

SIMAN 58: THE LAWS OF READING THE SHEMA AND ITS BLESSINGS

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58:1. (1) The time for reciting the Shema in the morning starts when one is able to see and recognize a friend (2) with whom one is slightly familiar at a distance of four cubits [approximately 7 feet], and extends (3) up to the end of (4) three [seasonal] hours (5) which is one quarter of the day; and the ideal way of performing the Mitzvah is to read it [the Shema] like the Vossikin [Meaning students; and Rashi explains it to mean persons who are humble and have a love of the Mitzvos] (6) who aim to read it a little before (7) sunrise, so as to complete reading the Shema and its Blessings at sunrise, and then to follow it with the Amidah immediately at sunrise (*). And one who can do this properly receives a (8) very great reward. [Rema: Sunrise is calculated as being (9) one hour before the whole of the sun rises over the earth [i.e. above the horizon] (Maimoni chapter 1).]

[(*) The blessing that follows the morning Shema is called "Go'al Yisroel [redeemer of Israel]". The Amidah must follow immediately after this, so as to recall G-d as Redeemer immediately before prayer. The Vossikin mentioned in our Siman aim to reach "Go'al Yisroel" (and thus the Amidah) at the moment of sunrise. There are many Shuls (especially in Israel) who have what is called a "Neitz Minyan" which is a Minyan who start praying 20 to 30 minutes before "Neitz Hachamoh" (sunrise) so as to reach the Amidah at sunrise. --SP]

MB 1: *The time for reciting the Shema - And one also should not say the Blessings of the recitation of the Shema before this time.*

MB 2: *with whom one is slightly familiar - Like a guest who visits only occasionally, for if one is very familiar with him then one could recognize him at a distance, and if he is not familiar with him at all then one would not recognize him even right up close. This time for reading the Shema was fixed even though a small minority of men get up from their beds at daybreak ["Omud Hashochar" which is earlier than the time being discussed] and that is enough to be considered "UveKumechah" [the time "when you get up"] according to the Torah - and therefore one who reads the Shema then will have postfacto fulfilled the Mitzvah, as will be seen in paragraph 4 of this Siman. Nevertheless, since the majority of men do not get up until one can recognize one's friend, and further, since they [the Rabbis] fixed the paragraph of Tzitzis as part of K'rias Shema, and in [that paragraph] it says "Ure'isem Oso" ["and you shall look at it" - namely the blue thread of the fringes], therefore the Rabbis fixed the time from when*

one can recognize the difference between blue and white [the two colors of the Tzitzis] which is the same time that one can recognize a friend at a distance of four Amos.

MB 3: *up to the end of - And ideally [Lechat'chilah] it is forbidden to delay up to this time (Shenos Eliyahu in the name of the Jerusalem Talmud).*

MB 4: *three hours - For the royalty gets up then [so late in the day], and therefore that time is still considered as "UveKumechah". We count these three hours from daybreak [as opposed to sunrise] - so wrote the Magen Avrohom; and the opinion of the G'ra [the Vilna Gaon] is [that they are counted] from sunrise. (**) And as far as the ideal is concerned, there is no practical difference [between the two opinions] because even without taking account of there being a latest time, it is still forbidden to delay as was mentioned in MB3 above.*

[(**) One will often find in Jewish diaries or posted up in Shuls the latest times for K'rias Shema (and also for the saying of the Amidah) with two times given, one according to the opinion of the Magen Avrohom and one according to the opinion of the G'ra --SP]

MB 5: *which is one quarter of the day - And there is no difference between summertime when the day is long and wintertime when the day is short; we divide the day into twelve hours and the first quarter is always the set time for K'rias Shema. Therefore, one should be careful in the winter to hurry to read the Shema, since the day is short and thus a quarter thereof is short (Taz); but in fact during the summer time one should be even more careful [to read the Shema early] since it is the way of people to get up at the same time as they do in winter, but because the longer the day the earlier the time for K'rias Shema, the time may already have passed. (***) One must finish it all within its correct time.*

[(***) I will give an example of how this works. If at the equinox daybreak is at 6.00 a.m. and nightfall is at 6.00 p.m., then if one divides the day by 12, each seasonal hour is 60 minutes long. Thus, 3 seasonal hours into the day takes us to 9.00 a.m.. If in summer, daybreak is at 4.00 a.m. and nightfall is at 10.00 p.m., then each seasonal hour will be 90 minutes (18 regular hours divided by 12) and 3 seasonal hours into the day will be 8.30 a.m. (4.00 a.m. plus 4 1/2 hours), 30 minutes earlier. --SP]

And those who delay K'rias Shema for the sake of Tzitzis or Tefillin [i.e. until either of these become available] are making a mistake; one should read K'rias Shema with its Blessings [see above] at the correct time without Tzitzis or Tefillin, and when these become available to him he should put them on and recite K'rias Shema or some other portion [of Torah] or one of the Psalms while wearing them. And even if he is in doubt as to whether the time for K'rias Shema will pass, in this case also he should not wait for a Tallis or Tefillin as neither [K'rias Shema and Tallis or Tefillin] is dependant on the other. But without this [doubt, i.e. he is certain he will be able to read K'rias Shema in time] he should wait, as whenever one reads K'rias Shema without Tefillin it is as if he has given false testimony about himself [by mentioning the Mitzvah of Tefillin in the Shema without having Tefillin on].

And there are some men who delay the time for K'rias Shema in order to say the Amidah with the congregation, but this is not according to the law. In all cases one should be careful to read the Shema at its correct time before the Amidah and to intend to fulfill by this [the Mitzvah of K'rias Shema] as was mentioned at the end of Siman 46 in the Mishnah Berurah - see there [where there is a discussion about whether one may have in mind to fulfill the Mitzvah of K'rias Shema by reading the first verse and "Boruch Shem K'vod etc." in the Morning Blessings if one is not wearing Tefillin]. And one should not delay the reading [of the Shema] in Shul on account of those elderly men who come [to Shul] late and then have to read it on their own [and not with the congregation], since by doing this the time for K'rias Shema will pass, and we don't say to a person "Do this sin so that your friend may gain merit". And on Shabbos and Yom Tov it is quite usual to find that the time for K'rias Shema has passed due to many reasons. Therefore, one who is sensible [literally "a wise person with eyes in his head"] should gather together a Minyan to pray [the service up to and including the Amidah] beforehand, or at least to read K'rias Shema in its correct time before praying the Amidah with the congregation, as mentioned at the end of Siman 46 above, and see there in the Bi'ur HaG'ra and in the Bi'ur Halochoh.

MB 6: *who aim - For the principal Mitzvah of saying the Amidah is ideally from sunrise, as it is written (Psalms 72.5) "They that fear Thee with the sun" [literally, from YiRo'ucha Im Hashemesh- so those that fear You come with the sun] as will be explained in Siman 89. And if they started reading the Shema when one could recognize a friend, there would then be a long time between this point [the reading of Shema and the Blessing of Go'Al Yisroel after it] and sunrise and they would have to delay after reading the Shema and wait until sunrise, and in that event they would not be placing redemption next to prayer [see (*) above]. Therefore [to avoid this problem] they aim to read the Shema just before sunrise and finish it at sunrise.*

MB 7: *sunrise - This is the point in time when the sun begins to shine over the mountain peaks.*

MB 8: *very - And he is assured that he will go to the World to Come ["Ben Olom Haboh"] and he will not be harmed for the whole of that day.*

MB 9: *one hour - And some have the reading [of this Rema] as "a tenth of an hour"; and see in the Bi'ur HaG'ra who writes that it should read "one thirtieth of an hour" and see in the Bi'ur Halochoh [for a lengthy discussion on this question].*

58:2. If he has not read the Shema before sunrise then he should read it (10) as soon (11) as possible [after sunrise].

MB 10: *as soon - Because "those who are zealous perform Mitzvos early" ["Zerizin Makdimin LeMitzvos" which we learn from Abraham who "rose early" to obey Hashem's commands --SP]. But this law does*

not require that one pray on one's own or read the Shema without Tefillin in order to do them immediately - and see at the end of Siman 46 in the Mishnah Berurah.

MB 11: *as possible - From here [may be inferred] a clear rebuke to the B'nei Ashkenaz [German Jews?] who greatly delay saying the Shema; and our Rabbis of Blessed memory have said "If the world had not been created save for the purpose of accepting [on oneself] the yoke of the Kingdom of Heaven (*), then that would have been sufficient [reason for Hashem to have created the world]". And see later in Siman 89 in MB22 there that it is good to refrain from drinking tea or coffee in the morning before prayers in a group [because by doing so one might lose sight of the time and miss saying the Shema and the Amidah before 3 hours of the day have elapsed--SP].*

[(*) The reciting of the first verse of the Shema, which proclaims the unity of Hashem, is considered to be a declaration that one accepts upon oneself the yoke of the Kingdom of Heaven- "Kabolas Ol Malchus Shomayim". For this reason, one should say the first verse (and according to some opinions the whole of the first paragraph) with particular intensity and concentration -SP]

58.3. And one who is (12) pressed for time ["Onus"], for instance one who (13) is rising early to go on a journey where there will be bands of wild animals or robbers so that he will not be able to stand up [in whatever mode of transport he is using] nor be able to concentrate on even the first paragraph [of the Shema], even up to "Al Levovecha" ["On your heart" in the first paragraph], or the members of the caravan [of the camel variety] are traveling quickly and will not wait for him (14) at all, then [in these cases] he (15) may (16) read it [K'rias Shema] with its Blessings from daybreak, because since day has dawned it is definitely considered as "UveKumechah" ["when you get up"] and it is also considered as (17) "Yotzer Or" ["Who creates light" - the first words of the first Blessing before the Shema. Therefore one is not saying this Blessing in vain -SP]. But if he is not in a place of bands of wild animals or robbers, and/or the members of the caravan are not in such a hurry, then even if he starts out on his journey after daybreak [so that presumably he would have sufficient time at home to say Shema --SP], he may not read it until its correct time has arrived.

MB 12: *pressed for time - And the same law applies where there a burial of a deceased person or a B'ris Milah [circumcision] that morning, or it is Hoshanoh Raboh (*) where we add many prayers for mercy and therefore one needs to start the day early, that he may read the Shema from daybreak.*

[(*) Hoshanoh Raboh is the seventh and last day of Sukkos. It completes the period which started with Rosh Hashonoh and is considered the final chance, as it were, to ask Hashem for atonement for one's sins. Thus, one gets up especially early to pray, and the special "Hoshana [Save, please...]" prayers said on Sukkos are greatly extended (and some have the custom to stay up all night and learn, as on Shavuot, and there can be found in some Seforim a "Tikun" for the night of Hoshanoh Raboh).--SP]

MB 13: gets up early - Explanation - He does not have time to wait until the time that he may see [a friend at four Amos and recognize him], for instance he needs to go out on a journey. The same law applies to other cases of this nature where he has no time, as is brought in the Tur.

MB 14: at all - If they see him reading the Shema in the middle of the journey; and this is talking about a case where the traveling time with the caravan, or in all cases like this, extends beyond the end of the time for reading the Shema.

MB 15: may - And he should pray the Amidah at home after reading the Shema and saying its Blessings.

MB 16: read it - And he should put on Tefillin, but should not make the blessings on them before the time arrives that one can see a friend at a distance of four Amos and recognize him, as explained above in Siman 30.

MB 17: Yotzer Or - And the Magen Avrohom and the P'ri Megadim decided that one should not say "Yotzer Or" until one can distinguish between blue and white, which is the time that one can recognize a friend at four Amos as we mentioned above. In the Bi'ur HaG'ra, he also sides with the Magen Avrohom. But leaving these considerations aside [i.e. of when one may say "Yotzer Or"], one should in the first instance wait [until the correct time], if one is able to do so, because of the Mitzvah of Tefillin, as explained above [i.e. it is preferable to wait, if possible, so that one can put on Tefillin with their appropriate blessings and say K'rias Shema with the Tefillin on. -SP]

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Siman 58. The Laws of Kriat Shema and Its Blessings

58:4. If one read the Shema after (18) dawn appeared, even though nothing was forcing him to do so, although this is not what one should do (19) he has nonetheless fulfilled the commandment. [Rama: and if one read it without the blessings, he should read it again with its blessings at the proper time - see siman 60 (Beit Yoseph Siman 46)].

MB 18: dawn - there are those who say that [the halachic] dawn is a little before there is light in the east and there are those who say that dawn is [exactly] when there is light in the east and see in the Biur Halacha [where he brings that the Magen Avraham, Pri Megadim, and Pri Chadash hold by the first opinions whereas the Eliyahu Raba, the Gr"a, and the Mateh Yehuda hold by the second opinion. He also brings proof for the second opinion from the Rashba. It seems that the Biur Halacha sides with the second opinion.] This time [dawn] is [in any case] earlier than when one can see his friend mentioned in Seif 1.

MB 19: he has fulfilled - because there are some people who get up at that time, and it is considered

within the time frame of "and when you get up" and for after the fact it is O.K., since this is sufficient by Torah standards. This is acceptable only if it happens occasionally, meaning about once a month but if one does it often, the scholars say that even after the fact he has not fulfilled the commandment, and he must read it again at its proper time. However if one is forced to do it, then even on a regular basis he is fulfilling the commandment, because what else can he do?

58:5. If for a good reason one did not read the evening Shema by dawn, since (20) the sun has not yet risen one can read the Shema and fulfill the evening Shema. And if he is in a rush because he is going to a place of wild animals and/or robbers, (21) he should still not read Shema (22) a second time in order to read the day's Shema, because since he declared it to be night [by reading the evening Shema] he cannot go back (23) and make it day.

MB 20: the sun - And some people are sleeping at that time, therefore at a pressing time it is considered in the time frame of "and when you lie down" but normally, even after the fact, this is not sufficient to fulfill the commandment.

MB 21: he should not read - there are those who disagree, and see the Eliya Raba and the Gr"a.

MB 22: a second time - even after the time where he can recognize his friend at a distance of 4 amot [until sunrise].

MB 23: and make it day - rather he should wait, perhaps he will be able to say it at the proper time.

48:6. Even though the time for the Shema is until the end of the third hour, if the third hour has passed and he did not (24) read it, he may read it with its blessings during (25) the fourth hour (which is a third of the day) although he does not have the reward of reading it on time. And if (26) the fourth hour passed and he still did not read it, (27) he can read it all day long without its blessings.

MB 24: read it - even if he missed the time with no reason at all. It is clear that "he did not read it" is imprecise: even if he read it, but without its blessings, he can read it again with its blessings during the fourth hour. That wording was only used to make a stronger point: that even though he didn't read it at all, he can still read it during the fourth hour. So the Beit Yoseph said explicitly: that even if one already read the Shema without the blessings one can say it again with the blessings during the fourth hour at the end of Siman 46, see there. And in the answers of Mishkanot Ya'akov he doubts this in a case where he already read it all.

MB 25: the fourth hour - because the blessings are not part of the reading of the Shema, because even though they were put before the Shema, they are not a blessing upon it - since one does not say "who

has made us holy with His commandments, and commanded us to read Shema", but rather they are like a prayer, and therefore their rule is like the morning prayer which can be said until a third of the day.

MB 26: *the fourth hour passed - even for a good reason, he still lost the blessings, and if one does make the blessings it is considered a blessing in vain, and see the Biur Halacha [where he writes that the Rambam says that one can say the blessings all the day. However most of the latter poskim go according to the Rosh, the Tur and the Shulchan Aruch. However the Biur Halacha comes to the conclusion that if one did not say the blessings because some accident prevented him from doing so, then he can say them until midday. (Note that saying the blessings until midday seems to be the common practice, despite the ruling of the Mishna Brura above. Consult your LOR.)]*

MB 27: *he can read - see the Levush who wrote that "he can read" means that it is proper to reads it, so as to accept the yoke of heaven. Nonetheless there is no requirement, since he is not fulfilling the commandment of reading the Shema as is agreed by most of the latter poskim, who say that the Torah commandment does not extend beyond the third hour. But one should realize that the parsha of tzitzit and other verses mentioning the Exodus from Egypt must be said at any point in the day, the Torah gives no time for fulfilling the commandment to mention the Exodus, as was written by the Sha'agat Aryeh, Siman 10, that until evening is the time for mentioning the exodus from Egypt, see there.*

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Siman 58 . Laws of Recitation of the Shema

58.7: If one did not recite Sh'ma during the daytime, some say that (28) he can make up for it in the evening, and similarly if he did not recite Sh'ma in the evening, he can make up for it during the day,(29) and some disagree. [When the Shulhan Aruch writes that "some say X and some say Y", he intends to rule according to the second opinion.]

MB 28: *He can make up for it - The meaning is not that he will fulfill his obligation for recital of Sh'ma, inasmuch as its specified time has already passed, and he is only considered like one who is reading the Torah. Rather he means that a priori he has an obligation to make up for it, like prayer. Therefore, the person must first perform his obligation for the current time period [which means saying the evening Sh'ma] and immediately after the evening prayer, he should recite the sh'ma again for the time which he omitted, if he omitted it unintentionally, as is explained in Siman 108. MB 29: The Gr"a and the Birkei Yosef ruled like this opinion.*