

## Bais HaVaad on the Parsha, Parshas Acharei Mos-Kedoshim

Nixed Blessing

*Excerpted and adapted from a shiur by Rav Ari Stauber*

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[https://baishavaad.org/wp-content/uploads/2021/04/VAY81\\_005\\_Acharei\\_Ke  
doshim\\_When\\_in\\_Doubt\\_Safek\\_Brachos\\_LHakel.mp3](https://baishavaad.org/wp-content/uploads/2021/04/VAY81_005_Acharei_Ke<br/>doshim_When_in_Doubt_Safek_Brachos_LHakel.mp3)

*And in the fourth year, all its fruit shall be holy, a praise to Hashem.*

Vayikra 19:24

The Gemara (Brachos 35a) attempts to derive the obligation to praise Hashem by reciting *brachos* from this *pasuk*, though it eventually concludes that the source is logic. Among the principles of *hilchos brachos* are not reciting a *bracha* (or Hashem's name at all) unnecessarily and not reciting a *bracha* in cases of doubt.

According to the Gemara (Temurah 4a), there are multiple levels of violation involved in saying Hashem's Name unnecessarily. One who does so in a *shvuas shav* (swearing in vain) has violated the prohibition of *lo sisa* (Shmos 20), while one who simply mentions the Name for no reason violates the positive mitzvah of *es Hashem Elokecha tira* (Devarim 10). Tosafos (Rosh Hashanah 33a) adds that one who recites a *bracha levatalah* has violated *lo sisa* Rabbinically. But the Rambam compares that case to *shvuas shav*, which many *Acharonim* maintain is an *issur d'Oraisa* (Magein Avraham, R' Akiva Eiger, Tzlach).

The general rule is *safek brachos lehakel* (we are lenient in cases of uncertainty regarding *brachos*). According to the P'nei Yehoshua, this is due to the general rule that *safek deRabanan lekula* (one is lenient in cases of doubt in Rabbinic matters). But according to R' Akiva Eiger, it's due to concern about violating *lo sisa*.

In the case of *birchos hanehenin* (*brachos* on benefiting from this world, such as on food), *Rishonim* dispute whether the principle of *safek brachos* applies. The Rif holds that if one is unsure he made a *bracha*, he should not repeat it, but the Ri says he should.