

TORAH & HORAHAH



Vayikro 5777

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Dear Reader,

The first Torah verses to instruct the bringing of offerings, which are read this week in the opening of Sefer Vayikra, emphasize the requirement of *ratzon* – human free will. The offering must be brought willingly, out of personal wish and desire. Indeed, the Gemara teaches that a person cannot be coerced into bringing an offering.

The offerings of Vayikra are not the first to be mentioned in the Torah. In Parashas Bereishis we read of the offerings brought by Kayin and Hevel, and in Parashas Noach of the offerings with which Noach inaugurated the post-flood world. Moreover, Chazal (Avodah Zarah 8) teach that even Adam Ha-Rishon brought an offering, after he saw the sun rising, and realized that his sin had not brought total destruction to the world.

This week's article discusses the laws and customs of *birkas ha'ilanos*, the seasonal *beracha* made over seeing blossoming trees. Is there an obligation to recite this *beracha*? What is the correct time for its recitation? Can the *beracha* be recited on Shabbos? How many trees is the *beracha* recited over? These questions, among others, are discussed in this week's article. This week's Q & A addresses the halachic question of selling *sefarim*.

Birkas Ha'Ilanos - Laws and Customs of the Blessing over Trees

The Gemara (*Berachos* 43a) teaches that one who sees blossoming fruit trees during Nissan recites a special *berachah*: "Blessed are You... Who did not omit anything from His universe and created in it good creatures and good trees, to benefit mankind with them."

This *beracha* is parallel to *berachos* that are recited when seeing and experiencing earthly phenomena such as mountains, oceans, earthquakes, and so on. However, extensive kabbalistic sources expound on the special nature of the blessing, and it has its own chapter in the Shulchan Aruch.

In the present article we will discuss the laws and particular details pertaining to the *beracha*. Is there an obligation to recite this *beracha*? What is the correct time for reciting it? Can the *beracha* be recited on Shabbos? How many trees is the *beracha* recited over? These questions, among others, are discussed below.

An Obligatory Beracha?

There is no obligation in halacha to go out of one's way to see great mountains, to hear thunder or to see the ocean. The *berachos*



Indeed, the concept of sacrificial offerings was common in antiquity even to other nations and cultures. Yet, whereas other nations brought offerings as a type of bribe, seeking to escape the wrath of the gods by means of sacrificial appeasement, our sacrificial service incorporates an entirely different theme. As the Ramban points out, a korban implies closeness, kirvah.

Whereas the service of idolaters is zar, foreign and distant, ours embodies the intimate relationship between Hashem and His people.

This is the reason for which a sacrificial offering requires ratzon, over and above other mitzvos. A person can be coerced into performing an action – the action is performed even against the person's will. Yet, when it comes to a relationship, the idea of a coerced relationship is a contradiction in terms. Because relationships cannot be coerced, the sacrificial offering demands ratzon, voluntary desire.

This special relationship between Israel and Hashem was inaugurated at our

recited upon seeing one of these, *berachos* known as *birchos ha-re'iya*, are circumstantial: upon seeing mountains or hearing thunder, the *beracha* is to be recited.

Strictly speaking, the same is true concerning fruit trees: Just as one is not required to fly to Switzerland to recite a *beracha* on the Alps, so there is no obligation to seek out blossoming fruit trees to recite a *beracha* over them.

Some Poskim mention the fact that people are not generally accustomed to recite this *beracha*. However, many authorities speak highly of those who make the effort to recite this special *beracha*, and mention that the custom of *talmidei chachamim* is to do so (see *Levush*; *Aruch HaShulchan*; *Eishel Avraham* [of Butchach], all *siman 226*).

Rav Shlomo Zalman Auerbach zt"l was careful to recite this *beracha*, and mentioned that since his bar mitzvah he had never missed a year (*Halichos Shlomo, Tefillah*, Chap. 23, footnote 121).

Which Month?

There is a disagreement whether the *beracha* is recited specifically during the month of Nissan, when the trees generally begin to bloom, or if one may recite it earlier or later.

Some authorities contend that since the Gemara and the Shulchan Aruch (*Orach Chaim 226*) both mention the month of Nissan, the *beracha* is limited to this month alone. This is also the opinion of some who follow Kabbalistic practices (*Birkei Yosef 226:2*; *Kaf HaChaim 226:1*; *Badei HaShulchan 18*).

However, others do not make the distinction, and write that when the Gemara refers to Nissan it does not mean to exclude other months. While this is the usual time when trees begin to blossom, if a person sees blossoming trees in other months of the year, the *beracha* is also recited. This is the opinion of all Rishonim who write on the subject (see *Ritva, Rosh Hashanah 11a*; *Eshkol 1:29*; *Rokeach 342*) and many Poskim (*Mishnah Berurah 226:1*; *Badei HaShulchan* *ibid.*; *Shu't Yechave Da'as 1:1*).

Therefore, it seems that *lechitchilah*, one should wait until Nissan and thereby follow the stringent opinions. However, if he is afraid that he will not have a blossoming tree available in Nissan, or if it is already Iyar and he has not yet recited the *beracha*, he may do so during a different month.

This is certainly true for those who follow Ashkenazi custom. Since several Sephardi authorities note the month of Nissan as the proper time for the blessing, those who follow Sephardic custom should be careful if possible to recite the beracha specifically in Nissan (see *Kaf HaChaim Shu't Yechaveh Da'as*, *ibid.*).

Of course, the discussion above relates only to the northern hemisphere—places where trees blossom in or around the month of Nissan. In the southern hemisphere where the seasons are reversed (trees blossom in Tishrei), or in areas where winter ends late (northern Europe) and blossoms only appear later, all agree that the *beracha* is recited during whichever month the trees blossom (*Shu't Har Tzvi, Orach Chaim 1:118; Shu't Tzitz Eliezer 12:20; Aruch HaShulchan 226:1*).

Reciting the Beracha on Shabbos

Another disagreement between some Sephardi and Ashkenazi authorities is whether one may recite this *beracha* on Shabbos. The *Kaf HaChaim (226:4)* states that one should not recite the *beracha* on Shabbos, out of concern that he might pluck a fruit blossom from the tree.

Rav Chaim Palagi notes in fact that the custom of the city of Kushta (Constantinople, today Istanbul) was to recite the *beracha* on Shabbos, but the custom of the city of Izmir was not to (*Sefer Mo'aid l'Kol Chai 1:8*).

However, other Sephardi authorities disagree with this ruling, and note that according to the Gemara (*Sukkah 36b*) it is permitted to smell a *hadass* (myrtle) on Shabbos, even when it is still attached to the ground. While it is forbidden to smell an attached *esrog*, for fear that he might come to pick it in order to eat it, this concern does not apply to a *hadass*, whose primary purpose is for scent and not for consumption since scent does not necessitate detachment, as does consumption.

This distinction is ruled by the Shulchan Aruch (*Orach Chaim 336:10*), and it follows that for *birkas ilanot*, where a person only looks at the flowers, one may recite the *beracha* on Shabbos without concern (*Shu't Yechaveh Da'as 1:2*).

Ashkenazi Poskim do not discuss the question of Shabbos, and it appears that there is no concern for reciting the *beracha* on Shabbos—just like the *beracha* on thunder, lightning, and so on (see

redemption from Egypt, when we were born as a nation. Not for nothing did the revelation of Hashem as Master of the world – “so you shall know that I am Hashem” – at the same time as the national revelation of Israel. The two revelations came together, for their crux was the revelation of the new relationship between Hashem and Israel.

It is possible that for this reason we came out of Egypt with the Pesach offering. The Pesach offering, which each member of Israel was a part of, expressed the relationship between Israel and Hashem that was inaugurated as we left Egypt.

May we speedily see redemption once more, and the great relationship between Hashem and Israel shall be revealed before all.

We wish to remind the readers of our ongoing Pesach ma'os chittin appeal. Those who wish to fulfill this mitzvah with great hiddur can donate through the site. All donations go 100% towards the support of needy Torah scholars.

Vezos Habracha p. 157; *Halichos V'Hanhagos* of Rav Elyashiv, quoted in *Haggadah shel Pesach*, *Keren Re'em* edition, 5766).

Where and How Many

According to Kabbalistic sources, in order to recite this *beracha* one should preferably leave the city and go to a place where there are many trees. This is based on the Gemara that mentions “one who goes out during the days of Nissan and sees trees,” the reference to “going out” is understood as leaving the city, while the plural “trees” indicates the need for more than one tree (*Kaf HaChaim* 226:2-3; *Shu't Lev Chaim* 2:44).

However, these two halachic requirements are not mentioned by early commentaries and later authorities, who imply that one may recite the *beracha* on trees in one's private courtyard or anywhere else (*Avudraham*; *Chayei Adam* 63:2).

Concerning the number of trees required, while some authorities rule note that one should preferably recite the *beracha* on at least two trees (see *Moreh b'Etzvah* 148; *Shu't Tzitz Eliezer* 12:20 *Halichos v'Hanhagos* of Rav Elyashiv, *ibid.*), others maintain that even one tree is sufficient even *lechatchelo*. The use of the plural form “trees” does not indicate a need for more than one tree, as we find in other places where the plural is used as a general term, without meaning to exclude a single item.

For example, when the Mishnah (*Berachos* 54a) lists the phenomena upon which one recites “*oseh ma'ase bereishis*,” it states: “On mountains... oceans, rivers and deserts.” All there are listed in plural form, while the undisputed halacha is that one may recite the relevant *beracha* even on a single mountain (See *Shu't Rivevos Efraim*

8:77, who reports seeing Rav Moshe Feinstein z”l recite the *beracha* on one tree).

Earliest and Latest Times

Many fruits, such as nectarines, plums, apricots, cherries, oranges and pomegranates, develop from a blossoming flower. The flower first emerges from the bud. Later, after pollination, the flower falls away and the fruit, though still extremely small, can be seen. The fruit continues to grow until it ripens.

The time for reciting the *beracha* is from the beginning of the blossoming period, until the fruit becomes fully-grown. Once fully-grown, the *beracha* may no longer be recited (*Mishnah Berurah* 226:4)

In general, the halacha for *berachos* recited over phenomena is that one may only recite the blessing after seeing the phenomena for the first time, as a spontaneous expression of praising and thanking Hashem. Some apply the same logic to *birkas ilanos*, arguing that one may only recite the *beracha* annually the first time that one encounters blossoms on trees (*Machtzis HaShekel* 225:9; *Chayei Adam* 63:1; *Kitzur Shulchan Aruch* 60:1).

However, the *Mishnah Berurah* (226:5) comes to a different conclusion. He argues that even if one did not recite the *beracha* the first time he saw the blossoms, he may do so when seeing them later time. Because blossoming is a seasonal phenomenon, one can recite the blessing during the entire blossoming season (*Piskei Teshuvos* 226, footnote 54).

Women and the Beracha

Ashkenazi women may recite this brocho since they recite brochos even for mitzvos like shofar

and succo even though they are time-bound. Even Sefardi women may recite *Birkas Ha'llanos* (Or LeZion Vol. 3, Chap. 6, sec. 1). The reason given for this is that according to many Poskim that one may recite the *beracha* even after Nissan (as noted above), providing there are still blossoming trees. Therefore, this cannot be

considered a time-bound mitzvah.

Even according to the opinions that one may only recite the *beracha* during the month of Nissan, the time limitation does not define the mitzvah as "time-bound" mitzvah, because the time is due to the natural circumstances (*Turei Even, Megillah 20b*).

Halachic Responsa

to Questions that have been asked on our website dinonline.org



The Question:

Is it permitted to sell one's personal sefarim for any purpose, or specifically for the purpose of buying other sefarim?



Answer:

If one has old sefarim that one doesn't use, it is permitted to sell them.

One should preferably use the money for buying new books, but this is not a full obligation.

Best wishes.



Sources:

The Rosh (Menachos, Sefer Torah 1) writes that today the mitzvah of writing a sefer Torah applies to books – Chumashim, Mishnayos, Gemaros, and their commentaries – so that he should learn them with his children. He adds that a person must not sell the books, unless he needs the money to learn Torah or to marry a wife.

This halachah is ruled by the Shulchan Aruch (Yoreh De'ah 270:2).

However, the Beis Yosef (Choshen Mishpat 248) writes that the common custom is to sell books (sefarim), and we are not stringent concerning them as we are for a sefer Torah.

The Magen Avraham (153:23) suggests that the prohibition against selling sefarim might only apply to shul sefarim, and not to a private collection.

The Peri Megadim further suggests (E.A. 154:24) that it might be permitted to sell sefarim for the purpose of buying other sefarim, and this is written as a certain ruling by the Aruch Ha-Shulchan (Yoreh De'ah 283:6).

Thus, based on the common custom it is permitted to sell the sefarim, and the money should preferably be used for buying other sefarim.