

Stop-Loss Order

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Q I was unsure whether I had already *bentched*, so I *bentched* to be certain. Midway through, I recalled that I had in fact done it earlier. What should I have done at that point?

A A general principle in halacha is that *safek de'Oreisa lechumra* (where there is uncertainty in a *de'Oreisa* matter, we act strictly) and *safek deRabanan lekula* (where there is uncertainty in a *deRabanan* matter, we act leniently). One ramification of this rule is that a man who ate bread but is unsure whether he recited *birkas hamazon* should recite it, because his obligation of *birkas hamazon* is *mide'Oreisa*. But a similarly-situated woman does not, because her obligation is only *mideRabanan*. The same is true of a man who ate less bread than *kedei sviah* (enough to be satiated), whose obligation is also only *mideRabanan*.

If you began to recite *birkas hamazon* in a case of *safek de'Oreisa* but then remembered that you had already recited it, you must stop immediately, because it is a *bracha levatalah*.

With respect to *hilchos tefilah*, one who is unsure whether or not he davened davens again, but for a different reason: A person may daven all day long (Shulchan Aruch, O.C. 107:1 and Mishnah Brurah 2) as a *tefilas nedavah* (voluntary *tefilah*). Even one who began the *shmoneh esrei* due to uncertainty and remembered in the middle that he had davened previously may finish, because the second *tefilah* can just be a *tefilas nedavah* (Mishnah Brurah 7). In *birkas hamazon*, however, there is no such thing as *nedavah*.

