

Overview

Siman 131 Seif 2:

"Falling on one's face" should be performed while sitting rather than while standing. Some maintain that "falling on one's face" is only recited when there is an *aron* and *sefer Torah* but in their absence the supplication is recited without covering one's face and this is our custom. One "falls on his face" if he is in the courtyard of the *Bais HaKnesses* that opens to the *Bais HaKnesses* or if one *davens*, even in his house, at the same time the *tzibbur* is *davening*.

- ❖ Rivash maintains that one is not required to sit and when necessary one could follow that opinion, e.g. if the person standing behind you is still reciting *she-mone esrei*. (M.B. 10)
- ❖ There is a disagreement whether one recites *tachanun* if there are other *sefarim* present but no *sefer Torah*. (M.B. 11)
- ❖ Rema refers to where one could see from the courtyard the *aron kodesh*. *Davening* in the women's section requires "falling on one's face" since one can see the *aron kodesh* from the women's section. (M.B. 13)
- ❖ The implication is that even if one's home is far from the *Bais HaKnesses* he may "fall on his face" if he *davens* at the same time as the *tzibbur*. (M.B. 14)
- ❖ This applies when the *tzibbur* is also reciting *tachanun* at that same time. (M.B. 15)

Siman 131 Seif 3:

"Falling on one's face" is not recited at night. In the latter part of the night it is permitted for one to "fall on his face" since it is close to daytime.

- ❖ The reason *tachanun* is not recited at night is based on kabbalistic principles. (M.B. 16)
- ❖ If *mincha* extends into the night *tachanun* should not be recited but during *bein hashemashos* the custom is to recite it. On days when *מלכנו* is recited one may skip *מלכנו* to be able to say *tachanun* during the day. (M.B. 17)

Halacha Highlight

Reciting *tachanun* without a *sefer Torah*

Rema Siman 131 Seif 2
דאין נפילת אפים אלא במקום שיש ארון וספר תורה בתוכה
One does not "fall on his face" except in a place that has an *aron* that contains a *sefer Torah*

Rema (סעי' ב') reports that there are authorities who maintain that one does not "fall on his face" when reciting *tachanun* if there is no *aron kodesh* that contains a *Sefer Torah*. In such a place *tachanun* should be recited without covering one's face and then he relates that this is the custom. Mishnah Berurah (ס"ק י"א) explains that this custom is based on a *pasuk* in Sefer Yehoshua that indicates that falling on one's face in prayer is done when one is before the *aron* of Hashem. Rav Yechiel Michel Tikochinsky (ספר ארץ ישראל סי' א' סעי' ט') writes that the custom in Yerushalayim is that one "falls on his face" even in the absence of a *sefer Torah*. His reasoning is that all of Yerushalayim is considered "before Hashem." Rav Moshe Feinstein adds that since the custom in Yerushalayim is based on the fact that they are considered "before Hashem" anyone who *davens* in Yerushalayim is expected to follow this practice and one's practice is not dictated by his normal custom. Rav Shlomo Zalman Auerbach (אשי ישראל פכ"ה העי' ל"ט) notes that according to this explanation the custom should only be in force in the Old City of Yerushalayim since that area contains the sanctity of Yerushalayim. He admits, however, that the custom is to "fall on one's face" for *tachanun* even in the absence of a *sefer Torah* in all of Yerushalayim (מ"ב הוצאת דרשו מס' 8).

Mishnah Berurah (ס"ק י"א) records a dispute whether one should "fall on his face" when reciting *tachanun* in the absence of a *sefer Torah* but in the presence of other *sifrei kodesh*. *Poskim* take a lenient approach to this issue and permit "falling on one's face" not only when there are only *sifrei kodesh* present but even when there is only an invalid *sefer Torah* present. Similarly, *Poskim* permit the *tzibbur* to "fall on their face" when reciting *tachanun* in a place where there is an *aron kodesh* but the *sefer Torah* is only brought to the *Bais HaKnesses* on days when the Torah is read (פסקי תשובות אות י').