

תפלת ערבית "רשות" VIZ-A-VIS DEFINING THE TERM

Despite the Halachic holding that תפילת ערבית is רשות, the accepted practice today is to treat תפילת ערבית as a חובה. How did that come about? Let us review how various ראשונים presented this issue:

תוספות מסכת ברכות דף כו עמוד א-טעה ולא התפלל ערבית מתפלל בשחרית שתים – ואם תאמר והאמר רב לקמן (ד' כז:) תפלת ערבית רשות וקיימא לן כותיה באיסורי. ועוד קשה דאמר לקמן (ד' ל:) טעה ולא התפלל יעלה ויבוא בלילה אין מחזירים אותו משום דאין מקדשין את החדש בלילה, ולמה ליה האי טעמא, תיפוק ליה דתפלת ערבית רשות? ויש לומר הא דאמרין דתפלת ערבית רשות היינו לגבי מצוה אחרת והיא עוברת דאז אמרין תדחה תפלת ערבית מפניה אבל לחנם אין לו לבטלה.

Translation: If he erred and failed to recite Tefilas Maariv, he recites Shemona Esrei twice the next morning in Tefilas Shacharis-Perhaps you would like to question this ruling by pointing out that Rav held that reciting Tefilas Maariv was optional. If that be the case, why is it necessary to make up this prayer, particularly since we accept the Halachic rulings of Rav when the issue concerns prohibited actions? You can further challenge this Gemara based on what we learned that if someone failed to recite Ya'Alah V'Yavoh in the Shemona Esrei he recited on the first night of Rosh Chodesh, he need not repeat Shemona Esrei because it was the practice of the Court not to declare the New Moon at night. Why do we need this reason, let us simply say that he need not repeat Shemona Esrei because Tefilas Maariv is optional? We therefore must conclude that the definition of voluntary as it concerns Tefilas Maariv is limited to circumstances when he could be performing another Mitzvah that if he fails to perform, he will lose the opportunity to perform it. In that case, he may omit reciting Tefilas Maariv. However, he may not omit Tefilas Maariv for no reason at all.

ספר המנהיג דיני תפילה עמוד קכ-וכבר חייבו רבי' היי' ז"ל דאע"ג דקיימא לן דתפילת ערבית רשות כסתם מתניתי' בתפי' השחר, דתנן תפי' הערב אין לה קבע, ואמ' בגמ' מאי אין לה קבע, אינה קבע כמאן דאמ' תפילת ערבית רשות וסתם במתני' ומחלוק' בברית' הלכה כסתם מתני'. ועוד דרב אמר הלכה כדברי האומר רשות, ושמוא' אמ' הלכה כדברי האומ' חובה, והלכת' כרב באיסורי דכל חובה המוטלת על האדם לבר דיני ממון איסורא הוא. והאי דמצלו לה כל ישראל לאו משום חובה היא ואי לא עבדי איכא פורענות, דלעולם רשות היא, ומצוה קא עביד ומקבל שכר ואי לא עביד לא מקבל פורענות, אבל מצוה דהיא חובה אי עביד להא אית ליה שכר מצוה ואי לא עביד אית ליה עון. והויא לה כצדקה וגמילות חסדים דמצוה ורשות דאי עביד מקבל עליהו שכר ואי לא עביד לית ליה עון. אבל סוכה וציצית והדומים להם אי עביד מקבל שכר ואי לא עביד אית ליה עון דמצות דחובה נינהו, וכן בקראת שמע דקרי ליה כוותיקין אית ליה שכר ואי לא לית ליה עון כאילו לא קראו כלל אלא איבר אותו שכר.

Translation: Rav Haii already resolved that reciting Tefilas Maariv was mandatory. He made that ruling despite the Mishna which holds that Tefilas Maariv has no measure which was interpreted by the Gemara to mean that it is optional and despite the holding by Rav that reciting Tefilas Maariv was optional. The reason that the Jewish People recite Tefilas Maariv every night is not out of the type of obligation that if one fails to do so one has committed a sin. It is optional from the point of view that if one recites it, one receives a reward but if one fails to do so it is not a sin. This is to be distinguished from an obligatory Mitzvah concerning which if he performs the Mitzvah he receives a reward and if he fails to do so he is punished. Reciting Tefilas Maariv is similar to the Mitzvah of charity or gemilas chesed which are Mitzvos but are optional. If one performs the Mitzvah, one receives a reward but if one fails to do so it is not a sin.

Mitzvos like Succah and Tzitzis and others similar to them, if one performs them he receives a reward and if he fails to perform them he is punished. Reciting Kriyas Shema at its earliest time is a similar Mitzvah. If one performs that Mitzvah in that way, one receives a reward but if one fails to do so it is not a sin.

מחזור ויטרי סימן עו-הא דקאמרי' תפילת ערבית רשות או חובה, הני מילי היכא דלא קבעו כלל לצלוויי. אבל אי עלי או קבליה עליה חובה. ואי טעי בה הדר ומצלי. דאי לא תימ' הכי בראש חדש דקאמרי' טעה ולא הזכיר של ראש חדש ערבית אין מחזירין אותו שאין מקדשין החדש אלא ביום. מאי איריא ראש חדש תיפוק לי בימים טובים ושבתות נמי אין מחזירין אותו דהא תפילת ערבית רשות. אלא ש"מ כי קאמרי תפילת ערבית רשות הני מילי היכא דלא קבעי לצלוויי כלל, אבל היכא דקבעי לצלוויי, שוויה עליה כחובה.

Translation: The discussion as to whether Tefilas Maariv is mandatory or optional only concerns someone whose practice it is never to recite Tefilas Maariv. However if someone regularly recites Tefilas Maariv or has accepted it upon himself as an obligation, it becomes mandatory for him to recite it. In that case, if he errs while reciting Shemona Esrei in Tefilas Maariv, he must repeat Shemona Esrei. If this is not the proper explanation of the dispute then why on the first night of Rosh Chodesh if one failed to recite Ya'Alah V'Yavoh in Tefilas Maariv, did the Gemara the rule that he need not repeat Shemona Esrei because Kiddush Ha'Chodesh, the declaration of the New Moon, took place only in the daytime. If reciting Tefilas Maariv was optional then there would be no need to repeat Shemona Esrei on Shabbos and Yom Tov, if one made a mistake. We can therefore conclude that when the gemara said that Tefilas Maariv was optional, it was only concerning one who regularly failed to recite Tefilas Maariv but if he recited it regularly it became mandatory for him.

The ספר כלבו raised an additional issue if in fact reciting ערבית תפילת was optional.

How do we comply with the requirement to recite 100 ברכות each day if we omit שמונה in עשרה תפילת ערבית?

ספר כלבו סימן ח-וכתב הרמב"ם ז"ל לכך לא תקנו קדושה בערבית מפני שהיא רשות, ופליגנא והא כתיב (דברים י, יב) מה ה' א-להיך שואל מעמך ואמר רז"ל אל תקרי מה אלא מאה והלא בג' ברכות שבלילה במנין מאה? אלא מה רוצה לומר תפלת ערבית רשות, רוצה לומר שיש ברשות האדם לאמרה בערב קודם שקיעת החמה לולי קריאת שמע שחייב אדם לאומרה עם הכוכבים וכן היו עושין רז"ל בימי פוליו הקיסר שגזר שמד ובטל דתם והיו הולכים קודם שקיעת החמה לבית הכנסת ומתפללין תפלת ערבית וכשהיה לילה היו אומרים ק"ש בביתם.

Translation: The Rambam wrote that the reason that Kedushah is not recited in Tefilas Maariv is because Tefilas Maariv is optional. The Rambam's position could be challenged. Did we not have a verse: what does G-d ask of you; did our Sages not advise that we should not read the word as "Mah" (what) but rather as "May'Ah" (100) and did we not need to recite Shemona Esrei at night so that we could complete our requirement to recite 100 Brachos each day. Then how shall we explain the Gemara's conclusion that Tefilas Maariv was optional? What the Gemara meant by optional was that we have the option to recite Tefilas Maariv before sunset despite the fact that we recite Shemona Esrei after Kriyas Shema and all agree that Kriyas Shema must be recited at night after the stars come out. In fact that was how our Sages acted in the time of Emperor Polippo Caesar who issued an edict against practicing Judaism. The Jews were forced to go to synagogues before sunset in order to recite Tefilas Maariv. Then at night they would recite Kriyas Shema at home.

The ספר כלבו adds one more thought to this issue:

וה"ר נתן ז"ל כתב נראה לי שכשם שאין המלאכים נכנסין בגבולינו כך אין אנו נכנסין בגבולם. ואומר בחסדים שעשה הקב"ה חסד עם ישראל שאומר שירה ביום ומלאכים בלילה שכן אמרו דוד (תהלים

להבין את התפלה

מב, ט) יומם יצוה ה' חסדו ובלילה שירה עמי, פירוש יצוה ה' חסדו לישראל ובלילה שירה של הקב"ה שהוא שירת המלאכים שאני מקלם בהם הלילה לפניו דכתיב (שם קיט, סב) הצות לילה אקום להודות לך.

Ha' Rav Nasan wrote that it appears to me that just as the angels do not interfere with our world we too should not interfere with their world. One of the acts of compassion that G-d extended to the Jewish people was that in the Beis Hamikdash, the Leviim would say Shira during the day while the angels sang Shira at night. That was what King David meant when he said (Tehillim 42, 9) By day the Lord will command His loving kindness, and in the night His song shall be with me, a prayer to the G-d of my life. This verse should be interpreted to mean: in the day G-d will command the angels to be silent as a kindness to those who need it, the people of the lower world. During the night the song sung by the angels will be heard while G-d still hears the human song, which I sang during the day. This follows what was written (Tehillim 119, 62): In the middle of the Night I will arise and thank You.

That תפלה itself is ערבית רשות had practical implications concerning the תפלה itself:

מחזור ויטרי סימן קא-ולפי ששנינו תפילת ערבית רשות לפיכך הוסיפו ראשי ישיבות שבבבל ברכה זו. ב"א י-י המלך בכבודו כו' להודיע שתפלת ערבית רשות. ואין צריך לסמוך גאולה לתפילה. וקבעו שם ברכה זו ברוך י-י לעולם אמן ואמן.

Translation: Because it was concluded that Tefilas Maariv was optional, the heads of the Babylonian Academies added the following Bracha to Tefilas Maariv: Baruch Ata Hashem Ha'Melech Bichvodo etc. This was done to confirm that the recital of Tefilas Maariv was optional and that it was not necessary to join the commemoration of the Exodus from Egypt with the recital of Shemona Esrei. They established the name of the Bracha as Baruch Hashem L'Olam Amen V'men.

The פסוקים provides a little history behind the composition of the paragraph of ריטב"א that begin: ברוך י-י לעולם אמן ואמן.

הלכות ברכות לריטב"א פרק ו-ה. מצוה לאדם לענות אמן אחר כל ברכותיו, והוא בסוף שתי ברכות או יותר בכל ענין שכשגמר ברכותיו יש לו רשות לשוה, כגון סוף ברכות של תורה ושל הלל ושל הפטרה ושל תפלה, אבל לא בין ברכה לברכה, ולא בסוף ברכות של קריאת שמע של שחרית שאסור להפסיק בין גאולה לתפלה כלל, אבל ברכות של קריאת שמע של ערבית, שנהגו היום להפסיק בינם ובין תפילה בקדיש, עונה אמן אחר ברכה אחרונה של קריאת שמע שזו היא השכיבנו, כדי לעשות היכר שאותן פסוקים שאומר אחר כן אינם של ק"ש אלא תקנת אחרונים שתקנום במקום תפילה, לפי שהיו מתפללים בשדות והיו מסוכנים להתאהר שם, ולפי שתפלת ערבית רשות לא היו חוששין להתפלל בצבור אלא אומרים פסוקים אלו שיש בהם י"ח הזכרות כנגד י"ח ברכות והיו מברכין אחריהן ברכה אחת וחותרם המלך בכבודו חי וקיים ימלוך עלינו לעולם ועד ועל כל מעשיו ואחר כך הרוצה היה מתפלל לעצמו בביתו, ועכשיו נשאר הדבר על מנהגו אע"פ שבטל הטעם לפיכך יחיד שאומר ברכות של קריאת שמע כשגומר ברכת השכיבנו מתפלל לאלתר לסמוך גאולה לתפלה ואינו אומר אמן עד סוף ברכה אחרונה של י"ח.

Translation: It is a Mitzvah for a person to recite Amen after each of the Brachos that he recites when he finishes reciting a group of two or more Brachos. When he finishes all of the Brachos he may talk like at the end of the Brachos Ha'Torah, Hallel, the Haftorah and Shemona Esrei but he should not speak in the middle of reciting a group of Brachos. At the end of the Brachos of Kriyas Shema that he recites in the morning, he should not speak because he is prohibited from speaking because he needs to join the commemoration of the Exodus from Egypt with the recital of Shemona Esrei. However, concerning the Brachos of Kriyas Shema that are recited as part of Tefilas Maariv, the practice now is to recite Kaddish between the Brachos of Kriyas Shema and Shemona Esrei. Therefore he may recite

Amen after reciting the last Bracha of Kriyas Shema which is Hashkeiveinu. He does so as a sign that the verses that he recites after Hashkeiveinu are not part of the Brachos of Kriyas Shema but were an innovation instituted later in place of Shemona Esrei. This paragraph was composed because there were those who recited Tefilas Maariv in the fields and would be in harms way if they stayed out too late. Since Tefilas Maariv is optional, they did not make the effort to recite Tefilas Maariv in a group of ten men. Instead they recited these verses in which the name of G-d appears 18 times representing the 18 Brachos of Shemona Esrei. They would then recite a Bracha at the end of the verses and end: Ha'Melech Bi'Kvodo Chai V'Kayam Yimloch Aleinu L'Olam Va'Ed V'Al Kol Ma'Asav. Then whoever wanted to recite Shemona Esrei at home could do so. Even after the reason for reciting this extra paragraph no longer existed, the paragraph remained a part of our practice. Therefore a person who is praying alone can skip this paragraph. After reciting the Brachos of Kriyas Shema, he should recite Hashkeiveinu in order to join the commemoration of the Exodus from Egypt with the recital of Shemona Esrei. He should not recite Amen after any of his Brachos until after the last Bracha of Shemona Esrei.

The **שבולי הלקט** provides an additional view on the the paragraph of **פסוקים** that begin:
ברוך יי לעולם אמן ואמן:

ספר שבולי הלקט ענין תפילה סימן נב-דין תפלת ערבית אם רשות אם חובה-מצאתי בשם רבינו שלמה זצ"ל מה שאמרו רבותינו תפלת ערבית רשות דוקא בתפלה לבדה קאמר ולא בקריאת שמע דקריאת שמע בברכותיה חובה היא מדאורייתא כדכתיב בשכבך ובקומך ועל זה הטעם הוסיפו ראשי ישיבות שבבבל לומר הפסוקין ברוך ה' לעולם אמן ואמן וחותרין בא"י מלך א-ל חי לעד וקיים לנצח להודיע שהוא רשות ואינו צריך לסמוך גאולה לתפלה וקבעו כנגד התפלה הפסוקין האלה עם ההתימה שיש בהן י"ח אזכרות כנגד י"ח ברכות ושלחום לאנשי ארץ ישראל וקבעום. ולכך אומר קדיש כלומר זו היא השלמת התפלה. והרועה ליפטר נפטר והולך לו. והאידינא שוויה כולי עלמא לתפלת ערבית חובה וצריך לסמוך גאולה של ערבית לתפלה של ערבית. דאמר ר' יוחנן איזהו בן העולם הבא זה הסומך גאולה של ערבית לתפלה של ערבית ואע"פ שמפסקין בהשכיבנו ובפסוקין כגאולה אריכתא דמיין ולית לן בה... וקדיש אחר יאמרו אחר ברכת של קריאת שמע של ערבית. מפני שתפלה של ערבית רשות ושמא יצא אדם מבית הכנסת אחר שגומרין הברכות של אמת ואמונה ולא יתפלל י"ח ונמצא יוצא בלא קדיש.

Translation: I found in the name of Rabbenu Shlomo that the rule enunciated by our sages that Tefilas Maariv was optional was only meant to include Shemona Esrei and not Kriyas Shema. Kriyas Shema and the Brachos of Kriyas Shema are mandatory as a Torah based rule as it is written when you lay asleep and when you arise. That is the reason the heads of the Babylonian Academies added the verses: Baruch Hashem L'Olam Amen V'Amen and ended it with Baruch Ata Hashem Melech Ail Chai La'Ad V'Kayam La'Netzach in order to confirm that reciting Tefilas Maariv is optional and it is not necessary to to join the commemoration of the Exodus from Egypt with the recital of Shemona Esrei. They chose these verses to reflect the 18 Brachos of Shemona Eserei which with the ending Bracha contain 18 references to G-d's name. They sent this to the people of Eretz Yisroel and they established the recital of this paragraph as a regular practice. That is why we recite Kaddish before Shemona Esrei to announce that the end of Tefilas Maariv has been reached. Whoever wishes to leave at that moment may leave. Now everyone considers Tefilas Maariv as being mandatory and it is necessary to to join the commemoration of the Exodus from Egypt with the recital of Shemona esrei. This is based on what Rav Yochanon said: who will inherit a part in the Next World? He who joins the commemoration of the Exodus from Egypt with the recital of Shemona Esrei. He is considered as having done so despite reciting Hashkeiveinu and the paragraph of verses. They are considered a lengthy reference to the Exodus. We recite Kaddish after the Brachos of Kriyas Shema because reciting Shemona Esrei in Tefilas Maariv is indeed optional. Another reason to recite Kaddish before Shemona Esrei is to benefit one who leaves the synagogue after completing the Birchos Kriyas Shema. He does not recite Shemona Esrei and fails to hear the Kaddish that is recited after.

SUPPLEMENT

ברכת הזימון Introduction to

Professor Joseph Heinemann, in his book: *Prayer In The Talmud*, De Gruyter, 1977, begins his discussion about **ברכה הזימון** on page 133 as follows:

We must now focus our attention on one invitational formula in particular, the *Birkat haz-zimmun*, or invitation, which precedes the communal Grace After Meals. This formula is extremely problematic and requires a thorough-going examination'.

Why is **ברכה הזימון** so problematic? It begins with the fact that **ברכה זימון** is the only prayer in which a prayer leader invites others to join him when less than ten men are present. The **גמרא** appears to ask the question: why? and presents the following answer:

תלמוד בבלי מסכת ברכות דף מה' עמ' א' – משנה. שלשה שאכלו כאחת חייבין לזמן . . . גמרא. מנא הני מילי? אמר רב אסי: דאמר קרא (תהלים ל"ד) גדלו לה' אתי ונרוממה שמו יחדו. רבי אבהו אמר מהכא: (דברים ל"ב) כי שם ה' אקרא הבו גודל לא – להינו . . . אתמר: שנים שאכלו כאחת; פליגי רב ורבי יוחנן, חד אמר: אם רצו לזמן מזמנין; וחד אמר: אם רצו לזמן – אין מזמנין. תנן: שלשה שאכלו כאחת חייבין לזמן; שלשה – אין, שנים – לא! – התם חובה, הכא רשות. תא שמע: שלשה שאכלו כאחת – חייבין לזמן ואין רשאים ליחלק; שלשה אין, שנים לא! – שאני התם, דקבעו להו בחובה מעיקרא.

Translation: Mishnah. if three persons have eaten together, it is their duty to invite one another to say grace . . . GEMARA. From where is this derived? Rabbi Assi says: Because Scripture says, O magnify you the Lord with me, and let us exalt His name together. Rabbi Abbahu derives it from here: When I, (representing a single person) proclaim the name of the Lord, ascribe you (representing two or more people) greatness unto our G-d . . . It has been stated: If two have eaten together, Rab and Rabbi Johanan differ as to the rule to be followed. One says that if they wish to invite one another to say grace they may do so, the other says that even if they desire to invite one another they may not do so. We have learnt: IF THREE PERSONS HAVE EATEN TOGETHER IT IS THEIR DUTY TO INVITE ONE ANOTHER. That means to say, three but not two? No; there in the case of three it is a duty, here in the case of two, it is optional. Come and hear: If three persons have eaten together, it is their duty to invite one another to say grace, and they are not permitted to separate. This means to say, three but not two, does it not? No; there is a special reason there why they may not separate, because from the outset of the meal they laid upon themselves the duty to invite one another.

The **גמרא** answers that it is a **גזירת הכתוב**, a rule we learn from the wording of the verses. Both the words: **גדלו** and **הבו** connote that one person is addressing at least two other people. Since the minimum number of people who are being addressed in the verses is three, then the invitation has to be given in a group of three. Why was this rule only

applied to three people who ate together? That is a much more difficult question to answer. Possibly, **הז"ל** searched for all possible circumstances when three people perform an activity together and determined that eating together was the only activity in which three people could be combined to create a unit. Prayer is certainly not viewed as that kind of activity. Three people who pray in the same room remain three individuals and cannot be combined for any purpose.

The above **גמרא** raises further issues. According to one opinion, either that of **רב** or **רב יוחנן**, two people who ate together may recite **ברכת הזימון** but they are not required to do so. Why does the **גמרא** not inquire as to the basis for the rule that two people who ate together may recite **ברכת הזימון**. Is the **גמרא** teaching us that the same two verses that are the basis for the requirement that three people who ate together must recite **ברכת הזימון** are also the basis for the rule that two people who ate together may recite **ברכת הזימון**?

An additional issue is presented by the following **משנה**:

תלמוד בבלי מסכת ברכות דף מט' עמ' ב' - משנה. כיצד מזמנין? בשלשה - אומר: נברך, בשלשה והוא אומר: ברכו, בעשרה אומר: נברך א-להינו, בעשרה והוא - אומר: ברכו; אחד עשרה, ואחד עשרה רבוא. במאה - הוא אומר: נברך ה' א-להינו. במאה והוא - אומר: ברכו, ובאלף הוא אומר: נברך לה' א-להינו א-להי ישראל, באלף והוא אומר: ברכו ברבוא - אומר: נברך לה' א-להינו א-להי ישראל א-להי צב-אות יושב הכרובים על המזון שאכלנו, ברבוא והוא - אומר: ברכו, כענין שהוא מברך כך עונים אחריו: ברוך ה' א-להינו א-להי ישראל א-להי צבאות יושב הכרובים על המזון שאכלנו, רבי יוסי הגלילי אומר: לפי רוב הקהל הם מברכים, שנאמר: (תהלים ס"ח) במקהלות ברכו א-להים ה' ממקור ישראל. אמר רבי עקיבא: מה מצינו בבית הכנסת - אחד מרובים ואחד מועטים אומר ברכו את ה'. רבי ישמעאל אומר: ברכו את ה' המבורך.

Translation: Mishnah. What is the formula for Zimmun? If there are three, he, the one leading the recital of grace, says, 'let us bless Him of whose bounty we have eaten'. If there are three beside himself he says, Barchu, 'bless'. If there are ten, he says, let us bless our God'; if there are ten beside himself he says, Barchu, 'bless'. It is the same whether there are ten or ten myriads. If there are a hundred he says, 'let us bless the Lord our G-d'; if there are a hundred beside himself he says, Barchu, 'bless'. If there are a thousand he says 'let us bless the Lord our G-d, the G-d of Israel'; if there are a thousand beside himself he says Barchu, 'bless'. If there are ten thousand he says, 'let us bless the Lord our G-d, the G-d of Israel, the G-d of hosts, who dwells among the Cherubim, for the food which we have eaten'. If there are ten thousand beside himself he says, Barchu, 'bless'. Corresponding to his invocation the others respond, 'Blessed be the Lord our G-d the G-d of Israel, the G-d of hosts, who dwells among the Cherubim, for the food which we have eaten'. Rabbi. Jose the Galilean says: the formula of invocation corresponds to the number assembled, as it says: bless You G-d in full assemblies, even the Lord, You that are from the fountain of Israel. Said

להבין את התפלה

Rabbi Akiba: what do we find in the synagogue? Whether there are many or few the reader says, 'Bless You the Lord. Rabbi Ishmael says: bless You the Lord who is blessed.

We do not follow the opinion expressed in the **משנה** that the number of people present determines what is to be recited as part of **ברכת הזימון** except as to ten. However, some did follow that practice. Again, we need to ask the question: why was **ברכת הזימון** singled out for this rule? Moreover, it appears that **רבי עקיבא** followed the practice of reciting **'ה** both as part of **ברכות קריאת שמע** and as part of **ברכת הזימון**. What was his basis for that holding? That is a further practice that we do not follow.

One more issue: The following **משנה** is the basis for not reciting the name of the **רבנו של עולם** as part of the invitation to recite **ברכת הזימון**.

תלמוד בבלי מסכת מגילה דף כג' ע"ב – משנה. אין פורסין על שמע, ואין עוברין לפני התיבה, ואין נושאים את כפיהם, ואין קורין בתורה, ואין מפטירין בנביא, ואין עושין מעמד ומושב, ואין אומרים ברכת אבלים ותנחומי אבלים, וברכת התנים, ואין מומנין בשם פחות מעשרה, ובקרקעות – תשעה וכהן, ואדם כיוצא בהן.

Translation: Mishnah. The introduction to the Shema is not repeated, nor does one pass before the ark, nor do the priests bless the people, nor is the Torah read publicly nor the Haftarah read from the prophets, nor are halts made at funerals, nor is the blessing for mourners said, nor the comfort of mourners, nor the blessing of the bridegrooms, nor is the name of G-d mentioned in the invitation to say grace, save in the presence of ten. For redeeming sanctified properties nine and a priest are sufficient, and similarly with redeeming human beings.

We can ask the following question concerning this **משנה**: If the one leading **ברכת הזימון** in a group of less than ten is not allowed to include the name of the **רבנו של עולם** as part of the invitation to recite **ברכת הזימון**, then why are the others present allowed to recite the name of the **רבנו של עולם** as part of their initial response; i.e **יהי שם ה' מבורך מעתה** and why is the leader allowed to repeat the same verse. Perhaps we should omit the opening two lines and begin with **ברשות רבנן** when **ברכת הזימון** is recited in a group of three.

Professor Joseph Heinemann in his book cited above attempts to answer many of these questions:

There can be little doubt that Grace, both before and after meals, as well as the „Invitation to Grace" go back to very early times. The custom of reciting a benediction over food is known to be very ancient among most peoples. As regards Jewish sources, Grace is already referred to in the *Book of Jubilees* (22:6), where it is ascribed to Abraham (and similarly in *Genesis Rabbah*). A form of grace before the meal „according to the custom of the Jews" (which includes a kind of „blessing for the master of the house") is mentioned in the Letter of Aristeas. Talmudic sources tell of a parody of the *Birkat ha-zimmun*

recited by Simeon ben Setab before King Alexander Jannaeus; there is no reason to doubt the authentic nucleus of this anecdote. The formulation of the *Birkat haš-zimmun* must also greatly antedate the Tannaitic period, for otherwise the fact that the *Tanna'im* regard it as a liturgical *Berakah*, although it lacks the standard form which they themselves require, is inexplicable. This conclusion is supported also by the presence of an obscure *Halakah* in the *Mishnah* („It is all one whether there are ten ...") which even the *Tanna'im* have difficulty explaining, and by the various disputes over the proper wording of this formulation which we shall examine below.

The *Birkat haš-zimmun* came into being in connection with the community-meals of the *Haburah* („fellowships" or „societies"), with their large number of participants, as G. ALLON has rightly suggested". Such an origin makes it possible to account for a number of the peculiar features of this formula, such as the variations in its wording according to the number of participants. There is no place for such distinctions in the service of the synagogue, where the number of worshippers in attendance is not known in advance and where people are constantly coming and going, as was noted correctly by the medieval commentators. But in *Haburah-meals* only the invited members could participate, and their number would certainly be well known when the time came for Grace to be recited at the conclusion of the meal. We also find explicit reference to ten *Haberim* as the minimum number to be present at the meals of the Qumran sect, and there are indications that the *Haburot* of the sect were arranged in units of ten, fifty, one hundred, etc. There is good reason to believe that such customs at Qumran merely continued traditions of still earlier *Haburot* among the „early pious ones" (*Hasidim Harishonim*). Even in halakic sources of the Tannaitic period we still find remnants of *Haburah*-rules of this kind, as for example in a *Barayta* (*B. Brachot* 43b), which enumerates among other things considered to be „beneath the dignity of a disciple of the Sages" that „he should not recline at table in a *Haburah* of the ignorant people (*'amme ha-'aras*)"; similarly we are told of the „fastidious" people (*Neqiyye had-da'at*) of Jerusalem that „they would not attend a meal unless they knew who was to be sitting with them" (*B. Sanhedrin* 23 a). Another *Barayta* (*B. Brakot* 47b) lays down explicitly that „one does not count an *'am ha-'aras* for the purpose of *Birkat haš-zimmun*". Again, there is no parallel whatsoever for such requirements as regards congregational prayers in the synagogue; they can be understood only against the background of *Haburah-meals*, to which no one was admitted who did not „eat even non-sacred food in ritual cleanness" or who did not „tithe his produce properly" (*ibid.*). Similarly, the *Halakah* that „the priest is the first to recite the blessing" applies exclusively to communal meals and has no parallel in the synagogue prayers. We also know that this very same rule applied to the community-meals of the Essenes and the Qumran sect. There is no logical reason why this privilege of the priest, based as it is on a homiletical interpretation of the verse in *Leviticus* (21 : 8): „and thou shalt sanctify him' — regarding all sacred matters, to be the first to open and the first to recite a blessing" (in the same *Bärayta*, *ibid.*), should not apply equally to the synagogue, especially to matters requiring a quorum of ten (*Mishnah Megillah*, IV, 3). Nevertheless, no such application is found — a clear indication that the privileged status of the priest as regards Grace After Meals stems from the special tradition of the *Haburah* and its ceremonial meals.

We can now proceed to solve some of the problems that were mentioned above. It appears certain that the custom of reciting *Birkat haš-zimmun* when only three people participated in a meal (where the formulation includes neither the Tetragrammaton nor one of its equivalents), is a later extension of the ancient custom of the formal communal Grace, as it was observed in the *Haburah*, for there was no *Haburah* of less than ten members. (But this extension must have preceded the period of the *Tanna'im*, for whom it is already self-evident that „three who have eaten together must recite the communal Grace", *Mishnah Brakot* VII, 1). Subsequently, in the days of the first generation of *'Amora'im*, we find a further attempt to extend the recitation of *Birkat*

haẓ-zimmun to even two participants (*B. Brak6t* 45a). On the other hand, there are seventh-generation 'Amora'im (fifth century C. E.) in Babylonia who still have doubts whether the obligation of *zimman* applies even to three, if there is not among them a „great man," „outstanding among his fellows" (*B. Brak6t* 45 b). This would again appear to be a late echo of the authentic *Haburah* tradition which did, in fact, reserve the right to initiate Grace for one „outstanding among his fellows," viz., the priest. Those who were responsible for extending the custom of *Zimmun* to a company of three, i. e., to the ordinary family-meal, were confronted with a tradition which required that the number of divine names and epithets in the formulation vary according to the number of participants at the meal. As one appellation only — '*elobena* („our God") — was used for a company of ten, the logic of the scheme demanded its omission for the still smaller company of three; hence this unique *Brakab* which lacks the mention of either the divine name or any epithet — a stylistic phenomenon which would be incomprehensible had the *Birkat haẓ-zimmiun* originally been designed for a company of three. There is no question that the statement of R. Yose the Galilean in the *Mishnah* (and also the anonymous statement preceding his words) represents the authentic, ancient tradition with its graded formulae „in accordance with the size of the gathering" (although we are probably entitled to consider the formulae for ten thousand and for a hundred thousand as theoretical and schematic extensions of the scheme). On the other hand, Rabbi Aqiba (who holds the opinion that the invitational formula in the company of ten or more should be *Bareku at a-donay*, „Bless you the Lord", as it is in the synagogue) opposes this peculiar tradition, which was out of harmony with all other forms of communal prayers, as they had been established by his time. The *Hakamim* (i. e., the „majority opinion" of the Sages)" take a middle position, retaining the formula, *Bareku* (or, *Nebarek*) *elobenu* „Bless you (or, „Let us bless) our God", which differs from the one used in the synagogue, while abolishing the variation in formulae between ten and one hundred, etc. It would appear, then, that the statement in *Mishnah Megillah*, IV, 3 which mentions *Zimmun be'shem* (employing the divine name), together with a whole list of prayers and customs which are carried out only in the presence of ten, i. e., in the synagogue, reflects the view of Rabbi Aqiba; for, as a rule, the term *sem* as used in the *Mishnah* designates the Tetragrammaton (pronounced as '*a-donay*). As regards the use for even ten participants of *elobenu* 'instead of *a-donay* 'in the old tradition maintained by Rabbi Yose, which stands in striking contrast to all the other statutory prayers and benedictions in which the address *a-donay* is used exclusively, this, too, may be explained by the early date of the formula, which presumably goes back to the period before '*a-donay* was designated as the exclusive pronunciation of the Tetragrammaton". It would seem that during this early period the two epithets *a-donay* and *elobenu* served interchangeably as substitutes for the Tetragrammaton, which was no longer pronounced. This state of affairs is still reflected quite clearly in the Dead Sea Scrolls — which in this matter, as in others, appear to have retained the ancient tradition of the „early generations of pious men" (*Hasidim Ha'Risbonim*), from which Pharisaic Judaism eventually departed. There, too, we find '*a-donay* 'alternating with various forms of '*el* or *elohim* in liturgical formulae, without any marked preferences being shown for one or the other".

Finally, in the light of the above discussion, we may now explain some of the details which are mentioned in connection with the *Birkat haẓ-zimman*. The distinction which is made in the *Mishnah* between *Bareku* and *Nebarek* may originally have depended upon whether or not the person reciting the invitational formula was a priest, who was usually attached to every company of ten: thus, „in a company of ten besides himself", i. e., besides the priest who is reciting the blessing, „he says: *Bareku*. Such a formula would not be out of place when recited by a priest, who is justified in disassociating himself from the congregation" (as we have shown above), since he is not only a member of the *Haburah*, but also a special functionary who is reciting Grace (or inviting the *Haburah* members to recite Grace) by virtue of his greater degree of holiness. So, too, we may perhaps explain the numerous disputes among the Sages over particular

expressions in the *Birkat ha-zimmun* (B. Berakot 60a) precisely on the basis of their extreme antiquity. (Some Sages, for example, go so far as to call a „boor" anyone who says, „for the food which we have eaten", a formula which appears in the *Mishnah* and is undoubtedly quite ancient".) These formulae had already been given a fixed wording hundreds of years before the other benedictions and prayers ever arrived at such a stage of standardization (including those benedictions which make up Grace itself). There was no need during the Mishnaic and Talmudic periods for the Sages to disqualify or polemicize against undesirable phrases in the other prayers, since no one wording of these prayers had as yet achieved an exclusive, normative status. Such was not, however, the case with respect to the *Birkat ha-zimmun*. Here there were indeed fixed formulae which had been sanctified by an age-old tradition and which could not be ignored. The *'Amora'im* were thus compelled to take a firm stand *vis a vis* these ancient, familiar formulae and to disqualify some of them in their desire to arrive at „proper" formulations.