



Excerpted from Living the Halachic Process by Rabbi Daniel Mann - Eretz Hemdah, with their permission [www.erezhemdah.org]

Steps to Ensure that Kri'at Sh'ma is Recited at the Right Time

Question: It bothers me that, at the shul where I usually daven, we often miss sof z'man Kri'at Sh'ma.¹ What can I do about this problem, and is it proper for me to continue davening in that shul?

Answer:

In many shuls, the congregation does not reach Kri'at Sh'ma before sof z'man Kri'at Sh'ma, which corresponds to the midpoint between sunrise and noon. (We will not discuss here how to calculate that time.) This is an issue primarily on Shabbat and at the late minyan on Sunday (in the Diaspora), during certain times of the year. Even if one missed sof z'man Kri'at Sh'ma, he may recite it normally for at least another full halachic hour, but with a

qualitatively inferior fulfillment of the mitzva.²

We will mention solutions to this problem in descending order of preference: If the congregation will miss sof z'man Kri'at Sh'ma by a matter of minutes, you can inconspicuously recite Kri'at Sh'ma at the right time and wait for the congregation to catch up during the following portion of the tefilla, which is the long b'racha after Kri'at Sh'ma. During that time, you should answer only AMEIN, Y'HEI SH'MEI RABBA..., AMEIN at the end of Kaddish, and BAR'CHU.³ According to most opinions, you may wait for a long time at that point in the tefilla, but it may be preferable to say a sentence every few minutes.⁴

This system works well halachically, but is not appropriate for everyone, as it is too complicated for some people. Furthermore, one may not be adept at being inconspicuous or may daven in a shul where his neighbors would react negatively if they became aware of his actions. It may be wrong for people to be overly sensitive to what strikes them as 'holier than thou' behavior. Nevertheless, this reaction is such a common human reaction and its consequences are so potentially negative that scores of halachot are based on avoiding these situations.

¹ The end of the time during which *Kri'at Shema* may be recited properly.

² *Shulchan Aruch, Orach Chayim* 58:6.

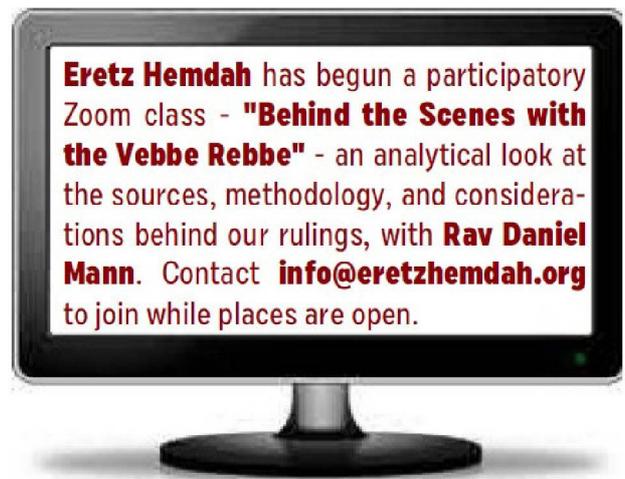
³ *Shulchan Aruch, Orach Chayim* 66:3 and *Mishna Berura* ad loc.:17

⁴ *Mishna Berura* 65:4.

A simpler idea is to recite the three sections of Kri'at Sh'ma prior to the tefilla, at the proper time, in order to fulfill the main mitzva, and repeat them, along with their b'rachot, as part of the tefilla. There are opinions that this system is qualitatively lacking, as the Kri'at Sh'ma that leads into Sh'moneh Esrei should be the one that fulfills that mitzva. However, the classical poskim seem to treat this compromise as a reasonable one.⁵ If one is not sure whether the congregation will make sof z'man Kri'at Sh'ma, then some say it is possible to have in mind to fulfill the mitzva of Kri'at Sh'ma at the earlier point on the condition that the congregation will not have made it in time in the normal place in tefilla.⁶ If the congregation will not even make it to Kri'at Sh'ma and Shemoneh Esrei by sof z'man tefilla⁷ (a halachic hour later than sof z'man Kri'at Sh'ma), it is halachically preferable to daven without a minyan, but at the right time.⁸

The question of whether it is proper to daven in a shul that routinely misses sof z'man Kri'at Sh'ma cannot be answered in a vacuum, yet cannot be ignored. Many shuls have an early minyan, and sof z'man Kri'at Sh'ma is a legitimate factor in favor of attending it. It is also proper to consider sof z'man Kri'at Sh'ma when choosing a minyan during

vacation time. Those who tend to be careful on matters like sof z'man Kri'at Sh'ma may be bothered with the following question: what type of community am I in if people do not care enough to daven at the proper time? Realize that it is a local rabbi's responsibility to determine realistically what is best for his congregation with regard to this and many other factors. Once he has done so, it is important for those members who are more meticulous about their observance than most of their peers to consider the needs of the community as a whole as a sacred responsibility. This at times warrants making compromises on that which is halachically preferable. If one cannot do so with a smile, then he might do more harm than good by staying in the shul. The issue can be discussed with the rabbi with the proviso that it is presented in a manner that is not only intended to be respectful but is received that way as well.



⁵ Rama, Orach Chayim 46:9 and Mishna Berura 46:32.

⁶ Notes of Rav Akiva Eiger on Magen Avraham 46:16. There is a fascinating discussion whether or not this works; see Yalkut Yosef, Kri'at Shema 4 and elsewhere.

⁷ The end of the time during which Shemoneh Esrei of Shacharit may properly be recited.

⁸ Mishna Berura 46:32 and 90:36.