

HALOCHOSCOPE

This week's question:

Someone forgot to include *yaaleh veyavo* in *shemone esrai* of *shacharis* on *Rosh Chodesh*. He remembered just as the congregation was about to begin *halel*. Should he repeat his *shemone esrei* first and say *halel* alone later? Or should he say *halel* with the *tzibur*, and repeat *shemone esrai* later?

The issues:

- A) Forgetting *Yaaleh Veyavo*; repeating *Shemone Esrai*
- B) Reciting *Halel* with a *Tzibur*, especially on *Rosh Chodesh*
- C) Interrupting the sequence of *Shacharis*

A) Forgetting *Yaaleh Veyavo*

Yaaleh veyavo is inserted in *shemone esrai* on *Rosh Chodesh* based on a verse in the Torah. There is a *mitzvah* to sound trumpets on certain days as a *zikaron*, remembrance. *Yaaleh veyavo* is a form of *zikaron*. If it was omitted, one must repeat *shemone esrai*. Even if one would remember much later, he must repeat. However, if he forgot it at *shacharis* and only remembered after he said *musaf*, some say he need not repeat. While we do not follow this view, but maintain that he should anyhow repeat it as a *nedava* [see below], this view may be taken into account in our case. It is based on the fact that *musaf* also contains *zikaron*, and can satisfy the requirement for the *shacharis zikaron*. Another point that will come into consideration in our case applies to one in shul. If he forgot in his silent *shemone esrai*, he may fulfill his obligation to repeat by listening very carefully to the *chazan's* repetition. However, this ploy does not work for one who omitted an entire *brocha*. [In practice, we do not rely on this ploy at all. Nowadays people are unable to concentrate on listening so closely.]

This leads to our next discussion. The insertions in the *shemone esrai* fall into various categories. Some are considered additions. Others are considered integral to the *tefilah* for that day. Omission of this insertion is the same as omitting any other part of the *tefilah*. In general, omission of an integral part of the *tefilah* means that one has not fulfilled his obligation at all for that *tefila*. The actual *mitzvah* of *tefilah* as an obligation is debated by the poskim. Some consider it a Scriptural obligation, while others maintain that it is a Rabbinical obligation. However, even those who consider it Scriptural do not require the three formal daily *tefilos*, known as *shemone esrai*. Our formula of *tefillah* was instituted by the Sages. They also instituted the obligation to say them three times a day. [The Patriarchs originated the practice, but they were formalized later by the Sages.]

The *shemone esrai* includes eighteen original *brochos*, and a nineteenth added when the heretical sects were foreseen as a long term threat. [That is the only negative part of *shemone esrai*. All the other *brochos* are on a positive note.] The entire series is based on a specific order and juxtaposition found in verses. The first three and last three parts are

praises and thanksgiving. The remaining thirteen cover basic needs. They include all categories for which we would ever need to *daven*. They are in general and plural form. One who feels the need for an individual *tefila* can include it at the appropriate point. On *Shabbos* and *Yomtov* one does not mention personal mundane needs. Inclusion of extra *tefilos* would be an undue burden on the congregation. The first and last praise and thanksgiving parts are retained. The middle is tailored specifically for *Shabbos* or *Yomtov*. If one switched them, he must repeat the entire *shemone esrai*. However, if one began with a weekday *brocha* then remembered that it was *Shabbos*, he finishes that *brocha*. This is because ideally that *brocha* applies on *Shabbos* as well. The change made for *Shabbos* was for the reasons mentioned. After saying the whole weekday *brocha*, he continues with the rest of the *Shabbos* formula.

The obligation to repeat when one said the wrong formula seems to indicate that one does not fulfill his obligation at all with the wrong formula. This is actually a matter of debate. It is illustrated in relation to the issue in which it is raised. If one omitted a *tefila* in its time of day, he must make it up when he says the next *tefila*. He recites two of the next *tefilos*, the first being the required one for that time of day, and the second being the make-up. This applies when one missed *mincha* on *Shabbos*. He recites the weekday *shemone esrai* at *maariv* twice. In this case, though he will not be reciting the same *shemone esrai* that he missed, he will be making up his basic *tefila* obligation. What if he recited a weekday *shemone esrai* at *mincha*, but only realized this at *maariv* time, after *Shabbos*. Had he realized it before it was too late, he would have had to repeat *mincha* with a the *Shabbos* formula. Now that it is after *Shabbos*, he will not be able to correct his mistake. If his wrong *tefila* does not count as fulfillment of his obligation at all, it is as though he missed *shemone esrai*. He must make it up anyhow, regardless of whether he will correct the mistake. In fact, the make-up version will be identical to the mistaken version he already recited at *mincha*. Some poskim follow this reasoning. Others maintain that what he said on *Shabbos* was really a fulfillment of the basic *tefila* obligation. He did not fulfill the special formula appropriate for the day. However, this is an extra. Had he indeed remembered in time, he would repeat *shemone esrai* for the sake of this extra obligation. On *motzoai Shabbos*, when he will not be able to fulfill his extra obligation, repeating the same *shemone esrai* that he already said at *mincha* is not necessary.

The same debate applies to one who forgot to add *yaaleh veyavo* in his *mincha shemone esrai* on *Rosh Chodesh*. Had he remembered before night, he would have repeated it with the addition. If he is considered to have fulfilled his obligation, but omitted an extra, he need not make it up. This view considers the omission an imperfection that does not invalidate the *tefila*. In practice, the matter remains a question.

Accordingly, the poskim recommend a *tefilas nedava*. *Tefila* is connected to offerings in the Temple service. They are forms of *avoda*. Just as one offers compulsory offerings, he may make a voluntary offering. Ideally, one could make such offerings all day. Because we are not necessarily able to concentrate on our *tefilos* fully, we do not make a regular practice of *tefilos nedava*, after we have already fulfilled the actual obligation. However, one may add a new request the second time around. If the reason he repeats a second *shemone esrai* is to satisfy a questionable obligation, this is considered adding something. If he fulfilled his obligation, this is a voluntary *tefila*. If he did not this will

make up his deficiency. This is similar to adding a new request.

Nonetheless, many poskim maintain that in the cases we discussed, where the issue is whether to make up a second *tefila* for the one that he said without the addition, one should not recite a *tefilas nedava*. First, we are unable to concentrate sufficiently even to make this type of *nedava*. Second there are prominent poskim who maintain that really the *halacha* should follow those who consider the *tefila* with the omission a valid but imperfect *tefila*. The imperfection will not be corrected by the make-up. Thus, in practice, it is better not to make up the *tefila* by night as a *nedava*.

By applying this ruling to our case, we can say that even when one remembers the omission on *Rosh Chodesh*, his obligation to repeat *shemone esrai* is not the same as one who omitted an integral part. Thus, we have three reasons to consider the repetition for omission of *yaaleh veyavo* differently from other omissions. First, there is the opinion that for a *shacharis* omission the *zikaron* in *musaf* helps. Second, the fact that one may rely on the *chazan* to avoid a complete repetition, that does not apply to omission of an integral part of *tefilah*. Third, that the entire insertion does not invalidate the *tefila* according to many poskim. [See Brochos 26b 29a-b, Shabbos 24a-b, Poskim. Tur, Sh. Ar. OC 107; esp. 4 108:9 11 126:3 292: 422:1, commentaries. Machaze Eliyahu 24.]

B) Halel on Rosh Chodesh, with a Tzibur

Halel is an outpouring of praise and thanksgiving to Hashem for great miracles and on great occasions. It has been recited on the occasion of a great salvation throughout the ages. Nowadays it is also recited on holidays and *Rosh Chodesh*. This recital of *halel* is a Rabbinically ordained *mitzvah*. They only instituted it for major holidays. They are the first day[s] of *Pesach*, *Shavuot*, the entire *Sukos* including the last days and *Chanukah*. One should not make a practice of reciting *halel* every day. This does not mean that one recites it every single day, but that it is no longer reserved for special days, since he says it on other days as well. He also minimizes the 'everyday' miracles that Hashem does for us. Thus, adding *halel* even on certain extra days is forbidden. On the later days of *Pesach* and on *Rosh Chodesh* it is recited as a *minhag*, custom. That is, it was never included in the original institution but later became a widespread and accepted practice. To show that the practice is only a *minhag* and was never intended as an additional requirement, parts of it are omitted.

Two issues arise with regard to this practice. Does one recite a *brocha* on a *minhag*? And may an individual recite it without a congregation? There are three opinions on these issues. One view maintains that since it is only a *minhag*, the *brocha* 'that [Hashem] sanctified us with His *mitzvos*, and commanded us' is inappropriate. In addition, this *minhag* only applies with a *tzibur*, congregation. A second view maintains that the *tzibur* recites it with a *brocha*. An individual should not begin, but if he began, should finish. Therefore, if an individual wishes, he may recite it without a *brocha*. A third view maintains that even an individual may recite it with a *brocha*. Ashkenazic Jews follow the third view. Nonetheless, the main institution is to recite it publicly. Therefore, if one is at all able to, he should join the *tzibur* for it. Thus, if one comes in to shul late, when the *tzibur* is up to *halel*, he should join them. There is even debate whether one should interrupt *pesukei dezimra* to recite it. The consensus is to recite it with the *tzibur* but not to recite the *brocha*. It is appropriate to include these psalms with *pesukei dezimra* and to sat-

isfy the *brocha* requirement with the *brochos* at the beginning and end of *pesukei dezimra*. [See Brochos 14a Shabbos 24a, Psachim 118a-119b, Taanis 28b, Erchin 10a, Poskim. Tur Sh Ar OC 422:2, commentaries.]

C) Interrupting the sequence of Shacharis

The order of the *tefilos* follows a specific sequence. All other things being equal, one should never change the sequence. However, this sometimes comes in conflict with the requirement to say certain things with the *tzibur*. If one comes to shul at the right time and keeps up with the *tzibur*, this should not become an issue. If one comes late, he must skip parts of the order to catch up. Usually, this does not make a difference, because he will then either omit these parts totally or he will be able to say them out of order. Sometimes, one need only to make a short break to interrupt, such as for the congregational responses. Then he would continue from where he stopped. Certain parts of *davening* may only be interrupted for major responses. Sometimes, one is at a juncture that he may not interrupt his sequence at all. For example, during the silent *shemone esrai* one may not interrupt at all, but may stop and listen silently to the *chazan* or the *tzibur*. Between certain parts of *davening* one may pause for congregational interruptions. Between the end of the *birchos shema*, *ga'al yisroel*, and the beginning of *shemone esrai* one may not interrupt. In our case, the person must repeat *shemone esrai*. If this is as though he has not yet said it, he may not interrupt to say *halel* with the *tzibur*. However, there is a debate about interrupting for these responses at a point when one should normally not do so, but one has already done so. In our case this would be even easier to sustain. The person certainly interrupted between his *ga'al yisroel* and the *shemone esrai* he is about to say. His first *shemone esrai* might not be considered an interruption. However, if he already responded to the *chazan's* repetition, which is more likely, he has already broken the sequence. In addition, we already cited views that he has already fulfilled an obligation of *tefila*. At least, for the purposes of connecting *ga'al yisroel* to *tefila*, he could rely on that.

In conclusion, the person should rather recite *halel* with the *tzibur*, and delay his repetition of *shemone esrai*. [See e.g. Brochos 4b 13a etc. 21b, Poskim. Tur Sh Ar OC 111:1 etc, commentaries. Yabia Omer VI:OC:25.]

On the Parsha ... And [Hashem] 'remembers' the kindness [merits] of the Avos, and brings the redeemer to the children of their children for the sake of His Name ... [First brocha of shemone esrai.] What is the allusion to Hashem's Name here? *Va'eira* begins with Hashem explaining to Moshe how His Names are used for *geulah* and for keeping a promise to the Avos. Maybe this is the connection between *geulah* and *tefilah*. We connect the *ga'al yisroel* to the *maivi goel livnai venaihem*. In the *brocha* of *ga'al yisroel* we invoke the keeping of the promise in this *parsha*, ending with a *tefila* for future *geulah*. The first *brocha* of *shemone esrai* is praise, invoking Hashem as G-d of the Avos. We mention *geulah*, but in the present tense, indicating current and future *geulah*. We say, "just as we 'remember' and acknowledge the miracles of *geulas mitzrayim*, so may Hashem 'remember' the merits of the Avos and bring us the final *geulah*!"

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