The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Monday, Feb 2, 2026 ■ ט"ו שבט, תשפ"ו
סימן נ"ג סעיף כ'-כ"ב

Overview

Siman 53 Seif 20:

If one wants to *daven* for his father and another person wants to *daven* for someone else, whoever the *tzibbur* wants will *daven* for the *amud*.

- *Davening* for the *amud* is a greater *mitzvah* than saying *kaddish*. (M.B. 59)
- One may not serve as *shaliach tzibbur* against their will. (M.B. 60)
- Although some places have a custom that mourners do not lead *davening*, those places that do not have this custom should allow mourners to *daven* for the *amud* since it provides satisfaction for the deceased and saves their soul from Gehinom. One who cannot properly pronounce the words should not *daven* for the *amud*. (M.B. 60)
- One should not argue about the fulfillment of any *mitzvah*. (M.B. 61)

Siman 53 Seif 21:

One should not appoint a *shaliach tzibbur* based on the input of a government official even if the majority of the *tzibbur* approves of his candidacy.

Siman 53 Seif 22:

A *shaliach tzibbur* who is paid is preferred to one who volunteers. A person should not *daven* for the *amud* without the approval of the *tzibbur*. One should not answer אמן to a *shaliach tzibbur* who forced his way to the *amud*.

- Even though there may be a candidate who will serve as *shaliach tzibbur* for free, the poor must also contribute to pay for the paid *shaliach tzibbur*. (M.B. 63)
- Although one should not argue about the fulfillment of a *mitzvah*, if a *mitzvah* could potentially be abandoned one should fight to be able to fulfill that *mitzvah*. (M.B. 65)

Halacha Highlight

A mourner *davening* for the *amud*

Shulchan Aruch Siman 53 Seif 20

אם אחד רוצה לומר תפלה בשביל אביו וכו'

If one person wants to recite a *tefila* for his [deceased] father etc.

Mishnah Berurah (ס"ק נ"ט) explains that when a person's parent dies he may want to serve as *shaliach tzibbur* since *davening* for the *amud* is a greater *mitzvah* than the recitation of *kaddish*. Nevertheless, a mourner cannot force the *tzibbur* to allow him to *daven*. Regarding *ma'ariv,* Mishnah Berurah (ס"ק ס"א) writes that since it corresponds to the burning of the fats and limbs from *korbanos* and does not correspond to an actual *korban,* it may be that the *tzibbur* cannot prevent a mourner from serving as *shaliach tzibbur* since it is a *mitzvah* for a mourner to *daven* for the *amud*. Nevertheless, he writes in the name of Pri Megadim that one should not fight over any *mitzvah* with the *tzibbur*. Although there are *Poskim* who maintain that under certain circumstances one may fight for the right to fulfill a *mitzvah* it is evident from Mishnah Berurah that this is not the correct approach. Kaf HaChaim (ס"ק צ"ו) writes, for example, that if two people have *yahrtzeit* they should not fight with one another about who will *daven* for the *amud* and one's silence in such a circumstance is the reward and honor due to the deceased parent.

Sefer Chesed La'Alafim (מובא בפסקי תשובות אות כ"א הע' 177) writes that a mourner or someone observing a *yahrtzeit* who knows that he does not *daven* properly, either because he gets nervous *davening* out loud or he has a hard time pronouncing the words or slurs some of his words should not *daven* for the *amud*. For this reason Mishnah Berura (סק"ס) mentions that there are places that never allow a mourner to *daven* for the *amud* in order to avoid allowing some people to *daven* and having to tell others that they may not *daven* for the *amud*. Chesed La'Alafim writes that those who stubbornly *daven* for the *amud* when they should not cause a נגע to the soul of the deceased for whom they *davened* rather than the ענג that they sought.

Stories to Share

Two Mourners

מ"ב ס' נ"ג, ס"ק ס': "נדחה האבל מהתפלה מחמת המוהל..."

In one community a certain man lost his father. Since there was no set chazzan, he began to daven for his father every minyan of each day. After he served several months as chazzan, another person in the town lost a close relative. Although that man used to daven in the other shul in town, that shul had a regular chazzazn and did not allow mourners to daven for the amud. Immediately after the shivah, the second avel began to attend the first shul and requested equal rights to daven for the amud. When the other mourner politely pointed out that he had a chazakah, the new member of shul gently objected.

"How can you say that you have first rights if the halachah is that in certain circumstances others daven for the amud despite your 'chazakah'? In siman 53, seif katan 70 the Mishnah Beruah rules that if a mohel were to daven here on the day he is performing a bris he would have first rights over an avel in his year of mourning. So why shouldn't I have equal rights?"

When the first avel pointed out that the newcomer wasn't a regular member of the shul, he discounted this as well. "From now on, I am planning to daven here, even after my year of mourning is over. So why shouldn't I have equal rights to daven for the amud?"

Rav Yosef Shalom Elyashiv, zt"l, ruled that the second mourner was correct. "If one mourner has been davening for the amud, even for several months, and then a second man becomes a mourner he has the same status as the first man. Even if he never used to daven in the shul in which he wishes to daven for the amud, if he has decided to continue to daven there after his period of mourning, he has the same rights as a mourner who always davened in the shul."

תפילה כהלכתה, פכ"ד, הערה קצ"ד