The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקס"ו סעיף ג'-ח'

Overview

Siman 566 Seif 3:

The *shaliach tzibbur* does not recite עננו as an independent *beracha* unless there are ten people in *shul* who are fasting. Even if there are ten people in town who are fasting, since there are not ten people in the *bais haknesses* fasting, it is not recited.

- It should be recited in שומע תפלה like any other individual since it is not a communal fast. (M.B. 13)
- When a communal fast falls on Monday or Thursday they may read ויחל if they have at least six people fasting but for *mincha* it is essential to have ten people fasting. Some maintain that on the 4 fasts, since they originate with the *Nevi'im* even if there are only seven people fasting and the others are too ill to fast they may recite עננו and read ויחל. (M.B. 14)

Siman 566 Seif 4:

The custom is to increase *selichos* in the *beracha* of סלח לנו. Some do not have the custom to recite *selichos* until after the completion of *shemone esrei* and this is the custom that ancient authorities promoted in Eretz Yisroel and it is the proper custom.

Siman 566 Seif 5:

On a communal fast if the *shaliach tzibbur* is not fasting he should not lead *davening*.

- If he does serve as *shaliach tzibbur* he should recite עננו ביום צום התענית הזה in שומע תפלה and *if* there is no one else who can serve as *shaliach tzibbur* one who is not fasting may do so rather than skip *kaddish, kedusha* and *borchu*. (M.B. 18)

Siman 566 Seif 6:

There is an opinion that maintains that on a communal fast one may not call to read from the Torah someone who is not fasting. If the *kohen* is not fasting he should exit the *bais haknesses* and a *yisroel* who is fasting should read from the Torah.

- Magen Avrohom asserts that this *halacha* is limited to *mincha* or when the fast falls on days other than Monday and Thursday. Other authorities question this and *b'dieved* if one was called to the Torah all opinions agree that he should go. (M.B. 19)
- The same is true if he does not intend to complete the fast. (M.B. 20)
- If he doesn't want to leave, a *yisroel* may be called since no one will question the *kohen's* lilneage. However, regarding fast days recorded in Tanach if he does not receive an *Aliyah* it would raise a question concerning his lineage, therefore, he must exit. If there is another *kohen* he does not have to exit but should inform the *gabbai* that he is not fasting. If someone who is not fasting was called to the Torah during *mincha* there is a debate whether he may take the *Aliyah*, therefore, he should make sure not to be present. (M.B. 21)

Halacha Highlight

Giving *kibbudim* to people who are not fasting

Shulchan Aruch Siman 566 Seif 6

מי שלא התענה

Someone who is not fasting

Shulchan Aruch (סע' ו') presents a position that maintains that one should not rise to read from the Torah if he is not fasting. Mishnah Beruah (ס"ק י"ט) references authorities who question this ruling and concludes that *b'dieved* if someone who is not fasting is called to the Torah it is permitted for him to go and read. Magen Avrohom asserts that the restriction against calling someone who is not fasting to read from the Torah applies when reading the Torah during *mincha,* but when reading the Torah on Monday and Thursday, since there would have been Torah reading even if it was not a fast day, someone who is not fasting may receive an *Aliyah*. Even though we push aside the reading of the *parsha* to read ויחל, nevertheless, since they would anyways read the Torah, it is permitted for one who is not fasting to receive an *Aliyah*.

Teshuvas Be'er Esek (סי' כ"א) rules that a *ba'al koreh* who is not fasting may not read from the Torah. The reason is that since he is not fasting he is categorized as one who is not obligated in the reading and as such he may not read to discharge the obligation of those who are obligated to read. Rav Yaakov Emden (סידור בית יעקב דיני מנחה יום כפור אות ה') and Sha'arei Rachamim (על השערי אפרים שער ח' ס"ק ס"ד) add that even if the person who will read in place of the regular *ba'al koreh* is not as skilled and is not as precise in his reading or the tune, nevertheless, it is better for him to read than for the *ba'al korah* to read if he is not fasting. *Poskim* debate whether one who is not fasting may be called for *hagbah* or *gelilah*. Mateh Ephraim (סי' תר"ב סע' ט"ו) permits it whereas Aruch HaShulchan (סי' קל"ה סע' י"ד) writes that someone who is not fasting should not be assigned these honors.

Siman 566 Seif 7:

On a communal fast, two people should stand next to the *shaliach tzibbur*, one on each side, so that they could recite *selichos* with him.

- Authorities write that nowadays we do not have this custom since everyone recites *selichos* by themselves with the *shaliach tzibbur*. (M.B. 22)

Siman 566 Seif 8:

There is *birkas kohanim* during *mincha* on every communal fast except for Yom Kippur. In these countries *birkas kohanim* is only recited during *mussaf* on Yom Tov as was explained in *hilchos nesi'as kapayim*.

- The *halacha* is still significant as far as the recitation of the paragraph of *birkas kohanim* by the *shaliach tzibbur*. (M.B. 23)