

HALOCHOSCOPE

Someone saw the moon at night but did not recite *Kiddush Levana* at the time. Later, he recited it without looking for the moon, but relied on having seen it earlier. He did check after he finished, and saw the moon had been shining. Has he fulfilled his obligation, or must he repeat the *Brocha*?

The issues:

- (A) *Birchas Halevanah*, blessing on the new moon
- (B) The Nature of this *Brocha*
- (C) The requirement to see the moon within a short time before the *Brocha*

(A) *Birchas Halevanah*

When the new moon is visible at the beginning of its cycle, in the early days of each new Jewish month, one goes outside and recites this *Brocha*. Essentially, as soon as the moon starts to give enough light to benefit mankind, one may begin reciting it. In one view it may be recited on the first night that it appears. One may recite it until the 'deficiency' of the moon is filled in. This is debated in the Talmud. One view says this is when a half moon is visible. This would mean that one may not recite it after about seven days into the month. The other view maintains that until the full moon it is still deficient. Thus until halfway through its cycle, it is considered renewing itself. We follow the second view. [See Sanhedrin 41b-42a, Poskim.]

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

All this only applies if one will not risk missing his chance to recite it altogether. When there is a chance that the sky will be cloudy for much of the month, one does not delay reciting it. At the earliest opportunity one should recite it, if and when it is visible and beneficial. Others maintain that one should not delay a *Mitzvah*, and since some maintain that one may say it after three or four days, it is anyhow better to say it then. Some cite the opinion that it may be recited on the first night, but suggest that it is a minority view and should not be followed. [See *Maseches Sofrim* 20:1. *Rif* end *Perek 4 Brochos*, *Talmid Rabeinu Yonah*. *Rambam*, *Brochos* 10:16-17. *Tur*, [Bais Yosaif, Bach,] *Shulchan Aruch Orach Chaim* 426, commentaries.]

The reason for this *Brocha* is to acknowledge the reliability of the cycles that Hashem put in place for us on the fourth day of Creation. It mentions the events of that time. Hashem created two 'great' luminaries, the 'greater' to rule by day and the 'lesser' to rule by night. Originally both were the same size, and were meant to rule equally. The moon 'said' that there can not be two equal rulers, so Hashem told it to reduce itself. This is one reason that the moon also gets

smaller as the second half of the month goes by. It then begins getting bigger at the beginning of the new cycle. In the future system, the moon will be re-enlarged to its original size. This all alluded to in the *Brocha*. It is also an allusion to the fortunes of Israel. [See Sanhedrin, commentaries as above.]

(B) The nature of this Brocha

Brochos fall into one of three categories. *Birchos Hamitzvos* are recited in recognition of the privilege of performing a *Mitzvah*. They include the words '*Asher Kideshanu Bemitzvosav ...*' [He] Who sanctified us with His commandments. In general, these *Brochos* are recited before the performance of the *Mitzvah*.

Birchos Hanehenin were instituted to acknowledge the pleasures and benefits that we are blessed with, when we partake of these physically. Generally, these *Brochos* must be recited before partaking of the benefits. It is forbidden to benefit without first saying the *Brocha*. However, if one forgot, or if it was not possible to stop oneself from benefiting before the *Brocha*, one may recite it after the beginning of the benefit. Thus, if the benefit is ongoing, or if the act of the eating or drinking [or smelling] has been done but the benefit is still present, such as while finishing the act, one may recite the *Brocha* then.

Birchos Hare'iya Vehashvach are recited in recognition and praise of Hashem's kindnesses and the wonders of His natural world, and in thanksgiving for His miracles. These would normally be recited after having witnessed or experienced an event that merited such praise. Ideally, some *Poskim* maintain that the *Brocha* may only be recited immediately after the event. In many cases, however, this would not apply. If the event was a momentary sight or sound, it would be preferable to recite the *Brocha* within the time that one feels the 'presence' of the event. If, however, it is general praise about ways of the world Hashem created, inspired by an event, one could reasonably say that the *Brocha* could apply later as well.

Birchas Halevanah would appear to be included in the last category. It offers praise to Hashem on natural events that occur in the cycles of the universe. However, since most *Poskim* maintain that one may not recite it unless he benefits from the light, as opposed to just seeing the moon, it seems to be a *Birchas Hanehenin*. [Indeed the *Rambam*, who allows one to recite it on the first night, groups this *Brocha* together with the other *Birchos Hare'iyah*. He does not seem to consider it *Birchas Hanehenin* at all. However, his is the minority view.]

On the other hand, *Birchas Hanehenin* were instituted is to forbid benefiting from the pleasures of the world before reciting the *Brocha*. Here, one waits until he can benefit, implying that it is recited as praise for the benefit, but not as part of the institution to refrain from benefiting before blessing. Nonetheless, many combination *Brochos* are also considered to be included in the institution of *Birchas Hanehenin*. Firstly, one could say that in this case one needs to establish the possibility of the benefit, then recite the *Brocha*. We find this in connection with the *Brocha* on the smell of *Besamim*. One should ascertain that there will be benefit before reciting the *Brocha*. Second, one is still going to continue benefiting after he recites the *Brocha*. Third, for regular *Birchos Hanehenin*, such as for food, one may recite the *Brocha* in limited situations after eating the food. This would apply when one drank without reciting the *Brocha* and remembered while he had it in his mouth. He must swallow the drink and recite the *Brocha* immediately following it. In the same way, as we shall discuss, *Birchas Halevanah* seems to be recited immediately following seeing it, while there is still benefit.

The Talmud suggests that in circumstances that one may no longer recite *Birchas Halevanah*, one may recite *Hatov Vehamaitiv*, blessing the One Who is Good and does good. This *Brocha* is recited as a *Birchas Hanehenin* when one recited *Borei Peri Hagafen* on wine and then received a superior wine. He recites *Hatov Vehamaitiv* before drinking the second wine. It can be a *Birchas Hashevach* on hearing good tidings that affect both himself and others, such as the birth of a boy to his wife. In fact, on the second wine it is also considered a *Birchas Hashe-*

vach, praising the many wines made available by Hashem. Thus, it is a dual purpose *Brocha*. If one may not recite *Birchas Halevanah* after the first quarter, could he recite *Hatov Vehamaitiv*? Since this cycle is nothing out of the ordinary, the Talmud says that this *Brocha* is not applicable. It is possible that the comparison is purely to the *Birchas Hashevach* side of *Hatov Vehamaitiv*. Nonetheless, it appears that *Birchas Halevanah* has elements of both *Birchas Hanehenin* and *Birchas Hare'iyah Vehashvach*. [See Sanhedrin 42a, Maharshah, Maharsha etc.]

Combination *Brochos* are generally understood to be primarily *Birchos Hashevach*, with an element of *Birchos Hanehenin*, rather than the other way round or with equal elements. It is sometimes argued that the benefit is merely the way to observe the kindness of Hashem upon which the *Brocha* is based. Therefore, it is not forbidden to enjoy the benefit before the *Brocha*, and one recites it as a thanksgiving. Others maintain that the only reason it is not forbidden to benefit in these cases before the *Brocha* is because one can not help benefiting. For example, The fifteen *Brochos* recited in the morning, upon waking and benefiting from Hashem's gifts are really *Birchos Hashevach*. There is also an element of benefit, so these *Brochos* have some characteristics of *Birchos Hanehenin*. Yet, while it is clear that ideally one should gain the initial stages of the benefit before the *Brocha*, This is not simply a method of applying the praise. It is a *Brocha* for the benefit as well. Accordingly, *Birchas Halevanah* could be considered a *Birchas Hanehenin*. [See E.g., Pri Chadash, Orach Chaim 46:2.]

If this were the case, one could not recite the *Brocha* without benefiting, either immediately after the *Brocha* or right before and during it. Furthermore, in order to obligate a blind person, we would need to invoke the principle that he gains secondary benefit from those who see by it. [See below.] Also, women should be obligated to recite it when they benefit. Indeed, the Talmud indicates that women do recite it. Yet, many *Poskim* maintain that women are not obligated in this *Brocha*, because it is a time-bound *Mitzvah*. Those who disagree, maintain that the *Brocha* is for praise. Having praised once, for the latest renewal, there is no need to continuously praise. Women would indeed be obligated. However, the reason would not be due to benefit. Apparently, it is not time bound, but neither is it considered *Birchas Hanehenin*. [See Sanhedrin, 42a. Sh. Ar. O. C. 426: Magen Avraham, Machatzis Hashekel, Chemdas Shlomo.]

This last point raises the possibility that the entire *Brocha* is really a *Birchas Hamitzvah*. We find other *Brochos* that are considered a *mitzvah* in their own right, and are therefore, automatically a *Birchas Hamitzvah*. These include *Tefillah* [the *Amida*] and *Kiddush* on *Shabbos* and *Yomtov*. Since this *Brocha* may only be said within certain time limits, due to the fact that one only blesses *Hashem* on the waxing and not the waning, it is time bound. Furthermore, one recites a *Birchas Hanehenin* if one wishes to benefit. In this case there is an obligation to recite it. This would indicate that it is at least a *Birchas Hashevach*, but more like a *Birchas Hamitzvah*. Some add that one is obligated to recite *Birchas Hanehenin* whenever one partakes of the benefit. Therefore, if it were a *Birchas Hanehenin*, one would be required to recite *Birchas Halevanah*, basically, every night. Since this is not the case, it would appear to be a *Birchas Hamitzvah*. However, it might also be a *Birchas Hare'iya Vehashvach*. While one recites a separate *Brocha* for each thunderstorm, this *Brocha* is recited on the renewal of the moon. This is necessary only once a month. [See *Ishei Yisroel* 40: note 2, citing numerous references.]

However, there is another way to understand the concept of the benefit. Rather than being the 'personal use' of the light of the moon, it is the general benefit to the world. This continues as the month goes by. As long as the moon is enlarging, this general benefit increases. This is like reciting a *Brocha* on food and eating it over a course of time without a new *Brocha*.

In summary, *Birchas Halevanah* could be considered any of the three types of *Brocha*, or a combination thereof. The next section will deal with how this applies in our case.

(C) Seeing the moon before the Brocha

The Talmud refers to 'one who sees the new moon', as the prerequisite for this *Brocha*.

This implies that one may not recite unless he first sees the moon with his eyes. For this reason, one looks at the moon before reciting the *Brocha*. Then one recites the *Brocha* right away. [See Sanhedrin 41b. Sofrim 20:1. Tur, Sh. Ar., O.C. 426:2, commentaries.]

What does seeing entail? Some say that one must be able to see a shadow on the ground from the light. Others require enough light to recognize what is usually recognizable by moonlight. Minor cloud cover should not pose a problem, but thick clouds, a curtain or a screen would be problematic. The *Poskim* debate whether a blind person may recite it. If it is a *Birchas Hashevach* on the wonders of Creation, he may recite it if the rest of the world can see the moon. For this reason, the blind recite the *Brocha* on the luminaries before *Krias Shema* in the morning services. Furthermore, seeing people can lead him by the moonlight. This is 'benefit'. However, the *Poskim* say that a blind person may not recite the *Brocha* recited over fire on *Motzo'ei Shabbos*. This *Brocha* requires seeing the fire and benefiting. In our case the debate centers on whether one must both see and benefit, or whether benefit is the only requirement. The conclusion seems to be that the blind man should preferably not recite it himself, but hear it recited by someone else. [See *ibid*. M.A. 1. Shaarei Teshuva. Biur Halacha.]

There are three views on how long one should see it. The simple implication seems to see it for the entire ritual. Others invoke the Talmudic dictum against gazing at the moon, and say one should only look at the moon for the duration of the *Brocha*. A third view maintains that one need only see it right before the *Brocha*. However, one must be quite certain that the moon will still be shining as he concludes the *Brocha*. If the moon clouds over during the *Brocha*, most *Poskim* say that one may finish reciting it. However, if one realizes when beginning the *Brocha* that it might cloud over he should not begin.

There is a view that even if it clouded over before one begins the *Brocha*, it may still be recited. According to this view it may be compared to the *Brochos* on thunder and lightning, which are recited within 'the time it takes for a greeting', after the events. If this is also a *Birchas Hare'iyah*, the same rule should apply. However, others contend that this *Brocha* has an element of *Birchas Hanehenin*. One may not recite it after the benefit has ended, even within this short period. Furthermore, the debate about the blind indicates that one must benefit. Seeing is insufficient. Thus, it seems to be a combination *Brocha*. Accordingly, the light must be there for the duration of the *Brocha*. [See *Biur Halacha* as above.]

From this discussion, it would appear that if one saw the moon, waited a while, and then recited the *Brocha*, he has not fulfilled his obligation. If he knows that though he could not see it, it was there while he was reciting it, it could be argued that he fulfilled his obligation and it is not a *Brocha Levatalah*, in vain. Therefore, he should follow the ruling for a blind person. He should hear the *Brocha* being recited by someone else.

For further discussion:

(A) The matter of Safeik Brocha, doubt about a Brocha

(B) Since there was a visible moon earlier, but it is now obscured, do we follow the Chazaka Deme'ikara, original presumption of status quo, or the Chazaka Dehashta, current status? Does the fact that the visibility of the moon varies play a role?

In today's Parsha Avraham Avinu interrupts his 'meeting' with the Shechina to welcome guests. Welcoming guests is like receiving the Shechina. Kiddush levanah is considered receiving the Shechinah. *Maharal* explains, receiving the Shechina is a form of interfacing with another realm. In the same way, receiving guests interfaces with others from a different circle. Each man is in the image of G-d. A new face is thus like receiving the Shechinah. The moon is a Celestial body, while we are Earthly bodies. It is the closest Celestial body, and we are able to interface with the Shechina by recognizing the role of Hashem's moon at its renewal. This gives us a chance to interface with the Shechinah. [See *Chidushei Agados*, Sanhedrin 42a. *Nesivos Olam*, *Nesiv Ha'avodah* 13.]