

# HALACHIC AND HASHKAFIC ISSUES IN CONTEMPORARY SOCIETY

## SERIES 3: 29 - LATE SHABBAT

OU ISRAEL/BEIT KENESSET HANASI - SUMMER 2025

- The mirror image of the summer 'Early Shabbat', is the difficult scenario of the grid-locked winter 'Late Shabbat'. What are the options for late arrivals when Shabbat has already begun!?

1. Last Thursday, El Al passengers arrived at JFK Airport in New York, prepared to board El Al Flight 008 to Israel. The flight was scheduled to take off at 8:45pm and land in Israel at 2:20pm on Friday afternoon - just two hours before the start of Shabbat (the Jewish Sabbath). However, at check-in the passengers were told the flight would take off half an hour late.  
 "Don't worry, though, we'll still arrive in Israel at 2:20, just like we're scheduled to," El Al staff told them. Then, after all the passengers had boarded and buckled, the flight crew discovered a technical issue: they weren't able to close the plane's door. An hour later, technicians arrived and fixed the door, but then pilot discovered he could not move forward, and had to wait for someone to tow the plane to the runway.  
 "At 10:10pm, after a delay of an hour and a half, we understood that we would arrive just prior to sunset on Friday, and would not make it home before the start of Shabbat," said D., a passenger on Flight 008. "We decided we would prefer to get off the plane and spend Shabbat in New York. We requested to get off the plane, but El Al staff started convincing us we would arrive on time. 'You don't have to worry, the pilot will arrive in Israel only an hour late, at 3:15pm,' they said." ....  
 "At some point, the pilot told us if the plane went back to the gate to allow the religious passengers to get off, it would need to stay in New York for the entire weekend, leaving all 400 passengers stranded. 'And therefore,' the pilot said, 'I request the religious passengers take the others into consideration and remain on the plane.' He said it in those words. We had no choice, and the plane took off."  
 However, contrary to the attendants' promises, the flight did not arrive in Israel on schedule, arriving only at 3:35pm. By the time the passengers had cleared customs, taxi service had ended. "Bottom line, we arrived at 4:35pm, exactly at sunset..."  
 An El Al spokesman said, "From the time the plane begins to move towards the runway, only an emergency can turn it back. Experience, as well as forecasts showed there was no reason for the plane to arrive after the start of Shabbat. And indeed, the plane landed with enough time to allow the passengers who observe Shabbat to arrive home before sunset."  
 "It should also be noted that rabbis, as well as El Al staff, have mentioned several times the need to schedule winter flights earlier, so that in case of unexpected difficulties, the flight will still arrive with enough time for passengers to arrive home comfortably," he concluded.

Arutz Sheva - 19 December 2016

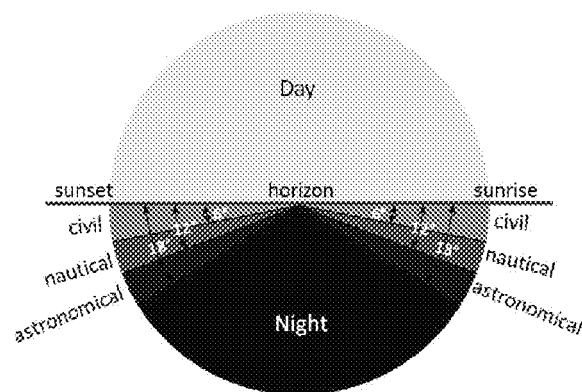
## A] BEIN HASHEMASHOT - THE TALMUDIC CONUNDRUM

### A1] NIGHT AND DAY

When does day end and night start? As we see, day does not simply 'switch off' and become night. Rather, there is a long twilight period as day gradually turns to night. This dimming of the day's light starts BEFORE the sun sets and continues for well over an hour as the sun sinks below the horizon.

In Jerusalem in mid-summer, these are the scientific twilight times:

Sunset:	19:48
Civil Twilight - center of sun is 6° below the horizon:	19:48-20:16
Nautical Twilight - center of sun is 12° below the horizon:	20:16-20:50
Astronomical Twilight - center of sun is 18° below the horizon:	20:50-21:27



וַיִּקְרָא אֱלֹקִים לְאוֹר יוֹם וְלַחֹשֶׁךְ קָרָא לַיְלָה וַיַּהֲרֹג וַיַּהֲבֹר יוֹם אֶחָד

2.

בראשית אה

*The Torah appears to define the day by reference to the light and night by reference to the dark.*

To download more source sheets and audio shiurim visit [www.rabbimanning.com](http://www.rabbimanning.com)

3. (טז) וַיַּעַשׂ אֱלֹהִים אֶת-שְׁנֵי הַמְּאֹרֹת הַגְּדֹלִים אֶת-הַמָּאֹר הַקָּטָן לְמַשְׁכֵּל הַיּוֹם וְאֶת-הַמָּאֹר הַקָּטָן לְמַשְׁכֵּל הַלַּיְלָה וְאֶת הַכּוֹכָבִים: (יז) וַיִּתֵּן אֹתָם אֱלֹהִים בְּרִקְיעַ שְׁמַיִם לְהָאִיר עַל-הָאָרֶץ: (יח) וּלְמַשֵּׁל בַּיּוֹם וּבַלַּיְלָה וּלְהַבְדִּיל בֵּין הָאֹר וּבֵין הַחֹשֶׁךְ וַיֵּרָא אֱלֹהִים כִּי-טוֹב:

בראשית א

*The creation of the sun relates directly to the day. As such, if the sun is visible, that should be defined as 'day'!*

4. וַאֲנַחְנוּ עֹשִׂים בְּמִלְאָכָה וְחֹצִים מַחְזִיקִים בְּרָמָחִים מַעֲלֹת הַשָּׁחַר עַד צֵאת הַכּוֹכָבִים: גַּם בָּעֵת הַהִיא אֲמַרְתִּי לָעָם אֵינִשׁ וְנִעְזְרוּ לָלֶנּוּ בַּתּוֹךְ יְרוּשָׁלַם וְהִיוּ-לָנוּ הַלֵּילָה מִשְׁמֶר וְהַיּוֹם מִלְאָכָה:

נחמיה ד:טו-טז

*Nechemia describes the rebuilding of the walls of Yerushalayim. They worked from 'daybreak to nightfall' and called that a 'day's work'.*

5. אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: כּוֹכַב אֶחָד - יוֹם, שְׁנַיִם - בֵּין הַשְּׁמָשׁוֹת, שְׁלֹשָׁה - לַיְלָה. תֵּנִינָא נָמִי חֲכִי: כּוֹכַב אֶחָד - יוֹם, שְׁנַיִם - בֵּין הַשְּׁמָשׁוֹת, שְׁלֹשָׁה - לַיְלָה. אָמַר רַבִּי יוֹסֵי: לֹא כּוֹכָבִים גְּדוֹלִים הֵנְרָאִין בַּיּוֹם, וְלֹא כּוֹכָבִים קְטַנִּים שָׁאִין נִרְאִין אֲלָא בַּלַּיְלָה, אֲלָא בִּינוּנִים.

שבת לה:

*The Gemara quotes a Beraita (which is also agreed upon by Shmuel) which rules that the appearance of one star is still day, two stars is twilight and three stars is night. Rabbi Yosei rules that these must be medium sized stars.*

## A2] THE IBN EZRA: GEOMETRIC SUNSET

6. וְטַעַם בֵּין הַשְּׁמָשׁוֹת רָגַע הֵיחָד עֲגוּלַת הַשֶּׁמֶשׁ כִּנְגַד שְׁטַח הָאָרֶץ כִּנְגַד הַיּוֹשֵׁב. אִזְ חֲצִי עֲגוּלַת הַשֶּׁמֶשׁ לְמַעַלָּה וְחֲצִיָּהּ לְמַטָּה כִּנְגַד הָאָדָם.

אבן עזרא בראשית שיטה אחרת - הקדמה

*The Ibn Ezra takes the position that Bein Hashemashot ('BHS') is an instant and occurs when the middle of the setting sun reaches the horizon. After that moment is considered 'night'.*

## A3] HOW LONG IS BEIN HASHEMASHOT - THE APPARENT TALMUDIC CONTRADICTION

7. תֵּנוּ רַבָּנִן: בֵּין הַשְּׁמָשׁוֹת סַפֵּק מִן הַיּוֹם וּמִן הַלַּיְלָה, סַפֵּק כּוֹלוּ מִן הַיּוֹם, סַפֵּק כּוֹלוּ מִן הַלַּיְלָה - מִטִּילִין אוֹתוֹ לַחֲמוּר שְׁנֵי יָמִים. וְאִיזְהוּ בֵּין הַשְּׁמָשׁוֹת? מִשְׁתַּשְׁקַע הַחֲמָה כָּל זְמַן שְׁפָנִי מִזֶּרֶחַ מֵאֲדִימִין. הַכֹּסֵף הַתַּחְתּוֹן וְלֹא הַכֹּסֵף הָעֲלִיוֹן - בֵּין הַשְּׁמָשׁוֹת, הַכֹּסֵף הָעֲלִיוֹן וְהַשּׁוֹה לַתַּחְתּוֹן - זֶהוּ לַיְלָה, דְּבָרֵי רַבִּי יְהוּדָה. רַבִּי נַחֲמִיָּה אוֹמֵר: כַּדִּי שִׁיחֵלֶךְ אָדָם מִשְׁתַּשְׁקַע הַחֲמָה חֲצִי מִיָּל. רַבִּי יוֹסֵי אוֹמֵר: בֵּין הַשְּׁמָשׁוֹת כַּהֲרַף עֵין, זֶה נִכְנָס וְזֶה יוֹצֵא, וְאִי אֶפְשָׁר לַעֲמוּד עָלָיו.

שבת לד:

*A Beraita in Shabbat rules that BHS is, by definition, a safek<sup>2</sup> - is it day or night? In practice this time period is given the halachic strictures of both days. Rabbi Yehuda defines BHS as a time period which is judged based on the appearance of the sky, apparently in two different ways: (i) it begins with 'shekiyat hachama' (literally the sinking in of the sun) and lasts as long as the eastern sky is red; (ii) it lasts as long as the lower part of the eastern sky has darkened but the upper part is still lighter. Once the upper part of the sky is also darker, that is halachic night. R. Nechemia calculates BHS as a time period by a time measurement - the time it takes to walk half a halachic mil<sup>3</sup>. R. Yosei disagrees and rules that BHS last for a split second and is impossible to identify.*

1. Although, as we will see below, it is not that simple and halachic 'night' (or at 'post-day') may actually begin when the sun is still visible!

2. In hashkafic terms Bein Hashemashot is the ULTIMATE safek - one of the irresolvable uncertainties of human life. It came to represent the 'grey areas' of human life, as in Menachot 99b where R. Yishmael instructs his nephew to find a time which is neither day nor night in which to learn secular subjects.

3. 1 mil = 2000 amot. 1 ama is somewhere between 48cm (R. Chaim Nae) and 57.6 cm (Chazon Ish), making a halachic mil somewhere between 960m and 1152m, a little more than a kilometer. Note that a Roman mile was 1000 paces (mille passus) and is estimated at around 1,481m. A modern 'international mile' (=1,760 yards = 5,280 feet) is 1,609.344m (defined by a 1593 statue as 8 furlongs). This is accepted in the UK, Canada, Australia, New Zealand and South Africa. The Scots mile was 1,810m. A nautical mile (1 minute of arc along the meridian of the earth) is 1,852m. The Irish mile was 2,048m. The Welsh mile (used until the 13C) was 6,170m. The Prussian mile was 7,532m and the Austrian mile was 7,586m. The Hungarian mile was 8,354m. The Norwegian mile is the longest at 11,299m! (See <https://en.wikipedia.org/wiki/Mile>). Of all the historical definitions of the mile, the talmudic mil is the smallest.

8. אמר רבה אמר רב יהודה אמר שמואל: כרוך ותני, איזהו בין השמשות - משתשקע החמה כל זמן שפני מזרח מאדימין, והכסיף התחתון ולא הכסיף העליון - נמי בין השמשות. הכסיף העליון והשוה לתחתון - לילה.

שבת לד:

*Shmuel combines the two statements of Rabbi Yehuda and sees them as the same time frame.*

9. שיעור בין השמשות בכמה? אמר רבה אמר רב יהודה אמר שמואל: שלשה חלקי מיל. מאי שלשה חלקי מיל? .... תלתא ריבעי מילא.

שבת לד:

*Shmuel also rules that BHS lasts the time it takes to walk  $\frac{3}{4}$  of a mil.*

10. רבי יהודה אומר ..... משקיעת החמה ועד צאת הכוכבים ארבעת מילין.

פסחים צד.

*However, in Pesachim, Rabbi Yehuda rules that from 'shekiyat hachama' to 'zeit hakochavim' is the time it takes to walk 4 mil!\**

#### A4] HOW LONG DOES IT TAKE TO WALK A MIL?

11. ושיעור מיל הוי רביעית שעה וחלק מעשרים מן השעה.

שולחן ערוך אורח חיים הלכות פסח סימן תנט סעיף ב

*The Shulchan Aruch rules that it takes  $0.25+0.05 (= 0.3)$  hours<sup>5</sup> to walk a mil.*

12. .... וכוא י"ח מינוטין.

משנה ברורה סימן תנט ס"ק טו

*The Mishna Berura clarifies that this is 18 minutes.*

13. עיין מ"צ דיש פוסקים שחולקין על שיעור זה ולדידכו שיעור מיל הוא שלש שעה וחלק ט"ו מן השעה ... ויש מצעלי סצרא זו (עיין ביאור הגר"א ...) שחושבין שיעור מיל לחשבון כ"צ מינוטין וחלי.

ביאור הלכה סימן תנט סעיף ב ד"ה \* הוי רביעית שעה

*However the Vilna Gaon rules that a halachic mil is equivalent to 22.5 minutes.*

14. ושיעורו כדי שיהלך אדם ברגליו הלך בינוני מיל אחד, והוא כדי שני חומשי שעה מן השעות השוות.

רמב"ם על משנה מסכת פסחים פרק ג משנה ב

*The Rambam rules that a halachic mil is equivalent to two fifths of an hour or 24 minutes.*

HALACHIC MIL:

SHULCHAN ARUCH: 18 MINS

GRA: 22.5 MINS

RAMBAM: 24 MINS

#### BeinHashemashot

Gemara Shabbat ( $\frac{3}{4}$  Mil):

Shulchan Aruch: 13.5 mins

Gra: 16.88 mins

Rambam: 18 mins

Gemara Pesachim (4 Mil):

Shulchan Aruch 72 mins

Gra: 90 mins

Rambam: 96 mins

- We will see below three rabbinic approaches to resolve this apparent contradiction.
- Crucially, for the Jewish communities of Europe it was clear that NEITHER of these measurements for BHS seemed to match the reality. It took far less than 72 minutes and far more than 13.5 minutes for three stars to appear after sunset.

4. Note that the Maharam Alshakar (Shu't 96) (16C Eretz Yisrael) resolved the contradiction by positing that R. Yehuda reversed his position in Pesachim and finally settle on  $\frac{3}{4}$  mil.

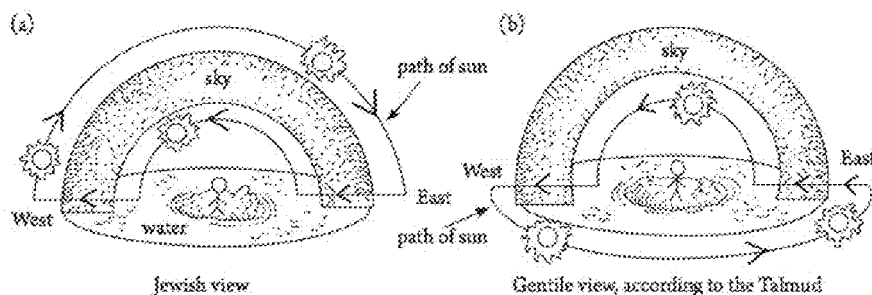
5. The assumption at this point is that these are standard hours not seasonal hours. A mil is a fixed measure of length and, presumably, the time taken to walk it does not depend on the season (but see below).

**B] THE PATH OF THE SUN - THE TALMUDIC DEBATE**

15. חכמי ישראל אומרים: ביום חמה מהלכת למטה מן הרקיע, ובלילה למעלה מן הרקיע. וחכמי אומות העולם אומרים: ביום חמה מהלכת למטה מן הרקיע, ובלילה למטה מן הרקיע. אמר רבי: ונראין דבריהן מדברינו.

פסחים צד:

The Gemara records a debate between the Chachamim of the Jews and the non-Jews. The Jewish Sages followed the Babylonian astronomic model which explains that the firmament (rakiya) has a thickness<sup>6</sup> sun travels UNDER the firmament from East to West during the day. It then sinks through the width of the firmament (twilight) and disappears entirely before traveling back OVER the firmament (West to East) during the night and reappearing at daybreak as it emerges again through the firmament. The non-Jewish sages disagreed<sup>7</sup> and followed the Ptolomaic astronomic model - that the sun travels through the sky during the day but under the earth at night. Rabbi (R. Yehuda HaNasi) ruled that the non-Jewish sages were right on this issue!



From Judah Landa. *Torah and Science*. Ktav 1991. p63

**B1] RESOLUTION 1: THE GEONIM/ THE GRA**

16. אבל הגר"א ז"ל ... והאריך בכמה ראיות דשקיעת החמה שצצת לענין צה"ש הוא ג"כ התחלת השקיעה כמו שקיעת החמה שצפפחים שם ומיד אחר שקיעת גוף השמש מתחיל צה"ש חליצת דר' יהודה דפסק ר' יוחנן כוותיה לחומרא צצת שם ומשך זמן צה"ש הוא ג' רבעי מיל.

ביאור הלכה סימן רסא דה' מתחלת השקיעה

The resolution of the Geonim<sup>8</sup>, which was later championed by the Vilna Gaon and others, is that there is only one shekiya, which is when the top of the sun disappears below the horizon.<sup>9</sup> Bein Hashemashot starts at the setting of the top (ie last visible part) of the sun under the horizon and ends  $\frac{3}{4}$  mil later, at which point it is halachically night. According to this, the 4 mil measurement is NOT relevant to BHS, but (as explained later by the Gra) relates to a extends much later time when all the stars have appeared.

**B2] RESOLUTION 2: THE YEREIM<sup>10</sup>**

17. ודע דכספר יראים לרבינו אליעזר ממין החמיר עוד יותר לענין התחלת צה"ש. וס"ל דצה"ש מתחיל ג' רבעי מיל קודם התחלת השקיעה. והוצאו דבריו באגודה ובמרדכי פ"צ דשצת. ועיין בצ"ח שהאריך בזה ודעתו שיש ליזהר להתחלה לנהוג כשיטת היראים ע"ש. והביא שכן היה מנהג הקהלות מאז ועיין במ"א שהביא ג"כ את דברי הצ"ח ומשמע מיניה שלחומרא חשש לדברי הצ"ח

ביאור הלכה סימן רסא דה' מתחלת השקיעה

R. Eliezer of Metz (the Yereim) ruled that BHS begins  $\frac{3}{4}$  mil BEFORE the sun sets under the horizon<sup>11</sup>. After this time it is no longer definitely halachic day. Halachic night - tzeit hakochavim then begins at the same time as sunset.

6. This thickness is discussed in various talmudic source.

7. This may be connected to the then debate as to whether the earth is flat or round, but this is not entirely clear. There are sources in Chazal which may posit that the earth is round. If the Ptolomaic system is assuming a spherical earth then the sun goes around the other side of the world at night. If the earth is flat, the sun goes around the disk behind the rakiya.

8. Shu't Maharam Alshakar 96 cites R. Sherira Gaon and R. Hai Gaon (although Rav Ovadia Yosef questions whether Rav Hai Gaon took this position.) This was also the position of Rav Nissim Gaon and R. Avraham ben HaRambam.

9. The Gra objected to Rabbeinu Tam's position (below) partly on the basis that it contradicts the observable reality. Night falls and the stars emerge long before the zman according to Rabbeinu Tam, even in northern France. The Gaon lived in Vilna which is even further north! R. Yechiel Michel Tukichinsky, in his Bein HaShmashot, notes that even in Yerushalayim stars are not visible until about 22 minutes after shekiya. R. Yehuda Levi (Zmanei HaYom B'Halacha) writes that there is a difference between the trained eye and the untrained eye. In Jerusalem (during the month of Nissan) an expert can discern three stars after about 15 minutes, a time not significantly different to  $\frac{3}{4}$  mil.

10. R' Eliezer of Metz (d 1175) - one of the ba'alei haTosafot and a student of Rabbeinu Tam.

11. How can it possibly be twilight when the sun is still visible? This position of R. Eliezer of Metz (the Yere'im) only becomes clear with a little background as to the astronomy accepted in those times. As noted above, Chazal (Pesachim 94a) give two explanations of the astronomical explanation of sunrise and sunset - the Babylonian (supported initially by the Jewish sages) and the Ptolomaic (supported by the non-Jewish sages and then apparently accepted by R. Yehuda HaNasi). The Yere'im (like Rabbeinu Tam below) subscribes to the Babylonian system that the sun and stars need to move through 'windows' in and out of the thickness of the firmament. As such, the Yere'im understands that tzeit hakochavim is not the emergence of visible stars but the time when the stars begin to move inwards through the thickness of the atmosphere. This is the same time as sunset.

## B3] RESOLUTION 3: RABBEINU TAM

18. רבי יהודה אומר משקיעת החמה עד לאח הכוכבים ארבע מילין. קשה לר"ת! דכסוף צמה מדליקין (שבת לז:) אמר איזוהו בין השמשות משתשקע החמה כל זמן שפני מזרח מאדימין דברי ר"י ומסקינן התם דבין השמשות דר"י תלתא ריבועי מיל. והבא קאמר ר"י גופיה ארבעה מילין! וי"ל דהבא קאמר מתחלת שקיעה דהיינו משעה שמתחלת החמה ליכנס צעוזי הרקיע עד הלילה הוי ד' מילין והתם קאמר מסוף שקיעה

תוס' פסחים צד.

*Rabbeinu Tam<sup>12</sup> resolves the contradiction between the Gemara in Shabbat and that in Pesachim by positing that shekiya is not simply the setting of the sun under the horizon. In fact, there are two phases to shekiya. From the very beginning of shekiya to nightfall is 4 mil.<sup>13</sup> But not all of this is BHS. In fact, the first 3¼ mil, starting at sunset (התחלת שקיעה) is still considered halachic day. Then BHS begins (סוף שקיעה) and lasts for ¾ mil, ending in halachic nightfall. According to this view, halachic day will continue for at least 58½ minutes AFTER the sun sets under the horizon.*

	Sunset			
	¾ mil	¾ mil	2 1/2 mil	¾ mil
R. Eliezer of Metz	Bein Hashmashot	Definite night begins		Appearance of many stars
Geonim/Vilna Gaon	Bein Hashmashot	Definite night begins		Appearance of many stars
Rabbeinu Tam				Bein Hashmashot
				Definite night begins

	START OF BHS - safek day/night	START OF DEFINITE HALACHIC 'NIGHT'
YEREIM	c. 18 mins before sunset	sunset
GEONIM	sunset	c. 18 minutes after sunset
RABBEINUTAM	58½ mins after sunset	72 mins after sunset

19. ואמר ר"ת ז"ל דאע"ג דנלחו חכמי אומות העולם לחכמי ישראל היינו נלחון בטענות אבל האמת הוא כחכמי ישראל והיינו דאמרין בתפלה ובוקע חלוני רקיע.

שיטה מקובצת כתובות יג:

*Crucially, Rabbeinu Tam ACTUALLY ruled that the Jewish Sages were correct on this issue. As such, he subscribes to the Babylonia cosmology<sup>14</sup> and thus proposes a 'double shekiya' theory and also a much later BHS.*

20. תירץ ר"ת ז"ל דשתי שקיעות הן משתשקע החמה. דשמעתין היינו מסוף שקיעת החמה כלומר משעה שנסקע צרקיע והיא עדיין כנגד חלונה. ולפי שלא עזבה חלונה ועדיין אינה מהלכת אחורי הכיפה פני רקיע מאדימין כנגד מקומה ... נמצא שמתחילת שקיעה עד זמן בין השמשות שהוא סוף השקיעה שלשת מילין ורביע.

חידושי הר"ן שבת לד:

*This understanding of Rabbeinu Tam's position is explicit in other Rishonim - here the Ran.*

- Rabbeinu Tam, in central France, realized that the actual time it took for 3 stars to emerge at night seemed to fit with none of the time-frames suggested. As such, his halachic position was based on textual analysis and harmonization of the two talmudic sources.
- Rabbeinu Tam's position was followed by MANY Rishonim<sup>15</sup>. Nevertheless, some posit that this position was not much observed in practice during the time of the Rishonim.<sup>16</sup> Indeed, the Maharam Alshakar<sup>17</sup> rejects the position of Rabbeinu Tam (he claims R. Tam was mechadesh from his own pilpul<sup>18</sup>). The Vilna Gaon rejects the astronomy<sup>19</sup> of Rabbeinu Tam and the halachic analysis.

12. R' Yaakov ben Meir (1100-1171) - grandson of Rashi. Crucially, Rabbeinu Tam ALSO subscribes to the Babylonian astronomy system and is trying to calculate the time taken for the sun to move through the windows of the firmament.

13. I.e. the time it takes to walk 4 mil - 72, 90 or 92 minutes, as above. Rabbeinu Tam understands that this is the time it takes for the sun to travel through the window of the firmament, which it enters shortly after it sinks below the visible horizon.

14. Rabbi Natan Slifkin characteristically analyses this issue in detail at <http://www.rationalistjudaism.com/2011/03/reckoning-with-rabbeinu-tam.html>

15. Including the Rosh, Ramban, Mordechai, Rashba, Rabbeinu Yerucham, Ran, Smag, Magid Mishna. Rav Ovadia Yosef lists even more Rishonim that take Rabbeinu Tam's position - see Yaviva Omer OC 2:21.

16. See a fascinating article with extensive appendices by Professor Shlomo Sternberg of Harvard, published in Bar Ilan's BDD Journal 6), available at: <http://www.math.harvard.edu/~shlomo/docs/beinhashemashot.pdf>

Prof. Sternberg writes there "[I] do not believe that this novel theory of Rabbeinu Tam was ever practiced by anyone during the lifetime of Rabbeinu Tam or for the next several centuries. On Friday night, it is inconceivable that Rabbeinu Tam could have lit candles long after sunset ... Rabbeinu Tam's position, at least as far as Friday night is concerned, did become standard practice in Eastern Europe around the end of the 16th and beginning of the 17th century."

17. Early 16C Eretz Yisrael - a colleague of R. Yosef Karo. His teshuva deals with a baby boy born after sunset on Friday afternoon. He rules that the brit must be on the following Sunday.

18. There is still scholarly debate on what exactly was the view of Rabbeinu Tam. Some have even attempted to harmonize it with the position of the Yereim! See Professor Sternberg's article ob cit footnote 5 for more details.

19. For a fascinating list of halachic authorities over the last 1000 years who were also educated in astronomy, and on this topic generally, see [http://www.aishdas.org/toratemet/en\\_pamphlet4.htm](http://www.aishdas.org/toratemet/en_pamphlet4.htm)

21. הפירוש של ר'ת בנוי על יסוד רעוע ועל דעת בלתי אמינית - שהשמש מהלך בלילה למעלה מכפת הרקיע. כי דבר זה נגד השכל והחוש. שהרי השמש מהלך בלילה תחת הארץ וכמו שנראה בניסיון וא"ל להכחישו. ולפי זה אין מקום לתירוצו של ר'ת. שהרי אין השמש נכנס בעובי הרקיע ואין שם שקיעה שנית כמו שכתב הרב אלא שקיעה אחת בלבד - כשהחמה שוקעת תחת האופק ונעלמת מן העין.

מנחת כהן מאמר א' פרק ד'

*The Minchat Cohen was written published in 1668 in Amsterdam by R. Avraham Pimenthal. By his time, clock technology was advance so time keeping was accurate, There were also many people who had been to the New World and the Southern Hemisphere and it was clear that when it was night in Europe it was the middle of the day in the Americas. It was clear that the Babylonian model of astronomy was wrong<sup>20</sup>.*

22. עיין בפמ"ג דה"י מילין הם שעות שוות ולא זמניות. ח"כ לפ"ז אפילו בתקופת תמוז ג"כ השעור הזה. אמנם בספר מנחת כהן דעתו להלכה דאפי' לשיטת ר"ת הארבעה מילין הם זמניות וזימי הקיץ מאריך יותר ולא נאמרו דברי הגמרא רק בזמן ניסן ותשרי שהימים והלילות שוין, משא"כ בשאר ימים משתנה הענין לפי הזמן. .... וכן הוא גם דעת הגר"א בצאורו דכל שעורי הגמרא בין ד' מילין שהוא עד לאת כל הכוכבים לשיטתו וזין דג' רצעי מיל שהוא זמן צה"ש - הכל הוא בזמן ניסן ותשרי. משא"כ בזמן אחר משתנה לפי הזמן וזימי הקיץ הצה"ש מאריך הרבה יותר. וכן כתב הגר"א עוד דשיעורי הגמרא לא נאמרו רק באופק צל אצל צמדינותינו שנוטין ללד לפו"ן הצה"ש מאריך תמיד יותר.

ביאור הלכה סימן רסא ד"ה שהוא ג' מילין ורביע

*The Biyur Halacha brings opinions that are stringent to treat these time periods as seasonal. As such, in the summer, the time until night according to Rabbeinu Tam will be even longer.*

#### Problems with Rabbeinu Tam's position:

- How would this have been measured in a time when there were no clocks?
- Was this halachic position actually observed in practice at the time?
- How could he have taken such a radically different approach to the Geonim before him<sup>22</sup>?
- His own student - R' Eliezer of Metz (Yereim) takes a totally different approach. How did this work in practice?
- The Ibn Ezra knew Rabbeinu Tam and may have lived with him? According to the Ibn Ezra, Rabbeinu Tam would have been repeatedly mechalel Shabbat!! Why is there no record of this?<sup>23</sup>
- The halachic times outlined above roughly equate to the following astronomical calculations:

3 large stars	3.5-5° below the horizon
Earliest nightfall (for Ma'ariv, Omer, fasts)	5.95°
[End of Civil Twilight	6°]
Earliest nightfall (other communities)	7.08°
3 medium stars	7.5°
3 small stars	8- 8.75° (depending on community)
[End of Nautical Twilight	12°]
[End of Astronomical Twilight	18°]

### C] THE PSAK - SHULCHAN ARUCH

23. אמר רבה בר בר חנה אמר רבי יוחנן ..... הלכה כרבי יהודה לענין שבת לחומרא.

שבת לה.

*Rabbi Yochanan rules like Rabbi Yehuda as a stringency in the laws of Shabbat.*

24. א ספק חשיכה - והוא בין השמשות - (והיינו כדי שיעור הלוך ג' רצעי מיל אחר שקיעת החמה ושיעור מיל הוא שליש שעה פחות חלק ל') ....

20. In fact the by this time the Ptolomaic model was also under attack from the new Copernican model of the heliocentric solar system. For a comprehensive account of the rabbinic reception of the Copernican model see *New Heavens and a New Earth - The Jewish Reception of Copernican Thought*, by Jeremy Brown.

21. The latitude of Baghdad is 33.3152°N. The latitude of Vilna is 54.6872°N.

22. In fact it is quite likely that the aforementioned 9/10th century rulings of the Geonim would not have been available to Rabbeinu Tam in 12th century Northern France.

23. Given the Ibn Ezra's famous polemic against the Rashbam (Rabbeinu Tam's older brother) on this issue on the start time for Shabbat, this is even more striking.

ב"א שצריך להוסיף מחול על הקודש. וזמן תוספת זה הוא מתחלת השקיעה שאין השמש נראית על הארץ עד זמן בין השמשות. והזמן הזה שהוא ג' מילין ורביע, רצה לעשותו כולו תוספת, עושה. רצה לעשות ממנו מקצת, עושה ובלבד שיוסיף איזה זמן שיהיה ודאי יום מחול על הקודש. ושיעור זמן בין השמשות הוא ג' רביעי מיל שהם מהלך אלף ות"ק אמות קודם הלילה

שולחן ערוך אורח חיים סימן רסא סעיף א-ב

*The Shulchan Aruch and the Rema rule like Rabbeinu Tam.*<sup>24</sup>

25. ... והנה אנחנו כולנו במדינות אלו עושים במלאכה עש"ק עד קרוב לשעה או ג' רביעי שעה קודם צאת הכוכבים, נמצא אנו תופסים במוחלט כשיטת ר"ת ...

שו"ת חתם סופר חלק א (אורח חיים) סימן פ

*And this clearly became<sup>25</sup> the minhag in Europe in many communities.<sup>26</sup> It was nevertheless opposed by some of the greatest halachists, including the Bach (who advocated the position of the Yereim) and the Gra and the Shulchan Aruch HaRav (who advocated the position of the Geonim).*

26. (כג) ג' רביעי מיל - ... והנה השו"ע הזכיר צסעיף זה דעת ר"ת וסייעתו. אצל הרבה מהראשונים ס"ל, וגם הגר"א הסכים לשיטתם דב"ש, מתחיל תיכף אחר תחלת השקיעה - היינו משעה שהחמה נתכסה מעינינו - ונמשך זמנו כדי ג' רביעי מיל. ואח"כ צסמוך לו יולאין הג' כוכבים צינונים וכוא לילה מה"ת לכל דבר. ולפ"ז יש ליזהר מאד שלא לעשות מלאכה אחר שהחמה נתכסה מעינינו ואפילו מלאכת מלוא ...

משנה ברורה סימן רסא ס"ק כג

27. הנה למעשה צודאי לריך ליזהר כדעת הגר"א והרבה מן הראשונים והפוסקים הג"ל דמיד אחר התחלת השקיעה היינו משעה שהחמה נתכסה מעינינו הוא איסור גמור שלא לעשות מלאכה. וח"ו להקל צזה דכוא ספק איסור סקילה לדעת כל בני רבונותא הג"ל. [וצפרט צימינו שאין העולם צקיאין צזמן צה"ש וצאופן זה לכ"ע יש להחמיר לפרוש ממלאכה מתחלת השקיעה ....]

ביאור הלכה סימן רסא ד"ה מתחילת השקיעה

*The Mishna Berura insists that one may NOT rely on Rabbeinu Tam when Shabbat comes in but must assume, like the Geonim, that Bein Hashemashot begins at sunset.*<sup>27</sup>

28. אכן הגר"א דחה שיטת הרא"ס ... ומ"מ לכתחלה צודאי עוצ לחוש לצדרי הרא"ס ולהקדים מעט יותר צהדלקת הנרות כדי לצאת גם שיטתו ... וכמו שכתב הצ"ח שכן היה מנהג הקהלות מאז.

ביאור הלכה סימן רסא ד"ה מתחלת השקיעה

*He also advises to be machmir for the Yereim where possible and refrain from melacha ¾ mil BEFORE sunset.*<sup>28</sup>

29. ולדעת ר"ת לריך להמתין צמו"ש מלעשות מלאכה עד זמן ד' מילין שהוא עכ"פ שיעור שעה וחומש מעת התחלת השקיעה שלדעתו אז זמן יציאת ג' כוכבים צינונים. ונכון לכתחלה לצאת דעת ר"ת וכל בני רבונותא המחזיקים צשיטתו שלא לעשות מלאכה צמו"ש עד שיושלם השעור דד' מילין.

ביאור הלכה סימן רסא ד"ה שהוא ג' מילין ורביע

*On Motzei Shabbat the Mishna Berura recommends keeping Rabbeinu Tam lechumra<sup>29</sup> and waiting at least 72 minutes after sunset before doing melacha.*

24. Although the Chida (R. Chaim David Azuli - 17C Eretz Yisrael) insists (in Machzik Beracha) that the minhag in Eretz Yisrael, even in the time of the Shulchan Aruch was NOT like Rabbeinu Tam.

25. What changed? Prof. Sternberg makes some suggestions, including: (i) the increasing availability of accurate mechanical clocks; (ii) a change in the way that businesses calculated hours, which shifted the day slightly later; (iii) the advent of the printing press which gave the position of the Shulchan Aruch far more precedence; (iv) commercial pressures on merchants who needed to stay later at the trade fairs. Indeed, the Bach (OC 261) opposes the late Kabbalat Shabbat according to Rabbeinu Tam and blames the practice of merchants who attended the great fairs in Lublin and Jaroslav and who wanted to work later on Friday.

26. See also Magen Avraham 331:2. Professor Sternberg in his article, ob cit, brings a number of sources outlining quite how widespread Rabbeinu Tam's position became across European communities from 17C-20C. Most communities brought in Shabbat late on Friday afternoon well after sunset and kept Rabbeinu Tam zman on Motzash. Indeed, there is evidence that some communities brought in Shabbat late and yet still ended Shabbat BEFORE Rabbeinu Tam zman!!

27. Many chassidish communities still rely on Rabbeinu Tam during the week for mincha and daven mincha very late (well after 10pm in England). Almost no communities still rule like Rabbeinu Tam to bring IN Shabbat LATE, although there are reports of this being the practice amongst some chassidim in Lakewood and also the Chassidic community of Sao Paulo. It is said that when Rav Yoel of Satmar came to America, he and his followers did follow Rabbeinu Tam to bring Shabbat in late. Rav Moshe Feinstein asked him if he could desist, explaining that Americans would follow his view for the end of Shabbat and Rav Yoel's for the start! Rav Yoel called together 70-80 rabbanim (mostly from Brooklyn) who came to an agreement to follow both zmanim (Rabbeinu Tam & Geonim) lechumra for Shabbat.

28. Hence the custom to light 18/20 minutes before sunset, which incorporates the Yereim plus a little extra for Tosefet Shabbat.

29. Considering that Rabbeinu Tam's position is actually that of the Shulchan Aruch (Mechaber and Rema), this is an entirely reasonable chumra. Many poskim are reluctant to end Shabbat before Rabbeinu Tam zman and this practice is considered normative by many communities, especially chassidim and sefardim. On the other hand, R. Herschel Schachter and R. Mordechai Willig (see Am Mordechai Berachot 2) consider the view of the Geonim to be dominant. There are different minhagim on how long to wait after sunset before taking out Shabbat. Rav Tukichinski calculated that three small stars (and the absence of red in the western sky) emerge 32 minutes after sunset in winter, and up to 38 minutes in summer. This is when the sun is 8 degrees below the horizon. The calculation of 8 degrees below the horizon is used in many communities and gets longer as one goes north. It equates to 50-60 minutes in Europe and America. The Agudas HaRabbonim in NY ruled 42 minutes. Rav Moshe and the Chazon Ish ruled 45-50 minutes.

30. .... ולענין מו"ש עיין צב"ל שצאנו צום הפוסקים דלכ"ע השער דג' רצעי מיל משתנה לפי הזמן והמקום. ולא נאמר זה בגמרא אלא באופק צב"ל ובזמן ניסן ותשרי שהימים והלילות שוים ובמקומותינו שנוטה ללד לפון העולם מתאריך הרבה יותר. ע"כ יש ליזכר מאד שלא לעשות מלאכה צמול"ש אף שנתאחר זמן רב אחר השקיעה עד שיראו ג' כוכבים קטנים.

משנה ברורה סימן רס"א ס"ק כג

*In fact, he recommends adding to Rabbeinu Tam based on seasonal variations and latitude.*

## D] TRAVELING ON EREV SHABBAT

31. אין הולכים בערב שבת יותר מג' פרסאות, כדי שיגיע לביתו בעוד היום גדול ויוכל להכין צרכי סעודה לשבת, בין שהולך לבית אחרים בין שהולך לביתו. וה"מ כשהוא ביישוב במקום שיוכל להכין צרכי שבת. אבל אם במקום שהוא שם א"א לו להכין צרכי שבת או שאינו מקום יישוב בטוח, מותר לילך אפילו כמה פרסאות. ואם שלח להודיעם שהוא הולך שם לשבת מותר לילך כמה פרסאות בכל גוונא.

שולחן ערוך אורח חיים סימן רמט סעיף א

*One should not embark on a journey on Friday which will be more than 3 parsas (12 mil) unless one will be in an unsafe location for Shabbat. This is a time measure<sup>30</sup> and equates to around 4-5 hours, depending on the measurement of the mil. If Shabbat is prepared and waiting for you, it is permitted to take an even longer journey than this on Friday ....*

32. ... ובמדינות אלו רוב בני אדם מכינים לרכי שבת צריח ולכן אין נזהרין בזה כלל צין כשהולך לביתו או להתארח בבית אחרים ... ובהרבה אחרונים ראיתי שכתבו דמ"מ רריך ליזהר לכתחלה שלא ילך או יסע עד סמוך לערב מפני שכמה פעמים נכשלים עי"ז וצאים לידי חילול שבת. כי בעל אשפיזא או אפילו צב"ל כשצא סמוך לשבת מוסיפין לבשל בשבילי ומחללין שבת. וגם כמה פעמים יארע דלא יגיע למלון ולביתו מצטער יום עד שחשכה ממש וכמה חילול שבת יש בהוצאה והכנסה ויציאה מחוץ לתחום ... ולכן כל זה ישים האדם ללבו וימחר לשבת אפילו בכפר ולא יסיתנו היצר לומר עוד היום גדול והדרך טוב

משנה ברורה סימן רמט ס"ק ג

*... as long as one is careful and sensible to arrive in good time for Shabbat!*

## E] HETERIM DURING BEIN HASHEMASHOT

33. כל הדברים שהם אסורים מדברי סופרים לא גזרו עליהם בין השמשות. והוא שיהא שם דבר מצוה או דוחק .... וכן אם היה טרוד ונחפז לדבר שהוא משום שבות מותר בין השמשות. ומטעם זה מותר לומר בין השמשות לעכו"ם להדליק לו נר לשבת

שולחן ערוך אורח חיים סימן שמב סעיף א

*Most<sup>31</sup> Rabbinic prohibitions are permitted during Bein Hashemashot for the purposes of a mitzvah or very important Shabbat need. This would include asking a non-Jew directly to do anything needed for Shabbat.*

34. ... ודע דכל סעיף זה לא מייירי כשקבל עליו שבת. אצל אם קבל עליו שבת .... ואפילו אם רק הכזור קבלו עליו שאז חל עליו שבת צע"כ אסור לו לעשות כל שבות צע"כ אפילו לדבר מורה אם לא ע"י עו"ג

משנה ברורה סימן שמב ס"ק א

*However, if a person, or the community, has already accepted Shabbat, ALL the laws of Shabbat apply immediately in full, including Rabbinic prohibitions. The one exception is asking a non-Jew directly, which is still permitted until definite nightfall.*

## F] THE LATE TRAVELER

For those people who are stuck en route as Shabbat approaches, there are a number of halachic options<sup>32</sup>:

(1) Leave enough time on Friday!!

(2) Once it is clear that you won't make it back by Shabbat, make alternative plans to stay in a closer community or at least hotel.<sup>33</sup>

30. The time it would take to walk 12 mil on foot.

31. There are exceptions - see Mishna Berura ad loc.

32. See a useful guide by R. Moshe Heinemann at <https://www.star-k.org/articles/kashrus-kurrents/89/erev-shabbos-gridlock/>

33. And be prepared for a bedieved Shabbat! There are many halachic options for kiddush and motzi which are acceptable in bedieved situations. It is sensible to have emergency provisions for Shabbat when taking a difficult journey on Friday - בראשו



(3) If in danger<sup>34</sup> you can continue driving to the nearest safe place<sup>35</sup>.

(4) During BHS you can ask a non-Jew directly do anything to help you get home (eg take a taxi which will get you home within BHS<sup>36</sup>). After BHS one may ask a non-Jew to do a rabbinic prohibition (eg carry things) for the purposes of a mitzvah.

(5) During BHS<sup>37</sup> you can perform a rabbinic prohibition if necessary to get home.<sup>38</sup>

(6) You may not go beyond the techum (2000 amot beyond the built-up area<sup>39</sup>) once Shabbat begins, even if a non-Jew is driving. Similarly, you should not get off a train, boat<sup>40</sup> or plane which came from outside the techum, unless forced to do so.

(7) If you have to travel beyond the techum on Shabbat, once you reach your final destination you are limited to staying within the building (eg airport<sup>41</sup>) or within the eruv, if there is one. If that will be dangerous (eg the building is closing) you can go to the nearest safe location. If the plane was over the city in the air when Shabbat comes in, you can walk around the entire city on disembarking.

(8) If driving and Shabbat comes in, one should stop at the nearest safe location before sunset, lock the car and possessions in it and walk home, if within the techum. If there is no safe location before sunset, one may continue driving to the nearest safe location. One may not turn off the car and should hint to a non-Jew to do so and lock up the car!

(9) If on a train or bus driven by a non-Jew, and already inside the techum, in a case of need you can stay on the train/bus. If outside the techum, you should get off, unless it will be dangerous. Then upon arrival, you will be restricted to the building/eruv (as above).

(10) You can get into a taxi driven by a non-Jew during Bein Hashemashot. The driver should open the door. After nightfall, if there is a need, one may remain in the cab to your final destination. The driver should carry the muktze and take the money for himself.

## G] RELYING ON RABBEINU TAM - SOME META-HALACHIC CONSIDERATIONS

• If a person is stuck in traffic as the sun is setting on Friday afternoon and is able to find a safe place in a very Shabbat-unfriendly environment eg a with no food in a non-Jewish motel or sitting in a hospital waiting room, would they be able to rely on Rabbeinu Tam and continue driving<sup>42</sup> for a short time<sup>43</sup> after sunset in order to get home or to a frum community.

35. ... בתינוק הנולד אחר השקיעה אם למולו בשמיני כדעת ר"ת ודעמי' או להחמיר כדעת הגאונים ....

הנה אנחנו בחו"ל היינו רגילים להורות בזה להקל כשיטת המג"א סימן של"א שפסק לגמרי כר"ת. וכן העיד מרן הח"ס זי"ע באו"ח סי' פ' בשם רבותיו (וחי' שהזכיר ומנה כל השיטות בזה ולא הזכיר כלל שיטת הגאונים הנ"ל). ומ"מ פה בא"י כבר נתפשט ההוראה להחמיר כדעת הגאונים שבתשובת מהר"ם אלשקר, והגר"א סי' רס"א ודעמי' לחשוב ביה"ש עכ"פ לחומרא מתחלת השקיעה. והדבר מורגש ביותר באופק שלנו בא"י וכמש"כ הגר"א הנ"ל. ומ"מ גם בא"י נראה דרך בימי הגאונים האחרונים הנהיגו כן ואלו בזמן הב"י עדיין נתפשט לגמרי הוראת ר"ת. וכן מבואר בתשובת הרדב"ז סי' אלף שנג" (רפ"ב) שלא החשיב דעת החולקים אפילו לספק ופסק בפשיטות כדעת ר"ת. המרדכי והרמב"ן ותוספות הרא"ש והרשב"א ורבינו ירוחם וכן הר"ן הסמ"ג ובעל מ"מ, שכולם הביאו דברי ר"ת ....

שר"ת שבט הלוי חלק א סימן מט

*Rav Wosner writes<sup>44</sup> that, before he came to Israel, the overwhelming psak was like Rabbeinu Tam<sup>45</sup>.*

34. Eg walking on a highway or in very poor weather.

35. Even if not the ideal place. A rest stop/service station or even hospital may be an acceptable option.

36. It would certainly be permitted to rely in this situation on Rabbeinu Tam zman. R. Heinemann permits this up to 30 minutes after sunset, although Rabbeinu Tam zman would extend beyond this, certainly in the summer.

37. Assuming you have not accepted Shabbat.

38. Rav Yosef Zvi Rimon quotes Rav Moshe Feinstein as permitting activity forbidden on Shabbat mi-de-rabbanan to be performed during bein hashemashot if it is necessary for the purposes of Shabbat, and in this respect extends bein ha-shemashot in accordance with Rabbeinu Tam's view.

39. This can be a very large distance in a metropolitan area but very little in a rural area.

40. There is a famous story of Rav Immanuel Jacobovitz during his term as Chief Rabbi of Ireland in the 1950s. He frequently made the journey by boat back to England and on one Thursday evening departure from Liverpool, the port became fog-bound and the departure was delayed. By the time it reaches Dun Loughaire harbour in Dublin Shabbat had begun. He had warned his wife by radio-telephone that this might happen and asked her to consult with Dayan Zalman Alony on how to proceed. The Dayan ruled that Rav Jacobovitz could not disembark on Shabbat and that Mrs Jacobovitz could not embark. She waited on the quay with wine, bread and food and their two-year old son. The child and provisions were taken onto the boat and she walked alone the 4 miles back home. Meanwhile the Rav and his son travelled back to England then back again to Ireland and were able to disembark only on Sunday morning having paid the extra fares! For further details see Chaim Bermant's biography of Lord Jacobovitz.

41. There have been a number of well-publicized delays on El Al where the plane arrives on as Shabbat is coming in and most of the passengers have to stay in the airport. The Rav of Ben Gurion Airport is prepared for such situations - see <https://www.theyeshivaworld.com/news/headlines-breaking-stories/140659/flight-from-us-to-tel-aviv-delayed-passengers-stuck-in-airport-for-shabbos.html>

42. We saw above that with a non-Jewish driver one can certainly rely on Rabbeinu Tam.

43. We saw above that Rabbeinu Tam rules that is definitely day until 58.5 minutes after sunset.

44. The context here is when to do the brit of a baby born during Bein Hashemashot according to the Gra but definite day according to Rabbeinu Tam. This would have major implications for a baby born late on Friday afternoon or on Shabbat afternoon.

45. Rabbeinu Tam's position was accepted by many Rishonim and ruled by the Mechaber and the Rema in Shulchan Aruch. It was the general minhag in communities across Europe up to the 20C.

Fascinatingly, most poskim will NOT permit full reliance on Rabbeinu Tam<sup>46</sup>. Why should this be when it was such an accepted position?

(i) One answer could be rooted in the centralization of psak after the Shoa and the loss of the Mesorot of Europe. Halacha became much more text-oriented and less mesora-based and the texts which became most popular and accepted, notably the Mishna Berura, were much more influential in determining the modern psak. The Mishna Berura often advocates strongly for the psak of the Gra, which consequently became much more accepted after WWII, even though it had NOT been so accepted before the Holocaust. The psak of the Gra also became much more accepted in 19C Eretz Israel, where his talmidim were an important part of the establishment of the Old Yishuv. Consequently, with the spread back of minhagim and psak from the Israeli Yeshivot to chutz l'aretz in the late 20C, the positions of the Gra have become stronger and stronger all over the world.

(ii) A second answer is based on the astonishing reality that, following WWII most of the Jewish people stopped keeping Rabbeinu Tam zman at the END of Shabbat<sup>47</sup>, even though this constitutes chilul Shabbat deoraita according to most Rishonim and the Shulchan Aruch!! Such a radical departure from the mainstream of classic psak underlines the power of Klal Yisrael in the halachic process - שאם אינן נביאים בני נביאים הם. As such, almost the entire Jewish world has resolutely decided to follow the Gra/Geonim on this issue, making reliance on Rabbeinu Tam much more difficult.<sup>48</sup> The start of Shabbat is now firmly ruled by the times in the calendars! Having said that, a she'ela must be asked of your LOR if a such a situation arises<sup>49</sup>!

46. I heard one report that a senior Dayan permitted someone in this very difficult situation to drive for 20 minutes after sunset (presumably until the end of BHS according to the Gra).

47. Other than a few communities, especially in Eretz Yisrael as a chumra in melacha.

48. I also suspect that some poskim are nervous about publicizing Rabbeinu Tam's position in case people begin to rely on this lekula only at the start of Shabbat. As such, the issue has become something of a 'pritzat geder'.

49. One senior Rav in chu"l told me that it was legitimate to rely on Rabbeinu Tam in such emergency situations, as long as the person kept Rabbeinu Tam at the end of THAT Shabbat. To be lenient on both ends of Shabbat is clearly illegitimate. Others counter that, these days, we cannot rely on this for one Shabbat when we never otherwise keep Rabbeinu Tam. Another colleague informed me that a prominent Rav in Yerushalayim allowed a couple to rely on Rabbeinu Tam when their flight was delayed, although it is not clear to me whether that case involved the Jew performing melacha or relying on a non-Jew, which is far less problematic.