

The Counting of 'Day' and 'Night'

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“Teach us to count our days, that we may get a wise heart” (Psalm 90:12).

The day as a unit of the calendar was calculated differently in various ancient cultures. The Babylonians counted as one day the time from sunrise to sunrise. The Greeks employed the opposite method; they counted as one day the time from sunset to sunset. The Romans established the modern calendar with the famous reform by Julius Caesar, in the year 46 B.C.E. In the Julian calendar one day consists of 24 equal hours, whether in winter or in summer. This was later modified by the universal adoption of the Meridian Standard Time (MST), divided into 24 time zones, with Greenwich, England, as point zero. Accordingly, each “day” starts at midnight and lasts exactly 24 hours.

In the Jewish tradition it is customary to count the day from the onset of night (i.e., the visibility of three stars in the sky) until after the sunset of the following day. Thus the halakhic ruling: *Halailah nimshakh aharei hayom*, the night follows (i.e., is part of) the day which comes after it. This method of counting was based upon the language of the Bible in the creation story (Gen. 1) where it says several times “and it was evening, and it was morning, the first (second, third, etc.) day.” Because of the language of the Bible, in which the evening is antecedent to the morning, it was reasoned that in the counting of the unit “day,” the evening is reckoned to belong to the day which comes after it.

However, a more precise scrutiny of this text shows that the opposite is true. No doubt, prior to creation there was neither day nor night but only “darkness over the surface of the deep” (Gen. 1:2). With the process of creation, which started with the divine fiat “Let there be light,” the first daylight began and lasted until the arrival of evening. As the darkness, too, ran its course, the entire day ended and a new day began. This is what the Bible really expresses:

“and it was evening [= after the daylight ended], and it was morning [= a new day arrived, therefore it was the definite end of] the first [second, third, etc.] day.”

This is also the interpretation of Prof. M.D. Cassuto, in his magnificent

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commentary of Genesis (in the Hebrew Soncino edition: *Perush al Sefer Bereishit*, 1962, pp. 15-17). He proves his thesis by a number of convincing biblical references, which I shall try to elaborate upon here. (See also the opinion of Radak to Gen. 1:2).

1) With regard to the celebration of Passover, the Bible comments in unequivocal language: "On the fourteenth day of the month (of Nisan) in the evening, you shall eat *matzot*" (Exod. 12:18). Now, according to the widely accepted view that the day starts with the appearance of the stars at evening, the eating of *matzah* on Passover eve (at the "Seder") surely falls on the 15th day of Nisan. Why then does the Torah call this Passover eve "*on the fourteenth day of the month*" if the evening and night belong to the day which comes *after* them?

2) A further proof that the evening and night belong to the preceding day can be derived from the injunction to eat the paschal sacrifice on the Passover eve. "And you shall not leave any of it over until morning; if any of it is left until morning, you shall burn it" (Exod. 12:10). Thus, this duty to destroy the "leftovers" (*notar*), starts only with the onset of the next day, in the morning. (During the night, which is reckoned to belong to the previous day, nothing becomes *notar*.)

3) An even stronger proof that in ancient times the night was reckoned to belong to the preceding day, can be derived from the duty by which the father is enjoined to teach his son the story of the Exodus from Egypt. "You shall explain to your son on that day, 'It is because of what the Lord did . . .'" (Exod. 13:8). No doubt the proper time for telling the son the Exodus story is during the Seder night, and still the Torah calls this time explicitly "*on that day*". This is so because the fourteenth day of Nisan continues until dawn of the next day, like any "day" mentioned in the Bible.

4) The same can be learned from the duty to fast on Yom Kippur, as stated in Lev. 23:32: "and you shall practice self-denial; on the ninth day of the month (of Tishri) at evening, from evening to evening, you shall observe this your Sabbath." Here, too, the Torah follows the ruling: every day starts in the morning and includes the evening/night, until the onset of the morning which follows. But with regard to Yom Kippur the Torah makes an exception by stating that the ritual of fasting, etc. shall start already on the preceding day, and justly calls this day "the ninth day of the month." In other words, Yom Kippur starts on the ninth of Tishri at evening and continues all the next day of the tenth, but only until the appearance of the stars of the tenth (*me^cet le^cet*) excluding the night of the tenth.

Here, too, one can not evade the question: According to the widely accepted view that the day starts with the appearance of the stars at evening, why does the Torah call the onset of the 24-hour-fast of Yom Kippur, the ninth day? The rabbis tried to solve this problem by explaining that one is bound to start fasting during the daytime, i.e., approximately fifty minutes before the onset of night. But this "solution" cannot explain the clear-cut wording of the Torah which explicitly states that Yom Kippur starts "*on the ninth day of the month, in the evening*", and not, as it otherwise should be

stated “*from* the ninth day of the month onward” (*ba^cerev* and not *me^cerev*).

5) This thesis is also supported by the mishnaic laws which regulate the duty of immediate payment of the wages of day-laborers. “Those hired for day-work may exact their wages all the following night” (*Bava Mezia* 9:11). This ruling does not conflict with the Torah Law, “On the very same day you ought to pay [the laborer]” (Deut. 24:15) because the night is reckoned as belonging to the day which preceded it. The employer, indeed, does pay the laborer within the workday unit, provided the payment is made before dawn. Also, no offense is committed, in such a case, against the Torah injunction of *lo³ talin* (“The wages of a laborer shall not remain with you until morning” (Lev. 19:13).

6) Prof. Cassuto (in his above quoted work) points out many other examples in the biblical language from which we can decisively conclude that the evening and night belonged to the preceding day and that the new day was counted from sunrise only. For example: In the story of the daughters of Lot it says (Gen. 19:33-34) “That night they made their father drink wine . . . and the next day the older [daughter] said to the younger . . .” This dialogue occurred *in the morning* which the Torah calls “the next day”.

Or in the story which tells us that Michal, King Saul’s daughter, warned David to run away because Saul was in a rage to kill him, it says: “If you don’t save your soul *this night, tomorrow* you will be surely killed” (I Sam. 19:11). In other words, wherever the Hebrew terms *maḥar* or *mohrat* are used in the Bible, they always denote the morning which follows the night. This proves, no doubt, that the morning which started with sunrise did not reckon to be part of the preceding night.

It is an uncontested historic fact that the cult-service at the Holy Temple in Jerusalem started “with the opening of the gates, at sunrise” as the detailed account in the Mishnah tells us (*Tamid* 3:2 ff). The Bible counts the “day” in all matters pertaining to the Temple service from sunrise to sunrise. (Cf. Lev. 7:15, Exod. 23:18, 34:25, Deut. 16:4, and *notar* above). One was bound to eat a sacrifice on the very day it was offered. And the limit of that day is always called in the Torah “until morning”, as only with morning did the next day start. This is also reported in many statements of the Mishnah (cf. *Berakhot*, 1:1), e.g., “the duty of burning-off the fat pieces and the limbs (of the animal offerings) lasts until the rise of dawn; and for all (offerings) that must be consumed ‘the same day’ (on which they were offered) the duty lasts until the rise of dawn.” Only in order to keep a person away from possible transgression did the Sages advance this time-limit and set it at midnight.

No cultic service whatsoever was performed in the Holy Temple, including all kinds of sacrificial offerings, except during daytime. That the worship of the Lord did not take place in the mysterious darkness of nocturnal obscurity no doubt had a very deep symbolic significance. It eliminated every possible association of the Temple service with the worship of spirits and ghosts (*refa³im*, *se^cirim*, etc.) who, according to the then-prevailing popular belief, ruled at night and in the darkness. The service of the Lord,

however, ought to be performed, just to the contrary, only in the bright daylight, as a demonstration that the faith of Israel and the divine worship of Israel, are pure and clean from all sorts of superstitions. This service thus started only from the moment of sunrise (cf. *Tamid* 3:2).

It stands to reason that in biblical times, under the existing economic and social conditions, almost all human activities were conducted during daytime. The night was the time for rest and sleep. Thus days were naturally counted "from one morning until the next morning," while the passive night time was counted as belonging to the day which ceased. Thus there existed no difference between the calculation of the day as practiced in everyday-life and the calculation by which the holy service in the Temple was conducted.

Vestiges of this identity of the calculation in the Temple and in other spheres of life did survive in the practice of the Sanhedrin, especially with regard to its procedures in handling cases dealing with capital crime. The hearing of the witnesses, the court deliberations, as well as the execution of the sentence, were limited to daytime only (*Sanhedrin* 4:1). The reason for the exclusion of night-sessions of the court is of course logical. In many cases the artificial illumination, which they then possessed, did not vouchsafe the checking of the proofs and evidences. But, the Sanhedrin acted likewise with regard to the fixing of the new month (*kiddush haḥodesh*). Thus even in the case when the Court itself and all the people around saw the new moon (say, in the late afternoon), and even the witnesses duly testified to this fact before the Court, if the Sanhedrin did not have sufficient time to declare the "sanctification" of the new month until the onset of darkness, it adjourned the entire procedure. Thus, the outgoing month still continued into its thirtieth day and only the thirty first day became automatically the first day of the next month (*rosh ḥodesh*). This was the result of the ruling that the Sanhedrin could not hold its sessions in the evening or at night. This law was established with the intention to stress the *uniformity* of the calculation of the day both in the Holy Temple and in the Sanhedrin, since both were deemed to be engaged in the holy service of God (*Rosh Hashanah* 25b).

In this context yet another excellent proof for the main thesis of this paper can be marshalled from the biblical commandment: "You should not let his corpse hang on the stake overnight, but must surely bury him *the same day*" (i.e., of his execution, Deut. 21:23). According to this biblical injunction, sunrise, the arrival of the morning, heralds the next day.

However, from the late period of the Second Temple onward, the cycle of the daily activities gradually changed and a new life-pattern emerged. During a portion of the evening, activities were carried on in the home, especially in the towns. This was the result of better artificial illumination which enabled people to exploit a few hours of the evening for useful work. Even then it was hotly debated whether one could demand that a person fulfill a religious duty at night, the time for rest. This we can see from the debate over whether the *mizvah* of "telling the Exodus story at night-time" is

mandatory or not. (See *Berakhot* 1:5, also in the traditional Passover Haggadah).

In any case, the halakhah clearly stipulated that the *ma^cariv* prayer is not mandatory but only voluntary (*reshut*: see *Berakhot* 27b). After the destruction of the Second Temple, however, the importance of continuing to calculate the day in conformity with the Temple, was no longer felt a necessity. Thus the conformity which existed between the people's counting of the day and the priests' counting at the Temple, ceased. Gradually the rabbis laid down many new halakhot with regard to the start of the Sabbath rest and of the Festival observances. Their entrance was fixed with the onset of sunset and their duration lasted until sunset of the following day.

The investigation of this subject clearly shows that the traditional halakhah went through many stages of adaptation due to ever-changing circumstances and that the halakhah did not hesitate to introduce changes, even against clear statements in the Bible, if the "Masters of Halakhah" deemed it necessary, or "in the interest of the needs of their time".

In this paper I wanted to buttress the opinion of Prof. Cassuto (which I suppose is not well enough known). The view of this eminent scholar is based upon the simple and plain truth. The artificial and often forced interpretations of other scholars can not wipe away this straight truth, even if they try to peg their views on biblical verses (e.g., to the statement in Gen. 1:2 "and it was evening, and it was morning") which they interpret in most cases contrary to common sense and with stress-and-strain only to demonstrate the "truth" of their axiom that the entire edifice of halakhah is of divine origin and dates back "to Moses on Mt. Sinai," which is contrary to historical truth and to logical thinking. The genuine Jewish position which we endorse is based upon the principle of continuous revelation, as stated in the midrash: "Not the prophets alone received their prophetic gift from Sinai, but also all Sages who emerge in every generation, everyone of them received his share from Sinai!" (See *Exodus Rabbah* to *Yitro*, sect. 28:6, also *Tanḥuma* to *Yitro*, sect. 11; also E.E. Urbach: *Hazal, Emunot veDe^cot*, p. 270.)

This paper intends, therefore, in no way whatsoever, to disparage our present custom to start our Sabbaths and Festivals at sunset! But we should know that this time-honored custom which we regard and accept as obligatory evolved gradually and is the result of historical changes. □