



Volume 7. Issue 3

Sending Away the Mother Bird

The *Mishnah* (*Brachot* 5:3) teaches us that if someone adds to their prayers “You are so compassionate and merciful that Your mercy extends to the birds nest” (a reference to *Devarim* 22:6-7) then we silence them. The *Gemara* (*Brachot* 33b) gives two reasons why this addition to prayers is inappropriate:

- They instil jealousy in the acts of creation by suggesting that *Hashem* has mercy on birds but not on other creatures.
- They render this *mitzvah* into an act of mercy, whereas in reality the *mitzvot* are *Gezeirot* – divine decrees with no reasons, to which we must submit our will.

However, the *Rambam* (*Moreh Nevuchim* III:48) explains that the reason for the *mitzvah* to send away the mother bird before taking the young or the eggs, is to ensure that the mother does not see its young slaughtered because this would cause great anguish. The *Rambam* gives the same reason for the prohibition against slaughtering an animal and its young on the same day (*Vayikra* 22:28).

How does the *Rambam* deal with the second reason of the *Gemara* that says that all *mitzvot* are *Gezeirot*? The *Rambam* explains that this is only one approach of *Chazal* and we hold by the opposite view – i.e. that there are reasons for all of the *mitzvot*.

The *Ramban* (Commentary on *Devarim* 22:6) provides three alternative reasons for this *mitzvah* of sending away the mother bird.

- The *mitzvah* is not given out of compassion for the bird, but in order for us to mould our characters and to instil in us the trait of mercy.
- We are permitted to slaughter members of a species but we cannot destroy an entire species. The *mitzvah* of sending away the mother bird and the prohibition against slaughtering an animal and its young on the same day are in order to distance us from causing destruction within a species.
- A *kabbalistic* explanation that is beyond the scope of this article (and beyond the scope of my understanding).

However, these commentaries leave us with a question. Is the correct approach for us to seek to understand the reasons behind the *mitzvot*, or should we rather look upon them solely as *Gezeirot* to which we must submit our will?

Many great sages have devoted considerable effort to fathom the reasons behind the *mitzvot*. Arguably, if we have an understanding of the reasons behind the *mitzvot*, our performance of the *mitzvot* can be deeper and richer. It also becomes easier for us to perform *mitzvot* with greater *kavana*. Additionally, the underlying reasons for the *mitzvot* can teach us lessons in *hashkafa* and ethical behaviour. On the other hand, the term for ‘reasons for the *mitzvot*’ in *Lashon Hakodesh* is ‘*Ta’amei Hamitzvot*’, *ta’am* meaning taste. Although the taste of food adds immeasurably to the experience of eating, it is not the *ikar* (essence). Only the nutrients and calories contained in food are necessary for survival. Similarly, it can be argued that although appreciating reasons underlying the *mitzvot* can add immeasurably to our experience in performing the *mitzvot*, the reasons are not the *ikar* - ultimately we perform the *mitzvot* only because *Hashem* commanded us to.

When we try to understand the reasons behind the *mitzvot*, we may risk concluding that we understand **the** single underlying rationale for a *mitzvah*’s existence. To suggest that we are able to plumb the depths of the Divine will and understand **the** sole or ultimate reason for a *mitzvah* is *chutzpah*. As finite beings with limited understanding it is impossible for us to fully grasp the ways of the Infinite Being. In addition, if we think that we understand the reason for a *mitzvah*, there is a danger that we may rationalise that the reason does not apply to us. For example, some argue that the rationale for *kashrut* is health and that pork was forbidden long ago because it can harbour trichinosis if not properly cooked. If this is believed to be the sole reason, then it might be concluded that modern hygiene means that pork can now be safely consumed, and the prohibition no longer applies.

Notably, there are some passages in the *Torah* where a reason for a *mitzvah* is explicitly revealed. A king should not take too many wives so that his heart does not turn away and a king should not acquire too many horses so that he does not cause the people to return to Egypt (where the best horses came from) (*Devarim* 17:16-17). The *Gemara* (*Sanhedrin* 21a) highlights the danger of focusing on the reasons behind the *mitzvot* by pointing out the failing of *Shlomo HaMelech*. The wisest man in the world stumbled over these two *mitzvot* (see *Melachim* I 11:4 and *Melachim* I 10:29) because he thought that he could avoid those traps without having to keep these *mitzvot*.

Allon Ledder

* For more on “Sending Away the Mother Bird” see Volume 5 Issue 20.

Revision Questions

ברכות ה': ג' - ז': ג'

- What are the three expressions which the congregation must prevent a *chazzan* from saying? (ה': ג')
- Does a *chazzan* respond with *amen* to the *birkat kohanim*? (ה': ד')
- If a *chazzan* is the only *kohen* in the *shul* and it is time for *birkat kohanim* what should he do? (ה': ד')
- What was special about the *tefillot* of *R' Channinah ben Dosa*? (ה': ה')
- What *bracha* should one make on: (א': ו')
 - Fruit?
 - Wine?
 - Bread?
 - Vegetables (include both opinions)?
- In which cases does one fulfil his obligation of reciting a *bracha* even if he said the wrong *bracha*? (ב': ו')
- For which foods does one recite a *shehakol*? (ג': ו')
- Explain the debate between *R' Yehudah* and the *Chachamim* about which food has preference when there are many different types of food to choose from.s (ד': ו')
- True or false? (ה': ו')
 - A *bracha* on wine before the meal also covers the wine drunk after the meal.
 - A *bracha* on the *parperet* before the meal also covers the *parperet* after the meal. (What is *parperet*?)
 - A *bracha* on bread also covers the *parperet* eaten during the meal.
 - A *bracha* on the *parperet* also covers bread.
- Under what conditions can one person be *motzi* another for *birkat nehenin*? What are the two exceptions to this rule? (ו': ו')
- Complete this general principle: (ז': ו')

" _____ , כל שהוא עיקר ועמו טפלה, _____ "
- Describe a case when bread is considered *t'fillah*? (ז': ו')
- Explain the debate about the *bracha* one recites after eating dates, grapes or pomegranates. (ח': ו')
- After eating what does *R' Akiva* say that one should recite *birkat ha'mazon*? (ח': ו')
- Explain the debate about the *bracha* one recites before drinking water? (ח': ו')
- After eating what food can one join in a *zimun*? Eating what food would exclude someone from a *zimun*? (א': ז')
- Which people cannot be part of a *zimun*? (ב': ז')
- Explain the debate about how much someone must eat before they can be part of a *zimun*. (ב': ז')
- According to the *Mishnah* what does one say for a *zimun* of 3? 4? 10? 11? Explain the debate about what one should say for a *zimun* of 100, 101, 1000, 1001, 10000 and 10001? (ג': ז')

Local Shiurim

Sunday -Thursday

After *Ma'ariv*
Mizrachi Shul
 Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
 Melbourne, Australia

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

NEW SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
18 th July ז' אב	19 th July ח' אב	20 th July ט' אב	21 th July י' אב	22 th July יא' אב	23 th July י"ב אב	24 th July י"ג אב
Berachot 5:3-4	Berachot 5:5-6:1	Berachot 6:2-3	Berachot 6:4-5	Berachot 6:6-7	Berachot 6:7-7:1	Berachot 7:2-3

