

Cutting It Too Close Making Time for *Minchah*

Rabbi N., an attorney by profession, recalled his first day of work. On his way out his father reminded him, “Don’t forget to daven minchah.” Rabbi N. was surprised – how could anyone possibly forget minchah? Ironically, his first day on the job at a busy law firm was so hectic – that he forgot to daven minchah...

Different and Difficult

“Making *minchah*” is a special challenge in the workplace for two reasons. First, we need to remember *minchah*, and second, we need to be able to pull away from work and actually *daven*. While *minchah* should be second nature, it can be a tremendous hurdle, every single day that we are at work.

Minchah is only one of our three daily prayers. As the shortest, theoretically it should be the easiest to manage, and yet, it is the most difficult. What sets *minchah* apart from *shacharis* in the morning and *maariv* in the evening?

It is easier to remember *shacharis*, because it has a clearly defined time at the top of our daily schedule, before the day’s demands come rushing in. *Maariv* also has a defined time slot; we finish work, come home, and at night we *daven*, free of the day’s pressures. *Minchah* is another story. In the middle of a busy workday, we need to remember to drop everything and *daven* (*Tur, Orach Chaim* 232).

It can often be difficult to break for *minchah*, but it is always worthwhile. The *Tur* (*ibid.*) tells us that if we disconnect from our other activities and responsibilities to *daven minchah* on time, our “reward is very great.” *Chazal* advise us to be particularly careful with *minchah*, because it is a special time; at Eliyahu HaNavi’s major confrontation with the false prophets of the Baal, his prayers were answered specifically at *minchah* (*Berachos* 6b; see I *Melachim* 18:36-38).

For some twenty years, the Sloatsburg Rest Area on the New York State Thruway has been an officially designated “minchah stop” for men on their way up to the Catskills during the summer season. One June evening, the overflow minchah crowd parked their cars not only in the specified parking area, but on the entrance ramp, backing up traffic for a mile! Community activists worked with state officials to prevent similar occurrences in the future. Apparently, even more people than expected are not willing to miss minchah, even on the road.

More recently, four similar “minchah stops” were established along the Israel Turnpike (also known as “Kvish 6”), in use every afternoon fifteen minutes before sunset. This allows commuters traveling this road, extending from Zichron Yaakov in the north to Be’er Sheva in the south, to daven minchah with a minyan. It is also safer than pulling over to the highway shoulders to daven alone, as drivers had frequently done in the past.

Origins

Our three daily prayers have ancient origins. According to one opinion in the *Gemara*, they were instituted by the *Avos*:

“Avraham instituted *shacharis*, as it says, ‘And Avraham rose early in the morning, to the place where he had stood (*amad*) before Hashem’ (*Bereshis* 19:27). The word ‘standing’ (*amidah*) is used to mean ‘prayer.’

“Yitzchak instituted *minchah*, as it says, ‘And Yitzchak went out to speak (*lasuach*) in the field towards evening’ (*Bereshis* 24:63). The word ‘speaking’ (*sichah*) is used to mean ‘prayer.’

“Yaakov instituted the evening prayer, as it says, ‘And he encountered (*vayifga*) the place and he slept there’ (*Bereishis* 28:11). The word ‘encounter’ (*pegiah*) is used to mean ‘prayer’” (*Berachos* 26b).

According to another opinion in the *Gemara*, the prayers were instituted to correspond to the *Tamid* sacrifices. These sacrifices were offered twice daily, morning and afternoon, to encourage the Jewish people to direct their hearts and minds to the Al-mighty throughout the day (see *Sefer HaChinuch* 401). *Shacharis* corresponds to the Morning *Tamid*, *minchah* to the Afternoon *Tamid*, and *maariv*, to “the limbs and fats left from the day’s sacrifices, which were consumed on the Altar throughout the night” (*Berachos* 26b).

The times for *shacharis*, *minchah*, and *maariv* are defined by the times when these *korbanos* (sacrifices) were brought.

There is a difference of opinion between *Rabbanan* (the Rabbis of the Talmud) and Rabbi Yehudah as to the times for the *Tamid* sacrifices, and as a result, the times for their respective prayers.

Shacharis

According to *Rabbanan*, the *Tamid shel Shachar* (Morning *Tamid*) could be offered until *chatzos* (literally “midday,” or six hours¹ into the day; see below), making midday the cutoff time for *shacharis*, the corresponding morning prayer. According to Rabbi Yehudah, the Morning *Tamid* was only offered up to four hours into the day, which would make the cutoff for *shacharis* four hours into the day.

Minchah

The time for the *Tamid shel Bein HaArbayim* (Afternoon *Tamid*) began at six and a half hours into the day, and continued until the end of the day. Practically speaking, however, it was not brought right away, promptly at six and a half hours into the day, but rather later on, at nine and a half hours. This was because the Afternoon *Tamid* was the last sacrifice of the day – no other sacrifices could be brought after this second *Tamid*. Offering this sacrifice later on allowed sufficient time to bring the rest of the day’s *korbanos*, whether personal or communal.

According to *Rabbanan*, the Afternoon *Tamid* could be brought until evening. According to Rabbi Yehudah, it could be brought only until *plag haminchah* (see below), ten and three quarters hours into the day, making *plag haminchah* the cutoff for *minchah*.

¹ “Hours” in this context means *sha’os zemanios*. See below, “Concepts in Defining the Times for *Tefillah*.”

Maariv, the evening prayer, does not have a specified hour of the night as a cutoff time, because it corresponds to the burning of various parts of the sacrifices which were not consumed by the fire by the end of the day, and continued burning into the night.²

Concepts in Defining the Times for *Tefillah*

Defining a number of basic concepts will help us put the times for the *tefillas* (and in the *Beis HaMikdash*, the *korbanos*) in perspective.

Sha'os zemanios: literally, “time-based hours.” A *sha'ah zemanis* is not the standard sixty-minute hour we are familiar with, but rather a “halachic hour.” A *sha'ah zemanis* is one-twelfth of the daylight hours on a given day. We calculate a *sha'ah zemanis* by dividing the time between sunrise and sunset (or according to some opinions, from dawn until the stars appear, a longer span of time) into twelve equal parts. Each of these parts is one “*sha'ah zemanis*.”

For example, on a day when the sun rises at 6:00 a.m. and sets at 6:00 p.m., there are twelve standard hours (or seven hundred and twenty minutes) of sunlight. Seven hundred and twenty minutes divided into twelve equals sixty, so on a day like this, each *sha'ah zemanis* will be sixty minutes long.

In the summer, when the days are longer, there are more hours of sunlight, making a summertime *sha'ah zemanis* longer than sixty minutes. For example, on a day where the sun rises at 5:00 a.m. and sets at 7:00 p.m., there are fourteen standard hours (or eight hundred and forty minutes) of sunlight. Eight hundred and forty minutes divided into twelve equals seventy. On a 5:00 to 7:00 day, a *sha'ah zemanis* will be seventy minutes long.

Winter days are shorter, with less hours of sunlight, and as a result, shorter *sha'os zemanios*. For example, if the sun rises at 7:00 a.m. and sets at 5:00 p.m., there are only ten standard hours (six hundred minutes) of sunlight. Six hundred minutes divided into twelve equals fifty, so that on a short 7:00 to 5:00 day, a *sha'ah zemanis* is only fifty minutes long.

The latest times for *shacharis* and *minchah*, as well as the other daily *zemanim*,³ are calculated by *sha'os zemanios*. For example, “four hours into the day” as the latest time for *shacharis* according to Rabbi Yehudah means four *sha'os zemanios*. In the 6:00 a.m. to 6:00 p.m. model (sixty minute long *sha'os zemanios*), four *sha'os zemanios* into the day would be ten o'clock. On the longer 5:00 a.m. to 7:00 p.m. day, the latest time for *shacharis* would be 9:40 a.m. On the shorter 7:00 a.m. to 5:00 p.m.

² However, according to some opinions *maariv* should be *davened* before *chatzos* (the *halachic* middle of the night; see *Ishei Yisrael*, Chapter 28, footnote 41). In addition, although *mi'd'Oriosa* the nighttime *Kerias Shema* can be said all night, Chazal instituted that it be said before *chatzos*, so we don't come to forget it altogether (ibid, Chapter 28: 13).

³ “*Zemanim*,” literally “times,” are the halachically required times for doing *mitzvos* or refraining from prohibitions which have defined times, whether during the day or night. For example, the *zeman* for saying the morning *Shema* is the first three hours (*sha'os zemanios*) of the day, the latest permitted time to eat *chametz* on *erev Pesach* is the end of the fourth hour of the day, and the latest time for burning *chametz* is the end of the fifth hour.

day, the latest time for *shacharis* would be 10:20 a.m. (see *Rema, Orach Chaim* 233:1).

Minchah gedolah: literally “longer *minchah*.” This is the earliest time for *davening minchah*, beginning at six and a half hours (*sha’os zemanios*) into the day. The time for *minchah gedolah* is based on the earliest permitted time for the Afternoon *Tamid* sacrifice (*Beis Yosef, Orach Chaim* 233:1). Since this sacrifice had to be offered *bein ha’arbayim* (in the afternoon), it could not be done before the time when the sun begins to dip visibly to the west, which is six and a half hours into the day. In a 6:00 a.m. to 6:00 p.m. day, six and a half *sha’os zemanios* into the day would be 12:30 p.m. In a 5:00 a.m. to 7:00 p.m. day, it would be 12:35 p.m.⁴

Minchah ketanah: literally “shorter *minchah*.” This is the time for *davening minchah* based on the time when the Afternoon *Tamid* was actually offered in the *Beis HaMikdash*. This time was nine and a half *sha’os zemanios* into the day. Bringing this *Tamid* later allowed sufficient time to bring all the other *korbanos* of the day (*Beis Yosef* *ibid.*, citing *Pesachim* 58a). On a 6:00 a.m. to 6:00 p.m. day, nine and a half *sha’os zemanios* into the day would be 3:30 p.m. In a 5:00 a.m. to 7:00 p.m. day, it would be 4:05 p.m.

Plag haminchah: literally “halfway point for *minchah*.” This is the midway point between the beginning time for *minchah ketanah* and the onset of evening. Halfway between *minchah ketanah* (nine and a half *sha’os zemanios* into the day, 3:30 p.m. on a 6:00 a.m. to 6:00 p.m. day) and evening, when daylight ends (twelve *sha’os zemanios* into the day, or 6:00 p.m.) is ten and three quarters of an hour (4:45 p.m. on a 6:00 a.m. to 6:00 p.m. day).

According to Rabbi Yehudah, *plag haminchah* is the cutoff time for *davening minchah* – after ten and three-quarters *sha’os zemanios*, it is too late. He allows a time for *minchah* shorter by one and a quarter *sha’os zemanios* than *Rabbanan*, who rule that one may *daven minchah* until evening.

As we will see, by extension, this difference of opinion concerning the latest permitted time for *minchah* also affects the earliest permitted time for *maariv* – since the time for *maariv* begins right after the time for *minchah* ends.

Erev: literally “evening.” According to *Rabbanan*, evening is the cutoff time for *davening minchah*. The *poskim* disagree on whether “evening” means *shekiyah* (sunset) or *tzeis hakochavim* (when the stars appear at night).⁵

The Ideal Time for *Minchah*: *Minchah Gedolah* and *Minchah Ketanah*

The *Tur* rules that “the time for *minchah* is from six and a half *sha’os* [*zemanios*] onward” (*Orach Chaim* 233). He does not differentiate between *minchah gedolah* and *minchah ketanah*; both times are equally good.

⁴ *Chatzos* is six *sha’os zemanios* into the day; the time for *minchah gedolah* begins half an hour after *chatzos*. The *poskim* disagree as to whether this half hour is a standard thirty-minute half-hour, or half of a *sha’ah zemanis*. Practically speaking, we are strict and wait for the longer of the two (see *HaZemanim B’Halachah*, vol. I, Chapter 28).

⁵ There are many views brought by the *poskim* as to the exact time of *tzeis hakochavim*.

The wording of the Rambam's ruling concerning *minchah gedolah* is significant. He writes, "One who prays [*minchah*] from six and a half hours [*sha'os zemanios*] has fulfilled his obligation (*yatza*)" (*Hilchos Tefillah* 3:2). In *halachah*, the term *yatza* (or *yotzei*) implies a situation which technically meets the basic requirements (*b'de'eved*), but is not the ideal choice (*lechatchilah*). Apparently, the Rambam rules that while *davening minchah gedolah* fulfills the requirements for *minchah* and is permissible, this time slot (from six and a half hours until nine and a half hours) is not the ideal first choice. *Minchah ketanah*, from nine and a half hours on, is preferable, and should be our first choice.

This is also the *pesak* in the *Shulchan Aruch*: "One who prayed *minchah* from six and a half hours on, has fulfilled his obligation (*yatza*). But its primary time is from nine and a half hours onward" (*Orach Chaim* 233:1).

However, the *Mishnah Berurah* and *Aruch HaShulchan*⁶ mention some other considerations to be taken into account.

The *Mishnah Berurah* mentions a number of circumstances which would also make it *lechatchilah* to *daven minchah gedolah*, rather than waiting for *minchah ketanah*. If we want to eat a meal or set out on a trip, we should *daven minchah* first, even *minchah gedolah*. In addition, if at *minchah gedolah* we can *daven* with a *minyán*, but will not be able to later at *minchah ketanah*, it is better to *daven* at the earlier time with a *minyán*, rather than *davening minchah ketanah*, but without a *minyán*. In these and similar situations, the *Mishnah Berurah* writes, "according to all opinions, it is permitted *lechatchilah* to pray from six and a half hours on. However, praying any earlier does not fulfill the obligation for *minchah*, not even *b'de'eved* (after the fact)" (*Mishnah Berurah* 233:1).

As we learn from the *Mishnah Berurah*, if we have a legitimate reason to *daven minchah gedolah*, it is an acceptable first choice (*lechatchilah*) to do so.

The ruling of the *Aruch HaShulchan* is similar to that of the *Mishnah Berurah*. He goes on to make a very interesting statement: in the specific context of *minchah gedolah* and *minchah ketanah*, the terms *lechatchilah* and *b'de'eved* are not used in their usual sense. Ordinarily, when there is a practice which is "*lechatchilah*," it means that the conduct which is *b'de'eved* (after the fact) is not permitted. In the case of *davening minchah gedolah*, he writes, this is not so. If all things are equal, it is better to *daven minchah ketanah*, rather than *minchah gedolah*. However, if one has a legitimate reason to *daven minchah gedolah*, it qualifies as *lechatchilah* (*Aruch HaShulchan* 233:12).

The Cutoff Time for *Minchah*

Whenever Harry, a successful Manhattan attorney, has depositions in his office, he tells the opposing counsel in advance that he will need a ten minute break at 4:00 p.m. He keeps extra yarmulkes and Hebrew/English siddurim on hand, just in case his colleague happens to be Jewish.

⁶ A major commentary on *Shulchan Aruch* by Rabbi Yechiel Michel Epstein (1829-1908), first published in 1884.

We are stuck at work, in a meeting, or in traffic. What is the cutoff time for *davening minchah*? When scheduling is not in our hands and the clock is ticking this can be a critical question.

As we learned from the *Gemara* in *Berachos* (26b), there are two opinions concerning the final time for *minchah*. *Rabbanan* rule that we can *daven minchah* until evening, and Rabbi Yehudah rules that we can only *daven* until *plag haminchah*. The *Mishnah Berurah* points out that inherent in each of these opinions is a *kulah* (lenient ruling) on the one hand, and a *chumrah* (stricter ruling) on the other, because the time for *maariv* begins when the time for *minchah* ends (*Mishnah Berurah* 233:5).

Rabbanan rule more leniently concerning the time for *minchah*, allowing until evening. It follows, then, that they rule more strictly about the time when we can begin *maariv*. If *minchah* can go all the way until evening, *maariv* can only begin after this later time – when it is already evening.

Rabbi Yehudah, on the other hand, rules strictly concerning *minchah*, giving an earlier cutoff. However, there is also a *kulah* built into this ruling. If *minchah* ends at *plag haminchah*, then *maariv* begins right after.

In either case, *davening maariv* early – before dark – only fulfills the *mitzvah* of *tefillas maariv* (the *maariv* prayer itself), but not of the *Kerias Shema* recited with *maariv*. According to almost all opinions, the *Kerias Shema* for *maariv* must be repeated after dark.⁷

It is also important to note that we cannot have it both ways – *davening minchah* after *plag*, as *Rabbanan* rule, but *davening maariv* before evening, as Rabbi Yehudah rules.

“Until Evening”

Opinions of the *Rishonim*

Maariv is the last of our three daily prayers, and it too begins at a defined time. A key concept in understanding the time for *maariv* is defining *erev*, literally “evening.” *Rabbanan* in the *Gemara* rule that the time for *minchah* extends “until evening,” immediately followed by the time for *maariv*. When exactly “evening” begins is the subject of a major difference of opinion among the *Rishonim*: does evening start at *shekiyah* (sunset) or at *tzeis hakochavim* (when the stars appear)?

According to the Rambam (*Hilchos Tefillah* 3:4) and Rabbeinu Yonah⁸ (commentary on *Berachos* 26b), “evening” means “sunset.” When the sun is no longer visible on the horizon, the time for *minchah* is over.

Rashi understands the words “until evening” differently. He writes that *Rabbanan* mean “until dark,” allowing a much later cutoff time for *minchah*. In keeping with the opinion of *Rabbanan* (who say that *minchah* extends “until evening”), as long as it is before dark, even if the sun has gone down, we can still *daven minchah*.

⁷ See *Tosfos* (*Berachos* 2b, “*Me’eimasai*”) for a dissenting view.

⁸ A great thirteenth century Spanish *Rishon*, also famous as the author of *Shaarei Teshuvah* and other works.

The *Shulchan Aruch* and the *Rema* rule leniently, in keeping with Rashi: it is permitted to *daven minchah* until night, which the *Rema* defines as “until the stars appear” (*Orach Chaim* 233:1).

The *Kitzur Shulchan Aruch* rules that it is only permitted to *daven minchah* until the stars appear *b'she'as hadechak* (under pressing circumstances). He writes that in his time it was customary in most communities to *daven minchah* close to night (*Kitzur Shulchan Aruch* 69:2). Today this is no longer common practice; most synagogues are careful to *daven minchah* before sunset.

My brother, a professor at Harvard Business School, often finds himself rushing from early afternoon on-campus classes or meetings to mid-afternoon off-campus minchah. On one occasion, while traveling from New York to Boston he hit heavy traffic, suddenly making minchah with a minyan in Boston a very distant possibility. Noticing that the toll lines were exceptionally long, he took a chance on switching lanes to buy an EZpass transponder. Now eligible for the shorter EZpass line, he got to shul in Boston just in time. With a little ingenuity he found a way to make minchah with a minyan, rather than pulling over and davening along the way.

Rabbanan and Rabbi Yehudah

Practically speaking, until when can we *daven minchah*, and from when can we begin *maariv*? Do we rule like *Rabbanan*, or like Rabbi Yehudah?

Chazal tell us that the *Amora Rav* davened *maariv* on Shabbos (Friday evening) before sunset, in keeping with Rabbi Yehudah's *pesak* – the time for *minchah* ends early, at *plag haminchah*, so that the time for *maariv*, immediately following, begins while it is still daylight. This would indicate ruling in keeping with Rabbi Yehudah's opinion – we can start *maariv* even before sunset.

However, the *Gemara* continues, *Rav Huna* and the Sages would not *daven maariv* until it was night. This is not in keeping with Rabbi Yehudah, but with *Rabbanan*, who rule that the time for *minchah* runs later, until evening, with *maariv* immediately afterwards.

There is no conclusive *pesak* in the *Gemara* on this issue – we can legitimately follow either opinion (*Berachos* 27a). On a practical level, the *Shulchan Aruch* rules that while we can in fact go with either one opinion or the other, we must be consistent. If we follow *Rabbanan's pesak*, we should do so all the way. If we follow Rabbi Yehudah's *pesak*, that too must be all the way. We cannot pick and choose for convenience, on one day *davening minchah* after *plag* (like *Rabannan*) and then the next day *davening maariv* before evening (like Rabbi Yehudah) – and we certainly cannot combine the two opinions on the same day (*Orach Chaim* 233:1).

The rule against mixing the opinions of Rabbi Yehudah and *Rabbanan*, even on different days, applies under normal circumstances. Almost all synagogues worldwide hold like *Rabbanan*, so that in general, we should not *daven maariv* before sunset like Rabbi Yehudah. There are, however, certain situations when it is permitted to be lenient. For example, in a case of pressing need, one can deviate and *daven maariv* early, in keeping with Rabbi Yehudah.

A prominent rosh yeshivah from Eretz Yisrael was visiting the United States during the year of mourning after his mother's passing. He had to make a flight out of Los

Angeles, and would not arrive in time to daven maariv with a minyan at his destination. Ordinarily, he always davened maariv according to Rabbanan, after tzeis hakochavim. Now, the only way he would be able to daven maariv with a minyan was by davening early, before sunset, while still in Los Angeles. Because he would be davening maariv early, he made sure to daven minchah before plag, in order for his davening to be entirely consistent with the opinion of Rabbi Yehudah, rather than mixing and matching halachic opinions by davening minchah after plag (like Rabbanan) and maariv before sunset (like Rabbi Yehudah).

On a recent business trip, I took a direct flight from Tel Aviv to Toronto, Canada, arriving around 5:00 p.m. I had two choices for minchah and maariv minyanim. Plag was at 7:25 p.m., and sunset was much later, at 9:00 p.m. I could either daven before and after plag, or wait and daven before and after sunset. Ordinarily, I daven based on the later times of Rabbanan. Now, though, I was jetlagged from the long overseas flight and concerned that I might not be able to stay awake long enough to daven maariv after dark. I davened at the earlier times, but made sure to say the entire Kerias Shema after tzeis hakochavim, before I went to sleep.

We can also deviate from our usual custom on *erev Shabbos*, davening *maariv* early – before sunset but after *plag* – on Friday afternoon. Some synagogues currently adopt this lenient approach on summer Fridays, when the days are long and *Shabbos* begins late. These synagogues will daven *maariv* before sunset, beginning *Shabbos* early. This allows families, in particular those with young children, to begin their *Shabbos* meal at an earlier hour. The basis for this practice is that it is a *mitzvah* to start *Shabbos* early. Once we begin *Shabbos*, we may consider it nighttime for purposes of *maariv* as well. However, those who daven *maariv* early on Friday should be careful to daven *minchah* before *plag*, in order to fully conform with Rabbi Yehudah's ruling (*Mishnah Berurah* 267:3), and they must also repeat the *Kerias Shema* for *maariv* after dark.

Nonetheless, Rabbi Yosef Karo writes in the *Beis Yosef* that in his time there were synagogues which had both *minchah* and *maariv* in the time slot between *plag haminchah* and *shekiyah*, apparently relying on two conflicting opinions at the same time – one opinion for the late *minchah*, and another for the early *maariv*. He writes that it is possible that these synagogues were relying on the opinion of Rabbeinu Tam. According to Rabbeinu Tam, it is permitted to rely on two conflicting opinions specifically concerning the times for prayers, because the prayers are a *mitzvah d'rabbanan* (rabbinically ordained commandment) and not a *mitzvah d'Oriosa* (a Torah ordained commandment) (*Orach Chaim* 233; see also *Mishnah Berurah* 267:3).

Down to the Wire

Chazal relate that in *Eretz Yisrael*, they would curse the individual who postponed davening *minchah* until just before sunset (*Berachos* 29b). This seems surprisingly harsh – if it is permitted to pray until sunset, why the highly critical response to one who was davening within the permitted time frame?

The problem is that while it is technically permitted, waiting so close to the cutoff is a risk. We could have davened *minchah* any time throughout the afternoon. We should not take the chance that something might come up that will prevent us from davening altogether. Rashi writes that the curse applies to someone who waits to daven at the time when the afternoon sun has already turned red, close to when it disappears.

Rav Yaakov Emden (the *Yaavetz*)⁹ writes that the curse refers to one who is *davening* on his own, and on top of that, is also *davening* close to sunset – not to one who *davens* close to sunset, but with a *minyan*. If he is *davening* without a *minyan*, at the very least he could have made a point of *davening* earlier! (*Mor U'Ketzia, Orach Chaim* 233).

The *Mishnah Berurah* writes that based on the *Shulchan Aruch* and the *Rema*, it appears that those who *daven maariv* at night, after the stars appear, are permitted to *daven minchah* after sunset, and even close to the time when the stars appear.

He points out, however, that many *poskim* disagree with this *pesak*. They hold that we can only *daven minchah* before sunset, and no later. In a pinch, it would be permitted to rely on the lenient opinions and *daven minchah* after sunset, up to fifteen minutes before the stars appear. But we are still obligated to *daven* earlier, to avoid a situation where we are *davening minchah* when it may already be twilight (*Orach Chaim* 233:14).

Rav Moshe Feinstein writes that except in the case of an emergency, one should not rely on the lenient opinions which allow *davening* past sunset (*Igros Moshe, Orach Chaim* 1, 24). Practically speaking, under pressing circumstances, it is permitted to *daven minchah* up to fifteen minutes before the stars appear (*tzeis hakochavim*), as explained in the *Mishnah Berurah* (ibid.). According to Rav Elyashiv, *zt"l*, it is permitted to *daven minchah* up to approximately thirteen minutes after sunset.

For Sephardim, it is permitted *b'de'eved* to finish *minchah* up to fifteen minutes after sunset (see *Tefillah K'Hilchasah*, Chapter 3, 45, note 105, citing a *pesak* by Rav Ben Tzion Abba Shaul).

My wife relates her own experience with making minchah just under the wire: "I was working for a boutique finance firm in downtown Los Angeles. I was the first Jewish person that most of the staff had ever met, and the only woman there other than the receptionist and secretary. My job involved visiting companies on site. One such trip brought me down to San Diego, about a three hour drive each way, to visit a company that made bricks and concrete blocks. I left early in the morning and along the way parked and transferred to a different car to continue along with Jim, a senior associate who worked from a separate office located halfway between Los Angeles and San Diego. Jim, at that time in his 70's, was a nice man who could talk and talk about business and life.

"By the time we were ready to start the long drive home it was well into the day. I had been planning to daven minchah during the return trip after Jim got out at his office, before starting my drive back to Los Angeles. We hit traffic on the Interstate 405 and I watched the sky begin to turn. I realized that we were not going to make it back to Jim's office with time for my minchah. Jim had been chatting for a while and I wondered if I should just daven quietly while he drove, without actually explaining to him that I was going to pray. The only problem was that Jim did sometimes stop his monologues to ask a question, and Murphy's Law would dictate that he would certainly ask me something while I was saying Shemoneh Esrei! A sign for a rest stop

⁹ Commentary on *Shulchan Aruch Orach Chaim* by Rav Yaakov Emden (1697-1776), son of the Chacham Tzvi. Rav Yaakov Emden, an eminent *talmid chacham*, was the author of major commentaries on the Mishnah and Talmud, and other works.

came up, and I decided to ask Jim to stop. I explained to him that the time for the afternoon prayer would soon be ending and that I needed a few minutes before we could continue our journey. Jim pulled over and waited patiently in the car while I davened near some trees and a picnic table. He later said how inspired he was that I took the time every day to pray.”

From Start to Finish

We have discussed various opinions among the *poskim* about the cutoff for *davening minchah*. This leaves us with an important question: Is sunset (or according to other opinions, *tzeis hakochavim*) the last permitted time to *start* the *minchah Shemoneh Esrei*, or is it the time we should be *finished* with *Shemoneh Esrei*? There are three basic opinions, ranging from very strict to more lenient, with another opinion midway between them.

According to the strictest view, if one estimates that he will not be able to finish *Shemoneh Esrei* before sunset, he should not even begin *minchah*. Instead, he should *daven Shemoneh Esrei* twice at *maariv*, to make up for the missed *minchah*.¹⁰ This opinion is cited in *Orchos Rabbeinu* (vol. III, p. 28) in the name of the *Chazon Ish*. This is similar to the *pesak* of the *Ben Ish Chai*, who ruled that one may not begin *minchah* if he knows that he will not be able to finish *Shemoneh Esrei* on time (*Responsa Rav Pe'alim*, vol. I, 5).

The *Mishnah Berurah* takes a “middle” view. *Lechatchilah*, everyone should be careful to *daven minchah* specifically before sunset – in other words, he should finish before the sun is no longer visible. However, one who did not do so is still permitted to *daven minchah*, finishing *Shemoneh Esrei* after sunset (*Orach Chaim* 233:14).

The *Eshel Avraham* (Butshash)¹¹ rules more leniently. He writes that it is permitted to be lenient as long as one starts on time, even if he finishes after the permitted time (*Mahadura Tanina*, 233). Similarly, the *Aruch HaShulchan* writes that because he began on time, it is considered that he *davened* at the required time (*Orach Chaim* 110:5).

On Time Alone, or Late with a *Minyan*?

As a teenager, I was a counselor at a summer camp in the Poconos. Two fellow counselors and I decided to spend our day off seeing Philadelphia. Later in the day we went to the only shul in the area for minchah. Sunset was coming closer and closer, and there were still only six people there, counting us. We were getting nervous, but the regulars assured us that in the end, there would be a minyan for minchah. We soon saw that we would have to decide between davening minchah on time, although without a minyan, or waiting until four more people turned up, davening with a minyan, but after sunset. In the end, we davened on our own before sunset.

Clearly, neither of these choices is ideal. How do the *poskim* view this situation?

¹⁰ See *Berachos* 26a and *Shulchan Aruch Orach Chaim* 108:3. The first *Shemoneh Esrei* is for *maariv* and the second is to make up for the missed *minchah*.

¹¹ A commentary on *Shulchan Aruch* published in 1885.

The *Mishnah Berurah* rules strictly on this question. He writes that it is better to pray alone at the proper time, before sunset, rather than afterwards with a *minyan* (233:14).

Similarly, Rav Moshe Sternbuch writes that if one finds himself in a place where the only available *minyan* for *minchah* is after sunset, he should *daven* earlier, at the proper time before sunset, on his own. However, if he lives in a place where the *only minyan* for *minchah* is the later one, he should *daven* with them, rather than *davening* without a *minyan* for an extended period of time (*Teshuvos V'Hanhagos*, vol. I, 85).

The *Noda B'Yehudah*¹² rules more leniently, writing that *davening* with a *minyan*, even after sunset, is preferable to *davening* on time alone. He writes that this is why it is permitted to *daven maariv* early – specifically in order to *daven* with a *minyan* (*Noda B'Yehudah, Mahadura Kama, Orach Chaim* 3). The *Sho'el U'Meshiv*¹³ (*Mahadura Shelishis* 247) writes that as long as there is any reliable halachic opinion which rules that we are still within the permitted time, it is preferable to *daven* later, but with a *minyan*.

Making *Minchah* in the Workplace

The Chafetz Chaim recognized that making *minchah* on time is a common problem in the workplace. He writes that we should always be careful to *daven* all of the *tefillos* at their proper time, but *minchah* calls for special caution: “And due to our many sins, there are working people who stumble in this, pushing off the time for *davening* literally until *bein hashemashos* (twilight)” (*Biur Halachah, Orach Chaim* 110:2).

Minchah is on the agenda every day of the week. It will not always be easy, but some advance planning can help make time for *minchah*. As the *Tur* and other *poskim* tell us, when we put our other activities on hold and break for *minchah*, “the reward is very great.”

A few suggestions can help us make *minchah* in the workplace:

- In a hectic work environment, the best and most basic piece of advice is to *daven* early, whether *minchah gedolah* or *minchah ketanah*. As soon as an opportunity to *daven* presents itself – take it.¹⁴ There is no way to know what will happen later, and whether or not there will be another chance. This is especially so in the winter months, when sunset is often before the end of the workday.
- Josh Hexter, employed by a biotech startup in Israel, puts *minchah* in his computer calendar, just to be sure. In his words, “My building has two *minchah minyanim* daily – I have them scheduled in my Outlook. If I miss one, I snooze the alert until I *daven*, so every five minutes it reminds me until I do so.”
- Harry Rothenberg, a prominent attorney in Manhattan, enlists other people to remind him to *daven minchah*. He writes, “My receptionist and filing clerk (both not Jewish) will buzz me if I haven’t joined the *minyan* in my

¹² The responsa of Rav Yechezkel Landau (1713-1793), rabbi and *rosh yeshivah* of Prague; an important *Achron* often known by the name of this major work.

¹³ Six volume work of responsa by Rav Yosef Shaul Nathanson (1810-1875), *rav* and *rosh yeshivah* of Lemberg (1810-175) and one of the great halachic authorities of his day.

¹⁴ See Chapter 9, “Where, When and How: *Davening* with a *Minyan*” and Chapter 10, “At All Costs? Making *Minyan*,” regarding if and when we are required to *daven* with a *minyan* during the workday.

conference room by the time it starts at 4 p.m. They'll tell me that 'it's time for *minka*.'”