

# HALOCHOSCOPE תורה

Congregation Shaaray Tefilah, Pittsburgh, PA

This week's question:

One whose life-saving profession regularly requires him to miss the Zemanei Tefilla would like to know what to do about scheduling his davening.

The issues:

- (A) The Tefilla obligation.
- (B) The times of the Tefillos.
- (C) Those exempt from Tefilla.
- (D) *Tashlumin*, compensating for a missed Tefilla.
- (E) Abridging the Tefilla in forced circumstances.

(A) Tefilla

The obligation to pray to Hashem is considered Scriptural by many Poskim, although the present-day Siddur is a Rabbinical compilation. It is based on the commandment in the Passuk (Parshas Mishpatim 23:25) "And you shall serve Hashem your G-d, and He will bless your bread and water and remove sickness from your midst." This service is interpreted as Tefilla in accordance with the Passuk we read in Shema: "Ule'avdo Bechol Levavchem", "[love] and serve [Hashem] with all your heart"; the service of the heart is Tefilla. Others consider the obligation Rabbinical. "Tefilla" is connected to the word for judgment, praying that Hashem judge us favorably in dispensing our daily needs, as indicated in the Passuk. [See Parshas Mishpatim 23,25, commentaries, Baba Kama 92b, Taanis 2a, Berachos 21a, Sefer Hamitzvos of Rambam Asei No 5, Rambam and commentaries. Rambam Hilchos Tefilla 1:1-2. commentaries. Aruch Hashulchan O.C. 89:1-7.]

(B) Zemanei Tefilla

Scripturally, as long as one prays once a day at any time he has fulfilled his duty. The Rabbis later instituted formal Tefilla, three times a day. This is because our Tefilla is *Avoda*, service, and corresponds to the daily Avoda in the Bais Hamikdash. There were two daily communal offerings: in the morning, and in the afternoon, and certain parts of these offerings were burned on the Mizbe'ach after nightfall. (In addition, we find that Avraham, Yitzchock and Yaakov, actually prayed in the morning, afternoon and evening, respectively.) The exact times for the Tefillos are dictated by the

times for these offerings. The morning offering may not be slaughtered while it is still night; it must therefore be daylight before one may begin the Shacharis Tefilla. [Tefilla here means the Shemone Esrei.] However, the ideal time for beginning Shacharis is after sunrise, based on a Passuk in Tehillim. Nonetheless, if in a *Sha'as Hadechak*, urgent situation, one says Shacharis before sunrise but after dawn, he need not repeat his Tefilla. If one will not have time after sunrise, he may intentionally begin earlier. [There is one opinion, rejected by other Poskim, that in *Sha'as Hadechak* one may say Shacharis before dawn.] Shacharis should not be said later than a third of the daylight hours, but if one missed this time, he may still say it up to midday. [This is not noon, but the time when the sun is directly overhead in any given geographic location.] In the Bais Hamikdash, to be absolutely certain, they waited at least a half-hour after midday before beginning the afternoon offering. Unlike the morning offering, the afternoon Korban should ideally be offered later but may be advanced if necessary. It must have its blood thrown on the Mizbe'ach by sunset, therefore Mincha should be said by then. However, a number of prominent Poskim permit it until nightfall, and are sometimes relied on in difficult situations. The time for Maariv, which corresponds to the burning of the fats of these offerings, may not overlap with Mincha or Shacharis and should therefore only be said after sunset and before dawn. However, there is a view in the Talmud that Mincha may only be said until Plag Haminoha (1¼ seasonal hours before the end of the day) which permits Maariv to be said earlier. Since the Talmud is inconclusive, we follow this opinion on Erev Shabbos, because anyway the fats of the Friday offerings could not be burned after nightfall on Shabbos. We may also choose to follow this opinion all weekdays. [See Berachos 9b. 26a-27a. 30a, Rashi, Tosafos. Yuma 28a-b. Pesachim 58a. Zevachim 56a. Rambam Hil. Tefilla 3:1-7, Raavad. Tur and Shulchan Aruch O.C. 89, 235, Aruch Hashulchan 9, 267:2. Magen Avraham 1.108, Taz 1. Yoreh Deah 341:2, Pischei Teshuva 18. Igros Moshe O.C. 4:6]

#### (C) Those Exempt from Tefilla

One involved in another Mitzvah which cannot be delayed or interrupted is exempt from Tefilla even if this means missing the Zman Tefilla. However, when the time of a Tefilla arrives, one should daven first, before doing another Mitzvah unless the other Mitzvah arises suddenly and requires immediate attention. If the other Mitzvah arises a half-hour before a Zman Tefilla, one may begin the Mitzvah, even if it might mean missing the Tefilla later. Since the Zman Tefilla of Mincha is really later in the afternoon, but may be advanced to the earlier time, one may begin these activities in the early afternoon even though it is technically Zman Tefilla. Even if the Mitzvah is interruptible, if it is so preoccupying that the doer will be unable to concentrate, he is also exempt.

In our case the person is needed in life-saving situations, sometimes

arising without much warning and taking up to eighteen hours without much of a break. The Mitzvah of saving the life of another Jew supercedes Tefilla. Even when a gentile life is concerned, the lives of Jews will be directly affected by the performance of this professional in front of his peers. In this case, not only is he exempt, he is not permitted to neglect his job and to daven. If he can break to daven, he must be sure he can concentrate on his Tefilla considering that he may be interrupted at any time. [See Berachos 15a-18b. Tur Shulchan Aruch O.C. 70, 71, 72, 93, 106. Commentaries.]

#### (D) Tashlumin

Tefilla is one of the few time-bound Mitzvos that must be made up even after the time has gone by. The Rabbis who formalized the Tefillos and their times felt that it should be possible for one to compensate for his loss of the Mitzvah, especially since the actual Tefilla is not usually representative of the time it is supposed to be said. One compensates for a missed Tefilla by repeating the Shemone Esrei after the next regular Tefilla. For this, known as *Tashlumin*, he is rewarded for Tefilla, but not Tefilla said at its correct time. Only one who unintentionally misses the Zman, or *Oness*, one who was unable to say the Tefilla due to circumstances beyond his control, may say Tefillas Tashlumin. There is a question whether one who was Halachically exempt from davening even if he had wanted to, may say Tefillas Tashlumin. On Shabbos, there is a question if Melacha is *Hutra*, totally permitted or *Dechuya*, merely suspended for *Pikuach Nefesh*, life-saving. There is, however, a difference between Shabbos, where it is a question of suspending an existing prohibition, and Tefilla, where it is a question of whether the obligation comes into existence. Therefore, here, where the reason for being exempt is because one is preoccupied with the Mitzvah, especially *Pikuach Nefesh*, it appears one is totally exempt from this Tefilla and need not make it up. If he had been able to daven before he began, i.e., it was already the Zman Tefilla, he would be considered *Oness*, because the exemption only came later. If, however, he began before the Zman Tefilla and had no break during the Zman, may he say a Tefillas Tashlumin? (If he had a break but did not daven because he could not collect his thoughts, he is like an *Oness*.) In this case, if he wishes to say Tashlumin he should have in mind that it is a voluntary Tefilla and should introduce some new request into it so that it is not considered using Hashem's name in vain. [See Berachos 26a. Tur Sh. Ar. O.C. 70-72, 106-108. Y.D. 336:1. Halochose Vol I No 20.]

#### (E) Abridging Tefilla

Although the formal version of Shemone Esrei as we have it is not Scriptural by any account, it was instituted with Divine Inspiration and may not be changed. The first three Berachos and the last three must always be said in their entirety. When one is pressed for time because of circumstances beyond his control (i.e. not for convenience) he may recite the beginnings and ends of the

other Berachos according to an authorized text. [See Chayei Adam 24:31 for the text.] If one is under more pressure, there is a version authorized by the Rabbis condensing all the middle thirteen Berachos into one, known as *Havineinu*. When one is concerned that he will be disturbed or interrupted and/or his concentration diverted, it is more advisable to say *Havineinu* than to say the full *Shemone Esrei*. In dangerous places, where one cannot even think long enough for *Havineinu* or it is impossible to stand still, one should not say any of the Berachos of *Shemone Esrei* (but a shorter *Tefilla*) and should therefore say it later if there is still time, or say a *Tashlumin* if he misses it. In our case: If it will definitely make a difference in time or concentration the person should say *Havineinu* in a short break. One problem arises: one may not say *Havineinu* in the winter months because there is no provision for *Vesayn Tal Umatar*. In this case one should say the other abridged version. [See Berachos 3a, 28b-30a Tur, Sh. Ar. O.C. 110. commentaries.]

Note: All of this does not take into account the problem of saying the rest of davening. *Shema* must be said within its own *Zman*. *Tefillin* may be put on later in the day, if still possible. [See *Igros Moshe* O.C. Vol 1 No 10]

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#### ANNOUNCEMENTS

##### SCHEDULE:

SHABBOS SHACHARIS	9:00 am
SHABBOS MINCHA	4:45 pm
SHACHARIS SUNDAY	8:00 am
SHACHARIS MON - FRI	7:00 am
MINCHA SUN - THURS	5:00 pm
CANDLE-LIGHTING BO	4:59 pm
MINCHA EREV SHABBOS	5:05 pm

##### SHIURIM:

GEMORA MAKOS-	
SUNDAY	7:15 am
HALACHA B'TYUN-	
MONDAY	8:30 pm
HILCHOS SHABBOS-	
SHABBOS	8:15 am

-Junior Minyan for boys on the third floor beginning at 9:15.

-Playgroup with refreshments for preschoolers and first-grade girls on the second floor.

This issue of *HALOCHOSCOPE* has been sponsored by Mr. and Mrs. Yisroel Green in honor of the birth of their great-granddaughter Adeena Tamar, daughter of Danny and Tova Persoff. Mazel Tov.

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Comments and suggestions are welcome and can be addressed to :

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