

# Overview

# Halacha Highlight

## Siman 58 Seif 2:

If one did not read *shema* before *hanetz hachama* he should read it as early as possible.

- ❖ One does not have to forgo *davening* with a *minyan* or *daven* without *tefillin* in order to say *shema* as early as possible. (M.B. 10)
- ❖ In Mishnah Berurah 89:22 he mentions that one should not drink coffee or tea with a group of friends before *davening*. (M.B. 11)

## Siman 58 Seif 3:

Someone who faced circumstances beyond his control, e.g. he rose early to travel in a place of wild animals and armed thieves so that he will not be able to stop and concentrate for the first paragraph or even through the words ע"ל לבעך or if the caravan will travel quickly and will not wait for him, he may read *krias shema* with the *berachos* from *amud hashachar* because once *amud hashachar* has arrived it is considered ובקומך and it also a time to read ע"ר. If, however, one is not travelling in a place of wild animals or armed thieves and the caravan will not travel so quickly one should not read *krias shema* even if he begins travelling after *amud hashachar*.

- ❖ When there are other compelling reasons one may read *shema* after *amud hashachar*. (M.B. 12)
- ❖ He may also say *shemoneh esrei* in his house after reading *krias shema* and its *berachos*. (M.B. 15)
- ❖ He should put on *tefillin* as well but should not recite the *beracha* before the time that one could recognize an acquaintance at a distance of four *amos*. (M.B. 16)
- ❖ Magen Avrohom and Pri Megadim maintain that one should not read *shema* so early that one could not differentiate between blue and white threads. (M.B. 17)

## Siman 58 Seif 4:

If one read *krias shema* after *amud hashachar* when he was not an אונס he has *b'dieved* fulfilled his obligation. If he read *krias shema* without the *berachos* at that time he should read it again during the correct time with its *berachos*.

- ❖ According to some *amud hashachar* is slightly before the eastern sky becomes illuminated but according to others it is when the eastern sky is illuminated. (M.B. 18)
- ❖ This leniency may be used only occasionally, meaning once a month but if a person becomes accustomed to this he does not fulfill his obligation even *b'dieved* and must reread *shema*. If a person is pressed for time he may read *shema* early even on a regular basis. (M.B. 19)

# Stories to Share

## The Sleeping Bochur

ש"ע ס' נ"ח, ב': "יש לו להקדים לקורותה במהרה כל מה שיוכל..."

A certain father made a wedding which lasted a large part of the night. Although he had to force himself to do so, the father managed to attend his usual early *minyan*. After he returned home he saw that his son was fast asleep. The father had to go to work and could not stay until right before the time to say *shema*. He knew that for all of his son's good intentions, an alarm would be futile—he was too deeply asleep. Yet every time he tried to wake him with every method that

## Davening and reading *shema* early

Shulchan Aruch Siman 58 Seif 4

ככל לקורותה עם ברוחותיה משעה עמוד השחר

## One may read *shema* with its *berachos* after *amud hashachar*

Earlier Shulchan Aruch (ס"ע א') wrote that the earliest time to read *shema* is from the time that one could recognize an acquaintance at a distance of four *amos*. In Shulchan Aruch teaches that if someone is in a circumstance in which he will be travelling during the morning and will not be able to stop to read *shema* during the correct time he may read *shema* with its *berachos* after *amud hashachar*. The reason one may be lenient is that after the time of *amud hashachar* it is already considered ובקומך, the time when people arise. Mishnah Berurah (ס"ק ט"ז) adds that when *davening* early one should put on *tefillin* but should not recite the *beracha* until the time that one could recognize an acquaintance at a distance of four *amos*.

Elsewhere Mishnah Berurah writes (ס"ק ט"ז) that if a person finds himself without any alternative other than to *daven* early he may even regularly read *shema* after *amud hashachar*. Sometimes a person is faced with a choice. There may be only one *minyan* available and that *minyan* *davens* early. Is it preferable for one to *daven* early in order to be able to *daven* with a *minyan* or is it preferable to *daven* during the correct time even though he will have to forgo *davening* with a *minyan*? Piskei Teshuvos (ס"י פ"ט אות ה') cites numerous authorities who maintain that it is preferable to *daven* early with a *minyan* than to *daven* during the correct time but without a *minyan*. Rav Shlomo Zalman Auerbach (ס"ז אות י"ד) asserts that even if there is a *minyan* that will *daven* during the correct time but nine people need to *daven* early, one may join them on occasion to help them make their *minyan*. Other authorities maintain (ס"ו) that when given this choice the best course of action is to time one's *davening* so that he begins *shemoneh esrei* at *hanetz hachama*. By doing so he gains the advantage of *davening k'vasikin* which outweighs *davening* with a *tzibbur* before *hanetz hachama*.

came to mind, the boy would ask for the time. After being told the right time, the boy begged to be left to sleep until five minutes before the *zeman*.

The father realized that virtually the only way the son would make the *zeman* would be to lie to him. The moment the son heard it was so late he would spring out of bed and quickly recite *shema*. The father reasoned that it is sometimes permitted to lie for a good reason. And it is better to recite *shema* early anyway, as we find on today's *amud*. The father did so, the son woke up and recited *shema* and then fell back asleep. Later, however, the father's friend wondered if the lie had been permitted.

When this question reached Rav Yosef Shalom Elyashiv, zt"l, he ruled that this was definitely permitted.

קונטרס מצות חינוך ואיסור שקר, ס"ע נ"ו

Later, the friend found a story about lying for a mitzvah in the Sefer Chassidim. 'When a certain wealthy Torah scholar would collect charity for the local poor, he received very little. He himself was quite popular and no one knew his financial status; he decided to tell people that he was collecting for himself. This ruse met with magnificent success, and he was able to spread this largess to the poor who needed it.'