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ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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*Avodat Hashem*

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**Shiur #02:**

***Keriat Shema* (II): The Fundamental Obligation and its Source**

**By Harav Baruch Gigi**

**“When You Lie Down and When You Get Up”**

In the [previous *shiur*](http://etzion.org.il/en/shiur-01-keriat-shema-i-fundamental-obligation-and-its-source), we acquainted ourselves with the Talmudic dispute regarding whether the obligation of *keriat Shema* is *mi-de’oraita* or *mi-derabbanan*. This dispute, as we explained, is rooted in the question of whether the words “when you lie down and when you get up” constitute a specific command to recite the *Shema* during those times or if this expression is simply a part of the general imperative to engage in Torah study (“Impress them upon your children”), meaning that one must do so at all times and in every situation.

 In that *shiur*, we cited the position of *Talmidei Rabbeinu Yona* (*Berakhot* 12b, s.v. *De-amar*), who present a revolutionary interpretation. According to them, the words “when you lie down and when you get up” represent a specific command to recite certain verses, but this command does not relate specifically to the verses that constitute the *Shema* as we know it. Rather, one fulfills this obligation by reading any part of the Torah that one desires. According to this interpretation, even those who maintain that *keriat Shema* is *mi-derabbanan* would admit that the core obligation is actually *mi-de’oraita*; it is merely *Chazal*’s designation of these particular verses as the official text of *keriat Shema* that is *mi-derabbanan*.

 However, Tosafot(*Berakhot* 21a, s.v. *Ha-hu*) and other *Rishonim* understood that according to the position that *keriat Shema* is *mi-derabbanan*, the verses themselves only refer to the general *mitzva* of Torah study. In the view of Tosafot, the words “when you lie down and when you get up” do not represent a concrete command at all (aside from the obligation to engage in Torah study in all possible conditions and situations).

 In light of this understanding, Tosafot were forced to explain that in each instance in the Talmud where a specific law seems to derive from the words “when you lie down and when you get up,” the derivation is a mere *asmakhta* (a textual allusion rather than an actual Biblical source). Tosafotinsisted on taking this approach despite the indication in the Talmudic passages that many of the basic laws of *keriat Shema* are established through these derivations. *Tosafot* state:

And that which we said earlier, in the first chapter [of *Berakhot* (2a)], that the source of [the obligation to recite the *Shema*] in the evening is that it is written “when you lie down” – that is a mere *asmakhta*.

 In light of this, it is difficult to support Ritva’s position. Ritva follows the basic approach of *Talmidei Rabbeinu Yona* in that he maintains that the obligation is *mi-de’oraita*. However, Ritva also maintains, like Tosafot, that the verse constitutes an *asmakhta*:

The interpretation is that the Torah did not specify [that the obligation must be fulfilled] through *keriat Shema* specifically, **but rather that one should read from any place in the Torah that he desires**. And that which we read this passage specifically – it is merely *mi-derabbanan*. And that which all the *Tannaim* mentioned earlier derived the obligation of *keriat Shema* from this verse – **Shmuel maintained that it is a mere *asmakhta***. (Ritva, *Berakhot* 21a, s.v. *Ha-hu*)

Ritva’s interpretation is difficult to understand. It would have been feasible (though farfetched) to claim that Ritva’s statement regarding the *asmakhta* was directed solely at the verses of the *Shema* and not at the determination of the timeframe for the *mitzva*’s fulfillment. However, Ritva mentions explicitly that “all the *Tannaim*” derive the obligation of *keriat Shema* from this verse, rendering this suggestion impossible.

It seems that the phrase “all the *Tannaim*” refers primarily to two *mishnayot*: the dispute between Beit Shammai and Beit Hillelin the first chapter of *Berakhot* regarding the proper time for *keriat Shema* and the proper manner of its recitation (lying down, standing, etc.); and the laws in the second chapter regarding one who recites the *Shema* without hearing what he is saying, without pronouncing the letters correctly, or with the sections in the wrong order.[[1]](#footnote-1)

The dispute between Beit Shammai and Beit Hillel, as explained in the *mishna*, hinges on the derivation from “when you lie down and when you get up”:

Beit Shammai say: In the evening, every person should lie down and recite [the *Shema*], and in the morning he should stand, as it says, “When you lie down and when you get up.” Beit Hillel, however, say that every person should recite in his own way, as it says, “And when you are away.” Why, then, is it said, “When you lie down and when you get up”? [This means:] at the time when people lie down and at the time when people get up. (*Berakhot* 10b)

If Ritva indeed understands that the proper times for *keriat Shema* are mandated by the Torah, it is unclear why he states that the derivation is an *asmakhta*.[[2]](#footnote-2)

 In light of this, it seems that Ritva’s understanding is similar to that of Tosafot: According to the opinion that *keriat Shema* is *mi-derabbanan*, there is only a general *mitzva* to engage in Torah study by reading any part of the Torah that one desires, at any time that one desires.[[3]](#footnote-3) Following this approach, the verse does not contain any specific command, and it follows from this that any derivation of a focused or unique command from these verses – whether regarding the obligation itself or regarding the proper time for fulfilling the obligation – must be a mere *asmakhta*.

 If this is indeed Ritva’s position, one can argue that this was the intention of *Talmidei Rabbeinu Yona* as well. Their interpretation does not constitute a novel understanding of the position that the obligation of *keriat Shema* is *mi-derabbanan*, but rather that both the obligation itself and the times for fulfilling the obligation are *mi-derabbanan*.

 Based on this position, the law establishing that one who is uncertain if he recited the *Shema* does not need to recite the *Shema* again applies even when one has not read any other parts of the Torah on that day. This is in contrast to our previous, strained explanation of *Talmidei Rabbeinu Yona*’s position – that the law only applies when one has read another Torah passage on that same day.[[4]](#footnote-4)

 However, if we examine the position of *Talmidei Rabbeinu Yona* carefully, comparing it to Ritva’s position, we will see that the positions are not quite identical, despite their linguistic similarity:

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| ***Talmidei Rabbeinu Yona***:Since Shmuel maintains that *keriat Shema* is *de-rabannan*. **And even though it is written in the Torah, “When you lie down and when you get up,”** Shmuel maintains that the Torah did not say this specifically with respect to *keriat Shema*, but that one should read from any part of the Torah that he desires. Our practice to recite this passage specifically is merely *mi-derabannan*, and therefore he maintains that he need not recite it again. | **Ritva**: The interpretation is that the Torah did not specify through *keriat Shema* specifically, but rather that one should read from any place in the Torah that he desires. And that which we read this passage specifically – it is merely *mi-derabbanan*. |

The fundamental difference between the two positions is expressed in the verse in question. Whereas *Talmidei Rabbeinu Yona* relate directly to the words “when you lie down and when you get up,” Ritva does not mention these words explicitly. The explanation for this may be that Ritva’s intention here was that the entire verse relates to the general obligation to engage in Torah study, and thus all the derivations from the verse are necessarily considered mere *asmakhtot*. However, according to *Talmidei Rabbeinu Yona*, the laws derived from “when you lie down and when you get up” are considered fully legitimate derivations, upon which the obligation to recite verses at certain times and in certain manners is based.

 It is clear that even those who maintain that the obligation of *keriat Shema* is *mi-derabbanan* would admit that the Sages based this enactment upon verses from the Torah. The difference between the two approaches lies in the question of whether the words “when you lie down and when you get up” refer to *keriat Shema* or to the general *mitzva* of Torah study and to the specific Sages who instituted the *mitzva*. Thus, the verses in this passage serve to establish the *mitzva* of *keriat Shema*, whether according to the original intent of the Biblical text or according to the rabbinic interpretation of the verses that explicitly form the basis for the *mitzva* of *keri’at Shema* as we know it.

**What Are “These Words”?**

In the previous *shiur*, we discussed the definition of the phrase “these words,” which is mentioned in the passage – the question of which verses or passages we are required to recite in the framework of the *mitzva* of *keriat Shema*.

It seems apparent that those who maintain that the obligation of *keriat Shema* is *mi-derabbanan* understand that “these words” should be interpreted as relating to words of Torah in general. According to this position, the Sages were the ones who narrowed the scope of the *mitzva* to certain special verses and passages, for reasons that we will explain later.

In contrast, according to those who maintain that the obligation of *keriat Shema* is *mi-de’oraita*, the definition of “these words” is debatable. The more convenient possibility is to explain that “these words” refer to the passage in which the phrase appears, or to certain passages that are demonstrably within the framework of “these words.”

Let us briefly review the various positions regarding the question of which sections the Torah obligates us to recite in the framework of the *mitzva* of *keriat Shema*.

1. **The first verse of the *Shema***: According to this approach, the Torah requires that one recite only the verse “Hear, O Israel! The Lord is our God, the Lord alone.” This position is based on sources such as the *gemara* in *Berakhot* 13b, which states: “Our rabbis taught: ‘Hear, O Israel! The Lord is our God, the Lord alone’: This was R. Yehuda Ha-Nasi’s recitation of the *Shema*.”[[5]](#footnote-5) *Sefer Ha-Chinukh* follows this position (*mitzva* 420)[[6]](#footnote-6); see also *Me’iri*, *Berakhot* 13b, s.v. *Amar Shema Yisra’el*.
2. **The first passage of the *Shema***: The Torah requires that one recite the verse that begins “Hear, O Israel!” as well as the verses that follow, beginning with “You shall love” – in other words, the first passage of the *Shema*. Rashi seems to follow this position in his commentary at the beginning of *Masekhet Berakhot*, when he discusses the ancient custom to recite the evening *Shema* before nightfall. According to Rashi (in Rashba’s understanding of his commentary) one does not fulfill his obligation through this manner of recitation.[[7]](#footnote-7) Based on this, it seems that according to Rashi, it is enough to recite the first passage of the *Shema* in order to fulfill one’s Torah obligation.
3. **The first two passages of the *Shema***: According to this approach, there is a Torah obligation to recite the first two passages of the Shema, i.e., “Hear, O Israel!” and “If, then, you obey the commandments.” This position seems to stem from the commentary of *Talmidei Rabbeinu Yona* on the discussion of the custom to recite the evening *Shema* before nightfall.[[8]](#footnote-8) *Peri Chadash* follows this approach as well, basing his opinion on Rambam’s position and on the language of the *Yerushalmi*.[[9]](#footnote-9)
4. **All three passages of the *Shema***: This position maintains that one must recite all three passages of the *Shema* in order to fulfill one’s Torah obligation. We will discuss this position at length in the upcoming *shiurim* in the context of our discussion of Rambam’s position.
5. **Until the end of *Devarim* 6:6**: This position does not have a clear source in the *Rishonim*, but, in my humble opinion, it is implied from the Biblical text itself. This position has echoes in the Tannaitic literature, as it is implied in the words of R. Eliezer in *Berakhot* 13a, who states that the obligation to maintain *kavana* (focused intent) when reciting the *Shema* only applies until this point. Similarly, the *gemara* (*Berakhot* 13b) cites an opinion that one must stand until this point in his recitation.[[10]](#footnote-10) The common denominator in both of these opinions is that each one suggests the existence of a higher level of obligation until the end of verse 6, and it would seem that from this point on the obligation is merely *mi-derabbanan*.

The basis for this position is rooted in the fundamental understanding that “these words” refer to the *mitzvot* of recognizing the oneness of God and loving God. The essence of recognizing the oneness of God and loving God is condensed into the first two verses of the passage: “Hear, O Israel!” – which speaks of “the Lord alone” – and “You shall love” – which formulates the obligation of loving God. The verse that follows these two speaks of “these words” – meaning recognizing the oneness of God and loving God – and thus it is only in connection with these two obligations that one must recite the *Shema* “when you lie down and when you get up.”[[11]](#footnote-11)

 In the following *shiur*, we will delve into the world of Biblical verses, as we attempt to find a textual basis in the Torah for each of the positions listed above.

Translated by Daniel Landman

1. The *mishna* states:

If one recites the Shema without hearing what he says, he has performed his obligation. R. Yose says: He has not performed his obligation. If he recites it without pronouncing the letters correctly, R. Yose says that he has performed his obligation. R. Yehuda says that he has not performed his obligation. If he recites it backward, he has not performed his obligation. If he recites it and makes a mistake, he goes back to the place where he made the mistake. (*Berakhot* 2:3)

However, the *mishna* does not mention the source for these laws. The *gemara* explains:

What is R. Yose’s reason? Because it is written, “Hear,” which implies, let your ear hear what you utter with your mouth. The first *Tanna*, however, maintains that “hear” means, in any language that you understand. But R. Yose derives both lessons from the word… As we have learned, R. Yehuda said in the name of R. Elazar ben Azaria: When one recites the *Shema*, he must let himself hear what he says, as it says, “Hear, O Israel! The Lord is our God, the Lord alone.” Said R. Meir to him: Behold it says, “Take to heart these words with which I charge you this day”: On the intention of the heart depends the validity of the words. (*Berakhot* 15a) [↑](#footnote-ref-1)
2. In contrast, Ritva’s explanation that one can only derive the laws that one must hear what one says while reciting the *Shema* and similar laws (as explained in the above note) through an *asmakhta* makes more sense according to his position. In his view, the obligation to recite the *Shema* specifically is indeed *mi-derabbanan*. [↑](#footnote-ref-2)
3. Although Ritva did not write explicitly that the Torah’s command in the words “when you lie down and when you get up” refers to engaging in Torah study at all times, this is implied in light of our explanation of his position. These verses do not represent a unique command, but rather are directed at the *mitzva* of Torah study; all the rest constitute a mere *asmakhta*. [↑](#footnote-ref-3)
4. Let us explain further. Seemingly, even if this is referring to a general command to engage in Torah study, one would be obligated in it every day. If one did not read any other passage on that day, he would be obligated to recite the *Shema* in order to fulfill his obligation in the *mitzva* of Torah study. It would have been possible to resolve this issue by stating that with respect to the *mitzva* of Torah study, there is no obligation to engage directly in the Written Torah (i.e., the books of the *Tanakh*); one may fulfill his obligation through studying *Torah She-Be’al Peh* as well. However, it seems preferable to suggest that the general *mitzva* of Torah study – which applies constantly, at all times and in every situation – does not consist of a focused obligation that one must fulfill every day. The framework for the *mitzva* of Torah study is the framework of one’s life: On the one hand, one must strive to learn Torah regularly, but on the other hand, the rigors of daily life demand frequent interruptions from one’s Torah study.

It seems to me that one who engaged in Torah study all his life but did not do so on one particular day has still fulfilled this *mitzva*. It turns out that there is no fundamental difference between the *bitul Torah* (wasting time that could otherwise be used for Torah study) of one who neglected to learn Torah on a particular day and that of one who neglected to learn at a particular hour within any day. There is no reason to split up the units of Torah material that one studies into days specifically.

All of this pertains on the level of one’s Torah obligation to engage in Torah study. On the level of one’s obligation *mi-derabbanan*, however, there is room to debate the question of the potential obligation to learn Torah every day. This is an especially important question in light of the relationship between the *mitzva* of “impress them upon your children” (which appears in the Torah) and the obligation to “recite it day and night” (*Yehoshua* 1:8), as well as the *gemara* in *Menachot* 99b, which states that this obligation is fulfilled by reciting the *Shema* in the morning and in the evening. Regarding the *mitzva* to “impress them upon your children,” there is no mention of consistency or regularity, nor any mention of terms like days or hours. While a desire to invest serious effort in Torah study on a regular basis certainly exists, the commendable practice to learn Torah daily does not represent a basic Torah obligation. In contrast, the command from the book of *Yehoshua* to “recite it day and night” seems to encourage precisely this practice. Thus, it is clear that there must be a desire to engage in Torah study regularly, and whoever does so certainly fulfills the *mitzva* of Torah study. However, one does not fulfill any kind of specific obligation to learn Torah each and every day.

It may be that the *mitzva* delineated in the Torah is an expansive *mitzva* that does not speak in terms of time or place at all; rather, it encompasses all of one’s life. On the one hand, it represents a constant demand that one engage in Torah study. On the other hand, the flow of daily life has its own demands, which necessitate interruptions in one’s Torah study. Of course, there are no clear parameters for the required duration of one’s Torah study, nor for the breaks that one takes from his Torah study.

It seems that the verse from *Yehoshua* inserts the *mitzva* of Torah study into the framework of times and boundaries. (See *Menachot* 99b for various explanations regarding whether the verse is referring to a *mitzva* or a blessing, and for the question of whether it is enough to study Torah in the morning and the evening or if one must do so constantly, throughout the day.) It is possible to examine whether this discrepancy is a question of *le-khatchila* (ideally) or *be-di’avad* (after the fact), or whether it represents a fundamental difference of interpretation of the Torah’s intent. In any case, I believe that all of this pertains to the rabbinic level, outside of the fundamental definition of the *mitzva* of Torah study, as we have explained.

If there only exists a general *mitzva* of Torah study, it seems that one who merely recited the *Shema* and did not learn any other part of the Torah on that day does not need to recite the *Shema* again. However, if there is any kind of Torah obligation to engage in Torah study every day, then one would be required to recite the *Shema* again in such a case. [↑](#footnote-ref-4)
5. The *gemara* continues:

R. Ila son of R. Shmuel bar Marta said in the name of Rav: If one said: “Hear, O Israel! The Lord is our God, the Lord alone,” and was then overpowered by sleep, he has performed his obligation. R. Nachman said to his slave Daru: For the first verse prod me, but do not prod me for any more. [↑](#footnote-ref-5)
6. *Sefer Ha-Chinukh* states:

Among the laws of this *mitzva* is what they [the Sages] said that the obligation [to recite] **the first verse** from the passage is **from the Torah**, as we said. But the Sages required us to recite three passages, which are “Hear, O Israel!” “If, then, you obey,” and “The Lord said.” [↑](#footnote-ref-6)
7. Rashi states: “Thus, we are obligated to recite it after nightfall, and one fulfills his obligation by reciting **the first passage** that one recites at bedtime.” Rashba concludes from this that according to Rashi, the obligation is to recite the first passage. However, see Tosafotthere, who disagree with this understanding. (Rashba himself writes in *Berakhot* 13b that the obligation is limited to the first verse.) Similarly, it seems that one can conclude from Rashi’s statement that the first passage is the **maximum** that one could possibly be obligated to recite. However, Rashi does not negate the possibility that one might only be obligated to recite the first verse alone. If that is, in fact, the case, it seems that Rashi is noting that the custom is to recite the first passage, thus certainly fulfilling one’s obligation – which is to recite the first verse. [↑](#footnote-ref-7)
8. *Talmidei Rabbeinu Yona* state: “The *keriat Shema* through which one fulfills his obligation must be recited with a blessing, and one must recite at least **the first two passages**, which discuss acceptance of the yoke of God’s kingship and the yoke of *mitzvot*.” [↑](#footnote-ref-8)
9. *Peri Chadash* states:

The third view – which is the truest of them all – is that the passage of “Hear, O Israel!” and the passage of “If, then, you obey” **are both required by the Torah** and one is obligated to recite them twice daily, once when one lies down and once when one gets up. (*Peri Chadash* 67)

As *Peri Chadash* notes, his position is based on the language of the *Yerushalmi*, which states:

What is the difference between the first chapter and the second chapter? R. Chanina said: All that is written in one is written in the other; thus one need only recite one of them. R. Ila said: The first [must be recited] by an individual and the second [must be recited] by the congregation; the first refers to study and the second refers to practice. (*Yerushalmi Berakhot* 2:1)

Similarly, *Peri Chadash* bases his view on Rambam’s position. We will discuss this position in the upcoming *shiurim*. [↑](#footnote-ref-9)
10. This opinion was stated by R. Natan son of Mar Ukva in the name of R. Yehuda. It must be stressed that R. Akiva disagrees with R. Eliezer, and R. Yochanan disagrees with R. Natan. The *gemara* itself connects these two disputes, noting that R. Yochanan maintains that one must both stand and maintain *kavana* for the duration of the entire passage. [↑](#footnote-ref-10)
11. There is room to debate whether R. Eliezer and R. Yehuda were referring to the first two verses or to the third verse as well. In other words, does the third verse only serve to emphasize the requirement to maintain *kavana*, or is it part of the core obligation itself? *Peri Chadash* implies that the obligation is limited to the first two verses alone:

[It is implied as well] from the words of R. Eliezer [*Berakhot* 13a], who said that *kavana* is required until [the words] “with all your might,” and that from that point on it is not necessary to maintain *kavana*. (*Peri Chadash* 67)

The words “with all your might,” which are mentioned in R. Eliezer’s position, are found at the conclusion of the second verse. It is unclear if *Peri Chadash* possessed a different manuscript for the text of R. Eliezer’s position or if he simply interpreted his position in this way.

Either way, this approach reflects the notion of “these words” as focused on only the *mitzvot* of recognizing the oneness of God and loving God, whether or not “these words” include the third verse. [↑](#footnote-ref-11)