



The Chicago Center
for Jewish Learning

Overview

Siman 109 Seif 1:

If one enters the Bais HaKnesses and finds the *tzibbur* davening, if one will be able to start and finish before the *tzibbur* reaches *kedusha* or *kaddish* he should *daven*. The same *halacha* of *kaddish* and *kedusha* applies to answering *אמן* or *הא-ל הקדוש* or *שומע תפלה*. If he will not finish he should not *daven* unless the time for *davening* will pass. If one entered after *kedusha* and he can start and finish before the *tzibbur* reaches *modim* he should *daven* but if not he should not *daven*. Similarly, if he will reach *modim* or one of the other *berachos* that involve bowing when the *shaliach tzibbur* reaches *modim* he may *daven*. If one must start *davening* so that he could juxtapose *גאולה* and he finds himself in the middle of one of the *berachos* at the time the *shaliach tzibbur* reaches *modim* he should bow with him but if he is at the beginning or end of a *beracha* he should not bow since we do not bow at the beginning or end of a *beracha* other than for *אבות* and *הודאה*.

- ❖ If one would prefer to *daven* outside of the Bais HaKnesses so that he should not have to wait he may do so. (M.B. 1)
- ❖ The *seif* refers to *mincha* but the same *halacha* applies to *shacharis*. Therefore, if one is reading *shema* and its *berachos* when the *tzibbur* reaches *shemone esrei* and he will be able to finish until *א-לקי נצח* before the *tzibbur* reaches *kedusha* he should *daven* but if not he should wait at *שירה חדשה*. (M.B. 2)
- ❖ *יהא שמיא רבא* is more important than *kedusha* so if they are ever in conflict one should give precedence to *יהא שמיא רבא*. *Kedusha* is more important than *מודים* so if they are ever in conflict one should give precedence to *kedusha*. *אמן יהא שמיא רבא* is also more important than *מודים* and *tefila b'tzibbur*. (M.B. 4)
- ❖ If one did not yet answer *ברכו* and if he begins *shemone esrei* he will miss *ברכו* he should wait at *שירה חדשה* to answer *ברכו* before beginning *shemone esrei*. If he already heard *kedusha* or *ברכו* or knows that he will hear it later he does not have to wait but for *מודים* he is required to wait so that he should not give the appearance that he rejects what the *tzibbur* is doing. There is a disagreement whether one is required to wait for *kaddish* even if he already heard *kaddish*. (M.B. 5)
- ❖ It does not matter that one will not be able to answer *מודים* with the *tzibbur* as long as one bows with them. One should make an attempt to recite *שומע תפלה* with the *shaliach tzibbur*. (M.B. 8)
- ❖ One bows so that he should not appear as though he rejects what the *tzibbur* is doing, nevertheless, if it is not necessary for one to begin immediately he may not start *shemone esrei* with the intent to bow for *modim* in the middle. (M.B. 10)

Stories to Share

A Different Pace

ש"ע ס' ק"ט, א': "הנכנס לבית הכנסת ומצא ציבור מתפללים אם יכול להתחיל ולגמור" One who davens at a slower pace than the minyan they are davening in can sometimes have trouble. In a big city, one can often find (or start) a minyan that davens slower, but what is one to do if he lives in a place with only one minyan?

Some people deal with the problem of beginning *shemoneh esrei* together with the minyan in this case by starting davening early. While,

Halacha Highlight

One who arrives late to *shul*

Shulchan Aruch Siman 109 Seif 1

הנכנס לבית הכנסת ומצא ציבור מתפללים

One who enters the Bais HaKnesses and discovers the *tzibbur* davening

Shulchan Aruch (סעי' א') teaches that one who walks into *shul* and finds that the *tzibbur* is already *davening* must calculate whether he will be able to *daven shemone esrei* and still be able to answer *kedusha* and *kaddish* or not. If he will be able to respond he may *daven* but if he will not be able to respond he must wait to respond to *kaddish* and *kedusha* before beginning *shemone esrei*. Biur Halacha (ד"ה הנכנס לבית הכנסת) raises the following question. If a person *davens* slowly and even if he starts with the *tzibbur* he will not finish in time to answer *kedusha*, is he permitted to begin *davening* with everyone else or is he obligated to wait to answer *kedusha* before he starts *shemone esrei*?

Aruch HaShulchan (סעי' ה') rules that one is not required to wait until after answering *kedusha* to begin *shemone esrei*. His reasoning is that it is illogical that he should regularly miss *tefila b'tzibbur* so that he should be able to answer *kedusha*. Teshuvos Mishnah Halachos (ח"ה סי' כ"ז) also ruled that he may start his *shemone esrei* together with the *tzibbur* and explained that right now he has an obligation to *daven* with the *tzibbur*. It does not seem logical that one should push aside his immediate obligation to *daven* with the *tzibbur* for *kedusha* whose obligation does not begin until later.

Sefer Piskei Teshuvos (אות א') takes note of the fact that despite the position maintained by many *Poskim*, common custom seems to accept the fact that people begin their private *shemone esrei* when the *tzibbur* is already in the middle of the silent *shemone esrei* even though they know that they will not complete their *shemone esrei* in time to be able to answer *kedusha*. He records a justification for this practice that indicates that as long as a person began *davening* with the *tzibbur* but fell behind due to his better concentration he may begin his *shemone esrei* immediately and is not required to wait to be able to answer *kedusha*. Shulchan Aruch, on the other hand, refers to someone who came to *shul* late and such a person must wait to be able to answer *kedusha* before he begins his *shemone esrei*.

since his *shemoneh esrei* is also slower, he may miss *kedushah* and the like, at least he is able to *daven* with a minyan. One man arrived early at minyan every day so as not to rush his *davening*. One morning he had an *ones* and arrived at *shul* as the minyan was close to starting. He did his best to rush, but only got to *shemoneh esrei* way after the community had already begun. He wondered whether he was permitted to begin davening. After all, as we find on today's amud, the Mishnah Berurah rules that one should not begin davening unless he is certain that he can make *kadish* with the chazzan.

When this question reached Rav Yosef Shalom Eliyashiv, zt"l, he ruled that the man was permitted to begin *shemoneh esrei* immediately. "The Mishnah Berurah is only discussing one who, if he begins with the chazzan, will recite *kaddish*. A person who will not make *kaddish* even if he starts with the chazzan is permitted to begin his *shemoneh esrei* after the community has begun theirs."

קונטרס הלכות תפילה, סמ"ז