



Halacha Highlight

Making up a missing *tefila*

Shulchan Aruch Siman 108 Seif 1
הראשונה מנחה והשנייה לתשלומין

The first *tefila* is *mincha* and the second is the make-up

Shulchan Aruch (סי"ח סעי' א') teaches that one who did not *daven shacharis* may make up that *tefila* by *davening* two *tefilos* at *mincha*, the first *tefila* counts towards one's obligation to *daven mincha* and the second *tefila* is the make-up *tefila*. Different reasons are given for why it is the second *tefila* that is the make-up *tefila*. Levush writes that it is based on the principle *—when one has a two mitzvos to perform and one occurs with greater frequency one should first fulfill the mitzvah that occurs with greater frequency.* As such the *tefila* that one is currently obligated to *daven* is considered to occur more frequently than the *tefila* that is being made up. Taz (סק"י) writes that it is based on the principle that a mitzvah performed in its correct time is considered more precious. Mishnah Berurah (סק"ו) explains simply that one must first *daven* the *tefila* that is obligatory now before the make-up *tefila* whose obligation was in the past.

If someone did not *daven shacharis* and when the time for *mincha* arrives he only has time to *daven* a single *tefilla*, Tzlach (ברכות כ"ו:) rules that he should *daven* the missing *shacharis*. He explains that in accordance with Levush that the reason *mincha* is *davened* before the make-up for *shacharis* is based on the principle of *תדיר*. That principle is in force when the question is which *mitzvah* or *tefila* should be performed or *davened* first. In the event that one *mitzvah* or *tefila* will push aside the second the principle of *תדיר* does not apply. As such it would make sense to *daven* the *tefila* for *shacharis* since the soon to be missed *mincha* could be made up at *ma'ariv*. According to Taz, on the other hand, even when one will only be able to *daven* one *tefila* priority should be given to *mincha* due to the principle that a *mitzvah* performed in its correct time is more precious.

Stories to Share

Out of Order

ש"ע, ס' ק"ח, ב': "מתפלל ערבית שתיים..."

A certain person fell asleep Shabbos afternoon. When he awoke several hours later it was fully nightfall. He had missed not only the third meal of Shabbos, but also minchah on Shabbos afternoon. He davened the evening prayer twice, the first for *ma'ariv* and the second to make up the minchah he had missed. Unfortunately, he forgot atah chonantanu in both cases and, being hungry, he ate before havdalah.

The halachah is that one who eats before at least saying boruch hamavdil bein kodesh l'chol or atah chonantanu on motzei Shabbos has a special fine: he must repeat his *ma'ariv shemonah esrei*. But this hapless man wondered if he should also repeat his second *shemonah esrei* that he had said to make up minchah.

When he asked the Ben Ish Chai, zt"l, he explained that from the halachah brought in our daf we see that he must repeat both amidos. "We find that, according to Rabbi Yehudah, if any of the avodos in the kodesh hako-dashim done in white garments are done out of order, they do not atone.

"This is exactly the same as your question, since one may not daven the tashlumin before the chovah. By eating before any havdalah you lost your chovah and the tashlumin is also invalid. You must therefore daven both prayers again, first the chovah and then the tashlumin.

"But since there is some indication that the Yerushalmi does not agree with the Bavli on this—although this can be explained—it is better to daven the tashlumin with a condition. You must say to yourself: 'If I am obligated to re-daven the tashlumin I am saying this second shemonah esrei to discharge my obligation. And if not, I am saying it as a *tefila nedavah*.'" שו"ת תורה לשמה, ס' י"ח

Overview

Siman 107 Seif 3:

The *tzibbur* never *davens* a voluntary *tefila*.

Siman 107 Seif 4:

One who wants to *daven* a voluntary *tefila* must be certain that he is capable of concentrating on his *tefila* from the beginning until the end but if he will not be able to focus properly we apply the *pasuk* that states, "Why do I need all of your *korbanos*?" and if only people would concentrate on the three *tefilos* they are obligated to *daven* every day.

Siman 108 Seif 1:

If one erred or experienced an *ones* and did not *daven shacharis* he should *daven* twice at *mincha*, the first *tefila* is *mincha* and the second *tefila* is the make-up. If he reversed the order he does not fulfill his obligation to *daven* a make-up and he must repeat it. The same *halacha* applies any time one is required to *daven* a make-up *tefila*.

- ❖ One who did not *daven* because he could not focus is considered as *ones* and may make-up the missing *tefila* even though he should not have skipped davening. (M.B. 1)
- ❖ Someone who was involved in communal matters and as a result missed a *tefila* should make up the missing *tefila* but it should be a voluntary *tefila* and he should add something to the *tefila*. (M.B. 2)
- ❖ One who serves as *shaliach tzibbur* fulfills his obligation to make up a *tefila* with *chazaras hashatz* and he should have in mind that it is a make-up *tefila* and to discharge the obligation of those who cannot daven on their own. (M.B. 4)
- ❖ Listening to *chazaras hashatz* is not considered a make-up, however, b'dieved he will fulfill his obligation if it is for a missing *ma'ariv*. (M.B. 5)
- ❖ If one intended that the first beracha would be the make-up he does not fulfill his obligation. According to some authorities one is not required to *daven* again unless he stated explicitly that the second *tefila* would count towards his obligation and that the first *tefila* is the make-up. Later authorities follow Shulchan Aruch's position. (M.B. 7)
- ❖ If one made an error in the obligatory *tefila* that requires him to *daven* again he is not required to repeat the make-up *tefila* as well. Magen Giborim writes that if he did not have in mind explicitly that the second *tefila* is voluntary it is better to count the second *tefila* as his obligatory *tefila* and then next one will count as his make-up. (M.B. 9)

Siman 108 Seif 2:

If one erred and did not *daven mincha* he should *daven ma'ariv* twice, the first is for *ma'ariv* and the second is the make-up. If one erred and did not *daven ma'ariv* he should *daven shacharis* twice, the first is for *shacharis* and the second is the make-up. After he *davens yotzer* and *shemone esrei* he should recite *ashrei* and then *daven* another *shemone esrei* as a make-up for *ma'ariv*. (Similarly, when a person *davens ma'ariv* twice because he did not *daven mincha* he should recite *ashrei* between the first *tefila* and the second *tefila*.)

- ❖ It is prohibited to eat before the second *tefila*. There is a dispute whether one is required to stop if he already started eating. (M.B. 10)
- ❖ The voluntary *tefila* should be said while involved in one's obligatory *tefila* but it is permitted to listen to *chazaras hashatz* in between the two *tefilos*. (M.B. 11)
- ❖ *Tachanun* should also be recited before the voluntary *shemone esrei* since one should not interrupt between *shemone esrei* and *tachanun*. (M.B. 12)
- ❖ Later authorities concur that one who is *davening mincha* twice should recite *ashrei* before the second *tefila*. This represents one's *l'chatchila* obligation but all that is required is to pause the amount of time it takes to walk four *amos*. (M.B. 13)
- ❖ Some authorities maintain that one should not recite *ashrei* at night and others are not particular about that. All opinions agree that *ashrei* could be recited during the day even though it is after *mincha*, therefore one who arrives late should *daven shemone esrei* with the *tzibbur* and make up *ashrei* afterwards. Magen Avrohom suggests that even in this case *ashrei* should be read as though one is reading from the Torah. (M.B. 14)