**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**Contemporary Halakha**

**Rav David Brofsky**

***Keri'at Ha-Torah***

**Shiur #03: The Relationship between the Reader (*Ba'al Koreh*) and the Person who Recites the Blessings (*Oleh*)**

 In the previous *shiurim*, we discussed the origins and nature of the different Torah readings that were established, according to the Talmud, by Moshe Rabbeinu and by Ezra Ha-Sofer. This week, we will study the halakhic "mechanics" of *keri'at ha-Torah*.

***Keri'at Ha-Torah* in the Talmud**

The Mishna lists the Torah readings and how many portions are read daily:

On Mondays and Thursdays and Shabbat during the afternoon service, three people read [from the Torah]; one may neither decrease [the number of readers] nor add to them… On the days of Rosh Chodesh and on Chol Ha-Moed, four people read [from the Torah]; one may neither decrease [the number of readers] nor add to them… This is the principle: Any day on which there is a *mussaf* offering [sacrificed in the Temple] and that is not a Festival, [i.e., Rosh Chodesh and Chol Ha-Moed], four people read [from the Torah]; on a Festival, five people; on Yom Kippur, six; on Shabbat, seven. One may not decrease [the number of readers], but one may add to them. (Mishna *Megilla* 4:1-2; 21a)

The Mishna teaches that a different number of portions are read on each day, per its unique character.

 In the Talmudic model of *keri'at ha-Torah*, each person called to the Torah would read the portion for which they were called (unlike today’s practice of having one person read for them all). The first reader would say "*Barekhu*." This practice is mentioned in the Mishna, where R. Akiva and R. Yishamael disagree regarding the formulation of *Barekhu*.

Rabbi Akiva said: What do we find in the synagogue? Whether there are many or few, [as long as there is a quorum of ten, the prayer leader] says: Bless the Lord (*Barekhu* *et Hashem*). Rabbi Yishmael said [that in the synagogue, one recites]: Bless the Lord the blessed One (*Barekhu et Hashem* *ha-mevorakh*). (Mishna *Berakhot* 7:3)

 The Gemara (50a) states that the *halakha* is in accordance with R. Yishmael. The *Yerushalmi* (*Berakhot* 7:3) also mentions that *Barekhu [et Hashem* *ha-mevorakh*] precedes the blessings said before reading from the Torah.

 What is the function of this *Barekhu*? The Ra'avan (73) explains:

Since Ezra established that the Jewish people should read the Torah on Monday, Thursday, and Shabbat, he who reads the Torah discharges their obligation. Therefore, he says to the congregation, "You must bless and read as I do. Do you agree to my reading and to my blessing, and do you bless with me?" And they answer “*amen*” and bless.

Returning to the terms we discussed last week, the Ra'avan appears to view the obligation of *keri'at ha-Torah* as an individual obligation; each individual must consent that the reader will discharge their obligation for them. Interestingly, others[[1]](#footnote-1) disagree with the Ra'avan and maintain that only the reader is obligated to say the blessings in the first place; the congregation is not obligated to say the blessings, thus there is no issue of consenting that the reader will discharge the obligation on their behalf.

 Interestingly, R. Soloveitchik[[2]](#footnote-2) maintained that fundamentally, *keri'at ha-Torah* is not just a mitzva of *talmud Torah*, but rather a public "*kabbalat* *ol malkhut shamayim*" (accepting the yoke of Heaven). The blessing recited before the Torah reading, R. Soloveitchik explains, is an integral part of this experience.[[3]](#footnote-3) These different understandings may impact whether the congregation must stand when answering the *Barekhu*.[[4]](#footnote-4)

 Following "*Barekhu*," the first reader says the "*asher bachar banu*" (“who has chosen us”) blessing, and the last reader concludes with the "*asher natan lanu*" (“who has given us”) blessing. As the Mishna states:

[Both] the one who begins [the reading] and the one who concludes the [reading from] the Torah recite a blessing; [one] recites before [the beginning of the reading], and [one recites] after its [conclusion, but the middle reader does not recite a blessing]. (Mishna *Berakhot* 4:1)

 In other words, only two blessings were recited over each *keri'at ha-Torah*: one before the reading, and one upon its conclusion. Although they insisted on calling up numerous readers, the Rabbis viewed the entire reading as one unit.[[5]](#footnote-5)

 The Talmud further teaches that, at some point, the Rabbis directed *each* reader to recite a blessing before and after his reading.

And now that all who read from the Torah recite blessings both before and after [reading from the Torah], this is the reason that the Sages instituted this policy: It is a decree because of those who enter and because of those who leave. (*Megilla* 21b)

 This enactment is known as "*gezeirat ha-nikhnasin ve-hayotz'in*," the enactment on account of those who enter and those who leave. Rashi (ad loc., s.v. *mishum*) explains the concern: "If a person would enter the synagogue after the first reader has said the blessing, and did not hear the other [readers] say the blessings, he would [erroneously] say that there is no blessing before the Torah reading." The *Sefer Ha-Mikhtam* (*Megilla* 21b) offers a different explanation. He notes that some texts omit the word “*gezeira*"; without that term, the Gemara is not expressing a concern, but stating that the enactment is for the *benefit* of those who enter and leave the Torah reading in the middle:

Originally, they did not leave the reading at all, from when they begin to read until they conclude, and therefore [the middle readers] did not need to say the blessings; rather [they fulfilled their obligation by hearing the blessings] of the first and last reader. However, now that people leave and enter in the middle of the reading, if every reader will not say his own blessings … it will be that the [middle readers] did not say the blessing before [reading].

 In other words, each reader is obligated in the blessings which precede and follow the reading. If someone enters the synagogue in the middle of the Torah reading, and is called to read the Torah, he will have missed the first blessing. Alternatively, if someone reads from the Torah and then leaves early, he misses the final blessing. Therefore, according to the *Sefer Ha-Mikhtam*, the Rabbis instituted that each reader should say his own blessing before and after reading the Torah.

 What is the nature of these *berakhot*, or at least of the first blessing? *Sefer Ha-Orah*, one of the *Sifrei De-vei Rashi* (halakhic works attributed to Rashi), explains that even though the reader has presumably already recited *birkot ha-Torah* at the beginning of the morning service,

Because it [*keri'at ha-Torah*] is an independent mitzva, as enacted by Ezra, and it is like the mitzva of *tefillin* or *tzitzit* or other *mitzvot*, that if one performs it, he must recite a blessing…

 In other words, Rashi maintains that the blessing preceding the Torah reading is a *birkat ha-mitzva*. Similarly, the Rashba (7:540) compares these blessings to the blessings said before and after *Hallel* and the reading of the *Megilla*.

 The Talmud *Yerushalmi*, however, implies that the blessings serve a different purpose:

Rav Shmuel bar Nachman said: Rav Yonatan was passing in front of the Torah [reading]. He heard their voices reading and not reciting *berakhot*. He said to them: Until when will you make the Torah totally bare? (*Yerushalmi Megilla* 4:1)

Similarly, the *Tur* (OC 139) teaches:

R. Yehuda Barceloni wrote in the name of Sa'adya Ga'on… even though he has already recited ablessing on the Torah in the morning before reciting the *korbanot*, he goes back and recites "*asher bachar banu*" when he reads the Torah, and this is not considered to be a *berakha le-vatala* (a blessing recited in vain), for it was enacted out of honor to the Torah when he reads in public.

 These sources support understanding these blessings as *birkot ha-shevach*, blessings that praise the Torah, not *birkot ha-mitzva*.[[6]](#footnote-6)

**The Separation of the Reader and the Person Who Says the Blessings**

 Although the Talmud was apparently not concerned about finding enough readers for the Torah readings, over time, it became clear that not all readers could read correctly,[[7]](#footnote-7) or even read at all! The Tosefta suggests one possible solution to the challenge of finding enough readers:

A synagogue that only has one person who is able to read [from the Torah], he stands and reads and sits even seven times. In a synagogue where a foreign tongue is spoken, if they have someone who can read Hebrew, they should [at least] begin in Hebrew and conclude [in Hebrew]. If they have no one who can read [in Hebrew] except for one, then only that one person should read. (Tosefta *Megilla* 3:6)

 The Tosefta suggests that one reader should read, sit, and then stand up and read the next portion as well, even reading all seven portions. This approach was not accepted, and over time, different practices developed, which ultimately reflected different understandings of the "mechanics" of *keri'at ha-Torah*.

 Some communities maintained the integrity of the original enactment, i.e., that seven different people were called to the Torah to recite the blessings and read their portion. However, to help the reader chant his portion, another person stood at his side, guiding and assisting him in a low voice. This practice appears in the *Geonim*[[8]](#footnote-8) and is also described by Rabbeinu Tam (*Tosafot Menachot* 30a, s.v. *shemoneh*) , who notes its similarity to a *mishna*:

Originally, all who knew how to recite [the verses that accompany the bringing of *bikkurim*, first fruits, to the Temple]would recite, while those who did not know how to recite, others would read it for them [and they would repeat the words]. But when they refrained from bringing [*bikkurim*, out of embarrassment], they decreed that they should read the words to both those who could and those who could not [recite, so that they could repeat after them]. (*Bikkurim* 3:7)

 Similarly, he explains, it was customary for someone to help readers chant their Torah portions.[[9]](#footnote-9) In fact, some[[10]](#footnote-10) recount how Rabbeinu Tam himself was assisted by another in reading the Torah. This also appears to have been the practice in 12th-century Provence (*Sefer Ha-Eshkol*, v.2 pg. 68).

 It appears, however, that even this practice was not sufficient. Eventually, communities appointed a permanent reader, a "*ba'al koreh*," to read the entire portion, and seven different men were called up to recite the blessings over each portion. Despite some opposition,[[11]](#footnote-11) this practice appears to have spread throughout the Jewish world.

 How can we understand the relationship between the reader and the *oleh*, who says the blessing? How is it possible for the *oleh* to recite the blessings, while a different person reads the Torah portion?

 Some attempt to avoid this apparent problem by insisting that the person who says the blessing also read along quietly with the reader. For example, the Rosh explains:

Since not everyone is expert in the "notes" (*ta'amei ha-mikra*) for the reading, and the community does not fulfill their obligation with his reading, but in his own eyes, he knows [how to read], and if they do not allow him to read from the Torah, he may come to quarrel with the *shali'ach tzibbur* – therefore, they established that the *shali'ach tzibbur*, an expert in reading, should read. In any case, the one who stands up to read should also read quietly and precisely along with the *shali'ach tzibbur*, so it will not be a *berakha le-vatala* [in vain]. It is not proper for the *shali'ach tzibbur* to read for someone who does not know how to read [even with assistance], and this is a *berakha le-vatala*, and it does not make sense for him to recite a *berakha* over the reading of the *shali'ach tzibbur*. (Rosh *Megilla* 3:1; see also Responsa 3:12)

 The Rosh maintains that while the *shali'ach tzibbur*, or as we call him, the *ba'al* *koreh*, reads from the Torah aloud, the person who recites the blessings must also read along, so that his blessings will not be in vain.[[12]](#footnote-12) Apparently, the Rosh maintains that there are several parallel, yet independent acts occurring at once: The *ba'al koreh* reads the portion for the *tzibbur*, fulfilling the obligation of *keri'at ha-Torah*; a proper number of *olim* say the blessing, fulfilling the demand for multiple people "reading" from the Torah; each *oleh* reads along quietly, so that his blessings are not said in vain. This position may yield other practical ramifications as well, as we will see below.

 Others maintain that this common practice uses the principle of "*shome'a ke-oneh*" – i.e., one who hears is akin to one who speaks. In this case, the person who says the blessings listens to the *ba'al koreh*, and it is as if he is reading from the Torah.[[13]](#footnote-13) The *Beit Yosef* (OC 141) explicitly raises this possibility.[[14]](#footnote-14)

 Interestingly, R. Moshe Feinstein (*Iggerot Moshe* OC 2:72) offers a different understanding. He reframes the entire issue by asserting that, unlike *keri'at ha-Megilla,* the congregation fulfills their obligation by *hearing* the Torah reading. Therefore, the principle of *shome'a ke-oneh* is not applicable. Regarding the person called to the Torah and the *ba'al koreh*, he explains that the *oleh* recites the blessings and then appoints the *ba'al koreh* to be his agent (*shali'ach*) to read to the congregation, just as one is permitted in other cases to say the blessing over a given mitzva and then appoint another to perform the act on his behalf.

 As we shall see, although these suggestions might appear very technical, they may bear many halakhic ramifications.

1. Rabbeinu Nissim, cited by *Tosafot* on *Sukka* 52a, s.v. *ve-kheivan;* Rabbeinu Ephraim, cited by the Ra’avya, *Megilla* 552. [↑](#footnote-ref-1)
2. Cited in *Reshimot Shiurim*, *Berakhot* 11b. [↑](#footnote-ref-2)
3. R. Soloveitchik cites the Rambam (*Hilkhot Tefilla* 12:5) to support this assertion. The Rambam writes:

Each one of the readers opens the Torah scroll and looks at the place from which he is to read. Afterward, he declares, “*Barekhu et Hashem ha-mevorakh*,” and all the people answer: “*Barukh Hashem ha-mevorakh le-olam va'ed*.” He then blesses: “Blessed are You, God, our Lord, King of the universe, who has chosen us from among all the nations and given us His Torah. Blessed are You, God, the Giver of the Torah.” All the people respond: "*Amen*." Afterward, he reads until he completes the reading, rolls the scroll [closed], and blesses: “Blessed are You, God, our Lord, King of the universe, who has given us His Torah, the Torah of truth, and implanted eternal life in our midst. Blessed are You, God, the Giver of the Torah.”

Although the congregation must answer “*amen*” following each of the blessings, as the Rambam writes elsewhere (*Hilkhot Tefilla* 1:13), R. Soloveitchik observes that the Rambam emphasizes how the congregation answers “*amen*” to “*Barekhu*” and the first blessing, as they are an integral part of their mitzva of *keri’at ha-Torah*. Based on this observation, he even relates that he and his uncle, R. Yitzchak Zev Soloveitchik, known as the Griz, once came late to synagogue and missed hearing the *oleh* say “*Barekhu*.” His uncle told him they must hear *keri’at ha-Torah* in a different synagogue, as they hadn’t fulfilled their obligation of *keri’at ha-Torah*. [↑](#footnote-ref-3)
4. This may depend on whether the “*Barekhu*” said before *keri’at ha-Torah* is considered a *davar* *she*-*bikedusha*, and on whether one must stand for *devarim she-bikedusha*. Regarding the first question, the Me’iri (*Megilla* 23b) explains that “*Barekhu*” before *keri’at ha-Torah*, like the “*Barekhu*” said before *birkot keri’at Shema*, is considered to be in the category of *devarim she-bikedusha*. The *Eliya Rabba* (OC 146) cites the *Masat Binyamin*, who explains that even those who sit for *keri’at ha-Torah* should stand for “*Barekhu,*” as it is a *davar she-bikedusha*. The *Taz* (OC 146:1) also rules that one should stand. The *Magen Avraham* (OC 146:6) writes that one should stand for *birkot ha-Torah* as well, in the category of *devarim she-bikedusha*. As noted in the previous *shiur*, the Rema Mi-Pano (91) writes that it is proper to stand during the entire *keri’at ha-Torah*, to ensure that one does not forget to stand for “*Barekhu*.” He cites a source in the *Yerushalmi* that teaches that one must stand for *devarim* *she-bikedusha*. While other *Rishonim* cite this source as well, it is not found in our versions of the *Yerushalmi*. His view is not accepted, but the *Mishna Berura* (146:19; and see Rema 56:1 regarding standing during *Kaddish*) writes that even those who do not stand for the Torah reading should stand for “*Barekhu*.”

However, there are those who do not stand, and their practice has strong, sound support. First, the Ra’avan does not appear to view the “*Barekhu*” as a *davar she-bikedusha*. Furthermore, a number of sources, including the *Sefer Ha-Itim* (171), Maharil (*Chadashot* 17), and *Shayarei Kenesset Ha-Gedola* (146:5), explicitly mention sitting during “*Barekhu*,” and the Chida (*Tov Ayin* 18) adopts the view of the Ari *z”l*, who opposed standing for *devarim she-bikedusha*. [↑](#footnote-ref-4)
5. See Ran (*Megilla* 12a in the pages of the Rif), who explains "but middle [readers] are exempt because *keriat ha-Torah*  is considered one mitzva and all of them [the readers] are like one person [reading]." [↑](#footnote-ref-5)
6. These understandings may determine whether, assuming women are not obligated in *keri’at ha-Torah*, a woman may say the blessings before and after reading the Torah. According to the Talmud's description (*Megilla* 23a), originally women could be counted among the seven called to read the Torah. Did women also recite the blessings before and after the Torah reading? *Tosafot* (*Rosh Hashana* 33a) cites three approaches: R. Yitzchak maintains that women did say the blessings, which supports the view that women may say the blessing over a mitzva performed voluntarily. Rabbeinu Tam agrees that women may say a blessing before voluntarily performing a mitzva, and suggests that the blessings recited before and after reading the Torah are not related to the mitzva, but are a different type of blessing (i.e., a *birkat ha-shevach*). This also appears to be the view of Rabbeinu Manoach (*Sefer Ha-Menucha*, *Hilkhot Tefilla* 12:17). Finally, *Tosafot* also suggest, as do other *Rishonim*, that women did not recite the blessings at all. For instance, the Me'iri (*Megilla* 23a) suggests that women would be called as the middle readers, who originally did not recite blessings, but not the first or the last, as they may not say the blessings. Similarly, the Ran (*Megilla* 13a in the pages of the Rif) insists that women did not say the blessings, as they were unable to fulfill the obligation for the other (male) readers who were obligated in the mitzva. They differ, however, as the Me'iri maintains that nowadays, since each reader says his own blessings, a woman would not be permitted to read even one of the middle portions, while the Ran explains that since each reader says the blessings, a woman *could* be called to read, and would recite the blessings for herself. [↑](#footnote-ref-6)
7. The Midrash (*Tanchuma Yitro* 15) even relates that R. Akiva declined to be called to the Torah, as he felt unprepared to read: "A story of Rabbi Akiva, when the *chazan* called him in public to read from the *sefer Torah* for the community, and he did not want to go up. His students said to him: Rabbeinu, did you not teach us thus: for it [Torah] is your life and the length of your days? Why did you refrain from going up? He said to them: In fact, I refrained from reading only because I did not go over that *parasha* two or three times, for a person may not say words of Torah before the community until he reviews it two or three times by himself." [↑](#footnote-ref-7)
8. *Teshuvot Rav Natronai Ga'on*, OC 42; *Siddur R. Sa'adya Gaon* pg. 360; *Teshuvot Ha-Geonim*, *Sha'arei Teshuva* 59. [↑](#footnote-ref-8)
9. *Tosafot* also cites Rabbeinu Meshulam, who implies that the Talmud (*Bava Batra* 15a and *Menachot* 30b) already alludes to this practice. [↑](#footnote-ref-9)
10. See Ra'avya v.2 *Megilla* 551, and *Shibolei Ha-Leket* 35. [↑](#footnote-ref-10)
11. R. Yehuda ben Barzillai (Albargeloni) objected to this practice, arguing that the person who recites that blessings cannot fulfill his obligation through the *ba'al koreh's* Torah reading, as he cannot appoint him to be his agent (*shali’ach*) – and if he could, then the *ba'al koreh* should preferably be his agent for the blessings as well! The Rivash (204; see also Rashbash 428) supports this, and asserts that "even if there is no other *kohen*, how can he 'go up' if he is unable to read?" This practice was criticized in Western European lands as well (R. Ephraim of Regensburg, cited in Ra'avya, ibid.; *Or Zaru'a*, *Hilkhot Shabbat* 42). [↑](#footnote-ref-11)
12. R. Yaakov Emden (*She'elat Ya'avetz* 75) explains that although the congregation is not obligated to hear the blessing, the *oleh* is obligated to say the blessing, and to read from the *sefer* *Torah* itself; this cannot be fulfilled through a mechanism such as *shome'a ke-oneh* (see below). [↑](#footnote-ref-12)
13. This debate may reflect different understandings of the halakhic principle of *shome'a ke-oneh* – i.e., if one fulfills the obligation through hearing alone, or whether *shome'a ke-oneh* means that it is as if he read the text himself (see *Mishnat Ya'avetz*, *Moadim* 27). Alternatively, those who oppose applying *shome'a ke-oneh* may believe that here, the requirement is not just to read, but to read the words from the text of the *sefer Torah*, and the principle of *shome'a ke-oneh* cannot transform the listener into one who is actually reading out of the Torah scroll. See also *Beit Ha-Levi*, end of *Sefer Bereishit*, and *Turei Zahav Megilla* 19b, regarding whether *shome'a ke-oneh* can be used for *birkat kohanim*, where there is a requirement of reciting the blessings at an audible volume. [↑](#footnote-ref-13)
14. The *Acharonim* ask why, if the entire congregation hears the reading, does the *oleh* have the right to say the blessings? The *Biur Halakha* (141) suggests that while the congregations fulfills their obligation by *listening* to the reading, the *ba'al koreh* has in mind that the person reciting the blessings, i.e., the *oleh*, is to be considered as if he *read* the portion out loud. [↑](#footnote-ref-14)