



# TORAH & HORAHAH



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This week's article discusses the halachic definition of chatzos: midday and midnight—a concept that appears in this week's parashah in connection with Yetzias Mitzrayim. How is the time of chatzos defined? Is there a difference between the time of midday and the time of midnight? Is there a distinction between midnight as a virtuous time for prayer and Torah study, and midnight as a halachic time? These questions, and more, will be addressed in this week's article.

This week's Q & A will deal with the question of explaining the virtue of prayer at kivrei tzaddikim.

## "And it was in the Middle of the Night" The Halachic Time of Chatzos

In the introduction to the final plague of the Death of the Firstborns, Hashem sets the time of the plague for midnight. Moshe thus informs Pharaoh: "At around midnight (*ka-chatzos*) I shall go forth in Egypt" (Shemos 11:4).

Chazal (*Berachos 3b*) note the word *ka-chatzos* (around midnight) is used and not *ba-chatzos* (at midnight). Why is the inaccurate form used over the precise form? The Gemara explains that Hashem in fact used the precise word, but Moshe changed the word to the imprecise form.

The reason for this change, as the Gemara explains in its conclusion (according to one explanation), is that Moshe was concerned that Pharaoh's astronomers would miscalculate the time, and would claim: "Moshe erred."

As we will see later, this episode is used by some authorities to gain a halachic insight into the time of midnight, *chatzos*. In this article we explain the principles of how the time of midnight—and also the time of midday—are calculated, and show why this calculation is important for many halachic purposes. ➤➤

### Dear Reader!

This week's article, which discusses the halachic concept of *chatzos*, raises a question of basic understanding.

The final plague of our coming forth from Egypt took place "in the middle of the night"—the time we know as *chatzos*. The following question arises: If we divide a twelve-hour night into two halves, we will reach two six-hour halves, with nothing in between.

If we are to define a time called the "middle of the night," it will have to be a time that encompasses some of the first half of the night, and an equal part of the second half. However small we make this period of time, it will not be the true "middle of the night." It cannot

## The Time of Midday

be, because the two halves of the night cannot contain anything in between.

If so, when is the precise moment of *chatzos*, the precise moment when the final plague of Egypt took place?

Several commentaries have addressed this question. Perhaps the most convincing answer is given by Rav Isaac Chaver (*Hagadas Yad Mitzrayim*), who suggests that the stroke of our redemption from Egypt *had* to come at a time that we are unable to put our fingers on.

Even before the redemption from Egypt, the first *mitzvah* given to the fledgling nation of Israel was the *mitzvah* of time: "This month is for you the first of months." Before we could exist as a nation, the time in which we exist had to come into being.

Our time frame is different to that of the nations; the time continuum in which we live leads to a different destiny than that of other nations. This new time frame was incepted even

Before discussing the halachic subject of midnight, it is important to introduce the relatively simple calculation for the time of midday. This time is of great importance for many halachic purposes, including the following:

- 1) The Biblical prohibition of *chametz* from *chatzos* on Erev Pesach.
- 2) The beginning of the time for *davening Minchah*—half-an-hour after *chatzos*.
- 3) The prohibition of eating a festive meal, before *davening Minchah*, begins at *chatzos*.
- 4) The *Shacharis* prayer can be prayed as a last resort up to *chatzos*, if the proper time was inadvertently missed.
- 5) It is prohibited to fast up to *chatzos* on Shabbos/festivals (*Magen Avraham 157:6*).
- 6) The prohibition against sitting on a regular chair on *Tisha Be'Av* ends at *chatzos*.

The time of *chatzos ha-yom* is simply the time when the sun is in the middle of the sky, at its highest point that day. According to the majority of authorities, this time is easily calculated by finding the midpoint between the time of sunrise (*zerichah*) and the time of sunset (*shekiyah*). According to this, the time of midday changes from day to day, depending on the respective times of sunrise and sunset (see *Shaarei Teshuvah, Orach Chaim 89:1*).

Although this is the opinion of most authorities, it is noteworthy that Rav Moshe Feinstein (*Iggros Moshe, Orach Chaim Vol. 2, no. 20*) had an original approach to the time of *chatzos*, arguing that halachic midday is at a fixed time throughout the year. Rather than the time of *chatzos*, the changing factor is the two halves of the day: sometimes the first half is longer, and sometimes the second. This principle is also stated by the *Aruch Ha-Shulchan (Orach Chaim 233:14)*, who likewise writes that the time of midday is always at the solar noon (12:00 solar time, when the sun crosses the local meridian). This is 11:56 am in New York, or 11:37 in Jerusalem.



However, the factual evidence points to a changing time for *chatzos*, meaning that the time when the sun is "above our heads" changes daily and is the midpoint between sunrise and sunset. The great majority of *poskim* endorse this ruling, and this is the customary time recorded in the calendar.

### The Time of Midnight

The time of midnight—*chatzos halailah*—is also an important time for halachic purposes, including the following:

- 1) The mitzvah of eating matzah (Torah) and afikoman (rabbinic) on Seder Night.
- 2) The nighttime *Keriyas Shema*, which should be read (rabbinic) before *chatzos*.
- 3) *Tikkun chatzos*, the special prayer over the destruction of the Mikdash, is recited at *chatzos*.

Determining the time for midnight is more difficult than the time for midday, because by contrast with the day, there is no astronomical indication of its arrival.

The *Magen Avraham* (1:4) writes, citing from the Zohar (*Vayakhel*), that the period of the night should always be considered as a twelve-hour period, both in the summer and in the winter. The *Machatzis Hashekel* explains that this means one should count twelve hours from the time of nightfall (when the stars come out). Midnight is midway into the night—six hours after nightfall. Note that according to this definition, night will actually continue into the morning hours of daylight in the winter.

However, *poskim* do not follow this approach. As the *Magen Avraham* cites from *Shut Shev Yaakov* (Vol. 1, no. 1), authorities generally maintain that the time of midnight is defined as the actual "middle of the night," meaning the halfway point between nightfall (*tzeis*) and daybreak (*alos*). This ruling is elucidated by the Tashbatz (Vol. 1, no. 109), the *Shulchan Aruch Ha-Rav* (1:8), and by many other *poskim* (see *Kaf Hachaim* 1:8).

According to the above ruling of Rav Moshe Feinstein, it follows that midnight, just as midday, will always be fixed at twelve hours after halachic midday. Indeed, the Rebbe of Ziditchov

before we came forth from Egypt.

As we came out of Egypt, two distinct time frames met – the time of the nations, and the time of Israel. This impossible clash, a clash between the natural and the supernatural, between the earthly and the unearthly, is expressed by the time of *chatzos* – a time that simply cannot be found. It is outside the ordinary concept of time.

From that moment and on, the nation of Israel lives outside the regular order of the natural world. Were this not the case, how could a single sheep survive among seventy wolves – at it does to this very day?

The continued existence of the nation of Israel is the revealed miracle that teaches us of the daily, hidden miracles that accompany us always.

May we speedily merit seeing the final redemption, and the fulfillment of the verse: "As the days of your coming forth from Egypt I shall show you wonders."

is cited (see *Kumi Roni*, no. 9) as stating that the time of *chatzos* (night) is always at “twelve o’clock on the watch” (it is possible that like Rav Moshe Feinstein, he meant twelve o’clock *solar time*, and not Greenwich Mean Time; see also below, where we write that the time of *chatzos* with regard to *tikkun chatzos* might be different).

The same conclusion can possibly be reached according to other opinions, who use standard hours for dividing the day and not “halachic” hours that vary according to the length of the day. We will not go into this issue, because the great majority of authorities side with the *sha’os zemanios* (relative hours) of the Ramabam, and determine the time of *chatzos* accordingly.

### The Virtuous Time of Chatzos

The *Magen Avraham* himself (233:4) notes the apparent contradiction between the above-mentioned teaching of the Zohar, and the basic *halachah* for determining the time for *chatzos*.

He responds that concerning the virtuous time of *chatzos*, which is the appropriate time for *tikkun chatzos*, we do not consider the astronomical cycles of the day and the night—which do not exist with regard to Hashem—but rather establish the time of *chatzos* based on a standard twelve-hour night.

However, concerning prayer, which corresponds to the sacrificial service and depends on earthly calculations, we base our times on the actual nightfall and daybreak. This likewise applies for times of Shabbos and festivals.

It thus emerges, according to the *Magen Avraham*, that there are two distinct times for midnight (and, perhaps, even for midday): one is the midnight for regular *halachah*, and another is midnight as a virtuous time, which is the appropriate time for *tikkun chatzos*.

### Calculation of Midnight based on Midday

Based on the above calculation, whereby the time of *chatzos* is the midpoint between nightfall and daybreak, it follows that there is no necessary correlation between the halachic times of midnight and midday. The time of midnight is the midpoint between the beginning of the night (nightfall) and the start of the day (daybreak)—a time that has no specific connection with the halfway point between sunrise and sunset.

However, some of the *poskim* mentioned above say that the time of midnight can be calculated by adding twelve hours to midday: the time of midnight is thus the same as the time of midday. This equivalence is stated by *Shut Shev Yaakov* (loc. cit.), by the *Yad Efraim* (1), the *Ya’aros Devash* (Vol. 1, *Derush* 15; Vol. 2, *Derush* 12), the *Siddur Ya’avatz*, and others.

According to this method, midnight is the midpoint between sunset and sunrise—just as midday is the midpoint between sunrise and sunset. The logic of this is that midnight is thus the astronomical parallel of midday: If at midday the sun is “above our heads,” at midnight the sun is “beneath our legs”—the midpoint of the path of the sun hidden from the earth.

Yet, there are authorities who note that this method of equivalence should not be used for determining the time of midnight, because this is not the actual “middle of the night.” Rather, the time should be calculated as mentioned above, by finding the halfway point between nightfall and daybreak. If we apply the nightfall of the *Geonim* (i.e. night is approximately eighteen minutes after sunset as ruled by the Vilna Gaon and the *Ba’al Ha-Tanya*), this calculation will yield an earlier time for midnight than the equivalent of midday. (This is because night is eighteen minutes after sunset whereas daybreak is about seventy ➤➤

two minutes before sunrise. Note that one cannot use the eighteen minute opinion to conclude the observance of Shabbos.)

Thus, in his approbation to *Matzos Mitzvah*, the author of *Pe'as Ha-Shulchan* criticizes the custom of relying on the time of midday even for midnight, and writes that one should be stringent (for Torah matters, such as eating *matzah*) in following the earlier time as calculated above. The *Eshel Avraham* (Butshatch, 477) is doubtful over which is the true time for midnight: the equivalent of midday, or the midpoint between nightfall and daybreak.

### The Chatzos of Eretz Yisrael

Chazal point out (see *Yevamos 72a*, and *Rashi*) that the time of chatzos (midnight) is a particularly auspicious time for Torah and for prayer. This is the reason why some are particular to awaken at midnight—as King David used to do (*Berachos 3b*)—for prayer and Torah study (see *Tur, Orach Chaim 1*).

We have already seen a possible distinction between midnight as a time of virtue, and the regular, halachic definition of midnight. In this spirit, the *Chasam Sofer* (*Toras Moshe, Bo*) makes a far-reaching statement concerning the virtuous time of midnight.

On the Gemara (quoted at the outset) of how Moshe Rabbeinu changed Hashem's precise reference to an approximation of midnight, the *Chasam Sofer* asks the following question. The Gemara explains that King David could determine the precise time of *chatzos* by means of placing a harp outdoors, and observing when the harp sounded to the special midnight wind. If so, why could Moshe not use the same method of determination?

[The Gemara actually concludes that Moshe

knew the time of midnight, but the first stage of the Gemara implies that Moshe did not use this method.]

The *Chasam Sofer* replies that when Hashem predetermined the time of the final plague for midnight, the reference was not to midnight in Egypt, but to the midnight of Eretz Yisrael. On account of the slight difference between the times, Moshe could not use the test of the harp.

The principle whereby the true time of midnight—at least with regard to *chatzos* being a virtuous time for prayer and for Torah study—depends on midnight of the Land of Israel, is also stated by the *Mor U-Ketziah* (*Orach Chaim 1*). Moreover, Rav Yaakov Emden elsewhere (344) applies the same idea to the changeover of days: the principle determination of which day of the week it is at any given time depends on the Land of Israel.

Other *poskim*, however, do not mention of the importance of the Land of Israel in this regard, and the *Iggros Moshe* (loc. cit.) explicitly rules out this suggestion, explaining that *chatzos* is calculated for each place according to its local times. See also *Shut Even Yekarah, Milu'ei Even 9*, who writes that the reason Moshe was afraid to cite a precise time was the local variations in the time of midnight across the land of Egypt.

### Summary

As noted, the principle *halachah* is that the times of midday and midnight change from day to day—though according to the minority position of *Iggros Moshe* it is at a fixed time of the day, every day at the same time.

Based on the standard method of calculation, midday (*chatzos ha-yom*) is the time when the sun is “above our heads,” the halfway point between sunrise and sunset. The general custom is to use the same time for midnight, and this ➤➤

is the time that generally appears in calendars. Some are stringent for purposes of Torah law (eating *matzah* on *Pesach*, but not for *afikoman*)

to use an earlier time of midnight, which is the midpoint between nightfall (the earlier time of *tzeis ha-kochavim*) and daybreak.

## ⌘ Halachic Responsa ⌘ to Questions that have been asked on our website [dinonline.org](http://dinonline.org)



### Question:

Why do we daven at *kivrei tzaddikim*? Is this asking the *niftar* to be a *meilitz yosher*, a way of connecting with the merit of the deceased, or some other idea?



### Answer:

The issue of prayer at the graves of *tzaddikim* is mentioned in several sources, and a variety of reasons are given for its virtue.

1) The Gemara (Sotah 34b) writes that Kalev prayed at Chevron, **beseeching the Patriarchs to pray on his behalf**, that he should be saved from the evil of the Spies. A similar idea is mentioned in Sotah 14a, where the Gemara explains that the burial place of Moshe is hidden, so that people will not beseech Moshe to pray for the sake of Israel, and his prayers will annul all decrees.

These sources indicate that one can ask the departed to pray for our benefit. See also Taanis 23b.

2) The reason above (that the departed should pray on our behalf) is also mentioned by the Gemara in Taanis (16a), which mentions an alternative reason: “Because we are considered before Him as though we are dead.” Prayer at graves is a way for a person to see himself through different eyes – as somebody fallible, lowly and human, and this is a means of enhancing the sincerity of one’s prayers.

The Minhagim of the Maharil mentions a similar reason, whereby one’s prayer at graves is more powerful, as if to say: “If You do not have mercy upon us [it is as though] we are dead, Heaven forbid.”

3) The Mishnah Berurah (581:27) writes that one should not direct his prayers to the dead, but only to Hashem, praying to Him in the merit of the departed. Although this reason is perhaps the most “rational,” is it noteworthy that most sources do not mention this idea.

4) A reason mentioned by many sources for prayer at graves is that the graves of the righteous are holy places, and therefore virtuous for the acceptance of one’s prayer. This idea is mentioned in Shut Maharam (164), in Derashos Ha-Ran (Derush 8), by the Kitzur Shulchan Aruch (128:13; he also mentions that the departed will be *meilitz yosher* for us), and others.

Some authorities actually objected to prayer at the graves of the righteous, but the custom is clearly to do so, and it certainly has a noble tradition.