YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Halakha in the Age of Social Media**

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Dedicated in memory of Rabbi Jack Sable z”l and

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**Shiur #02: Social Media and *Berakhot***

[Last week](https://etzion.org.il/en/shiur-01-introduction-1), we noted that communications technology in general and social media in particular have radically changed the way we experience life. Some of these changes are positive, others negative, and others ambiguous. While there is no code of the “laws of social media,” there are many *halakhot* whose analysis may shed light on the way we can and should experience these changes. The laws of *berakhot* are especially well-suited for this, as blessings capture the religious sentiments we do, or should, have. As a test case, let us use two *berakhot*, *Mechayeh Ha-meitim* (“Who resurrects the dead”) and *She-hecheyanu* (“Who has kept us alive”), to assess the different ways we deal with these new realities.

**Information versus relationship**

Increased communication has undeniably increased our **access to information.** In the past, it often took months or years to hear about world events or family celebrations/ tragedies; in the modern world, we are instantly apprised of all that is happening. However, while we may know what is going on with all our Facebook “friends,” the **relationships** we have on social media are usually shallower than those in real life. It is on these two axes, that of information and that of intimacy, that these two *berakhot* may function.

The Gemara in *Berakhot* (58b) records the following:

**Rabbi Yehoshua ben Levi said: One who sees his friend after thirty days** have passed since last seeing him **recites: “Blessed… Who has kept us alive (*She-hecheyanu)*, sustained us and brought us to this time.”**

One who sees his friend **after twelve months recites: “Blessed… Who resurrects the dead (*Mechayeh Ha-meitim).”*** As **Rav said: A dead person is only forgotten from the heart after twelve months** have elapsed, **as it is stated: “****I am forgotten as a dead man out of mind; I am like a lost vessel”** (*Tehillim* 31:13), and with regard to the laws of lost objects, it is human nature to despair of recovering a lost object after twelve months. (Koren translation, with minor alterations)

Thus, there are two blessings to be said when seeing a friend after a time apart: after thirty days, *She-hecheyanu;* after a year, *Mechayeh Ha-meitim.* What is the nature of these *berakhot*?

Let us begin with *Mechayeh Ha-meitim.* This blessing seems to be about **information.** In a world without advanced communication, if Reuven has not seen Shimon for a year, there is a chance that his friend Shimon has passed away. When Reuven then sees Shimon, he blesses God that his friend is alive. Maharsha (*Berakhot* 58b, cited in *Mishna Berura* 225:4) suggests that as all human beings are judged for life or death on Rosh Hashana, seeing someone alive after a year indicates that the friend had been judged for life.

However, there is a relationship component to this blessing. As Rashba notes (*Responsa* 4:76), even if the proximate cause for making this blessing is confirmation that one’s friend is alive, it is only said **for friends**. One does not, for example, make this blessing when meeting a stranger for the first time. While meeting someone may “bring them to life,” the blessing is warranted only when one wants to thank God for the relief of finding out that a friend is alive and well.

**Implications of communications technology for information-based laws**

What implications does the increased flow of information have on a law predicated on lacking knowledge for long periods of time? Let us consider the question of whether the flow of information will affect saying the blessing when seeing a friend in person; then we will return to the question of whether “meeting someone” through phone calls, video calls, or any other mode of communication is sufficient to warrant a blessing.

The first authority to deal with this is Rav Ya’akov Chagiz, writing in the 17th century. In *Responsa Halakhot Ketanot* (1:220) he is asked whether one is required to recite *Mechayeh Ha-meitim* after not seeing a friend for a year, if during that time they were in contact through letters or kept updated through mutual acquaintances.

He answers, “It appears that one should not say the blessing of *Mechayeh Ha-meitim*… as there is no ‘I am forgotten as a dead man out of mind’ in this case.” In other words, the communication is sufficient to negate the novelty of seeing his friend anew. It is not clear whether for Rav Chagiz the central point is simply that *Mechayeh Ha-meitim* is said upon learning that a friend is alive or upon forgetting someone “as a dead man out of mind” and then having the friend “resurrected.” Either way, this blessing is not said unless someone has been in the dark concerning a friend’s wellbeing for a year, which is not the case when they have been in contact directly or indirectly. The suggestion is accepted as authoritative by most latter authorities.[[1]](#footnote-1)

In modern times, a Facebook post, a tweet, a message on WhatsApp, an email, or a phone call would all accomplish the same, thus making this *berakha* irrelevant in most modern circumstances. Rav Yisrael Kanievsky (*Orchot Rabbeinu,* Vol. 1, *Berakhot* 15), writing in the 20th century, takes this further (in the context of *She-hecheyanu;* see below): in the modern era, **lack of news is itself evidence that someone is alive.** When someone in a given social circle passes away, the information travels. Thus, if one hears nothing, this is de facto evidence that the person is alive, thus obviating the need to make a blessing upon seeing the person. This is even truer when Facebook accounts of those who pass away are often taken over by their loved ones to spread the word of their deaths and details of their funerals.

**Limitations**

Admittedly, there are limits to this. For example, Rav Shmuel Wosner (*Responsa Shevet Ha-Levi* 5:24) notes that if one has heard from a friend but been told that the latter would be in a life-threatening situation (such as a soldier who has entered enemy territory), one **would** make a blessing upon seeing the friend after a twelve-month period. In this case, the requisite time has passed, and during that time the friend’s survival was actually in question. In *Sha’ar Ha-tziyun* (225:3), the Chafetz Chayim makes this argument regarding a case in which the friend was known to have been sick.

These positions reflect two things:

1. In the majority of cases, authorities have accepted that an information-based law such as *Mechayeh Ha-meitim* must change to capture the modern realities.
2. Sometimes it is specifically our access to information that creates our concern that a friend’s wellbeing has been compromised.

**Is *She-hecheyanu* the same as *Mechayeh Ha-meitim*?**

What about the other blessing, *She-hecheyanu?* Many authorities do indeed equate these two, arguing that they lie on the same continuum. From their perspective, one recites *She-hecheyanu* when seeing that a friend is well after a month’s absence, and *Mechayeh Ha-meitim* after a year*.* Thus, they apply the same limitations to *She-hecheyanu* as we saw above. This is the position taken, for example, in *Mishna Berura* (225:5) and by Rav Yisrael Kanievsky (above).

***She-hecheyanu:* It’s about the relationship**

However, many authorities disagree. *She-hecheyanu* is said in many contexts: upon buying new clothes, eating a “new” seasonal fruit, etc. In each of these cases, one makes a blessing on the joy of experiencing newness. (The exact parameters are beyond the scope of this article.) In our context, therefore, this blessing should be understood as thanking God for the joy of **renewing a friendship or** **relationship**. Indeed, Tosafot (*Berakhot* 58b, s.v. *Ha*-*ro’eh*) cites Rav Yitzchak of Dampierre (Ri) as saying that this blessing is only made upon seeing a “friend whom one loves,” excluding acquaintances and (seemingly) friends who are not close from this category, a limitation accepted in *Shulchan Arukh* (*OC* 225:2).

In the responsum of Rav Ya’akov Chagiz (as noted in *Arukh Ha-shulchan, OC* 225:5) discussed above, he seems to accept this distinction. Thus, even if Reuven has been in communication with Shimon, Reuven says *She-hecheyanu* when seeing Shimon for the first time in a month. Rav Ovadya Yosef (*Responsa Yechaveh Da’at* 4:17) explains the logic: though it is true that one receives some level of emotional satisfaction by being in touch with friends through all kinds of media, “the excitement and emotional animation that one gets when he sees his friend face to face is with much greater power and strength.” More simply, nothing replaces meeting up with friends in person. Here we have halakhiclanguage to capture the sentiment that many people articulate about the modern world.

(Note that in *Responsa Mishpetei Tzedek* 29, the author contends that *Mechayeh Ha-meitim* is identical to *She-hecheyanu* and thus does apply in the modern world. Though his application is different than ours, the general contours of his assessment of the effects of communication on information flow versus relationships is similar to ours.)

**Template for other laws**

Following the analysis of this latter group of authorities, we have a distinction that can help assess other areas of law and the effect of communications technology and social media on their application. Laws that are based purely or primarily on an assumption of limited information will have to change radically when applied to the modern world of social media. However, laws that are predicated on relationships and physical presence may be more resistant to change.

**Other reasons not to make these *berakhot***

It should be noted that there is a general dispute among the authorities whether saying *She-hecheyanu* and similar blessings is obligatory or optional, thus causing many authorities to err on the side of not saying these blessing in cases of doubt. Additionally, there is a general hesitance among many authorities to rule that one should recite blessings in cases of doubt or dispute due to the principle of *safek berakhot le-hakel —* one should be lenient in cases of doubt regarding blessings.

Moreover, some authorities argue that there is a pragmatic reason not to say this blessing. As we saw last week, one recites *She-hecheyanu* only upon seeing a close friend, as reconnecting with such a person causes much joy. This limitation, however, can lead to several uncomfortable situations. One might refrain from saying the *berakha,* thus indicating to the other person that this friendship does not bring great joy. Alternatively, in order to avoid this, one might end up saying the *berakha* even when it is not warranted. Rav Shlomo Zalman Auerbach (*Halikhot Shelomo,* Vol. 3, Ch. 23, 12) argues that these concerns lead to a general custom to avoid saying this blessing. (See also *Ve-zot Ha-berakha,* pp. 170-171.)

Rav Auerbach (ibid. *Devar Halakha* 17), however, does note that in extreme situations where the joy is particularly great, such as upon seeing a very close friend whose life has been in danger, one may say the blessing, as in this exceptional case, one avoids the pitfalls mentioned above. If one would want to say the blessing in a regular situation, he suggests creating a situation where one may say *She-hecheyanu* for other reasons, such as eating a new fruit. It is recorded (ibid. n. 53) that this was Rav Auerbach’s practice when his daughter and son-in-law would visit on rare occasions from outside Israel. His students further record that while Rav Auerbach justified this custom and accorded with it, he felt that fundamentally one should be allowed to say this blessing and wanted to recite it upon seeing Rav Yaakov Kamenetsky. Rav Yechiel Michel Charlap (cited in above), felt that one could recite the blessing in cases where the joy is apparent, e.g. for close relatives or after not seeing intimate friends for extended periods of time. Rav Mordechai Eliyahu (cited in *Ve-zot Ha-berakha,* p. 171) suggests saying neither *She-hecheyanu* nor *Mechayeh Ha-meitim* out loud, but rather thinking them in one’s mind.

Rav Auerbach (ibid *Devar Halakha* 15) further argues that if one had the ability to see a friend but simply did not, the joy of seeing the friend again is not great enough to warrant a *berakha.* Thus, two friends in one city who just don’t get together for a while do not say a *berakha* when they finally find time to meet.

On the other hand, authorities such as Rav Ovadya Yosef (*Responsa Yechaveh Da’at* 4:17) rule that one should indeed make these blessings, subject to the parameters set forth above.

Our goal in this series is not to offer practical halakhic guidance, but to outline the ways in which Halakhais affected by advances in communications technology. Thus, whether or not one chooses to make these blessings, this analysis will help provide us an orientation for dealing with similar issues.

**“Seeing someone” not In person**

So far we have dealt withseeing friends in person after periods of absence, while still in communication. Now we move to the opposite question: if one has had no contact with a friend for an extended period of time, should one say *She-hecheyanu* or *Mechayeh Ha-meitim* upon talking to them on the phone, or video-chatting through Skype or Facetime? Can this not-in-person experience generate the requisite joy to require a blessing (or information for *Mechayeh Ha-meitim)*?

Rav Ya’akov Toledano (*Responsa Yam Ha-gadol* 24) argues that it does provide enough for both. For *Mechayeh Ha-meitim,* if one has had no contact with someone for a year and has concerns about the friend’s wellbeing, then receiving a phone call which dispels these doubts is enough to obligate one to make a *berakha.* As for *She-hecheyanu,* he argues that even hearing someone’s voice can create the same sense of joy as seeing someone. He proves this from the experience of the Revelation at Sinai, in which the Jews “saw the voices” (*Shemot* 20:14), thus indicating that the line between these two senses is often blurry. Furthermore, we rely on voice recognition for many areas of Halakha*,* such as allowing a blind man to be intimate with his wife, relying on his ability to discern her voice from that of a possible imposter. Rav Toledano notes that if this is true of phone calls, it is definitely true of live television — or, we might add, Skype or Facetime.

However, the majority of authorities rule that a phone call is not enough to enable one to make these blessings. Rav Shlomo Zalman Auerbach (above, Ch. 23, 11) seems to take a formal approach to this question, arguing that even if the joy might be similar, *Chazal* never instituted the *berakha* under these circumstances. Rav Ovadya Yosef (above) concurs.

A more substantive argument can be marshalled as well, especially for the “relationship-oriented” understanding of *She-hecheyanu*. If, as we have seen, Rav Ovadya argues that the joy of seeing someone in person is not diminished by having been in contact with him or her, such that one can make a *berakha* upon seeing the friend again, the enjoyment of speaking to someone not in person is not great enough to require a blessing. Halakhaconsiders the in-person experience to be fundamentally unique and superior to other kinds of interaction.

An indication for this may emerge from a discussion Rav Ovadya hints to at the end of his responsum. One of many “experience-based*”* *berakhot* is the blessing on seeing kings. The Talmud (*Berakhot* 58a) states that Rav Sheshet would make the blessing even though he was blind. The Gemara tells an elaborate story of how a heretic mocked Rav Sheshet for running to the king’s procession even though he could not see him. Rav Sheshet, however, proved that he was more in tune with the experience despite his lack of sight, intuiting when the king was passing based on the changing sounds of the procession. The heretic challenged Rav Sheshet’s blessing of the king without seeing him, for which this heretic was punished by Heaven. From this, the law emerges that though the Gemara says that one makes the blessing upon “seeing the king,” what is most critical is feeling the royal presence.

Rav Ovadya notes that some authorities, such as Rav Ya’akov Reischer *(Responsa Shevut Ya’akov* 2:38), argue that other “sight” blessings are really “experience” blessings, thus allowing a blind person to say *She-hecheyanu* on new fruit. While most authorities reject this for formal reasons, arguing that in most cases *Chazal* only instituted these as visual blessings, Rav Reischer’s position, coupled with the generally accepted opinion concerning the blessing on kings, suggests the following. As Rav Ovadya notes, the joy of seeing someone in person is unique. Thus, mere contact does not significantly diminish the joy of seeing a good friend. Sometimes, presence alone creates so much happiness that it can justify making a blessing even though one cannot see the object of joy. If this is true, the majority view would argue that Halakhaprioritizes the *sui generis* feeling of in-person contact, differing from Rav Toledano who argues that one can be just as happy talking to someone on the phone as hanging out with a friend.

However, as noted, while Rav Toledano rules that a letter informing one of a friend’s wellbeing is enough to justify *Mechayeh Ha-meitim,* as the consensus would be that the doubts about the friend’s being alive have been dispelled, most Posekim reject this reason to make a blessing, for the formal reasons mentioned above.

**Exceptional cases and paradigm shifts**

There are two considerations that I want to raise as points to ponder, and I encourage you to reach out with your thoughts.

When giving this as a *shiur* in Los Angeles, one attendee suggested that the analysis above misses a key demographic. While for some people social media may encourage superficial friendships rather than intimate in-person relationships, there are people for whom the latter are rare to impossible. For some people who are painfully shy and have difficulty or discomfort forming relationships, social media allows them to create a sense of comradery and community while avoiding the aspects of social interactions that make them most uncomfortable. For such people, it could be that friendships forged with the distance allowed by social media bring them more joy and meaning than “classic” friendships. For them, would it be justifiable to treat these virtual connections like in-person meetings?

My intuition is that we would not make these distinctions, for several reasons. First, Halakhais usually formulated based on the majority. Thus, if, as Rav Ovadya argues, the majority of people find face-to-face interactions to be more intense and meaningful, the paradigm for the laws should follow them.

Second, as mentioned, both Rav Auerbach and Rav Ovadya argue that, for formal reasons, *Chazal* instituted these blessings to be said upon physically seeing friends. Even if one could argue that a *berakha* based on personal feelings of happiness should not be subject to formalities, this is not the direction taken by these authorities.

Third, I think it is preferable to prioritize in-person relationships, highlighting that, at least for most people, there are benefits to these kinds of friendships. To institute a blessing for virtual interactions is to “give in” to a culture where people would rather text with friends who are not present than speak with friends sitting next to them.

A second point was suggested to me by Rav Aryeh Klapper. For the most part, the authorities we have seen and the extrapolations we have made from their positions have assumed that it is possible to tease out implications for today from earlier sources. However, it is possible that the way in which we interact has been so radically altered by communications technology that we do not relate to others in the same way. Our assumptions about when we will interact, how and with whom, are so different that the laws on the books may in no way reflect our current realities. Considering that these *berakhot* are built on assumptions about human emotions, such a paradigm shift may require more than tweaking the existing laws. From this perspective, the custom articulated by Rav Auerbach and others, that no one says these blessings, may be the best solution.

While I think this is true at some level, I think human experience does have a level of constancy that should not be ignored. For all that technology has changed the way we connect, maintaining laws that reflect a different situation attest to the ways in which human beings always stay the same. Saying these blessings is a way of capturing the elements of human experience that *Chazal* thought worth expressing religious sentiments for, and losing that would detract from our religious lives.

**Will this always be true?**

While I think the majority of people and *Posekim* would still propound that communicating through various forms of media is not a replacement for face-to-face conversations, I am not sure what the future will hold. As virtual experiences improve, it is possible that the norms of communication will no longer be limited to talking through screens. Perhaps we will have holograms so that it will be as if our friends are in the room. Perhaps technology will advance to allow for “virtual hugs,” so that we will actually feel the embrace of loved ones who are thousands of miles away. As technology advances, halakhicauthorities will have to reexamine the question of whether virtual experience of contact can ever be considered equal to actual presence.

1. *Arukh Ha-shulchan, OC* 225:3; *Ba’er Heitev*, *Sha’arei Teshuva* and *Mishna Berura, OC* 225:1. For a summary, see *Responsa Yechaveh Da’at* 4:17; see, however, *Responsa Mishpetei Tzedek* 29. [↑](#footnote-ref-1)