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The Concept Kawwana in
Rabbinic Literature

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INTRODUCTION

The tendency in modern life is not so much to question the place of religion as it is to question the sincerity of man in his religious practices. Jewish writers and thinkers, from Biblical days to the present era, and I dare say for many eras to come, have sought to impell man towards such religious practices that would evoke in man a sincere appreciation of the majesty of existence. This in turn, the stalwarts of Israel hoped, would result in further manifestations of thanksgiving concerning which there could be no doubt as to the sincerity of the individual.

The modern Reform Jew is especially made aware of the need for greater sincerity in religious life. Accordingly, the Reform Jew has attempted to reshape an old pattern in order to meet new demands.

Generally speaking, the attitude with which man meets his religious injunctions as described from earliest times by the Prophets and debated over during the ensuing centuries by the Rabbis, is referred to in Hebrew literature as Kawwana. The concept kawwana like any historical concept has grown to designate a variety of meanings, each valid in its historical setting. The span of years separating the Prophet Isaiah from the Codifier Karo, witnessed a complete change in both the meaning and regard for kawwana.

Statement of the Problem

This specific study will concern itself with the concept kawwana as it was interpreted during a period beginning some two centuries prior to the Christian era and extending into the 15th century. The problem states is: What is the Rabbinic concept of kawwana?

Delimitation

Since the Rabbinic era does not begin and end on precise dates, the arbitrary delimitation has been suggested by the literature of the period. The beginnings of the Talmud and the completion of the major codes set the period for our examination. Rabbinic, therefore, will in this study signify Talmudic and Code literature. It is the opinions of these men who wrote, argued and commented over a period of some fifteen centuries that will serve as materials for this study. This study realizes only too well that a great body of literature that may be classified as Rabbinic continues after the 15th century - it is by intent that the materials after the fifteenth century are not touched upon.

Sources of Data

The sources for this work are primarily the volumes of the Talmud, the four major Codes and the few modern treatments of the general problem as they appear in English volumes.

I. Origin and Meaning of Kawwana

The origin of a specific religious act is in the spontaneous reaction of an individual seeking the intercession of his Deity in a singular instant. This reaction may manifest itself in numerous ways. The history of the development of the religious life is replete with examples of the various, and we may add, numerous ways, in which man chose to verbalize his emotional state before his Deity. No matter what form this act may have taken, it is certain that it was an act responding to a keenly-felt problem and a conviction that both the problem and its solution would be validated by the Deity. Of these numerous manifestations many were repeated while others had their beginning and end in a single performance. Of these oft-repeated forms, there were those taken over by others, either voluntarily or as a result of inculcation and in due time these individual innovations became group practices. The reasons for the acceptance of these modes by the group are as varied as the motives which may have prompted the original act. It is not in the province of this work to treat the religious act per se, but to indicate the emotional and cultural relationship of the individual to his God as he manifests this relationship in his ritualistic life.

The task before us may be ¹elucidated by the following analysis. Rain, an essential element in man's attempt to perpetuate himself, at times became the cause of grave concern.

This was certainly the case when the crop began to wither because of the lack of water. Man, unable to cope with the natural forces, turned to his Deity for assistance. Let us assume for the moment that this specific individual sought the intercession of his Deity through prayer. We may then further assume that this prayer was a spontaneous reaction of an individual harboring no doubt as to the efficacy of prayer. The larger group, over a period of time, may have adopted this prayer as its method of seeking rain. Although the need for rain may, and in all probability was felt as keenly by the group as it was felt by the individual, the prayer itself did not possess the same vitality for each member of the group as it did for the individual. The very acceptance of this instrument by the group was the first stage in its formalization. Thereafter, a specific time was set aside for the utterance of the prayer. That time was immediately after the sowing of the seed when rain was needed most. Yet rain was not always needed. There were times when rain was abundant, yet, the prayers, because of their formalization, continued to be uttered. Not only was the original vitality of the prayer further impaired, but the need was not, in all cases, as keenly felt.

The people themselves, due to migration, conquest or influences of one sort or another, may have changed the complex of their society. An agrarian people may have become an industrial people in whose national life rain played a very minor roll. Yet the force of tradition, perpetuated by the institution engendered by that and other traditions, stimulated by the orthodox element

of the group, served to maintain prayer for rain as an integral part of the religious life. The strength of the orthodox group could determine the extent of the existence of the practice, but the form, by necessity, became one of mere habit since the forces responsible for the original utterance had long since become atrophied.

2 The stages of evolvement and degeneration of a specific religious act are reflected in the attitude the individual entertains at any given time. This attitude ~~which~~ may manifest itself in a spontaneity of expression, a consciousness of aim, in simple formalization, in mere awareness or habit, or in some intention, pure or qualified. All and any of these attitudes is expressed in Jewish literature as kawwana.

Since a religious act, from the time of its inception to the time of its disappearance will attract an attitude in conformity with the specific state of the act as it reflects a stage in the "Cycle of Disintegration", kawwana, the attitude, can then be defined only in terms of its historical setting.

A treatment of the word kawwana reveals that it is not found in the Bible. ² The Aramaic form of kawwonuth or kawwanta ³ appears in the Targumim. ⁴ The Targum Onkelos paraphrases the words ⁵ אַם עֲשִׂיתִי זֶה with the statement: ⁶ אִין עֲבֻדָּה שִׁירָתָא אַהֲרָא נִכּוּנָה נִישָׂא , In its verb form כִּין ⁷ , the concept, in one form or another, occurs frequently in the Bible. In the Book of Job, Zophar the Naamathite says:

אם אחה הכינות לנך ופרשת אליו כפיך. Similarly,
אם בכל לנכם אחם שנים אל ה'...⁸ Samuel speaks to Israel,

והכינות לנכם. As used throughout the Bible, the word connotes any of a dozen meanings. In addition to those already indicated we may add, meditation, concentration, and the devotion. Though the word kawwana may be peculiarly Jewish, the concept is universal and is considered at length⁹ in Christian theology.

II. The Implications of Kawwana

The "Cycle of Disintegration" implies that a religious act will cease, after it has run its course, to be a positive element in religious life. As a negative element it becomes so much dross to a progressive program. To the extent that any religious program is burdened with manifestations that have run their course and still continue to make heavy demands upon the individual, to that extent that religious program approaches its inevitable end. In order to prevent a catastrophe of this nature in Jewish life, the stalwarts of all ages constantly sought either to reinterpret religious performances or to work towards their abolition from Jewish life altogether. Their thesis being that the core of Jewish life, the non-institutionalized element, is absolute and vital and its ritualistic interpretations must approach the absolute. This drive to keep Israel¹⁰ moving away from perfunctory externalities towards "Inwardness"¹¹ is symbolized by Isaiah when he says, "When you come to appear

before me, who hath required this at your hand, to tread my courts? Your new moons and your appointed feasts my soul hateth: they are trouble unto me. I am weary to bear them, and when ye spread forth your hands, I will hide mine eyes from you; yea, when ye make many prayers, I will not hear; your hands are full of blood."¹²

This attempt to keep the religious way of life from becoming a series of perfunctory acts also precipitated the conflict between the Traditionalist and the Reformer, or if you will, the Orthodox Jew and the Reform Jew. Reform Judaism today, though not accused of being concerned with kawwana, may well interpret its entire tendency in terms of a חנינות - an inwardness in Judaism. Is not the vital core of Judaism the concern of the Reform Jew? Is not the aim of the Reform program the stripping away from this vital core the growth that has sprung up and decayed and remained to claim greater attention than the actual core?

This struggle is by no means a new one. As the prophets were constantly faced with it, so the leaders of all ages challenged tendencies towards perfunctoriness. In discussing the text of Leviticus 12, the rabbis justify the use of the term hakrabah as indicating that "a man shall not say to himself, 'I shall go and do things that are unseemly, things that are improper, and I shall bring an ox on which there is much flesh, and bring it up on the altar...'"¹³

A similar sentiment is attributed to Rabbi Simeon,¹⁴ "Be concerned," said he, "in the reciting of prayer, and when you pray, make not of it a fixed thing..."¹⁵ The mere fact that the preachers and teachers of the pre-Talmudic and Talmudic periods found it of importance to concern themselves with man's attitude as expressed in his ritual towards his God, bears witness to the prevailing tendency towards perfunctory performances in religious life. Whereas the Midrashic writings for the most part, treat the subject in terms of specific cases, i.e., they admonish man indirectly by interpreting a word or a phrase to mean a specific attitude, the Talmudic writings deal directly with the general problem of kawwana.

III. Kawwana in Talmudic Literature

As it is impossible to define Kawwana aside from its historical setting, it is likewise impossible to identify the Talmudic concept of kawwana with any single definition or explanation. The difficulty in stating any precise or even general definition is to be attributed to the diversified conceptions of the term entertained by the various Tannaim and Amoraim.¹⁶ Not only are the implications of the term diversified, but they tend towards opposite extremes.¹⁷ The Amora Raba¹⁸ discerns in tractate Sanhedrin that of primary importance in all religious manifestations is the individuals emotional attitude. Raba expresses this thought in the statement הַקִּבְלָה לֵיבָא בְּעִי - a statement that has become popular in the form of רַחֲמֵי לֵיבָא בְּעִי.

In contrast there is the story of a group of rabbis who sent to Abuha Samuel¹⁹ a statement concerning he who is forced to eat unleavened on Passover. The opinion in response to the implied question does he or does he not fulfill his religious requirement is that whether or not he intended to fulfill a mitzvah,²⁰ he has fulfilled his obligation.

A further difficulty precluding any attempt at a simple statement regarding the attitude of the Talmudic literature towards kawwana is the varying types of discussions that directly or indirectly reflect the problem. In many cases, especially those concerning mitzvot, kawwana is of primary concern since the question מצוה לא צריכה כוונה או לא - is actually raised. The obvious implication of the question is that there are some who are of the opinion that kawwana is not essential to the performance of a religious injunction. In contradistinction to varying opinions as to the need of kawwana and the quality of kawwana is a series of Talmudic statements reflecting a general attitude towards man and his religious performances. We read²¹ that if a man has returned from a trip and is tired or is in pain...the Sages say, let him wait three days, if necessary, to recover composure and then he may pray. Similarly, we read the story of Rabbi Jochanan²² who upon visiting Rabbi Eliezer found him weeping. "Are you

crying because of the Torah you could have studied and did not study?" Questioned Rabbi Jochanan, "If so, there is no cause to weep for we learn that whether one learns much or one learns little it is of no consequence as long as

שִׁבוּיָן לֵבָנוֹ לַשָּׁמַיִם - his intentions are directed²³ heavenward." The significance of this and similar statements becomes obvious when placed in juxtaposition to statements found in the Codes dealing with the relationship of man as reflected in his religious practices.²⁴ Finally, there are numerous discussions that are instigated for reasons other than determining the importance of kawwana, but because of the arguments brought to bear, scholars have deduced arguments in favor and against kawwana. Examples of dissertations of this type are those of Rabbi²⁵ Hisda and Rabbenu Asher²⁶ (ראש): Rabbi Hisda²⁷ is concerned with the matter of a blessing preceding an act²⁸ while the Rosh (Rabbenu Asher)²⁸ is concerned with the²⁹ matter of אם הוּא, both these matters, though not directed towards any conclusions regarding kawwana, serve as sources for interpretations regarding kawwana.

An obvious conclusion that will become apparent at the conclusion of this study is anticipated at this time. The concern of the authorities for any particular legislation may be inspired by one of two principles. On the one hand the rabbis may be concerned with an act that has transpired, the validity of the act remaining in question. On the other hand, the rabbis may seek to determine

the validity of a religious act anticipating the act. The terms denoting concern for legislation in prospect and in retrospect are known as, in Hebrew terminology, ³⁰ לכתחילה and ³⁰ לדיעבד respectively. The importance of kawwana in the execution of a religious injunction is a concern for the rabbis only in retrospect - ³⁰ לדיעבד, in prospect, the great majority of commentators and authorities are in accord, i.e., that kawwana is essential.

There is sufficient evidence to substantiate this conclusion. Aside from the evidence, which will be noted in its proper place, ³¹ Jehudah Askenazi makes the very distinction ³² in his treatment of the laws regarding the Lulab: ואם לא נחבין לצאת עד שיכרך מותר, וס"ס אין לעשות כן לכתחלה. Though we have quoted Raba as the author of the statement ³³ רחמנא ליבא בעי, we shall have occasion to point out that he was of the opinion that a religious injunction need not be validated with kawwana. A similar discrepancy ³⁴ will be noted in Maimonides' contention that a sick man or a hungry man should pray only if he is able to address ³⁵ his heart with proper devotion, and his statement that if a man is forced to eat unleavened on Passover, intention or ³⁶ no, he fulfills his religious duty.

One further consideration must be noted. Kawwana as "Intention" is an important consideration in criminal and civil law. In Talmudic legislation, the intention must

be clearly established since an innocent intention will
 excuse a wrongful act.³⁷ Kawwana in this and similar instances,
 implies a relationship between man and man. It is the question
 of the intention of an act directed by one individual against
 another. Our study is concerned with kawwana only as it
 characterizes the relationship between man and his God. This
 characterization finds substance in the emotional reactions
 of man as manifest in his ritualistic life and to a non-
 evaluative degree, in the non-visible emotional reaction
 of the conscious without any outward display. It is these
 two phenomena that draw our interest.

IV. Kawwana in Talmudic Literature

The treatment of Kawwana in Talmudic literature
 seemingly falls into three general categories. (1) Religious
 duties requiring kawwana, (2) religious duties valid in the
 absence of kawwana, and (3) conditional kawwana.

(1) Religious duties requiring kawwana.

From a Mishnah³⁸ we learn that in order to fulfill³⁹
 the requirement of hearing the sound of the shofar and that⁴⁰
 of hearing the megilloth read, one must set his mind to
 the fulfillment of the mitzvah - אַם כּוֹיֵן לְכוּ יָצֵא.
 The Gemarah adds to these two injunctions a third, namely
 prayer and qualifies that prayer is valid only when an element⁴¹
 of kawwana is inherent during the recitation. Not satisfied

with a statement concerning a specific obligation, the Gemarah lays down the general regulation **לא יצא' א' ויהנהג** - he who is concerned with the mechanics of a religious injunction, i.e., reading the Scriptural text of Deut. 6.4f., at a time when ordinarily it would be read in response to the prayer requirements of the day, he does not fulfill his obligation.⁴² Furthermore, the same reference continues - one who hears a **pynd** is not credited with a mitzvah.⁴³

⁴⁴ Resh Lakish, ⁴⁵ Rabbi Huna, ⁴⁶ Rabbi Zera, ⁴⁷ Rabbi Jose, and Samuel bar bar Yitzchok are all representative of the opinion that kawwana is essential in the performance of a religious commandment.

Resh Lakish notes in the Talmudic analysis of the Passover Seder service⁴⁸ that the insistence on the part of the Mishnah⁴⁹ that the lettuce be dipped twice is indicative of the fact that kawwana is imperative.

Rabbi Huna comments upon the order of the Passover Seder service and suggests that there are to be two dippings,⁵⁰ each dipping to command a separate blessing.⁵¹ The Tossafot interprets Huna's remarks as indicative of the opinion that religious commandments are valid only in the presence of kawwana.

The incident of Rabbi Zera's calling upon his attendant saying, "Put your mind to it and blow the shofar

for me,"⁵² marks him as one who likewise deems kawwana an essential element in the execution of a mitzvah.

Rabbi Jose stresses the importance of kawwana in his discourse on both the Passover Seder service and the blowing of the shofar. His agreement with Resh Lakish is noted in his insistence that the second dipping can not be excused as an innovation for the entertainment of children. Proof for this argument, Rabbi Jose finds in the use of the word נידב as stated in the law.⁵³ With the Mishnah⁵⁴ Rabbi Jose argues that the hearing of the shofar is not valid unless there is kawwana on the part of the listener⁵⁵ and the performer.

Though a secondary source, the laws regarding the putting on of phylacteries on the Sabbath, evoke, as a result of the discussion, the comment that it is possible to interpret the difference between Rabbi Gamliel and Rabbi Samuel bar bar Yitzchok as a difference based upon the acceptance and rejection of the principle of kawwana in⁵⁶ the fulfillment of a mitzvah.

Finally, the Talmud Yerushalmi is in accord with⁵⁷ the general opinion presented in this section.

(2) Religious performances valid in the absence of kawwana.

The validity of a religious performance in the absence of kawwana is specifically stated in two instances.

These two cases serve as the basis for the entire discussion of מצוות אין צריכות כוונה - mitzvot are in no need of ⁵⁸ kawwana. The first, already referred to in this study, is the case of a man who is forced to eat unleavened on Passover. According to the text of the Talmud, ⁵⁹ his religious duty is performed though he had no specific intention regarding either the injunction or its fulfillment. The second of the two statements is attributed to Raba who is said to be of the opinion that החוקק לשיר יצא - he who hears the sound of a shofar even though he had no intention whatsoever of validating a commandment, his obligation is fulfilled. Aside from these two sources of support for the thesis that kawwana is not essential in the performance of a religious injunction, a Baraitha listing a series of possible impediments in a ritual involving the eating of food, notes that the absence of kawwana ⁶⁰ is not an impediment. Nevertheless, the conclusion anticipated previously in this study to the effect that in the main, all commentators and authorities are of the opinion that kawwana is of importance in the performance of a mitzvah still holds and opinions to the contrary, i.e., kawwana as a non-essential, though valid opinions, are the result of a *posteriori* reasoning.

⁶¹ The Tossfot bears out this contention in maintaining that the law is not with Abbahu Samuel in the general matter of kawwana, but in the case of מצה, Abbahu Samuel ⁶² is correct. The Ran ⁶³ quoting Maimonides indicates that

the qualification made by the Tossfot, is made by Maimonides. Though Maimonides is of the opinion that kawwana is an imperative element in the execution of a religious injunction,⁶⁵ he excepts the case of one who has been forced to eat unleavened on Passover from this general declaration. The basis for this differentiation is the principle of שכן נהנה - personal⁶⁶ benefit. R. Nissim states his opinion as mitzvoth needing kawwana and basis his opinion on the very question raised⁶⁷ regarding two dippings at the Passover Seder service.

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The Gemarah likewise suggests a difference between mitzvoth in general and the eating of unleavened. אכל מצה - is the command of the Torah, and he eats, forced or no. In the case of the hearing of the shofar,⁶⁹ זכרון תרועה - is the command. With the distinction between mitzvoth in general and the case of מצה, as drawn by the Tossfot, Maimonides and the Gemarah, we can safely dismiss the Abbahu Samuel incident as proof of the validity of a mitzvah in the absence of kawwana.

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Rabbenu Samuel refering to the case of a mistaken blessing, i.e., the individual began a blessing for wine and ended with a blessing for beer, etc., deduces from the fact that the blessing is valid, that a mitzvah does not need kawwana. But, he, as others, maintains that kawwana - "Intention" - not to perform a specific act while in the process of handling the paraphanelia essential to the act

will serve to invalidate the performance as a mitzvah for
⁷¹the individual in question. The very case cited by Rabbeinu Samuel coupled with the fact that he accepts kawwana as a negating force, is sufficient evidence to conclude that the rabbi speaks of a fait accompli when he deduces that a mitzvah is not in need of kawwana.

Is Raba of the opinion that מסורה צריכה כוונה?
 The original statement from which this opinion is deduced deals with the blowing of the shofar - the mitzvah of hearing being valid even if there was no kawwana on the part
⁷²of the hearer. Raba and his contention is substantiated by
⁷³a host of commentators. The Talmud seems to be in accord when it notes that even a מחזיק בעלמא may result in a
⁷⁴valid mitzvah. The Or Zorua ⁷⁵states that the law of kawwana is in accordance with Raba. Furthermore, the same
⁷⁶source maintains, Abbaye and the Gemarah are in accord with the contention that all that is necessary is תקיעה
בעלמא - blowing, and שמיע בעלמא - hearing.

Not in direct support, but maintaining a similar
⁷⁷opinion in the matter of kawwana are many of the Gaonim
⁷⁸and the רש"א.

Finally, Raba is an authority בחרא - one of the
⁷⁹last of the ^{Talmudic} authorities, a position in time, according to Talmudic principle, lending precedence to his statements.

In view of the forgoing, Raba was, as were all the authorities of the Talmudic and post-Talmudic period, seriously concerned with kawwana. There is no doubt that Raba argued with the majority maintaining that a mitzvah in order to be valid had to be performed with kawwana.

An indication that Raba was concerned with kawwana comes from an argument between Raba and Abbaye.⁸⁰ The argument centers about the status of the blower and the hearer as regards the fulfillment of the mitzvah. In order to upset the contention made in the name of Raba, Abbaye introduces the principle of כל הוסיף - one who sleeps in a sukkah on the eighth day of the festival, i.e., he adds to the commandment in spite of the injunction - "thou shalt not add."⁸² The final outcome is Raba's statement - In the performance of a religious act one does not require kawwana. To transgress a religious precept in its proper time, no kawwana is required. To transgress a religious precept out of its time, kawwana is required. Thus, Raba, by demanding kawwana for a transgression out of its time, demonstrates that he is concerned with it as an element in the performance of a mitzvah.

Two Tossfot, one in which Raba figures, are in opposition. The Tossfot in Pesachim⁸¹ excepts the case of the eating of מצה, but in all other cases, it is of the opinion that kawwana is essential. In Rosh Hashanah⁸³

a contrary opinion is stated and in addition thereto, the qualification that there is no difference between a מצוה דארייחא and מצוה דרכנן. The question naturally has to be raised as to the discrepancy in opinions. The only plausible answer that can be made is that a discrepancy does not exist. In the one case, the Tossfot of Pesachim, the concern of the authorities is in "prospect." The second of the two cases deals with an act in "retrospect," consequently the two seemingly opposing opinions. Adding to the plausibility of this reconciliation of opinions is the attempt in the second of the two Tossfot to equate מצוה דארייחא and מצוה דרכנן. Throughout rabbinic literature, a mitzvah דארייחא carries more weight than does a mitzvah דרכנן. It would be contrary to the general opinion of the Talmud on the subject of religious performances to maintain that there is no distinction between those commanded by the Torah and those commanded by the rabbis. But, in the case of a fait accompli, one could very well treat both the commandment of the Torah and the commandment of the rabbis in a similar manner.

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The Ramban raises the question: Since Raba

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is נהרא - why are we in accord with Rabbi Zera? In answer, the רמב"ן suggests the liklihood that Raba in quoting the opinion attributed to him, is not quoting himself, but merely quotes a valid argument in refutation

to Abbaye. Indicative of this, the Ramban suggests, is Raba's statement שלא בזמנו לעבור בעי כוונה. Similarly, the statement זאה אסמא החוקק לשיר יצא may have been stated by Rabba, but may not necessarily reflect his opinion.

Conclusive proof that Raba is of the opinion that kawwana is essential may be drawn from the discussion in Brocoth. There Raba agrees with Rabbi Meier and states that the law is with Rabbi Meier in that ⁸⁷ kawwana is of importance in the reading of the Shma.

Should we disregard the Raba-Meier statement, the Tossfot discrepancy, and the Abbaye-Raba controversy, we would still have to justify Raba's general statement quoted earlier in this study רחמנא ליבע בעי and the antithetical statement מצוה אין צריכות כוונה.

(3) Conditional kawwana.

The term "Conditional Kawwana" implies a limitation or qualification of an individual's response as demonstrated by the quality of the ritual act. An instance of qualifying kawwana has been noted in the discussion of the eating of unleavened on the Passover festival. In support of the thesis that kawwana is essential in the performance of a mitzvah, the case of the unleavened was excluded as לא בעינן כולי האי - the degree of kawwana may be minimized in this specific

case. The obvious inference to be made as a result of this exclusion is that the intensity of the reaction - kawwana - in the performance of a mitzvah may and does vary depending upon both the command and the individual. In excepting the case of the eating of unleavened, the authorities based their procedure on the principle of שכן נהנה - a case of personal benefit. This particular principle is further deduced from the Talmudic conclusion: ⁸⁹ המעסק בחלבים ובעריות חייב, שנהנה.

Aaron Ha Levi (הרא"ה) makes a further qualification in the case of the individual who has been forced to eat unleavened against his will. Although the person forced, he contends, may not have had in mind the fulfillment of his obligation, he must be aware of the fact that it is Passover and that what he is eating is מצה before he can receive credit for the mitzvah. Should he have thought that it was a time other than Passover and the מצה a food other than that required on the festival, the mitzvah is no mitzvah.

In view of Aaron Ha Levi's qualification, we can further characterize kawwana as an "awareness" or "consciousness" of the ritual act.

A statement coinciding with that of Aaron Ha Levi's is recorded in the Talmud. The question of the hearing of the shofar and the fulfillment of the command requires kawwana as an assurance that the listener does

execute the injunction of hearing the shofar by hearing
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a braying ass.

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The discussion in tractate Brocoth, is not concerned with the intensity of the act, nor the "awareness" of the individual in his performance of the ritual, but rather with the extent of kawwana as compared to the extent of the ritual act.

To some, not all all religious injunctions are of a similar potential nature. Consequently the demands of each will vary. This distinction was apparent in the case of matzah even though it was a single case. The authorities make a further distinction by classifying

מצוה דרבנן - injunctions made by the rabbis, and
מצוה דאורייתא - injunctions made by the Torah into two distinct potential groups with the group of Torah
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commandments being more exacting regarding kawwana.

If the religious act is partaken of by two or more persons, what part does kawwana play in the act?
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In the blowing of the shofar, the Ran maintains that the performer needs no kawwana since he is merely an agent making possible the ability of an individual to hear and his kawwana does not effect the hearers fulfillment of the injunction. Rabbi Jose would have it that the validity of the mitzvah is dependent upon
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both the hearer and the performer. In the הנ"ה אשרי 95a

the opinion is advanced that חקיע בעלמא and שמייע בעלמא are adequate. The greater number of authorities are in accord with Rabbi Jose and the Gemarah.⁹⁶ In the case of a שליח ציבור, some commentators would not bring his kawwana into question.⁹⁷

We have still a further qualification regarding kawwana. Time and again, a commentator will note that kawwana is essential לצאח - for fulfillment. In this particular case the term implies that the individual is concerned merely with the thought that by doing this or that he "is out of debt" - he no longer may be held obligated for that particular matter. In interpreting the case of Rabbi Zera's calling to his servant asking him to blow the shofar, according to some authorities, Rabbi Zera did not say blow למצוה ל' - for the sake of the mitzvah, but only לצאח - for the sake of the fulfillment of the precept.⁹⁸ This concept of לצאח has a negative phase and is treated at length in the Talmud.⁹⁹ Rabbeinu Samuel states:¹⁰⁰ במסכתנו אין שלא לצאח איני יוצא. Concerning the habits of Alfasi, the story is told that he followed the custom of reciting the הכדלה service in his home even though all had heard it recited in the synagogue because while listening in the synagogue they had in mind לא לצאח - not to be absolved from the injunction by that particular hearing.¹⁰¹

From the series of qualifications made regarding kawwana we note that whatever kawwana may be, it differs in intensity and does not necessarily coincide with the extent of the ritual. Furthermore, kawwana may be an "awareness" of a performance or merely the feeling of paying a debt. It may also describe the conscious act of not being credited with the performance of a mitzvah while partaking of that mitzvah.

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V. Kawwana in the Codes

The history of Codes, is the story of the crystallization of Jewish law. Paralleling the steady stream of dialectics was a continuous attempt to present the people at large with a simple compendium of legalizations as they were to guide Jewish life. To the extent that kawwana was an important issue among the dialecticians, it was of greater concern to the Codifiers since they had to state, and not argue, the cases in which a mitzvah is valid and those cases in which there is no validity. There is a noticeable difference in the treatment of kawwana by the Talmudists and the Codifiers, a difference aside from dialectics versus codification. Wherein the Talmudists raised the primary question as to the need of kawwana, the authorities of the epitomes and compendiums take for granted a positive answer and seek for the most part to characterize rather than justify kawwana. Consequently

kawwana per se is not a subject for discussion in the
Codes.¹⁰³ The rituals, on the other hand, find their
validity in kawwana, a quality designated by the
Codifiers.

Of these specific rituals, we shall analyze
those pertaining to (a) the reading of the Shma, (b)
the eating of unleavened, (c) the reciting of blessings,
and (d) the practice of preparing the Lulab.

(a) The reading of the Shma.

Kawwana is essential to the reading of the
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YND maintains Maimonides, and this kawwana, he
qualifies, is כוונה הלב - the kawwana of the heart.
Interestingly enough, the recitation is valid if the
kawwana is limited to the first verse, i.e., the verse
proclaiming the unity of God. Furthermore, Maimonides
legislates, if an individual is preoccupied with the
reading of the Torah for one reason or another and co-
incidentally reads the verses of the שמע at a time
when ordinarily the שמע is read, if the reader concen-
trates upon the meaning of the first verse, his obliga-
tion to read the שמע is fulfilled. This point of
view is in apparent contradiction to the Talmudic
statement המעטק לא יצא - a point of view accepted by
most of the authorities.

Influenced by the many statements contained

in the Mishneh Torah clearly expressing the Rambama¹⁰⁵ attitude towards kawwana, we are able to note two important facts concerning the distinction made between the reading of the first verse and the remainder of the prayer. Since the term כוונה הלב is used by Maimonides, the implication may be made that kawwana in the sense of "awareness" is essential to the entire prayer and kawwana as meditation is essential to the first verse. This reasoning must be valid in view of the statement made regarding the five factors that¹⁰⁶ serve to invalidate a prayer. One of these is kawwana. Is it possible that the consistent and logical codifier would contradict himself in so important a matter?

The question as to the extent of kawwana is argued by Rabbi Eliezer and Rabbi Akiba in tractate¹⁰⁷ Brocot. Rabbi Jochanan states that the law is with Rabbi Akiba, namely, that kawwana is important during the entire recitation.

Supporting our subsection of a specific¹⁰⁸ ritual to two types of kawwana the סוף אברהם comments that kawwana לצא is needed for the entire recitation, but כוונה הלב is essential to the first verse. This distinction drawn by the Mogen Abraham serves also to substantiate the definition of kawwana¹⁰⁹ as the "paying off of a debt."

The Tur is in accord with the legislation of Maimonides, but qualifies kawwana by suggesting that it need not be one of fulfillment of a specific commandment since מצוה צריכה כוונה, but it need be one of general fulfillment. Actually what the Tur contends is that kawwana is of importance, but distinction should be made between kawwana as "concentration" and kawwana as executing a requirement.

The Shulchan Aruk, the final authority, quoting the text of the Mishneh Torah concludes that kawwana is imperative in the reading of the first verse of the Shma, but is not essential to the remaining verses. The

אברהם and the נאר היטב commenting upon this conclusion state: וכן הלכה - so is the law, but only concerning מצוה דרכנן for מצוה דארייהא do not need kawwana.¹¹²

(b) The eating of Unleavened on Passover.

Maimonides, as has been previously indicated, legislates that if an individual has been forced to eat

he fulfills his obligation.¹¹³ The Kesef Mishneh is hasty to qualify that the case of מצה is in no way representative of the attitude of Maimonides towards the general problem of kawwana. In fact, Karo states:

בעלמיו מ"ל דמצוה צריכה כוונה
 כחלבים ובעריות חייב, שכן
 נהנה¹¹⁴

Karo's Shulchan Aruk stating the law in its final form, has it that the eating of מצה without kawwana - without the intention of fulfilling an obligation - the mitzvah is valid. But, the codifier adds,¹¹⁵
 כוונה הרב and כוונה ה'ים are essential.

The comments of the אגודה¹¹⁶ and the Tur¹¹⁷ are of particular interest. It is the opinion of the Tur that מצה eaten without kawwana does not invalidate the requirement to eat unleavened. A sick person, as stated by Maimonides, does not fulfill his obligation of eating unleavened. In all probability the sick person in reference is one who is not conscious of his activities. The Tur anticipating the apparent conclusion that kawwana is an essential phase of the execution of a commandment, comments that of those who are of an opinion contrary to Maimonides on the general rule of kawwana are in accord with Maimonides in the matter of a sick person. Disregarding the Tur's qualification, it is obvious that the distinction between a sick person and a person forced to eat unleavened lies in the fact that in the case of the person forced, the question of law deals with a completed act. In the case of the individual who is ill, it can not be a question of fait accompli, but it is a matter of לכחחילה, consequently the validity in one case and the contrary ruling in the other.

The אגודה¹¹⁶ seeks to make a differentiation between commandments involving food and those

not involving food. Here again, the differentiation would have to be based upon the fact that in the case of food there can always be the question of the validity of the act after the act has taken place.

(c) The recitation of Blessings.

Kawwana as it concerns the various blessings becomes a rabbinical concern in a case where the thought and the recitation are not in accord.¹¹⁸ It is the opinion of Maimonides, the Tur and the Shulchan Aruk that if an individual begins a blessing correctly, i.e., has in mind to recite a blessing for wine with wine before him, and then completes the second half of the blessing with the formula for some other liquid or food, the blessing is valid.¹¹⁹ The Tur is not concerned whether he recited the first half or the second half properly, in both cases the blessing stands. The reason given by Maimonides for the validity of a blessing recited correctly for the first half is that the first half of the formula is the important half since it contains the expression of the unity of God and the Kingship of God. Since the individual while meditating upon these concepts had in mind the correct blessing,¹²⁰ the blessing is valid.

The Tur, in interpreting Maimonides, suggests that there is, according to Maimonides, a distinction between blessings instituted by the rabbis, and blessings

the origin of which are ¹²¹Biblical.

(c) The practice of preparing the Lulab.

A blessing, according to rabbinical law, must ¹²²be made prior to the ritual act. In the case of the Lulab, the mere lifting up of the Essrog and the Lulab would constitute the fulfillment of the injunction. Consequently, ¹²³rules the Shulchan Aruk, the individual has two alternatives. On the one hand he may make the blessing before picking up both the Lulab and the Essrog, or he may pick up both but keep the stem of the Essrog pointed downward, i.e., a manner contrary to the manner in which it ¹²⁴grew. ¹²⁵Jehudah Ashkenazi comments that if he picked up both ritual objects properly, but had in mind the non-fulfillment of the mitzvah, the blessing is valid. But, he adds - וּמ"ם אין לעשות כן לכתחילה. The Tur ¹²⁶likewise expresses himself אינמי שיכוין שלא לצאח. The Rambam prefers a blessing prior to the handling of the Lulab and the Essrog. The משה דרכי points out that the custom as we practice it this day is to turn the Essrog pit-downward and recite the blessing, immediately ¹²⁷following the blessing the Essrog is turned upward.

The implications of the forgoing legislation is that kawwana - לא לצאח - is recognized as a possibility, but not preferred as a practice. Kawwana

לא צאח - is essential. Kawwana, other than the mere execution of a command, if required, is not implied in

the legislation nor the qualifications made thereto.

Vl. Kawwana: Commandments and Commandments שנהג'ן 128

The attitude of the Talmud towards all religious injunctions is that the injunctions were not designed to afford the performer thereof a personal benefit. In Talmud¹²⁹ Babli, tractate Rosh Hashanah the statement is made: **מצוה** **ליהנות ניהנו** **לאו**. A similar statement is made in tractate Erubin¹³⁰ with the prefix **רכולי עלמא**.¹³¹ Maimonides, discussing the laws relevant to the Shofar repeats the statement found in Rosh Hashanah. Nevertheless, in treating the relationship of man to his ritual performance, a great number of the commentators indicate that the question of kawwana is of greater importance in the general category of commandments as compared to commandments categorized as **מצוה הנהג'ן**.

It can be safely suggested, in view of our study, that kawwana is of lesser importance in cases of **נהג'ן** than in other instances. Maintaining, as we do, that the concern for kawwana is ¹³² **לדיעבד**, for **לכחילה** it is assumed that in all instances kawwana is of primary importance, the conclusion herein stated infers that in cases of **ברכה הנהג'ן, בדיעבד** are validated much more easily than are commandments not of this category.¹³³

Bearing out this conclusion is the principal fact that in the main, the attempt to substantiate the statement

ברכה הנהנין is tied-up with מצוה אין צריח כוונה

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Explicitly stated in the Tossafot is the statement regarding

סגן. The לא בעינן (כוונה) כולי האי - ברכה הנהנה

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אברהם maintains that kawwana is essential in the performance of a mitzwah, but, he also maintains, in matters of eating, the case is to the contrary since the individual

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benefits thereby. Similarly, in the Beth Joseph of the Tur
המחזקת בחלבים ובעריות: we meet with the oft-quoted phrase:

שכן נהנה - substantiating the conclusion that a distinction is made in the treatment of the two categories of mitzwot in spite of the general statement:

Vll. Kawwana Defined

Kawwana as interpreted in Talmudic literature and the Codes is a qualitative or quantitative, positive or negative ritual response. Were we to define kawwana in terms of a prospective act and then in terms of a retrospective act, this definition would be further delimited in the case of an act in prospect. Disregarding the difference of acts, kawwana is as inclusive an act as indicated in the definition given.

Contributing to this definition are the interpretations and classifications of kawwana depicted by the Talmudists and Codifiers.

The highest type of kawwana is כונה חלב, the kawwana of the heart. The implication is that the individual feels, keenly and deeply that he is performing an act which re-

flects his love for He who directly or indirectly commanded that very act. The form that the act may take may be either emotional, verbal or mechanical. An example of pure emotion is indicated by Rabbi Chananel who sees a ritual performance in the silent meditation of the individual. An act keenly felt is that of the reciting of the Shma. Maimonides notes that the first part of the Shma must be recited with intense ¹³⁷ kawwana.¹³⁸

The quality of a response may be conditioned by the quality of the demand, i.e., Biblical or rabbinical. A Biblical injunction (**מִצְוַת תּוֹרָה**) will command a more intense response than will a rabbinical (**מִצְוַת רַבָּנִית**)¹³⁹ injunction.

The tendency to fix a prescribed number of mitzwot for the individual to perform each day indicates a shift in attitude from a qualitative emphasis to a quantitative emphasis. Just as in the case of the qualitative or emotional, the response may range from characterizing the statement¹⁴⁰ **רַחֲמָנָא לִיבָא נָעִי** to a response that borders on the mechanical, so likewise, in quantitative responses, the range is varied. We have, as examples, the cases of the eating of unleavened on Passover and the statement regarding in general. Regarding Passover, there are those who would validate the commandment of eating matzah completely disregard-¹⁴¹ ing the state of mind of the individual. Aaron Ha Levi insists

upon a knowledge of the day and the fact that it is unleavened that is being eaten before the performance is validated. Concerning **שנהגה** the comment **לא בעינן** **כולי הקי'** indicates clearly that there is a quantitative difference in kawwana. One further example that can be listed in proof of the quantitative distinction is that of the Shma which according to Maimonides may be recited with a kawwana that drops in intensity as the individual goes from the opening statement to the remainder of the prayer.

An individual may perform a religious injunction merely **לצא** i.e., the fulfillment of a duty. This act may be with or without any emotional reaction. On the other hand he may perform an act with the specific intention of not executing his commandment (**שלא לצא**). Of Alfasi it is told that his performance of the Habdalah service in the synagogue was with the intention of not fulfilling the ¹⁴²
mitzwah.

VIII. Conclusion

At the outset of this study, it was noted that kawwana could refer to any and all ritual practices in the so called "Cycle of Disintegration." No matter what the reaction of the individual may be, that feeling or absence of feeling is kawwana. Aside from the impossibility of

specifying a definition, even though a broad definition has been attempted which in truth is only a restatement of the introductory remarks, a precise statement noting the reaction of the Talmudists to kawwana is likewise impossible. This does not imply that no attempt has been made to delimit the term kawwana and give it a specific meaning, to the contrary, not only has the attempt been made, but the assignment actually made. This however, in the field of philosophical literature rather than the field of rabbinic literature. The philosopher Saadya includes in his seven statements regarding the factors that vitiate prayer - ¹⁴³ לא הכין לבו. In line with Saadya was Bahya whose Hoboth Ha-Lebaboth dealt specifically with this problem.

In rabbinic literature, though unable to define kawwana, we are in a position to note the characteristics of this historical concept.

The early rabbinic statements demonstrate an interest in the individual's ritual responses. From time to time, the individual is exhorted to examine the intent with which he approaches his God. Noticeably lacking is any attempt upon the rabbis to fix man's ritual life in order to charge him with specific obligations. Instead, the statements of the rabbis reflect a certain desire to have the Jew live a religious life free from set-patterns. Set prayers and set times for prayers are not highly regarded. Man, the rabbis

seem to say, should be tied to his God with an emotional bond free from all perfunctory acts.

As we move through the Talmudic period into the period of the Codes, we note a definite tendency upon the part of the religious leaders to fix man's obligations. A process seems to be working towards the elimination of all spontaneity and freedom in religious practices and in their stead, a rigid system is applauded. Wherein in the preceding period fixed ritual responses were not held in high esteem, during this period, spontaneity was looked at with askance.

In all probability such was the case. The freedom of religious practice slowly withdrew while a fixed system grew in its demands. The external circumstances that led to this change, could have been, and in all probability were many. The purpose impelling this change in pace, in all probability was worthwhile. Nevertheless, the fact remains that by the 14th century, Kawwana could note the act of a pious soul in prayer and at the same time note the perfunctory act of washing the hands when leaving a cemetery. In fact, the rinsing of the hands was of greater importance in the eyes of the average Jew than was an original prayer of a religious soul.

What actually was happening was simply that many practices had reached their last stage in the "Cycle of Disintegration" but remained to plague the individual Jew because the institutions engendered by these practices now

perpetuate these practices. Due to external conditions, these practices could survive, but kawwana having come to mean, in the specific instance, a mere mechanical act, ominously suggested that that act would not long survive. Kawwana then becomes the measuring rod by which the importance of a religious act can be measured.

Social man does not easily give up that which he has inherited from his progenitors. In the struggle to retain his heritage he adds to it hoping to increase its seeming importance so that it will not be neglected. As long as the people remain ignorant of the practice and its antecedents, the survival of the act is assured. However, when enlightenment begins to question, the practice is in jeopardy. This very experience came to the Jew during the 18th century. Slowly, though not in our terminology, the Jew began to realize that, "kawwana that began as a means of quickening the religious life and increasing its inwardness, had itself deteriorated into a perfunctory and insensate performance. Indeed, it formed a hindrance to true devotion, so that those interested in the maintenance of the devotional temper, now were constrained to fight against the new species of kawwana." ¹⁴⁴

The nineteenth century re-echoed Geiger's words, "The present age is not content any more with a few formal externals and revisions; it wants to obtain a clear view of the basic ideas, and only by compliance with this requirement can

its interest be gained.¹⁴⁵" In this spirit, Reform Judaism sought to purify and improve upon the religious life of the Jew. "Nowhere do we find more sublime teachings and utterances about prayer in general and public worship in particular, than in Bible and Talmud and the later commentaries. But nowhere during the last two hundred years has practice fallen so lamentably behind theory as in Israel. In vain did the most pious rabbis raise their voice against the neglect of the sacred and godly; the evil kept on growing. Ignoring ever more the real aim of public worship, namely edification and instruction, people were satisfied with mere multiplication of prayers which by no means were worthy the name. To the simple prayers of the original liturgy, there were added a mass of so-called poems, piyyutim, written in a barbarous idiom, most of which the people did not understand, and as they occupied the greater part of the time set aside for worship, the result was decay of devotion and decorum in the synagogue. It was the introduction of devotion that formed the prime object of Israel Jacobson, of the men that founded the Hamburg Temple, and all the other early Reform leaders of the nineteenth century. The principle animating them was: 'A little with kawwana is worth more than much without kawwana.' 'Return to the religious spirit of your fathers,' pleaded Holdheim, 'to whom worship of God, prayer, was a matter of sincere faith, expressing their inner life and belief. It is not your belief that one would judge; it were a bold and presumptuous thing to sit in judgment ~~on~~ on the belief of another; judgment

belongs to God. But inner truth, harmony between belief and the solemn expression thereof in prayer, may and must be demanded of every one.' In order to this, the early leaders of Reform in Judaism sought to do the following things: first, to simplify the prayer book; secondly, to eliminate all prayers not in accord with the convictions and ideals of the people; and thirdly, to adopt the vernacular as medium of public worship. They fought for decorum, for devotion, and, above all, for sincerity in prayer. And this still is one of the chief objects of Reform wherever it appears. By this means it seeks not only to restore kawwana to the synagogue, but also to revive the true meaning of the word and idea of kawwana and to preserve the inner beauty and power of Judaism."



NOTES

1. For a detailed analysis of early attempts to control rain, see Frazer's chapter on the "Control of Rain" in The Golden Bough.
2. The treatment of the word kawwana as here summarized, is taken from H.G. Enelow's article, "The Struggle for Inwardness in Judaism."
3. A translation or paraphrase of some portion of the Old Testament in the Aramaic of Judea.
4. The Aramean translation of Akylas' Greek version of the Scriptures.
5. Targum Onkelos, Ps. 7.4. See also Targum Jonathan, Numbers 35.20.
6. IK. 13-14, Pss. 57.8, 78.37, 108.2, 112.7, 51.10, Ezra 7.10.
7. Job. 11.3.
8. ISamuel 7.3.
9. Compare articles "Intention" and "Devotion" contained in Hasting's Encyclopedia of Religion and Ethics.
10. Term taken from Kohler's Systemat Theologie, p. 340. "Dr. Kohler points out the danger that lurked in the Talmudic insistence on the minutiae of performance; it jeopardized the inwardness of the religious life..."
11. Isaiah 1.12-15. See also Hosea 14.3.
12. Ps. 34.19: קרוב יהוה לנשכרי לב ואח דכאי רוח יושיע.
13. Leviticus Rabba, end.
14. R. Simeon b. Nathanel of whom little is known. See R. Travers Herford's Pirke Aboth, p. 60.
15. Aboth 2.18.
16. Tannaim and Amoraim are the expounders of the Talmud. The Tannaim are those teachers who preceded R. Jehuda Hanasi (cir. 200). The Amoraim are the expounders of the Gemarah after 200.
17. Raba was born in 299 and died in 352A.D.

18. T.B. Sanhedrin 106b.
19. T.B. Rosh Hashanah 28a: שלחו ליה לאכזה דשמואל כפאו
וואכל סצה יצא.
20. A religious injunction.
21. T.B. Erubim 65a: אמר ר"א הבא מן הדרך אל יתפלל שלשה
ימים...אכזה דשמואל כי אחי באורחא לא מצלי חלחא
יומי שמואל לא מצלי כניחא דאית ביה שיכרא רב פפא
לא מצלי כניחא דאית ביה הרסנא.
22. R. Jochanan bar Napacha, born about 199, died 279. He
was a disciple of R. Jehuda Hanasi.
23. T.B. Brocoth 5b: א"ל אמאי קא בכיה אי משום תורה דלא
אפשה שנינו אחד המרכה ואחד המסעים ובלכר שיכוין לבו
לשמים.
24. Shulchan Aruk (Kitzur) 6.7: חייב אדם לברך בכל יום מא:
ברכות לפחות.
25. A Babylonian Amora living during the 4th century A.D.
At the age of 80 became the head of the academy at
Sura.
26. Asher ben Jehiel, a German rabbi, later of Toledo,
Spain. Wrote a compendium on the Talmud. This work
is appended to each tractate of the Talmud under the
name רבינו אשר.
27. T.B. Pesachim 114a.
28. See note 26.
29. Rosh, ch. 10, Pesachim.
30. Of these antithetical terms the Gemara makes frequent
use in the interpretation of the Mishnah, especially
in question of the ritual law. לכתחילה means lit-
erally, "as for the beginning," at the outset, before-
hand, previously. The term denotes a question of law
concerning an act to be done. In contradistinction to
the former, the term דיעבד means "if it has been
done". This term denotes the question of law con-
cerning an act already done, whether it is valid and
acceptable or not. (Mielziner, Introduction to the
Talmud, p. 179)

31. Author of the commentary **באר היטב**, incorporated in the Shulchan Aruk.
32. Shulchan Aruk, Orach Hayyim, 691.5.
33. See note 18.
34. Moses ben Maimon, born in Spain in 1135, authored the most extensive code of all times, i.e., the Mishneh Torah.
35. Mishneh Torah, Hilck. Tef., 4.5.
36. Cf. Ibid., Hilck. Chametz and Matzah, 6.3: **אכל מצה בלא כוונה כוון שאנסוהו עכ"ל**...לאכול יצא י"ד חונתו
37. T.B. Sanhedrin 79a: **נהכוון להכות את הנדול ולא היה בה כד"י להסית הנדול... פסוק** Mishneh Torah, Rozeach, 4.1: **הסתכוון להרוג את זה והרג** **אח זה פסוק סס"ה ב"ד** See also
38. T.B. Rosh Hashanah 27b: **וכן סי' שהיה ביתו מסוך לבית הכנסת ושם קול שופר או קול סגילה אם כוון לבו יאמרו לא לא יצא אע"פ שזה שמע וזה שמע זה כוון לבו וזה לא כוון לבו.**
39. On the New Year.
40. On any of the minor holydays upon which a megillah is read.
41. T.B. Brocoth 13af.
42. T.B. Rosh Hashanah 32b: **אין מעבדין את התנוקות מלחקוק אבל מתעסקין עמהן עד שילמדו והמתעסק לא יצא והשומע מן המתעסק לא יצא.**
43. Ibid.
44. R. Simon ben Lakish, Palestinian Amora of the third century.
45. Rab Huna, born 212, died 297. Babylonian Amora who headed the school at Sura.
46. R. Zeira (or Zera) was a Babylonian who migrated to Palestine and there became one of the Palestinian authorities. He is of the second generation of Amoraim.
47. R. Jose (bar Zabda) was a Palestinian Amora of the third generation of Amoraim.
48. T.B. Pesachim 114b: **אמר ר"ל זמא אומר מצה צריכות**

כוונה כיון דלא בעידן חיובא דמרור הוא דאכיל ליה
כנורא פה"א הוא דאכיל ליה ודילמא לא איכוון למרור
הלכך בעי למחדר לאטכולי לשם מרור דאי סלקא דעתך
מצוה לא בעיא כוונה לסה לך חרי טיבולי ...

49. Ibid., 114a.

50. Ibid., 114b.

51. Ibid.: אמר רב הונה מנרך וכו' רב הונה סבר כריש
'לקיש דבעי כוו'.

52. T.B. Rosh Hashanah 29a: אמר ליה ר' זירא לשמעיה
איכוון יהקע לי אלמא קסבר משמיע בעי כוונה.

53. T.B. Pesachim 114a.

54. Ibid.

55. T.B. Rosh Hashanah 29a: אמר ר' יוסי כד"א בשליח
ציבור אבל ביהיד לא יצא עד שיחכוין שומעומשמיע.

56. Erubin 95b: דב"ע שבה זמן הפילין הוא והכא כמצוה
צריכות כוונה קסיפלני, ה"ק סבר לצאת בעי כוונה
ורבן נמליאל סבר לא בעי כוונה, וא"כ א' דב"א לצאת
לא בעי כוונה ...

57. See Rosh to Rosh Hashanah, ch. 3.

58. See above page 9. Also note 19.

59. Ibid., 28b.

60. T.B. Pesachim 114b: חניא אכלן דמאי יצא, אכלן כלא
מחכוין יצא, אכלן לחצאין יצא.

61. Ibid., 115a: (חומפוח ד"ה מחקיף) מצה... לא בעינן
כוונה כולי האי ... אבל תפלה ותקיעה בעי כוונה..

62. R. Nissim b. Reuben. A commentary found in the com-
pendium of Alfasi. Ran to Rosh Hashanah 28af.

63. Mishneh Torah, Laws of the Shofar, ch. 2. Maimonides'
regard for kawwana is repeated over and over again. A
direct statement is made regarding prayer: חמשה
דברים מעכבין את התפלה אף על פי שהנ"ע זמנה,
טהרה ידים (הלכות תפלה
(4.1)

64. Ran to Pesachim, ch. 5.

65. See note 63.
66. See Kesef Mishneh to Mishneh Torah, Laws on Leavened and Unleavened, 6.3: דבעלמיו ס"ל דמצות צריכות כוונה... מצה... המעסק בחלבים ובעריות חייב שכן נהנה
67. Ran to Rosh Hashanah 28.
68. Rosh Hashanah 28a: סהו דמיטא החם אכול מצה אסר רחמנא והא אכל אכל הבא זכרון תרועה כתיב...
69. Leviticus 23.
70. T.B. Brocoth 12: היבא דקא נקיט כמא דחמרא בידיה וקסבר דשכרא הוא ופתח ומכרך אדעתא דשכרא ומייס כדחמרא יצא...
71. Ran to Rosh Hashanah 28f.
72. T.B. Rosh Hashanah 28a.
73. Ibid., 33b: החוקק לשיר יצא ... דלמא חוקק לשיר נמי: סהו דבעלמיו ס"ל דמצות צריכות כוונה... מצה... המעסק בחלבים ובעריות חייב שכן נהנה
74. A work of Isaac ben Moses of Vienna. Cir. 1200.
75. In the notes to Asheri, Rosh Hashana, 28af.
76. Abbaye, surnamed Nachmani. Abbaye was born in 280 and died in 338. He was elected head of the school of Pumpedita. A contemporary of Raba, the two, via their dissertations, developed the dialectical method characteristic of the Babylonian teachers.
77. Ran to Rosh Hashanah 28.
78. Ibid. The Rashba is the titular name for Solomon ben Abraham Ibn Adret, 1245-1310.
79. Tossfot, Brocoth 13b: אמר רבא הלכא כרבי מאיר, והבי' הלכא דקיי"ל כרבא דהוא כחרא.
80. T.B. Rosh Hashanah 28b: א' נחבון שומע ולא נחבון ששמי' ששמי' לא יצא עד שיהבון שומע וששמי' בשלמא נחבון ששמי' ולא נחבון שומע כסבור חסור בעלמא הוא אלא נחבון שומע ולא נחבון ששמי' היכי ה"ל משכחת לה לאו בחוקק לשיר דלמא דקא סנכה נבוחי א"ל אביי אלא מעתה תישן בשמיני במוכה
81. Tossfot, P. sachim 115a: ילקה... ד"ה מ"ק י' Also see note 61.

82. Deut. 4.2.
83. Tossfot, Rosh Hashanah 28a.
84. Moses ben Nachman Gerondi. Known also as Nachmanides. Spanish Talmudist of the 13th century.
85. Ran to Rosh Hashanah, ch. 3.
86. That mitzvot are valid only when performed with kawwana.
87. T.B. Brochoth 13b: ש"מ ישראל ה' א' ה' א' ע"ד כן צריכה כוונה הלב דברי ר"ם א רנא הלכה כר"ם
See also Kesef Mishneh, Mishneh Torah, Laws of the reading of the Shma, ch. 2. Raba is in accord with Rabbi Meier that is needed and since Raba is law is with him and so legislates the Alfasi.
88. See note 61.
89. Ran to Rosh Hashanah 28af. Also Mishneh Torah, Laws of Unleavened, ch. 6. See also note 66.
90. Ibid.
91. Ibid. See note 80.
92. T.B. Brochoth 13: יכול תהיא כל הפרשה צריכה כוונה ח"ל האלה עד כן צריכה כוונה מכאן ואילך אין צריכה כוונה דברי ר' אליעזר... חנא אמר ר' יוחנן הלכה כר"ע (צריך כוונה לכל הפרשה)
93. Tossfot, Rosh Hashanah 28a: See note 112. See also section on "Blessings" Comments of the Tur with regard to Maimonides.
94. Ran to Rosh Hashanah 28.
95. See note 55.
- 95a. Notes to Asheri - Rosh Hashanah 28f.
96. Op. cit., p. 14.
97. See note 55. See Ran also on the issue of agent.
98. See note 52.
99. See Tossfot Pesachim 7b: ד"ה לצאת... כדאמרי בסוכה (ד"ס"ב) שאינו יוצא אלא דרך גדילתו או שנמלט שלא לצאת בו כאותו נטילה... כדפי' ר"י כיון שצריך לנענע כהלל או משום שאינו רוצה לצאת כאותו נטילה.

- Sukkah 39a: ד"ה עובר לעשייתהן ... כדורשינן פרק לולב מדכחיב עצי שטים עומדים ואפי' נקט להו כדון נדילתן אפשר שיהכון שלא לצאה כו עד אחר ברכה...
100. Ran to Rosh Hashanah 28a.
101. Ibid. Isaac ben Jacob Alfasi. 1013-1103, Alfasi was born near Fez. Up to the time of Alfasi the authority of the Gaon was considered final. Al-Fasi rebelled against this system. His code, known as the Alfas - is a commentary on the difficult passages of the Talmud.
102. Religious life, based upon rabbinical law as expounded in the Babylonian Talmud, had to be directed by a more precise work than the abstract dialectics of the Tannaim and the Amoraim. Consequently, at a comparatively early period, épitomes and compendiums, narrowing down the immense bulk of Talmudic law, were attempted. The first of these were by R. Jehudai Gaon of Sura (8th century - Halocoth Ketzuoth), and R. Simon of Kahira (9th century - Halochoth Gedoloth). Thereafter R. Isaac Alfasi (see note 101) wrote his work. Following him came R. Asher ben Jehiel (see note 26). The three greatest works in this field, the sources for our section on Codes, are; the Mishneh Torah of Maimonides (see note 34), the Tur of R. Jacob ben Asher and the Shulchan Aruk of Joseph Karo and Moses Isserles.
103. These introductory remarks are made in terms of the Mishneh Torah, the Tur, and the Shulchan Aruk, which constitute in the main, the basis for the discussion of kawwana in the Codes. We do find among the early attempts at codification, arguments directed at kawwana. The Gaonim, we are told, were of the opinion that kawwana was not essential (Ran to Rosh Hashanah, ch. 3). Solomon ibn Adret (ראש"א) likewise saw no need for kawwana. The Rosh, on the other hand, among the early codifiers, saw the importance of kawwana.
104. Mishneh Torah, Laws of the reading of the Shma, 2.1: הקורא שמע ולא כיון לבו בפסוק ראשון שהוא שמע ישראל לא יצא ידי חובתו, והשאר אם לא כיון לבו יצא אפי' היה קורא כחורה כדרכו או סניח את הפסוק האלו בעונה קריאה יצא והוא שכיון לבו בפסוק ראשון.
105. See note 63.
106. Ibid.
107. See note 92.

108. Shulchan Aruk, Laws of reading the Shma, ch. 5:
 אע"ג דכסוף ד' פרק דמצות בעי כוונה היינו שיבין
 לצאת אבל כוונה הלב שישים על לבו מה שהוא אמר
 אין צריך אלא בפ' ראשון.
109. Though we have not made any particular reference
 to kawwana as an awareness of a debt, and the pay-
 ing off of that debt, the treatment of kawwana as
 לצאת or לצאה carries that implication.
110. Tur, Orach Hayyim, 60: וכרכות אלו דוקא לכתחילה:
 צריך לאמרם אבל אם קראה בלא ברכות יצא דחנן
 היה קורא בחורה והניע זמן הסקרא אם כיון לבו
 יצא ידי קריאה אע"פ שלא בירך לפניה ולאחריה
 וכן פירש רב חננאל.
111. See note 104.
112. Ibid.: יש אומרים שאין מצות (ש"ע א"ח 60)
 צריכות כוונה וי"א שצריכה כוונה לצאת בעשיית
 אותה מצוה. (כ"ה) דארייתא, דרכנן א"צ כוונה.
113. Mishneh Torah, Laws of Chometz and Matzah, 6.3:
 אבל מצה בלא כוונה כגון שאנסוהו עכו"ם...לאכול יצא
 ידי חובו. (כ"ס: אבל מצה בלא כוונה...בהלכות
 שופר פ"כ כתבתי מה טעם פסק רבי' כאן שיצא בלא
 כוונה אף א"ג דנעלטא ס"ל דמצות צריכות כוונה.
114. Kesef Mishneh, Laws of Chametz and Matzah, Mishneh
Torah, 6.3.
115. Shulchan Aruk, Orach Hayyim, 475: אבל מצה בלא
 כוונה, כגון שאנסוהו עכו"ם או ליסטים לאכול
 יצא ידי חובתו כיון שהוא יודע שהלילה פסח ושהוא
 חייב באכילת מצה, אבל אם סבר שהוא חול או שאין
 זו מצה, לא יצא.
116. Tur, Orach Hayyim, 475: (see note 117 for 116)
 אבל בלא סתכין יצא, כחב הרסכ"ם אבל מצה כשעת
 חולין לא יצא ואיני יודע אם הוא פוסק דמצות צריכה
 כוונה ואפי"ל לס"ד אין צריכות כוונה כוונה ד"ל לא יצא.
117. Shulchan Aruk, Mogen Abraham, 475: בלא כוונה:
 אע"ג דמצות צריכות כוונה, במידי דאכילה שאני
 שהרי אכל והנה בכך.
118. See note 70.
119. Tur, Orach Hayyim, 209: היה בידו כוס של מים
 וסכור שהוא של יין והתחיל ואמר באהאס"ה על דעת
 לומר כפה"ג ונזכר שהוא של יין וסיים שהכל יצא
 ...ובכן הדין שהיה לו לכרך על א' ופתח אדעתא
 דאידיך ונזכר וסיים כדינו או שאמר שניהם יצא.

120. Mishneh Torah, Laws of Blessing, 8.11: לקח כוס של שכר בידו והתחיל הברכה על סנה לומר שהכל וטעה ואמר בפ"ה אין מחזירין אותו, וכן אם ח"ו לפניו פירות הארץ והתחיל הברכה על סנה לומר כפח"א וטעה ואמר בורא פ"ה אין מחזירין אותו ... מפני שבטעה שהזכיר את השם והסלכות, שהן עיקר הברכה לא נחזיר, אלא לברכה הראויה לאותו חס"ן.
121. Tur, Orach Chayim, 209: כתב הרמב"ם ז"ל כל הברכות כולן אם נסתפקאם בך אם לאו אינו חוזר מדרבנן דנפקא לן מסברא שאסור ליחנות מהע"ז בלא ברכה אבל ברכה אחרונה מעין ג' דז' הסינים דאורייתא היא דמסס"ך ליה אקרא חוזר וכן נראה מדברי ה"נ.
122. T.B. Succah, 39a.: וסברך לא בתחלה ולא בסוף מפני שהם מדברי סופרים ונראה דוקא ראשונה שהיא דאמר רב יהודה אמר שמואל כל המצות כולן סברך עליהן עובר לעשייתן.
123. Shulchan Aruk, Orach Chayim, 651.5: יברך על נטילת לולב ושהחיינו קודם שיטיל האחרון כרי שיברך עובר לעשייתו או יהפוך האחרון עד שיברך.
124. T.B. Succah, 45b.: אמר חזקיה א"ר ירמיה משום רשב"י כל המצות כולן אין אדם יוצא בהן אלא דרך גדילתן.
125. Shulchan Aruk, Orach Chayim, 651.5: - באר היטב - ואם לא נחזירין לצאת עד שיברך סוחר, וס"ס אין לעשות כן לכתחילה.
126. Tur, Orach Chayim, 651: אינמי יכוין שלא לצאת עד שיברך קודם שיטלנו בידו והרמב"ם כתב שיברך... ואנו נוהגים להפך האחרון עד אחר הברכה.
127. Ibid.:
128. Injunctions that afford the individual a personal benefit. Examples: The drinking of wine, the eating of foods, etc.
129. T.B. Rosh Hashanah, 28a.
130. T.B. Erubin, 31a.
131. Mishneh Torah, Laws of the Shofar, 1.3.
132. Op. cit., p. 10f.
133. In Talmudic terminology it would be the case of

להקל and לחוסר. Regarding הנהנין the tendency
would be להקל while cases other than הנהנין the ten-
dency would be להקל

134. T.B. Pesachim, 115a. אע"ג דמצות צריכות כונה
במידה דאכילא שאני שהרי אכל וחנה בכך איין
135. Shulchan Aruk, Orach Chayim, 60: צריכין כוונה.
136. Tur, Orach Chayim, 209. See also Kesef Mishneh, Mishneh
Torah, Laws of unleavened, 6.3.
137. See note 110.
138. See note 104.
139. Tur, Orach Chayim, 209: If an individual began a
blessing with the kawwana of one and finished with
another, he fulfills his duty. Maimonides says
only because they are סופרים סוכרי but סינים דאריהא
requires a new blessing.
140. Op. cit., p. 8.
141. Ran, Pesachim 114a.
142. Op. cit., p. 23f.
143. Emunot V-Deoth, Ch. 6, last paragraph.
144. Kawwana, H.G. Enelow, p. 106.
145. Ibid.
146. Ibid.

* The comment of note 134 belongs with note 135.

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