



לעילוי נשמת
 יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

The Power of Rabbis in Berachot

Question: If one can fulfill the Torah-level *mitzva* of *Birkat Hamazon* by saying *Al Hamichya*, wouldn't the extra *berachot* in our present *Birkat Hamazon* be considered *berachot she'einan tzrichot* (extra/unwarranted *berachot*)?

Answer: There is indeed a respected, far from unanimous, opinion (see Beit Yosef, Orach Chayim 191) that the fact that *Birkat Hamazon* requires three *berachot* (unlike similar content in *Al Hamichya's* one *beracha*) is Rabbinic. This response follows your assumption that it is correct.

Almost all of our *berachot* are of Rabbinic origin, with *Birkat Hamazon* and likely *Birkat Hatorah* (see Mishna Berura 47:1) being exceptions. Thus, *Chazal* certainly thought that it was justifiable for the appropriate Rabbinic leadership to initiate *berachot*, and if you can create a need and a text, you can turn one *beracha* into three!

One might think that a *gemara* (Shabbat 23a) questioned *Chazal's* ability to create *berachot*. It wondered about the *beracha* on Chanuka

lights, a Rabbinic *mitzva*, and supplied *p'sukim* indicating Rabbinic authority. However, the *gemara* was only surprised about the **wording** of the *beracha*, which praises Hashem for commanding us to fulfill this Rabbinic *mitzva*, which ostensibly He did not do. The *gemara* answers that since Hashem required us to adhere to the Rabbis' dictates, He, in effect, commanded us to fulfill Rabbinic *mitzvot*. The ability to create *mitzvot* and *berachot* was not questioned.

The Rambam, as generally understood, has consistent opinions on these abilities. The Rambam (Berachot 1:15) posits that one who makes an unwarranted *beracha* (called a *beracha she'eina tzricha* (=bsetz) or a *beracha l'vatala*) violates a Torah-level prohibition. One can fully appreciate your question: how can *Chazal* make a *beracha*, as a Rabbinic preference in such a matter should ostensibly not uproot the Torah-level prohibition? One answer is based on another opinion of the Rambam (Mamrim 1:2) – the Rabbis “legislate” with the Torah’s authorization, which gives a Torah-level standing to their laws. So, Rabbinic originated *berachot*, recited according to *Chazal's* rules, have Torah-level recognition, which obviates any potential of being a *bsetz*.

Another answer is based on Tosafot (Rosh Hashana 33a), who posits that making a *beracha l'vatala* (and certainly a *bsetz*) is only a Rabbinic prohibition. The logic is that the prohibition of uttering Hashem’s Name in **vain** (Shemot 2:7) cannot apply to a **sincere praise** of Hashem, even if not in line with the rules of Halacha. If the whole problem is Rabbinic,

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then if the Rabbis preferred an expansive *Birkat Hamazon*, who can stop them?!

Another possibility is a concept found in various areas of Halacha – *masra Torah lach-achamim* (=mtlch). This refers to a halachic precept that is binding by Torah law, but whose details were left for the Rabbis to set. For example, some (see Beit Yosef, OC 530) use this regarding the laws of Chol Hamoed, which the Torah may allude to as having Torah-level prohibitions that are more relaxed than Yom Tov. *Chazal* were authorized to **determine** the parameters of permitted and forbidden actions. We can explain here too, that the Rabbis decided the parameters of the rules of *berachot*, which if violated, might be using Hashem's Name in vain. If the Rabbis endorsed a certain text of *Birkat Hamazon*, as they created so many *berachot*, then, if *mtlch* is in play, it could not be forbidden as in vain.

Actually, even if one does not employ *mtlch* broadly, it seems unlikely that following the Rabbis lead in *berachot* could be considered "in vain." This idea is similar to the concept that if one has a good reason to knock down a fruit tree, he does not violate "do not destroy its trees" (see Bava Kama 91b). Notice that although it is forbidden to instruct a child to do a prohibition (Yevamot 114a), one may have children make *berachot* even at a time that it is nothing but for practice (Rambam, Berachot ibid.).

So, whatever the spiritual gains *Chazal* envisioned in forming *Birkat Hamazon*'s text, any number of mechanisms can justify their ability to do so. ■



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