

## ובשכבך ובקומך

Anyone who wishes to gain a deeper understanding of the תפילות that are included in the מסכת תענית and מסכת מגילה, מסכת ברכות should take the time to study קריאת שמע. Our study of קריאת שמע affords us the opportunity to highlight some of the material that is available in those מסכתות. The following represent two examples:

On the issue as to whether we stand or sit while reciting קריאת שמע-

ברכות דף י', עמ' ב'-משנה. בית שמאי אומרים: בערב, כל אדם יטה ויקרא; ובבקר יעמוד, שנאמר: ובשכבך ובקומך. ובית הלל אומרים: כל אדם קורא כדרכו, שנאמר: ובלכתך בדרך. אם כן, למה נאמר: (דברים ו') ובשכבך ובקומך? בשעה שבני אדם שוכבים ובשעה שבני אדם עומדים. אמר רבי טרפון: אני הייתי בא בדרך והטתי לקרות כדברי בית שמאי, וסכנתי בעצמי מפני הלסטים. אמרו לו: כדי היית לחוב בעצמך, שעברת על דברי בית הלל. ברכות דף יא' עמ' א'-גמרא. בשלמא בית הלל קא מפרשי טעמייהו וטעמא דבית שמאי, אלא בית שמאי, מאי טעמא לא אמרי כבית הלל? אמרי לך בית שמאי: אם כן, נימא קרא בבקר ובערב; מאי בשכבך ובקומך, בשעת שכיבה, שכיבה ממש; ובשעת קימה, קימה ממש. ובית שמאי, האי ובלכתך בדרך, מאי עביד להו? ההוא מבעי להו לכדתניא: בשבתך בביתך, פרט לעוסק במצוה; ובלכתך בדרך, פרט לחתן; מכאן אמרו: הכונס את הבתולה, פטור, ואת האלמנה, חייב.

On the issue as to why we first recite קריאת שמע and then recite עשרה עשרה-

ברכות דף ד' עמוד ב'-אמר מר: קורא קריאת שמע ומתפלל. מסייע ליה לרבי יוחנן, דאמר רבי יוחנן: איזהו בן העולם הבא? זה הסומך גאולה לתפלה של ערבית. רבי יהושע בן לוי אומר: תפלות באמצע תקנום. במאי קא מפלגי? אי בעית אימא קרא, אי בעית אימא סברא. אי בעית אימא סברא, דרבי יוחנן סבר: גאולה מאורתא נמי הוי, אלא גאולה מעלייתא לא הויא אלא עד צפרא. ורבי יהושע בן לוי סבר: כיון דלא הויא אלא מצפרא, לא הויא גאולה מעלייתא. ואיבעית אימא קרא ושניהם מקרא אחד דרשו, דכתיב: (דברים ו') בשכבך ובקומך; רבי יוחנן סבר: מקיש שכיבה לקימה, מה קימה קריאת שמע ואחר כך תפלה, אף שכיבה נמי קריאת שמע ואחר כך תפלה; רבי יהושע בן לוי סבר: מקיש שכיבה לקימה, מה קימה קריאת שמע סמוך למטתו, אף שכיבה נמי קריאת שמע סמוך למטתו.

On the surface, these two סוגיות appear to only share the fact that both involve an analysis of the words בשכבך ובקומך. However, the סוגיות share a deeper relationship. Both סוגיות describe sets of practices. In the first סוגיא, when רבי טרפון says: אני הייתי בא

בדרך והטתי לקרות כדברי בית שמאי he is attesting to the fact that he was among those whose practice it was to stand for קריאת שמע when it was recited in the morning. The discussion in the גמרא was an attempt by הו"ל to rein in the diverse practices and to develop a uniform practice. That disagreements in the גמרא may represent diverse practices can be seen more clearly in the second סוגיא. When רבי יהושע בן לוי said: תפלת באמצע תקנום, he was attesting to the fact that it was his custom that in תפלת מעריב, he would recite שמונה עשרה first and then recite קריאת שמע. We now know from research being performed by such scholars as Professor Ezra Fleischer of Hebrew University, that it was the מנהג ארץ ישראל until the time of the גאונים that for תפלת מעריב they would recite שמונה עשרה before קריאת שמע.

By using this form of analysis we can support Professor Fleischer's conclusion from halachic sources. There still exists a dispute as to whether there is a need to perform תפלת מעריב in סמיכת גאולה לתפלה. If everyone agreed that there is a need to perform תפלת מעריב in סמיכת גאולה לתפלה, there would have been no basis upon which to recite שמונה עשרה after קריאת שמע. The fact that such a dispute exists confirms that the practice of reciting שמונה עשרה before קריאת שמע during תפלת מעריב was followed by some groups. Moreover, whenever we recite תפלת מעריב before the time to recite קריאת שמע at night, we are essentially following the practice of רבי יהושע בן לוי. We are first fulfilling our מצוה of תפלה and then fulfilling our מצוה of קריאת שמע.

We need to be cognizant of the fact that a מחלוקת concerning practices involving the תפילות is different from other disputes that we study in the גמרא. That will become much clearer during our study of שמונה עשרה. It may help our study of תפלה to note how scholars view the development of the תפילות. On page 7 of his book, *Prayer in the Talmud*, Professor Joseph Heinemann states in his introduction as follows:

Among Jewish legal authors of the Middle Ages and among certain modern writers as well, a dogmatic approach is often encountered to the problem of the relationship between the legal norms of prayer, as they are set forth in the Talmudic sources, and the actual texts of the prayers themselves. These writers can only see the prayers as they are mirrored in the legal norms of the Halacha, and either close their eyes to instances which deviate from the norms or try somehow to harmonize the two. It seems to us more correct to assume the opposite: that at first many different forms of the same basic prayer grew up in a somewhat haphazard fashion and that only afterwards, gradually in the course of time, did the Rabbis impose their legal norms on this vast body of material.

## TRANSLATION OF SOURCES

'ב' עמ' ב' Mishnah. Beth Shammai say: in the evening, every man should recline when he recites the Shema, and in the morning he should stand, as the verse says: and when you lie down and when you rise. Beth Hillel, however, say that every man should recite in his own way, as the verse says: and when you walk along the road. What is meant by the words: when you lie down and when you rise? This means, at the time when people lie down and at the time when people rise. Rabbi Tarfon said: I was once walking by the way and I reclined to recite the Shema in the manner prescribed by Beth Shammai, and I incurred danger from robbers. They said to him: you deserved to come to harm, because you acted against the opinion of Beth Hillel. Gemara: Beth Hillel cause no difficulty; they explain their own reason and the reason why they reject the opinion of Beth Shammai. But why do not Beth Shammai accept the view of Beth Hillel? Beth Shammai can reply: If Beth Hillel are correct then the text should have been written: in the morning and in the evening. Why does the text say: when you lie down and when you rise? To show that in the time of lying down there must be actual lying down, and in the time of rising up there must be actual rising up. And how do Beth Shammai explain the words: and when you walk along the road? They need it for the following, as has been taught: as to the verse: when you sit in your house: this excludes a bridegroom. 'And when you walk along the road': this excludes one who is occupied with the performance of a religious duty. Hence they set down the rule that one who marries a virgin is free from the obligation to say the Shema in the evening while one who marries a widow is bound.

'ב' עמוד ב' The Master said: Let him recite Shema and then say the Tefillah (Shmona Esrei). This accords with the view of Rabbi Yohanan. For Rabbi Yochanan says: Who inherits the world to come? The one who follows the Ge'ullah immediately with the evening Tefillah. R. Joshua b. Levi says: Shmonah Esrei should were meant to be recited in the middle of the prayer. What is the basis of their disagreement? If you like, I can say it is the interpretation of a verse, and if you like, I can say that they reason differently. Rabbi Johanan argues: Though the complete deliverance from Egypt took place in the morning time only, there was also some kind of deliverance in the evening; whereas Rabibi Joshua son of Levi argues that since the real deliverance happened in the morning that of the evening was no proper deliverance. 'Or if you like, I can say it is based on the interpretation of a verse'. And both interpret one and the same verse, i.e., when you lie down and when you rise up. Rabbi Johanan argues: There is here an analogy between lying down and rising. Just as at the time of rising, recital of Shema precedes Tefillah, so also at the time of lying down, recital of Shema precedes Tefillah. Rabbi Joshua son of Levi argues differently: There is here an analogy between lying down and rising. Just as at the time of rising, the recital of Shema' is next to rising from bed, so also at the time of lying down, recital of Shema' must be next to getting into bed.