

# HALACHICALLY SPEAKING

Volume 13 Issue 16



{ TOPIC }

## The Time for *Selichos*



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# HALACHICALLY SPEAKING

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► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky zt"l*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, zt"l* on current issues.

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# The Time for Selichos

We all are familiar with the custom of reciting *Selichos* from before Rosh Hashanah until Erev Yom Kippur<sup>1</sup> (and some communities even from Rosh Chodesh Elul<sup>2</sup>). The question arises each year when the *Selichos* period is upon us as to when *Selichos* should be recited. At this time, we try to fit the *Selichos* into our busy schedules.

Many places have a practice to say *Selichos* at 10:00 p.m., some at 1:00 a.m., and others before Shacharis in the morning. When is the opportune time to recite *Selichos*? Why do the Ashkenazim start after *chatzos* on Motza'ei Shabbos?

## The Best Time

The Rambam<sup>3</sup> says that during the Aseres Yemei Teshuvah we get up “at night” and say words of *tachanunim*. The *Shulchan Aruch*<sup>4</sup> mentions as well that we awake in “*ashmores haboker*” to say *Selichos*, which is understood to mean night.<sup>5</sup> Many authorities quote this and rule that one should say *Selichos* at night before *alos hashachar*.<sup>6</sup>

The reason for saying it at night is because that time is a time of *ratzon*.<sup>7</sup>

1 *Mishnah Berurah* 581:5; *Aruch Hashulchan* 2.

2 *Ibid.*; *Yechaveh Da'as* 3:44.

3 *Hilchos Teshuvah* 3:4.

4 *O.C.* 581:1.

5 For a detailed discussion on this see *Yisrael V'hazmanim* 1:50, pages 597-598.

6 *Darchoi Moshe* 581; *Levush* 1; *Matei Ephraim* 581:11. See *Darchoi Chaim V'shalom* 696, pages 251-252; *Yechaveh Da'as* 1:46; *Ashrei Ha'ish*, *O.C.* 3, page 78, 6; *Mekadesh Yisrael*, *Yamim Nora'im* 19, 23; *Da'as Noteh*, *Krias Shema* 10; *Chashukei Chemed*, *Maseches Yoma* 22a.

7 *Magen Avraham* 581:1.

איך לומר את המעשרים בלילה? (ברכות ה.)



## Chatzos

There are those who have the custom to recite *Selichos* at *chatzos*,<sup>8</sup> since that is also a time of *ratzon*.<sup>9</sup>

## Before Chatzos

There are those who have a *minyan* for *Selichos* and *Yud-Gimmel Middos* before *chatzos*; however, this practice is frowned upon by the *poskim*.<sup>10</sup> In fact, Harav Yaakov Kamenetsky *zt"l*<sup>11</sup> mentions that he is not sure what the *heter* is for it.

Although we do recite *Selichos* on Yom Kippur night before *chatzos*, this should not serve as any proof that doing so is permitted, since Yom Kippur is a day of mercy.<sup>12</sup>

Some people might be tempted to *daven* at the 10:00 p.m. *minyan*<sup>13</sup> in order to get up to go to work<sup>14</sup> in the morning without waking up earlier to say *Selichos*. In addition, some may be scared to go out early in the morning and would rather do it at night. Furthermore, people are tired from working all day, and do not want to sacrifice their sleep.<sup>15</sup>

Harav Moshe Feinstein *zt"l* dealt with this question in *Igros Moshe*.<sup>16</sup> He maintains that since the Gemara never actually forbids saying *Selichos* before *chatzos*, we cannot

8 Refer to *Yechaveh Da'as* 1:46. This is normally around 1:00 a.m. (*Mekadesh Yisrael, Yamim Nora'im* 23).

9 *Yisrael V'hazmanim* 1:50, pages 598-600. In regard to those who say *tikun chatzos* and saying it during the time one says *Selichos*, see *Vayitzvar Yosef* 2:51.

10 *Magen Avraham* 565:5; *Birchei Yosef* 581:2; *Keshet Gadol* 19:11; *Kaf Hachaim Palagi* 16:13; *Matei Ephraim* 581:20; *Mishnah Berurah* 565:12.

11 *Emes L'Yaakov* 565, footnote 531.

12 *Yechaveh Da'as* 1:46.

13 Refer to *Mishmeres Shalom* 41:4.

14 In regard to those who learn all day and reciting *Selichos* would infringe on this, see *Yechaveh Da'as* 3:44; *Vayitzvar Yosef* 2:52. Refer to *Matei Ephraim* 581:11; *Elef Hamagen* 581:24.

15 *Beis Avi* 5:52.

16 *O.C.* 2:105.

כל השנה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (תדה עב)

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prohibit this practice. If the option is to recite *Selichos* before *chatzos* or not to recite them at all in the morning, one should recite them at night with the early *minyan*. However, he adds that this should not be done on a regular basis, and cannot be done year after year. Some suggest that the source for saying *Selichos* before *chatzos*, usually about 10:00 p.m., is because in Eretz Yisrael it is after *chatzos*. Therefore, it is permitted even though it is before *chatzos* in other parts of the world.<sup>17</sup>

One who wishes may recite *Selichos* at Minchah (although this practice is not common), since we recite *vidui* (*nusach Sephard*) during Minchah.<sup>18</sup>

Those who say *Selichos* before *chatzos* do not recite the *Yud-Gimmel Middos*,<sup>19</sup> *Ashrei*, Kaddish after *Ashrei*, and the *Lecha Hashem*...<sup>20</sup>

## Motza'ei Shabbos

Ashkenazim begin reciting *Selichos* on Motza'ei Shabbos<sup>21</sup> after *chatzos*.<sup>22</sup> On this day, they are particular to recite *Selichos* at night, since we say in the portion of the *Selichos*, "*B'motza'ei yom menuchah*," which is referring to Shabbos. Therefore, it cannot be said on Sunday.<sup>23</sup>

17 *Machshavos B'eitzah* (*parperes l'chachmah*) pages 153-156 in great depth; *Yisrael V'hazmanim* 1:50, page 601; *Mekadesh Yisrael, Yamim Nora'im* 25; *Vayitzvar Yosef* 2:53; *Yalkut Yosef, Moadim* pages 38-39, footnote 4; *Kovetz Beis Aharon V'Yisrael* 60, page 76. Refer to *Yechaveh Da'as* 1:46 which brings the opinions on this.

18 *Yechaveh Da'as* 1:46.

19 Refer to *Shulchan Aruch* 131:3; *Levush* 3. See *Mekadesh Yisrael, Yamim Nora'im* 26.

20 *Hilchos Chag B'chag, Yamim Nora'im* page 13; *Ashrei Ha'ish, O.C.* 3, page 78, 7. See *Halichos Shlomo, Moadim* 17:1, footnote 2.

21 Refer to *Siach Tefillah* pages 559-560 on why some recite *Selichos* even the first night on Sunday morning.

22 Refer to *Mekadesh Yisrael, Yamim Nora'im* 24; *Yisrael V'hazmanim* 1:50, page 599; *Kovetz Beis Aharon V'Yisrael* 61, page 132.

23 *Beis Avi* 5:52; *Yisrael V'hazmanim* 1:50, page 599; *Mekadesh Yisrael, Yamim Nora'im* 23; *Chashukei Chemed, Maseches Yoma* 22a. For a detailed discussion on this see *Ha'elulim Kodesh*

איז עיל להקדיף ה בעולמו אלאי יי אמות של הלכה בלביד... (ברכות ח)



Some hold that one should change to weekday clothing before reciting *Selichos* on Motza'ei Shabbos.<sup>24</sup>

We all need as much mercy as possible during these days, and we should make sure to recite *Selichos* in the most opportune time frame, and try not to rely on leniencies.

### ***Selichos* at Night or Early Morning**

Whether one is saying *Selichos* at night or early in the morning, he may say it loud even if he may be a nuisance to some neighbors. However, one should still try to ensure that the windows are closed to avoid disturbing the neighbors.<sup>25</sup>

### **Sunrise and *Selichos***

We have mentioned above that the opportune time for *Selichos* is at *alos hashachar*. Even after sunrise, which is the opportune time for Shacharis, one should still recite *Selichos* first. This is true despite the concept that whatever is more common comes first. It is possible that since reciting *Selichos* is a custom, it takes precedence over *davening*.<sup>26</sup>

### **Why *Selichos* before *Davening***

On fast days, we say *Selichos* during *davening*. Why do we say them before *davening* during Elul?

It is possible that we need the extra merits, so we say *Selichos* earlier to add to our merits. On fast days, the *Selichos* are added as an extra aspect to *tefillah*, so we say them after *Shemoneh Esrei*.<sup>27</sup> In addition, *Selichos* before

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*Lshem* pages 141-143. See *Matei Ephraim* 581:11. Refer to *Siach Tefillah* page 559, 11 which is not convinced this is the reason.

24 Opinion of Harav Chaim Kanievsky *shlit"a*, quoted in *Ha'elulim Kodesh Lshem* page 140, footnote 359.

25 *V'ein Lamo Michshol* 4, pages 52-53.

26 *Mekadesh Yisrael, Yamim Nora'im* 29. See *Gam Ani Odeicha* 3:129.

27 *Siach Tefillah* page 557, 7.



כל השנה הלכות בכל יום מובטח להשתדל לא שהיא בן עולם הנא... (תודה עבה)

*davening* can help us prepare ourselves to *daven* with more concentration, and be a merit for us during the days of Elul.<sup>28</sup>

If one comes to shul and they have already started *davening*, he can *daven* with them and then say *Selichos* later at another *minyan*.<sup>29</sup>

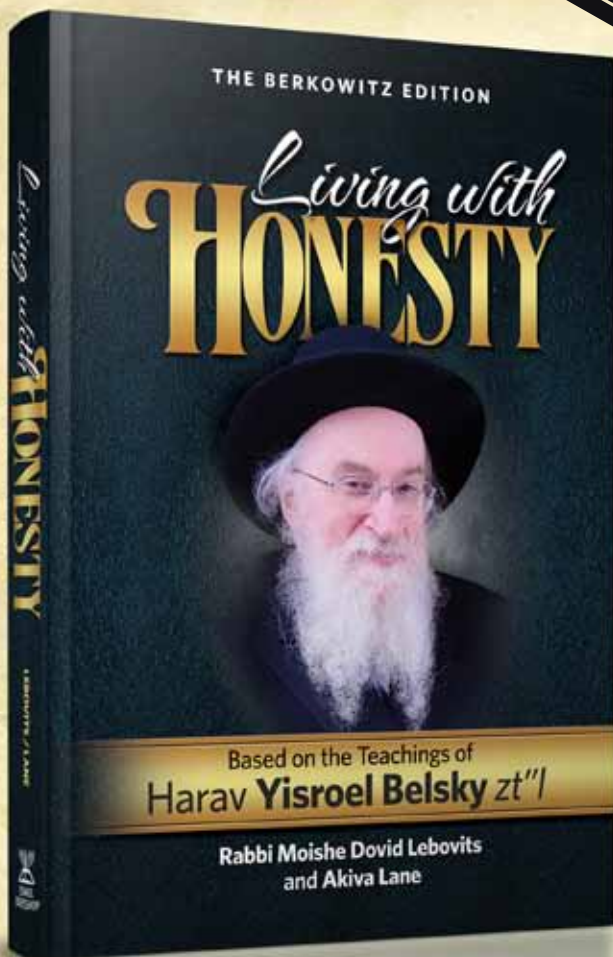
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28 Ibid.

29 *Teshuvos HaGrach* 232; *Chashukei Chemed*, *Maseches Yoma* 22a.

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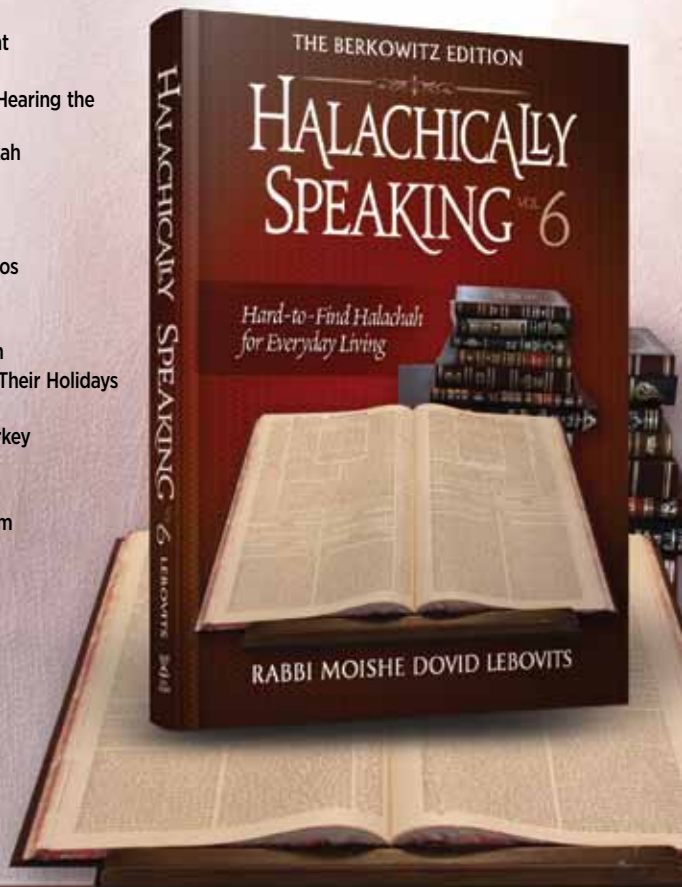
  
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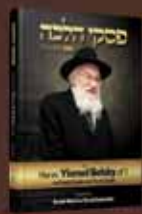
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A photograph of a BJ's Wholesale Club building with a large sign on the roof. In the foreground, there are shelves in a bakery section filled with stacks of round, golden-brown baked goods, likely breads or rolls.

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