

# Talmud portion (with commentary)

*Originally posted 10/24/95*

From: **Tractate Berachot**

**MISHNAH (2a):** From what time may one recite the Shema in the evening? From the time that the priests enter their houses in order to eat their terumah until the end of the first watch. These are the words of R. Eliezer. And the sages say: until midnight. Rabban Gamaliel says: until the dawn comes up.

It is told that once his sons were coming home [late] from a feast. They said to him: "We have not yet recited the [evening] Shema." He said to them, "If the dawn has not yet come up you are obligated to recite it." And not in respect to this alone did they so decide, but wherever the sages said 'until midnight', the obligation to perform the mitzvah extends until the dawn comes up....If this is so, then why did the sages say 'until midnight'? To keep a man far from transgression.

**GEMARA (3a) :** Rav Isaac bar Samuel said in the name of Rav: "The night has three watches, and at each watch the Holy One, blessed be He, sits and roars like a lion and says, 'Woe to the children, that because of their sins I destroyed My house and burnt My Temple and exiled them among the nations of the world.'"

It has been taught: Rabbi Jose said, "One time I was walking on the road, and I entered a certain ruin among the ruins of Jerusalem to pray. Elijah, may his memory be for good, came and waited for me at the door till I finished my prayer. After I finished my prayer, he said to me, "Peace be with you, my rabbi!"

And I replied, "Peace be with you my rabbi and my teacher!"

And he said to me, "My son, why did you go into this ruin?"

I replied, "To pray."

And he said to me, "You ought to have prayed on the road."

And I said to him, "I feared lest passers-by might interrupt me."

And he said to me, "You ought to have said an abbreviated prayer."

In that one moment, I learned from him three things: I learned that one does not enter a ruin. And I learned that one may pray on the road. And I learned that one who prays on the road prays a short prayer.

And he said [further] to me, "My son, what sound did you hear in this ruin?"

And I said to him, "I heard a Bat Kol [a Divine voice], cooing like a dove, and saying, 'Woe to the children, that because of their sins I destroyed My house and burnt My Temple and exiled them among the nations of the world.'"

And he said to me, "By your life and by the life of your head [an exclamation], not in this moment alone does it so exclaim, but thrice each day does it exclaim thus!"

"And not only that, whenever the Jewish people enters their synagogues and houses of study and respond [during the Kaddish], 'May His great name be blessed', the Holy One, blessed be He, shakes His head and says, 'Happy is the king who is thus praised in his house! Woe to the father who had to banish his children, and woe to the children who had to be banished from the table of their father!'"

## Commentary on this Talmud portion

"Oh no!" you're saying to yourself. "Why did she start with such a hard passage? This thing is darn near unintelligible!" OK--you're right, but don't panic. This is simply the traditional way one begins one's course of Talmud study. We begin with the absolute basic statement of our faith: the Shema and when one would say it for the first time in a day. Don't worry, once we make it through this traditional start, we'll be moving on to examine how the Talmud was put together, how we deal with the non-Jewish world, what is midrash and how a modern person could actually understand it, how the sages viewed heaven and angels and other topics you suggest.

This mishnah is complicated because, as the first one in the entire tractate (i.e., book) Berachot, which deals with prayers and blessings, many of the most important dimensions that will be used to analyze questions throughout this entire volume are introduced in it. Here are the core concepts that underly this mishnah. BTW--mishnah with a lower case "m" is one bit of the Mishnah (capital M) which is the whole six books, or orders as they are called, that make up the entire work.

**1.** Judaism is a religion of relationships in time. Maintaining relationships is of prime importance in Judaism, including the maintenance of our relationship with God. One of the ways we stay in touch with God is through the daily recital of the Shema; day by day reaffirming the terms of our relationship. This affirmation used to happen in the Temple in Jerusalem, through the sacrifices and the recital of the Shema. However, after the destruction of the Temple, the Jewish people no longer had the sacrifices to help them maintain their relationship with God. Therefore, Judaism began to construct a space to relate with God out of time. Time became the medium in which we create holiness. We set aside certain times for prayer, for rest, for holidays. The first dimension, the first word of the whole tractate, is "when?"; emphasizing that time is the key to maintaining the relationship. In a sense, then, the sages demand that you spend "quality time" with God twice a day.

The rest of the day, you can run around saying berachot and prayers without much intention if you can't muster it. However, the Shema must be said with deep intention, feeling and connection with God or the recitation isn't valid. This is a good model for human relationships: you need to set aside time at least twice a day for true connection, communication and affirmation.

The system of counting time in the ancient world was quite different from ours. Each day and night were divided into twelve "hours", no matter what season they occurred in. Therefore, the length of an hour depended on the season of the year. There are three "watches" each day and each night; i.e. six altogether.

This mishnah defines "night" in terms of the Shema. Just as we often define distance in terms of time ("How far away is it?" "About 20 minutes from here."), the rabbis define time in terms of our relationship with God.

This mishnah begins with the first recitation of the Shema in a day, since Jewish days begin in the evening. Why? Because, in Genesis, after the first day of creation, the Torah says, "and there was evening and there was morning, one day. (Genesis 1:5)", with the evening mentioned before the morning. If it had said, "and there was morning and there was evening," our days would begin in the morning.

**2.** Tumah (Ritual Impurity), Taharah (Ritual Purity) and the Temple Cult: If the priests who performed the sacrifices in the Temple were ritually unclean (tamei), they were not permitted to eat the terumah until they had taken a bath and the sun had set. (Terumah means literally "that which is lifted or separated" and was an offering to be given to the priest. There were two types of terumah: the regular offering which the Israelites had to separate from their own crops and give to the priest, and the terumat ma'aser, the tithe offering, which the Levites had to separate for the priests from the tithes they received) By the time the Talmud was completed, ritual purity was not as crucial a category as it had been when the Temple stood.

How can we understand the concepts of ritual purity and impurity today? First of all, get out of your mind that this has

anything to do with dirtiness or negativity. Such concepts result from the inability to accurately translate the words taharah (purity) and tum'ah (impurity) into English. What this really has to do with is boundaries between life and death and helping us deal with times, places and things which involve ambiguity in those boundaries.

Think about the following, real-life, modern example. A woman's father was in the hospital in the process of dying from cancer. He had to be moved to a new room. The last occupant had died in the room to which he was to be moved. The nurse found this information important enough that she asked the woman if she minded if her father was put in a room in which the last occupant had died. There was probably nothing objective about the room which caused the death. Yet, our intuition tells us that something about the death happening there had changed the room. It is as if, in passing out of this world, a bit of "disembodied soul residue" was left in the room. This feeling, this concept, this is what ritual impurity is about. Anything that is connected with death is in some way impure, i.e., is touched with "disembodied soul residue". So, for example, blood that is flowing unstaunchably (e.g., menstrual blood) is considered impure because it is normally related to death: if a wound bleeds uncontrollably, death is the inevitable result. Only whole, complete items (obviously, defined by cultural norms) can become impure. Incomplete or broken items cannot become impure; cannot receive the "disembodied soul residue". So, for example, a piece of pottery could become ritually impure but the shards of a broken piece of pottery could not.

Paradoxically, touching the Torah can make your hands impure. Why? Because something that is holy has "disembodied soul residue" in it. That's part of what makes it holy. All the people who have reverently read a given Torah scroll before you leave an essence of their soul in that scroll. You might try opening a Torah scroll to see if you can sense this. This will be especially evident if you can compare an old scroll with a new one. The sensation is indescribable but definitely there. This also hints at a deep mystical truth: the most life-intensifying thing in our faith (Torah) is reminiscent of death, too. (Spiritual development involves paradox. Really living means living now and after you die and understanding how that works. Death doesn't necessarily have to refer only to physical death. It can also denote the death-by-degrees that comes from not actually living your life.) When you read in the Talmud about ritual purity and impurity, think about it as a discussion of embodiment, the soul and wholeness rather than about it as one on dirt or defilement.

**3. Din and Lifnim Mishurat HaDin:** the tension between the minimum the law requires and the norm the culture desires. Din, the law, by its very nature can only legislate the minimum behavior required for basic functioning. Therefore, the law in this case is the minimum: the evening Shema may be said up until dawn. However, this is not the most desirable way to say the evening Shema. Therefore, the rabbis make "a fence around the Torah (Pirkei Avot 1:1)" and encourage a standard of behavior that is beyond the letter of the law. The rabbis wanted to build safeguards into the system of Jewish observance. So, if the deadline for saying the evening Shema is actually dawn, they ruled that it is until midnight to keep people from pressing the limit and risk transgressing this commandment.

**4. DeOraita/ DeRabbanan:** The (apparent) primacy of commands that are derived directly from the Torah over the dictates of the rabbis. (In point of fact, dictates of the rabbis were often upheld more strictly than laws derived directly from the Torah.) The rabbis believed that the obligation to read the Shema comes from the Torah itself. The V'ahavta states, "You shall speak of them...when you lie down and when you rise up. (Deuteronomy 6:7)" The rabbis interpret this to mean we are commanded to say the Shema, as they define it, in the morning and evening.

The rabbis define the Shema as three paragraphs: Deuteronomy 6:4-9, Deuteronomy 11:13-21 and Numbers 15:37-41. In Reform prayer books it is Deuteronomy 6:4-9 and Numbers 15: 40-41. The compilers of Reform prayer books completely eliminated the middle paragraph, for it implies that natural forces are used to reward or punish us for obeying the commandments; an idea antithetical to Reform Judaism. They deleted the first three verses of the last paragraph because they refer to the tsitsit, the fringes on the tallit (prayer shawl) which remind us to do the mitzvot. Early Reform Jews did not condone the wearing of the tallit, and did not want to read a passage commanding its use at worship services. Reform Jews today encourage each person to determine whether he or she wants to wear the tallit. These three paragraphs are surrounded by blessings praising God for creating the world, for giving us the Torah and for redeeming us from Egypt. In the evening, an additional prayer is added, asking God to protect our souls overnight.

These dimensions introduced in this first Mishnah will be used rabbinic literature to shed light on a wide variety of questions.

**Now that you've made your way through this first mishnah, I'd like to make some suggestions for those of you who have signed up to study with a partner.**

If you're doing "cyber-hevruta" go over the mishnah with your partner. If you both know Hebrew, do feel free to look it up in that language and discuss it that way. On the other hand, if you don't know Hebrew, don't worry: you're going to get an amazing amount studying in English. Just roll right into it!

Discuss how you would determine when the Shema is best said. Share stories of saying the Shema at night in different circumstances. How is the night-time Shema different from the day-time Shema? Think, for example, of a traditional Shabbat morning service wherein we say the Shema at least three times: 1. the regular recitation 2. the Torah service 3. the kedushah during Musaf. How are the three different from each other? From the evening Shema? How is the Shema like the kedushah which is said so many different ways during our services? Is there a correlation between the two pieces of liturgy? Discuss these, and your own questions and then email them to me [maqom@compassnet.com](mailto:maqom@compassnet.com) and we'll share the questions and answers with the group.

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