

nity led by this mentor, one is bound by their practices, based on his rulings. When outside of his presence, one may still not break with his teachings, unless there are other factors mandating such a break. Our question could raise one such factor.

Communal *minhagim* are in a class of their own. Presumably, if our questioner is with the group that follows his mentor, he may not break with their practices for many reasons. Breaking with the group with which he is presently would normally be forbidden. The Torah forbids breaking into small splinter groups when it comes to *halachic* rulings. The onlookers will view it as a form of unwillingness to accept their ways. This leads to strife. If it is reasonable for onlookers to justify the non-participation, one may refrain from joining. In our case, if he would be idle while they are all saying *kiddush levanah*, he need not be in their presence. After a few days into the new moon, they could also presume that he might have recited it already at an earlier opportunity.

Assuming that it is not obligatory, if our questioner undertook the practice without the disclaimer, it is binding. Furthermore, there is an element of obeying his teacher here. Can his pious practice override the *berov am*? Even if it could, perhaps the undertaking was only made if it would not conflict with such instances. In a like-minded group, he would certainly follow his *minhag*. If, however, he were in a situation where the group does it early, he never meant to break with them. The disclaimer on *Erev Rosh Hashana* would probably not work here. The *minhag* was undertaken by instruction of a mentor. Although it is a personal undertaking, which can have conditions attached, it is not meant to be provisional, nor could he say he did not realize that it is binding. [See Nedarim 15a, 81b, Psachim 51a, Poskim. Tur Sh Ar YD 214:1 232:10 242, commentaries.]

In conclusion, the question for our questioner is as follows: *Berov am* is not essential to the *brocha*. However, it is part of the feeling that should go into the performance of this *mitzvah*, since it is a form of receiving the *Shechinah*. Waiting seven days is also not essential from the *halachic* perspective. On the *kabalistic* level it avoids polluting the purity of the *mitzvah*. In addition, he must follow the teachings of his mentor, and the *minhag* which he undertook. Therefore, it would seem that it is better for him to recite *birchas halevanah* without company after seven days.

**On the parsha ...** .. Amalek .. attacked those tailing at back, while you were .. not showing awe for Hashem .. [17:1] What is the connection between the slackers at the back and the fact that the entire people were considered lacking in awe of Hashem? Perhaps the fact that the people were not all working as one, but some were lagging behind, meant that there was less *rov am hadras melech*. The ones who were at the back (or who had been sent out of the camp due to their indiscretions and defilement) affected the level of awe of Hashem of the nation.

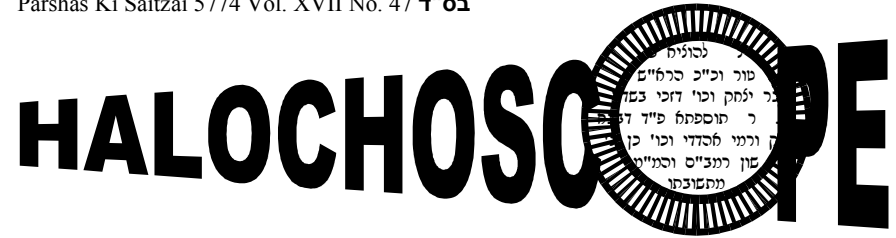
Sponsored in the *zechus* of a speedy *refuah shelaimah* for Menacham Manale ben Rochel Devorah and for Yosef Yitzchok ben Yehudis Chaya *besoch shear cholei Yisroel*.

Sponsored in memory of David z"l ben Yaakov Gordon.

Sponsored in memory of Sarah bas Shmuel Blumenthal, a"h, whose *yahrzeit* is on the 11<sup>th</sup> of Elul.

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**This week's question:**

***Kiddush levanah*, the blessing on the new moon, is said at the beginning of the month. Some wait seven full days. If one is with a *tzibur* blessing it before seven days have passed, should he break with his *minhag* to gain the advantage of a *minyán*?**

**The issues:**

**A) *Kiddush levanah***

**B) *Berov am hadras melech*, the advantage of a group recital**

**C) *Hanhagah tova*, meritorious practices; departing from one's *minhag***

**A) *Birchas Halevanah***

When the new moon is visible at the beginning of its cycle, in the early days of each new Jewish month, one goes outside and recites this *brocha*. Essentially, as soon as the moon starts to give enough light to benefit mankind, one may begin reciting it. In one view it should be recited on the first night that it appears. One may recite it until the 'deficiency' of the moon is filled in. This is debated in the Talmud. One view says this is when a half moon is visible. This would mean that one may not recite it after about seven days into the month. The other view that we follow maintains that until the full moon it is still deficient. Thus until halfway through its cycle, it is considered renewing itself.

Talmudic sources say one does not bless it until he is '*misbasaim*'. This is taken to mean until *Motzoei Shabbos*, when one has smelled the *besamim* spices, or until the moon has become 'tasty', i.e., when it gives benefit to people with its light. This would be after three or four days. Ideally, one should wait until *Motzoei Shabbos*, when one is in a good mood and wearing nice clothing. There is also a view in accordance with *Kabalah* that one should wait seven days before reciting it. One explanation is based on the Talmudic dictum [see below] 'one who blesses on the new moon **in its time** is like one who receives *Shechina*, the Divine Presence.' The words 'in its time' are superfluous and indicate that there is a single optimum time. This would be after 'seven days of building'. According to this view one should recite it exactly after these seven days and no later.

When there is a chance that the sky will be cloudy for much of the month, one does not delay reciting it. At the earliest opportunity one should recite it, if and when it is visible and beneficial. Others maintain that one should not delay a *mitzvah*, and since some maintain that one may say it after three or four days, it is anyhow better to say it then. Some cite the opinion that it may be recited on the first night, but suggest that it is a minority view and should not be followed.

The reason for this *brocha* is to acknowledge the reliability of the cycles that Hashem put in place for us on the fourth day of Creation. It mentions the events of that time. Hashem created two 'great' luminaries, the 'greater' to rule by day and the 'lesser' to

rule by night. Originally both were the same size, and were meant to rule equally. The moon 'said' that there can not be two equal rulers, so Hashem told it to reduce itself. This is one reason that the moon also gets smaller as the second half of the month goes by. It then begins getting bigger at the beginning of the new cycle. In the future system, the moon will be re-enlarged to its original size. This all alluded to in the *brocha*. It is also an allusion to the fortunes of Israel.

In our case, the questioner follows the practices of a group whose leader has ruled that one must wait seven full days. These are calculated by observing the time that the new moon appears. Nowadays, rather than the time that the first tiny sliver appears, we use what is called the *molad*. Literally, this means the birth. It refers to the rebirth of the moon. This is the point at which the entire face of the moon is obscured from viewers on Earth. This is the same all over the world, but the way the time is recorded must comply with a time zone. The time zone in Yerushalayim is the one we use. Therefore, if one lives in another time zone, he can calculate what time the *molad* happened according to his location, and wait until the same time the following week. This is a complete seven days. Everyone uses this method when calculating the ideal latest time for *kiddush levanah*. The poskim discuss reciting it all night on the fourteenth night after the *molad*, and even longer. However, the *brocha* may not be recited after the moon begins to shrink, i.e., after the full moon. Since we follow a specific length of the moon's cycle, from *molad* to *molad*, we use the aforementioned method to calculate the halfway point.

The specific *minhag* to wait seven days is debated. Many poskim maintain that reciting it on *Motzai Shabbos* overrides this *minhag*. Thus, if *Motzai Shabbos* is on the third or fourth day, one should do it then. If one did not do it then, he should wait until the seventh day during the week. Others, however, maintain strongly that according to the *kabalistic* reasons given to wait seven full days, one should not do it early, even on *Motzai Shabbos*. One reason to wait is based on the fact that in the seven days of Creation the harmful forces were only suppressed after the completion. These forces that abound during the first seven days of the month pollute the effectiveness of the *mitzvah*. Based on the varying reasons given, some say that one need not wait seven full days, but may recite it at any time on the seventh night. Others disagree.

The advantage of *Motzai Shabbos* is that people are happy then. This is a bonus, but not essential. The advantage of doing it early is *zrizim makdimin*, one should do a *mitzvah* at the earliest chance, and *mitzvah haba'ah leyadecha al tachmitzenah*, one should not allow a *mitzvah* opportunity to go sour. He should perform it when the chance arises. Evidently, the *kabalistic* reasons override this concept. If there is a risk that it will be clouded over after seven days, the *kabalistic* reasons would not be invoked to miss out on the *mitzvah* totally. [See Sanhedrin 41b-42a, Poskim. Maseches Sofrim 20:1. Rif end Perek 4 Brochos, Talmid Rabeinu Yonah. Rambam, Brochos 10:16-17. Sefer Chasidim 878, Mekor Chesed 2-3, and refs cited there. Tur, [Bais Yosaif, Bach,] Sh Ar OC 426:1 Kaf Hachaim 61-62 MB 4 (Dirshu 36-38).]

### **B) Berov am hadras melech**

*Kiddush levanah* is not a *davar shebikedusha*, recital that includes sanctification of Hashem's name, that requires a *minyan*, quorum of ten adult Jewish males. The term *kid-*

*dush* is more like *kiddush* on *Shabbos*. Therefore, one may say it without a *minyan*. It also does not necessarily involve *pirsum*, publicizing. However, there is a third consideration: *berov am hadras melech*, the more people involved in a *mitzvah*, the more honor it gives to Hashem. The Talmud mentions sharing the *mitzvah* to bring the blood and parts of an offering to the *mizbaiach* between many *kohanim*. Thus, having more people share in the actual performance is one way to do this. The Talmud debates whether it is better to have one person recite a *brocha* (on the fire on *Motzai Shabbos*) for everybody, rather than each person doing it himself to save time. Similarly, if a few people are doing a *mitzvah* at the same time, one person could recite the *brocha* for all of them. The poskim debate whether one should try to do this. The disadvantages include the fact that one should always try to do a *mitzvah* himself, rather than through another person, and the chance that one will not do it properly because he does not hear it well. The Talmud says that it is preferable to wait at *Shavuos* time for a large group to make the procession to *Yerushalayim* with *bikurim*. This type of *berov am* applies in our case. It is always advantageous to perform one's individual *mitzvah* with a large group. The Talmud records the fact that two sages would go out together to recite *birchas halevanah*. The poskim explain, *birchas halevanah* is like receiving the Divine Presence. It requires going forth to 'meet' the *Shechinah*. If one goes out with a group, this is more obvious. Therefore, ideally, *kiddush levanah* should be performed with a group. [See Brochos 53a Bikurim 3:2-4 Psachim 64b Yuma 26a 70a Sanhedrin 42a Zevachim 14b Menachos 62a, Poskim. Tur Sh Ar OC 8:5 193:2 213:1-3 426:2 4, commentaries. Igros Moshe OC:I:144.]

### **C) Hanhagah tovah**

One who follows a pious or good practice three times is duty-bound to continue with it. It takes the status of a *neder*, vow, or a *shvua*, oath. If the practice is not merely a nice thing but a *mitzvah*, it becomes a *shvua* the first time he does it. Therefore, it is highly recommended that one not begin this before stating that he does this '*bli neder ushvua*' not intending it as a permanent practice. At the annual annulment of vows on *Erev Rosh Hashana*, there is a formula to renounce future pious practices as *bli neder*. Thus, if one forgets to state it at the time he does the practice, he is insured by this formula.

A tribunal of three can annul a vow by showing that the person undertaking it did not realize its full implications. He could only undertake it with full consent. If he could not have meant it quite the way it worked out, he was not fully aware of what he was doing. A meritorious practice requires annulment if it indeed has meritorious basis. If it turns out to be a mistakenly meritorious, the one undertaking it thought it was required rather than voluntary, or if he knew that it was a voluntary stringency but thought that it was not an extreme stringency and then found out that it is extreme, it does not even need annulment. A minority say that if the one undertaking it knew that it was not required, yet treated it as such, he must abide by it, and may not gain annulment.

There is some debate on whether the type of *neder* that applies to a pious practice is Scripturally binding or only Rabbinical. Normally, to be Scripturally binding, one must have verbalized the ban. If it is Rabbinical, one may rule leniently in cases of doubt.

When one follows the rulings of his mentor, he is also fulfilling a *mitzvah* to obey his teacher. Indeed, one may not argue with his teacher. Therefore, when in the commu-