

HALOCHOSCOPE



This week's question:

If one comes late to a *minyan*, one suggestion is to wait for *chazaras hashatz* to begin. Then, he could say his own *shemone esrai* along with the *shatz*. Suppose the latecomer usually *davens* a different *nusach hatefilah*. Does he need to *daven* along with the *shatz* in his *nusach*, or may he *daven* with the minor changes of his own *nusach*?

The issues:

- A) *Chazaras hashatz*, the *chazan's* repetition of *shemone esrai*
- B) *Davening* with the *shatz*
- C) *Nusach hatefilah*

A) *Chazaras hashatz* [Excerpted from Halochoscope XIV:42]

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 tzibbur* ..." 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. 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 whispering is a 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 issue has some bearing on the next section. [See Rosh Hashana 33b-35a, Brochos 21b, Poskim. Tur Sh Ar OC 69:1 109:1-2 124:1-3, commentaries.]

B) Reciting along with the shatz [Partially excerpted from Halochoscope X:32.]

The Talmud discusses one who arrives in *shul* late. If he begins *davening* as usual, he will not be able to respond to the *shatz* when he reaches the responsive parts. The most important responses include *kedusha*, the *amein* after *hakadosh* and the *amein* after *shomaia tefillah*. He must try to work around his *davening* and the *chazaras hashatz*, to fit everything in. This way, he would be allowed to respond to those parts, even in the middle of his own *davening*, or by taking certain short-cuts of his own. Thus, he could

wait for *kedusha*, respond to *amein* on *hakadosh*, and then hurry through *shemone esrai* to end before *shomaia tefillah*. In the middle of *shemone esrai*, he should stop and listen to the *shatz*. This is a situation where the individual would be fulfilling his own obligation with the recital of the *shatz*. [He could not verbalize the responses himself.] If this is not possible, there is a way to combine his personal *davening* with that of the *shatz*. He says his personal *shemone esrai* word for word with the *shatz*. When the *shatz* reaches *kedusha* he says it together with him. He even says the interceding parts. He then continues to say his *shemone esrai*. In this case, he may consider the recital of the *shatz* as his own, and this equates his responding to the most important *ameins*.

Since the *amein* after *shema kolainu* is also very important, the question then arises, should he hurry to finish before the *shatz* gets there? Then he will be able to respond to those parts. Or should he say it all along with the *shatz*? A further question arises, one should bow with the *tzibur* for *modim*, regardless of the part of *davening* he is in the middle of. However, if one is beginning or ending *brochos* of *shemone esrai* other than the first or *modim*, he may not bow. Therefore, one would need to arrange it such that this does not happen. All of this can cause a major disruption in *kavanah*, focusing on his *tefilah*. Accordingly, it might be advantageous to say the entire thing with the *shatz*, despite the fact that he will not be able to respond certain parts.

Furthermore, some say that when one says his personal *shemone esrai* with the *shatz* he has the advantages of *tefilah betzibur*. This is contested by others. On the other hand, remaining silent and listening to the *tzibur* responding as a 'verbal response' also raises questions. Is he effectively interrupting where he may not do so? Or is this an inferior response? While not a true interruption, it would not be the preferred way to respond. Furthermore, according to some poskim, if one has the choice, it is better to wait, respond to *kedusha* and *amein* on the third *brocha*, then proceed with *shemone esrai*, trying to finish before the *shatz* says *shema kolainu*. Saying it along with the *shatz* is a last resort. Others maintain that it is ideal. For our question, let us assume that the person decides to say the entire *shemone esrai* with the *shatz*. [See Brochos 21b, Poskim. Tur, Sh. Ar. OC 52, 109:2 [MB 11 14, Dirshu 23], commentaries. Kaf Hachayim. Igros Moshe OC III:9.]

C) Nusach hatefilah

Tefilah, which in modern times refers to the *shemone esrai* or *amidah* prayer, is according to some, included in the Scriptural *mitzvah* of *avodah*, to serve Hashem. *Avoda shebalev* is service of the heart. Others maintain that it is not a specific Scriptural *mitzvah per se*, but a *mitzvah* is fulfilled with its performance. Rabbinically, the *mitzvah* applies to *davening* three times, morning afternoon and night. These Rabbinically mandated *tefilos* were initially observed by the Patriarchs. Later, they were linked to the *tamid*, daily offerings. The Talmud debates whether they were instituted by the Patriarchs or modeled on their observances. Originally, there was no formal version of the *tefilos*. There are eighteen basic subjects that were always included in the *tefilos*, but one could devise any language of his own to present his *tefilah*. Ezra and his court formalized the language of the *shemone esrai* as we know it. His court included a few prophets, and the rest had divine inspiration. Since then, one should keep to the accepted *nusach*, or version.

Originally, these formalized *tefilos* were memorized and passed down. Indeed, the

tefilos were included in those sections of ritual and law that were forbidden to record. Those who recorded them were roundly condemned. Since these recorded *tefilos* were not sanctioned, they could not be rescued if a fire broke out on *Shabbos*. Since they had holy writings, these would now be left to destruction. Sometime following the recording of Talmud Yerushalmi, the formal versions of *tefilah* began to be recorded. Due to the oral nature of the transmission, coupled with the lack of printing presses, there were variant versions, including errors. During the Gaonic period, authorized versions began to be recorded and disseminated. Some of these have survived. However, within these themselves, there are variations. Furthermore, the same authority sometimes has two versions.

By and large, the standard text of the *tefilos* is universal. However, due to the distances between communities, some differences of opinion on the meanings and the need to preserve local customs, slight variations abound. Some early authorities maintained that there were deep meanings to the words, and even to the number of words included in a particular *tefila* or *brocha*. The poskim debate whether there is any validity to this.

As a result, different communities *daven* with different *nuschaos*. Furthermore, based on the opinion that validates *kabalistic* meanings to the words and numbers, some maintain that one may, and perhaps should, try to change the *nusach*. Even these changed *nuschaos* are debated, resulting in even more variations. The poskim validate all *nuschaos*. A visitor from another community will often have a different *nusach*. When *davening* in a *shul*, one may not digress from the congregations practices, a Scripturally mandated rule to prevent divisiveness and strife. However, if he practices his own custom inconspicuously, no-one will know to cause strife. Moreover, there is a separate requirement to follow one's original 'mother' practices. Therefore, many poskim maintain that in his private *tefilah*, one should keep to his own *nusach*. When reciting those parts of *tefilah* that are heard by others, one should follow the host *nusach*.

In our case, the *shatz* is reciting the host *nusach*. The visitor is *davening* along with him, to gain the benefit of the responses. Does he need to *daven* the same *nusach*? The poskim discuss the changes in *chazaras hashatz*. The consensus is that one should say *ledor vador* with the *shatz*. *Bircas kohanim* is debated. This implies that 'word for word together with the *shatz*' is literal. However, this might apply only until the *amein* after *hakadosh*. After that, one saying along with the *shatz* could anyhow hurry to finish before the *shatz* ends *shema kolainu*, if he so wishes. Therefore, if he chooses not to hurry ahead, the main part that he should say together with him is *shomaia tefilah*. Accordingly, it would appear that he should recite the intervening parts of *shemone esrai* according to his own *nusach*. He will not be using one uniform *nusach*, but this does not invalidate his *tefilah*. [He will thus fulfill both *lo sisgodedu* and *al titosh toras imecha*.] [See Brochos 11a-b etc. Tur BY OC 68 (MA) 112 113, commentaries. References to section B.]

In conclusion, the visitor must say the same *nusach* as the *shatz* for the first three *brochos*. He should then switch to his 'mother' *nusach*.

Sponsored by 'your name here' 

© Rabbi Shimon Silver, July 2013.

Subscriptions and Sponsorships available. (412) 421-0508. halochoscope@hotmail.com