

DAVENING MINCHAH AFTER SHEKIAH

When Does the Day End?

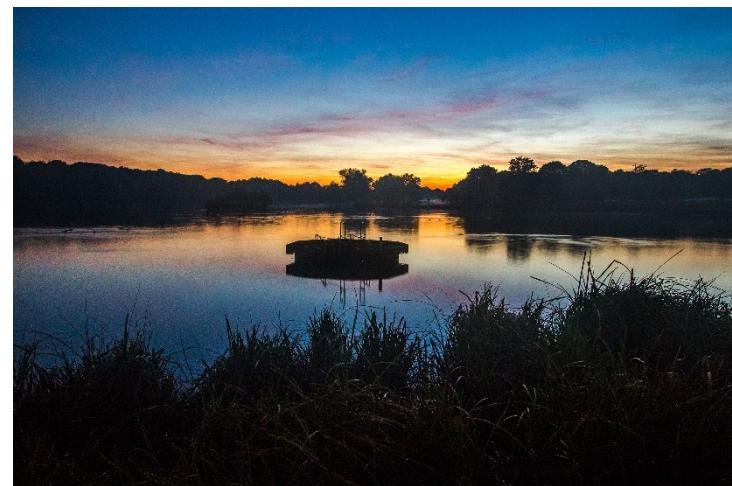
Menachos 20b notes the halachah that the sprinkling of the blood of an offering must be performed before *shekiah* (sunset) on the day that the offering is slaughtered, after which it is no longer possible to perform the sprinkling. By contrast, sacrificial limbs may be burned throughout the night following the slaughter of the animal. This rule is derived from the words בַּיּוֹם צִוָּה, “on the day He commanded” (*Vayikra* 7:38), which teaches that all sacrificial service must be performed during the day (*Zevachim* 98a). If the blood was not sprinkled before *shekiah*, it cannot be left for the next day. The Gemara in *Zevachim* (56a) learns that from a *pasuk* discussing the *shelamim* offering בַּיּוֹם הַקְרֵבָה אֲתָּה זָכָח יָאַכֵּל, on the day that he offers his sacrifice, it shall be eaten (*Vayikra* 7:16). This teaches us that the offering, referring to the *zerikah*, sprinkling of the blood, must be performed before *shekiah* on the same day as the animal was slaughtered. Thus, blood that remains overnight becomes invalidated. Tosafos here (s.v. *nifsal*) asks that once we learn from the latter *pasuk* that an offering is invalidated after *shekiah*, why do we need the first-mentioned teaching in *Menachos* that sprinkling of the blood cannot be done after *shekiah*, if any offering is anyway invalidated after *shekiah*? To answer this question, Tosafos brings the famous opinion of Rabbeinu Tam that there are two levels of sunset, and a few words of introduction are appropriate to understand his approach. We shall see that there are different transitional stages of darkness until the full darkness of night is achieved.

DEFINITION OF NIGHTFALL

The *halachic* day begins with *tzais hakochavim*, when the stars come out. Although this refers to the appearance of three medium-sized stars, the Rishonim were stringent regarding Torah laws, such as the times for Shabbos to end and the recital of *Kerias Shema*, and require that one wait for three small stars. This is because not everyone is sufficiently expert to distinguish between large and medium-sized stars (*Shulchan Aruch, Orach Chaim* 293:2). However, for rabbinical laws, the *halachah* remains that medium-sized stars are sufficient. In earlier times, the time of night was ascertained by observing the sky to determine when three stars had appeared. In later years, this became impractical, especially when the sky was clouded over. Nowadays, with high levels of street lighting and pollution, the average city resident can no longer see most stars. Nevertheless, the same result can be obtained by calculating how long it takes, after sunset, for three stars to appear. Sunset occurs when the disc of the sun dips below the horizon, and its timing can also be computed mathematically. There are two apparently contradictory sources in the Gemaros that discuss the length of time between sunset and nightfall, and their reconciliation lies at the heart of all the calculations.

TIME UNTIL NIGHTFALL

The Gemara in *Pesachim* 94a states that the amount of time between sunset and nightfall is the time it takes an average person to walk four *millin*. A *mil* is equal to 2,000 *amos*, between 0.6 and 0.7 miles depending on the size of the *amah*. Although a *mil* is a measure of distance, *Pesachim* 93b states that an average person walks 40 *millin* in a day; at 12 hours, that works out to 18 minutes per *mil* (720 minutes divided by 40). There are other views that the length of a *mil* is 22.5 or 24 minutes, depending on how one measures the day. The Gemara in *Shabbos* 34b states that according to Rabbi Yehudah, nighttime begins three-quarters of a *mil* after sunset. It further states (35a) that according to Rabbi Yosi, night begins slightly later, either the time of an eyelid after Rabbi Yehudah's time, or within the time it takes to walk 50 *amos* (about 30 seconds) afterwards. The Gemara also states that, according to Rabbi Yosi, night begins when three medium-sized stars appear, namely *tzais makochavim*. This is an apparent contradiction of the Gemara in *Pesachim*, which gives the measure of four *millin* (72 minutes).



Twilight after sunset

TWO APPROACHES

There are two approaches to reconciling the contrary indications. The Gaonim and the Gra's approach is that *tzais hakochavim* occurs three-quarters of a *mil* after sunset, as stated by *Shabbos* 34b. *Pesachim* 94a, which states that *tzais hakochavim* occurs four *millin* after *shekiah*, is not referring to the coming out of three medium-sized stars, which characterizes the halachic night, but rather to the “coming out of all the stars” (צאת כל הכוכבים). This occurs when the sky becomes completely dark, and all the stars become visible – a time that has no halachic significance. Rabbeinu

Tam's approach is that *tzais hakochavim* occurs four *millin* after sunset, as stated by *Pesachim* 94a. However, sunset being three-quarters of a *mil* before nightfall, as stated in *Shabbos* 34b, refers to a different level of sunset. It does not refer to sunset, where the sun's disc dips below the horizon, but rather to a later time when the sun has travelled through the "thickness of the heavens" (עוֹבֵי הָרְקִיעַ). This later sunset occurs at three and a quarter *millin* (58.5 minutes) after the first sunset. These two sunsets are known as the beginning and end of sunset, or alternatively, as the first and second sunset. The three-quarters of a *mil* period (13.5 minutes) is known as *bein hashamashos*, a transitional period in which there is halachic doubt whether it is day or night. According to the Geonim and the Gra, this period of halachic doubt falls immediately after the first sunset, whereas according to Rabbeinu Tam, it falls after the second sunset.

RECONCILING THE DISCREPANCY

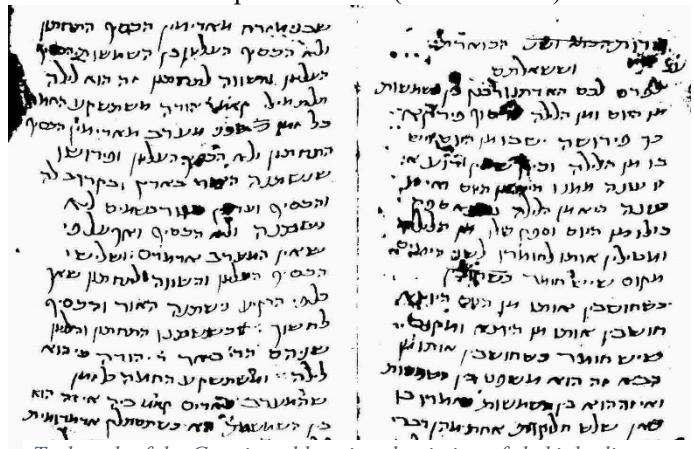
Returning to *Menachos* 20b, Rabbeinu Tam explains that for the purposes of *Shabbos* and other *mitzvos*, the day's end is measured by transition to a high level of darkness; for the purposes of *kodshim*, the day is measured differently. The superfluous words בַּיּוֹם קָרְבִּינוּ בַּיּוֹם צָוֹתָנוּ teach that validity hinges on daytime, that there must be the full light of day. It follows that although the term *shekias hachamah* usually refers to a much darker period, the end of *shekiah*, in the case of offerings, three-quarters of a *mil* before nightfall, exceptionally refers to the first sunset. The approach of the Geonim, which does not recognize two halachic sunsets, must explain the superfluous words בַּיּוֹם קָרְבִּינוּ בַּיּוֹם צָוֹתָנוּ differently. According to that approach, we can explain that although the words בַּיּוֹם קָרְבִּינוּ בַּיּוֹם צָוֹתָנוּ teach that the slaughter and sprinkling must be performed on the same day, we still need the pasuk of בַּיּוֹם קָרְבִּינוּ בַּיּוֹם צָוֹתָנוּ. For the night that follows the day on which the slaughtering took place is a part of that day, because regarding *kodashim*, the rule is that the twenty-four-hour cycle of night and day begins with day and ends with night. This means that the night following the day on which the slaughter took place is part of that day, which in turn means that sprinkling performed on that night fulfills the requirement of being on the same day. We therefore need בַּיּוֹם צָוֹתָנוּ to teach that, nevertheless, the sprinkling may not be performed that night, because of a general prohibition against nighttime service.

The difficulties in understanding Rabbeinu Tam's approach to nightfall, which is 72 minutes after sunset, have generated a vast literature with many different opinions, but we will focus here on a lesser-known angle, regarding the latest time for davening *Minchah*.

RABBEINU YONAH'S UNDERSTANDING OF RABBEINU TAM

The Gemara in *Berachos* 26b states that the *Minchah* prayer recited every afternoon corresponds to the afternoon *korban tamid*. The Mishnah (26a) states that the *Minchah* prayer may be recited until the evening, which Rashi explains to mean until it gets dark. However, Rabbeinu Yonah comments that the Mishnah cannot be referring to *tzais hakochavim* because that would be night proper. Since the *korban tamid* could not be offered after the first sunset, even according to Rabbeinu Tam, as its blood would become invalidated at that time, *Minchah* too must be prayed before the first sunset (*Berachos*, p. 18, according to the Rif's pagination). The Gemara's linkage of the *Minchah* prayer with the *korban tamid* results in the anomalous situation that davening *Minchah* even a minute after the first sunset would be forbidden. As explained above, Rabbeinu Tam holds that sunset in relation to offerings must refer to the first sunset, and there is no doubtful period associated with it. According to the Geonim, 13.5 minutes after the first sunset is *bein hashamashos*, a period of doubt as to whether it is night or day, which can allow leniencies in certain situations.

Much has been written about the various practices for calculating calendar times, and, besides the issues mentioned here, they are affected by several other factors, such as latitude, elevation above sea level, time of year, and the ability to identify stars.



Teshuvah of the Geonim addressing the timing of shekiah, discovered among Cairo Geniza fragments – Cambridge, T-S G2-103.