

ספר מקורי דוד

HALACHA SOURCES

A Study Guide in English for Tracing the Halacha

In the footsteps of the authors of the Shulchan Aruch and the other authorities

by Rabbi Dovid Lipman

Special Edition - **The Halachos of Birkas HaChamah** (Shulchan Aruch Orach Chayim 229:2)
(the bracha [i.e. blessing] said upon seeing the sun)

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Dedication: May this volume be a merit for a speedy recovery for Kalman Shammai ben Deenah

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Note: This is a text for Torah study, not for practical rulings. Refer such questions to a qualified expert.

O.C. 229 : The Brachos of the Sun (in its time) [and the Rainbow (not in this volume)]**The development of: *Se'if 2***

"TEKUFAS SHMUEL" (THE SIMPLIFIED¹ SOLAR YEAR AND SEASONS - AN INTRODUCTION TO BIRKAS HACHAMAH)

The Gemara (*Eiruvin* 56a³) presents the following statements², all said by Shmuel (the Amora):

Point #1: [The solar year is divided into four seasons, each called a "tekufah".] From the beginning of one "tekufah" until the beginning of the next "tekufah",³ there are exactly ninety-one days and seven-and-a-half hours. [The entire solar year⁴ thus comes to 364 days and thirty hours, i.e. 365 days and six hours. (Rashi)]

Point #2: The "tekufah" of Nissan [i.e. the spring] always begins at one of the four "quarters" of the day: i.e. either at the beginning of the day, or at the beginning of the night, or at mid-day, or at midnight. [After all, the sun was positioned within the heavens⁵ at the beginning of the eve of the fourth day of the (Creation) week, in the month of Nissan.⁶ (Note: The Gemara earlier indicates that the above "beginning of the spring" occurs at what we call the equinox, when the daytime and nighttime are of equal length. We now infer that this was the point of the sun's original positioning.) After the full days of the solar year (i.e. all 365) pass, one quarter of a day remains⁷, so the "tekufah" of Nissan of the following year began at midnight (i.e. six hours "into the day" later). (Likewise,) in the third year this point occurred at the beginning of the **day**, and in the fourth year - at mid-day. This pattern continues forever, so the "tekufah" of Nissan always begins at one of these "quarters". (Rashi)]⁸

¹ The intent is two-fold: (1) Our presentation of this very involved topic has been extremely "simplified", and (2) as the Rambam writes (*Kiddush HaChodesh* 10:6), "*Tekufas Shmuel*" is not the most accurate (and therefore can be called a "simplified" system). [More detailed explanation is given in *Birkas HaChammah* by Rabbi J. David Bleich, *ArtScroll Series, Mesorah Publications*, N.Y. 1980.]

² This Gemara and its Rashi have been significantly reorganized, in an attempt to create a clear presentation of our subject.

³ source's wording: "between one 'tekufah' and the other [i.e. previous/next] 'tekufah'."

⁴ source's wording: "the days of the sun".

⁵ source's wording: "the luminaries were suspended".

⁶ This seems to be based on the position of R' Yehoshua (*Rosh HaShanah* 11a), that "the world was created in Nissan." Indeed, the Gemara (*ibid.* 12a) says that "the Jewish Sages" follow R' Yehoshua with respect to "*tekufah*"s.

⁷ Rashi actually says to "reckon them all into sevens" [i.e. cancel out the full weeks (in a solar year) by removing the number of days evenly divisible by seven], "and that will leave you with one-and-a-quarter days." In this way, Rashi is also able to explain *on which day of the week* the "*tekufah*" of Nissan begins, in the second, third, and fourth years from Creation.

⁸ Shmuel also applies his system to the other three seasons, explaining at which hours they can begin. (Naturally, each has four possibilities, shifted an hour-and-a-half forward from the previous season's four. After all, a season is ninety-one days and seven-and-a-half hours long, and multiples of six hours "do not count" - as they represent a mere "jump to the next quarter of the day".)

Point #3: If the "tekufah" of Nissan begins at [the hour of] "Tzedek" [which varies according to the day of the week, as will become clear], it will invariably devastate the trees.⁹ [In addition,] if the "tekufah" of Teiveis [i.e. winter] begins at [the hour of] "Tzedek", it will invariably dry up the seeds. [However,] this is [only] when the "birth of the moon" [i.e. its theoretical appearing anew ("molad") - see "Principles"] occurs either in [the hour of] the moon or in [the hour of] "Tzedek". (What is [the hour of] "Tzedek", and how do we know when a "tekufah" begins then? To explain this, we need to see one more point...)

Point #4: Each "tekufah" [seemingly] "slides away" from the time of the previous one,¹⁰ by exactly **one half-hour**. [Since a "tekufah" is actually ninety-one days and seven-and-a-half hours long (as above in point #1), the natural interpretation here is that the starting point of one "tekufah" is one half-hour later than the starting point of the previous one, **as compared with some seven-hour cycle**. (A seven-hour cycle is fully completed twenty-four times in a week, and since there are thirteen weeks in ninety-one days, the cycle will be completed exactly 312 times {24 x 13} in those ninety-one days, and then another single time in the next seven hours. Since a "tekufah" takes one half-hour more than that, consequently whatever point within the cycle **one** "tekufah" begins at, the **next** "tekufah" will begin at a point **within the seven-hour cycle** exactly one half-hour later.) Following this approach, Rashi explains the reference (above in point #3) to a "tekufah" beginning at "Tzedek" or "the moon": These refer to two of the hours of the above seven-hour cycle.¹¹ (In Shabbos 129b {as Rashi explains there}, the Gemara discusses another of the seven hours - it is referred to there using the term "Mahdim". In Brachos 59b {in connection with the bracha said upon seeing the sun}, we find one referred to as "Shabsai".)]

One point which is not so relevant here in *Eiruvin* (but figures significantly in the Gemara of *Birkas HaChamah* in *Brachos* {which is our next subject}): The seven-hour cycle is fully completed twenty-four times in a week (as above). In contrast, *each day of the week (and each night) starts with a different one of those seven hours*, as shown in the following table (which refers to the hours using the letters A - G):

Starting points of hours in the cycle of seven, for each day of the week (starting with [eve before] Wednesday)

	6 PM (dusk)	7	8	9	10	11	12	1	2	3	4	5	6 AM (dawn)	7	8	9	10	11	12	1	2	3	4	5
W	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C
T	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F
F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B
S	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E
S	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A
M	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D
T	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G	A	B	C	D	E	F	G

⁹ source's wording: "You will not find a 'tekufah' of Nissan that falls at 'Tzedek' which does not 'break' the trees." [The source's wording for the next statement also has this structure.]

¹⁰ source's wording: "one 'tekufah' slides [away] from [the time of] its friend [i.e. the previous/next one]".

¹¹ The *relevance* of these names appears to be entirely their use as *labels* for the seven hours of the cycle. (Rashi to *Brachos* 59b actually refers to them as "names of the hours".) However, purely parenthetically, they seem to have an inherent meaning as well: Rashi to *Shabbos* 129b refers to them as "*mazalos*", which is normally translated as referring to some form of "astrological entities". The *Me'iri*^o (here) says these hours are "governed" by seven "*kochvay lechess*" [literally "moving stars" (planets)], i.e. these are *their* names.

The Rambam [*Kiddush HaChodesh* 9] presents this system [which many authorities call "*Tekufas Shmuel*"]. (Then the Rambam [*ibid.* 10] explains a different system [which the authorities call "*Tekufas Rav Adda*"], which he says is used for determining Jewish leap years (because it is more accurate). However, the consensus of the authorities is to follow "*Tekufas Shmuel*" regarding the *bracha* said upon seeing the sun (which is the next subject)¹², and regarding requesting rain (which is discussed in the Halachos of the *Shemoneh Esray*, O.C. 117:1.) The main place to discuss all these calculations more fully would be at the end of the Halachos of *Rosh Chodesh* (O.C. *siman* 428), where the principles of fixing the Jewish calendar are presented. (In fact, at the end of that *siman*, the Tur^o quotes most of the above statements of Shmuel.)

To summarize key points from the above:

The system of "*Tekufas Shmuel*" defines the solar year as 365¼ days, divided into four "*tekufah*" seasons of ninety-one days and seven-and-a-half hours.

The starting point of the "*tekufah*" of Nissan [i.e. the "beginning of the spring", when the daytime and nighttime are of equal length] was the point of the sun's original positioning, *at the beginning of the eve* of the fourth day of the Creation week. Because of the extra quarter-of-a-day in the year, this "starting point" alternates "quarters of the day" and only occurs at the beginning of the night *again* after cycles of four years.

At the same time, the Gemara introduces a seven-hour cycle, which naturally is fully completed twenty-four times in a week; but each day of the week (and each night) starts with a *different* one of those seven hours. Thus, Shmuel teaches that there is significance to *which of the seven hours* is the one at which a "*tekufah*" starts.

There are two ways of defining an "hour": it's either the fixed amount of time which we would call "sixty minutes", or else it's the flexible (or "relative") one-twelfth of the daytime or nighttime. The Tosafos^o in *Eiruvim* explains why either definition is difficult to use for the "hours" mentioned in connection with "*Tekufas Shmuel*". After all, if we were to use "relative hours", that would force us to understand that the four "*tekufah*"s last different amounts of clock time (based on the varying clock lengths of the hours throughout the different seasons), which is difficult to accept. On the other hand, if we use "fixed hours", then how can we describe a "*tekufah*" as starting "at the beginning of the night" (or day) etc., considering that the night (and day) do not always start at neat "fixed hours" (like 6 PM or 6 AM)?¹³

However, in his commentaries to the *Shulchan Aruch* volume *Yoreh Dei'ah*, the Shach^o explains his understanding of the Torah's way of measuring hours. And although it is not the approach of the accepted Halacha,¹⁴ perhaps it can be conceded that the Shach's approach is the one to be used regarding "*Tekufas Shmuel*".

¹² Some later authorities have questioned how we can actually say such a *bracha*, with its basis being this less accurate system. However, as the *Ma'amar Mordechai*^o points out, the Rambam was clearly not disturbed by this, for he himself is the one who tells us that the system is less accurate, and nevertheless he codified the saying of the *bracha* [as will become clear].

¹³ Concerning Shmuel's times for the "*tekufah*" of Nissan, this would not be a problem, because *that* night and day start at 6 PM and 6 AM. However, as noted, Shmuel actually goes on and gives all four "possible times" for each of the other three "*tekufah*"s as well, by shifting the extra seven-and-a-half hours for each "*tekufah*", and he does not adjust at all for the seasonal variations in dawn and dusk.

¹⁴ The *Shulchan Aruch* in the Halachos of *Sh'ma* (58:1) rules explicitly that we use "relative hours".

The Shach says there (*siman* 184 n7, elaborated in his own *Nekudos HaKasef* there¹⁵) that we use "fixed hours" (especially when calculating "tekufah"s), and whenever the sources describe periods of "one night" or "one day" - they mean twelve "fixed hours", which is the length of a "perfect" night or day (and that's the kind of day to which they refer). In fact (clarifies the Shach), "the longer or shorter nights and days" in the summer and winter are to be viewed as "the daytime 'borrowing' from the nighttime, or the nighttime 'borrowing' from the daytime." [According to that, "tekufah" calculations will look at *all* nights and days as starting at 6 PM and 6 AM, which should resolve the issues of Tosafos.]

UNDER WHAT CIRCUMSTANCES IS A BRACHA SAID UPON SEEING THE SUN?

The Gemara (*Brachos* 59b¹):

The Rabbis taught in a Baraisa: *When someone sees the sun "in its tekufah" [i.e. at a certain special time¹⁶], the moon in its [special] strength, the "kochavim" [stars/planets] in their courses, [or] the "mazalos" [i.e. astrological signs] in their order, he says [the bracha:] "Baruch oseh b'reishis" ["Blessed ... Who makes Creation"].*

And when is [the sun "in its tekufah" (Rashi)]? *Abbaye said: Every twenty-eight years, because at that time "the cycle" returns [i.e. the great solar cycle (as Rashi explains soon)] and the "tekufah" of Nissan begins at [the hour of] "Shabsai", [i.e. (Rashi)] at the dusk of the third [day of the week] - [which is also] the eve of the fourth [day of the week].*

[Rashi explains this, using "Tekufas Shmuel" (the previous subject): *The term "in its tekufah" refers to the starting point of the sun's "turning" ["hekef"], and that is the point of its original positioning [see point #2 above] - after which it began to "turn" and "serve". "Shabsai" is the original first hour of the seven-hour cycle [as explained in point #4 above (and thus it is the hour "A" shown in the table)]. [The calculation is as follows:] The "tekufah" of Nissan starts at the beginning of the night at the end of every four years [as was explained in point #2 above], which is therefore called a "minor cycle". Meanwhile, the timing of the starting of the "tekufah of Nissan" **with respect to the day of the week** advances by five days [for each year is 365¼ days, and all but one-and-a-quarter of those days can be divided into complete weeks]. Consequently, at the beginning of every "minor cycle", the "tekufah" of Nissan starts at the beginning of the night, but **the day of the week** constantly changes. Only after seven "minor cycles" does the sun complete a "great cycle", and then, as it begins the next "great cycle", the "tekufah" of Nissan starts again at the beginning of the eve of the fourth [day of the week], and the occurrence is therefore only "from twenty-eight years to twenty-eight years".]*

Similarly, the Rambam (*Halachos of Brachos* 10:18) writes that "One who sees the sun on the day of the 'tekufah' of Nissan of the beginning of the twenty-eight year cycle, when the 'tekufah' is [i.e. starts] at the beginning of the eve of the fourth [day of the week]: when he sees it on the fourth day [of the week] in the morning - he says the bracha: 'Baruch ... oseh b'reishis'."

¹⁵ Technically, this *Nekudos HaKasef* comments on the Taz^o (there, n2).

¹⁶ This is our own "straightforward" translation, chosen in order to include all the interpretations given (as will soon be explained).

The *Yerushalmi* (*Brachos* 65a) brings an almost identical Baraisa¹⁷, and then quotes Rav Chunah: "You only say this during the rainy season, after three days, as it is written (*Iyov* 37:21): 'And now they have not seen light - it is clear within the heavens'." (The *Me'iri*^o, too, mentions an interpretation of "in its *tekufah*" other than Rashi's: "in its clarity".) The *Eliyahu Rabbah*^o in fact says that the *Yerushalmi* is the basis of the alternate position of the *Sefer Ha'Aruch*^o, quoted as follows by the *Beis Yosef* (in the name of the *Hagahos Maimonios*^o): "In the rainy season, when there were three cloudy days - and the sun and/or the "*kochavim*" were not [able to be] seen - it is necessary to say a *bracha* upon them at the time when they *shall* be seen, *and at no other time*."

However, the *Shulchan Aruch* follows Rashi and the Rambam, and rules: **One who sees the sun "in its *tekufah*", which is "from twenty-eight years to twenty-eight years", and the "*tekufah*" [of Nissan] is [i.e. starts] at the beginning of the eve of the fourth [day of the week]: when he sees it on the fourth day [of the week] in the morning - he says the *bracha*: "*Baruch ... oseh b'reishis*" ["Blessed ... Who makes Creation"]].**

[The rest of the *se'if* concerns saying that same *bracha* upon seeing "the moon in its [special] strength, the '*kochavim*' in their courses, or the '*mazalos*' in their order", as mentioned in our Gemara. However, the *Mishnah Berurah* writes that nowadays the *minhag* is not to fulfill this¹⁸ (and we likewise have omitted it entirely from our discussion¹⁹).]

The *Mishnah Berurah* writes that at the above time, the sun returns to exactly the same place as where it was positioned originally. [However, the Rambam said (as noted in the previous subject) that "*Tekufas Shmuel*" is not the most accurate system. If so, it would seem that the time of the *bracha* must be linked to seeing the sun at a significant point within the *calendar*, not necessarily because anything truly *happens* then.]

The earliest record I have giving the correct year for *Birkas HaChamah* (i.e. when the "*tekufah*" of Nissan begins at 6 PM²⁰ on the eve of a Wednesday) is the Maharil^o, who dates it [discussing Halachos to be cited below] at 23 Nissan, 5181 (i.e. 1421 C.E.)²¹. This confirms the year which the *Magen Avraham*^o gives here, 5433 (i.e. 1673, nine cycles of twenty-eight years later). The *Chasam Sofer*^o gives the date [when discussing Halachos cited below] as 7 Nissan, 5573 (i.e. April 7, 1813, five cycles later). By 5769 (i.e. 2009, seven cycles later), the parallel solar calendar date is April 8

¹⁷ In the *Yerushalmi*, the reference is to "the sun in its '*tekufah*', [and/or] the moon in its '*tekufah*', [and/or] the heavens in their purity." Some authorities actually interpret Rav Chunah's statement as referring to "the heavens in their purity", which would render the statement Halachically irrelevant. [The Halacha seems to be that no *bracha* is ever said over seeing "the heavens in their purity", presumably based on a differing position in the *Bavli* (see *Brachos* 59a).] Others object to this, since the Midrash (*Vayikra Rabbah* 23:8) quotes Rav Chunah's statement following a Baraisa more like the *Bavli*'s (i.e. *not* mentioning "the heavens in their purity").

¹⁸ In the *Sha'ar HaTziyun*, he refers to the *Sha'arei Teshuvah*^o, where this is apparent.

¹⁹ However, we should mention that the *Sha'ar HaTziyun* explains that the "*kochavim*" are "Shabsai", "Tzedek", "Mahdim", "Nogah", and "Kochav". [This seems to fit with the statement of the *Me'iri* (brought in an above footnote), that the names which refer to the hours of the seven-hour cycle are in fact the names of the seven "*kochvay lechess*" (i.e. the sun, the moon, and the above five planets), which "govern" those hours. (The accepted translations for the five "*kochavim*" as the planets, in the above order, are Saturn, Jupiter, Mars, Venus, and Mercury.)]

²⁰ "True solar time in Jerusalem is twenty-one minutes later than the conventional or clock time. Thus, the actual time of the '*tekufah*' in Jerusalem is 5:39 P.M. Jerusalem standard time, which corresponds to 6:00 P.M. true solar time." (*Birkas HaChammah* by Rabbi J. David Bleich, *ArtScroll Series*, Mesorah Publications, N.Y. 1980, pg. 75 [Halacha #1].)

²¹ I.e. 185 cycles of twenty-eight years after Creation (i.e. year 1).

(i.e. 14 Nissan²²). [This can be seen clearly from the fact that the 7th is Tuesday, not Wednesday.²³ (The shift of one day is caused by a tiny difference between our Gregorian solar calendar and "Tekufas Shmuel".)]

EXACTLY WHAT DOES IT MEAN THAT THE ABOVE BRACHA IS SAID UPON "SEEING" THE SUN?

The *Panim Me'iros*^o [responsum 2:38] says: "The reasoning behind the *bracha* is that the sun arrives at the point of its original creation, and therefore it is appropriate to say the *bracha* even if clouds are blocking the sun. [Accordingly, the Gemara's reference to someone] 'seeing the sun' is not [referring to] precisely the body of the sun, but rather [to] seeing the light of the sun as it lights up the day - and benefiting from it²⁴." (Actually, he says that *in practice*, under such circumstances he himself only permitted saying the *bracha* without "Hashem's Name and Kingship" [i.e. the words "*Hashem Elokeynu Melech haOlam*" - see "Principles"].²⁵)

The *Chasam Sofer*^o [O.C. responsum 56] disagrees, pointing out that the authorities *repeat* their reference to "seeing" the sun (when they mention waiting until the morning). He does agree that the *bracha* can be said (even with "Hashem's Name and Kingship") if at least *the form of the sun can be discerned* from among the clouds, but otherwise it may not be said (even *without* "Hashem's Name and Kingship").

The *Mishnah Berurah* refers to the *Sha'arei Teshuvah*^o, who discusses the possibility of following the position of the *Panim Me'iros*. However, he then proceeds to cite the position of the *Chasam Sofer* (which therefore seems to be his final conclusion).

The *Panim Me'iros* himself points out that when it comes to "*Kiddush Levanah*" [i.e. the *bracha* said upon seeing the new moon (discussed by the Halachos of *Rosh Chodesh* - O.C. *siman* 426)], there is no question that the body of the moon must be seen. However, he says that's only because in the case of the moon, there is a *separate* requirement that one appreciate the "flavor" of its light (based on a *Yerushalmi*). Accordingly, we understand that the position of the *Chasam Sofer* [and the *Mishnah Berurah*] is that the Gemara's reference to "seeing" means *the same thing* in the two cases. **Consequently, it would seem natural to conclude** that in the *details* of the "seeing" as well, the two *brachos* should have exactly the same Halachos. This affects the following issues:

(1) There seem to be two different ways to interpret the case where the *Chasam Sofer* does allow the *bracha* to be said, which he said was when "the form of the sun can be discerned from among the clouds." Does this mean [a] that the *outline* of the sun can be perceived *beneath* the clouds, or [b] that at least some *portion* of

²² I.e. the eve of Pesach. As a result of the *bracha* coinciding with this date: (1) *We can ask* whether communal gatherings for the *bracha* should wait until after any "*siyum*" (Torah study completion ceremony) which may be held in order to permit the first-born to eat (a subject discussed in the Halachos of Pesach, O.C. *siman* 470); and (2) It has been suggested that *especially large* gatherings should be avoided, to avoid problems with eliminating one's *chametz* on time.

²³ Using this simple way of deriving nearby *Birkas HaChamah* dates from one another, we can see that it occurred on the eve of Pesach most recently in the year 5685 (i.e. April 8, 1925).

²⁴ The *Panim Me'iros* supports this by listing other Gemaras with a similar structure, which *need* to be read non-literally.

²⁵ The *Panim Me'iros* says he based this on the position of the Ra'avad^o, that *all* the *brachos* mentioned in the last chapter of *Brachos* are said without "Hashem's Name and Kingship". [The rejection of this Ra'avad is discussed at the beginning of O.C. *siman* 218.]

the sun is visible *between* the clouds? Or does he mean to include *both* possibilities?²⁶ Well, in the case of "*Kiddush Levanah*", the *Mishnah Berurah* [426 n3] quotes the distinction between significantly thick clouds and very thin ones. Therefore, according to the above straightforward approach, in the case of *Birkas HaChamah* it should *also* be insufficient to merely "perceive an outline" through significantly thick clouds. Accordingly, it would then seem more reasonable to choose interpretation [b], that one does need to be able to *fully see* at least some portion of the sun.

(2) If that conclusion is correct, then the earliest time for *Birkas HaChamah*, namely "sunrise" [as cited in the next subject], should include even sunrise's earliest point, when only *part* of the sun is visible at the horizon (as opposed to having to wait until the sun's entire circumference becomes visible²⁷).

(3) Likewise, there should be no problem with seeing the sun through glass, just as we find in the case of "*Kiddush Levanah*" (which the *Sha'ar HaTziyun* [426 n25] says can be said even when looking at the moon through a closed window²⁸).

(4) Finally, blind people should have the same status here as by "*Kiddush Levanah*". (The *Mishnah Berurah* [426 n1] considers them qualified to say that *bracha* according to the strict Halacha, but he refers to the *Bi'ur Halacha*, where he concludes that it's better that someone who can see should "cause them to be *yotzei*" the *bracha* [i.e. have them in mind when *he* says it, with them listening - and preferably answering "*amein*".])

However, all this is merely a "natural" approach, i.e. to assume that either "seeing the sun is just like seeing the moon" - or else it must not be necessary to "see the sun" at all. However, most authorities do *not* seem to assume that way,²⁹ and therefore it is difficult to rely upon the above reasoning.

EXACTLY WHEN IN THE DAY IS THE ABOVE BRACHA SAID?

As quoted above, the *Shulchan Aruch* ruled like the Rambam, who wrote that the *bracha* is said "***in the morning***". The most straightforward application of this would appear to be what it says in the *Sefer HaMinhagim* of the Maharil^o ("*Likutim*" 69), that on the night before the day of "*Birkas HaChamah*", the Maharil told the "attendant" [i.e. the "*gabbai*"] of the city to announce in the synagogue: "Tomorrow (by day), each person should be careful that ***when he sees the sunrise***, he should then say the *bracha*." However, two issues can be raised: (1) Is it better to say the *bracha* slightly later, if that will make it possible to say it together with more people? (2) What is in fact the *latest* time to say the *bracha*?

²⁶ This wording for the two interpretations is used in *Bircas HaChammah* by Rabbi J. David Bleich (*ArtScroll Series, Mesorah Publications*, N.Y. 1980, pp. 84-85 [Halacha #9]), where he rules that the leniency is in *both* cases.

²⁷ "This occurs approximately 2½ minutes later than the time of the sun's first appearance." (*Bircas HaChammah* by Rabbi J. David Bleich, *ArtScroll Series, Mesorah Publications*, N.Y. 1980, pg. 78 [Halacha #4])

²⁸ As long as it is totally clear that it's the moon, this is considered "seeing" it. Naturally, seeing through glasses "all the more so" must qualify. Furthermore, even through sunglasses, there can be no mistaking anything for the sun. (Parenthetically, it is obviously inconceivable that *Birkas HaChamah* should be an occasion for gazing unsafely at the sun, and sunglasses do not eliminate that concern. The only reason it's possible to discuss looking at the sun at all is that even according to the *Chasam Sofer*, the briefest glance should be sufficient.)

²⁹ For example, according to the above, we should be able to prove from our *Chasam Sofer* that in the case of "*Kiddush Levanah*" as well, it would be sufficient to see even *only a portion of the moon* between clouds. I have not seen *any* authority deriving *anything* about "*Kiddush Levanah*" from rulings of earlier authorities about *Birkas HaChamah*.

Concerning saying it with more people, the *Sha'arei Teshuvah* cites the Chida^o ("*Machzik Bracha*", n7): "A number of sources support the *minhag* of saying the *bracha* **with a gathering of Jews, after Shacharis**, [1] because of [the concept (see 'Principles')] 'Glory of a king is in the multitude of the people' ('*Berov am hadras melech*'), and [2] by arguing that if this is the *minhag* by *Kiddush Levanah*³⁰, then 'all the more so' regarding this *bracha* which carries the preciousness of one who comes [only] at [special] intervals.³¹ [However,] I hold that someone who hurries to say the *bracha* when he sees the sunrise - it's better that he says the *bracha* alone than it is to postpone it until after the prayer [service] and to say the *bracha* with [a quorum of] ten. For that's only a *minhag* which recent authorities instituted in order to have a 'gathering', and it's clear from the Gemara (*Rosh HaShanah* 32b) that [the ideal of] 'hurrying' [Mitzvahs] outweighs having a 'gathering.'" In practice, the *Mishnah Berurah* writes that "it's best" to follow the *minhag* of having a "multitude". (In the *Sha'ar HaTziyun*, he refers to the above-mentioned responsum of the *Chasam Sofer*, where he expresses this position, but also says that on a cloudy day, one should say the *bracha* - even if alone - as soon as one sees the sun.)

As for the latest time, the *Magen Avraham*^o says that the time-period [i.e. the Rambam's language of "in the morning"] ends after three hours, because afterwards "it [i.e. the sun] has already passed from this place." A number of authorities have struggled with this position, which is an especially difficult one - because the sun's position on Wednesday morning should have nothing to do with *Birkas HaChamah* at all. (Remember, the Gemara made reference to the seven-hour cycle, and scheduled *Birkas HaChamah* for the day when the "*tekufah*" of Nissan begins at the first hour of Tuesday night.)³² The *Mishnah Berurah* rules like other authorities, who conclude that the most the Rambam could have intended to limit the time-period is that "the morning" means before Halachic noon (i.e. even if difficult circumstances force someone to delay until after three hours, he may nevertheless say the *bracha* - even with "Hashem's Name and Kingship" - until noon).

Rav Tzvi Pesach Frank^o [*Har Tzvi* O.C. 1:119] discusses what to do if one saw the sun on his way to *Shacharis*:

The Gemara in *Zevachim* (91a) asks the following question: If one has two animal offerings to slaughter, and one of them is "*tadir*" ["the more 'frequent' Mitzvah" - see "Principles"], then of course he is supposed to slaughter that one first. What if he didn't? Now that the "second" animal is slaughtered and ready to be offered up, and the "first" one (i.e. the "*tadir*") is not slaughtered and thus *not* ready, perhaps the Halacha is now different, and the *kohen*

³⁰ If it is feasible, at least ten (or three) men should gather to say *Kiddush Levanah* (*Bi'ur Halacha* to O.C. 426:2).

³¹ This sentence combines two parts, which the Chida cites from two separate sources: (1) An *Ashkenazi* responsum (from approximately the year 1600) which mentions the *minhag* of gathering after *Shacharis*, and (2) A commentary (from the 1700's) which compares our "precious" *bracha* to *Kiddush Levanah*.

³² It seems to me that the three-hour limit is based on the Gemara (*Brachos* 27a) which divides the morning into "two mornings" (each three hours long), with respect to the manna which fell in the desert (*Sh'mos* 16:21). The Gemara indicates (especially according to Rashi *ibid.*) that the difference between the "two mornings" is with respect to the sun, which reached the point of melting the manna only after three hours. This fits the phrase about the sun "passing from the place" where it was first visible, and also with the *Pri Megadim*^o's ruling that the three hours are "relative" (i.e. one-quarter of the daytime, not 180 minutes). This could also explain the practice of kings (as described in *Brachos* 9b) of arising in the third daytime hour: According to the above, it would not be appropriate for them to wait any longer for their practice of bowing down to the sun (as described in *Brachos* 7a).

should proceed immediately with the offering-up of the "second" offering! The Gemara concludes³³ that this indeed is the Halacha. Rashi there explains the reason: it would be disrespectful to the "second" offering if it were to be forced to "wait". This Rashi indicates that the overriding concern here is the principle of Reish Lakish (brought in a number of Gemaras³⁴) that one may not bypass a Mitzvah (i.e. where it's most readily available).

This explains the following rulings of the *Beis Yosef*, from the Halachos of Tefillin [by o.c. 25:1]. First, he explains that one is supposed to put on his *tallis* before his *tefillin*, because the Mitzvah of *tzitzis* [which he accomplishes by putting on his tallis] is "*tadir*".³⁵ Then, he rules that if someone picked up his *tefillin* first (in practice), then he has to put on the *tefillin* first so as not to bypass the Mitzvah. This fits with the above conclusion: "not bypassing" overrides putting the "*tadir*" first.

Consequently, here too, even though *Shacharis* is "*tadir*", it can only take precedence over saying *Birkas HaChamah* as long one does not see the sun. (As above, the accepted Halacha is that *Birkas HaChamah* is not said without actually seeing the sun.) For if he sees the sun *before* he arrives in his appropriate place³⁶ for *Shacharis*, then he has to say *Birkas HaChamah*, since it's more readily available and may not be bypassed.

Now we can better understand the words of the Maharil, who did not say that at sunrise *one should make sure* to see the sun and say the *bracha*, but rather only that *when one sees the sun* (i.e. "after the fact") he immediately says the *bracha*.

To conclude this subject, *we can ask*: (1) According to the *minhag* of gathering together, is there any point in announcing *Birkas HaChamah* the night before? (2) If the reason for gathering is that "Glory of a king is in the multitude of the people" ("*Berov am hadras melech*"), shouldn't that ideally call for having one "*chazzan*" say the *bracha* and thus "cause the others to be *yotzei*", as the Gemara says (*Brachos* 53a) based on that principle (regarding *Birkas HaMazon*)? (3) The *Pri Megadim*^o says that the "three hours" of the *Magen Avraham* are "relative hours" (i.e. one-quarter of the daytime, not 180 minutes). Should the "daytime" for this purpose stretch from well *before* sunrise to well *after* sunset, as the *Magen Avraham* himself holds concerning other such issues [such as in the Halachos of *Sh'ma* (58:1)], such that his time limit could be as early as 8 A.M.?

WHAT EXACTLY DOES ONE SAY?

The *Chasam Sofer* concluded his responsum (ibid.): "Blessed is Hashem, Who caused us to reach Wednesday, the seventh of Nissan, and we said this *bracha* with a gathering of Hashem's nation, here in Pressburg, in our year 5573. Before the *bracha* we recited [from the *pesukim*^{*} of *Tehillim* 148 which begins] 'Praise Hashem

³³ This conclusion is not explicit in the Gemara. R. Tzvi Pesach Frank simply points out that it's the ruling of the Rambam (*Temidin uMusafin* 9:3). The *Lechem Mishneh*^o there (in his commentary to 9:5) explains that the Gemara proved that a certain Mishnah was speaking in a limited case, such that the Mishnah would *not* prove that the "*tadir*" is offered up first regardless; so this proves that the opposite *must* be true, because otherwise why would the Mishnah have limited itself?

³⁴ R. Tzvi Pesach Frank himself cites *Yoma*, where the statement is quoted three times (on 33a, 58b, and 70a).

³⁵ In the *Shulchan Aruch*, he gives a different reason. However, this should not affect R. Tzvi Pesach Frank's point at all, because since the Mitzvah of *tzitzis* in fact *is* more "*tadir*", we see that "not bypassing" overrides that.

³⁶ As examples of types of places which would be more appropriate for *Shacharis* than where one is right now, R. Tzvi Pesach Frank mentions "the synagogue with the congregation" or the person's "fixed place for prayer".

from the heavens,' and after the *bracha* of 'osay ma'asay³⁷ v'reishis' ('the Maker of the work of Creation') we recited the *piyut* [i.e. poem] of 'Keil Adon al kol haMa'asim' ('G-d, Master over all works') until [the closing words] 'v'chayos hakodesh'; and afterwards [we recited] the chapter of *Tehillim* [which (essentially) begins] '*Hashamayim mesaprim kevod Keil*' ("The heavens relate the glory of G-d") [i.e. *Tehillim* 19]; and afterwards [we said the prayer of] '*Aleinu*', and '*Kaddish*'."

The *Mishnah Berurah* quotes all this, calling it the *Chasam Sofer's "minhag"*. [As noted in the previous subjects, "Hashem's Name and Kingship" are included in the *bracha* (normally)³⁸, so that it reads: "*Baruch attah Hashem Elokeynu Melech haOlam, osay ma'asay v'reishis.*" ("Blessed are You, Hashem our G-d, King of the universe, the Maker of the work of Creation.")]

A number of additional issues are raised by the later authorities, by examining the words of previous authorities regarding "*Kiddush Levanah*" [i.e. the *bracha* said upon seeing the new moon (discussed by the Halachos of *Rosh Chodesh* - O.C. *siman* 426)]:

(1) **Rav Ovadiah Yosef**^o [*Yechaveh Da'as* 4:18] points out that there is an old controversy over the original innovation of the *minhag* to say "*Aleinu*" at the end of "*Kiddush Levanah*", and he says that those who oppose it would probably say the same about *Birkas HaChamah*. Then he refers to the reasoning brought by the *Bi'ur Halacha* (to O.C. 426:2), that "*Aleinu*", which emphasizes that Hashem is the only independent power anywhere at all, is an appropriate way of dispelling any distorted interpretation of "*Kiddush Levanah*" as "homage to the moon" (G-d forbid). This reasoning can also be applied to *Birkas HaChamah*. He concludes that wherever there *is* a *minhag*, it should be followed. (In any case, he brings that one should bow down [when saying "*va'anachnu kor'im*"] in a direction *other than* toward than sun.)

(2) The **K'sav Sofer**^o [O.C. responsum 34] examines an issue which the authorities deal with, regarding "*Kiddush Levanah*": The *Magen Avraham*^o [at the beginning of *siman* 426] says that "*Kiddush Levanah*" is a positive time-bound Mitzvah, and therefore **women** are not obligated to say it [following the *Mishnah's* rule (*Kiddushin* 29a) that women are generally exempt from such Mitzvahs]. Still, the *Ashkenazi* practice is that women can - and generally do - fulfill such Mitzvahs voluntarily, even to the point of saying a *bracha*, and we do not consider this to be "saying an inappropriate *bracha*³⁹." Nevertheless, the *Magen Avraham* says the *minhag* is that women *do not* say "*Kiddush Levanah*", and he makes reference to two possible explanations: [a] because of a mystical reason⁴⁰ (which would *not* apply to *Birkas HaChamah*), [b] because the *Ashkenazi* leniency only applies to a Mitzvah which *has* a *bracha*, not a Mitzvah which *is* a *bracha*⁴¹ (and that reasoning *would* apply to *Birkas HaChamah*). [For *Sefardim*, in any

³⁷ Although the *Shulchan Aruch* (like the Rambam) did not include the word "*ma'asay*", many authorities insert it. A number of them, including the Chida^o (in his "*Machzik Bracha*") and the *Ma'amar Mordechai*^o, explain that the complete text includes "*ma'asay*", as the Gemara says concerning another case (*Brachos* 59a, i.e. just before discussing *Birkas HaChamah*), but the authorities omit it sometimes (as did our Gemara itself) as a kind of "abbreviated" form [i.e. they are *not at all* suggesting the *bracha* be said *without* the word].

³⁸ The general rule that the *brachos* said upon "seeing" things include "Hashem's Name and Kingship" is established earlier in the *Shulchan Aruch* (O.C. 218:1), based on Tosafos^o (*Brachos* 54a) and many other early authorities, as they prove from a *Yerushalmi* (*Brachos* 62b).

³⁹ This is mainly discussed by the Halachos of *tzitzis* (O.C. 17:2). [The general subject of an inappropriate *bracha* is found in O.C. 215:4.]

⁴⁰ That "*pegimah d'sihara*" (a concept discussed chiefly in the mystical "*Zohar*") is linked to women.

⁴¹ This is how the *K'sav Sofer* re-defines the *Magen Avraham's* explanation of the position that women *may not* say *havdalah* on their own. This is mainly discussed in the Halachos of *havdalah* (O.C. 296:8).

case, the *Ben Ish Chai*^o (*Eikev* 1:19) says that a man should "cause them to be *yotzei*" the *bracha* of *Birkas HaChamah* (i.e. have them in mind when *he* says it, with them listening - and preferably answering "*amein*").⁴²

(3) The *K'sav Sofer*^o [ibid.] also examines another issue similarly: The *Eliyahu Rabbah*^o brings three reasons why the *bracha* of "*shehecheyanu*" [which recognizes certain "occasions"] is not said over the Mitzvah of "*Kiddush Levanah*": either because it is too frequent (which should *not* apply to *Birkas HaChamah*), or because the *bracha* of "*Kiddush Levanah*" includes *inherently* a recognition of the significance of the occasion (which he says *would* apply to *Birkas HaChamah* as well), or because the occasion of "*Kiddush Levanah*" includes a degree of sadness, for it reminds us that if only our people would finally merit the ultimate redemption, "the light of the moon shall be like the light of the sun, and the light of the sun shall be manifold" (*Yesha'yah* 30:26) [the *K'sav Sofer* says this reason applies to *Birkas HaChamah* as well; I do not understand why]. In practice, the *K'sav Sofer* says the *minhag* is definitely *not* to say "*shehecheyanu*".

(4) Finally, we can compare with "*Kiddush Levanah*" regarding the question of *standing*. For "*Kiddush Levanah*" one must stand, because it is considered greeting the "*Shechinah*" [i.e. the "Divine Presence"] (*Sanhedrin* 42a [and O.C. 426:2]). However, the Rambam writes this at the end of his discussion of "*Kiddush Levanah*", and then *afterwards* begins with *Birkas HaChamah*. This indicates that for *Birkas HaChamah*, the Halacha does *not* require standing. [However, if the *bracha* is being said in a "gathered multitude", there may be an issue of "the honor of the congregation", as we find by the reading of the Megillah (O.C. 690:1).]

⁴² "Women may, without doubt, recite the other prayers which form part of the liturgy of *Birkas haChammah*." (*Birkas HaChammah* by Rabbi J. David Bleich, *ArtScroll Series, Mesorah Publications*, N.Y. 1980, pg. 91 [Halacha #14])

Translations of Central Quotations (more literally)

O.C. SIMAN 229 : THE BRACHOS OF THE SUN (IN ITS TIME) [AND THE RAINBOW - *not in this volume*]

Se'if 2

"Tekufas Shmuel" (the simplified solar year and seasons - an introduction to Birkas HaChamah)

The Gemara (*Eiruvim* 56a³): Shmuel said: The "*tekufah*" [i.e. season] of Nissan [i.e. the spring] does not fall [i.e. begin] [at any time] other than at the four "quarters" of the day: [i.e.] either at the beginning of the day, or at the beginning of the night, or at mid-day, or at midnight; and the "*tekufah*" of Tammuz [i.e. the summer] does not fall [i.e. begin] [at any time] other than either [after] one-and-a-half hours or [after] seven-and-a-half hours - either within the day or within the night; and the "*tekufah*" of Tishrei [i.e. the autumn] does not fall [i.e. begin] [at any time] other than either [after] three hours or [after] nine hours - either within the day or within the night; and the "*tekufah*" of Teveis [i.e. the winter] does not fall [i.e. begin] [at any time] other than either [after] four-and-a-half hours or [after] ten-and-a-half hours - either within the day or within the night; and between one "*tekufah*" and the other [i.e. previous/next] "*tekufah*" there are none other than ninety-one days and seven-and-a-half hours; and one "*tekufah*" "slides" [away] from [the time of] its friend [i.e. the previous/next one] none other than one half-hour. And Shmuel said: You will not find a "*tekufah*" of Nissan that falls at [the hour of] "Tzedek" which does not "break" [i.e. devastate] the trees; and you will not find a "*tekufah*" of Teveis that falls at [the hour of] "Tzedek" which does not dry up the seeds. [However,] this is [only] when the moon "is born" [i.e. appears anew (theoretically)] either in [the hour of] the moon or in [the hour of] "Tzedek".

Rashi (ibid.): "*Either at the beginning of the day or at the beginning of the night*": For the luminaries were "suspended" [i.e. positioned within the heavens] at the beginning of the eve of the fourth [day] of the [Creation] week - and in the month of Nissan; and "the days of the sun" [i.e. the solar year] are 365 days and six hours; [so then] "reckon them all into sevens" [i.e. cancel out the full weeks (in a solar year) by removing the number of days evenly divisible by seven] and that will leave you with one-and-a-quarter days; consequently, the "*tekufah*" of Nissan of the following year [begins] at midnight of the fifth [day of the week (i.e. six hours "into the day" later)]; in the third year - at the beginning of the sixth *day* [of the week]; and in the fourth year - at mid-day of Shabbos; and so [it continues] forever: [there are] one-and-a-quarter days between the [beginning of] a [particular] "*tekufah*" in one year and [the beginning of] the [same] "*tekufah*" in the next year; and [thus] they always end at one of these "quarters". [ibid. (explaining the "sliding")] At the beginning of the eve of the first [day] of the week - "Kochav" serves, and afterwards the moon, and afterwards "Shabsai", "Tzedek", "Mahdim", the sun, [and] "Nogah", which makes seven hours - and [thus] they cycle continuously. [ibid.] "Reckon" ninety-one days: they are all complete "sevens" [i.e. divisible by seven], [ibid.] [so] when you take away [i.e. "reckon" the remaining] seven-and-a-half hours after the "falling" [point within the seven-hour cycle] "of this one" [i.e. of the previous "*tekufah*"] - you will reach [i.e. when you thus calculate when the next "*tekufah*" begins] that same hour [of the seven-hour cycle] - except that it "slides" one half-hour later [within the seven-hour cycle].

Under what circumstances is a bracha said upon seeing the sun?

The Gemara (*Brachos* 59b¹): **The Rabbis taught in a Baraisa: One who sees the sun in its "tekufah" [i.e. special time (straightforward translation), the place to which it returns to (the point of) the beginning of its "turning" ("hekef") - which is the time of the suspending of the luminaries (i.e. their positioning within the heavens) - and starting then it began to "turn" and "serve" (Rashi), the moon in its [special] strength, [and/or] the "kochavim" [stars/planets] in their courses, [and/or] the "mazalos" [i.e. astrological signs] in their order, says "Baruch oseh b'reishis" [Blessed ... Who makes Creation]. And when is [the sun in its "tekufah" (Rashi)]? Abbaye said: Every twenty-eight years; and [this is because at that time] the [great solar (Rashi)] cycle returns - and the "tekufah" of Nissan falls [i.e. begins] at [the hour of] "Shabsai", [i.e. (Rashi)] at the dusk of the third [day of the week] - [which is also] the eve of the fourth [day of the week].**

Rashi (ibid.): Each "tekufah" [begins] later than its friend [i.e. the previous one] (with respect to the day [of the week] and the hour when it fell [i.e. began]) [by] seven-and-a-half hours; this [comes to] thirty hours for [the] four "tekufah"s [in a year] - [consequently] this [totals] thirty hours for a year; [and accordingly] for four years - five [full] days; you have [thus] learned that the "tekufah" [of Nissan] does not fall [i.e. begin] at the beginning of the night - except at the end of [every] four years - which is [therefore called] a "minor cycle"; and there are seven "minor cycles" to a "great cycle", [ibid.] for it does not arrive at the beginning of the eve of the fourth [day of the week] except "from twenty-eight years to twenty-eight years": at the "head" of every "minor cycle" it arrives at the beginning of the night, and at the "head" of a "great cycle" it arrives at the original "tekufah" which is the beginning of the eve of the fourth [day of the week].

* see Glossary ° see Bibliography O.C. = volume *Orach Chayim* (of *Shulchan Aruch*, etc.)
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Glossary

Note: Forms in brackets are plurals.

Amora - one of the Sages of the Talmudic era

Ashkenazi - lit. "of Germany", but actually generally refers to the non-*Sefardi** Jewish world

Baraisa - material from the Oral Torah less authoritative than the Mishnah* [lit. "outside"]

Bavli - Babylonian (Talmud)

Birkas HaMazon - "Grace" [*bracha**] after meals

Bracha [*brachos*] - blessing[s]

Chametz - leavened bread (or other product of the five chief grains)

Chazzan - a leader (usually of the prayers) [lit. "one who sees to" something]

Gemara - the Talmud (usually the Babylonian - called *Talmud Bavli*)

Halacha [Halachos] - law[s] (of Orthodox Jewish practice of the Torah)

Havdalah - the Mitzvah* to declare the "difference [in sanctity] in the day" (of Shabbos* or *Yom Tov**) as it departs (said over "a cup" of wine or the like) [lit. "differentiation"]

Hashem - G-d

Kaddish - the public call (often led by a mourner) to glorify and sanctify Hashem's Name (and also addressing other similar all-encompassing causes)

Kiddush Levanah - lit. "sanctification of the moon"; the *bracha** said upon "seeing the moon [after it has been born] anew" (O.C. 426)

Kohen - priest

Minhag - Torah-oriented practice not necessarily mandated by Halacha (or at least not for all Jews)

Mishnah - the repository of the basic authoritative Oral Torah, as transmitted by the *Tanna'im**

Nissan - the first Jewish month [as per *Sh'mos* (12:2), though the Jewish "new year" is 6 months away in Tishrei*]

Pasuk [*pesukim*] - Biblical verse[s]

Pesach - the holiday of Passover

Se'if [*se'ifim*] - section[s], usually in *Shulchan Aruch*^o, and usually used to give a reference number

Sefardi [*Sefardim*] - lit. "of Spain", but actually generally refers to the Jewish world with the traditions of the early authorities in Moslem-occupied lands

Shacharis - the morning prayer service

Shemoneh Esray - the main part of each prayer service, said standing (and therefore also called "*amidah*") [lit. "eighteen" (the number of *brachos** it was originally composed of)]

Siman [*simanim*] - lit. "sign" ["signs"]; often used similarly to the word "chapter[s]"

Tammuz - the fourth Jewish month (counting from Nissan* as the first)

Tanna [*Tanna'im*] - one [or more] of the Sages of the pre-Talmudic era

Tallis - large four-cornered garment with *tzitzis**, worn when praying (in certain cases)

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Tefillin - phylacteries (holy scrolls put into special leather boxes, to be fastened onto the arm and head)

Teiveis - the tenth Jewish month (counting from Nissan* as the first)

Tishrei - the seventh Jewish month (counting from Nissan* as the first)

Tzitzis - special knotted strings attached to four-cornered garments

Yerushalmi - Jerusalemite (Talmud)

Yotzei - fulfill (one's obligation) [lit. "go out"]

Halacha "Principles" Glossary

"Birth of the moon" - The point in time when the moon "appears anew" each month. (Hebrew: *"molad"*.) [This "appearance" is theoretical, since the reference is to the *focal point* within the *period* of the moon's disappearance at the end of each month (*Rosh HaShanah* 20b).] The Halachic use of this concept is found mainly in the Halachos of *Rosh Chodesh* (O.C. *simanim* 426-428).

"Hashem's Name and Kingship" - In *Brachos* (40b), Rav says that a true *bracha* must include Hashem's Name. However, the Rif^o and the Rambam (and the *Shulchan Aruch* (O.C. 214)] rule like R' Yochanan, who says it must include Hashem's Kingship (*and His Name*). (Hebrew: *"shem umalchus"*.) This means including the phrase *"Hashem Elokeynu Melech haOlam"*. The exceptions (see the *Mishnah Berurah* there) are: (1) The "closing *bracha*" of long *brachos*, (2) a *bracha* which is said immediately after another *bracha*, and (3) the first *bracha* of the *Shemoneh Esray* (at least superficially). Otherwise, omitting the above makes it "not a true *bracha*"; however, this is in fact called for in certain cases [usually this is because of a disagreement among the authorities about whether the *bracha* is appropriate in the given case, which makes it necessary to compromise in order to avoid the serious transgression of saying an inappropriate *bracha* (a subject discussed in O.C. 215:4)].

"Glory of a king is in the multitude of the people" - This is (the first half of) a *pasuk** (*Mishlei* 14:28), which the Gemara quotes in a number of places, to convey that it is preferable to gather many people together for the performance of Mitzvahs. (Hebrew: *"Berov am hadras melech"*.) Two applications in the *Shulchan Aruch* are praying together with (as large as possible) a quorum of men (O.C. 90:9), and saying *Birkas HaMazon* together (O.C. 193:2).

Tadir - lit. "The more 'frequent' Mitzvah", which generally is done first (*Brachos* 51b and elsewhere; see O.C. 681:2).

Bibliographic Information (about cited sources)

Note: all these are merely to illustrate; please do not cite them as a definitive source.

- Bach:** R. Yoel Sirkish, Poland, 1561 - 1640. [*Bayis Chadash* is his commentary to the Tur^o.]
- Ben Ish Chai:** R. Yosef Chaim of Baghdad, ~1835 - 1909. [*Ben Ish Chai* is his composition on Halacha^{*}, organized around the *parshas* of the Torah.]
- Beis Yosef:** R. Yosef Karo, Spain and Israel, 1488 - 1575. [*Beis Yosef* is his commentary to the Tur^o.]
- Bi'ur Halacha:** Part of the *Mishnah Berurah*; dedicated to supplementary (often lengthy) explanations.
- Chida:** R. Chaim Yosef Dovid Azulai, Israel and Italy, ~1725 - ~1805.
- Chasam Sofer:** R. Moshe Sofer, Germany and Moravia, 1762 - 1839. [*Chasam Sofer* is his responsa.]
- Eliyahu Rabbah:** R. Eliyahu Shapiro, Poland, 1660 - 1712. [*Eliyahu Rabbah* is the major part of his commentary to those volumes of the Levush^o that are based on the volume *Orach Chayim*.]
- Hagahos Maimonios:** *Rabbeinu* Meir HaKohen, Germany, late 1200's.
- K'sav Sofer:** R. Avraham Binyamin Shmuel Sofer [son of the *Chasam Sofer*^o], Hungary, 1815 - 1871. [*Ksav Sofer* is his responsa.]
- Lechem Mishneh:** R. Avraham de Buton, Salonika (Ottoman Empire), 1545 - 1583. [*Lechem Mishneh* is his commentary to the Rambam.]
- Levush:** R. Mordechai Yaffe, Italy and Poland, 1530 - 1612. [The "Levush" is his ten volume work. Six volumes (three based on volume *Orach Chayim*) are his expanded version of the *Shulchan Aruch*^o.]
- Ma'amar Mordechai:** R. Mordechai Karmi, France, 1749 - 1825.
- Magen Avraham:** R. Avraham HaLevi (Avli) Gombiner, Poland, ~1637 - 1683. [*Magen Avraham* is his commentary to the *Shulchan Aruch*^o - volume *Orach Chayim*.]
- Maharil:** *Rabbeinu* Yaakov HaLevi (Siegel) Mullen, Germany, ~1360 - 1427.
- Me'iri:** *Rabbeinu* Menachem ben Shlomo of the house of Meir, France, 1249 - ~1315. [His composition on the Gemara is also called "*Beis HaBechirah*".]
- Mishnah Berurah:** R. Yisrael Meir HaKohen, Poland and Lithuania, ~1839 - 1933. [*Mishnah Berurah* is his commentary to the *Shulchan Aruch*^o - volume *Orach Chayim*.]
- Panim Me'iros:** R. Meir of Eisenshtadt, Poland and Austria, ~1670 - 1744. [*Panim Me'iros* is his responsa.]
- Pri Megadim:** R. Yosef ben Meir of Frankfurt, ~1727 - 1792. [*Pri Megadim* is his commentary to the *Shulchan Aruch*^o, based off of the pre-existing major commentaries.]
- Ra'avad:** *Rabbeinu* Avraham ben Dovid, Provence, ~1120 - 1198.
- R. Ovadiah Yosef:** Israel (and Iraq and Egypt), born 1920. [*Yechaveh Da'as* is his responsa.]
- R. Tzvi Pesach Frank:** Lithuania and Israel, 1874 - 1960. [*Har Tzvi* is his responsa.]
- Rabbeinu Chananel:** Kairouan (Tunisia), ~975 - ~1050.
- Rambam:** *Rabbeinu* Moshe ben Maimon (also called "Maimonides"), Spain and Egypt, ~1135 - 1204. [His composition on Halacha, called *Yad HaChazakah* or *Mishneh Torah*, is often referred to simply as "the Rambam".]

^{*} see Glossary ^o see Bibliography O.C. = volume *Orach Chayim* (of *Shulchan Aruch*, etc.)
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Rashi: *Rabbeinu* Shlomo "Yitzchaki" (ben Yitzchak), France, 1040 - 1105.

Rif: *Rabbeinu* Yitzchak "Alfasi" ("of Fez" - and later Spain), 1013 - 1103. [His ruling-oriented Gemara collection, called *Sefer HaHalachos*, is often referred to simply as "the Rif".]

Rosh: *Rabbeinu* Asher ben Yechiel, Germany and Spain, ~1250 - 1327.

Sefer Ha'Aruch: *Rabbeinu* Nassan, student of *Rabbeinu Chananel*^o, ~1030 - 1106. [*Sefer Ha'Aruch* is his Talmudical "dictionary".]

Sha'ar HaTziyun: Part of the *Mishnah Berurah*^o; dedicated to citing sources, and to brief explanations.

Sha'arei Teshuvah: R. Chaim Mordechai Margalios, Poland, ~1770 - 1820. [*Sha'arei Teshuvah* is his commentary to the *Shulchan Aruch*^o - volume *Orach Chayim*.]

Shach: R. Shabsi HaKohen, Lithuania, 1621 - 1662. [*Sifsay Kohen* is his commentary to the *Shulchan Aruch*^o, and *Nekudos HaKasef* are his critical notes which he added later.]

Shulchan Aruch: The *Beis Yosef*^o's composition on Halacha. It is divided into the same volumes and *simanim* as the *Tur*^o, but with each *siman* organized into *se'ifim*.

Taz: R. Dovid (HaLevi) Siegel (son-in-law of the Bach^o), Poland, ~1585 - 1667. [*Turei Zahav* is his commentary to the *Shulchan Aruch*^o.]

Tur: *Rabbeinu* Yaakov ben Asher (son of the Rosh^o), Spain, ~1280 - ~1345. [The *Arba'ah Turim* is his composition on Halacha. It is divided into four volumes: *Orach Chayim*, *Yoreh Dei'ah*, *Even HaEzer*, and *Choshen Mishpat*; and each volume is divided into hundreds of *simanim*.]

Appendix

DO WE REALLY HAVE TO WAIT TWENTY-EIGHT YEARS BEFORE WE THANK HASHEM FOR THE SUN?

Actually, we praise and thank Hashem for the sun every day, and especially in the *bracha* of "*yotzeir haMe'oros*". In fact, *Birkas HaChamah* does not seem to be a *bracha* of praise or thanks over the grandeur or benefit of the sun itself. Rather, it focuses on Hashem's being "the Maker of the work of Creation." Much has been written to draw as much meaning as possible from this *bracha*; here, we would like to address a seemingly small point, which may nevertheless be a central aspect of the *bracha*'s message, especially in our times.

An atheist can also marvel at the "heavenly cycles". However, he insists that there is no beginning point in such cycles, because he claims that there was never a beginning, but rather "the universe is primary and eternal." We know otherwise. There was a distinct beginning for every cycle. Furthermore, the Creator has revealed to His people where the beginning points were. Therefore, even now, we can recognize such beginning points each time they recur. We can say, "This point in the cycle is different; it is the point of Creation." Accordingly, this is a time we testify to the Creation, much like we do by recognizing the Shabbos. So we are told to speak up, to commemorate our unique connection with "the Maker of the work of Creation."

A BRIEF OVERVIEW OF THE "HALACHA SOURCES" PROJECT, AND ITS APPROACH TO STUDYING HALACHA

A full introduction to "Halacha Sources" accompanies our first volume, on the Halachos of Chanukah. (At the time of this writing, that introduction - separately or together with the entire volume on Chanukah - is available for free download at www.learnhalacha.com, the project's website.) Here we present a condensed version:

The *Shulchan Aruch* is based on the works of the Sages [i.e. the Mishnah, the Gemara, etc.] and the "early authorities" who came afterwards [as will be explained], and its composition consists of three basic stages: the Tur, the *Beis Yosef* (and the *Darkei Moshe*), and the *Shulchan Aruch* itself (with the *Rema*). This work is, for us, the "bridge" which leads us from the Torah of the Sages to the practical Halacha.

The period of the Sages ended with the "sealing" of the *Talmud Bavli*, in the late 300's (C.E.). Then came the period of the "early authorities" [the "*Rishonim*"] (which for our purposes includes the period of the *Gaonim*).

Rabbeinu Yaakov ben Asher (~1280 - ~1345) was one of the "early authorities" who wrote compositions on the broad spectrum of Halacha. He wrote the *Arba'ah Turim* [lit. the "four columns", know as "the Tur"], in four volumes, with each volume divided into hundreds of chapters. R. Yosef Karo (1488 - 1575) created the *Beis Yosef* and the *Shulchan Aruch*, to clarify and unify the Halacha for the Jewish people (and especially the *Sefardi* "world").

The Tur presents a selection of positions of the early authorities. The commentary *Beis Yosef* fills in the rest, first usually bringing the fundamental source from the Sages (e.g. a Gemara), and then the positions of major and/or "minor" early authorities, working his way to the final ruling. R. Yosef Karo then summarized and codified the conclusions from the *Beis Yosef* in the *Shulchan Aruch* (where he divided each chapter into numbered sections).

* see Glossary

The work of R. Moshe Isserles (~1525 - 1572) [the "*Darkei Moshe*" and "*Rema*"], in Poland, filled in the "*Beis Yosef*" and "*Shulchan Aruch*" material for the *Ashkenazi* world, and also differs fundamentally in its system for deciding the final ruling. [His works do not happen to add anything on the subject of *Birkas HaChamah*.]

In the period since the *Shulchan Aruch*, the "later authorities" [the "*Acharonim*"] not only explained their words, but also questioned them and disagreed with them (in a small minority of cases). This development, as well as the universal downward spiraling of the Torah-learning levels of the generations [see *Eiruvim* 53a], caused that people could no longer study the *Beis Yosef* and *Shulchan Aruch* and walk away with a clear authoritative ruling.

R. Yisrael Meir HaKohen [the "*Chafetz Chayim*" (~1839 - 1933)], to solve this problem, compiled the *Mishnah Berurah* (his three-part commentary to the *Shulchan Aruch* / *Rema*). In relatively simple language, he synthesized all the necessary information from all the above periods into a single presentation.

However, for many people today, the study of *Mishnah Berurah* is unsatisfying, for a number of reasons:

(1) **The language** is not only Hebrew-Aramaic, but actually even Talmudic in style. If the reader is not already familiar with this language and style, he often struggles to grasp the text's meaning accurately.

(2) People struggle with **the flow** from *Shulchan Aruch* / *Rema* text to *Mishnah Berurah* commentary, plugging each comment into its piece of the source text (not to mention combining that with reading the important clarifications in the other two parts, the *Bi'ur Halacha* and the *Sha'ar HaTziyun*).

(3) **To see the "big picture"** depicted by "the story behind the Halacha", one still would have to be able to study the original works. (The *Mishnah Berurah* does *not* include *this* aspect of the *Beis Yosef*.) The reader of the *Mishnah Berurah* usually has no choice but to memorize the endless details.

The "*Halacha Sources*" project **re-organizes the material** around the *rulings* of the *Shulchan Aruch* (with *Rema*), the *tracing* of the *Beis Yosef* etc., and the finishing touches of the *Mishnah Berurah* (and some "supplementary" material), and **presents it all in clear English**, with as little "original interpretation" as possible, to enable studying as though from the source. [These approaches are explained more in the full introduction.]

But the deeper purpose of the project is to provide a new framework for serious Torah study. For generations, the almost exclusively Hebrew-Aramaic Torah texts were studied by all educated Jews, and they found in them depth, profundity, and challenge. The Torah itself is clearly oriented toward practical application, and for students who sought this "bottom line", there are an abundance of "Halacha-oriented" texts into which to delve. Today, many wish to participate in all this, but feel unready - or even unable - to overcome the language barrier. They turn to English Judaica, but that means reading Halachic works which consist of unconnected details, or works presenting translated or elucidated source material - restricted to an elementary level of understanding and without practical conclusions. But "*Halacha Sources*" can provide the above-mentioned qualities of satisfying Torah study.

We hope to compile more volumes (and to print them), probably beginning with the Halachos of Shabbos (and specifically, the Halachos of Friday "day" and "Friday night" first) and Purim. [Anyone interested in participating in the project, actively or through dedications etc., please e-mail feedback@learnhalacha.com (or contact me otherwise).] In closing, we thank all those who helped in any way thus far, and we express our hope this work will engender a significant step forward in the Torah development of contemporary English-speaking Jewry.

* see Glossary