

## SURVEY OF RECENT HALAKHIC PERIODICAL LITERATURE

### *BIRKAT HA-GOMEL AND TEFILLAT HA-DEREKH* FOR AIR TRAVELERS

The Gemara, *Berakhot* 54b, records: "There are four [classes of people] who must offer thanksgiving: those who cross the sea, those who travel through deserts, one who has been sick and has recovered and one who has been incarcerated in prison and has emerged." *Rambam, Hilkhot Berakhot* 10:8, substitutes the term "wayfarers" (*holekhei derakhim*) for "those who travel through deserts." According to Rambam, safe completion of even an intercity journey necessitates recitation of this blessing. The Gemara adduces biblical verses expressing praise of God for deliverance from each of these dangers. Accordingly, some authorities maintain that *birkat ha-gomel*, the blessing of thanksgiving, is to be recited only in conjunction with the four specifically enumerated forms of deliverance. According to this position, the verses reflect commonly encountered forms of danger and the rabbinic regulation prescribing the blessing is similarly limited to those frequent forms of divine deliverance. Other authorities maintain that the phenomena described are not exhaustive and that the blessing was ordained for recitation upon deliverance from any form or danger, e.g., from the collapse of a wall upon an individual, the attack of a wild beast, the goring of an ox, etc. *Shulhan Arukh, Orah Hayyim* 119:9, records both opinions and rules that, in instances of deliverance from a danger not included among the four categories explicitly enumerated by the

Gemara, it is preferable to pronounce the blessing but with the omission of both the Divine Name and of the reference to God as King of the universe. Later authorities rule entirely in accordance with the first opinion cited by *Shulhan Arukh*. Hence, in view of the fact that a blessing without invocation of the Divine Name and reference to God as King of the universe is of no halakhic import, those authorities require recitation of the blessing in its usual form upon deliverance from any form of danger. It should be emphasized that such blessings are not discretionary; they are either required by virtue of rabbinic edict or are forbidden as an unwarranted invocation of the Divine Name.

The question of whether *birkat ha-gomel* should be recited upon safe completion of an airplane flight was first addressed in the very early days of air travel by R. David Zevi Katzberg, editor of the Hungarian Torah journal *Tel Talpiyot*, in the Tammuz 5694 issue of that publication. Rabbi Katzberg sees no reason to recite *birkat ha-gomel* upon safe completion of a short intercity flight since Rema, *Orah Hayyim* 219:7, rules, contrary to Rambam's position, that no such blessing is required subsequent to interurban surface travel. He further notes that "even when traveling by boat from Pest to Vienna and the like we have never heard that *ha-gomel* is recited." However, the same author states that circumnavigation of the globe, flight at

an inordinately high altitude, or any other dangerous form of flight, does necessitate recitation of *birkat ha-gomel*. These rulings seem to be entirely unexceptionable: According to Rema's ruling, ordinary intercity travel does not occasion this blessing, while latter-day authorities rule that even activities other than travel necessitate recitation of the blessing when danger of some sort has been encountered. At the time that Rabbi Katzberg's article was published, round-the-world flight and travel at high altitudes certainly entailed a high degree of danger. The crucial question is whether an uneventful transoceanic flight or a flight over a desert generates an obligation with regard to *birkat ha-gomel*. That question is not at all addressed by Rabbi Katzberg. Such an obligation may follow simply from the fact that air travel is no different from travel by land or sea. Hence, even though the journey has been by air, the traveler who has traversed either a sea or a desert may be obligated to recite the blessing as a member of one of the four specifically enumerated categories of people for whom the blessing is required. Alternatively, since he has traveled by air, he may not be included in those specific categories but may nevertheless be required to recite the blessing in accordance with the view that those categories are not exhaustive but that the blessing is obligatory for all persons delivered from danger.

R. Ovadiah Yosef, *Yabi'a Omer II, Orah Hayyim*, no. 14, sec. 2, and R. Eliezer Waldenberg, *Tzitz Eli'ezer*, XI, no. 14, correctly note that transoceanic flight would not occasion *birkat ha-gomel* by virtue of the second consideration. Even those authorities who maintain that the classes of persons enumerated by the Gemara as being required to recite the blessing are not exhaustive concede that these classes are not merely paradigmatic. Members of the enumerated classes are required to recite the blessing even if they have not met with any untoward experience and have

themselves not been endangered in any way.<sup>1</sup> The fact that other persons frequently do experience danger under similar circumstances is sufficient to establish a blanket obligation for all members of those classes. Deliverance from other dangers, according to the opinion of those authorities, similarly occasions recitation of the blessing, but only if the person in question was actually endangered.<sup>2</sup> Thus a routine flight over a sea or desert would not require *birkat ha-gomel* on those grounds. Nevertheless, both Rabbi Yosef and Rabbi Waldenberg rule that a flight over an ocean or over a desert necessitates recitation of *birkat ha-gomel*. They reason simply that since a sea or desert has been traversed in the course of the journey the mode of travel is irrelevant, particularly since air travel is no less dangerous than surface travel. A similar view is ascribed to the late Satmar Rav, R. Joel Teitelbaum, by R. Ya'akov Breisch in an article that appeared in the Tammuz 5716 issue of *Ha-Ma'or* and is reprinted in Rabbi Breisch's responsa collection, *Helkat Ya'akov*, II, no. 9. R. Pincus Epstein, the late head of the *Bet Din* of Jerusalem's *Edah ha-Haredit*, also concurred in this ruling as is recorded in his glosses appended to R. Betzalel Stern's *Teshuvot Be-Tsel ha-Hokhmah*, I, p. 190b.

R. Moses Feinstein, *Iggerot Mosheh, Orah Hayyim*, II, no. 59, reaches a similar but more far-reaching conclusion, albeit on somewhat different grounds. *Iggerot Mosheh* argues that, although the danger encountered in the wilderness is essentially accidental in nature, the danger inherent in sea voyages that serves as a basis of the obligation for thanksgiving is not the danger occasioned by a storm or an accident of some type. Rather, asserts *Iggerot Mosheh*, the very nature of travel in a ship is intrinsically dangerous because man cannot survive for a significant period of time in water; it is the ship that serves to protect the traveler from the danger of the sea surrounding him.

Since, at times, the ship may prove to be unseaworthy, the ocean voyager is always at risk. The identical consideration, argues *Iggerot Mosheh*, applies to airplane travelers. Man cannot survive in the sky; it is only the airplane which protects him from danger. Since the airplane may malfunction, the air passenger is always at risk. Hence, concludes *Iggerot Mosheh*, an airplane traveler must recite the *birkat ha-gomel* for precisely the same reason that a sea voyager recites that blessing.

*Iggerot Mosheh* goes beyond other authorities in ruling that *birkat ha-gomel* is required subsequent to any plane journey, including those undertaken entirely over dry land. This conclusion is entirely consistent with his thesis concerning the consideration which prompts *birkat ha-gomel* for ocean voyagers. According to *Iggerot Mosheh's* reasoning, the danger of travel in the sky is entirely analogous to the danger of ocean travel. Accordingly, every airplane trip is tantamount to a sea journey. *Iggerot Mosheh* does not stipulate any minimum distance or minimum period of travel for incurring an obligation with regard to *birkat ha-gomel*. If there is no minimum distance or time period and if *Iggerot Mosheh's* reasoning is taken to its logical conclusion, it would appear that a ride in a funicular, or even on a ferris wheel, would similarly require recitation of *birkat ha-gomel*.

A somewhat different position is espoused by Rabbi Ovadiah Yosef. Halakhah requires that, during the course of his travel, the traveler recite *tefillat ha-derekh*, the wayfarer's prayer beseeching that he be granted a safe journey and delivered from any danger. As recorded in *Shulhan Arukh, Orach Hayyim* 110:7, that prayer is recited only upon embarking on a voyage of at least one parasang in length.<sup>3</sup> *Shulhan Arukh, Orach Hayyim* 219:7, rules that the same distance constitutes the minimum length of a voyage necessitating *birkat ha-gomel*. A number of authorities, including *Petah ha-Devir*, III, 313b; *Teshuvot*

*Yismah Lev*, II, no. 4; and *Sedei Hemed, Ma'arekhet Berakhot*, no. 2, sec. 15 no. 42, also maintain that *birkat ha-gomel* must be recited subsequent to a train trip of at least one parasang in distance even though the distance is traversed much more rapidly than would be the case with a more primitive form of travel. However, R. Judah Grunwald, *Teshuvot Zikhron Yehudah, Orach Hayyim*, no. 42, asserts that the stipulated distance of a parasang is the normative minimum only for an individual who travels on foot. When traveling by motor vehicle, rules *Zikhron Yehudah*, there is no similar obligation with regard to *birkat ha-gomel* unless the journey is of a time period equal to that which it would take for an individual to traverse a parasang on foot. The period or time required for an average person to cover a parasang by foot is established as an hour and twelve minutes. *Yabi'a Omer*, I, *Orach Hayyim*, no. 13, sec. 9, rules in accordance with the opinion of *Zikhron Yehudah*. This is also the opinion of Rabbi Y. A. Silber, *Az Nidberu*, VI, no. 66.<sup>4</sup> In *Yabi'a Omer*, II, *Orach Hayyim*, no. 14, sec. 3, and in *Yehavveh Da'at*, II, no. 26, Rabbi Yosef similarly rules that *birkat ha-gomel* must be recited subsequent to any flight of at least one hour and twelve minutes in duration. Rabbi Yitzchak Ya'akov Weisz, *Teshuvot Minhag Yitshak*, II, no. 47, correctly notes that Rabbi Yosef expresses this view in accordance with the Sephardic practice requiring *birkat ha-gomel* on the occasion of all intercity travel. Sephardic practice follows Rambam's position that not only travel through a desert, but also any intercity journey, occasions *birkat ha-gomel*. However, it follows from Rabbi Yosef's exposition, and indeed it is implicitly stated by him, that travel over a sea or desert would require recitation of *birkat ha-gomel* according to all authorities.

However, a number of authorities, including R. Ya'akov Breisch, *Ha-Ma'or*, Tammuz 5716 and *Teshuvot Helkat Ya'akov*, II, no. 9; R. Yitzchak

Ya'akov Weisz, *Teshuvot Minhath Yitshak*, II, no. 46; R. Betzalel Stern, *Teshuvot Be-Tsel ha-Hokhmah*, I, no. 20; and R. Isaac Liebes, *Teshuvot Bet Avi*, IV, no. 18, sec. 4, rule that air travel does not necessitate recitation of *birkat ha-gomel*. *Helkat Ya'akov*, *Minhat Yitshak* and *Be-Tsel ha-Hokhmah* also quote the late Belzer *Rebbe*, R. Aaron Rokeah, as espousing this position as well. *Be-Tsel ha-Hokhmah* reports that the Tchebiner *Rav*, R. Dov Berish Weidenfeld, was also in agreement with this ruling.

An intriguing argument has been advanced in support of the view that airplane travelers should not recite the wayfarer's prayer during the course of airplane travel. That position is derived from a provision of Jewish law incorporated in the regulations pertaining to the commandment concerning sending a mother bird from its nest prior to taking nestlings or eggs. The terminology in which the commandment is couched, "If a bird's nest chance to be before you in the way" (Deuteronomy 22:6), makes it clear that this obligation exists only with regard to birds that a person comes upon on a roadway or the like. For this reason the Gemara, *Hullin* 139b, indicates that the commandment does not encompass a situation in which one comes upon a bird carrying its nest while flying:

R. Judah said in the name of Rav, "If a man has found a nest in the sea, he is bound to let the dam go since it is written, 'Thus said the Lord who makes a way in the sea' (Isaiah 43:16). Then, in the like manner, if a man has found a nest in the sky inasmuch as it is written, 'The way of the eagle is in the sky' (Proverbs 30:19), he should also, should he not, be bound to let the dam go? [The sky] is referred to as the 'way of the eagle' but never simply as 'way.'"

R. Shlomoh Yosef Zevin, *Ishim ve-Shitot* (Tel Aviv, 5718), p. 97, relates that, when asked whether an airplane traveler should recite *tefillat hu-derekh*, the Rogatchover Ga'on, R. Joseph Rosen, immediately and without hesitation cited this discussion and responded in the negative. The Rogatchover Ga'on

maintained that the Sages ordained this prayer only for a person who travels on a "derekh" or "way." Since the Gemara clearly states that the sky is "the way of the eagle," but not simply a "way," recitation of the "wayfarer's" prayer, he maintained, is not within the ambit of that edict. Rabbi Zevin cites this incident as an example of the Rogatchover's keen intellect and acumen but expresses ambivalence with regard to the substantive halakhic conclusion. Rabbi Yosef, *Yehavveh Da'at*, II, no. 26, questions whether the Rogatchover intended his comments to be construed as a definitive ruling or whether they were intended merely as an intellectual *tour de force*. Rabbi Yosef himself rules that airplane travelers should recite *tefillat ha-derekh*.

A similar line of reasoning with regard to recitation of *birkat ha-gomel* subsequent to intercity air travel or a flight over a desert is advanced by *Helkat Ya'akov* without reference to the Rogatchover's ruling vis-a-vis *tefillat ha-derekh*. This analysis, which focuses upon the denotation of the term "derekh," does not, however, appear to be germane with regard to *birkat ha-gomel*. As *Yabi'a Omer* points out, the terminology employed by the Gemara with regard to *birkat ha-gomel* does not include use of the term "derekh." Although *Yabi'a Omer* and *Bet Avi* both note that the biblical verse cited by the Gemara in conjunction with travel through a desert, "They wandered in the wilderness in a desert way" (Psalms 107:4), does employ the term "derekh," *Bet Avi* comments that such reference does not occur in the verses quoted in conjunction with travel by sea. Both authorities emphasize that the Gemara speaks explicitly of "those who travel through the desert" indicating that the rabbinic edict is not predicated upon the connotation of the term "derekh." Although Rambam extends the obligation to "*holekhei derakhim*," i.e., all wayfarers, he should not be understood as employing that term in a strictly technical sense since it does not appear in

the Gemara itself. Rather, Rambam simply expresses the view that the edict governing travel through a desert is not limited solely to that category of travel but includes all wayfarers. Thus, there is no reason to assume that only a person who traverses a "derekh" is required to recite *birkat ha-gomel*.

The principal argument in support of this position as formulated by *Helkat Ya'akov*, *Be-Tsel ha-Hokhmah* and *Bet Avi* is that the categories of sea voyagers and "those who travel through the desert" are limited by definition to travelers upon the surface of the sea or desert. Hence, airplane travel, even when transoceanic, is not within the ambit of the obligation established by rabbinic decree.

*Minhat Yitshak* advances the rather curious argument that it is precisely because air travel is more dangerous than other forms of travel that *birkat ha-gomel* is not required as an expression of thanksgiving for having been delivered from danger. R. Hayyim Joseph David Azulai, *Mahazik Berakhah* 219:1, questions whether or not *birkat ha-gomel* was recited by the High Priest upon emerging unscathed from the Holy of Holies on Yom Kippur. Indeed, one does not find mention of recitation of this blessing by other historical personages who placed themselves in extreme danger with no untoward effect. *Mahazik Berakhah* responds by stating that *birkat ha-gomel* was ordained only for deliverance from an involuntarily assumed peril but not for deliverance from a danger that is assumed in an entirely voluntary manner. *Minhat Yitshak* notes the objection that persons embarking upon sea voyages and caravan journeys also voluntarily place themselves in danger. In response he states that since there is no other way of reaching the required destination the danger is regarded as "involuntary." However, since one can reach the same destination without the enhanced danger of a plane trip, assump-

tion of the dangers of air travel must be regarded as voluntary in nature.

It should also be noted that *Bet Avi* somewhat equivocally advances another argument in support of the position that airplane travel does not occasion recitation of *birkat ha-gomel*. In contradistinction to the position of *Iggerot Mosheh*, *Bet Avi* maintains that sea voyages occasion recitation of that blessing by virtue of deliverance from the danger resulting from waves which arise in the ocean. This is evidenced by the fact that the Gemara cites the verses, "They that go down to the sea in ships. . . . He raised the stormy wind. . . . They reeled to and fro and staggered like a drunken man. . . . He made the storm calm so that the waves thereof were still" (Psalms 107:23-29), in establishing that seafarers are required to offer praise for their deliverance. *Bet Avi* argues that, since there are no waves in the sky and hence this danger is nonexistent with regard to air travel, there cannot be an obligation for recitation of *birkat ha-gomel* for the safe completion of a trip by air.

In a somewhat different vein *Be-Tsel ha-Hokhmah* argues that since the dangers of air travel are identical whether the travel takes place over an ocean or over dry land, there can be no logical reason for requiring transoceanic air travelers to recite a blessing not recited by persons travelling by air over dry land. The thanksgiving offered, argues *Be-Tsel ha-Hokhmah*, is for the deliverance from the particular danger associated with sea travel. Since those dangers are nonexistent with regard to airplane travel over the sea, *Be-Tsel ha-Hokhmah* rules that there is no occasion for the recitation of *birkat ha-gomel*.

Nevertheless, in light of the significant doubt generated by the arguments in favor of recitation of this blessing, these authorities agree that, under such circumstances, *birkat ha-gomel* should be recited with the deletion of the Divine Name and of the phrase "King of the universe."<sup>5</sup>

NOTES

1. See *Shulhan Arukh, Orach Hayyim* 218:8. This view is, however, disputed by Me'iri, *Berachot* 54b, who, in accordance with a literal reading of the verses cited by the Gemara, maintains that only travelers who lose their way in the desert or sea voyagers who have been threatened by turbulent waves are required to recite *birkat ha-gomel*. Among latter-day authorities this position is espoused by R. Eliezer Landau (a grandson of *Noda bi-Yehudah*) in his commentary on the *Mishneh Torah, Yad ha-Melekh, Hilkhot Berachot* 10:8.
2. This distinction does not appear to have been fully appreciated by R. Mordecai Fogelman, *Teshuvot Bet Mordekhai*, no. 22. However, insofar as his halakhic position is concerned, Rabbi Fogelman's conclusions concur with those of Rabbi Yosef and Rabbi Waldenberg. There also appears to be some confusion with regard to this point in the initial comments of R. Isaac Liebes, *Teshuvot Bet Avi*, I, no. 37.
3. A parasang or *parsah* is equal in distance to 4 *mil* or 8,000 cubits. Based upon R. Abraham Hayyim Noe's calculation of the measurement of a cubit or *ammah* as 48 centimeters (as presented in his *Shi'urei Torah* 3:25), a parasang is equal in length to 3,840 meters. According to *Hazon Ish's* calculation of an *ammah* as 58 centimeters (as presented in *Hazon Ish, "Kuntres ha-Shi'urim," Orach Hayyim* 39:12), a parasang is equal to 4,640 meters. See also R. Ya'akov Kanievsky, *Shi'urim shel Torah* (Bnei Brak, 5729), p. 67. According to some early authorities, the *ammah* may be 59.5 centimeters in measurement and yield a *parsah* of 4760 meters in length. See R. Ya'akov Gershon Weiss, *Middot u-Mishkalot shel Torah* (Jerusalem, 5747), p. 382.
4. *Zikhron Yehudah* adopts the same position with regard to *tefillat ha-derekh* as well. Insofar as *tefillat ha-derekh* is concerned, *Zikhron Yehudah's* position is contrary to that of *Mishnah Berurah* 110:30 and R. Ya'akov Kanievsky, *Shi'urim shel Torah*, no. 10, addenda, sec. 33. Rabbi Silber distinguishes between *tefillat ha-derekh* and *birkat ha-gomel* in maintaining that *tefillat ha-derekh* is recited upon travelling a minimum distance of one parasang regardless of the mode of transportation employed, while *birkat ha-gomel* is pronounced only upon completion of a journey of at least seventy-two minutes in duration. *Tefillat ha-derekh* is recited because roads are regarded as dangerous due to the presence of brigands, wild animals, etc. Such dangers are not present, or are greatly reduced, in inhabited areas and their environs, i.e., within a parasang of a city. Hence, since areas lying beyond a parasang are inherently dangerous, *tefillat ha-derekh* is always recited on journeys which take the traveler beyond that distance, even though the distance is traversed with great speed. However, *birkat ha-gomel* is not recited unless the journey is at least seventy-two minutes in duration, argues Rabbi Silber, since, when less time is spent in travel, the danger is too brief for deliverance to be regarded as "miraculous." Although Rabbi Yosef cites *Zikhron Yehudah* with regard to both *birkat ha-gomel* and *tefillat ha-derekh*, Rabbi Yosef's own discussion is limited to *birkat ha-gomel*.
5. Some authorities advise that in the case of doubtful obligation the blessing may be recited in the Aramaic form, "*Berikh Rahamana Mara Malka de-alma. . .*" *Shulhan Arukh, Orach Hayyim* 167:10, 187:1 and 219:4, rules that the obligation with regard to various blessings may be fulfilled in this manner, and many authorities maintain that a blessing recited in this manner does not constitute a *berakhah le-vattalah*, a blessing pronounced in vain. Hence, according to these authorities, this expedient may be utilized in cases of doubtful obligation. See *Penei Yehoshu'a, Berachot* 12a; *Arukh ha-Shulhan, Orach Hayyim* 202:3; *Derekh Pikkudekha*, no. 4, sec. 10; *Eshel Avraham (Rav of Bucacz), Orach Hayyim* 229:2; *Teshuvot Bikkurei Shalom, Orach Hayyim*, no. 39; *Sedei Hemed, ma'arekhet ha-lamed, klal* 141, sec. 32; and *Da'at Kedoshim* cited by *Helkat Ya'akov*. *Hatam Sofer* is reported to have used an Aramaic formula for *kiddush levanah* on an occasion when it was doubtful whether the blessing might be pronounced; see *Ha'amek She'alah, she'ilta* 53, sec. 2, and *Tsits Eli'ezer*, X, nos. 11–12. *Teshuvot Zekher Simhah, Orach Hayyim*, no. 232, reports that the author of *Teshuvot Hamudei Dani'el* recommended that this procedure be followed with regard to the blessing over the *arba minim* when there is reason to suspect that the *etrog* may be a hybrid. Nevertheless, numerous authorities maintain that a blessing in the form of "*Berikh Rahamana*" does constitute a *berakhah le-vattalah*. See *Pri Megadim Mishbetsot Zahav* 219:3; *Teshuvot R. Akiva Eger*, no. 25; *Hatam Sofer* in his commentary on *Nedarim* 2a

(which contradicts the earlier-cited position attributed to *Hatam Sofer*); *Havvot Da'at*, *Yoreh De'ah* 110; *Bet ha-Safek*, sec. 20; *Maharam Shick al Taryag Mitsvot*, no. 69; and *Ha'amek She'alah, she'ilta* 53, sec. 2. Hence, according to these authorities, the expedient of "*Berikh Rahamana*" cannot be utilized in cases of doubtful obligation. See also *Iggerot Mosheh, Orah Hayyim*, IV, no. 40, sec. 27.

*Teshuvot Rivash*, no. 408, advises reciting "*Barukh atah ha-Shem . . .*" in all cases of doubtful obligation. Utilization of the term "*ha-Shem*" presents no problem of pronouncement of the Divine Name since it is not a vernacular term for the Deity but means simply "the Name." Nevertheless, *Teshuvot Rivash* maintains that use of this term fulfills the requirement for incorporation of the Divine Name in a blessing. This expedient is recommended by *Helkat Ya'akov* for recitation of *birkat ha-gomel* subsequent to trips by air. For yet another expedient in cases of doubtful obligation, see *Pithei Teshuvah, Yoreh De'ah* 328:1.