

HALOCHOSCOPE ^{TOI} PE

A child was choking, and was saved by his teacher with the Heimlich maneuver. Should his father recite *Birchas Hagomel*? Should his parents do anything specific to show Thanksgiving to Hashem? Should the child recite when he becomes Bar-Mitzvah?

The issues:

(A) *Birchas Hagomel*

(B) Is being saved through this maneuver sufficient grounds for the *Brocha*?

(C) Does a child recite it? Does a father recite it for his son? Does one recite it upon becoming Bar-Mitzvah for a childhood situation?

(A) *Birchas Hagomel*

Anyone saved from a perilous situation is obliged to show thanksgiving to Hashem. In the times of the *Bais Hamikdash* one would bring a *Korban Todah*, thanksgiving offering. This offering has the specific purpose of acknowledging the kindness of Hashem. The Talmud derives the four main examples of such perilous situations from statements in *Tehilim* 107. They are one who arrives at his destination at the end of a sea voyage, one who travelled across an uninhabited wilderness, one released from imprisonment and one healed from illness. When the *Bais Hamikdash* is rebuilt, speedily in our days, we will offer this *Korban*. In one view offerings will not be brought in the future, but the *Todah* will be offered, even according to this view [see *Midrash Rabah Tzav* 9:7.]

Though the actual offering is not possible nowadays, we are obliged to offer thanksgiving in other ways. Anyone miraculously (not necessarily supernaturally) delivered from danger should distribute *Tzedaka* to Torah scholars. This will be considered a substitute for the *Korban*. He should also recite the Torah chapter dealing with this *Korban* (*Tzav* 7:12-15). It is also customary to make a thanksgiving feast, *Seudas Hoda'ah*. Many people observe this annually on the day they experienced the miracle. Four types of bread accompanied the *Todah* offering, ten loaves of each. Four were given to the *Kohain* who offered the *Korban* and the rest were eaten by the person offering it. Since it had to be eaten in one day (plus the following night) it had to be shared with well wishers.

This *Korban* is a *Nedava*, voluntary offering. The Talmud rules that the four

groups mentioned in Tehilim 107 have a separate compulsory obligation to recite *Birchas Hagomel*. This acknowledges Hashem's abundant kindness, despite the shortcomings of the human reciting it. It is based on the voluntary Todah offering, which is offered by anyone who feels grateful to Hashem, for any reason. However, the Brocha may only be recited by those who are included in the Rabbinically instituted list. Those who choose to recite it of their own accord are in violation of a *Brocha She'aina Tzricha*, unnecessary Brocha. Some consider this a Scriptural violation of *Lo Sisa*, forbidding uttering Hashem's Name in vain. Others maintain that being in the middle of a Brocha, it is praise of Hashem, and is not to be considered in vain. However, it is a violation of the positive Mitzvah to fear and revere Hashem. Therefore, *Safeik Brocha Lehakeil*, Brochos, which are Rabbinical institutions, should not be said when in doubt. The overriding concern is with the Scriptural violations. To express one's thanks in situations which are either excluded from the list or questionable, the Poskim rule that one should recite the Brocha omitting the Names of Hashem.

The Poskim debate whether the Talmud's use of the number "four" limits the list to these four perils, or whether they are frequent examples. The focus of the debate is another Brocha, required for one passing through a place where he was delivered from danger. In this case the Talmud does not specify a particular danger, implying that there is no distinction. Accordingly, if one is delivered from another type of life-threatening danger, the question is raised whether he may recite the Brocha. The conclusion of the Shulchan Aruch is to recite it without the Names of Hashem, but the prevailing practice is to recite it in full for any danger.

The Poskim debate the severity of danger. The Talmud refers to travel through seas or deserts. Travel through populated areas also involves danger, requiring the wayfarer's prayer. Therefore, some Poskim maintain that when arriving from such trips *Birchas Hagomel* must be recited. Sephardim follow this ruling. Following the same reasoning they recite *Hagomel* when recovering from any illness for which they were bedridden. Others maintain that only for a life-threatening illness and desert travel may one recite the Brocha. Ashkenazim follow this practice.

Imprisonment is assumed to mean being held against one's will out of control of his fate. Being held in the company of criminals is also considered dangerous. A minority view maintains that only one held for execution is obliged to recite the Brocha. Another view maintains that a stay of less than three days is generally insufficient to warrant the Brocha. This issue of being out of control of one's fate raises the issue of air travel. While it is not in the sea or the desert, it is also in a

place where one is not in control if something should go wrong. Some distinguish between travel over land (even deserts) and over a sea. The pilot has less control over the fate of the aircraft if he gets into trouble over a sea. [See Brochos 54b Poskim Tur, Shulchan Aruch Orach Chaim 218:4, 219:1 7-9, 697:2, commentaries. Chayei Adam 155:41. Igros Moshe O.C. II:59 Minchas Yitzchok II:47.]

(B) Being saved from choking

The severity of illness has already been discussed. In addition, it seems to mean protracted sickness, in Talmudic terms, occupying the sickbed. A sudden attack of sickness, which one recovers from very quickly, is also dangerous. However, does it fall into this category? Those who include any danger on the list would include this as well. Those who limit it to bedridden sickness might not.

The situation in question is one such case. Those present at the choking incident maintain that the child "went blue" when the candy stuck in his throat. He could not bring it up by himself. The teacher was able to intervene quickly, and the child was back to normal practically immediately. The Poskim say that one does not recite the Brocha on a near miss. Though one was almost in danger, he was not actually saved from the situation, but was prevented from getting into it. In our case, presumably, the situation was worse than this. He was in danger, and was taken out of danger. Furthermore, he was acutely very sick, and then recovered. Though he was not confined to bed, he was in a similar situation. He may be compared to one who is taken up to the gallows (he was 'noosed') and then taken down.

Those who include all sickness in the category, believe that any sick person, because he is bedridden, feels that he is undergoing Divine judgment. When he recovers, he recites the Brocha due to his relief. Certainly in our case, this applies, and an adult should recite the Brocha. [See Sh. Ar. O.C. 219:4 8, commentaries.]

(C) Hagomel for a child

A child is exempt from almost every Mitzvah, but children practice Mitzvos due to *Chinuch*, the obligation to train them. Thus, some Poskim maintain that a child recites *Hagomel*. Some say that this is in accordance with a view that *Chinuch* is the child's obligation, rather than his father's. Furthermore, since it represents a voluntary Korban, the offering could be brought on behalf of a child.

However, the meaning of this Brocha is thanksgiving for having been deserving of Divine Judgment, and then spared. A child is not liable for his actions. He can not be judged. Normally, if a child comes to harm, it is a sign that his parents deserve to be punished. If the child recites the Brocha indicating that his father

deserved the judgment, it is disrespectful. To omit the reference to liability would be changing a Brocha, which is forbidden. Therefore most Poskim maintain that a minor can not recite the Brocha, despite the Mitzvah of Chinuch.

Divine punishment, according to some Talmudic sources, is only given after one reaches the age of twenty. Therefore, the Poskim debate whether one recites Hagomel before twenty. Most agree that one does. Bais Din may pass sentence on one over thirteen (or a girl over twelve). Now that Bais Din is not able to pass sentences, Hashem punishes in their place. Thus, certain punishments can be given before twenty. Though not all Poskim agree with this reasoning, most Poskim concede that one over the age of thirteen recites the Brocha.

One should recite this Brocha within three to five days of the experience. However, the Brocha corresponds to the Korban Todah, which may be offered later. Accordingly, many Poskim maintain that just as the Korban has *Tashlumin*, the ability to make it up later, so too may one recite this Brocha later. However, one delaying it must have been obligated at the time of his miracle. Since the child was not obligated at the time of his salvation, he does not recite it after reaching Bar-Mitzvah.

The Poskim debate reciting Hagomel for the recovery of a good friend. The personal relief is such that one feels the urge to express his gratitude. For a parent or teacher's recovery one may recite it (though some maintain that the clause referring to the shortcomings must be omitted.) For friends, the consensus is to refrain from reciting it. The Poskim debate whether a father recites it for his son's recovery. It would appear appropriate, since the relief is substantial. The consensus is that he may not recite it, but may say it without Hashem's Name. Since the entire issue is based on a Korban Todah, the parents could host a Kiddush in lieu of a thanksgiving feast, and donate Tzedaka to the poor. After the child reaches Bar-Mitzvah, he could offer thanksgiving in this way. We have mentioned that he can not recite the regular Brocha, nor implicate his parents. Reciting it after Bar-Mitzvah would still refer to the miracle of his childhood. Therefore, he should refrain from reciting the Brocha, even without Hashem's Name. [See Brochos 54b Shabbos 89b Poskim. Tur Sh. Ar. O.C. 219:4 6, Magen Avraham 1, Shaarei Teshuva, Pri Megadim, Eshel Avraham, commentaries, Kaf Hachaim 2, 29. Sdei Chemed I:Alef 54.]