

לְעוֹלָם רַבִּי יְהוּדָה, וְאִפְּלוּ לְכַתְּחִילָהּ.
וְלֹא קָשְׁיָא; הָא – דִּידֵיהּ, הָא –
דְּרַבִּיהּ.

דְּתַנְיָא, רַבִּי יְהוּדָה אָמַר מִשּׁוּם רַבִּי
אֶלְעָזָר בֶּן עֲזַרְיָה: הַקּוֹרֵא אֶת שְׁמַע
צָרִיךְ שְׂשִׁימִיעַ לְאָזְנוֹ, שְׁנֹאמֵר: "שְׁמַע
יִשְׂרָאֵל ה' אֱלֹהֵינוּ ה' אֶחָד" – הַשְּׁמַע
לְאֲזִנְךָ מִה שְׂאִתָּה מוֹצִיא מִפִּיךָ. רַבִּי
מֵאִיר אָמַר: "אֲשֶׁר אָנֹכִי מְצַוֵּךְ הַיּוֹם
עַל לְבַבְךָ" – אַחַר כְּוֹנֵת הַלֵּב הֵן הֵן
הַדְּבָרִים.

הַשְּׂתָא דְאִתִּית לְהַכִּי, אֶפְּלוּ תִּמְנָא
רַבִּי יְהוּדָה כְּרַבִּיהּ סְבִירָא לֵיהּ, וְהָא
דְּתַנִּי יְהוּדָה בְּרִיהּ דְּרַבִּי שְׁמַעוֹן בֶּן
פְּזִי – רַבִּי מֵאִיר הִיא.

רַבִּי יְהוּדָה מְכַשִּׁיר בְּקָטָן: (דְּתַנְיָא)
אָמַר רַבִּי יְהוּדָה: קָטָן הֵייתִי וְקָרִיתִיהּ
לְמַעַלָּה מִרַבִּי טַרְפוֹן וְזֻקְנִים בְּלוּד.
אָמְרוּ לוֹ: אֵין מְבִיאִין רְאִיָּה מִן הַקָּטָן.

תַּנְיָא, אָמַר רַבִּי קָטָן הֵייתִי וְקָרִיתִיהּ
לְמַעַלָּה מִרַבִּי יְהוּדָה. אָמְרוּ לוֹ: אֵין
מְבִיאִין רְאִיָּה מִן הַמַּתְוִיר.

וְלִימְרוּ לֵיהּ: אֵין מְבִיאִין רְאִיָּה מִן
הַקָּטָן; תְּדָא וְעוּד קְאָמְרוּ לֵיהּ: תְּדָא –
דְּקָטָן הֵייתִי, וְעוּד: אֶפְּלוּ גְדוּל הֵייתִי –
אֵין מְבִיאִין רְאִיָּה מִן הַמַּתְוִיר.

The Gemara answers: **Actually**, you can indeed say that the *baraita* about *teruma* was taught in accordance with the opinion of **Rabbi Yehuda**, and that Rabbi Yehuda permits a deaf person to read **even *ab initio***, while Rabbi Yosei disqualifies a deaf person even after the fact. **And** the *baraita* that teaches that one should not recite the Grace after Meals in his heart, but if he did he has fulfilled his obligation, is **not difficult**, as that *baraita* was taught by Rabbi Yehuda as well. The explanation for this is that in **this *baraita***, about *teruma*, he was teaching **his own** opinion, that it is permitted even *ab initio*, whereas in **that *baraita***, concerning the Grace after Meals, he was teaching the opinion of **his master**, Rabbi Elazar ben Azarya, that one is required to hear what he is saying when he recites blessings.

As it is taught in a *baraita*: **Rabbi Yehuda said in the name of Rabbi Elazar ben Azarya: One who recites the *Shema* must make it audible to his ears, as it is stated: "Hear O Israel, the Lord our God; the Lord is One"** (Deuteronomy 6:4), the word "hear" indicating that you should **allow your ears to hear** the words **you are expressing with your mouth**. **Rabbi Meir** disagrees and says: This is not necessary, as it is also stated there: "And these words, **which I command you this day shall be in your heart**" (Deuteronomy 6:6), indicating that "these words," the words of the *Shema*, go **after the intent of the heart**, as it is unnecessary to pronounce them out loud. We see that according to Rabbi Elazar ben Azarya, as cited by Rabbi Yehuda, the words must be audible to one's ears *ab initio*.

The Gemara proposes a second solution: **Now that you have arrived at this point and cited this *baraita*, you can even say that Rabbi Yehuda holds in accordance with his teacher**, Rabbi Elazar ben Azarya, that a deaf person is disqualified *ab initio*, and it is only after the fact that his reading is valid. **And as for that *baraita* that Rabbi Yehuda, son of Rabbi Shimon ben Pazi, taught** stating that a deaf person may set aside *teruma* even *ab initio*, this was taught in accordance with the other opinion cited in the *baraita*, i.e., that of **Rabbi Meir**, who maintains that everything depends on the intent of one's heart, and that it is not necessary to pronounce words audibly, even *ab initio*.

It was taught in the mishna: **Rabbi Yehuda^p says that a minor is fit to read the Megilla. It is taught in a *baraita*: Rabbi Yehuda said:** I can offer proof to my opinion, as when I was a minor I myself read the Megilla before Rabbi Tarfon and the other Elders in Lod. **They said to him** in response: **One cannot bring a proof from the testimony of a minor.ⁿ** Since at the time of the supposed incident you were a minor, you are not qualified now to testify about it.

It is taught in a different *baraita*: **Rabbi Yehuda HaNasi said:** When I was a minor I read the Megilla before Rabbi Yehuda. **They said to him: One cannot bring a proof that an act is permitted from the behavior of the very one who permits it.** We know that Rabbi Yehuda maintains that a minor is fit to read the Megilla, and the fact that he acted in accordance with his own opinion does not prove that this is the accepted *halakha*.

The Gemara asks: **And let them say to him**, as the Sages said to Rabbi Yehuda in the previous *baraita*, that **one cannot bring a proof from the testimony of a minor**. The Gemara answers: **They said one thing to him and then another**; i.e., they rejected him with a twofold argument: **One** objection is that **you were a minor** at that time, and therefore your testimony is disqualified. **And furthermore, even if you had been an adult** at that time and you had testified that you saw some other minor read the Megilla before Rabbi Yehuda, **one cannot bring a proof that an act is permitted from the behavior of the very one who permits it.ⁿ**

PERSONALITIES

Rabbi Yehuda – רַבִּי יְהוּדָה: Rabbi Yehuda bar Ilai was a *tanna* from the fourth generation of *tanna'im*. He was born in Usha in the Galilee and studied under Rabbi Akiva and Rabbi Tarfon. He received rabbinic ordination from Rabbi Yehuda ben Baba, but was then forced to flee due to the Hadrianic persecutions. The Talmud (*Shabbat* 33b) describes a conversation between the Sages with regard to Roman rule in the land of Israel, and Rabbi Yehuda's positive response led the authorities to appoint him to the position of head of the speakers on all occasions.

The Mishna records more than six hundred teachings in the name of Rabbi Yehuda, and he is mentioned in almost every tractate. We find his teachings recorded in the *Tosefta* and *Sifra* more frequently than those of any other *tanna*.

NOTES

One cannot bring a proof from the testimony of a minor – **אֵין מְבִיאִין רְאִיָּה מִן הַקָּטָן:** The early commentaries ask: Reading the Megilla is a mitzva by rabbinic law, and it is taught elsewhere that the testimony of an adult concerning an event that occurred when he was a minor is valid in questions pertaining to rabbinic laws. Some answer that since the Megilla is part of the Bible, it is judged with the severity of a Torah law (Rid). The later commentaries discuss this question at length. Some write that a minor's testimony is accepted in such situations only if he has witnessed a clear, certain fact; however, in this case it is possible that Rabbi Yehuda indeed read the Megilla before these rabbis but they did not consider themselves as having fulfilled their obligation through his reading (*Birkhei Yosef*).

One cannot bring a proof that an act is permitted from the behavior of the one who permits it – **אֵין מְבִיאִין רְאִיָּה מִן הַמַּתְוִיר:** It emerges from the Jerusalem Talmud that even a Sage who takes a lenient stance with regard to a particular issue does not generally follow his own opinion if the majority of the Sages disagree with him. This is why the main objection of the Rabbis against Rabbi Yehuda HaNasi's opinion was that the testimony of a minor is invalid, and only after this did they add the secondary objection that one cannot bring a proof from the actions of one who permits that action (*Parat Yosef*).

Reading the Megilla during the day – קריאת מגילה ביום: The time for the daytime reading of the Megilla is after sunrise, but if one reads between daybreak and sunrise, he has fulfilled his obligation after the fact (*Shulhan Arukh, Orah Hayyim 687:1*).

The time for circumcision – זמן מילה: Circumcision should be performed after sunrise on the eighth day of a baby boy's life. However, if the circumcision was done between daybreak and sunrise, it is valid (*Shulhan Arukh, Yoreh De'at 262:1*, and in the comment of Rema).

The time for immersion – זמן טבילה: All those who must immerse in a ritual bath after a count of days immerse during the day, except for a woman after menstruation and after childbirth, whose immersion takes place at night. All those whose impurity does not entail a count of days may immerse either at night or during the day (*Ra'avad; Rambam Sefer Tahara, Hilkhot Mikvaot 1:6*).

Sprinkling the waters of purification – הזאת מי חטאת: What is the procedure for sprinkling on one who is contaminated by contact with a corpse? Three sprigs of hyssop are taken and bound together. The tips of the sprigs are dipped in a container holding the waters of purification, and the one who is ritually impure is sprinkled with this water on the third and seventh day after he contracts impurity. The time for this sprinkling is after sunrise, but if it was done earlier, between daybreak and sunrise, it is valid. After the sprinkling of the seventh day, the purification takes effect upon the setting of the sun. If the sprigs were dipped at nighttime, even if the sprinkling itself was done during the day, or vice versa, it is invalid (*Rambam Sefer Tahara, Hilkhot Para Aduma 11:1*).

מתני' אין קורין את המגילה, ולא מלין, ולא טובלין, ולא מוין, וכן שומרת יום כנגד יום – לא תטבול עד שתנין החמה. וכולן שעשו משעלה עמוד השחר – כשר.

גמ' מנלן דאמר קרא 'והימים האלה נזכרים ונעשים', ביום – אין בלילה – לא. לימא תיהוי תיובתא דרבי יהושע בן לוי: דאמר רבי יהושע בן לוי חייב אדם לקרות את המגילה בלילה ולשנותה ביום! כי קתני אדיום.

'ולא מלין' וכו': דקתיב 'וביום השמיני ימול'.

ולא טובלין ולא מוין וכו': דקתיב 'והזהההו על הטמא [וגו'] ביום השביעי' ואיתקש טבילה להזהה.

MISHNA One may not read the Megilla,^H nor perform a circumcision,^H nor immerse himself in a ritual bath,^H nor sprinkle water of purification to purify people and objects that had contracted ritual impurity through contact with a corpse^H until after sunrise. **And also a woman who observes a clean day for each day she experiences a discharge, i.e., a woman who experienced one or two days of non-menstrual bleeding, and must now wait until a day has passed without any discharge of blood before regaining ritual purity, she too may not immerse herself until the sun has risen.^N And with regard to all these activities that are supposed to be performed during the day, if one did them after daybreak, i.e., after the appearance of the first light of the sun, even before sunrise, they are valid,^N as at this point it is already considered daytime.**

GEMARA The Gemara asks: From where do we derive the *halakha* taught in the mishna that the Megilla may be read only during the day? The Gemara answers: **As the verse states: "And that these days should be remembered and kept"** (Esther 9:28). The word "days" indicates during the day, yes, but at night, no. The Gemara asks: **Let us say that this is a conclusive refutation of the opinion of Rabbi Yehoshua ben Levi, as Rabbi Yehoshua ben Levi said: A person is obligated to read the Megilla at night and then repeat it during the day.** The Gemara rejects this: There is no proof from here, as when the mishna teaches that the Megilla may be read only during the day, it was referring to the daytime reading, but the nighttime reading is not considered here at all.

§ The mishna continues: **And one may not perform a circumcision until after sunrise, as it is written: "And on the eighth day he shall be circumcised"** (Leviticus 12:3).^N This indicates that the circumcision must be during the day, not at night.

§ It is further taught in the mishna: **And one may not immerse^N himself in a ritual bath, or sprinkle waters of purification until after sunrise.** This too is derived from a verse, as it is written: **"And the pure person shall sprinkle upon the impure on the third day and on the seventh day; and on the seventh day he shall purify himself and wash his clothes, and bathe himself in water, and shall be pure at evening"** (Numbers 19:19), which teaches that the sprinkling must take place during the day and not at night. **And immersion is likened to sprinkling,** as it too is mentioned in the verse, "and bathe himself in water," so that whatever is invalid with respect to sprinkling is also invalid with respect to immersion.

NOTES

אין קורין...עד – אין קורין: The Ritva notes that there are many other mitzvot that the mishna does not mention that may be performed only during the day. He states that each case listed in the mishna was recorded because of some remarkable facet of this *halakha*. For instance, since the Megilla is read at night as well as during the day, one might have supposed that the daytime reading may also be done before dawn. Or one might have thought that the requirement to perform circumcision during the daytime applies only when the circumcision is done on the required day, the eighth day of life, but not if it is delayed for some reason. He explains the other cases in the mishna similarly.

All these activities, if one did them after daybreak, they are valid – ולא מלין, ולא טובלין, ולא מוין, וכן שומרת יום כנגד יום: Strictly speaking, daytime begins with dawn, as the Gemara establishes below (2ob). However, since the onset of dawn is not easily recognizable, the Sages decreed that all these acts should preferably not

be done until the sun rises, when it clearly evident that daytime has arrived (Rabbeinu Yehonatan).

וביום השמיני – וכו': *Tosafot* note that this is not the accepted source for this *halakha* elsewhere in the Gemara; see their explanation as to why the Gemara here adduces this verse. The Rashba writes that the verse cited here is the source that a circumcision done after the proper time, i.e., after the eighth day, must also be performed during the daytime, and that the mishna is referring primarily to this kind of circumcision. The Meiri writes that the mishna means that although the circumcision itself is valid even if performed at night, if one performs the circumcision at night he is not considered to have performed a mitzva.

לא טובלין – ולא מלין: The early commentaries note that there is a dispute with regard to the meaning in this context of the term immerse. Some say it refers to immersing oneself in a ritual bath (Rashi), while others say it means

immersing the hyssop into the waters of purification for the purpose of sprinkling it on people who have been rendered impure by contact with a corpse (Rashba).

Rabbeinu Yehonatan connects this dispute with the question of whether the correct reading in the mishna is: One may not immerse or sprinkle, or if it is: One may not sprinkle or immerse. If immersing is mentioned before sprinkling it would appear that the term immerse refers to the hyssop being dipped into the waters of purification rather than to immersion in a ritual bath. According to the opinion that the word immerse refers to immersion in a ritual bath, it should be noted that when the mishna says it may not be done at night, it means only that in the case of an immersion that has to be done after a certain number of days, it cannot be done during the night preceding the required day but only once day has begun; but if the immersion is postponed until after the required day has passed it can certainly take place at night as well (see Rashi and Rid).

A woman who observes a day for a day – שומרת יום כנגד יום: In the case of a woman who experiences a single day of bleeding outside the time of her menstrual period, if the bleeding stops before nightfall she observes the following night, i.e., she verifies that there is no bleeding during the night, and if there is no further bleeding she may immerse the following day, beginning at daybreak. Her purification is still pending at that point, however, lest there be further bleeding, and therefore she may not yet have intimate relations. If the entire day then passes without any bleeding, she is considered purified. All this is according to Torah law. However, as far back as the time of the early *amora'im*, out of concern for errors that might arise, it has been accepted that a woman who experiences even minimal bleeding, at any time of her cycle, should count seven clean days before immersing, like a full-fledged *zava* (*Tur, Yoreh De'a* 183).

“וכן שומרת יום כנגד יום לא תטבול עד שתנץ החמה” וכו’: פשיטא! מאי שנא שומרת יום כנגד יום מכל חייבי טבילות?

§ The mishna states: **And also a woman who observes a day for a day⁴¹ may not immerse herself until the sun has risen.** The Gemara asks: **This is obvious. What is different about a woman who observes a day for a day, who must immerse herself in a ritual bath, from all the others who are obligated to immerse themselves, as it was already taught that one may not immerse himself in a ritual bath until it is day?**

איצטריך, סלקא דעתך אמינא תיהוי בראיה ראשונה של זב, וראיה ראשונה של זב איתקש לבעל קרי, דכתיב “ואת תורת הזב ואשר תצא ממנו שכבת זרע”, מה בעל קרי טביל ביום – היא נמי ליטבול ביומיה.

The Gemara answers: **It is nevertheless necessary to mention separately the case of a woman who observes a day for a day. As, it might enter your mind to say that this woman’s bleeding should be treated like the first emission of a *zav*, a man who experiences a gonorrhea-like secretion, in that just as a man attains the status of a full-fledged *zav* once he has three such emissions, so too, a woman attains the status of a full-fledged *zava* once she experiences three days of bleeding. And the first emission of a *zav* is likened to one who experienced a seminal discharge, as it is written: “This is the *halakha* of him that has an issue and of him whose semen goes from him” (Leviticus 15:32).** From this it is learned: **Just as one who experienced a seminal discharge immerses on the same day that he had the discharge, so too, that one, the *zav*, may immerse himself on the same day that he had the emission.**

והא ביממא לא מצי טבילה דכתיב “כל ימי זובה כמשכב נדתה יהיה לה” – בליליא מיתה ליעביד מקצת שימור, ותיטבול. קא משמע לן: כיון דבעיא ספירה –

And although **this one**, i.e., a woman who observes a day for a day, **cannot immerse on the same day** that she experienced the bleeding, as it is written: **“All the days of her issue shall be to her as the bed of her menstruation”** (Leviticus 15:26), which teaches that she remains the entire day of her issue in her impure state and must wait until the day is over before she can immerse herself, nevertheless, one might have said that **at least during the night** following the day of her issue **she should be able to perform a partial observation**, i.e., she should verify that part of the night has gone by without bleeding, **and then immerse herself** at night, without waiting until morning. Therefore, the mishna **teaches us that since she is required to count** one day of purity after her day of impurity,

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and **counting** can only be done **during the day** and not at night, as it says: “And she shall count for herself seven days” (Leviticus 15:28), she cannot immerse herself until after sunrise, although here she has to count only one day.

“וכולן שעשו משעלה עמוד השחר כשר” מנהני מילי? אמר רבא: דאמר קרא “ויקרא אלהים לאור יום” – למאיר ובא קראו יום.

§ The mishna concludes: **And with regard to all these things, if one did them after daybreak they are valid.** The Gemara asks: **From where is this matter derived, that from daybreak it is already considered daytime?** Rava said: **As the verse states: “And God called the light [or] day”** (Genesis 1:5), meaning: **To that which was becoming lighter and lighter he called day.** The Hebrew word *or* is not to be understood in its usual sense of light, but as a verbal noun: that which is becoming lighter and lighter. It teaches that as soon as light begins to appear in the sky it is called daytime.

אלא מעתה, “ולחשך קרא לילה” [למחשיך ובא קרא לילה] הא קיימא לן דעד צאת הכוכבים לא לילה הוא!

The Gemara raises a difficulty with this interpretation: **However, if it is so that Rava’s interpretation of this phrase is correct, the following phrase: “And the darkness [*hoshekh*] He called night”** (Genesis 1:5), should be interpreted in a similar fashion: **That which was becoming darker and darker He called night**, so that immediately after sunset it would be considered nighttime. But don’t we maintain that **until the stars come out it is not nighttime?** We are forced to say that *hoshekh* literally means darkness, and similarly, *or* in the first part of the verse literally means light.

The entire day is a valid time – כָּל הַיּוֹם כָּשֶׁר: The question has been raised: Since the point of this mishna is to list the mitzvot that must be done only during the day, in what way does it differ from the previous mishna, in which a completely different list was given for the same category of mitzvot? Some answer that with regard to the mitzvot listed in the previous mishna, e.g., immersing and sprinkling, although their set time arrives during the day, if they are performed after that set time, the obligation is nevertheless fulfilled. The items listed in this mishna, however, must be performed not only during the day, but on a particular day (Meiri; *Tiferet Yisrael*).

It appears that Rashi alludes to the question as well, as at the beginning of the mishna he mentions the principle that it is proper to perform a daytime mitzva as early in the morning as possible. This is in contrast to those procedures mentioned in the previous mishna, such as immersion, with regard to which it is sometimes preferable to perform them specifically late in the day (see *Penei Yehoshua* and *Turei Even*). Rashba cites Rabbeinu Tam, who also asks why the mishna did not mention the cases in the previous mishna, but the question is left unanswered.

Some early commentaries write that when the mishna begins its list with reading the Megilla, which was enumerated first in the previous mishna, it means: The reading of the Megilla and all the subsequent cases specified along with it in the previous mishna (Ra'avya; Ritva; Meiri). Another question is raised with regard to the mishna as well: Why are certain other procedures that must also be performed during the day, e.g., the observation of signs of leprosy and rendering judgment, omitted from its list? The answer to this appears to be that the mishna relies on the principle stated at the end of the list and consequently did not list each case by name (see Ritva).

The order of the mishna – סֵדֵר הַמִּשְׁנָה: Some commentaries attempt to explain the order of the items on this seemingly random list: The reading of the Megilla is mentioned first because it is the main topic of this tractate. Afterward it lists other mitzvot, such as *shofar* and *lulav*, that, like the Megilla, are performed in the course of the prayers. The additional prayer is listed before the additional offering, although in fact the former is a derivative of the latter, because the *tanna* wanted to give precedence to the item that is a rabbinic enactment rather than an explicit mitzva by Torah law. Some items are arranged in accordance with their appearance in the Torah, such as the confession over the bulls, which precedes the confession of Yom Kippur. The end of the list deals with those actions that are not related to offerings and are not mitzvot, but rather are acts that are undertaken to rectify a defective situation such as ritual impurity. The final item is the purification of the leper, because the *tanna* wanted to end with the subject of purification (*Tosefot Yom Tov*; *Adderet Eliyahu*).

אֵלֶּיָא אָמַר רַבִּי זֵירָא, מֵהֵכָּא: "וְאֵנְחָנוּ עוֹשִׂים בְּמִלְאכָה וְחֻצִּים מִחֻזְקֵים בְּרַמְחֵים מֵעֲלוֹת הַשָּׁחַר עַד יְצֵאת הַבּוֹכָבִים", וְאָמַר: "וְהָיָה לָנוּ הַלַּיְלָה (לְמִשְׁמֵר)".

מַאי "וְאָמַר"? – וְכִי תֵימָא "מִשְׁעֵלָה עֵמוּד הַשָּׁחַר" לָאוּ יִמָּא, וּמְכִי עֲרָבָא שְׂמִשְׁא לִילֵיא, וְאִינְהוּ מְקַדְמִי וּמַחֲשָׁבִי – תָּא שְׂמַע "וְהָיָה לָנוּ הַלַּיְלָה מִשְׁמֵר וְהַיּוֹם מִלְּאכָה"

מִתְנִי' כָּל הַיּוֹם כָּשֶׁר לְקִרְיַת הַמְּגִילָה וְלְקִרְיַת הַהֵלֵל, וְלְתַקִּיעַת שׁוֹפָר, וְלְנִטְיַלַת לולָב, וְלְתַפְלַת הַמוֹסְפִין, וְלְמוֹסְפִין.

וְלִידוּי הַפָּרִים, וְלִידוּי מַעֲשֵׂה, וְלִידוּי יוֹם הַכַּפּוּרִים,

Rather, Rabbi Zeira said: We derive this *halakha* from here, as it is stated: "So we labored in the work; and half of them held the spears from the rising of the morning till the stars appeared" (Nehemiah 4:15), where "rising of the morning" means daybreak, and the next verse states: "So that in the night they may be a guard to us; and labor in the day" (Nehemiah 4:16). This demonstrates that the day begins with the dawn.

The Gemara clarifies Rabbi Zeira's statement: What need is there for the additional verse introduced by the words "and it states"? Why does the first proof-text not suffice? The Gemara explains: The second verse comes to deflect the following possible objection: You might say that even after "the rising of the morning" it is not yet considered day, and that from the time when the sun sets it is already considered night, and in this particular incident it happened that they began their work early, before the official beginning of daytime, and remained working late, after the official end of daytime. Therefore, Rabbi Zeira continued and said: Come and hear that which is stated in the next verse: "So that in the night they may be a guard to us; and labor in the day." The entire time during which they worked is referred to as "day," which proves that the day begins at daybreak.

MISHNA Although it is preferable to fulfill a particular day's mitzva at the earliest possible hour, the entire day is a valid time^N for reading the Megilla;^H for reciting *hallel*;^H for sounding the *shofar*^H on Rosh HaShana; for taking the *lulav*^H and the other species on Sukkot; for the additional prayer^H recited on Shabbat and other occasions; and for the additional offerings sacrificed in the Temple on these occasions.^H

And the entire day is also a valid time for the confession over the bulls^H brought by the Sanhedrin or by the High Priest to atone for mistakes they had made in their instruction to the people; for the declaration made on the last day of Passover in the fourth and seventh year of the Sabbatical cycle, stating that one's obligations with regard to tithes^H have been properly fulfilled (see Deuteronomy 26:12–15); and for the confession of sins made by the High Priest on Yom Kippur over the special offerings brought on that day.^N

HALAKHA

Reading the Megilla during the day – קִרְיַת הַמְּגִילָה בַּיּוֹם: One is obligated to read the Megilla during the day, and its time extends from sunrise until sunset. If one is delayed until after sunset he should read without the blessing (*Arukh HaShulhan*; *Mishna Berura*; *Shulhan Arukh, Orach Hayyim* 687:1).

The time for *hallel* – זְמַן הַהֵלֵל: It is permitted to say *hallel* throughout the day (*Rambam Sefer Zemanim, Hilkhot Megilla VaHanukka* 3:9).

The time for sounding the *shofar* – זְמַן תְּקִיעַת שׁוֹפָר: The time for sounding the *shofar* on Rosh HaShana is during the day, from sunrise to sunset. However, the Sages instituted that the *shofar* should be blown before and during the additional prayer for Rosh HaShana. Even if one blows or hears the *shofar* in private, he should try to arrange for it to be done at the same time the congregation blows the *shofar* in the synagogue (*Mishna Berura*; *Shulhan Arukh, Orach Hayyim* 588:1).

The time for the taking the *lulav* – זְמַן נִטְיַלַת לולָב: One may take the *lulav* anytime during the day. If he does not take the *lulav* on the first day of Sukkot until after sunset, he should take it at that time, without reciting the blessing (*Magen Avraham*). Some say that this should be done on the other the days of Sukkot as well (*Mishna Berura*). On the seventh day of Sukkot and on Friday, however, the *lulav* should not be handled at all after sunset (*Kaf HaHayyim*; *Shulhan Arukh, Orach Hayyim* 652:1).

The time for the additional prayer – זְמַן תַּפְלַת הַמוֹסְפִין: The preferred time for the additional prayer is immediately following the morning prayer, and it should not be delayed longer than the seventh hour of the day, i.e., one hour after noon, *ab initio*; however, it may be said at any time during the day if necessary (*Shulhan Arukh, Orach Hayyim* 286:1).

The time for the offerings – זְמַן הַקּוֹרְבָנוֹת: The entire day is acceptable for many acts associated with offerings: leaning on the offerings, slaughtering, pinching the necks of the bird offerings, burning the fistful of flour on the altar, bringing near a meal-offering to the altar, sprinkling the blood, waving, scooping out a fistful from meal-offerings, and sacrificing the additional offering. Nevertheless, it is preferable to do these mitzvot as early in the day as possible (*Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 4:6).

The time for confession over the bulls – זְמַן יוֹדוּי הַפָּרִים: The entire day is acceptable for the confession over the Yom Kippur bull as well as for the confession over the sin-offering bulls that are burned (*Rambam Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 2:7).

The time for declaration with regard to tithes – זְמַן יוֹדוּי מַעֲשֵׂה: The declaration with regard to the tithes must be done during the day, and may be done at any time throughout the day (*Rambam Sefer Zera'im, Hilkhot Ma'aser Sheni* 11:4).

The time for giving a woman suspected by her husband of having been unfaithful [*sota*] to drink – זמן השקייית סוטה: The *sota* is given the mixture to drink during the day. This may be done at any time throughout the day (Rambam *Sefer Nashim, Hilkhhot Sota* 4:2).

The time for breaking the neck of the heifer – זמן גריפת העגלה: The breaking of the heifer's neck is done only during the day. It may be done at any time throughout the day (Rambam *Sefer Nezikim, Hilkhhot Rotze'ah UShmirat HaNefesh* 10:5).

The time for the purification process of the leper – זמן טהרת מצורע: The entire day is acceptable for the purification ceremony of the leper; it may be performed at any time throughout the day (Rambam *Sefer Tahara, Hilkhhot Tumat Tzara'at* 11:3).

The time for reaping the omer – זמן קצירת העומר: It is permitted to reap the omer throughout the night; if it was reaped during the day it is also valid (Rambam *Sefer Avoda, Hilkhhot Temidin UMusafin* 7:7).

The time for burning the fats – זמן הקטרת הלבנים: The fats of the offerings and the limbs of burnt-offerings may be burned throughout the night (Rambam *Sefer Avoda, Hilkhhot Ma'aseh HaKorbanot* 4:6).

NOTES

A mitzva to perform during the day is valid if performed anytime during the entire day – דבר שמצוותו – ביום כשר כל היום: This *halakha* does not apply to those actions to which a specific time of day was set, such as the Paschal offering and the daily offering (Ritva).

That these days should be remembered – זמנים יהיזכרו: In the Jerusalem Talmud this is derived from a different verse: "On the day that the enemies of the Jews hoped to have rule over them" (Esther 9:1).

The additional offerings – מוספין: The question may be raised: As the time for the additional offering is after the daily morning offering until the daily afternoon offering, its time is not the entire day. One answer is that theoretically its time is the entire day, but there are external factors that limit the application of this extended time frame. Another possibility is that the additional offering may indeed be valid after the fact if it is brought at any time during the day (Rashba).

לסמיכה, לשחיטה, לתנופה, להגשה, לקמיצה, ולהקטרה, למליקה, ולקבלה, ולהזיה.

The entire day is also a valid time for placing hands on the head of an offering; for slaughtering an offering; for waving those offerings that require waving in the Temple; for bringing meal-offerings near to the altar; for scooping out a fistful of flour from a meal-offering in order to burn it on the altar; and for burning the fistful of flour on the altar; for pinching the necks of the turtledoves and young pigeons sacrificed as offerings in the Temple; and for receiving the blood of an offering in a vessel; and for sprinkling blood on the altar and on the curtain separating between the Holy and the Holy of Holies.

ולהשקייית סוטה, ולעריפת העגלה, ולטהרת המצורע.

And the entire day is also a valid time for giving a woman suspected by her husband of having been unfaithful [*sota*] to drink^h from the bitter waters (see Numbers 5:11–31); for breaking the neck of the heifer^h as part of the procedure followed when a corpse is found outside a town and it is not known who caused his death (see Deuteronomy 21:1–9); and for all the steps in the purification process of the leper (see Leviticus 14:1–20).^h

כל הלילה כשר לקצירת העומר, ולהקטרת הלבנים ואבירים. זה הכלל: דבר שמצוותו ביום – כשר כל היום. דבר שמצוותו בלילה – כשר כל הלילה.

Correspondingly, all the mitzvot that must be performed at night may be performed anytime during the night: The entire night is a valid time for reaping the omer^h of barley on the night following the first day of Passover, for burning the fats^h of offerings that had been brought during the preceding day, and for burning the limbs of burnt-offerings. This is the principle: Something that it is a mitzva to perform during the day is valid if performed anytime during the entire day;ⁿ something that it is a mitzva to perform at night is valid if performed anytime during the entire night.

גמ' מנלן – דאמר קרא 'והימים האלה נזכרים ונעשים'. לקריאת ההלל – דכתבי 'ממזרח שמש עד מבואו' (רבי יוסי) אומר: 'זה היום עשה ה'."

GEMARA The Gemara asks: From where do we derive that these mitzvot were commanded to be performed specifically during the day? With regard to reading the Megilla, the verse states: "That these days should be rememberedⁿ and kept" (Esther 9:28). For reciting the *hallel*, the proof is from that which is written in *hallel*: "From the rising of the sun to its setting, the Lord's name is to be praised" (Psalms 113:3). Rabbi Yosei said: The proof is from another verse in *hallel*: "This is the day that the Lord has made" (Psalms 118:24), implying that it is to be recited during the day and not at night.

ולנטילת לולב – דכתבי 'ולקחתם לכם ביום הראשון'. ולתקיעת שופר – דכתבי 'יום תרועה יהיה לכם'. ולמוספין – דכתבי 'דבר יום ביומו'. ולתפלת המוספין – כמוספין שויה רבנן.

And daytime is the time for taking the *lulav*, as it is written: "And you shall take for yourselves on the first day the fruit of a beautiful tree, branches of a date palm, and boughs of a dense-leaved tree, and willows of the brook" (Leviticus 23:40). Daytime is also the time for sounding the *shofar*, as it is written: "It is a day of sounding the *shofar* to you" (Numbers 29:1). Likewise, the time for the additional offeringsⁿ is day, as it is written with regard to these offerings: "To sacrifice an offering made by fire to the Lord, a burnt-offering, and a meal-offering, a sacrifice, and libations, each on its own day" (Leviticus 23:37). And this is also so for the additional prayer, because the Sages made it equivalent to those additional offerings.

ולוידוי פרים – דיליף 'כפרה' 'כפרה' מיום הכפורים, דתניא גבי יום הכפורים: 'וכפר בעדו ובעד ביתו'. בכפרת דברים הכתוב מדבר, וכפרה ביממא הוא, דכתבי 'ביום הזה יכפר עליכם'.

And daytime is the time for the confession over the bulls, as this is derived by way of a verbal analogy between one instance of atonement in this context and another instance of atonement in the context of Yom Kippur. As it is taught in a *baraita* with regard to Yom Kippur, the verse states: "And Aaron shall present the bull of the sin-offering that is his, and atone for himself and for his household" (Leviticus 16:11). The verse speaks of atonement achieved through words, i.e., the atonement here is not referring to the sacrifice of offerings and the sprinkling of blood, but rather to atonement achieved through confession. And the atonement of Yom Kippur is only during the day, as it is written: "For on that day will He atone for you" (Leviticus 16:30). Just as the atonement on Yom Kippur must take place during the day, so must the other cases of atonement, over other bulls brought as sin-offerings, take place during the day.

For placing hands and for slaughtering – לְקַמֵּיכָה וְלִשְׁחִיטָה – The fact that these two actions, as well as several others, must be done during the day is derived from specific verses, although other sacrificial acts are derived from the verse that states: “On the day that he commanded the children of Israel to present their offerings” (Leviticus 7:38). See *Tosafot*, who explain why this general verse is not used for all actions related to offerings. However, in the Jerusalem Talmud, these actions are indeed derived from the verse that starts: “On the day that he commanded.”

וְלִיּוּדֵי מַעֲשֵׂר וְכוּ': דְּכַתִּיב 'וְאִמְרַתְּ לִפְנֵי ה' אֱלֹהֶיךָ בַּעֲרֵתִי הַקֹּדֶשׁ מִן הַבַּיִת' וְסִמַּנְךָ לַיהוָה הַיּוֹם הַזֶּה ה' אֱלֹהֶיךָ מִצֹּרֶךְ.

לְקַמֵּיכָה וְלִשְׁחִיטָה: דְּכַתִּיב 'וְסִמַּנְךָ וְשָׁחֲטָה', וְכַתִּיב בָּהּ בְּשִׁחִיטָה 'בְּיוֹם זִבְחֶכֶם', וְלִתְנוּפָה – דְּכַתִּיב 'בְּיוֹם הַנִּיפְכֶם אֶת הָעוֹמֶר'.

וְלִהְגֵּשָׁה – דְּאִיתְקַשׁ לְתַנּוּפָה, דְּכַתִּיב 'וְלָקַח הַכֹּהֵן מִיַּד הָאִשָּׁה אֶת מִנְחַת הַקְּנָאוֹת וְהִנִּיף...וְהִקְרִיב'. וְלִמְלִיקָה וְלִקְמִיצָה וְלִהְקַטְרָה וְלִהְזִיחַ – דְּכַתִּיב 'בְּיוֹם צִוּוֹתוֹ אֶת בְּנֵי יִשְׂרָאֵל'.

וְלִהְשַׁקֵּיית סוּטָה אֲתִיב 'תּוֹרָה' תּוֹרָה; כַּתִּיב הָכָא 'וַעֲשֵׂה לָהּ הַכֹּהֵן אֶת כָּל הַתּוֹרָה הַזֹּאת' וְכַתִּיב הָתָם 'עַל פִּי הַתּוֹרָה אֲשֶׁר יוֹרֵךְ וְעַל הַמִּשְׁפָּט'.

And daytime is the time for the declaration with regard to tithes, as it is written in the formula of this declaration: “And you shall say before the Lord your God, I have removed the sacred things out of my house” (Deuteronomy 26:13–15); and juxtaposed to that passage it is written: “This day the Lord your God has commanded you to do” (Deuteronomy 26:16), implying during the day and not at night.

For placing hands on the head of an offering and for slaughteringⁿ an offering, it is derived as it is written: “And he shall lay his hand upon the head of his offering, and slaughter it” (Leviticus 3:8), comparing the laying of hands to slaughtering. And it is written with regard to slaughtering: “On the day that you slaughter” (Leviticus 19:6), meaning during the day and not at night. And for waving the offerings that require waving, it is derived as it is written: “And on the day you wave the omer” (Leviticus 23:12).

And with regard to bringing the meal-offerings near the altar, it is likened to waving, as it is written: “And the priest shall take the meal-offering of jealousy from the woman’s hand, and shall wave the offering before the Lord, and sacrifice it upon the altar” (Numbers 5:25). The words “sacrifice it” are referring to bringing the offering near the altar. And for scooping out a fistful of flour, and for pinching the necks of the bird-offerings, and for burning the fistful of flour on the altar, and for sprinkling the blood, these are derived as it is written: “This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of the peace-offering; which the Lord commanded Moses on Mount Sinai on the day that he commanded the children of Israel to present their offerings” (Leviticus 7:37–38).

And with regard to giving the *sota* to drink from the bitter waters, this is derived from a verbal analogy between one instance of the word “Torah” and another instance of the word “Torah.” It is written here with respect to a *sota*: “And the priest shall execute upon her all this Torah” (Numbers 5:30), and it is written there with regard to judgment: “According to the Torah, which they shall teach you, and according to the judgment, which they shall tell you” (Deuteronomy 17:11).

Perek II
Daf 21 Amud a

מִה מִשְׁפָּט בְּיוֹם – אִף כָּאֵן בְּיוֹם.

Just as judgment may be done only by day,ⁿ so too here, the *sota* is given the bitter waters to drink only by day.

'וְלַעֲרִיפַת הָעֵגְלָה': אָמְרוּ דְבִי רַבִּי יְנָאי: כְּפָרָה כְּתִיב בָּהּ בְּקֹדְשִׁים: 'וְלִטְהָרַת מְצוֹרָע': דְּכַתִּיב – 'זֹאת תִּהְיֶה תּוֹרַת הַמְצוֹרָע בְּיוֹם טְהָרָתוֹ'.

And daytime is the time for breaking the neck of the heifer, as the Sages of the school of Rabbi Yannai said: Atonement is written with regard to the heifer, teaching that it is treated like sacred offerings, and it has already been established that all actions relating to offerings must be performed during the day. And for purifying the leper, it is derived as it is written: “This shall be the law of the leper on the day of his cleansing” (Leviticus 14:2).

NOTES

Just as judgment may be done only by day – מִה מִשְׁפָּט בְּיוֹם: just as matters of inheritance are judged by day, so are all other judgments made by day. *Tosafot* in tractate *Sota* offer a proof from that which is stated with regard to capital punishment: Rashi suggests a proof from the verse “Then it shall be in the day that he caused his sons to inherit” (Deuteronomy 21:16); “And hang them...in face of the sun” (Numbers 25:4).