

RECITING SHEMA AND SHEMONEH ESREI: PROPER TIMES

by Rabbi Doniel Neustadt

Many commentators wonder why Yaakov was reciting Shema while Yosef was not. If it was time for Shema to be recited, why, then, did Yosef not recite Shema as well? Rav Yosef Dov Soloveitchik of Yerushalayim[1] suggested the following answer: Yaakov met Yosef just before sunrise. L'chatchilah, one should recite Shema at that time, as Yaakov did. B'diavad, however, one may recite Shema for the first three hours of the day. Since Yosef was engaged in the mitzvah of honoring his father at the time, he reasoned that he could recite Shema a bit later. Yaakov, who had no reason to delay the l'chatchilah time of Shema, recited Shema at the preferred time. Let us elaborate:

Correct Times for Reciting Shema

In order of halachic preference, there are several time slots in which Shema may be recited:

1. Several minutes before sunrise. This is known as vasikin and it is the preferred time to recite Shema and its blessing[2] according to the majority of the poskim.

2. From thirty-five minutes before sunrise (misheyakir[3]) until sunrise. This time slot is l'chatchilah according to most of the poskim.[4]

3. From after sunrise until a quarter of the day has passed. This is the time slot in which most people recite Shema even l'chatchilah[5], even though Mishnah Berurah and other poskim are critical of those who delay until after sunrise in performing this important mitzvah[6].

4. From sixty minutes before sunrise until thirty-five minutes before sunrise. This is the time of misheyakir according to a minority view of the poskim, and may be relied upon even l'chatchilah in case of need[7].

5. From seventy-two minutes before sunrise (alos ha-shachar[8]) until sixty minutes before sunrise. Neither Kerias Shema nor its blessings may be recited at this time. If, however, one mistakenly did recite Shema or its blessings during this time, he need not repeat them later on[9]. Under extenuating circumstances, e.g., one would be unable to recite Shema later due to work, travel or medical reasons, it is permitted to recite Shema at this time[10]. The blessing of Yotzer ohr, however, is omitted[11], and should be said later on by itself.

6. After a quarter of the day passed. One can no longer fulfill his Shema obligation. How to calculate a quarter of the day is a subject of great dispute: Magen Avraham rules that the day begins at alos ha-shachar and ends at tzeis ha-cohavim, while the Gaon of Vilna maintains that the day begins at

sunrise and ends at sunset[12]. While the prevalent custom follows the second view[13], there are many individuals who are particular to recite Shema in accordance with the first opinion[14].

Although one cannot fulfill the mitzvah of Kerias Shema after a quarter of the day has elapsed, one should still say Shema at the time he says birchos Kerias Shema and Shemoneh Esrei[15]. Birchos Kerias Shema may be recited for the first third of the day. In case of an emergency, Birchos Kerias Shema may be recited until chatzos[16].

Correct Times for Reciting Shacharis Shemoneh Esrei

In order of halachic preference, there are several time slots in which Shemoneh Esrei may be recited:

1. Exactly at sunrise. This is the known as vasikin and it is the preferred time for reciting Shemoneh Esrei.

2. After sunrise until a third of the day has passed. This is the time slot in which most people recite Shemoneh Esrei l'chatchilah.

3. From seventy-two minutes before sunrise until sunrise. When necessary, e.g., before embarking on a trip or going to work or school, one may daven at this time l'chatchilah[17]. Otherwise, one is not allowed to daven at this time[18]. A retired person who was formerly permitted to daven before sunrise due to his work schedule should now daven after sunrise only. B'diavad, if one davened before sunrise, he has fulfilled his obligation and does not need to repeat Shacharis[19].

4. After a third of the day has passed until chatzos. L'chatchilah, one must daven before this time, as this time is considered after zeman tefillah. But if one failed to daven earlier for any reason, he must still daven during this time period, although his davening is not considered as if he davened "on time[20]."

5. After chatzos. It is no longer permitted to daven Shacharis at this time[21]. If his failure to daven Shacharis earlier was due to circumstances beyond his control or because he forgot, a tashlumin (makeup tefillah) may be said during Minchah. If he failed to daven Shacharis because of negligence, however, tashlumin may not be davened[22].

Question: As stated earlier, one should not daven before sunrise l'chatchilah. What should one do if an early minyan needs him to join in order to have the minimum number of men required for a minyan?

Discussion: Contemporary poskim debate this issue. Some[23] rule that he may join to form a minyan but he may not daven with them. Since a minyan requires a minimum of six men who are davening (in addition to at least another four who must be present but are not required to daven together with them), if there are only five people davening besides him, he should not be the sixth one, even though that will in effect preclude the formation of a minyan. If, however, there are nine other people

davening besides him, he may join them—in order to complete the minyan with his presence—but he may not daven along with them.

Other poskim hold that if his refusal to join will preclude the formation of a minyan, he should daven with them so that they, too, will daven with a minyan. But this may not be relied upon on a regular basis[24].

Question: What should one do if the only minyan in town recites Shemoneh Esrei after misheyakir but before sunrise—is it better to daven without a minyan after sunrise or to daven at an improper time but with a minyan?

Discussion: If the choice is to daven without a minyan but exactly at sunrise, thus gaining the advantage of vasikin, then one should do so. If he cannot do so, some poskim rule that he should daven with the existing minyan[25], while other poskim maintain that he should wait for the proper time and daven without a minyan[26].

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1. Quoted in Rinas Yitzchak al ha-Torah, pg. 230.
 2. Mishnah Berurah 58:6.
 3. Igros Moshe, O.C. 4:6. Rav Y. Kamenetsky calculated the correct time as 36 minutes before sunrise (Emes l'Yaakov, O.C. 58:1). There are other opinions as well; see Halichos Yisrael 1:8.
 4. O.C. 58:1. A minority view in the Rishonim holds that Shema may not be recited before sunrise, but this is not practical halachah.
 5. Based on Shulchan Aruch 58:1 who does not mention that l'chatchilah one should recite Shema before sunrise. See Shulchan Aruch ha-Rav 58:4 and Kaf ha-Chayim 58:8 who quote two views on this issue and tend to be lenient. Note also that neither Chayei Adam 21:3 nor Kitzur Shulchan Aruch 17:1 require that l'chatchilah one recite Shema before sunrise.
 6. This is the view of Rif, Rambam and Gra, quoted without dissent by Mishnah Berurah 58:3-4, and it is the ruling of the Aruch ha-Shulchan 58:6 and Rav Y.S. Elyashiv (oral ruling quoted in Avnei Yashfei, Tefillah, pg. 103). According to these poskim, one should recite Shema before sunrise even if he is not wearing tefillin and even if he is unable to recite birchos Kerias Shema at that time.
 7. See Kaf ha-Chayim 18:18, Rav Y.M. Tikutinsky in Sefer Eretz Yisrael, pg. 18 and Rav Y. E. Henkin in Eidus l'Yisrael, pg. 115.
 8. Beiur Halachah 89:1, s.v. v'im, quoting the Rambam. But others opinions maintain that alos could be 90, 96 or even 120 minutes before sunrise. When no other possibility exists, some poskim permit reciting Kerias Shema and its blessings as much as 90 minutes before sunrise; see Igros Moshe, O.C. 4:6.

9. O.C. 58:4, provided that this "mistake" takes place infrequently (more than once a month is considered too frequent); Mishnah Berurah 58:19.
10. O.C. 58:3 and Mishnah Berurah 12, 16 and 19.
11. Mishnah Berurah 58:17 and Beior Halachah, s.v. belo. See Emes l'Yaakov, O.C. 58:3.
12. Both views are quoted in Mishnah Berurah 58:4 without a decision. See also Beior Halachah 46:9, s.v. v'yotzei.
13. Aruch ha-Shulchan 58:14; Chazon Ish, O.C. 13:3; Igros Moshe, O.C. 1:24; Y.D. 3:129-3; Minchas Yitzchak 3:71; Yalkut Yosef, pg. 100.
14. See Teshuvos v'Hanhagos 1:56 quoting Rav A. Kotler and Orchos Rabbeinu 1:53 quoting Rav Y.Y. Kanievsky. Many shuls in Eretz Yisrael conduct themselves in accordance with the first view.
15. O.C. 60:2. See Mishnah Berurah 4 and Aruch ha-Shulchan 2.
16. O.C. 58:6 and Beior Halachah, s.v. kora'ah.
17. O.C. 89:8; Igros Moshe, O.C. 4:6. Tallis and tefillin, however, may not be put on until at least sixty minutes before sunrise.
18. This is the consensus of most poskim. A minority view rules that it is permitted l'chatchilah to daven after the time of misheyakir (Peri Chadash). Beior Halachah 89:1, s.v. yatza, rules that although it is preferable not to do so, (possibly) we should not object to those who are lenient.
19. Mishnah Berurah 89:4.
20. O.C. 89:1. See Mishnah Berurah 6 who recommends davening a tefillas nedavah if his failure to daven until this time was on purpose.
21. Rama, 89:1.
22. See O.C. 108 for details.
23. Rav Y.S. Elyashiv (quoted in Tefillah K'hilchasah, pg. 78 and in Avnei Yashfei, Tefillah, pg. 169).
24. Rav S.Z. Auerbach (Halichos Shelomo 1:5-13).
25. Peri Yitzchak 1:2; Yaskil Avdi 5:10; Minchas Yitzchak 9:10. Chazon Ish is reported (Ishei Yisrael 13, note 21) as ruling like this view.
26. Responsa Sh'eilos Shemuel, O.C. 12; Igros Moshe, O.C. 4:6; Rav Y.S. Elyashiv (oral ruling quoted in Avnei Yashfei, Tefillah, pg. 167); Rav O. Yosef (Yalkut Yosef, pg. 137-139).

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