

Weekly Shiur from Maran HaRishon LeTzion HaGaon Rabbi David Yosef shlit"a, Motzaei Shabbat Parashat Lech Lecha 5787, Shiur #373

English

Parashat Vayera

The Times of Keriat Shema and Tefillah

Topics of the Shiur:

Preparing for *Olam HaBa* | How the Hours of the Day Are Counted | Clarifying the View of Maran the *Shulchan Aruch* | Reciting *Keriat Shema* Within Three Hours of *Alot HaShachar* | The End of the Time for *Birchot Keriat Shema* and *Tefillah* | Praying *Shemoneh Esreh* After Four Hours | *Chazarat HaShatz* After the Time of *Tefillah* on Shabbat | There Is No Custom to Pray After the Time of *Tefillah*

Shiur of Maran HaRishon LeTzion shlit"a:
Repent One Day Before Your Death

I have to shorten the shiur today, because I must leave for the funeral of my friend, Rabbi Yehuda Cohen z"l, Director General of the Chief Rabbinate. He held the position for more than two years, and for the last two years, since I took office, we worked together. To our sorrow, he was killed in a terrible accident, and the funeral is taking place this evening. I must say that I worked with him with love, friendship and cooperation. He was a man of great abilities and fear of Heaven, and he tried to do everything in his power so that the Rabbinate would move forward, so that there would be good *kashrut* in Israel, and so that all the systems of the Rabbinate would function properly.

I especially want to mention his great work on the Rabbinate exams. During his tenure he made sure that everything was in order, organized and functioning as it should. Thanks to him—so it seems to me—we reached 13,000 examinees a year, something that has never happened before. The exam system is a large and complex enterprise; he did holy work there, and I hope it will continue to have an influence in the future as well.

It pains us greatly that he left the world this way, in an accident at his home, so suddenly. But there is a message in this for each one of us: no one knows when *HaKadosh Baruch Hu* will decide to take him. David HaMelech asked: "Hashem, let me know my end and what is the measure of my days; let me know how fleeting I am" (*Tehillim* 39:5). He wanted to prepare, and knowing would have helped him, but *HaKadosh Baruch Hu* did not reveal to him when he would die, other than that he would die on Shabbat (*Shabbat* 30a).

We must fulfill the words of *Chazal*: "Repent one day before your death" (*Shabbat* 153a). The Gemara asks: Does a person know when he will die? It answers that indeed every person should think that he might die tomorrow and should do *teshuvah*, so that all his days are spent in *teshuvah*. This is the lesson we must learn: to prepare. This world is like a corridor. It is worthwhile to study the *sefer Mesilat Yesharim*, which presents a plan for a person's life—how one prepares for *Olam HaBa*. May we hear and be informed of good tidings, salvations and consolations, Amen, *ken yehi ratzon*.

Being Careful with the Times

Tonight (in Israel) we are changing the clocks from summer time to winter time, and I want to say a few important halachot concerning the times of *tefillah* and *Keriat Shema*. But first of all, it is very important to pay attention: from now on, the time of *tefillah* and the time of *Keriat Shema* will be a full hour earlier than they have been until today, so one must be careful with the times.

How the Hours of the Day Are Counted

There is an important dispute among the *Rishonim* and *Acharonim* whether the hours of the day are measured from *alot hashachar* (dawn) until *tzet hakochavim*, or from sunrise until *shkiyah*. If one measures from sunrise until *shkiyah*, the time is longer, since *alot hashachar* is an hour and a fifth before sunrise, in *sha'ot zmaniyot* (proportional hours).

For example, tomorrow morning *netz hachamah* (sunrise) will be at a quarter to six. In these days, when the days are short, a proportional hour is about 55 minutes, so *alot hashachar*, which is an hour and a fifth before *netz hachamah*, is about 65 minutes before sunrise.

From here we must also discuss *shkiyah*. If one measures from *alot ha-*

shachar, then for *tzet hakochavim* one cannot adopt the view of the *Geonim*—a quarter of an hour after *shkiyah*—because then we would be reckoning an hour and a fifth before sunrise and only a quarter of an hour after *shkiyah*, and when we divide the hours of the day accordingly, the division will not be symmetrical. We can see this, for example, at *chatzot* (midday), the moment when the sun is exactly in the middle of its path from sunrise to sunset—at the center of the sky. But if we begin counting an hour and a fifth before sunrise, while in the evening we count only a quarter of an hour after *shkiyah*, *chatzot* will not be true *chatzot*. When we fix the halfway point between them, it will fall at least half an hour or more before the sun reaches the middle of the sky. It is therefore very reasonable that if one follows the view of the *Geonim*, the hours of the day are counted from sunrise to *shkiyah*. But if one wants to count from *alot hashachar* to *tzet hakochavim*, one must follow the view of *Rabbenu Tam*, who holds that *tzet hakochavim* is an hour and a fifth after the sun disappears from our sight. This gives 65 minutes before sunrise, which is *alot hashachar*, and 65 minutes after *shkiyah*, which is *tzet hakochavim*. The calculation is very precise, since at the halfway point between them the sun reaches exactly the middle of the sky, and therefore this is more reasonable.

Clarifying the View of Maran the Shulchan Aruch

There is a great question as to the view of Maran the *Shulchan Aruch*, since the *Shulchan Aruch* does not state explicitly whether the hours are measured from *alot hashachar* or from sunrise. The *Minchat Kohen* discusses the view of the *Shulchan Aruch* at length regarding *plag haminchah*, and brings several proofs that according to the *Shulchan Aruch*, *plag haminchah* is an hour and a quarter before *shkiyah*, not before *tzet hakochavim*—and his proofs are strong ones.

At the time, my father, Maran zt"l, ruled in *Yechaveh Daat* (5:22) that one measures from the *tzet hakochavim* of the *Geonim*. However, I had a very long conversation with him about this, about a year or two before his passing, and he agreed with me that it is not so simple to say what the view of the *Shulchan Aruch* is, since the proofs brought by the *Minchat Kohen* are proofs that one could say are unanswerable, and according to them, in the view of the *Shulchan Aruch*, one measures from *shkiyah*. My father went on to tell me that those who are accustomed to pray Arvit from *plag haminchah*, measuring it from *shkiyah*, certainly have what to rely on, since we know that this was the practice in many places in the world, mainly in Sephardic communities, and in Eretz Yisrael too there are places that practiced this way. Therefore, whoever wants to rely on this and pray Arvit an hour and a quarter before sunset, rather than before *tzet hakochavim*, has what to rely on. But the truth is that according to the view of the *Geonim* the difference is very small—a difference of a few minutes—and it is certainly worthwhile to wait until an hour and a quarter before the *tzet hakochavim* of the *Geonim*.

From all of the above it emerges that there is a strong basis to say that according to the *Shulchan Aruch*, in the morning as well the times are measured from sunrise.

The End of the Time for Keriat Shema

Keriat Shema is a positive mitzvah from the Torah. Some say that the time of *Keriat Shema* is only *de'rabbanan*, but *Keriat Shema* itself is, according to all opinions, a positive mitzvah from the Torah. Therefore, regarding the time of *Keriat Shema*, it is very worthwhile to be stringent and recite it within three hours of *alot hashachar*, that is, by the earlier time, which appears in the calendars as "the time of the *Magen Avraham*." They specifically named it after the *Magen Avraham*, even though this is the view of many of the great *Rishonim* and *Acharonim*, because the *Magen Avraham* was the greatest of the *Acharonim*—to the extent that in many places where he disagrees with the *Rama*, our Ashkenazi brothers follow him. The *Magen Avraham* ruled to count from *alot hashachar* (58:1). According to this view, the end of the time for *Keriat Shema* is much earlier, especially in these days, and one should pay close attention to this. On the other hand, whoever wants to count the hours from sunrise has what to rely on.

A Proof from a Responsum of the Rambam

Almost fifty years ago I began writing notes on *Pe'er HaDor*, the responsa of the *Rambam*. In one of his responsa, the *Rambam* deals with the hours of the day and measures them according to the path of the sun, and the implication of his words is that the hours are counted from sunrise. At that time I showed this to my father, Maran zt"l, and he showed me the *sefer Orot Chayim* by Rabbi Chayim Druk zt"l, pointing out that he had already written the proof that I brought from the *Rambam*'s responsa. Afterward I met HaGaon Rabbi Ben Tzion Abba Shaul zt"l and showed him the *Rambam*'s responsum as well, and he too answered me decisively that there is no doubt that the *Rambam*'s responsum—if the *Rambam* indeed wrote it—is proof that he holds that the hours are counted from sunrise. On the other hand, regarding the *Rambam*'s view as he wrote it in his *Mishneh Torah*, there are several opinions among the poskim: some understand his view to be that the count is from *alot hashachar*, and some that it is from sunrise. However, in my opinion the decision can be based on the *Rambam*'s responsum. Similarly, we find in the *Siddur* of *Rabbenu Saadia Gaon*—which was originally written in Arabic and translated into Hebrew, and in which he explains many halachot related to the *tefillot*, the *berachot* and everything connected to them—that the implication there is explicit that the hours are measured from sunrise. In light of this we say that regarding the end of the time for *Keriat Shema*, it is of course preferable to recite it within three hours of *alot hashachar*. This varies from place to place and the times change from day to day, so everyone should check the exact time in a calendar. Those who want to rely on the poskim who hold that one measures from sunrise certainly have what to rely on.

The End of the Time for Birchot Keriat Shema and Tefillah

Regarding the end of the time for *tefillah*, which is four hours from the beginning of the day: since one *tefillah* a day is *de'orayta* while the three *tefillot* are *de'rabbanan*, one can treat this as a Rabbinic law. The same applies to *Birchot Keriat Shema*: the Gemara (*Berachot* 10b) says that one may recite *Birchot Keriat Shema* even after the time of *Keriat Shema* has passed—until four hours—and the overwhelming majority of poskim hold that their time ends after four hours from the beginning of the day. Therefore, on this matter one may rely on the poskim who hold that the hours are measured from sunrise, since the *berachot* are *de'rabbanan*.

Of course, the hours are getting shorter: now a proportional hour is 55 minutes, so four proportional hours are 3 hours and 40 minutes. The days are getting shorter on the one hand, and sunrise is getting later on the other, so it is very worthwhile to follow the calendar. For example, these days, according to the times of sunrise and sunset in Yerushalayim, by 9:30 in the morning four hours (*zman tefillah*) from sunrise have already ended. Of course, no one should even think of reciting *Birchot Keriat Shema* after this time, and one who recites them after the end of the time is in doubt of a *berachah levatalah* (a blessing in vain).

Praying Shemoneh Esreh After the Time of Tefillah

On a weekday, one who did not pray *Shemoneh Esreh* by the end of four hours—which these days is around 9:30—whether inadvertently or because he was prevented, may pray until *chatzot*. But if it was deliberate—for example, he slept, woke up and was too lazy to get up, which is considered deliberate—there is a dispute about this, even regarding the view of the *Shulchan Aruch*, and this is not the place to elaborate. It is a difficult question that needs to be clarified, perhaps on another occasion. However, the *Bet Yosef* (89) implies that even one who missed it deliberately may pray until *chatzot*.

In practice, if he deliberately did not pray until the time of *tefillah* passed, before praying it is worthwhile to make a condition of *nedavah* (a voluntary prayer) and say: "If I am obligated to pray, let this *tefillah* be for my obligation, and if not, let it be a voluntary *tefillah*." However, if he did not pray inadvertently or because he was prevented, he does not need to make a condition of *nedavah*.

Tefillah on Shabbat After the End of the Time of Tefillah

On Shabbat this matter is more complicated, since many *Rishonim* hold that one does not pray a voluntary *tefillah* on Shabbat, and according to their view the condition cannot be made. On the other hand, there is a *safek sefeka* (a double doubt): perhaps one may pray until *chatzot* even if he missed it deliberately, and even if we say that one who missed it deliberately may not, perhaps one may pray a voluntary *tefillah* on Shabbat, since there are *Rishonim* who hold so. There is much more to discuss on this topic.

But certainly the *chazarat hashatz* (the chazzan's repetition) of Shacharit cannot take place after four hours, since the congregation does not pray a voluntary *tefillah*, and this is the view of many *Rishonim*. Therefore, on Shabbat one must be careful to get up on time and to recite *Keriat Shema* in its time. (Next Shabbat the end of the time of *tefillah* will be slightly later, at 9:35 according to the Yerushalayim horizon. In other cities in the country the time varies slightly.)

Clarifying the View of Maran the Chida

I heard that someone said in the name of Maran the *Chida* that the custom spread to pray until *chatzot*. But there is no basis for this; the *Chida* wrote no such thing. Only regarding *Birchot Keriat Shema* after four hours did the *Chida* write, in his responsa *Chayim Sha'al*, extremely harsh words—and I emphasize: "extremely harsh"—against those who delay. However, he concluded that since according to the *Rambam* it is acceptable and one may recite them even after four hours, one should not protest against them, since they have what to rely on. But it certainly did not please him. All the more so, the *Chida* never thought of saying that this is the custom. Can one turn the Jewish people into a nation of transgressors who establish customs that contradict the halachah?! There is no such thing; the *Chida* certainly would never have thought so.

Therefore there is certainly no such custom. If there are places among the Chassidim where they are accustomed to delay the time, they have nothing to rely on, since there is no source for it at all; no posek permits it. If there are Admorim who pray late—I do not know why they do so—certainly no one can learn from them. Learn righteousness and *avodat Hashem* from them, but not things that no posek permits doing. We must keep within the framework of the times of the *tefillot*, especially in these days.

May we hear and be informed of good tidings. I bless all those who learn Torah, and those who listen and give me the merit of hearing the shiur, that they merit to be blessed with all the blessings of the Torah. I also bless all the listeners of Radio "Kol Berama," which spreads Torah at a high level (*berama*)—fortunate are they and fortunate is their portion. They spread Torah at a high level, just as my father, Maran zt"l, aspired and wished. With Hashem's help, may all the listeners and all the partners in these holy words succeed in all the work of their hands, and may we hear and be informed of good tidings, salvations and consolations, Amen, *ken yehi ratzon*.

Shiur from HaGaon HaGadol Rabbi Shlomo Yedidya Zafrani shlit"a, Nasi of the Avrechim Communities "Igud Amalei Torah":

Shavua tov to all those present in the *Yechaveh Daat* Bet Midrash. The absence of Maran HaRishon LeTzion, our beloved friend, HaGaon HaGadol, the Chief Rabbi, Rabbi David Yosef shlit"a, is deeply felt. As everyone knows, he had to attend the funeral of the Director General, Rabbi Yehuda Cohen a"h, may the spirit of Hashem grant him rest in Gan Eden.

Am Yisrael is in turbulent days, in which the very existence of the Torah depends on what is about to unfold.

I grew up in Tel Aviv more than fifty years ago, and there I saw *gaon uzenu*, Maran Rabbenu Ovadia Yosef zt"l—how he established Torah in every single place in the Holy Land and throughout the world. But I am still speaking about that early period. We could see Maran Rabbenu Ovadia Yosef with the *dayanim*, with the rabbis. He also visited our yeshiva and gave a *derashah*—it was during the *Aseret Yemei Teshuvah*—on the subject of David HaMelech. As is known, Natan HaNavi came to him and told him the parable of the poor man's lamb. David HaMelech did not yet know what Natan HaNavi was talking about; he did not know that this was a parable—he thought it was about something real, actual. David HaMelech cried out: "The man who did this deserves to die!" Natan HaNavi says to him: "You are the man!" David HaMelech does not evade it ("I will bring you to judgment for saying, 'I have not sinned'")—he immediately says: "I have sinned!" There is a break (*piska*) in the middle of the verse, and after the break the verse continues: "Hashem has also removed your sin; you shall not die."

The Vilna Gaon—whom Maran Rabbenu Ovadia Yosef cited in the yeshiva when he spoke to us during the *Aseret Yemei Teshuvah* in 5731—writes: What is the meaning of the break in the middle of the verse? The essence of *viduy* is: *chatati, aviti, pashati* (I have sinned, I have done wrong, I have transgressed), and David HaMelech wanted to say the entire *viduy*—and here Natan HaNavi interrupts him! A break in the middle of the verse: *chatati*—"Hashem has also removed your sin; you shall not die." After all, we know that whoever says David sinned is simply mistaken; only according to his lofty level, in the finest of fine detail, can this be called at most *chatati*. About this David HaMelech says in *Tehillim*: "I made my sin known to You, and I did not cover my iniquity"—I wanted to say *aviti* as well; "I said, I will confess my transgressions to Hashem"—I wanted to say *pashati* as well; "and You forgave the iniquity of my sin, Selah." That is it.

The Rosh Yeshiva heard the *derashah* that Maran Rabbenu Ovadia Yosef

said in the name of the Vilna Gaon. He had not known it or heard of it, and afterward he came and said to us: What a great Rav you have!…

Until Maran Chacham Ovadia Yosef zt"l, people in Tel Aviv would say to us: *Nu*, what do you have? Maybe the *Machaneh Ephrayim*, the Mahari Algazi—that is all. They did not think there were such world-class geniuses among the Sephardim. It was Rabbenu Ovadia Yosef who showed us, uplifted us and raised us—all our brothers of the House of Israel from one end to the other—with such exaltedness and such greatness, in halachah and in *aggadah*. And as for warmth—the warmth and sweetness of speech that he brought down from the mountain to the people.

…*Rabbotai*, Maran Rabbenu Ovadia Yosef was not a politician! His entire essence was the words of *Rabbenu Saadia Gaon*: "Our nation is a nation only by virtue of its Torah." *Bereshit*—the entire world was created for the sake of *reshit*: for the sake of the Torah, which is called *reshit*, "Hashem acquired me at the beginning (*reshit*) of His way, before His works of old," and for the sake of Israel, who are called *reshit*, "Israel is holy to Hashem, the first (*reshit*) of His harvest." Therefore, this is the *reshit* of the Torah and that is *reshit*. This is the entire existence of the world! "And there was evening and there was morning, the sixth day"—until the sixth of Sivan, "the pillars of heaven trembled." Indeed, "and they stood at the foot of the mountain" teaches that He held the mountain over them like a barrel: if you accept the Torah, good, and if not, there will be your burial. "If not for My covenant by day and by night, I would not have set the laws of heaven and earth." This is the whole secret of our existence! The whole secret of our existence!

Rabbotai, let me tell you a story. On the fifth of Iyar I was in Panama. We prayed at *netz* and said Tachanun, but afterward I went upstairs and heard people saying, "*Chag same'ach, chag same'ach*." A Jew came over to me, and I said to him: Do you know how to sing "HaTikvah"? Let's try to sing it together:

"As long as deep within the heart. A Jewish soul still yearns, And onward, toward the ends of the east, An eye still looks toward Zion, Our hope is not yet lost, The hope of two thousand years." What words! The Zionists did not write this; lofty Jews wrote it too. But how does it continue? "Our hope is not yet lost, the hope of two thousand years, to be a free nation in our land"—"free among the dead"! Once a person dies, he becomes free from the mitzvot. I said to him: Come, I will show you how I sing it: Rabbi Yehoshua ben Levi said in *Pirkei Avot*: Every day a heavenly voice goes forth from Mount Chorev, proclaiming and saying: "Woe to the creatures for the insult to the Torah," for whoever does not engage in Torah is called rebuked, as it says: "Like a golden ring in a swine's snout is a beautiful woman who lacks discretion." And it says: "The tablets were the work of God, and the writing was the writing of God, engraved (*charut*) on the tablets"—for there is no free person (*ben chorin*) except one who engages in Torah! One who engages in Torah is a free man: free from the *yetzer hara*, free from all harm, from the Hamasniks outside and from the Hamasniks inside. "For there is no free person except one who engages in Torah." So I say to him, yes: Our hope is not yet lost, the hope of two thousand years. How should it end? "To be free men, In the study of our Torah, The land of Zion and Yerushalayim!" So I sing it—yes, of course. What do you call Zionist? If you call "to be a free nation in our land" Zionist—I am anti-Zionist! If you call "May our eyes behold Your return to Zion in mercy" Zionist—to be free men in the study of our Torah—I am Zionist number one!

Rabbotai, this was Maran Rabbenu Ovadia Yosef zt"l. He was not a politician; his foremost concern was to come and impart the Torah. And who stands at the top of the pyramid? The tribe of Levi. The *Rambam* writes in *Hilchot Shemittah VeYovel* that the tribe of Levi does not wage war. "Bless, Hashem, his strength (*cheilo*)"—they are the army (*cheil*) of Hashem; this is the tribe of Levi.

We know indeed that our situation did not begin today. Already from the days of "We came to the Land to build and be built in it," they thought that the *bnei Torah* would remain in a museum. Who dreamed that they would become like this? "Lift up your eyes round about and see: they all gather and come to you," from one end to the other, after Maran Rabbenu Ovadia Yosef zt"l in the Sephardic public. We do not come to exclude the Ashkenazim, *chas veshalom*; we come to include: "Yehudah shall not envy Efrayim, and Efrayim shall not harass Yehudah, and they shall become one in Your hand."

But the rule of Torah—that is the rule of Torah! For we know that the entire foundation of our existence—as *Rabbenu Saadia Gaon* says—is through the power of the holy Torah. In this we have indeed merited in our generation—if I speak of the Sephardic public, and certainly the *Rashei Yeshiva*, in every single place—and certainly this is our prayer.

They asked our teacher, Maran Rabbenu Ben Tzion Abba Shaul zt"l: In what merit were all your blessings fulfilled? Chacham Ben Tzion answered them: In the merit of having taught, to "bring out the precious from the worthless." The Gemara in *Bava Metzia* (85a) says: Whoever teaches Torah to the son of an *am ha'aretz*, even if *HaKadosh Baruch Hu* issues a decree, He annuls it for his sake, as it says: "If you bring out the precious from the worthless, you shall be as My mouth." His mouth becomes like the mouth of *HaKadosh Baruch Hu*.

That indeed is what it was: to uplift every Jew and bring him close. At the top of the pyramid stands the tribe of Levi, yes—"They shall teach Your judgments to Yaakov and Your Torah to Israel"—and they are the ones who impart the Torah to the entire nation. But, *chas veshalom*, we do not give up on any Jew. And when we say we do not give up, that means with all the *emunah* and all the *bitachon*.

In 5726 I was still a young *avrech*, learning in kollel, and there was a funeral for a Sefer Torah that had been burned, which came from Kiryat Yovel. It was not burned by Arabs, but by delinquent youths, may Hashem avenge it. At that funeral were Maran Rabbenu Ovadia Yosef; the Rav of Yerushalayim at the time, Rabbi Betzalel Zolty; and the Rosh Yeshiva, HaGaon Chacham Yehuda Tzadka—may the memory of the righteous and holy be for a blessing.

The Rosh Yeshiva, Chacham Yehuda, stood up and cried out from the depths of his heart: I do not know if we can say, "Our hands did not shed this blood." How is it that we did not pay attention to our wayward brothers, to come and bring them close and bring them into the realm of holiness?! This shook my heart, and even though I was a young *avrech*, I said: That is it—I must go and give a shiur in Kiryat Yovel. I lived in Bayit VeGan at the time, and I went, and *Baruch Hashem*, we saw wonders!

Therefore we must know: Maran Rabbenu Ovadia Yosef and all the Chachamim—whether Chacham Shalom Cohen or Chacham Shimon Ba'adani—all knew how to guide us that we must say, "Let the weak say, I am strong," and we have nothing left but this Torah. Therefore we must not stand aside, but act with strength and might. Through the power of the Torah we are assured that it will be fulfilled in us: "For the earth shall be full of the knowledge of Hashem as the waters cover the sea." In our days may Yehudah be saved, and indeed, "love truth and peace," with joy and gladness. *Ken yehi ratzon*, and let us say Amen.