סי' ד ס"ק מט, אוליצ ח"ב עמ' כב, ילקוי"י עמ' שכד, ודלא כהמשנ"ב. ונתבאר לעיל בילקוט יוסף הלכות השכמת הבוקר, סימן ד' הלכה ס"ב.

ז. ברכת אשר יצר נתקנה על ידי אנשי כנסת הגדולה, ורבו סודותיה. [עוד יוסף חי ר"פ ויצא]. ופירוש התיבות, ומעלתה, ודיניה, נתבארו בארוכה בילקוט יוסף הלכות השכמת הבוקר, סימנים ו'-ז'.

ברכת "אלהי נשמה"

ח. מעיקר הדין אין צריך לסמוך ברכת "אלהי נשמה" לברכת "אשר יצר", מפני שאין ברכת "אלהי נשמה" נחשבת לברכה הסמוכה לחבירתה. ומה שאינה פותחת בברוך, היינו משום שהיא ברכת ההודאה, וברכות ההודאות אינן פותחות בברוך אפילו אינן סמוכות לברכות אחרות. ומכל מקום טוב ונכון לסמוך ברכת "אלהי נשמה" לברכת "אשר יצר", לחוש לדעת הפוסקים שסוברים כן. [הליכות עולם ח"א עמ' נ] **יתר** דיני ברכת "אלהי נשמה", נתבארו בילקוט יוסף הלכות השכמת הבוקר, סימנים ז' הלכות כ"ח-ל"ג.

Day 4

This is true even if someone soiled his hands while in the restroom and needed to cleanse them before beginning *shaḥarit*. Although there are *Poskim* who ruled that one must recite the blessing of *al netillat yadayim* in such a case, the practice of Sefardic Jews is not to recite the blessing. This was explained in *Yalkut Yosef Hashkamat Haboker English Edition* (*Siman* 4:2).

The wisdom contained in *Asher yatzar*

7) We recite this blessing after each time we relieve ourselves of our body's waste products. The blessing of *Asher yatzar* was composed and instituted by *Anshe Kenesset Hagedola* in such a manner that it expresses sublime concepts beyond our capability to understand. For an inkling of the wisdom contained in this blessing, see the *Yalkut Yosef Hashkamat Haboker English Edition*, (*Siman* 6 and *Siman* 7).

Elohai Neshama

Connecting this blessing with *Asher yatzar*

8) Technically, there is no halakhic obligation to recite the blessing of *Elohai neshama* immediately following that of *Asher yatzar*. These two blessings are not considered a set. Although the blessing of *Elohai neshama* does not begin with the regular preface of בָּרוּךְ אַתָּה ה', אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם this is because it belongs in the category of *birkhot hoda'a*, blessings of thanksgiving. This category of blessing does not require the regular text found in other blessings.

Even so, it is commendable to recite this blessing immediately following the blessing of *Asher yatzar* if possible. This is because there are some *Poskim* who ruled that it is necessary to recite them together without interruption. The rules regarding the blessing of *Elohai neshama* are found in *Yalkut Yosef Hashkamat Haboker English Edition* (*Siman* 7, halakhot 28-33).

דיני ברכות השחר

ט. אף שלדעת מרן השלחן ערוך (סי' מו ס"ח) אין לברך ברכות השחר בשם ומלכות אם לא נתחייב בהם, מכל מקום פשט המנהג כדעת הסוברים שברכות השחר ניתקנו על מנהגו של עולם, ולכן אף מי שלא שמע קול תרנגול, או שלא לבש מלבושיו, ולא חגר חגורתו, יש לו לברך הברכות, מפני שהן ברכות השבח על מנהגו של עולם, ומנהגן של ישראל תורה היא. ובמקום מנהג לא אמרינן סב"ל. [ראה כה"ח ס"ק מט, ילקו"י מהדו"ק עמ' נ]

Birkhot Hashahar

Defining the obligation for the morning blessings

9) According to the *Shulhan Arukh* (46:8), the obligation to recite any of the morning blessings applies only if, on that morning, the person has experienced the gift for which the blessing describes and gives thanks for it. For example, if someone did not hear a rooster crow in the morning he may not recite the blessing of *hanoten lasekhvi bina*, and if he does not wear a belt he may not recite the blessing of *ozer Yisrael bigvura*.

The universal custom, however, follows the opinion that every person is obligated to recite all the morning blessings whether or not he experiences what the blessings describe. Therefore, even if someone did not hear a rooster crow and did not get dressed in the morning, he still recites the entire set of morning blessings. This practice is based on the ruling that these blessings are not expressions of thanks for our individual experiences, but rather they are expressions thanking God for the good things that He provided the world in general. Since this practice has been established as the universal custom, the principle of *safek berakhot lehakel* is overruled.[2]

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2. **The Talmud** (*Berakhot* 60b) teaches: When someone hears a rooster crow, he recites בָּרוּךְ אֲשֶׁר נָתַן לַשֶּׂכְוִי בִּינָה. When he opens his eyes [demonstrating that he can see], he recites בָּרוּךְ פּוֹקֵחַ עִוְרִים. When he sits up [demonstrating that he can move his body], he recites בָּרוּךְ מַתִּיר אֲסוּרִים. When he stands up [demonstrating that he can balance himself on his feet], he recites בָּרוּךְ זוֹקֵף כְּפוּפִים. When he steps onto the ground, he recites בָּרוּךְ רוֹקַע הָאָרֶץ עַל הַמָּיִם. When he begins to walk about, he recites בָּרוּךְ הַמֵּכִין מִצְעֲדֵי גָּבֶר. When he puts on his shoes, he recites בָּרוּךְ שֶׁעָשָׂה לִי כָּל צָרְכִּי. When he fastens his belt around his waist, he recites בָּרוּךְ אוֹזֵר יִשְׂרָאֵל בִּגְבוּרָה. When he wraps his turban onto his head, he recites בָּרוּךְ עוֹטֵר יִשְׂרָאֵל בְּתִפְאָרָה.

Rambam interpreted this passage literally and ruled that each person becomes obligated to recite each of these blessing upon experiencing the gift for which the blessing gives thanks. If he does not experience it that day, he cannot recite that particular blessing on that day. Rambam ruled (*Hilkhot Berakhot* 7:7 and 7:8): "These eighteen blessings have no particular order. Each person recites a blessing when he experiences whatever the blessing describes. If he does not experience it, he does not recite that blessing. For example, if someone slept through the night while fully dressed, he does not recite the blessing of *malbish arumim* when he gets up in the morning. If he walks about barefoot, he does not recite the blessing of *she'asita li kol tzorki*."

Rabbenu Asher and the ***Arba'a Turim*** disagreed with Rambam regarding the blessing of *hanoten lasekhvi bina*. They explained that everyone must recite this blessing even if he did not hear a rooster crow. The interpretation of the word *sekhvi* in this blessing, they argued, is not a rooster but rather it is the intelligence God gave us enabling us to distinguish between day and night. Regarding the other blessings, which express our thanks to God for specific benefits that He gives us, they agreed with Rambam that a person is obligated to recite the blessing only if and when he experiences that benefit on this day.

Many ***Ge'onim*** adopted an entirely different approach to these blessings. The *Kol Bo* (#1) cited Rav Natrunai *Ga'on* and Rav Amram *Ga'on* teaching that our Sages did not

institute these blessings to thank God for each person's individual benefits, but rather to praise God for providing these benefits to mankind in general. Therefore, everyone must recite these blessings daily even if he personally does not experience any of the benefits that the blessings describe. The *Kol Bo* testified that the common custom in many countries followed this opinion.

Rambam was aware of this custom. He wrote: "In many of these cities the people recite the entire set of morning blessings in the synagogue whether or not they experienced what the blessings express. This is a mistake, and they must not continue this practice. It is permissible to recite a blessing only if one actually experienced the benefit expressed therein."

The *Bet Yosef* noted this passage, remarking that Rambam had two complaints about this practice. First of all, he complained that the people waited to recite the blessings until they arrived in the synagogue, whereas they should have recited each blessing as soon as they experienced the benefit it expresses. This is obvious to anyone who reads the passage of Talmud cited above. Second, the people recited the entire set of blessings each day whether or not they had experienced the benefits for which each blessing gives thanks, whereas Rambam insisted that one may not recite a blessing for a benefit that one had not personally experienced.

Rambam's first complaint can be deflected since Rabbenu Asher (*Berakhot* 9:23) ruled that the principle stating that a blessed must be recited prior to the act applies only to blessings recited for performing mitzvot. The text of those blessings includes the term וְצִוָּנוּ, which means "He commanded us to perform...." That terminology makes sense only if the person reciting it has not yet fulfilled the mitzvah. When reciting blessings of praise and thanksgiving, however, there is no such restriction; the blessing may be recited after a person experiences the kindness it describes. Rabbenu Nissim (*Pesahim* 4a) concurred with this ruling, and added that even if someone heard a rooster crow in the middle of the night he may recite the blessing for it in the morning. He reasoned that this blessing can only be recited after the act [of hearing the rooster] and if so, it does not matter how long afterward he recites it.

Rabbenu Nissim then challenged this thesis, since the Talmud Yerushalmi teaches that one must recite a blessing of praise or thanksgiving within *kede dibbur* (one second, approximately) of the experience referred to in the blessing. Rabbenu Nissim declared, based on this, that the reasoning he previously postulated is incorrect. He concluded that the common custom must follow the opinion of the *Ge'onim* mentioned above, and this entire set of blessings is an expression of thanks for the general make-up of the world, not of any individual. Therefore, even if someone did not hear the crow of a rooster at all, he may still recite the blessing thanking God for that kindness. Since this has become such a widespread custom, it is cemented as the correct halakha in practice. Rabbenu Nissim testified that this is likewise the conclusion of the Ramba"n regarding the morning blessings.

Conclusions of the *Bet Yosef* and Rama

Maran concluded that, since many *Rishonim* agreed with Rambam regarding this issue, we must take the stringent view and refrain from reciting any of the morning blessings unless we actually experience what that blessing describes. He recommended that each person recite the blessings for things he has not experienced as well, but without pronouncing God's Names in those individual blessings. Based on this, Maran ruled in the *Shulhan Arukh* (46:1): "Upon awakening from the night's sleep, one must recite the blessing of *Elohai neshama*. Upon hearing the crow of a rooster, one must recite .... When dressing .... Upon sitting up...."

Later, in halakha 8, Maran laid down the general rule: "Regarding all these blessings, if someone has not experienced what is described in the blessing, he should recite that blessing without pronouncing God's Name. For example, if someone has not heard a rooster crow, or if he has not walked, or he has not gotten dressed or hasn't put on a belt, he should recite the corresponding blessing without pronouncing God's Names."

The Rama, in contrast, wrote (gloss to 46:8): "Other *Poskim* ruled that we are to recite all these blessings even if we did not experience what they describe. The blessings are not connected to each person's personal experience, but rather we bless God for providing all of life's needs to the entire world. The common custom follows this opinion, and it must be maintained." The Arizal concurred with this ruling, as did the *Aharonim*, as listed in the *Kaf Hahayim* Sofer (46:49), and in responsa *Yabia Omer* (Vol. V, #10:3).

***Safek berakhot lehakel* does not apply here**

It is surprising that we follow the ruling of Rama, however. If Rambam and the *Shulhan Arukh* both ruled that one must not recite the blessings, how dare we ignore their opinion?

The *Ben Ish Hai* (*parashat Vayeshev* halakha 5) explained that in this case we rely on the ruling of the Arizal, who taught (*Sha'ar Hakavanot*): "The eighteen blessings, beginning with *al netillat yadayim* and ending with the blessings recited for the mitzvah of Torah study must all be recited by each person every single day, whether or not he has experienced what the blessings describe. All these blessings allude to the highest realms of Heaven, and one must not miss reciting any of them. Even if someone has not slept at all during the night, or never took off his hat, his clothes, or his shoes, he must still recite all the blessings every single day. Even if he has not experienced them personally, he recites the blessings to praise God for creating the world with the benefits described in these blessings. (The only exceptions are that we omit the blessing of *she'asa li kol tzorki* on Tisha Be'Av and on Yom Kippur, and we omit the blessings of *al netillat yadayim* and *asher yatzar* if we have not performed the acts obligating us to recite them.) If this is the opinion of the Arizal, it overrides the principle of *safek*

י. בברכות השחר וכן בברכות התורה אין צורך לעמוד, אלא אם רצה, יכול לברך כשהוא יושב. [יחוה דעת ח״ה סי׳ ד]. וכן מנהג בני ספרד לברך ברכות השחר, בין בעמידה בין בישיבה. [אור לציון ח״ב פמ״ד המ״ט]

יא. יש נוהגים לברך ברכות השחר בבית הכנסת. [ראה ש״ע סי׳ ו ס״ב, סי׳ מו ס״ב]. אולם מנהג האר״י היה לסדר כל הי״ח ברכות השחר בקומו ממיטתו בביתו, קודם הליכתו לבית הכנסת. [ראה כה״ח סי׳ ו ס״ק ג]. וכן הוא מנהגנו. ואף השליח צבור אינו מברך ברכות השחר בבית הכנסת. [ראה כה״ח שם ס״ק ד]. ובמקום שמברך ״על נטילת ידים״ יברך כל ברכות השחר. [כה״ח סי׳ מו ס״ק נג]

Standing or seated

10) It is not necessary to stand up while reciting the morning blessings or the blessings for the mitzvah of Torah study. It is permissible to recite them while seated,[3] and this is the custom of Sefardic Jews.

Reciting the blessings in the synagogue

11) Some people have the practice of waiting to recite the morning blessings until they arrive at the synagogue. The practice of the Arizal, however, was to recite all eighteen blessings in his home as soon as he got up from bed, before going to the synagogue. This is the custom of Sefardic Jews as well. The cantor does not recite the morning blessings in the synagogue.[4] Each person should recite all the morning

berakhot lehakel. The *Kaf Hahayim* (46:49) concurred with this.

Maran the Rishon Letziyon, however, disagreed with this principle. He asserted that the Arizal has no more authority than any other *Posek*. If we apply the principle of *safek berakhot lehakel* to override the rulings of Maran Harav Yosef Karo, we certainly must apply it to override the rulings of the Arizal.

To reconcile our common practice, we can rely on another principle explained by Maran the Rishon Letziyon in responsa *Yabia Omer* (Vol. II, #25:13). He discussed the practice of reciting the blessing of *hanoten laya'ef ko'ah*. The *Shulhan Arukh* (46:6) ruled that we must never recite this blessing since it has no source in the Talmud. The universal custom, among both Sefardic and Ashkenazic Jews, however, is to recite it daily. In this case as well, the Arizal ruled that we must recite this blessing, but his ruling cannot be the basis of the universal custom to recite it since all communities, including those that do not follow any kabbalistic teachings, recite this blessing daily. It must be, therefore, that this blessing was instituted during the era of the *Ge'onim*, and that is why it is mentioned by many of the *Rishonim*. Since the universal custom to recite this blessing was established long before the *Shulhan Arukh* was composed, the established custom overrides the ruling of the *Shulhan Arukh* and the principle of *safek berakhot lehakel*.

In the same way, we can reconcile the custom of reciting all the morning blessings every day. Since this had become a universal practice long before the publication of the *Bet Yosef* and *Shulhan Arukh*, and in fact it precedes Rambam, as he himself testified, it overrides the principle of *safek berakhot lehakel*.

3. Maran the Rishon Letziyon (responsa *Yehave Da'at* Vol. V, #4) discussed whether it is permissible to remain seated when reciting the blessings for the mitzvah of Torah study. He cited the *Kaf Hahayim* Palachi (9:7) insisting that each person recite all the morning blessings while seated so that he can put his full concentration into the blessings. It is certainly improper to pace back and forth while reciting the blessings. See above in halakha 3 for the full text of the *Kaf Hahayim*.

4. The *Shulhan Arukh* (6:2) states: Some people have the practice of waiting to recite the blessing of *al netillat yadayim* until they arrive in the synagogue. They recite it as part of the group of morning blessings. This is not the practice of Sefardic Jews, however."

It appears from this that Sefardic Jews rejected the practice of reciting the blessing of *al netillat yadayim* in the synagogue because it should be recited before one completes the mitzvah of washing hands in the morning, as explained in the *Yalkut Yosef Hashkamat Haboker English Edition*, *Siman* 4:9. Regarding the other morning blessings, however, it may be that Sefardic Jews recited them only after arriving in the synagogue.

Indeed, the *Shulhan Arukh* (46:2) states that the custom is for the cantor to recite all the morning blessings on behalf