

No Bless Oblige

Excerpted and adapted from a shiur by Dayan Yosef Grunwald

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https://baishavaad.org/wp-content/uploads/2021/10/BER82_007_Vayeitzei_Calling_Out_at_Night_The_Uniqueness_of_Maariv.mp3

And he encountered (vayifga) the place and stayed there overnight because the sun had set...

Bereishis 28:11

According to the Gemara (Brachos 26b), *vayifga* (from the word *pegiah*) refers to *tefilah*, from which the Gemara derives that Yaakov established the practice of davening Ma'ariv. The Gemara concludes (Brachos 27b) that Ma'ariv is a *reshus* (optional), though Klal Yisrael eventually undertook it as an obligation.

Nevertheless, Ma'ariv retains certain characteristics of a *reshus*. Some examples:

- The Rambam (*Hilchos Tefilah* 3:7) writes that one who davens before the proper *zman tefilah* does not fulfill his obligation at Shacharis or Mincha, but with respect to Ma'ariv, "*ein medakdekin*"—we are not so precise about the time.
- The Rambam rules (*Tefilah* 9:9) that no *chazaras hashatz* is recited at Ma'ariv because Ma'ariv is not considered a full-fledged *tefilah* like Shacharis and Mincha.
- The Rambam (*Tefilah* 10:6) writes that at Shacharis and Mincha, one who remembered in the middle of *Shmoneh Esrei* that he had already davened must stop in the middle, because he cannot transform a *tefilah* that he originally intended to be a *chovah* (obligatory) into a *nedavah* (voluntary, because he already davened). But at Ma'ariv, he may continue davening, because Ma'ariv itself is considered a *nedavah*. (The Ra'avad disagrees.) R' Chaim Soloveitchik explains that the Rambam holds that Ma'ariv is essentially a private communication with Hashem. Although it has been accepted as obligatory by the *tzibur*, it is still fundamentally a private *tefilah*. Therefore, one who realizes in the middle that he already davened may continue, because it always had the status of a *tefilas nedavah*.