

HALOCHOSCOPE



This week's question:

Someone *davened shemone esrai biyechidus*, privately. He then went to *shul* and found a *minyan* who had *davened betzibur*. May he serve as *shliach tzibur* for their *chazaras hashatz*, repetition of the *shemone esrai*? Other members of the *tzibur* could easily serve. However, this person would like to serve since he is an *avail*.

The issues:

A) *Tefilah betzibur*

B) *Chazaras hashatz*

A) *Tefilah betzibur*

Tefilah betzibur, communal prayer service, is highly recommended by the Talmud. If one cannot join a *tzibur*, he should *daven* alone at the same time that the *tzibur daven*s. However, there is a question whether it is indeed an **obligation** in its own right. Clearly, if one is unable to pray with a *minyan* he must still pray privately. The only occasion when this is even debated by the Talmud is regarding *Musaf*. However, the question is, is it a *chiyuv*, strong obligation, a *mitzvah*, or simply a *maaleh*, advantage?

The most obvious advantage of the *minyan* is that *kadish*, *kedusha* and *borchu* may only be said with a *minyan*. However, even if one is not together with the *tzibur* in their location, he still gains an advantage by *davening* with them, at the time of their service. This time is an *ais ratzon*, time of Divine benevolence. Hashem is 'open' and positively disposed at this time. Some say that this is because a large group has approached Hashem at this time, or because when a *minyan* assembles, and are qualified to say *devarim shebikedusha*, the *Shechinah*, Divine Presence, is present, or that at this time, all *tefilos* are gathered up together, including those of one was not present with the *tzibur*.

If ten are needed for the reciting of *devarim shebikedusha*, there is something about the number ten that has in it the secret of the sanctity of Hashem in it. When a group does a *mitzvah* together the combined efforts add up to much more than the sum of the parts. Furthermore, just as each member of a team contributes a unique part, a group of Jews has different parts to it. Each contribution to the whole makes a difference in the result. The complete group is able to accomplish some things that none of the individuals can do by themselves. This is learned from the inclusion in the blend of incense in the *bais hamikdash*. One ingredient had a natural bad odor. It was added in, according to some, because when combined with the others, it brought out hidden qualities in them, and they brought out hidden benefits in it. An individual needs to be sure that his prayer is pure. Some aspects could be lacking in the average individual. The *tzibur* has a special quality of its own. Even if individuals are unable to focus and concentrate on their personal *tefilos*, when said with a group, the group's *tefilah* is accepted. Often a group includes some

who are not deserving. Yet, in general, a group is judged by its majority.

Tefilah is to make one's voice heard by Hashem. There is a chance that when *davening* alone it will not be heard. With a *tzibur* there is a guarantee that it will be heard. It follows that one is obliged to *daven* with a *tzibur*. Thus, the Talmud does not specify the obligation, but highlights the advantages. Furthermore, since one fulfills a *mitzvah* when *davening* alone, the Talmud, and later on, the poskim do not use terminology that implies that there is something wrong with *davening* without a *minyan*.

Perhaps the *mitzvah* of *tefilah* is essentially different when done with a *tzibur*. *Tefilah* is *rachamei*, to plead one's cause, or *avoda*, service of Hashem with the heart, or both. There is a big difference between one presenting it as an individual and a group presenting the *rachamei* of the entire Israel. There is a difference between individual *avoda*, such as an individual's offering in the *bais hamikdash*, and the *avoda* of the *tzibur*. Therefore, there is an additional obligation on anyone who is part of the *tzibur*.

When traveling, one is obliged to go a certain distance out of his way in order to catch a *minyan*, but no further. As a *maaleh*, it would not make sense to oblige one to make accommodations for it. Furthermore, how could one be exempted if the *minyan* is past than the limit? In summary, it is certainly an advantage, apparently a *mitzvah*, and possibly an obligation to participate in *tefilah betzibur*. To qualify as *tefilah betzibur*, some suggest that one must begin with the *tzibur*. Some say as long as one is generally saying his personal *shemone esrai* in a group setting, at approximately the same time, it counts as *tefilah betzibur*. [See Brochos 6a-b 7b-8a 21a-b 30a-b Megillah 19b, Poskim. Tur BY Sh Ar OC 55:22 (Rema) 90:9 etc., commentaries. Bais Elokim II:11. Igros Moshe OC I:28-30 II:27 III:4 7.]

B) Chazaras Hashatz

The *shatz*, or *shliach tzibur*, is the representative of the congregation. He acts as a single voice to express the prayers of the entire group. This is not a representative sent to act in one's behalf without the presence of the sender. It is a spokesman presenting a group's message in their presence. It would appear that the *shatz* is only needed when the 'message' can not be said by each individual. However, whenever a *minyan* gathers, they always have one of them acting as the *shatz*. Hashem told Moshe that whenever the Jews find themselves in a crisis situation, that is, out of favor with Hashem, they should plead using the thirteen attributes of Divine Mercy. The Talmud says "It is as though, if one could say it, Hashem Himself wrapped himself in a *talis* like a *shliach tzibur* ..." and showed Moshe how it should be done. This implies that either the concept of a *shatz* was known to Moshe, or that it was introduced at this time. The idea is also that the most righteous congregant is the best person to represent them. He will know how to plead the cause and will also bring his personal merits.

Another application is when the *shatz* reads from the Torah or other Scriptures. He fulfills two functions. He is both teaching it publicly and also acts as the mouthpiece for the listeners, who are thus considered as though they are verbalizing it themselves. Thus, all present are considered 'studying Torah' or fulfilling an obligation to read. This is especially applicable when a reading is obligatory. For example, we fulfill the Scriptural obligation to read the passage relating to eradicating *Amalek*, by hearing the 'reader' in *shul*.

In this case, there are more reasons to have a *shatz*. The passage must be read from a *Sefer Torah*. Not all congregants can read, and not all have the availability of a *sefer*.

The Talmud debates the role of the *shatz* in his repetition of the *shemone esrai*. In one view he exempts an individual of his own obligation at all times. In the other view he only does this for one who does not know the words himself. In former times, one had to memorize *tefilos*. The *shatz* was fluent in them, and he would say them aloud. Those who were not fluent would listen and fulfill their obligation by hearing the words.

Once people became familiar with the *tefilos*, the institution remained in place. An additional reason is given for the institution of the *chazaras hashatz*. Responsive parts of the services can only be said if there is a leader. These include *kedusha* and *modim dera-banan*. In order to fulfill these obligations there is a separate obligation of *chazaras hashatz*. The poskim point out that both reasons apply. Even nowadays, an individual might need to rely on the *chazaras hashatz*, due to ignorance or special circumstances.

In general, if a *tzibur* joins together for *tefilah*, they are obliged to hear a *chazaras hashatz*. The *tzibur* must remain silent and listen to each word of the *shatz*. It is recommended to follow in a *siddur*. Everyone must respond *amein*. If there are less than nine people listening and responding the *chazaras hashatz* might well be considered being recited in vain. If so, the *tzibur* would be held to blame. Thus, it is extremely important to follow along with the *shatz*. There is a temptation to consider the main part of *chazaras hashatz* unnecessary. Thus, people think that they need not 'participate' by listening and following. However, if this were true, the entire institution would have been abolished. It involves many *brochos* and utterances of Hashem's Name in vain. Since the institution is now a real part of the services, it must be observed by everyone. Even Torah scholars may not silently peruse a Torah work. Their liability is doubled. If they do what they consider more important, others who do not have such lofty goals will follow their example to do what they consider more important.

Needless to say, it is *halachically* forbidden to engage in conversation during the repetition. The term used to describe the severity of a violation is that used by Cain after he killed his brother Hevel, 'too great to bear'. Apart from making a mockery of the entire institution, and not being able to fulfill one's obligation, there is also the disturbance factor. Even if one does not make audible conversation or loud laughter, but whispers, he is in violation. It is also a violation of the *mitzvos* associated with respect for the sanctuary, at varying levels, depending on the type of conversation. For absolute necessities, one might need to leave the sanctuary to talk outside. In that case, he is not disrupting the *minyan* or disrespecting the *shul*, but loses his own fulfillment of *chazaras hashatz*.

Some maintain that the *shatz* fulfills his personal obligation with *chazaras hashatz*. His silent *shemone esrai* is to prepare for the repetition. Others disagree, and some say that when the entire *tzibur* is familiar enough to say their own *shemone esrai*, the *shatz* also fulfills his own with his silent *amidah*. If so, his *chazaras hashatz* does not constitute *tefilah betzibur*. Its purpose is purely to fulfill the institution and to facilitate *kedusha* etc. The other view would say that he fulfills *tefilah betzibur* with his *chazarah*. It is part of the extended *tefilah betzibur* that was started by the rest of the *tzibur*.

This raises the question: may one who did not participate with the *tzibur* in their

silent *shemone esrai* join them later and serve as their *shatz*? The question manifests itself in two main cases. The first is when someone has not yet said his own silent *shemone esrai*. He arrives in shul to find that they are ready for *chazaras hashatz*. He wishes to fulfill *tefilah betzibur*. By acting as *shliach tzibur* he would fulfill both obligations. However, he is not obliged to fulfill *chazaras hashatz*, since he did not *daven* first with a *minyan*. This, in turn raises another question. We mentioned that when a *tzibur davens* together the obligation of *chazaras hashatz* takes effect. The poskim debate whether this is also true if only nine people were present for the silent *shemone esrai*. According to the stringent view, this individual is also exempt from *chazaras hashatz*. He should not be able to discharge the obligation of those who were there first, assuming that there were ten of them. Usually, to discharge the obligation of another, one must be obliged. Nonetheless, the poskim permit this individual to discharge their obligation. This is likely based on *araihus*, responsibility for the Jewish people. Some cite a rejection based on *kabalah*. Since the person did not 'prepare' with his own silent *shemone esrai*, he does not accomplish the full potential. Therefore, they only recommend this in emergencies.

The second case is our own question. The individual also did not participate with the *minyan* in their silent *tefilah betzibur*, but he did daven himself. He has said a silent *shemone esrai*. Theoretically, he has also 'prepared'. He should be able to discharge the *tzibur*. However, in this case, he really removed himself from the *tzibur* by *davening* privately. Moreover, he may no longer claim that he fulfills both of his obligations with the repetition. Nonetheless, while the poskim debate this case, they do not raise these issues. Rather, the issue seems to be whether the *shatz* must first repeat his silent *shemone esrai*, specifically to 'prepare' for this *tzibur*. It is likely that the stringent view is based partly on one of the aforementioned considerations. The consensus is to follow the lenient view.

The poskim only discuss this case in terms of one who is forced to serve as *shatz*. This usually refers to a case where the *tzibur* has no-one else able to perform this. Our case is somewhat similar. The individual wishes to serve as *shatz* as a merit for the one whom he is mourning. Apart from the *kabalistic* concerns, this should be sufficient reason to permit him to serve. [See Rosh Hashana 33b-35a, Brochos 21b, Poskim. Tur Sh Ar OC 69:1 109:1-2 124:1-3, commentaries.]

In conclusion, the *avail* may serve as *shatz*.

On the parsha and to serve him, with all your heart and soul .. [11:13] service of the heart is prayer [Rashi]. If prayer is in one's heart, why is there a need to verbalize it? Why do we have standardized *tefilos*? One answer could be that some people cannot properly express themselves. Therefore, standard *tefilos* were instituted, along with the concept of a *shatz*. Nonetheless, the individuals present must all be considered participants – with their hearts and souls! Once the institution was made, it is maintained in its original form. This shows how important it is that congregants 'participate' in *chazaras hashatz* by listening and following.

Sponsored by Joshua Sandler in memory of his grandfather, Andrew Cohen, R. Chanina ben R.

Eli haCohen a”h, whose yahrzeit is on the 26th of Av. ☞

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