

KRIAT SHEMA 2:10

by Rabbi Yitzchak Etshalom

10. A person may read K'riat Sh'ma in any language which he will understand. Someone who reads in another language [not the original] must take care to avoid any manner of corruption in that language and read/enunciate clearly in that language, just like [he must do] in the Holy Tongue.

[RABD: "A person may read K'riat Sh'ma in any language...and read/enunciate clearly in that language, just like [he must do] in the Holy Tongue." RABD z"l wrote: This does not make sense, since all [other] languages are merely a commentary - who will be exacting about a commentary? (see the questions for various ways to understand this comment)]

K'RIAT SH'MA IN TRANSLATION

Yitzchak Etshalom

I.

In a previous shiur (2:08), we discussed the opinion of R. Yosi, who requires Sh'ma to be heard by the reader. The Gemara finds a source for R. Yosi in the first word of K'riat Sh'ma - "Sh'ma" which, literally, means "hear." R. Yehuda, who disagrees with R. Yosi and does not invalidate a silent K'riat Sh'ma (the Halakha follows R. Yehuda in this case), must interpret "Sh'ma" differently. He explains it as follows: *Sh'ma': b'khol lashon she'atah shomea* - (trans. "Sh'ma": meaning, in any language in which you understand). This exegesis works off of an alternative meaning of *Sh'ma*, most commonly found in Sefer Devarim - "understand", "comprehend". (see Devarim 1:16, 9:1, 20:3). A more accurate reading would be "Pay attention to what I'm going to say and take it to heart" (see especially 9:1 and 20:3). This does not preclude auditory input; rather, it places the stress of the following words on internal processing - thinking about the import and impact of these words and reacting appropriately.

Although it may seem that R. Yehuda is merely finding an alternative meaning for "Sh'ma" so as to re-route R. Yosi's proof, there is sufficient support for his opinions found in a Mishna in Sotah. This Mishna will be the focus of this week's shiur.

II.

THE LIST OF ORIGINAL AND TRANSLATABLE READINGS

The Mishna in Sotah (7:1) records that the following may be read in any language:

- (a) Parashat Sotah (the foreswearing, on the part of a Kohen, of a woman suspected of adultery, as part of the Sotah ritual - see Bamidbar [Numbers] 5)
- (b) The Ma'aser Recital (in Devarim [Deuteronomy] 26:12-15, recited upon completion of all the tithing obligations in the third and sixth years of the Sh'mita [Sabbatical] cycle).
- (c) K'riat Sh'ma (aha!)
- (d) Tefillah (the standing prayer "Sh'moneh Esreh").
- (e) Birkat haMazon (blessings after a meal involving bread. See Devarim 8:10)
- (f) Sh'vuat ha'Edut (an oath administered to a reluctant witness who claims he has nothing about which to testify and is brought to court by a litigant who could benefit from his testimony - see Vayyikra [Leviticus] 5:1)
- (g) Sh'vuat haPikkadon (an oath administered to a bailee who has failed to return the entrusted item and claims that it was lost or destroyed in such a manner which, according to the terms of the bailing, would exempt him from payment).

The next Mishna lists those recitations which must be made in Hebrew:

- (h) Mikra Bikkurim (the reading made in the Temple when bringing the first fruits - see Devarim 26:1-11)
- (i) Halitza (the statements made by the "rejected" sister-in-law and the "rejecting" brother-in-law in a potential Levirate marriage - see Devarim 25:5-10, especially vv. 7-10)
- (j) B'rakhot uK'lalot (the blessings and curses administered between the two mountains overlooking Schchem when B'nei Yisra'el first entered the land - see Devarim 11:29-30, 27:11-26)
- (k) Birkat Kohanim (the Kohanim bless the people every day (outside of Israel, only on Festivals) - see Bamidbar 6:22-27)
- (l) Birkat Kohen Gadol (the blessings before and after the Torah reading, made by the Kohen Gadol on Yom haKippurim after he finished the Avodah (worship) in the Temple).
- (m) Parashat haMelekh (the reading of the Torah by the king, at the end of each Sh'mitta cycle on Sukkot - see Devarim 31:10-13).
- (n) Parashat 'Egla 'Arufa (the reading made by the members of the court of the city closest to an unidentified dead body found between cities - see Devarim 21:1-9)
- (o) Mashu'ach Milhamah when he speaks to the people (one Kohen was anointed for the job of spiritually directing the army - see Devarim 20:1-7).

III.

GLOBAL AND LOCAL REASONS

Whenever we find a list of items which have a common Halakhic requirement, there are immediately two possible approaches to understanding the nature of this list:

(1) All of the items have a common characteristic and, on account of this characteristic, they share the resultant Halakhic requirement. For example, the Mishna in Megillah (4:3) lists several components of a prayer service which may not be said without a Minyan. These include the repetition of the Tefillah, Torah reading and the Prophetic reading (Haftarah), along with Birkat Kohanim. The Gemara seems to ascribe one reason to all of these - that any matter of *Kedushah* demands a Minyan (which is inferred from a combination of verses). In other words, the reason that we do not repeat the Tefillah without a Minyan is the same reason that we do not read from the Torah etc. without one. The members of the list are there because of a common feature (the "Kedushah" aspect within that part of the service) which directly causes this demand. We will refer to this type of reason as "global" - as it drives all of the members of the list.

(2) The items share membership on a list, but are there for different reasons. For instance, the Tosefta in Kiddushin (1:8) lists paternal obligations - B'rit Milah, redeeming the son (if he is a first-born), teaching him Torah, teaching him a trade, helping him get married. Although all of these have the result in common - they are all things which a father must do for his son, they have "arrived" on the list for different reasons. Most of these obligations are derived from separate verses and multiple-inferences (see BT Kiddushin 29a-b). We will refer to these as "local" reasons - as each member is driven by a different reason, local to its own Halakhic obligation.

IV.

BACK TO OUR LISTS

Are the "translatable" readings driven by a common characteristic (global) or are they coincidental co-members of the list (local)? The same question may be posed regarding those items which must be read in the original (Mishna 2).

Before directly addressing these questions, there is a seeming anomaly which presents itself in the Gemara discussing our lists.

When looking at our lists, we would expect that one of the two rules - that it must be said in the original or that it may be said in translation - is the "norm" and is assumed. We would then expect that for the list of "unusual" readings (whichever don't fit the "norm"), we would have some sort of support for the "abnormality".

For instance, if we expected that "original text" is the norm - that when the Torah requires us to recite something that it be in the original, we would also expect some reasoning or textual proof to support those "exceptions" where the Halakhah allows other languages - but we would need no such proofs for those "normal" cases where the original language is required.

However, upon inspection of the Gemara at the beginning of the seventh chapter of Sotah, we find proofs and arguments provided for each member of both lists! There is apparently no "norm" here. Why is this the case?

When the Torah obligates us to say something as response to a given circumstance, there are two concerns at play:

- (i) That we understand what we is being said. This may include the speaker, the listeners (if applicable) and, perhaps, even onlookers.
- (ii) That we say that which has been presented to us - in its original form. Anytime that we translate or rephrase, we lose so much of the multiple meanings and associations which exist in the original language.

Since both of these concerns are, to a greater or lesser degree, central to a given recitation, the ideal is clearly to accomplish both - to recite, with full understanding, the original text. The various proofs (for both lists) are indicating which of these two issues is the overriding concern in that given Halakhic obligation. For instance, even though we would prefer that K'riat Sh'ma be said in the original - preserving all of the Scriptural and Midrashic associations and multiple meanings - if doing so will stand in the way of understanding, the key word "Sh'ma" tells us that understanding overrides original text.

On the other hand, although we would prefer to have the reader understand Mikra Bikkurim, if that would necessitate reading it in translation, that is a choice we will not make, as the original text is the overriding concern. Thus, each of the prooftexts or arguments presents which of these two concerns is more central to the given Halakhic obligation.

[Of course, it is possible that some of these obligations have only one of the concerns. My teacher and Haver, Rabbi Yisroel Miller, suggested that Sh'vuat haPikkadon, Sh'vuat ha'Edut and Parashat Sotah have no "original text" component and there is no concern whatsoever that they be said in the original. See MT Sh'vu'ot 11:14 and MT Sotah 3:7].

V.

LOCAL REASONS

When we look at each of the proofs, it seems that they are unrelated. Specific verses - or, more accurately, "code-words" within the verses - indicate which way to go for each obligation. The verb root "AMR" indicates saying it in any language, as does the root "ShM" - whereas "AMR" together with "NH" indicates fidelity to the original. Although some of the members of the list are linked (e.g. the obligation that Mikra Bikkurim be in the original is associated with that obligation in the case of B'rakhot uK'lalot), they are generally presented as separate proofs. It seems that there is no single characteristic which binds the members of either list together.

However, it is possible that these verses are only proofs "after-the-fact"; i.e. that the Halakhah goes one way or the other, based on a more core issue, and that the verses provide textual "reliance" for that ruling. (This is known as an "asmakhta").

GLOBAL REASONS

When we look at the list of those things which may be said in any language, no global solution is evident; however, it may become clear once we look at the other list.

What characteristic is shared by Mikra Bikkurim, B'rakhot uK'lalot, Birkat Kohanim, Birkat Kohen Gadol, Parashat haMelekh, Parashat 'Egla 'Arufa and Mashu'ach Milhamah?

They are all recitations made within a national context. Some of them are made by representatives of the nation (Parashat 'Egla 'Arufa), others, in addition, are made in national gatherings (Parashat haMelekh, Birkat Kohen Gadol, B'rakhot uK'lalot), Mashu'ach Milhamah). One of them (Mikra Bikkurim) is a retelling of the national history, in a national context (Beit HaMikdash [Temple]) and one has the spiritual representatives of the nation and of God (see BT Kiddushin 23b) blessing us in God's Name. Halitzah is the one exception to this rule (although it could be argued that issues administered by the court take on a national context. In that case, we would have to distinguish between the Sh'vu'ot which may be said in any language and Halitzah) and it may be on this list for a different reason.

Now, we can revisit the first list: Parashat Sotah, The Ma'aser Recital, K'riat Sh'ma, Tefillah, Birkat haMazon, Sh'vuat ha'Edut and Sh'vuat haPikkadon. Each of these is essentially a private recitation - either between a person and his own thoughts (K'riat Sh'ma), between Man and God (Birkat haMazon, Tefillah), between someone administering an oath and the one taking the oath (Parashat Sotah and the two Sh'vu'ot) or between a man and the members of his community (if we wish to read Vidui Ma'asrot the way - otherwise it joins Tefillah and Birkat haMazon). Here, there is either no particular reason to favor Hebrew over any other language (possibly Rambam's position - see the answer to Q3 below) or there is no demand that the reading absolutely be in Hebrew (perhaps RABD's position), although this is preferable.

It is only regarding those recitations which reflect our national character that there is an absolute demand that they be made in our national language and that they maintain, with absolute fidelity, the words and spirit of the original text.

[See the comments of the Keren Orah at the beginning of the seventh chapter of Sotah.]

now, to the responses:

Q1: Why is it permissible to read K'riat Sh'ma in any language?

A: See the shiur above. Here's an alternative explanation:

There are three distinct types of Halakhic obligations regarding speech:

- (a) Formulae which must be said exactly as presented (e.g. Mikra Bikkurim);
- (b) Recitations which demand recital of a word-for-word formula - but allow for deviations from the original (such as translation) - (e.g. Megillah); and
- (c) Those obligations which are purely content-driven and, as long as specific content areas are covered, have no set formula (e.g. Haggadah).

It stands to reason that no one obligation can fit any two of these categories simultaneously; the first focusses on recitation of certain sounds making certain words, the second addresses a set word-and-idea pattern but allows translation (as it demands comprehension) and the third allows for subjective style and stress (as it is concerned with personal input). It is not possible to at once obligate someone to recite a certain formula and at the same time require him to understand that formula. Similarly, we cannot require a set word-for-word pattern while expecting personal/subjective input. K'riat Sh'ma, as any other obligation, must belong to one (but only one) of these categories.

Since K'riat Sh'ma begins with the word "Sh'ma" which implies comprehension, we cannot obligate it to be said in a specific language - so it is not category A. Since the Sh'ma also requires us to recite *Had'varim ha'eleh* (THESE words) - which implies fidelity to the original text, we cannot put K'riat Sh'ma in category C. Hence, K'riat Sh'ma demands a set formula but, since it also demands comprehension, may/must (see shiur) be said in the vernacular which is understood by the reader.

Q2: Why does Rambam use the awkward phrasing: "in any language which he will understand" as opposed to the simpler "in any language which he understands"?

A: Perhaps Rambam should be read (parsed) differently: *b'khol lashon - sheyih'yeh m'vinah* - it is read in any language - IN ORDER THAT he may understand.

Q3: Why does Rambam insist on *diqduq b'otiot* (care with enunciation) in other languages?

A: See Meir Levin's suggestions, posted in the previous shiur.

In addition, we might consider that Rambam maintains that K'riat Sh'ma in another language is a perfectly acceptable form of fulfilling the Mitzvah.

In other words, we can view the permit of other languages as just that - a permit, allowed under those (less-than-ideal) circumstances where the reader and/or listener does not understand the original. In that case, we can see K'riat Sh'ma in translation as an inferior fulfillment of the Mitzvah and, perhaps, relax the requirement of clear and perfect enunciation. This may be RABD's approach.

Conversely, if we see K'riat Sh'ma as equally valid in any language, then the same rules which apply to the original will apply to the translation. This may be Rambam's approach.

See the shiur, above, for more discussion of this point.

Q4: Following the previous question - how can we mandate such a thing? How do we deal with regional dialects etc. - in other words - what is THE proper way to enunciate English, for example?

A: This may be the RABD's challenge. In defense of Rambam's position, however, we may wish to revisit the obligation of *dikduk b'otiot* - careful enunciation. It may be that this obligation is not so much an issue of "correctness" as "care". In other words, in order for K'riat Sh'ma to be given the proper care and attention (another form of *Keva*), we need to vocalize it with care - not sloppily. That would then "translate" into reading in careful English (for example), not slurring words together. The dialect and particular usages would not be of issue, so long as within the community of speakers of which the reader in question is a member, this form of speech is considered correct and clear.

Q5: What is the basis for the dispute between Rambam and RABD? (see the previous shiur for Meir Levin's remarks - is there another way to understand their disagreement?)

A: See answer to Q3, above.

Q6: What is the meaning of the last phrase in RABD's gloss? - the Hebrew reads *umee y'daqdeiq ahar peirusho* - does it mean that no one would take such care with a "mere" commentary? or does it mean that no one can provide him with the proper method of translating? or does it mean something else?

A: Since, according to RABD, any other language is merely an interpretation, there is no inherent value to the specific words being used for reading - so that careful enunciation loses its significance.

POSTSCRIPT

Although the shiur briefly touched upon the issue of prayer, this is clearly a major issue with practical ramifications. It will be addressed more fully and completely when we study the first chapter of Hilkhos Tefillah. Rambam does not specifically state that Tefillah may be said in any language; however, in his description of the evolution of Tefillah, he discusses the language issue (see Tefillah 1:4)

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