

# SIMAN 106: WHO IS EXEMPT FROM [THE REQUIREMENT OF] PRAYER

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**106:1.** All those who are exempt from (1) reading the Shema are also exempt from prayer, and all who are obligated in the Shema are obligated to pray - except for those who are escorting a deceased person but who (2) are not needed by the casket, because even though they are obligated to say the Shema, they are exempt (3) from prayer. Women and servants, even though they are exempt from saying the Shema they are obligated to pray, because (4) it [the latter] is a non-time-bound positive commandment. We are required (5) to teach children who are old enough to be educated [to pray].

**MB 1:** *Reading the Shema - Because they are involved in another Mitzvah, or because they are occupied with something related to a Mitzvah, as was explained in 70:3.*

**MB 2:** *Are not needed - Meaning that they are not prepared or designated at all to help with carrying the bier, for if [this were] not [the case] they would be exempted from reading the Shema as well, as above in 72:1, see there.*

**MB 3:** *From prayer - Because it is a Rabbinic commandment, and further because one must pray while standing still and one cannot delay so long; whereas concerning reading the Shema, the primary obligation for concentration and standing still is only when saying the first verse, so therefore one can easily stop and concentrate. If the time for prayer passed because of the burial then one need not make it up during the following time-period, because at the time of the obligation he was exempt from the requirement, as above at the end of Siman 93, see there in the Mishna Brura.*

**MB 4:** *Because it is a positive commandment - All of this is according to the opinion of the Rambam (Maimonides), whose opinion is that only the times for prayer are Rabbinic, but the obligation to pray itself is of Torah origin as it says "and to serve him with all your heart" - what is the service which is in the heart? They [the Sages] said, this is prayer. However, there is no known [or set] order for prayers prescribed by the Torah, and therefore they can say any prayer that they wish, and at any time that they wish, and if they pray once daily either during the day or at night they fulfill their Torah obligation. And the Magen Avraham writes that as a result of this opinion, most women have the custom not to always pray the Eighteen Blessings morning and evening, because they say some form of request in the*

*morning right after washing their hands and thereby fulfill their Torah obligation - and perhaps even the Rabbis did not require more than this. However, the opinion of the Ramban (Nachmonides) is that the principal obligation to pray is only of Rabbinic origin, referring to the Men of the Great Assembly who prepared the order of Eighteen Blessings to be prayed in order morning and afternoon as an obligation, and optionally in the evening as well. And even though it is a positive, time-bound Rabbinic commandment, and women are exempt from all time-bound positive commandments - even Rabbinic commandments (such as Sanctification of the Moon) - even so they obligated women to pray morning and afternoon like men because prayer is a request for mercy. This is the correct opinion, because this is in accordance with the majority of decisors, and so it is proved in the Shaagas Aryeh. Therefore one should caution women to pray the Eighteen Blessings; and it is also proper that they should accept upon themselves the yoke of the Kingdom of Heaven, meaning that they should say at least the verse "Shema Yisroel" (Hear, O Israel), as we saw in Siman 70, and they should also say the blessing of "Emes V'Yatziv" (True and standing) in order to mention redemption immediately before prayer, as the Magen Avraham wrote in Siman 70. All of this is referring to Morning and Afternoon Prayers, but concerning the Evening Prayer which is optional, even though all of Israel has now accepted it as an obligation, nonetheless women did not accept it upon themselves and most do not say the Evening Service. And concerning Additional Services, the Tzlach writes that they are exempt, but in the Magen Giborim he rules that they are obligated, see there.*

**MB 5:** *To teach - To pray the Eighteen Blessings Evening and Morning, and nonetheless it is permitted to give them breakfast before Morning Prayers, and [to the contrary] it is forbidden to cause them sorrow [i.e. to withhold food] as it says in Siman 269, and in Siman 343 concerning giving them food before Kiddush (on Shabbos).*

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Siman 106. Who are exempt from the Amidah [Silent Prayer] (cont.)

**106:2. One whose [full time] occupation is learning Torah, (6) for instance Rabbi Shimon Bar Yochai [one of the Rabbis of the Mishnah] and his colleagues, should interrupt [his learning] (7) for the reading of the Shema but not for the Amidah. But \_we\_ interrupt [our learning] both for the Shema and the Amidah. [Rema: (And if he is teaching [Torah] to others then (8) he does not interrupt, as explained above in [Siman 89](#), but he should, nevertheless, interrupt and read (9) the first verse of the Shema; but if time has not passed so that he has time to pray the Amidah and say the Shema then (10) he should not interrupt at all) (Beis Yosef [Rabbi Yosef Karo's commentary on the Tur, on which his Shulchan Aruch is based --SP] in the name of the Ran)].**

**MB 6:** *For instance Rabbi Shimon Bar Yochai - Because they were not involved at all in work and did not waste even one minute away from their learning. But we who interrupt Torah matters in order to engage in our work, how much more so should we interrupt for the Amidah.*

**MB 7:** *For the reading of the Shema - Because [the Mitzvah of reading the Shema] is from the Torah, whereas the Amidah is of Rabbinical origin only. And even if we were to argue that [the Amidah] is words of Torah, nevertheless it has no fixed time from the Torah and it is sufficient to say it once a day [rather than three times, ie. the Torah only requires us to pray at least once a day] as mentioned above. When he reads the Shema, he should read it with its accompanying Blessings and afterwards he should resume his learning without saying the Amidah. Even though one must put aside and interrupt one's learning in order to perform any of the Mitzvos, even those of Rabbinic origin, because one who learns [Torah] and does not put it into practice should better have never been created, nevertheless since the Amidah is only a request for mercy it is treated more leniently [for this purpose] than other Mitzvos as far as men like these [Rabbi Shimon Bar Yochai and his colleagues] who do not waste even one minute away from their learning are concerned.*

**MB 8:** *He does not interrupt - And even if the time [for saying the Amidah] will pass; but this is only in a case where, if he were not to teach now, [the learning] would be cancelled and they would be unable to gather together to learn afterwards, but otherwise if the time for reading the Shema or saying the Amidah were to pass then he should interrupt [his teaching]. From the Chayei Adam it may be inferred that in all cases where the time for the Amidah will pass he should interrupt. One who dispenses with saying the Amidah because of learning, even if he is learning with others all day, [is deemed as if] he had not learned [at all] (Roke'ach), and in the Eliyahu Rabbah he also writes in the name of the Piskei Tosefos that one should be strict in this regard. See in the Biur Halacha where we have explained that in the first instance it is forbidden to commence learning, even with others [who might remind him], after the time has already arrived for reading the Shema if he reckons that through going ahead with learning the time [for Shema] will pass, but rather he is obligated to read the Shema before beginning.*

**MB 9:** *The first verse - In order to accept upon oneself the yoke of the Kingdom of Heaven [which is what the first verse entails] at the time for reading the Shema, and he should try and learn a Law which mentions the Exodus from Egypt in order to mention the Exodus from Egypt [which is mentioned in the third paragraph of the Shema] at the time for reading the Shema. After his learning it is good if he completes the whole of the Shema, even if its time has passed.*

**MB 10:** *He should not interrupt at all - He means to say that even for the first verse [he should not interrupt] and even if he is learning on his own. The Later Rabbis wrote that even if he started learning when it was forbidden to do so, namely after the time for reading the Shema and saying the Amidah had arrived when it would have been forbidden for him to start learning without first having prayed, if he is learning at home and he doesn't usually go to Shul to pray, as written in Siman 89, nevertheless if he had already started [learning] he does not have to interrupt and he is permitted to learn for as long as there is still time [to say the Shema and the Amidah]. In the Eliyahu Rabba he decides that in regard to the reading of the Shema, which is [a Mitzvah] from the Torah, even if there remains enough time afterwards to read it, nevertheless he is required to interrupt [his learning] immediately and read all of it if he is*

*learning on his own, see there in Siman 70 and in this Siman. But all this is if he were learning at home, but if he is learning in the House of Study [Beis Medrash], or even at home but he started learning when it was permitted to do so, namely before the time for reading the Shema had arrived, then definitely one may rely on the opinion of the Rema that he should not interrupt, even afterwards, for so long as there is time [still to read the Shema], and see in the Biur Halacha.*