The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן מ"ז סעיף י"ג-י"ד

Overview

Siman 47 Seif 13:

One who rises before dawn to study *Torah* must recite *Birkas HaTorah* and he is not required to repeat the *berachos* when he arrives in *shul*. One who rises before dawn may recite all of *Birchos HaShachar* except for הנותן לשכוי בינה and *Parshas HaTamid* for which one should wait until it is day. *L'chatchila*, one should wash his hands before he recites the *beracha* that precedes learning. If one does not have water he may learn and recite *Birkas HaTorah* without washing as one may recite other *berachos* before washing (See Shulchan Aruch 46:1).

- Even if one goes back to sleep, whether it is still night or during the day, he is not required to repeat *Birkas HaTorah*. According to what was written regarding *seif* 11 that one who repeats *Birkas HaTorah* after sleeping in bed does not lose, certainly when he goes back to sleep and it is still night this is true. (M.B. 29)
- Regarding *Birchos HaShachar* even if one intends to go back to sleep he may recite *Birchos HaShachar* except for א-לקי נשמה that should be recited without the concluding *beracha* and המעביר שנה that should be recited without Hashem's name. When one wakes up in the morning these two *berachos* should be repeated including Hashem's name and mention of his Kingship. (M.B. 30)
- Later authorities agree that הנותן שכוי may be recited before dawn. There are those who maintain that the *beracha* should not be recited before dawn if one did not hear a rooster. (M.B. 31)
- One should also not recite the *Mishnayos* related to *korbanos* before morning since those are also recited in place of offering *korbanos* which were done during the day. (M.B. 32)
- One without water should, however, wipe his hands on a surface that will clean his hands. (M.B. 33)

Siman 47 Seif 14:

Women recite Birkas HaTorah.

Halacha Highlight

Women reciting *Birkas HaTorah*

Shulchan Aruch Siman 47 Seif 14
נשים מברכות ברכת התורה
Women recite *Birkas HaTorah*

Shulchan Aruch (סעי' י"ד) rules that women also recite *Birkas HaTorah*. Biur Halacha (ד"ה נשים וכו') gives two reasons for this *halacha*. The first reason is that women are obligated to study those *halachos* that apply to them and that is sufficient to warrant reciting *Birkas HaTorah*. Birkei Yosef (אות ז') challenged this explanation. A woman's obligation to study the *halachos* that apply to her is not a function of the *mitzvah* of *Torah* study; it is a function of the *mitzvah* that she is obligated to observe. In other words, in order to properly fulfill a *mitzvah* a woman must study the necessary *halachos* but that should not warrant reciting *Birkas HaTorah* since she is not obligated to study *Torah*. Minchas Chinuch (מצוה ת"ל אות ה') answers that although women are not obligated to study *Torah*, nevertheless, someone who studies *Torah* is obligated to first recite *Birkas HaTorah*. Tzelach (ברכות י"א). suggests that since women recite *Birkas HaTorah* because they study the *halachos* that apply to them rather than for the *mitzvah* of Torah study, if they interrupt their studying in the middle of the day they must repeat the beracha before they resume studying *Torah*.

The second reason is that they are also obligated to read the *parshiyos* of *korbanos* just as they are obligated to *daven,* and *Birkas HaTorah* is necessary for that reading. Shulchan Aruch HaRav assumes that the reference is to the reading of *Parshas Tamid* since prayer was enacted as a replacement for the *Tamid*. Rav Yaakov Emden (מור וקציעה) challenges this explanation from the fact that women are not obligated in the *mitzvos* of offering communal *korbanos*.

Vilna Gaon explains that the reason women recite *Birkas HaTorah* is for the same reason that women recite *berachos* on other positive time-bound *mitzvos*, in accordance with Rema's position in Siman 17. Just like women recite a beracha when they perform a positive time-bound *mitzvah*, so too, they may recite *Birkas HaTorah*.

Stories to Share

An Insomniac's Dilemma

ש"ע סי' מ"ז, י"ג: "המשכים קודם אור יום ..."

A certain man would often wake up for a few hours during the night and find himself unable to go back to sleep. When he asked a trusted friend for advice about what he should do to avoid tossing and turning, his friend had a great idea. "Why sit in bed stewing? Get up and learn a bit with enthusiasm. That way you aren't wasting your time. When you are tired, go back to sleep."

This man decided to follow this advice. He got up early, and as prescribed on today's amud, he made an enthusiastic birkas haTorah and began to learn. After an hour or so, he began to feel depleted and went back to bed. He woke up a bit later and wondered whether he should make birkas haTorah again.

When this question reached Rav Shammai Kehas Gross, shlit"a, he offered excellent advice. "This is actually a big point of dissension among the poskim. Some say another brochah is not required, while others argue. But there is a simple way around this. When you make birkas haTorah the first time, have in mind that you are only discharging the learning you will do throughout that night. That way you can make another brochah the next day according to all authorities."

אורח כהלכה, ע' ס"ז

But Rav Shlomo Zalman Auerbach did not generally agree with making conditions of how long birkas haTorah will last. "Although a condition will help, it is forbidden to make conditions on the duration of birkas haTorah. This seems like too frivolous an approach to the decree of our sages to make birkas haTorah once a day."

מנחת שלמה, ס' י"ח, אות ט'