The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן רל"ה סעיף א'

Overview

Siman 235 Seif 1:

The time to read shema at night is when three small stars appear. On a cloudy day one should wait until one is no longer doubtful whether it is night. If one read shema earlier he should read it again without the berachos. If the tzibbur reads shema while it is yet day one should read shema together with the berachos as well as shemone esrei with them and when the correct time arrives one should read shema again without the berachos. One should not repeat shemone esrei at night even though the tzibbur davened early unless he is accustomed to other acts of piety and asceticism so that it does not appear haughty that he is davening again.

- Night begins when three medium stars appear but since many people are not experts about which are medium stars we are stringent and do not read shema until three small stars appear. (M.B. 1)
- If one knows when shekiah occurred he should wait 72 minutes after that to read shema. (M.B. 4)
- Authorities write that repeating shema is mandatory and not merely a stringency. (M.B. 6)
- Since the berachos are not essentially related to shema, b'dieved if they were read before the time for shema the obligation was fulfilled. (M.B. 7)
- One should have in mind to fulfill his obligation when he reads later at the correct time. (M.B. 9)
- It is sufficient to read only the first two paragraphs since one already fulfilled his obligation to recall the exodus when he read shema the first time. Sha'agas Aryeh writes that one who is G-d fearing will read all three paragraphs. (M.B. 11)
- One should not rely on the reading of shema that will occur before he goes to sleep even if he will read all three paragraphs since intent to fulfill the mitzvah is necessary. In some places they have an ancient custom to wait silently when the tzibbur davens early and only daven shemone esrei with them and then read shema with the berachos after nightfall and are not concerned with juxtaposing redemption and shemone esrei. (M.B. 12)
- Poskim agree that one may not daven earlier than plag and if one did daven before plag he did not fulfill his obligation and must repeat shema, the berachos as well as shemone esrei. (M.B. 14)

Halacha Highlight

When the tzibbur davens before tzeis hakochavim

Shulchan Aruch Siman 235 Seif 1

ואם הצבור מקדימים לקרות קריאת שמע מבעוד יום

And if the tzibbur reads shema while it is yet day

Shulchan Aruch writes that the ideal time for reading shema is after the appearance of three small stars. Although technically the time to read shema is after the appearance of three medium stars which is earlier, since there is a concern that people will not distinguish between large stars and medium stars the halacha is that one must wait until the appearance of three small stars (מ"ב סק"א). If one read shema before this time he should repeat it again after the correct time arrived. In the event that the tzibbur is davening early, one should daven together with them and after nightfall he should repeat shema without the berachos. Mishnah Berurah (ס"ק י"ב) mentions another custom recorded in the writings of the kadmonim. They suggest that a person should only recite shemone esrei with the tzibbur and after dark he will read shema together with the berachos. This approach is not concerned with the fact that one will not be able to start shemone esrei immediately after the beracha of redemption. It is reported that the Chofetz Chaim himself followed this approach when the tzibbur davened ma'ariv early (תולדות חפץ חיים ומובא בפסקי תשובות אות ג' הע' 25).

Both of these approaches highlight the fact that one should not forgo davening with the tzibbur in order to accommodate his regular custom to daven ma'ariv after nightfall. Interestingly, Biur Halacha (ד"ה ואם הצבור) cites Sefer Ma'aseh Rav that writes that it is better for one to daven ma'ariv without a minyan after the correct time than to daven with a tzibbur before the correct time. Poskim write, however, that only those who follow all the customs and rulings of the Vilna Gaon should follow this ruling. The same principle applies to those who regularly follow Rabbeinu Tam's calculation of nightfall but finds himself in a place that davens ma'ariv after nightfall according to the Gaonim. In other words he should daven with the tzibbur and then repeat shema again after nightfall according to Rabbeinu Tam's calculation.