

שֶׁהַחַיִּינוּ וְקִיּוּמֵנוּ וְהַגִּיעֵנוּ

השבוע בגליון

- The mitzvah of *kerias shema* mentioned first: Why?
- Berachos: a short tractate which is actually long
- From when do we pray *ma'ariv*? About *kerias shema* and its *berachos*
- *Ma'ariv* before the appearance of the stars
- Do the time for *ma'ariv* and *kerias shema* depend on each other?
- Ramban's pupils who came to southern France
- The appearance of the stars: small stars, average stars and dispersed stars
- When do the stars appear?

דף בלא מאימתי קורין את שמע

An Introduction to Tractate Berachos

Tractate Berachos is the first tractate of Seder Zera'im and of the entire *Shas*. Seder Zera'im, which addresses the mitzvos of the land dependent on Eretz Israel, was placed at the head of the six Sedarim because it deals with the halachos of food from the vegetable kingdom, which is the foundation for all living existence. Berachos was included in Seder Zera'im as it deals with *birchos hanehenin*, without which it is forbidden to benefit from food (Rambam's introduction to his commentary on the Mishnah).

Why is *kerias shema* the first mitzvah to be mentioned? Many offered to explain why Rebbi began with the mitzvah of *kerias shema*. Rambam (*ibid*) writes that since our tractate deals with *birchos hanehenin*, Rabbeinu HaKadosh also arranged the other blessings and prayers, including the *berachos* of *kerias shema*. It is only fitting to learn about the *berachos* of *kerias shema* after learning the laws of *kerias shema* itself.

Riaz (*cited in Shiltei Giborim*) explains it differently. In his opinion, Rebbi began with the mitzvah of *kerias shema*, which is the unification of His name, as the verse says: "The beginning of wisdom is the fear of Hashem" (Tehilim 111:10). Some illustrated this with the mishnah's statement in the second chapter of our tractate: "...so that he will first accept the yoke of the kingdom of Heaven and then accept the yoke of mitzvos."

Berachos is a short tractate which is actually long: Tractate Berachos amounts to 63 *dapim* but is actually longer than other tractates with twice or three times the amount of *dapim*, as the number of *dapim* in those tractates is influenced by the long commentaries of the Rishonim which spread over both sides of the *daf* but the Gemara text of tractate Berachos is longer than that of those tractates.

Berachos is full of Agadah, which guides people to fear Hashem and behave with all good attributes, and, on the other hand, is full of halachic matters pertinent to every moment of a person's life from morning to night. These halachos open the *Orach Chayim* section of the *Tur* and *Shulchan Aruch* and occupy 221 chapters, mostly in the order of our tractate: *kerias shema*, prayer, *birchos hanehenin* and other *berachos* up to Chapter 242, where the halachos of Shabbos begin.

The tractate before us: The first two chapters of Berachos address the mitzvah of *kerias shema* and its *berachos*. In the third chapter we shall learn about those obligated in *kerias shema* and prayer, those who are exempt, and about places and

דבר העורך



MeEimasai?

When does one start learning Torah? Any answer you can imagine is correct. Visit all the new Daf HaYomi *shi'urim* that have sprouted as though created ex nihilo, and look at the new learners who have joined the great legion. At one *shi'ur* you'll find an elderly man leaning on his cane with one hand holding the Gemara and the other a magnifying glass, faithfully following the booming voice of the *magid shiur*. Elsewhere you'll hear the shrill voice of an eight-year-old whose father brought him to participate in the great joy of father's learning. They're all here. Whoever hasn't yet arrived has apparently been very busy – a son's wedding or a surprise inheritance from Switzerland. Tomorrow he'll already come. You'll see. Meoros HaDaf HaYomi has prepared fine Gemaros for him, big and small. He has seen and heard reminders, notices, articles, letters and lectures. He knows what a person has to do in this world! Can you imagine another possibility for his absence? He'll come tomorrow, you'll see. We mentioned new Daf HaYomi *shi'urim* that have appeared as though created ex nihilo. We should be exact. Too many people toiled on this "creation" for us to dismiss it with a wave of the hand. Now they deserve to see the fruit of their labor and extended effort. *Baruch Hashem*. But now it is up to the members of each *shiur* to continue making efforts to reinforce their framework. What are we talking about? You "veterans" surely remember your first days in the *shi'ur* and, actually, everyone has experienced similar events in any new place – a workplace, a residence, a synagogue and the like. Not everyone feels immediately at ease. Sometimes it suffices with a small push of the "guest" (so he feels) toward the end of the bench to make room for the "regular" and then you won't see him again. No one's at fault, but this person won't be learning Torah, at least in the

IN MEMORY OF

נשמת אדם

מרת רבקה (אריקה) יעקובסון ע"ה ב"ר יהודה ז"ל
נלב"ע י"ט אדר תשס"ד ת.נ.צ.ב.ה.
הונצחה ע"י המשפחה שיחיו

נר ה'

next few years. At many Daf HaYomi *shi'urim*, known for their fine welcome to any new participant, they adopted the following custom: one of the participants is especially appointed to take care of new participants: how to find a Gemara and a place, a short explanation, where to prepare some tea, when's *minchah* and what's his name. That's all. Very simple and very easy, but very important.

This week the fate of many families will be determined. If the head of the family will go to a Daf HaYomi *shi'ur*, if he'll sign a "standing order" to Torah study, he'll connect himself, his family, his home and his children to the ancient watercourse along which our people has been voyaging for so many years. The changes that will take place are numerous and fundamental, even dramatic in some cases, as many learners can tell about their friends. It's still not too late. Bring your neighbors, speak with friends, encourage the hesitant and convince them that they are about to make a decision that they'll never regret.

Approaching the start of the twelfth Daf HaYomi cycle, we turned to Rav Shraga Herman of Bnei Berak. Rav Herman, a veteran educator and a long-time participant in the Daf HaYomi program, is gifted with a lucid memory and he shared some of his recollections with us. We shall publicize some of them for the *yahrtzeit* of HaGaon Rabbi Meir Shapira of Lublin zt"l but now we present a memoir that he has saved for 50 years, an authentic testimony heard from Rabbi Moshe Weinroch z"l, born in Tchernovitz, who lived long and was a *yoshev* in Boyan by the *Pachad Yitzchak*, the first Boyaner Rebbe. Rav Herman recounts that Rav Weinroch in his old age told him of the experience of his life, the announcement of the Daf HaYomi program at the first Keneisiah Gedolah in Vienna:

"The Keneisiah started on Wednesday, 3 Elul 5683. All the leaders of the generation were there and Rabbi Shapira served as the "loudspeaker". He repeated loudly the words of the *gedolim*, said in a low voice, to the public. I participated in the ninth meeting of the Keneisiah. The hall was full. The tension was great. The audience seemed to be waiting for something tremendous that was about to happen. They didn't know what they were waiting for but you could feel the tension in the air. "Suddenly the door opened behind where I was standing. This was a rear entrance and there appeared an impressive young man. His appearance spoke of nobility and determination. He held a folder. All those present stood up, including the leaders of the generation, led by the Chafetz Chayim zt"l, HaGaon Rav Chayim Ozer zt"l, the Gerer Rebbe zt"l, the Tchortkover Rebbe zt"l and dozens more. The young *gaon* made his way to the dais and received permission to speak. At that historic assembly he announced the announcement that would echo the world over."

In the name of our readers, we thank Rav Herman and wish him much health.

Those interested in sharing an interesting story or anecdote with an instructive lesson may refer to the Editorial Staff of Meoros HaDaf HaYomi and we shall publish it in this column.
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ברכת התורה, העורך

situations unfit for Torah and prayer. The fourth chapter focuses on the obligation of the *shemoneh 'esreh* prayer. The fifth chapter continues to deal with prayer, mainly with different halachos pertinent thereto and the halachos of the *shliach tzibur*. The sixth chapter, *Keitzad Mevarechin*, marks the transition from the *berachos* on mitzvos and prayer to eating, and elaborates the halachos of *birkhos hanehenin*, which continue to the seventh chapter, which deals mainly with *birkas hamazon* and *zimun*. The eighth chapter details the differences of opinion between Beis Shamai and Beis Hilel concerning meals, before eating and afterwards, *kiddush* and *havdalah*. The ninth and last chapter is *Haroeh*, which concerns *berachos* of thanksgiving, *berachos* on thunder and lightning and the like. *Haroeh* doesn't only end tractate *Berachos* but the entire Seder Zera'im as well as we don't have a Babylonian Talmud on the other tractates of Seder Zera'im. This phenomenon is repeated with tractate *Nidah*, the last tractate in the Babylonian Talmud and the only one of Seder *Teharos* that was included in the Babylonian Talmud.

דף בלא מאימתי קורין את שמע

"From when do we say the *shema*' in the evening?" Rabbi opens our mishnah with this question. We ask further: From when may one pray *ma'ariv*? Is there a link between these two questions and how did the author of *Terumas HaDeshen* react to the custom of ancient congregations to pray *ma'ariv* while it was still day? This article will address these issues and more.

In short, our mishnah determines that the time for *kerias shema*' starts with the appearance of the stars while concerning the time for *ma'ariv*, which starts at the end of the time for *minchah*, there were different opinions (further on, 26a): according to the Chachamim, it starts at nightfall and according to Rabbi Yehudah, one must pray *minchah* before *plag haminchah*, about an hour and a quarter before sunset (and some say before the appearance of the stars, as will be explained) and from then on one may pray *ma'ariv*. The Gemara discusses this difference of opinions and concludes that, as it was not decided, "he who does like one did it and he who does like the other did it" – i.e., everyone is allowed to behave as he wishes (see *Shulchan 'Aruch*, O.C. 233:1).

All the leaders of the generations since the Gaonic era were occupied with this basic topic and we have tried to summarize somewhat of the main issue.

From when do we pray *ma'ariv* with *kerias shema*' and its *berachos*

***Ma'ariv* starting with the appearance of the stars:** If we would refer this question to the Rishonim living in Spain, we would be answered "starting with the appearance of the stars". Thus testified HaRi Elbartzeloni (*Sefer Ha'itim*, 25), Rabeinu Yonah (*Perek Tefilas HaShachar*), the Rashba (27b and see his statements here, 2a) and others, that in their era people were accustomed to pray *minchah* till the evening, as opposed to Rabbi Yehudah's opinion, and only afterwards, at nightfall, they said the evening *kerias shema*'. This was also the custom in the eastern lands, as it seems from Rav Hai Gaon's statements (*Responsa HaGeonim, Sha'arei Teshuvah*, 75).

However, as we go northward we find utterly different customs, which stemmed from the greater length of the day. To illustrate this, in Eretz Israel the latest sunset is at approximately 7:50 (6:50 winter time), in Rome it is 8:40, in Frankfurt at 9:40, in Antwerp approximately at 10:00 and in Petersburg at 11:30! We should only mention that after sunset one must wait till the appearance of the stars, and the duration between sunset and the appearance of the stars increases according to the later sunset (there is a tradition that Jewish leaders welcomed the Czar's decree forbidding Jews to live in Petersburg because of great halachic questions that the local times arouse).

***Ma'ariv* before the appearance of the stars:** Therefore the *Chachamim* of Provence in southern France – the author of *HaEshkol* (*Responsa*, 182), the author of *HaMaor*, the Raavad (*Temim Dei'im*, 118), the *Hashlamah VehaMichtam* and the Meiri (*Magen Avos, 'inyan 11*) – recount that in their region they were accustomed to pray *ma'ariv* and say *kerias shema*' while the sun was seen close to the horizon. The author of *HaEshkol* mentions that this custom is "in error" but they behaved so for lack of choice as in the north the days become longer in the summer and the appearance of the stars is very late such that the congregation waiting for *ma'ariv* disperses and "each one goes home, gets lazy or forgets to return for the appearance of the stars and saying it will be done away with completely" (*HaMichtam*). In the countries more to the north, such as France and Germany, the

day lasts till very late hours in the summer and everyone, without exception, was accustomed to pray *ma'ariv* before the appearance of the stars, as explained by Rashi (s.v. 'Ad sof) and Tosfos (s.v. *MeEimasai*).

Do the times for *ma'ariv* and *kerias shema'* depend on each other? Two essential differences of opinion arose because of the need to pray *ma'ariv* before the appearance of the stars. The first is a difference of opinions between Rabeinu Tam and other Rishonim. According to Rabeinu Tam, the times for *kerias shema'* and *ma'ariv* depend on each other and as the halachah was ruled that one may behave like Rabbi Yehudah and pray *ma'ariv* starting at *plag haminchah*, the same applies to the mitzvah of *kerias shema'*. Therefore, in his opinion, he who prays *ma'ariv* while it's still daytime, has fulfilled his obligation to pray and observe the mitzvah of the evening *shema'*. As we said, his opinion stands alone and most Rishonim concur with the opinion of his grandfather, Rashi (s.v. 'Ad sof), that the mitzvah of *kerias shema'* can be observed only after the appearance of the stars and therefore he who prays *ma'ariv* before the appearance of the stars must say the *shema'* again after the appearance of the stars (Tosfos cite Ri, who offers a sort of compromise between Rashi and Rabeinu Tam, that one may make the time for the *shema'* somewhat earlier, like the opinion of the Tanaim in our *sugya* on 'amud beis, but not starting from *plag haminchah*).

Ramban's pupils who came to southern France: The Rishonim still didn't agree as to whether he who prays *ma'ariv* while it's till daytime should say the *berachos* of *kerias shema'*, *kerias shema'* and *shemoneh 'esreh* or only *shemoneh 'esreh*. The Meiri recounts that when Ramban's pupils, who came from Spain, came to southern France, they refused to pray the full *ma'ariv* with the congregation and only prayed *shemoneh 'esreh* while they said *kerias shema'* and its *berachos* after the appearance of the stars as according to some Rishonim, one mustn't separate the mitzvah of *kerias shema'* from its *berachos* and therefore one should wait with *birchos kerias shema'* till saying the *shema'* in the evening (1). However, Rashi and other Rishonim disagree and hold that it is proper to adjoin *birchos kerias shema'* to prayer in public and, after the appearance of the stars, say the *shema'* again by itself.

"Most of the people are hungry": Till now we have dealt with the opinions of the Rishonim who prayed *ma'ariv* starting with *plag haminchah* like Rabbi Yehudah, according to whom one may behave. In the past a phenomenon spread for which no halachic source was found: many communities prayed *ma'ariv* with *kerias shema'* even before *plag haminchah*! (2) The author of *Terumas HaDeshen* devotes much discussion to this topic while trying to understand the communities' customs till he finally asserts that no opinion can satisfactorily reconcile this custom and therefore he concludes in a rare way that this custom cannot "be reconciled at all by any reason or Talmudic reasoning but we must say that the custom became adopted because of people's weakness and most of the people are hungry while it's still daylight on the long days. If they would eat before *minchah*, they would keep eating and drinking and would not come at all to the synagogue" (3).

After all, *Shulchan 'Aruch* and the Remo (*Shulchan 'Aruch*, O.C. 235:1) cite as halachah the custom to pray *ma'ariv* after *plag haminchah* but slowly, over the years, *ma'ariv* returned to its proper time according to all opinions, as *Mishnah Berurah* stated (ibid, S.K. 12): "In our era most people are accustomed to say the *shema'* and pray after the appearance of the stars like the halachah" – while he further mentions that there are places where people still behave according to the old custom. Indeed, even today various communities in *chutz laaretz* and in certain places in Eretz Israel are accustomed to pray *ma'ariv* while the sun is still shining (this subject is described at length in *HaZemanim Bahalachah*, I, Ch. 36). We emphasize that the halachah was ruled that one mustn't pray *ma'ariv* before *plag haminchah* and he who does so has not fulfilled his obligation at all (*Mishnah Berurah*, S.K. 14). *Mishnah Berurah* concludes his guidance for the person praying *ma'ariv* before the appearance of the stars with "happy is he who prays *ma'ariv* in its proper time with the congregation" (see *siman* 235:1; S.K. 12 and 14, and see *ibid* in *Be'ur Halachah* in the name of the Vilna Gaon).

The opinion of the Gaon Rabbi Yosef Shalom Elyashiv is "one should perform every tactic not to pray before the time here in Eretz Israel, where the custom of most of the Ashkenazim is to pray in the proper time, and this is because of several obstacles and compromises involved (if not in special circumstances)." In a special pamphlet called "Problems of the Summer Time on Shabbos Evening", the Rabbi of the Gilo neighborhood in Yerushalayim, Rav Shlesinger, surveys the suspicions

Talmudic Terms

דף הלב והתניא

Vehatenan – vеха tenan, vehatanya – vеха tanya

Veteran and new learners frequently encounter the terms *vehatenan*, *vеха tenan*, *vehatanya* and *vеха tanya*, common in the Talmud. When the question derives from a mishnah, they ask *vehatenan* and when it arises from a *beraisa*, they ask *vehatanya*. The common assumption is that these terms are comprised of two words and sometimes *vеха tenan* became *vehatenan* and *vеха tanya* became *vehatanya*. However, the author of *Shitah Mekubetzes* states (Beitzah 25a) that when the Gemara says *vеха tenan* or *vеха tanya* in two words, it means to bring proof from the mishnah or *beraisa* and when it wants to ask a question from them, it says in one word *vehatenan* or *vehatanya*. *Shitah Mekubetzes* concludes that if the learner finds in certain places in the *Shas* that the terms are the opposite, he should know that this is an error! (see *Sedei Chemed*, *Kelalim*, *ma'areches vav*, *kelal alef*, *Halichos 'Olam*, *sha'ar beis*, Ch. 1, se'if 4). (From *Kelalim Uveurim Bileshonos HaShas*, about to be published by HaGaon Rav Elyahu Paksher of Yerushalayim).

פנינים

דף בלא מאימתי

Kerias Shema': The First Mitzvah in the Mishnah

Many wanted to explain why Rebbi chose to open the Oral Torah especially with the mitzvah of *kerias shema'*. HaGaon Rabbi Naftali Tzvi Yehudah Berlin zt"l explains (*Meromei Sadeh*, 2a) that Rabbi Yehudah HaNasi, author of the Mishnah, observed in his work the mitzvah of teaching Torah, learnt from the verse "...and you shall teach them to your sons and you shall speak in them when you sit in your home and when you go on the way and when you go to sleep and when you rise" (Devarim 6:7; Kidushin 30a; Yoma 19b) as he taught the Torah to future generations. As soon as he started to write the Mishnah, he mentioned the second mitzvah learnt from this verse, the mitzvah of *kerias shema'*, detailed at length in the first two chapters of Berachos. On the other hand, the author of *Chidushei HaRim* zt"l explained simply: The mitzvah of *kerias shema'* is the first mitzvah incumbent on a boy when he becomes an adult on the evening of his bar-mitzvah. It is therefore clear why Rebbi opened tractate Berachos with this mitzvah. (Apropos, see *Ma'yanah shel Torah* in the name of HaGaon Rabbi Menachem Zemba zt"l, who asked concerning Tosfos' statement that one may say *kerias shema'* before the appearance of the stars but, after all, is the first mishnah not the halachah? He replied that a bar-mitzvah boy becomes obligated with *kerias shema'* only with the appearance of the stars and our mishnah is halachically valid as he must know when he is obligated with this mitzvah).

דף בלא מאימתי

A Hint for Rabbi Yehudah HaNasi's Name

"From when do we say the *shema'* in the evening?" Rabbi Yehudah HaNasi opened the first mishnah with this question. The Chida writes (*Pesach 'Einayim*) that it would have been enough to say the second half of the word *meEimasai* ("from when") and write *masai* - "when do we say the *shema'*" but Rabbi

Yehudah HaNasi wanted to hint his name by adding the letters *mem*, *alef* and *yud*, the initials of *mishnas ani Yehudah* ("the mishnah of me, Yehudah").

דף בלא משעה שהכנים נכנסים לאכול בתרומתן Our mishnah links the time for the nightly *kerias shema'* with "when the *kohanim* enter to eat their *terumah'*". That is, a *kohen* who immersed in a *mikveh* to become pure is not allowed to eat *terumah* till the sun is no longer seen and from that time one may say the nightly *shema'*. The Sochatchover Rebbe zt"l, author of *Avnei Nezer*, cites a wonderful interpretation in his father's name as to why the mishnah linked the mitzvah of the nightly *shema'* with the halachah of waiting for the sun's disappearance after immersion. He who immerses is not completely pure till the sun disappears because even after the immersion there remains a slight trace of the impurity till night arrives. When night arrives, a new day comes to the world and that trace of impurity disappears. This is also the reason for the evening *shema'*. Though we said it in the morning, since then we deal with mundane matters and remove our attention from it. But during the day its trace remains with us and we don't have to say it again. However, when the night begins, there's a need to say *kerias shema'* again. Apropos, he mentions that Kabbalistic works explain that this is the reason why we don't say the *shema'* during *minchah*.

דף בלא דברי רבי אליעזר.

The First

Rabbi Eliezer is the first Tana mentioned in the Mishnah. *Sha'arei Zohar* (Sukkah 28a) cites Rabbi Shem Kleinberg zt"l that Rabbi Eliezer testified about himself (ibid) that "In my whole life no one preceded me in coming to the *beis midrash*" and therefore he merited that no Tana preceded him in the Mishnah (*Ma'yanah shel Torah*).

דף בלא מעשה שבאו בניו מבית המשתה.

There Will Yet Be Heard

At one of the weddings held in the Amshinov court the Gerer Rebbe zt"l, author of *Lev Simchah*, urged them to arrange the *chupah* early. Rabbi Meirel of Amshinov asked him, "It is recounted in the beginning of tractate Berachos that Rabban Gamliel's sons returned from a wedding close to dawn and thus we have a source to be late with the joy of a wedding." The Gerer Rebbe immediately replied, "His sons returned at dawn. He himself returned earlier."

דף בלא, רש"י ד"ה עד סוף

Did Rashi Have a Complete Copy of the Yerushalmi?

From Rashi's commentary on the Babylonian Talmud it is evident that in his generation the Talmud Yerushalmi was uncommon and one couldn't get a complete copy thereof. At the beginning of tractate Berachos (s.v. *Ad sof haashmura harishonah*), Rashi cites things in the name of the Yerushalmi but 32 *dapim* later, he cites things appearing in the Yerushalmi in the name of the Behag. Also in tractate Shabbos (92a, s.v. *Sheken*), Rashi cites an explanation that he found written in the name of Rav Hai Gaon in the name of the Yerushalmi and in Mo'ed Katan (18b, s.v. *Afilu*) he cites a version of the

and obstacles which can arise from the early *minyanim* on Shabbos eve and their number reaches 14!

(1) The Meiri recounts that he himself is accustomed to pray with the public while it's still daylight and at night he repeats *kerias shema'* with its *berachos* and sometimes he sits silently in the synagogue during prayer, listens and answers "amen" and when the time for *kerias shema'* comes, he prays alone.

(2) From later Rishonim we learn that sometimes the time for *ma'ariv* was fixed for the early afternoon! Thus the Maharil recounts that when they observed the fast of Rosh Chodesh Sivan in memory of the decrees (the Crusaders *ym"sh*) of 4856 (*tatnu*), if the fast fell on Friday, they would fast for an hour after noon and then go to the synagogue and pray *minchah*, *kabakas Shabbos* and *ma'ariv* (*Minhagei Maharil*, p. 159). The author of *Terumas HaDeshen* recounts that "in former times in Krimash" they would pray so early such that after the Shabbos meal the Rabbi of the town, "who was among the former great", managed to take a walk along the River Dunai, accompanied by the leaders of the community and they returned home before dark...

Abarbanel, who was surprised to discover that in Italy they prayed *ma'ariv* early, wrote a picturesque description, that they pray when "the sun stands at the height of the sky and say 'who bring evenings and orders the stars...'" (*Nachalas Avos*, 2-13).

(3) This dispute did not subside with the passage of time. About 400 years ago, the author of *Shevus Ya'akov*, the Rabbi of Worms, became angry at the custom of his town that at a certain time (20 Sivan which fell on Friday) they prayed *ma'ariv* while it was still daylight before *plag haminchah* (because they fasted on that day) "and I screamed like a rooster about this but they didn't listen to me and I heard that former rabbis protested but didn't succeed" (Responso, II, 6). On the other hand, the Rabbi of Frankfurt, the author of *Pnei Yehoshua'* (in the last edition) wondered: "What is all this commotion to do away with this holy custom, that it is almost sure that it existed much before our French Rabbis – Rashi, Tosfos and all their companions." After he discusses at length as to how one can observe the mitzvah of prayer, *kerias shema'* and remembering the Exodus while it's still daylight, he concludes that at any rate it is fit for all the Heaven-fearing to observe the mitzvah of *kerias shema'* in its proper time (see *Davar Be'Ito* 5764 in the entry for 1 Sivan, where the matter is discussed at length).

דף בלא מאימתי קורין את שמע בערבין

The time of the appearance of the stars

Tzeis hakochavim - the appearance of the stars - is the time according to which a person's birthdate is determined, when fasts end and when one can observe the mitzvah of the nightly *kerias shema'*. There are countless stars in the sky, some close to us and appearing to us as big and some far from us and seemingly small. Concerning the mitzvah of *kerias shema'*, *Shulchan Aruch* rules (O.C. 235:1): "The time for *kerias shema'* at night is when three small stars can be seen and if it is a cloudy day he should wait until there is no doubt in his heart." In what cases does it suffice with average stars and why, in our era, don't we wait on a cloudy day till "there's no doubt"? This article will discuss these issues and more and we shall address the different opinions concerning *tzeis hakochavim* according to the Geonim, whose opinion about the time of sunset is generally accepted (concerning Rabeinu Tam's opinion, see at length *Meoros HaDaf HaYomi*, Zevachim 56a).

Small, average, scattered and close stars: We have learnt that the appearance of the stars for *kerias shema'* starts when one can discern three small stars though they are not close to each other but scattered over the sky (*Sha'arei Teshuvah*, S.K. 1). On the other hand, on *motzaei Shabbos* three small stars do not suffice but we need that they should also be close to each other. Concerning the end of fasts, it was determined that three average stars suffice (O.C. 562:1) and the same was ruled concerning the birthdate of an infant (Y.D. 262:6) born when Shabbos arrived when there were three average stars in the sky, that the time for his circumcision is on the next Shabbos because after the appearance of three average stars he is considered as born on Shabbos.

The *poskim* explain that from the main point of the halachah, the appearance of the stars concerns three average stars but as we are not expert as to what "average" and "small" stars are, one mustn't say *kerias shema'* till three small stars appear while regarding fasts, they weren't strict so as not to cause much trouble for fasters (the source of this opinion is "Talmidei Rabeinu Yonah" on our *sugya*). Also concerning *motzaei Shabbos*, they were strict as in *kerias shema'*, that one must wait for three small stars and they added a regulation that the stars must be close to each other for an utterly different reason – *tosefes Shabbos* – i.e., as one must add to Shabbos from the weekday time, this addition is observed by waiting for three close stars (see *Dagul Merevavah*).

When do the stars appear? In the past people would wait till the appearance of three stars and we may assume that every day there were feverish discussions as to whether the stars were “average” or “small” and on cloudy days, when stars could not be seen, they had to wait till there was no doubt in their hearts. In our era much research has been undertaken to give us exact information about the time of the appearance of the stars even without looking at the sky and even on cloudy days.

This research is based on a calculation of the sun’s location under the horizon. In other words, as seeing the stars depends on the sky’s darkness and this darkness depends on the sun’s distance from the horizon, the time of the appearance of the stars should be calculated according to the sun’s location. This method of calculation according to degrees was already mentioned by the Yasha”r of Candia in his *Gevuros Hashem* (*Madreigah* 32) and *Oros Chayim* mentions (p. 333) that this is Rabbi Avraham Ibn Ezra’s opinion. The Vilna Gaon zt”l (in his commentary on O.C. 261) and the Gaon Rabbi Shneier Zalman of Liadi zt”l, author of *Tanya* (in *Seder Hachnasas Shabbos* printed in his *sidur* and in the additions at the end of *Shulchan ‘Aruch Harav*, II). The method of calculating the sun’s degrees in relation to the horizon was accomplished by trigonometry, which cannot be explained here (see at length in *Chazon Shamayim*).

The gap between sunset and tzeis hakochavim differs from region to region: Before we continue, we emphasize that he who travels from one country to another should remember well that he mustn’t compare the times of one country with another. In other words, in a certain place the time of the appearance of the stars is about 40 minutes after sunset and in another country the gap might expand to an hour and a half and even more.

There are a few opinions regarding the time of *tzeis hakochavim*. Concerning average stars, some say (*Seder Hachnasas Shabbos*, *ibid*) that in Eretz Israel the time of the appearance of the stars in Nisan and Tishrei is when the sun is located 5.93 degrees under the horizon, about 24 minutes after sunset. Others (*Zemanim Kahalachah*), who made observations, report that the average stars are already seen when the sun is located at five and a fraction degrees under the horizon, about 21 minutes after sunset. HaGaon Rabbi Yechiel Michel Tikotchinski zt”l contends (*Bein HaShemashos*, Ch. 5) that the stars appear when the sun is at 6.5 degrees under the horizon, about 27 minutes after sunset.

It is accepted to determine the appearance of the stars on *motzaei Shabbos* (three small stars close to each other) when the sun is at 8.5 degrees under the horizon and concerning the time for the evening *kerias shema*, which suffices with three small scattered stars, opinions differ. Some say (see Rav Aharon Felman’s article in *Yad Yitzchak*, p. 88) that this time is when the sun is located at about 6.75 degrees and *Responsa Melamed Leho’il* (O.C. 30) cites a few opinions: 6.5 degrees, 7.083 degrees, 7.566 degrees and 7.75 degrees and according to HaGaon Rav Y.M. Tikotchinski (*Bein HaShemashos*, *ibid*), 8 degrees.

Gemara that he heard about while it’s the Yerushalmi’s version (*Imrei Shamai*, I, p. 104).

דף גב וכיון שהגיע חצות לילה בא רוח צפונית וממשתב ב.

How David Knew What Moshe Didn’t Know

Our Gemara says that Moshe didn’t know when midnight arrived but King David knew this by hanging a harp above his bed and at exactly midnight a north wind would blow and play on the strings of his harp. Could not Moshe determine midnight according to the north wind? HaGaon Rabbi Yosef Shalom Elyashiv reconciled this in the following manner. The Gemara says in *Yevamos* 72a that when the Jews were in the desert, they didn’t circumcise themselves because the north wind only blew at midnight, which is a time of good will. Rashi’s commentary indicates that midnight became a time of good will starting with the plague of the firstborn, which occurred at midnight. We should therefore not wonder why Moshe didn’t know when midnight arrived according to the north wind as this was before the plague of the firstborn and the north wind didn’t arrive at exactly midnight.

דף גב אין הקומץ משיביע את הארץ.

What Is This “Handful”?

The famous expression “a handful doesn’t satisfy a lion” stems from our Gemara. Maharitz Chayos cites the following explanation of this statement. In Aramaic a locust is called *kamtza*, as we see from Targum Onkelos, which translates the verse “...and we were like locusts in our eyes” as *vahavina be’einei nafshana kekamtzin*. Though a lion can take a *kometz* - locusts from the air and eat them, he won’t be satisfied. A *kometz* does not satisfy a lion.

דף גב ונמלין בסנהדרין.

Permission from the Great

Baer Heitev writes (110, S.K. 10) in the name of *Ateres Zekeinim*: “People are accustomed to receive permission and a blessing from the great when they go away and this is supported by Chazal’s saying: ‘...and they consult with the Sanhedrin’; Rashi comments: ‘They got permission so that they should pray for them’.”

דף דא למד לשונך לומר איני יודע

Kereisha De’Ami Nadiv

In reply to a halachic query, the author of *Beer ‘Eisek* sent his correspondent the following statement: *Kereisha de’ami nadiv veseifa deachen yesh*. The sentence seems undecipherable but the author of *Chavos Yair* (219) solves the riddle: the expression “I didn’t know” appears in a few places in the Tanach, among them in the verse (*Shir HaShirim* 6:12) “I didn’t know my soul; you put me as chariots of my generous people (*‘ami nadiv*) and in the verse (*Bereishis* 28:16) “Indeed (*achen*), Hashem is in this place and I didn’t know.” The author of *Beer ‘Eisek* had these verses in mind: *Kereisha de’ami nadiv* – “My answer is like the beginning of ‘my generous people’ and like the end of the verse ‘Indeed’.” In other words, “I didn’t know” is stated at the beginning of the verse “my generous people” and at the end of the verse “Indeed”. This is my reply: “I don’t know”.

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