

HALOCHOSCOPE

This week's question:

An *avai* would like to serve as *shliach tzibur* for *mincha Erev Shabbos*. However, the *minyán* in his town *davens* very late, so that there is no time to accept *Shabbos* before sunset. The *avai* would like to usher in *Shabbos* a little before the exact time, to add *tosafos Shabbos*, adding some weekday to *Shabbos*. Should he rather *daven mincha* earlier?

The issues:

A) *Avail* as *shliach tzibur*

B) *Tosafos Shabbos*

C) *Tefilah betzibur*

A) *Avail* as *shliach tzibur*

This practice is meant to gain merit for the soul of the deceased. He is no longer in this world and in position to gain merit for himself. His children's good deeds bring him merit. This is amplified when they are the cause for others to do so. The souls are judged in the year after death and on the *yahrzeit*. The child shows respect for the parents by accruing merit for them during this period. Leading the service gives the son the opportunity to cause many *ameins* to be said. This is especially powerful in a group setting. He also facilitates *kedusha* and is *motzie*, discharges them of certain obligations.

Kaddish at the end of *davening* is called *kaddish yasom*, of the orphan. If an orphan is not old enough to discharge adults' obligations, he may still recite the *kaddish*. *Yehei shemei raba* is considered of utmost holiness, and the orphan is credited with causing its recital. Thus, if one is able to, he should lead the services. If not, he should recite *kaddish*, especially after *aleinu*. [See Tur Sh Ar OC 53:20 22 55:1 132:2 YD 376:4, commentaries. Tesh. Chasam Sofer YD 345. Mateh Efrayim 4:2, Elef and Ketzei. Moed Lechol Chai 7. Halochoscope III:42.]

B) *Tosfos Shabbos*

Halachic day begins at night. The exact timing of 'nightfall' is unclear. Sunset would seem to be easy to determine visually. Yet, *halachic* sunset is also controversial. From the beginning of the concealment of the sun below the horizon until the afterglow is no longer evident, is all part of *shkia*, the sinking of the sun. Some say the *rakia*, sky or firmament, is viewed as a mass. The sun is viewed as going through this mass. Its entry into it, its being considered inside it, and its exiting the other side are all part of the process. Thus there is a beginning and an end of *shkia*. After *shkia* is over, the sky gets progressively darker. Eventually it is dark enough for three average stars to be seen in average conditions, *tzais hakochavim*. The time lag between *shkia* and *tzais* is called *bain hashmoshos*. Does *halachic* day begin at *shkia*, *tzais*, or sometime in-between? Is *bain hashmoshos* part of the preceding day, the following night, half-half, or in doubt? The Talmud

debates these issues, concluding that the entire period is to be considered in doubt.

The time lag is also debated. In one view it is as short as the blink of an eye. The conclusive opinion (R. Yehuda) is somewhat contradictory. In one context, he gives this time as three quarters of a *mil*, and in another, four *mil*. A *mil* is a linear distance. The Talmud uses the time taken to walk such linear distances to measure time. The day can be divided based on the distance expected to be traveled by the average walker. Most commentaries calculate a *mil* as eighteen minutes. Three quarters is thirteen and a half minutes. Four *mil* is seventy-two minutes. Why not test *tzais hakochavim* visually? What about astronomical variations? Evidently, the visual aspect of darkness is really a sign by which one can determine true *halachic* timing.

Interpreting all this is further debated by the poskim. The best known reconciliations of R. Yehuda are the *GRA*, *Rabeinu Tam* and the *Yereim*. *Rabeinu Tam* says that between the beginning of *shkia* and *tzais* is seventy two minutes. The first fifty-eight and a half minutes of this time is not considered *bain hashmoshos*. The sun has dropped below the horizon, but lingers out of view. When it disappears totally for the day, *bain hashmoshos* begins, and lasts thirteen and a half minutes. According to the *GRA*, *bain hashmoshos* begins when *shkia* begins, and lasts thirteen and a half minutes. Though it is still getting darker, it is fully night after this. *Tzais hakochavim* means that all stars can be seen. The smallest stars can not be seen until seventy two minutes after *shkia*. The opinion of the *Yereim* is generally interpreted as sundown being considered full night. *Bain hashmoshos* begins thirteen and a half minutes before then. Due to the doubts, *Shabbos* is presumed to begin at *bain hashmoshos*, with each community following one of the views.

While the advent of the new day is in Hashem's hands, we have a *mitzvah* to sanctify *Shabbos* and declare its holiness. This applies during the day and at the onset. During *Shabbos*, close to the beginning, we need to recite *kidush*, and *havdalah* at the end. We also need to 'accept' *Shabbos* at the beginning. This can be done by candle-lighting, saying *kidush*, *lecha dodi*, *mizmor shir*, *borchu*, *maariv*, or even 'good *shabbos*' with the correct intent at, or before, the beginning. If one did not accept it before *Shabbos*, he still does so during *Shabbos*. *Shabbos*, for him, began at *bain hashmoshos*. If one accepts it early, *Shabbos* begins for him, even if it is still light. He has extended *Shabbos*.

This extension is called *tosfos Shabbos*. It is derived from a Scriptural *mitzvah* to extend *Yom Kippur*, beginning and end. *Shabbos* may be extended to as early as *plag ham-incha*, a seasonal hour and a quarter before 'night'. Thus, a part of an earlier day that could be considered attached to the next day is sanctified with the holiness of *Shabbos* for this person. *Shabbos* has a list of commandments, mostly negative, enforced by severe penalties. *Tosfos Shabbos* is less severe. It is based on a positive *mitzvah* and does not carry the penalties. One does not have the ability to impose the stringency of *Shabbos* that Hashem imposes. However, *tosfos Shabbos* is Scripturally binding. There is a view that only the last moments are included in the Scriptural aspect. Any earlier self-imposed time is Rabbinically *Shabbos*. In one respect, *tosfos Shabbos* is more stringent than *bain hashmoshos*. *Bain hashmoshos* is treated as a *safeik*, doubt of the more severe *Shabbos*. *Tosfos Shabbos* is definite. It is really *Shabbos* for the person who accepted it early.

As it depends on the individual, *tosfos Shabbos* is subjective. If a community ac-

cepts it at a certain time, all individuals are bound by the *minhag makom*. Many begin fifteen or eighteen minutes before sunset. This guarantees that one is adding on time even according to the opinion of the *Yereim*. In communities where there is no single authority, some people do *melacha* after this time. Many poskim maintain that the minimum is to add two minutes before *bain hashmoshos*. As a self-imposed acceptance, *tosfos Shabbos* is viewed by some poskim as a relative and subjective 'vow'. Normally, one does not give much thought to how much he accepts. He accepts the concept of *Shabbos*, including all of its restrictions and stringencies. However, it is possible to both exclude certain matters, such as the option to make a *kidushin*, and even certain Rabbinical prohibitions, including some that are permitted during *bain hashmoshos*.

Tefilos are connected to the *halachic* days and nights. *Shacharis* and *mincha* correspond to the *tamid*, daily offerings in the temple. *Maariv* corresponds to the burning of the fats of the afternoon *tamid*, that could be burned by night. In general, once one *davened maariv*, he must consider it the next *halachic* day. If one answered *borchu* or made a formal *kabolas tosfos Shabbos*, he may no longer *daven mincha*, even if it is still light. If one has not been *mekabel Shabbos*, but the time for *tosfos Shabbos* has arrived, the consensus is to allow *mincha* until *shkia*. The sanctity of *Shabbos* will take effect automatically. This also means that the person will not be *mekabel tosfos Shabbos*, losing out on this *mitzvah*. [See Brochos 2b, Shabbos 35a 118b, Psachim 94a, Rosh Hashana 9a Kesubos 50a, etc. Poskim. Tur Sh Ar OC 89 261 262:3 263:4 10 11 15 16, etc., commentaries. Igros Moshe OC I:96. Orchos Shabbos 27:n64. Shevet Halevi IV:27 X:50.]

C) *Tefilah betzibur*

Tefilah betzibur, communal prayer service, is highly recommended by the Talmud. If one cannot join a *tzibur*, he should *daven* alone at the same time that the *tzibur davens*. However, there is a question whether it is indeed an **obligation** in its own right. Clearly, if one is unable to pray with a *minyan* he must still pray privately. The only occasion when this is even debated by the Talmud is regarding *Musaf*. However, the question is, is it a *chiyuv*, strong obligation, a *mitzvah*, or simply a *maaleh*, advantage?

The most obvious advantage of the *minyan* is that *kadish*, *kedusha* and *borchu* may only be said with a *minyan*. However, even if one is not together with the *tzibur* in their location, he still gains an advantage by *davening* with them, at the time of their service. This time is an *ais ratzon*, time of Divine benevolence. Hashem is 'open' and positively disposed at this time. Some say that this is because a large group has approached Hashem at this time, or because when a *minyan* assembles, and are qualified to say *devarim shebikedusha*, the *Shechinah*, Divine Presence, is present, or that at this time, all *tefilos* are gathered up together, including those of one was not present with the *tzibur*.

There is something about the number ten that has in it the secret of the *kedusha* of Hashem. When a group does a *mitzvah*, the combined efforts add up to much more than the sum of the parts. Furthermore, just as each member of a team contributes a unique part, a group of Jews has different parts to it. The complete group can accomplish things that no individual can do by himself. This is learned from the inclusion in the blend of incense in the *bais hamikdash*. One ingredient had a natural bad odor. It was added in, according to some, because when combined with the others, it brought out their hidden

qualities, and they brought out its hidden benefits. An individual needs to be sure that his prayer is pure. Some aspects could be lacking in the average individual. The *tzibur* has a special quality of its own. Even if individuals are unable to focus and concentrate on their personal *tefilos*, when said with a group, the group's *tefilah* is accepted. Often a group includes some who are not deserving. Yet, in general, a group is judged by its majority.

Tefilah is to make one's voice heard by Hashem. There is a chance that when *davening* alone it will not be heard. With a *tzibur* there is a guarantee that it will be heard. It follows that one is obliged to *daven* with a *tzibur*. Thus, the Talmud does not specify the obligation, but highlights the advantages. Furthermore, since one fulfills a *mitzvah* when *davening* alone, the Talmud, and later on, the poskim do not use terminology that implies that there is something wrong with *davening* without a *minyan*.

Perhaps the *mitzvah* of *tefilah* is essentially different when done with a *tzibur*. *Tefilah* is *rachamei*, to plead one's cause, or *avoda*, service of Hashem with the heart, or both. There is a big difference between one presenting it as an individual and a group presenting the *rachamei* of the entire Israel. There is a difference between individual *avoda*, such as an individual's offering in the *bais hamikdash*, and the *avoda* of the *tzibur*. Therefore, there is an additional obligation on anyone who is part of the *tzibur*.

When traveling, one is obliged to go a certain distance out of his way in order to catch a *minyan*, but no further. As a *maaleh*, it would not make sense to oblige one to make accommodations for it. Furthermore, how could one be exempted if the *minyan* is past than the limit? In summary, it is certainly an advantage, apparently a *mitzvah*, and possibly an obligation to participate in *tefilah betzibur*. [See Brochos 7b-8a 21a-b 30a-b, Megillah 19b, Poskim. Tur, B.Y. Sh. Ar. OC 55:22 (Rema), 90:9, etc. commentaries. Bais Elokim II:11. Igros Moshe OC II:27, III:4 7.]

To analyze our question: *availus* is part of the Scriptural *mitzvah* to honor the parent. *Tosfos Shabbos* is also a *mitzvah*, but might not be considered Scriptural. *Tefilah betzibur* is a definite advantage, but might not be considered an obligation. If the *avail* *davens* with the *tzibur*, he might be able to add *tosfos Shabbos* at the last minute. He will certainly gain the advantage of *tefilah betzibur*, and a possible *mitzvah*. Above all, he will fulfill *kibud av vaeim*. If he *davens* early alone, he gains *tosfos Shabbos*.

In conclusion, the *avail* stands to gain more by serving as *shliach tzibur* later.

On the Parsha ... On the 'first day' destroy leaven .. On the 'first day' shall be a mikra kodesh .. On the 'first day', the Fourteenth day of the month in the evening eat matzos .. [12:15 16 18] In the last verse a *vav* is missing in 'rishon'. One does not fulfill matzo during *tosfos Yomtov*. [Haamek Davar] On the Fourteenth offer the Pesach, and that night eat matzo. [Targum Yerushalmi] The additional *vav* seems to indicate *tosfos*, or the preceding day. Why indeed may one not eat the *matzo* early? *Tosfos Yomtov* is a personal undertaking. *Matzo*, and more importantly, the *korban*, are eaten as a community, *seh levais avos*. One undertakes *tosfos Yomtov* to personally refrain from *melacha*. For eating the *matzo* one waits until the time that all *Yisroel* is ready to eat it together. This is after nightfall, when it is *Yomtov* for everyone.

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