

Halachically Speaking

Volume 3 Issue 1

Compiled by Moishe Dovid Lebovits
Reviewed by Rabbi Ben-zion Schiffenbauer Shlita
Piskei Horav Yisroel Belsky Shlita
Reviewed by Horav Yisroel Belsky Shlita

Halachos Pertaining to Sleep

Sponsored

לרפואה שלמה חנה חיה בת מזל לז"נ יענטא בת ישראל חיים
לזכר נשמת משה בן יששכר בעריש לזכר נשמת יעקב אריה בן שבת

No one really knows why people need to sleep, but some theories are: sleep gives the brain a chance to repair muscles and other tissues; sleep gives the brain a chance to organize and archive memories; sleep enables the body to rejuvenate, reenergize and restore. The amount of sleep a person gets directly affects the way he will perform the next day. During sleep, the body may roll over several times to prevent any part of the body from being cut off from circulation. Important chemicals are released into the immune system when one sleeps. It is amazing how before going to sleep one may be knocked out from a whole day and feel very tired and weak, and upon awakening is newly refreshed with added strength. If one makes a simple *chesbon*, a person is asleep for a third of his life. For example, one who lives seventy-five years and sleeps eight hours a day has slept for twenty-five years – a third of his lifetime. To get a good night sleep, one should go to bed at the same time every night and should abstain from alcohol and caffeine for at least three hours before going to bed. Counting sheep as a means of falling asleep is a myth since doing so actually stimulates the brain.¹

Proper Intentions

A person should go to sleep with the intention that he is sleeping in order to have strength to serve *Hashem* more effectively the next day.² The *Ben Ish Chai*³ says this is why we say the *beracha* of *hamapil* before going to sleep. Others say before going to sleep one should actually speak out that he is going to sleep to serve *Hashem*.⁴

Before going to sleep it is proper for a person to review the entire day to see how he could improve in any way. If one finds any sins, he should accept upon himself not to do them anymore, especially the sins of flattery, lying, mockery, and *loshon hora*.⁵

¹ Refer to Encyclopedia Americana page 33, Encyclopedia Britannica page 876 also see pages 877-879. One should not be depressed before going to sleep (Tov Yehoshua page 117:5). The Medrash Rabbah (Bereishis 9:6) says that sleep is really a bad thing, but since we wake up more energized to learn *Torah* it is good. (Refer to Yerushalmi Sanhedrin 8:7).

² Refer to Shulchan Aruch 231:2, Levush 231:1, Aruch Ha'shulchan 231:6, Kaf Ha'chaim 238:10, see Taz E.H. 25:1.

³ Pekudei 1:8.

⁴ Kaf Ha'chaim 231:7, see Chesed L'alafim 231:12.

⁵ Mishnah Berurah 239:2, see Pela Yoetz "sheina" page 64 (old), Shuchav K'ari pages 246-248.

Modei Ani

Upon awakening from sleep one should say *modei ani* to thank *Hashem* for returning his *neshoma* and letting him live another day.⁶ Since there is no name of *Hashem* in *modei ani* one may recite it while on the bed⁷ without first washing his hands *netilas yudayim*.⁸ One should say *modei ani* immediately after waking up and not wait until he gets to *shul* to say it.⁹ One may repeat *modei ani* in *shul* if he wishes to do so.¹⁰ Women should also say *modei ani*.¹¹ There is a discussion in the *poskim* whether or not one is permitted to recite *modei ani* while not wearing a *yarmulka*. It is better for one who can not find his *yarmulka* to cover his head with a blanket before reciting *modei ani*.¹² A person who said *modei ani* and then fell asleep again can repeat *modei ani* for a second time.¹³

One must be careful not to get out of bed too quickly because doing so is a danger. Instead, one should wait a few moments before getting up.¹⁴

Sleeping With one's Head/Feet to the Door

There are some things we do not do because they are done to dead people and we do not want to emulate a dead person.¹⁵ Some say the direction a person sleeps on his bed is included in this *inyan*. According to some people in the *Chevra Kadisha*, a dead person is taken out of the room feet first, and therefore one should not sleep with his feet pointing directly at the door.¹⁶ Other people say a dead person is taken out head first, so one should not sleep with his head pointing at the door.

The custom seems to be lenient and one may sleep with either his head or feet pointing in the direction of the door. Nonetheless, one should not sleep with his feet (or head) directly in the position as if one is about to be taken out of the room.¹⁷

How Much Sleep

The *Magen Avraham*¹⁸ says different people require different amounts of sleep. Some *seforim* say a person should sleep eight hours a night.¹⁹ Although this sounds like a lot, if one needs it, he should sleep that amount.²⁰

⁶ Seder Hayom page 1, Shulchan Aruch Harav 1:6, Keshet Hagodel 1:1, Chai Adom 1:1, Masef Lechul Hamachanus 1:22. Refer to Sharei Halacha U' minhag 1:page 23, Refer to Rivevos Ephraim 5:2.

⁷ Kitzur Shulchan Aruch 1:2.

⁸ Seder Hayom ibid, Be'er Heitiv 1:5, Elya Rabbah 1:4, Keshet Hagodel ibid, Chai Adom 1:1, Kaf Ha'chaim 1:4, Shulchan Hatohar 4:12, Masef Lechul Hamachanus 1:23, see Yaavetz page 81.

⁹ Mishnah Berurah 1:8.

¹⁰ Refer to Mivakshei Torah 3:pages 259-260.

¹¹ Rivevos Ephraim 6:1, Halichos Beisa 1:1:footnote 1, Halichos Bas Yisroel 2:footnote 3, Halichos Chaim 1:page 13:1. Refer to Moadim V'zemanim 1:9.

¹² Refer to Rivevos Ephraim 4:2, Tefilla K'hilchoso 9:3.

¹³ Mivakshei Torah 3:pages 259-260.

¹⁴ Refer to Mesechtas Shabbos 129b, Gittin 70a, Magen Avraham 1:3, Machtzis Ha'shekel 1:3, Pri Megadim Eishel Avaraham 1:3, Reishis Ruchma (Chupas Eliyahu) page 57 (new), Shulchan Aruch Harav 1:6, Shemiras Haguf 5, Kaf Ha'chaim 1:4, 170:72, Y.D. 70:72, Aruch Ha'shulchan 179:9, Y.D. 116:15, Tov Yehoshua page 117:14. The *shiur* is the time it takes to say Modei Ani. (Refer to Shulchan Aruch Harav 1:6).

¹⁵ Shemiras Haguf V'hanefesh 1:page 92 in the introduction. Some of them are: Passing over a child (Ibid:page 91). Two people should not get a child dressed (Ibid:page 92). Not to walk without shoes in one's house (ibid).

¹⁶ Horav Yisroel Belsky Shlita, see Sheilas Rav 2:1:10, Shemiras Haguf V'hanefesh husofos and miluyim mahadura 10:page 815, see Ve'alu Lo Ubol 1:page 51:10

¹⁷ Horav Yisroel Belsky Shlita.

¹⁸ 238. Refer to Tov Yehoshua page 116:3.

¹⁹ Rambam Hilchos Deos 4:4, Orchos Rabbeinu 1:page 189:4, see Tov Yehoshua page 117:12, Krayna D'igrasa 1:28.

²⁰ Tov Yehoshua ibid.

Others say each person should sleep according to what he feels he needs.²¹ Too much sleep causes one to lose time to learn *Torah* and perform *mitzvahs*.²² The *Mishnah* in *Pirkei Avos*²³ says one of the ways to acquire *Torah* is to sleep less. A person who sleeps too much is taking away precious time from his life.²⁴ Sleep is 1/60th of death,²⁵ and one should not sleep more than he needs to avoid tasting the taste of death.²⁶

Sleeping With a *Yarmulka*

Although avoiding walking without a *yarmulka* for four *amos* is not required *al pi din*, and is considered a pious act, many people even have a custom to wear a *yarmulka* while sleeping.²⁷ Some people also have a custom to sleep with a special big *yarmulka* which will not fall off during the night.

Sleeping with *Tzitzis*

Many have the custom to sleep with a *tallis katton* based on the writings of the *Arizal*.²⁸ Some say sleeping with a *tallis katton* is a *shemira* for one during the night.²⁹

Sleeping in *Shul*

One may not sleep (even a temporary sleep) in a *bais hakenesses*, but in a *bais medrash* it is permitted.³⁰ It is a pious act not to sleep in a *bais medrash* either.³¹ Sleeping in a *bais medrash* is permitted even for someone who does not learn there a whole day.³² Some say such a person may only sleep a temporary sleep.³³ Someone who learns in a *bais medrash* all day may even sleep a long sleep.³⁴ A *talmid chachum* may sleep in a *bais hakenesses*.³⁵ Some say one who sees his friend sleeping in a *bais hakenesses* should wake him up.³⁶

It is not proper for one to sleep while a *Rav* is speaking in a *shul* or a *bais hakenesses*.³⁷ If one feels that he is too tired to hear a *shiur* then he should go outside the *bais medrash*, etc and sleep there.

²¹ Refer to Yaavetz page 581, Taz E.H. 25:1, Mishnah Berurah 1:9, Aruch Ha'shulchan 238:2, Halichos Chaim 2:page 78:144.

²² Tiferes Yisroel Avos 6:83. Refer to Rambam Hilchos Deos 3:12.

²³ 6:5.

²⁴ Birchos Avraham pages 44-45.

²⁵ Mesechtas Berochos 57b.

²⁶ Refer to Chupas Eliyahu Rabbah 5:page 575 (new).

²⁷ Mishnah Berurah 2:11 quoting the opinion of the Shlah, Tov Yehoshua page 116:8.

²⁸ Magen Avraham 21:2, Elya Rabbah 21:4, Yaavetz page 587:4, Keshet Hagodel 2:2, Shulchan Aruch Harav 21:4, Avodas Hakodesh 2:68, Meshmeres Shalom 3:5, Mishnah Berurah 21:15, Sefer Tzitzis pages 406-407, Piskei Teshuvos 239:footnote 86.

²⁹ Eishel Avraham Butchatch 21:pages 522-523 in depth, Tov Yehoshua page 117:21.

³⁰ Refer to Mesechtas Succah 28a, Shulchan Aruch 151:3, Levush 3, Shemrias Haguf V'hanefesh 88:1, see Mesechtas Sanhedrin 75a, Divrei Torah 1:65.

³¹ Rav Akiva Eiger 151:4.

³² Refer to Mekor Chaim page 448:3, Mishnah Berurah 16. See Biur Halacha "avol," Kaf Ha'chaim 31.

³³ Mishnah Berurah 151:16. For a *talmid chachum* even a long sleep is permitted in a *bais hamedrash* (Mishnah Berurah 151:16).

³⁴ Chai Adom 17:14, Kitzur Shulchan Aruch 13:4, Mishnah Berurah 151:16.

³⁵ Chai Adom 17:14, Shulchan Aruch Harav Talmud Torah 4:12, Mishnah Berurah 151:15, Kaf Ha'chaim 30, Halacha Berurah 151:footnote 16.

³⁶ V'ein Lumo Michshal 1:page 146:19, Rivevos Ephraim 5:480:9.

³⁷ Refer to Be'er Heitiv 151:5, Mekor Chaim page 448:3, Kaf Ha'chaim 151:29, V'ein Lumo Michshal 1:page 48:1. see *ibid*:footnote 26.

Sleeping during the Daytime

Generally, one is not allowed to sleep by day more than sixty breaths.³⁸ (On *Shabbos* doing so is permitted).³⁹ The main reason is because of *bitul torah*.⁴⁰ There are many opinions as to how much time constitutes sixty breaths. Some say three hours, while others say a little more than an hour.⁴¹ *Dovid Hamelech* did not sleep by day more than sixty breaths to avoid the taste of death.⁴² Some say this is only for *Dovid Hamelech*, and anyone else can sleep more than sixty breaths.⁴³ The consensus of the *poskim* is that one should not sleep by day if he does not need to do so in order to serve *Hashem* more effectively.⁴⁴ Many times one indeed sleeps and it is not to serve *Hashem* more effectively; one has to be honest with himself. One who was engrossed with learning at night is allowed to sleep by day.⁴⁵ This would explain why on *Shavuos* morning whoever stayed up learning at night goes to sleep the entire morning and even longer. One who wants to remain awake at night may sleep by day.⁴⁶ The *Aruch Ha'shulchan*⁴⁷ says that today we are lenient in the *inyun* of not sleeping by day.

Modei Ani / Hamapil / Elokay Nishama

No *modei ani* is recited after waking up from sleeping by day.⁴⁸ When one goes to sleep by day no *hamapil* is recited.⁴⁹ Some say it is a good idea to say *V'ihiy Noam*,⁵⁰ however, this does not seem to be the custom.⁵¹ One does not recite *Elokay Nishama* after sleeping by day.⁵² Some say the reason is since when one does not sleep so long his *nishama* does not leave his body.⁵³ Others say the reason is because this *beracha* was only instituted for a night sleep.⁵⁴

Touching Eyes, Washing Hands

After sleeping by day, one does not have to be careful to wash his hands before touching his eyes. Furthermore, one does not have to be *makpid* to prepare a utensil with water before going to sleep by day, and may walk four

³⁸ Refer to Mesechtas Succah 26b, Rosh 2:14, Rambam Hilchos Deos 4:5, Tur 231, Bais Yosef, Shulchan Aruch 4:16, Levush 4:15-16, Taz 12, Pri Megadim Eishel Avraham 4:15-16, Ben Ish Chai Pekudei 1:8, Shulchan Aruch Harav 4:16, Shulchan Hatohar 231:1, Tov Yehoshua page 116, Mishnah Berurah 36. The Aruch Ha'shulchan 231:3 does not know why it is forbidden; see Tov Yehoshua page 116:7. Refer to Rivevos Ephraim 8:609:2 If sleeping during *sefer* in Yeshiva is considered stealing.

³⁹ Magen Avraham 4:15, Ben Ish Chai Pekudei 1:8, Mishnah Berurah 36, Kaf Ha'chaim 4:58, 231:5, Masef Lechul Hamachanus 4:47.

⁴⁰ Rashi Mesechtas Succah *ibid* "lishon b'yom," Elya Rabbah 231:1.

⁴¹ Refer to Sharei Teshuva 4:10, Machzik Beracha 4:kuntres achron page 130, Kitzur Shulchan Aruch 2:8, Chai Adom 7:68, Biur Halacha "dovid." Aruch Ha'shulchan 4:17, Masef Lechul Hamachanus 4:77, Rivevos Ephraim 1:15, Bais Boruch 1:9:19:page 179, see Shemiras Haguf V'hanefesh page 180:18. The Artzos Ha'chaim (Malbim) 4:16 says the *shiur* is six hours.

⁴² Shulchan Aruch 4:17.

⁴³ Refer to Magen Avraham *ibid*, Be'er Heitiv 18, Pri Megadim Eishel Avraham 16, Aruch Ha'shulchan 4:17, 231:4.

⁴⁴ Tur 231, Shulchan Aruch 231:1, Machtzis Ha'shekel 4:15, Mishnah Berurah 4:36, see Birchos Avraham (Torah) page 47. The Terumas Hadeshen slept 2-3 hours every day (Leket Yosher page 43). When one sleeps by day he should cover himself with his *tzitzis* to avoid the question of reciting a *beracha* upon awakening. (Refer to Be'er Heitiv 8:19, Shulchan Aruch Harav 8:30, Mishnah Berurah 8:42).

⁴⁵ Masef Lechul Hamachanus 4:79, Tov Yehoshua page 116.

⁴⁶ Rav Poalim 2:sod yeshurin 9, Kaf Ha'chaim 231:6. Refer to Shulchan Hatohar 231:1.

⁴⁷ 4:17. Refer to Aruch Ha'shulchan 231:1, Darchei Chaim V'Sholom 320.

⁴⁸ Tefilla K'hilchoso page 538:3 quoting the opinion of Horav Sheinberg Shlita.

⁴⁹ Eishel Avraham Butchatch 231, Kaf Ha'chaim 231:1. Some think about the words by a day sleep (*Ibid*).

⁵⁰ Rama 231:1, Magen Avraham 1, Tov Yehoshua page 117:20, Kaf Ha'chaim 231:3.

⁵¹ Pri Megadim Eishel Avraham 1, Levush 231:1, Mishnah Berurah 231:3, Aruch Ha'shulchan 231:3.

⁵² Bach 231, Bais Yosef, Prisha 1, Rama 231:1, Pri Megadim Eishel Avraham 1, Kaf Ha'chaim 231:1.

⁵³ Levush 231:1.

⁵⁴ Mishnah Berurah 231:2, Aruch Ha'shulchan 231:3.

amos without washing his hands.⁵⁵ Although others are stringent in regard to touching the eyes,⁵⁶ the *minhag* is to be lenient.⁵⁷ One who slept for less than a half hour⁵⁸ does not have to wash his hands upon awakening.⁵⁹

Birchos Hatorah

One who sleeps a temporary sleep does not recite *birchos hatorah* upon awakening since it is not considered a *hefsek*.⁶⁰ If one sleeps a “long sleep” then there are different opinions in the *poskim* if one should recite *birchos hatorah*.⁶¹ The *Mishnah Berurah*⁶² says one could choose not to recite a *beracha*, but if one does recite a *beracha* he did not lose out. Many say the custom is not to recite a *beracha* of *birchos hatorah* by day even after one slept a long sleep.⁶³ *Horav Yaakov Kamenetsky zt”l* said the *minhag* in *Slabodka* was to only recite the *beracha* of *asher bochar banu* etc.⁶⁴ There is an opinion in the *poskim* who says if one took his clothes off by day and went to sleep in pajamas he should recite *birchos hatorah* even if it was a temporary sleep.⁶⁵ However, the *minhag* is to be lenient.⁶⁶

Sleeping on one’s Side

In the beginning of the night, one should sleep on his left side and at the end of the night one should sleep on his right side.⁶⁷ It is much healthier to sleep on the side because doing so allows the lungs to work better, so one gets more out of his sleep.⁶⁸

Sleeping while wearing Clothes

Many people think one may not sleep while wearing regular (daytime) clothes because doing so causes some type of *ruach r’ah* to go onto the clothing.⁶⁹ The *Kitzur Shulchan Aruch*⁷⁰ is the only one who mentions that one should not sleep with regular clothes on, and should remove them before going to sleep. However, the *minhag* is that one may sleep while wearing regular clothes.⁷¹

⁵⁵ Horav Yisroel Belsky Shlita, see Ben Ish Chai Toldos 1:15, Halichos of the G’ra 4:page 7, Bais Boruch 1:2:29:page 45, Oz Nedberu 12:54:3, Orchos Rabbeinu 3:page 184:1.

⁵⁶ Derech Sicha page 793.

⁵⁷ Horav Yisroel Belsky Shlita.

⁵⁸ Halichos Shlomo Tefilla 6:1.

⁵⁹ Refer to Bais Yosef 4, Shulchan Aruch 4:15, Rama, Levush 4:15, Taz 11, Magen Avraham 14, Pri Megadim Eishel Avraham 14, Machtzis Ha’shekel 14, Elya Rabbah 4:10, Be’er Heitiv 16-17, Levush 4:15, Shulchan Aruch Harav 4:15, Mishnah Berurah 4:34, Kaf Ha’chaim 231:2, see 4:55, Aruch Ha’shulchan 13, Shulchan Hatohar 4:10, Masef Lechul Hamachanus 1:75. Some say wash without a *beracha* (Rama ibid, Kitzur Shulchan Aruch 2:8). The Lekutei Maharich 1:page 65 (new) says to wash ones hands. (Refer to Birchei Yosef 4:6).

⁶⁰ Tur 47:11, Shulchan Aruch 47:10, Pri Megadim Eishel Avraham 231:1, Eishel Avraham Butchatch 231.

⁶¹ Refer Tur 47:11, Bais Yosef, Shulchan Aruch 47:11, Levush 231:1, see 47:12, Magen Avraham 11, Pri Megadim Eishel Avraham 11, M.Z. 9, Taz 9, Be’er Heitiv 11, Shulchan Aruch Harav 7, Mishnah Berurah 47:23, Aruch Ha’shulchan 23. Refer to Shevet Ha’kehusi 3:36 who discusses whether sleeping on one’s hands at night for a couple of hours is considered a “long sleep.”

⁶² Mishnah Berurah 47:26, see Elya Rabbah 47:9.

⁶³ Eishel Avraham Butchatch, Levush 47:12, Kaf Ha’chaim 25, Lekutei Maharich 1:page 58 (new), Halichos Shlomo Tefilla 6:footnote 6, Rivevos Ephraim 8:609:1, Ishei Yisroel 6:25:footnote 65 quoting the opinion of Horav Chaim Kanievesky Shlita, Krayna D’igrasa 1:133. Refer to Teshuvos V’hanugos 1:14. Horav Akiva Eiger (47:2) says one should have in mind when saying *ahava rabbah* at *maariv* to exempt himself from *birchos hatorah* the next day when he sleeps by day.

⁶⁴ Horav Yisroel Belsky Shlita.,

⁶⁵ Mekor Chaim 47:11:page 205.

⁶⁶ Sheiros Yosef 1:47:4, Yabea Omer O.C. 8:5:1, see Orchos Rabbeinu 3:page 203:7 who argues.

⁶⁷ Rambam Hilchos Deos 4:5, Siddur Yaavetz page 587, Kitzur Shulchan Aruch 71:5, Kaf Ha’chaim 170:72, Tov Yehoshua page 116:10, Pela Yoetz “yemin” page 283. This applies to lefties as well (refer to *Yemin Moshe* pages 27 and 58). The reason is because in this way his food will be digested properly (Kitzur Shulchan Aruch 71:5).

⁶⁸ Horav Yisroel Belsky Shlita.

⁶⁹ Horav Yisroel Belsky Shlita.

⁷⁰ 71:5.

⁷¹ Refer to Shemiras Haguf V’hanefesh 1:pages 345-346.

Segula to Fall Asleep

The *Taamei Haminhagim*⁷² says a *segula* to fall asleep faster is to think about the waves of the ocean.

Sleeping on Shabbos

Although sleeping on *Shabbos* is enjoyable,⁷³ one should not sleep too much in order not to take away from what *Shabbos* is all about.⁷⁴ Many *Tzadikim* did not have the custom to sleep on *Shabbos* day and instead stayed up learning *Torah*.⁷⁵

There is a *mitzvah* to have separate, special clothing for *Shabbos*.⁷⁶ Accordingly, some say that one should also have a separate pair of pajamas for *Shabbos* which he does not wear during the week.⁷⁷

Sleeping On Rosh Hashanah

Many *poskim* say (based on a *Yerushalmi*) that one should not sleep on *Rosh Hashanah* by day because doing so may make one's *mazel* weak.⁷⁸ The common expression "One who sleeps on *Rosh Hashanah* will have a sleepy year" has no source in *halacha*. A person who sleeps on *Rosh Hashanah* by day will not have the then the defense attorney at his side.⁷⁹ Additionally, when one sleeps his *nishama* is by *Hashem*, and on the Day of Judgment it is good for one to have his *nishama* upstairs by *Hashem*.⁸⁰ The *Arizal* is quoted as not having been concerned with this *inyan* and he did sleep on *Rosh Hashanah*.⁸¹ Some *poskim* suggest that one should be careful not eat too much food so he will not get too tired and fall asleep.⁸²

Many *poskim* say that after *chatzos* one can be lenient and go to sleep.⁸³ Others say that the second day of *Rosh Hashanah* is more lenient than the first.⁸⁴ It is better for one to go to sleep than to sit around talking and not learning.⁸⁵ *Horav Shlomo Zalman Aurbach zt"l*⁸⁶ says one who feels a need to go to sleep in order to *daven* better is permitted to sleep.

⁷² Page 575. Refer to Oleinu L'sha'be'ach 4:page 313. See Bais Hayehudi 10:14:11-14 for additional segulas to be able to fall asleep. Some say from the *Arizal* that one should think of *techiyas hameisim* (Piskei Teshuvos 239:5).

⁷³ Seder Hayom page 108 (new), Rama 290:1, Magen Avraham 4:15, Chesed L'alafim 231:2, Kaf Ha'chaim 290:6. One may not borrow someone else's pillow etc without his permission (Rivevos Ephraim 6:56:5).

⁷⁴ Elya Rabbah 290:2, Mishnah Berurah 290:2, Kaf Ha'chaim 290:8.

⁷⁵ Chesed L'alafim 231:2, Likras Shabbos 2:29:footnote 8, see Tzitz Eliezer 7:23, Nishmas Shabbos 2:426.

⁷⁶ Shulchan Aruch 262:2.

⁷⁷ Avnei Yushfei 5:46:page 117. Refer to Chesed L'alafim 262:3.

⁷⁸ Refer to Rambam Hilchos Teshuva 3:4, Yosef Ometz 976:page 216, Matei Moshe 5:281, Bach 597, Darchei Moshe 583:2, Rama 583:2, Elya Rabbah 5, Machtzis Ha'shekel 6, Gr'a 14, Shulchan Aruch Harav 8, Moed Lechul Chai 12:31, Matei Ephraim 598:1, Kitzur Shulchan Aruch 129:20, Mishnah Berurah 583:9, Aruch Ha'shulchan 597:2, Shemiras Haguf V'hanefesh 138:1:footnote 1, see Minhag Avoseinu B'yudeinu 1:pages 67-68 who brings *poskim* who mention that this *Yerushalmi* is not in any of the prints we have today.

⁷⁹ Minhag Avoseinu B'yudeinu 1:pages 69-70, see Noheg Katzon Yosef Rosh Hashanah 16:page 270.

⁸⁰ Minhag Avoseinu B'yudeinu 1:page 71:footnote 25. Some say all year round we are not careful and we sleep during the day. However, one day a year we should be careful that day is on *Rosh Hashanah*. (Minhag Avoseinu B'yudeinu 1:page 71).

⁸¹ Magen Avraham 6, Pri Chadash 583:2, Aruch Ha'shulchan 597:2, Shearim Metzuyanim B'halacha (kuntres achron) 129:20, see Levush 583 who does not mention this *inyan* at all of not sleeping on *Rosh Hashanah*. (Refer to Elya Rabbah 5). Some say the *Arizal* was *makpid* but after *chatzos* he was lenient (Minhag Avoseinu B'yudeinu 1:page 74:footnote 41, see Elef Hamatei 598:1).

⁸² Seder Hayom seder Rosh Hashanah page 47 (old).

⁸³ Magen Avraham 6, Be'er Heitiv 7, Mekor Chaim 583, Shulchan Aruch Harav 8, Mishnah Berurah 583:9, Aruch Ha'shulchan 4, Kaf Ha'chaim 35, Orchos Rabbeinu 2:page 190:36-37. refer to Moreh B'etzvah 9:263 who is stringent.

⁸⁴ Orchos Chaim (Spinka) 583, Aruch Ha'shulchan ibid, see Moed Lechul Chai 12:31, Kaf Ha'chaim 36, Mekadesh Yisroel 114 who are stringent.

⁸⁵ Magen Avraham 6, Be'er Heitiv 7, Eishel Avraham Butchatch 6, Shulchan Aruch Harav 8, Lekutei Maharich 3:page 639 (new), Mishnah Berurah ibid, Aruch Ha'shulchan 4, Kaf Ha'chaim 36.

⁸⁶ Ve'alu Lo Ubol pages 209-210:349-350, Halichos Shlomo Moadim 1:24, see Ben Ish Chai Netzavim 1:11, Kitzur Shulchan Aruch 129:20, Mishnah Berurah quoting a Chai Adom, Shar Ha'tzyion 10.

Although sleeping on *Shabbos* is an enjoyment, some say if *Rosh Hashanah* falls out on *Shabbos* one still should not sleep.⁸⁷ Some *poskim* feel that one who wishes to avoid sleeping on *Rosh Hashanah* by day should get up by *alos hashachar*.⁸⁸ However, the custom is not in accordance with this opinion.⁸⁹ According to all *poskim*, if one sits on a chair and dozes off, it is not considered sleeping on *Rosh Hashanah*.⁹⁰ One may sleep at night on *Rosh Hashanah* since the whole *inyun* is not to sleep by day.⁹¹

Sleeping in a *Succah*

The *Torah* tells us that on *Succos* one is supposed to live in a *succah*.⁹² Accordingly, one is supposed to eat, drink and sleep in a *Succah* since it is supposed to be one's living quarters for the duration of the *Yom Tov*.⁹³ One may not sleep (even a temporary sleep) outside the *succah*. Although sleeping in a *succah* is brought down by all the *poskim*, the *minhag* of many people is to be lenient and not to sleep in a *succah* on *Succos*. Some say the reason is because it is too cold during the time of the year that *Succos* falls out and one would be like a person in pain⁹⁴ who is exempt from sleeping in the *Succah*.⁹⁵ Some have the custom to place heaters, etc to ensure that it will not be too cold to sleep in the *Succah*.⁹⁶ However, one is not required to do so.⁹⁷ Some say the reason to be lenient is because in one's house one normally sleeps in the same room as his wife and in a *succah* this is not practical.⁹⁸ However, this reason would only suffice for a man who is married.⁹⁹ Others say if the *succah* has flies, etc in it, then one does not have to sleep there.¹⁰⁰ Based on the aforementioned reasons many do not sleep in a *succah* in America.¹⁰¹ In *Eretz Yisroel* most people do have the custom to sleep in the *succah*. (It is much warmer there *Succos* time). Some *poskim* say that one should not be *mevatel* a *mitzvah* which is *d'oraisa* and he should do whatever it takes to be able to sleep in the *succah*.¹⁰² If one is sleeping outside of the *succah* there is no need to wake him, since he fell asleep outside of the *succah*.¹⁰³

There are opinions in the *poskim* who maintain that one who is newly married (within his first year) does not have to sleep in the *succah*. The reason is because during the first year of marriage one has an obligation to

⁸⁷ Teharas Ha'shulchan 583:2.

⁸⁸ Ben Ish Chai Netzavim 1:11, Matei Ephraim 584:1, Kaf Ha'chaim 39, Teshuvos V'hanugos 1:339.

⁸⁹ Minhag Yisroel Torah 583:7, Halichos Shlomo Moadim 1:23:footnote 36, see Halichos Shlomo Tefilla 17:footnote 33, Mikadesh Yisroel 115, Shemiras Haguf V'hanefesh 138:footnote 1.

⁹⁰ Opinion of Horav Chaim Kanievsky Shlita quoted in Toras Hamodaim page 9.

⁹¹ Refer to Avodas Yisroel Rosh Hashanah page 60, see Katzei Hamatei 598:2, Lekutei Maharich 3:page 639 (new), Minhag Avoseinu B'yudeinu 1:pages 81-82.

⁹² Vayikra 23:42.

⁹³ Mesechtas Succah 26a, Rosh 2:14, Mordechai Succah 741:page 24, Tur 639:2, Prisha 1, Shulchan Aruch 639:2, Magen Avraham 4, Taz 5, Pri Megadim M.Z. 5, Mekor Chaim 639:2, Ben Ish Chai Hazeinu 1:8, Mishnah Berurah 11, Aruch Ha'shulchan 5, Kaf Ha'chaim 26. Refer to Rivevos Ephraim 2:170:3 if the *mitzvah* is the whole *Succos*, see *ibid*:3:404:2 whether one has to train his child to sleep in a *Succah*. See Halichos Shlomo Moadim 9:24:footnote 149 which says Horav Shlomo Zalman Aurbach zt"l was *mechanech* his children to sleep in the *succah* only when they reached the age to perform *mitzvahs*.

⁹⁴ Shulchan Aruch 640:4, Levush 4.

⁹⁵ Darchei Moshe 639:2, Pri Megadim Eishel Avraham 7, 640:4, see Machtzis Ha'shekel 8, Levush 639:2, Mishnah Berurah 17, 640:18, Aruch Ha'shulchan 11, 13, Rivevos Ephraim 8:245,246.

⁹⁶ Moadim V'zemanim 8:hashmutos to 2:107.

⁹⁷ Eishel Avraham Butchatch 639:2.

⁹⁸ Darchei Moshe *ibid*, Rama 639:2, see Taz 9, Magen Avraham 8, Levush 639:2, Elya Rabbah 9-10, Eishel Avraham Butchatch, Mishnah Berurah 18, Kaf Ha'chaim 48. The night ones wife goes to the *mikvah* he can sleep inside even according to the one's who normally sleep in the *Succah* all *Yom Tov* (Nishmas Adom 146:1, see Mishnah Berurah 639:18).

⁹⁹ Eishel Avraham Butchatch 639:2. Refer to Succos Sholom 41:footnote 34.

¹⁰⁰ Shulchan Aruch 640:4, Rama, Aruch Ha'shulchan 640:9.

¹⁰¹ Refer to Levush 640:4 who says most of the world do not sleep in the *succah* because of the cold. See Aruch Ha'shulchan 639:13. Some say by sleeping at day the reasons offered do not apply to exempt one from sleeping in the *succah* (Succos Sholom 41:12).

¹⁰² Yesod V'shoresh Hu'avoda 11:12, Nemukey Orach Chaim 639, Kitzur Shulchan Aruch 135:8.

¹⁰³ Halichos Shlomo Moadim 9:17:footnotes 35-36, Refer to Mishnah Berurah 639:11.

make his wife happy, and if one is sleeping in the *succah* and his wife is inside, the wife is not usually happy.¹⁰⁴ Others suggest that the wife should let her husband sleep in the *succah* even during the first year of marriage.¹⁰⁵ Although one is not supposed to sleep in a house by himself because of a danger,¹⁰⁶ the *poskim* say that one may sleep alone in a *succah* and since he is doing a *mitzvah* no *r'ah* will come to him.¹⁰⁷ Others are careful not to sleep alone in the *succah*.¹⁰⁸

The *Mishnah Berurah*¹⁰⁹ seems to say that one should have a table in the *succah* while sleeping there. However, many *poskim* say that this is not the custom, and there is no need for one to keep a table in the *succah* while sleeping.¹¹⁰ Others do have the custom (based on this *Mishnah Berurah*) to keep a table in the *succah* while sleeping.¹¹¹

Some say one should be careful to have a cup of water next to his bed even in the *succah*.¹¹²

Sleeping on *Tisha B'av*

On *Tisha B'av* one is supposed to feel pain over the loss of the *Bais Hamikdosh*. When one sleeps the custom is to refrain from certain pleasure on *Tisha B'av*. Therefore, one who normally sleeps with one pillow during the year should not sleep with any pillows on *Tisha B'av*.¹¹³ One who normally sleeps with two pillows may sleep with one pillow.¹¹⁴ A weak or old person does not have to be stringent.¹¹⁵ Some have the custom to place stones under their head and sleep in that manner.¹¹⁶ These *halachos* only apply to someone who is sleeping at night. One who sleeps *Tisha B'av* by day may use the amount of pillows he is accustomed to.¹¹⁷ (Sleeping with a pillow helps one fall asleep faster, and helps with the digestion of the food).¹¹⁸

Learning Before Going to Sleep

Many *poskim* write that one should learn a little bit before going to sleep.¹¹⁹

Having a Clean Bed

Before one goes to sleep he should check his bed to make sure it is clean of any dirt, etc.¹²⁰

¹⁰⁴ Refer to Rivevos Ephraim 8:407.

¹⁰⁵ Horav Yisroel Belsky Shlita, see Teshuvos V'hanhugos 4:165.

¹⁰⁶ Mesechtas Shabbos 151b.

¹⁰⁷ Yesod V'shoreish Hu'avoda 11:12, Nemukey Orach Chaim 639, Rivevos Ephraim 3:430:3, 4:248:page 429, Succos Sholom 41:3, Orchos Raabeinu 2:page 224:38.

¹⁰⁸ Orchos Rabbeinu 2:page 224:38.

¹⁰⁹ 640:27. See Pri Megadim Eishel Avraham 640:5, Shoneh Halachos 640:9. Refer to Mishnah Berurah 634:7, Shar Ha'tzyion 634:7.

¹¹⁰ Tzitz Eliezer 8:22:6, Avnei Yushfei 5:87:2, Shevet Ha'kehsui 1:421:1, Halichos Shlomo Moadim 9:15, Moadim V'zemanim 1:87, Shraga Hameir 5:55:2, Teshuvos V'hanhugos 4:164.

¹¹¹ Horav Yisroel Belsky Shlita, see Oz Nedberu 14:41:6, Orchos rabbeinu 2:page 229:59.

¹¹² Horav Yisroel Belsky Shlita, see Sheilas Rav 2:36:1.

¹¹³ Some say it is only a *chumra* (Moadim V'zemanim 5:342).

¹¹⁴ Rama 555:2, Aruch Ha'shulchan 3, Kaf Ha'chaim 555:10, Moadim V'zemanim 5:342.

¹¹⁵ Mishnah Berurah 6-7, Shar Ha'tzyion 5.

¹¹⁶ Shulchan Aruch 555:2. Refer to Shevet Ha'kehsui 2:191:3, Orchos Rabbeinu 2:page 138:8.

¹¹⁷ Shevet Ha'kehusi 2:191:3.

¹¹⁸ Tov Yeshoshua page 116.

¹¹⁹ Orchos Chaim L'Rosh day 1:18:page 5, Prisha 238:1, Pri Megadim Eishel Avraham 238:1, Machtzis Ha'shekel 238, Yaavetz page 581, Kaf Ha'chaim 238:12.

¹²⁰ Refer to Mishnah Berurah 241:1.

Sleeping with a Sefer

Someone who is weak and wants to lay in bed with a *sefer* should first put the *sefer* on a pillow and afterwards may lie down on the bed.¹²¹

Sleeping After Eating

As brought by the *Rambam*,¹²² it is not medically advisable to eat and then immediately go to sleep since doing so causes heartburn and forces the organs of the body which would normally be sleeping to work.¹²³ One who eats right before going to sleep will wake up tired since his body is not sleeping but is working to digest the food he just ate. One who wants to eat at night should make sure to do so three hours before he intends to go to sleep.¹²⁴ Many people do eat within three hours of going to sleep. Some say the reason is because times have changed.¹²⁵

Sleeping on the Floor

The *Gemorah* in *Berochos*¹²⁶ says one can sleep everywhere except on the ground. Some *poskim* explain that the *Gemorah* only prohibits sleeping directly on the ground. Accordingly, one may sleep on the floor if there will be something between him and the floor (i.e. a sheet etc.).¹²⁷ This is very common in a hotel when there are not enough beds in the room or when one wants to sleep outside on the ground on a hot day.¹²⁸

Sleeping on a Short Bed

One must make sure not to sleep on a bed that is too short since doing so may cause sickness in his feet.¹²⁹

“Not Home”

Many times when someone comes to the door or calls on the phone and asks if a person is home, the child answering the call or the door says the person is not home when they really are. This is usually because one of the parents in the house tells the child to say this.¹³⁰ This is wrong and should be corrected. There is an opinion in the *poskim* who says if one is sleeping and someone wants to reach him, it can be said he is not home. The reason is because when one sleeps he is not present in the house.¹³¹

→

¹²¹ Torah L'shema 367, Ginzei Hakodesh 2:12.

¹²² Hilchos Deos 4:5.

¹²³ Chaim Briyim K'halacha pages 114-115.

¹²⁴ Refer to Rambam Hilchos Deos 4:5, Be'er Heitiv 170:16, Kitzur Shulchan Aruch 32:6, Mishnah Berurah 170:45, Tov Yehoshua page 116.

¹²⁵ Piskei Teshuvos 170:footnote 106. The Derech Sicha page 474 says for a *talmid chachum* the *din* is different and one can be lenient.

¹²⁶ 62b. Refer to Mesechtas Gittin 70a, Aruch Ha'shulchan Y.D. 116:15.

¹²⁷ Refer to Shemiras Haguf V'hanefesh 108:1, 119:1, Rivevos Ephraim 5:4:2, 6:327:1, 438, see Salmas Chaim 588.

¹²⁸ Shila D'kaita page 192.

¹²⁹ Kol Bo 118:page 490 (new), Chupas Eliyahu Rabbah 3:page 569 (new), Kaf Ha'chaim 231:4, Y.D. 116:171, Shemiras Haguf V'hanefesh 117:3.

¹³⁰ Teiten Emes L'Yaakov page 108. The reason is because one is training his child to lie. However, if it is an adult saying it then it is permitted. (Ibid:page 107 quoting the opinions of Horav Shlomo Zalman Aurbach zt"l and Horav Elyashiv Shlita).

¹³¹ Shevet Ha'kehusi 3:326:page 279. The author of the Melamed L'hoel would go to sleep in the afternoon and tell his wife to tell people he is preparing for a *shiur*. It is permitted because through sleeping he was able to say the *shiur* with more clarity. Therefore, his sleeping was in a sense preparing for the *shiur* (Teiten Emes L'Yaakov:page 108).

Halachically Speaking is a weekly publication compiled by Moishe Dovid Lebovits, *chaver kollel* of *Kollel Nachlas David* in *Yeshiva Torah Voda'as*.

Each week a different area of contemporary *halacha* is reviewed 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 *Horav Yisroel Belsky, shlit"א* on current issues. Additionally, detailed footnotes are provided for further study.

For a weekly email subscription to *Halachically Speaking*, please send your email address to mdl@thehalacha.com. A nominal fee will be charged. Weekly sponsorships are available, please call 718 744 4360.

© Copyright 2006 Moishe Dovid Lebovits. All right reserved.