The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, May 13, 2026 ■ י"ח אב, תשפ"ו
סימן פ"ט סעיף א'

Overview

Siman 89 Seif 1:

The time at which the *mitzvah* of *shema* begins is *hanetz hachamah,* as the pasuk states יזרח שמש. If one *davened* from the time of *amud hashachar* and the illumination of the eastern sky he has fulfilled the *mitzvah*. The time continues until the end of the fourth hour which is one-third of the day. If one erred or transgressed and *davened* after the fourth hour until midday he has fulfilled the *mitzvah* of *davening* but did not earn the reward for *davening* in the correct time. After midday it is prohibited to *daven shacharis* and see below the beginning of *siman* 108.

- *Hanetz* is the time when the sun shines on the top of the mountains. (M.B. 1)
- When one is forced to *daven* early he must be mindful that he cannot recite the *beracha* on *tefillin* too early nor should he read *shema* for the *mitzvah* that early. (M.B. 1)
- *Amud hashachar* is when the sky first begins to illuminate. (M.B. 2)
- The entire eastern sky must become illuminated and it is not sufficient for just a small area to become illuminated. (M.B. 3)
- Davening after aumd hashachar fulfills the mitzvah only b'dieved and if one must leave early in the morning one may daven after amud hashachar even l'chatchila. See above siman 58 regarding the fulfillment of the mitzvah of shema and tefillin during this time. (M.B. 4)
- One must finish *shemone esrei* before the end of the fourth hour. (M.B. 5)
- If one intentionally did not *daven* before the end of the fourth hour he still fulfills the *mitzvah* although not in the proper time. (M.B. 6)
- One who did not *daven* in the correct time is obligated to *daven* until midday although he is not rewarded for *davening* in the proper time. It is best to have in mind that the *tefila* is voluntary since there are *Poskim* who maintain that one who intentionally did not *daven* by the fourth hour may not *daven* that *tefila* any more. (M.B. 6)
- There is a disagreement whether one may *daven* during the half hour after *midday* but it seems that the correct opinion is that one should not *daven* during that time. Therefore, one who was an *ones* or *shogeg* should *daven shemone esrei* twice at *mincha*. *B'dieved* if one *davened* during the half hour after *chatzos* he is not required to repeat *shemone esrei* at *mincha*. (M.B. 7)

Halacha Highlight

Davening after the fourth hour of the day

Shulchan Aruch Siman 89 Seif 1

ונמשך זמנה עד סוף ארבע שעות שהוא שלישׁ היום

And the time extends until the end of the fourth hour which is a third of the day

Shulchan Aruch (סע' א') teaches that the ideal time in which one must *daven shacharis* is from *hanetz hachamah* until the end of the fourth hour, which is one third of the day. If one *davens* after that time, although he is rewarded for *davening,* he does not receive the reward for one who *davens* in the appropriate time. Mishnah Berurah (לעיל סי' מ"ו ס"ק ל"ב) considers the necessity to *daven* within this time frame so essential that he writes that one who is concerned that the *tzibbur* will *daven* after the correct time should forgo *tefila b'tzibbur* and *daven* by himself.

Mishnah Berurah (סק"ה) in the name of Magen Avrohom writes that one must complete *shemone esrei* within the first four hours of the day. Teshuvas Rav Pealim (ח"א סי' ה') also seems to accept the stringent view of Magen Avrohom. Aruch HaShulchan (סי' ק"י סע' ה') cites Magen Avrohom's stringent position but then proves from Tosafos (ברכות דף ז') that *halacha* is only concerned that one should begin *shemone esrei* in the proper time and the fact that he continues to *daven* after the correct time is inconsequential. Shearim Mitzuyanim B'Halacha (קו"א לסי' י"ח) proves from a Yerushalmi that what is essential is for one to begin *shemone esrei* in the correct time. Ben Ish Chai (פר' ויקהל) suggests that one should finish at least half of *shemone esrei* in the correct time.

Concerning the *tefila* recited out loud by the *shaliach tzibbur,* Mishnah Berurah (סי' קכ"ד סק"ז) implies that if *shaliach tzibbur* will not finish *chazaras hashatz* within the correct time frame the reward for *davening* within the correct time will be lost. Aruch HaShulchan (שם סע' ו') again disagrees and contends that all that is significant is that the *shaliach tzibbur* should begin within the correct time frame.

Stories to Share

Seeking the Ideal

ש"ע סי' פ"ט, א': "ונמשך זמנה עד סוף ד' שעות שהוא שליש היום

Davening after the zeman tefilah is not ideal at all. Some believe that it is preferable to daven with a minyan even if they daven after zeman tefilah. When someone mentioned this claim to Rav Yosef Shalom Elyashiv, he rejected it out of hand. "According to all authorities, one who has a choice between missing the second zeman tefilah or davening with a minyan should pray alone before the zeman."

קונטרס הלכות תפילה, ס"ח

Although chassidim are sometimes lenient in regard to zeman tefilah, the chassidic sources themselves indicate that many great luminaries were also not pleased with the practice. Rav Yissachar Dov of Belz would say, "Every time I begin davening too late to make the zeman tefilah, I am very ashamed."

ספר שיחות קודש מבעל ויגד יעקב, ע' כ"ו

In a certain shul, people would often daven very late. After much thought, the gabaim decided to take a drastic step: they would lock the aron hakodesh to deter people from coming late.

When a habitual latecomer protested this, all concerned agreed to abide by the decision of Rav Yosef Shalom Elyashiv to settle the matter. He answered, "In a shul or in shteiblach where people daven after zeman tefilah, the gabaim are obligated to lock the aron hakodesh once it gets late. In this manner, people will daven on time."

תל תלפיות, קובץ ס"ג

But Dayan Fisher, zt"l, disagreed. "Why don't I allow the gabaim to lock the aron hakodesh? It is true that davening after zeman tefilah is not ideal. Nevertheless, it is not the worst sin in the world. I have sat for many years on beis din and have heard hair-raising claims and actions, where people stand on their rights without an instant's consideration for their fellow Jews. The rule is that such hardhearted people make the zeman and feel very righteous but lack flexibility when it comes to interactions with their neighbors and friends. Generally, the people who daven late are also not rigid with their neighbors and friends; they work out difficulties among themselves and I rarely see them in beis din…"

מובא בקונטרס אבן ישראל