So, one person does it as an agent, he does the action for everyone, he makes "al mitzvas eruv".

But a mitzvah that is an obligation, not like eruv but an obligation, such as shofar, when he is obligated lehotzi es atzmo midei chovah ulhotzi acheirim, the ba'al tokei'a is intending when he blows shofar to be yotzei himself and to be motzi whoever wants to hear. He blesses "la'asos". Then he says "la'asos". Therefore one blesses "lishmo'a kol shofar", not "al shemi'as kol shofar", but "lishmo'a kol shofar".

Question on Megillah

Nu, what is it? How does one say by the megillah? "Al mikra megillah", yes? He shouldn't say "lishmo'a kol megillah" or "likro megillah". It doesn't fit with the rule we said earlier. Nu, what is it? Is there someone who has something that hearing the megillah read is different from hearing shofar?

There is this, there are Tosafos who hold a different distinction, and so forth. I'm not going now... I just want to finish the chapter. He just says, you see from here that one doesn't completely follow the law. He has another one...

Taking the Lulav - Why "Al" and Not "L"

Ah, netilas lulav. One should have made "litol lulav". But in practice we make a blessing "al netilas lulav". Why? Because lulav has a prohibition. So what? **"Lest he fulfill and lift it he fulfills his obligation"**. When a person takes the lulav, the minute he has taken it, one can't... usually one holds the blessing after one has already been yotzei. And since it's not the most praiseworthy, it's not good to make the blessing, so because the reason is only a practical reason, the Rema says indeed, **"but if he blessed before he takes"**, if he indeed makes the blessing when it's lying on the table in front of him and he makes the blessing before he takes it, then he blesses **"litol es halulav"**, **"like all blessings"**.

It's an interesting thing, because the Rambam means leishiv basukkah also, because he means the blessing before one sits down, yes? We don't do that, we do after kiddush.

So says the Rambam, as in a responsum, which sukkah, I don't remember, yes? Soon we'll learn Zemanim. Yes. He'll think, I'm right, I remember perhaps, one must ask him, he'll see it. It's coming to us soon, after a bit, after a lot, when we'll begin the order of Moadim, or in another month or two.

Three Rules from the Rambam

In short, from here we learn, from here we learn, that one blesses asher asah without a blessing, one blesses on the doing. So the Rambam has a rule, there are three rules:

1. First of all not for others

2. Second, it must be an obligation, if one makes both together it's clear that it's an obligation

3. A third rule is, if one makes afterwards, such as immersion that one makes afterwards, or al netilas lulav, one makes "al" and not "l"

Discussion: When Does One Make the Blessing on Lulav

It's interesting, al netilas lulav one only makes when one holds all four species. It's not simple, when he takes the last species, yes, when he lifts up the esrog. It's interesting, as the Rambam says, generally one can't make "litol". Because when you're already holding it, it's already kiyum shekiyemuhu, it's not just kiyemuhu, he must put together both species, and...

But one is not careful to hold all at once when one makes the blessing. It could be the Rambam would have held that one should say that one should make the blessing, and afterwards lift up the esrog and afterwards the lulav, even if it takes half a minute. We are careful to hold all four species when one says the blessing.

Speaker 2: No, the language is a bit implied so, because lifting up one species is already the mitzvah.

Speaker 1: Ah, I say that one can make the blessing when one picks up the first species, because one is now beginning to be engaged in doing it. According to the Rambam it makes sense, but usually people don't look at it any differently than that one can only make the blessing when one is holding the mitzvah. When one is ready for the mitzvah.

Speaker 2: But you're saying, the shita (opinion) of the Rambam is a good one.

Speaker 1: True, but I'm telling you, the language of the Rambam is indeed as you understand it, because he says, he takes as a given that usually with netilat lulav (taking the lulav) one has already fulfilled it, ki'yon shehigbihu (once he lifted it), because when one picks up the lulav, when does one take the hadasim (myrtle branches)? But when one picks up the lulav one can already make the blessing, because the Rambam holds throughout that when one picks up, one is engaged in the mitzvah, it's not at the moment when one is... but there is indeed a good lulav, yes.

Discussion: Netilat Yadayim and Shechita — A Question on the Rambam

Speaker 2: Okay, but regarding netilat yadayim (ritual handwashing) before shechita (ritual slaughter), there's a very strong question on the Rambam. I said the chakira (analytical distinction) that each thing makes its own actions, no one says "litol yadayim o lishchot" (to wash hands or to slaughter), even when you slaughter a bird. What's the answer?

Speaker 1: You're saying here a different answer, that this isn't the essence of what netilat yadayim is, but rather the shechita, but according to the words of the Rishonim (early authorities).

I'm telling you, it's a mitzvah to slaughter, this is indeed a mitzvah to slaughter, if you want to eat a kosher animal. But netilat yadayim is needed if you want, if your hands are perhaps dirty and you want to eat something that has tevul beshuk (been dipped in liquid), it's a practical thing. According to the words of the Rishonim, even if he slaughters for himself, he makes a blessing on the shechita and on kisuy hadam (covering the blood), but on netilat yadayim no one says "litol yadayim."

Netilat Yadayim Before Birkat HaMazon

Another thing, another interesting thing, netilat yadayim, or the Rambam told us that one makes the blessing afterwards, so that one shouldn't have dirty hands during the blessing. But perhaps I remember yes, before Birkat HaMazon (Grace After Meals) something, that one should wipe one's hands? He doesn't say a blessing of al netilat yadayim.

Speaker 2: The Rambam says that one needs clean hands.

Speaker 1: No, but the Rambam says yes, it's not appropriate to bentsch (recite Grace After Meals) with dirty hands. Perhaps he means after Birkat HaMazon which is a long birkat hashevach (blessing of praise). But the Rambam views it that it's not respectful to say the Shem uMalchut (God's name and sovereignty) with dirty hands, but it could be that you don't want the Shem uMalchut, but rather the mitzvas aseh (positive commandment) of hazan (the One who feeds).

Speaker 2: Yes, but it's enough reason to change the order of the blessing.

Speaker 1: But it's not enough reasons. No. One must have truly, the only thing that changes is truly when you can say that you are a complete redeemer. Ah. Someone who is a complete redeemer, it's as if it's not a good thing according to the Rambam. According to other poskim (halachic authorities) yes, but according to the Rambam it appears that one must, after you've washed your hands, you've already finished, there's nothing to say.

Biur Chametz — "Al Biur Chametz" Not "Levaeir Chametz"

And likewise one blesses al biur chametz (on the removal of chametz), one doesn't say levaeir chametz (to remove chametz). Unlike with bedika (searching), unlike with bedika. Why? Because **from the time he completed in his heart to nullify**, the mitzvah of biur has already begun before he searches. Essentially, from when he began to be concerned with the chametz, he has already completed in his heart to nullify, as we wrote in its place.

Ah, one sees that the... ah, ah, very good, it's a true thing. Someone who truly thinks doesn't need to say kol chamira (the formula nullifying chametz). Kol chamira was made when someone didn't think about it or what. He truly completed in his heart to nullify, he truly, when he does all kinds of actions, one knows, completed in his heart. He even forgot to say kol chamira, in most cases it appears so, yes.

Halacha 16 — Custom of the Prophets and Custom of the Sages: No Blessing

Now, another halacha where one doesn't say a blessing, it's a case where one doesn't say a blessing. Yes, on everything from mitzvot miderabanan (rabbinic commandments) one makes a blessing. **But anything that is a custom, even though it is a custom of the prophets**, it's a very old custom, a very holy custom, the prophets already conducted it this way, but it doesn't have the status of mitzvot sofrim (scribal commandments), but rather custom of the prophets. **Such as netilat arava bashevi'i shel chag (taking the willow on the seventh day of the festival)**, the willow that one takes around the altar with the willows, which is a custom of the prophets. What? Or around the ark, yes, it's a custom of the prophets.

And needless to say, something that is also a custom but not from the prophets but later, custom of the sages, **such as krias Hallel (reciting Hallel) on Rosh Chodesh and on**

Chol HaMoed Pesach, one doesn't bless on it. One doesn't make a blessing on it. It's not in the category of mitzvot. It appears the Rambam holds that this thing one is not obligated to do as "kol asher yomru lecha ta'aseh" (all that they tell you, you shall do) or the verse that the Rambam brought, it's only a custom. Not an obligation on the people, but it's a custom that it should happen. But we do say a blessing on krias Hallel in practice, because the Rosh argues.

And Tosafot and other poskim, the Rambam disagrees with the Rambam, and one doesn't make a blessing on a custom. The Rambam disagrees with this principle. One can also find custom of the sages. But on Hoshana Rabba, on going around the bima on Hoshana Rabba, one doesn't make a blessing.

Tosafot and others conduct themselves, and the Rema conducts himself that one does make a blessing on a custom. And the Rambam explained why regarding tekiat shofar (blowing the shofar). I can't learn about this now, it will even not sit well with you.

Halacha 17 — Safek Berachot Lehakel (Doubtful Blessings Are Treated Leniently)

"**Anything about which you are in doubt whether one blesses on it or not**", says the Rambam, very interesting. I'll make a small introduction here. The previous chapter 10, the Rambam concluded that it's a tremendous thing that one makes blessings and thanks the Almighty every day all the time. But, we also learned here that there is a way in which one doesn't make the blessing if one hasn't done it properly, or there are mitzvot that don't need a blessing for certain reasons, says the Rambam, or the last thing is because it's a custom of the prophets or a custom of the sages.

Therefore, a person who is now learning says, "Ah, certain things I won't remember if it's a custom of the prophets, or if it's a mitzvah mid'erabanan," and you don't know. Says the Rambam, "**one does it without a blessing.**" If you don't know whether one needs a blessing, you don't make a blessing. Not like someone might think, "Ah, on every mitzvah I'll make a blessing," because seemingly, what's the question? Make a blessing. Okay, also make one on the car's security. Says the Rambam, you don't know, you don't make a blessing.

"**One does it without a blessing,**" but he says very nicely, one does it. And not just because safek berachot lehakel (doubtful blessings are treated leniently). That's the simple explanation that's given. The Rambam didn't say it, but safek (doubt) is the halacha. But the point is that the Rambam holds that when one has a doubt, one may not make the blessing. And the Rambam is not willing to say without Shem uMalchut or some such thing.

Halacha 18 — "A Person Should Always Be Careful About an Unnecessary Blessing"

"**A person should always be careful about an unnecessary blessing.**" The Rambam says here, he says, I learned at the end of chapter 10 a very important thing to make blessings, and here you're saying that one should be careful. So I'm completely confused. Says the Rambam, yes, it's nothing, it's nothing, figure it out, be careful, pay attention. There are blessings that are needed, and those you should indeed make. Berachot hatzrichot (necessary blessings) means every time there is a birkat hare'ach (blessing on fragrance), or

every time you eat something, berachot hatzrichot every time. A beracha she'eina tzricha (unnecessary blessing) never.

Beracha She'eina Tzricha vs. Yarbeh Beberachot Hatzrichot — Conclusion of Hilchot Berachot

Halacha 16 — The Rambam's Conclusion: Unnecessary Blessing and Increase in Necessary Blessings

A person should guard himself that he shouldn't make a **beracha she'eina tzricha**. The Rambam says this, the Rambam says this. He says, now that a person has learned the end of chapter 10, it's an important thing to make blessings. And here you're saying that one should be careful. So I'm completely confused.

Says the Rambam, yes, it's nothing, it's nothing. You have to figure it out, be careful, pay attention. There are blessings that are needed, and those you should indeed make. Berachot hatzrichot means every time there is a birkat hare'ach, or every time you eat, you need to make berachot hatzrichot, every time. But beracha she'eina tzricha never.

Yes, increase, but never an unnecessary blessing. **And King David says, "Every day I will bless You and praise Your name forever and ever."** Every day make blessings. But each one, they are all va'ahalela (and I will praise), they are all such kinds of blessings that give thanks. No, an unnecessary blessing is also weak. The Rambam wants to convey, he will conclude with a blessing, yes.

The Rambam's Intent — Ending Sefer Berachot with a Positive Message

So accordingly, **yarbeh beberachot hatzrichot (increase in necessary blessings)**. The Gemara doesn't just say it. What does yarbeh mean? Yarbeh means when one needs to. No, the Rambam feels, because he wants to conclude again as he concluded chapter 10. When a person finishes learning Sefer Berachot, he shouldn't now think, "A blessing is a terrible thing that I have to think maybe I'm making too many." No, blessings are a good thing that one should make more.

Rather what, there is a certain type that says sometimes one doesn't make blessings. That's where tzricha comes in. Tzricha means when you smell a fragrance, or you make, you put on a garment you should make, that's a beracha hatzricha. You shouldn't make any doubtful ones. Even on Chol HaMoed Pesach, says the Rambam, it's only a custom, don't make it.

Transition to Chapter 17 — Berich Rachmana Desayen

And now we will learn in chapter 17, which discusses "berich rachmana desayen" (blessed is the Merciful One who has helped us), which says differently than Rabbi Yitzchak. The Rambam says, now I've finished a chapter, I'm very happy, should I make a birkat haTorah (blessing on Torah study)? No. I'll make a blessing without Shem uMalchut. Berich rachmana desayen, says the Rambam, not like the opinion of Rabbi Yitzchak.

Just as the Belzer Rav said Baruch Hashem hamotzi'acha (Blessed is God who brings you out), and just as when a Jew gets into a car and there's some machine that makes sure he won't forget his child, he says Baruch Hashem for that. Without Shem uMalchut, berich rachmana desayen. Very good. No, it's in the Gemara. In the Gemara one sees many blessings of berich rachmana. Forgotten. Berich rachmana desayen.

Generated by Shiur Upload Automation