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# PARSHA ENCOUNTERS

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Parshas Vayikra ✍️ Rabbi Dovid Rifkind

## Derech Eretz Kodma Latorah

**T**he Medrash discusses a lesson to be learned from the first 3 words of Sefer Vayikra, "*vayikra el Moshe.*" "*From here our chachamim say that if a talmid chacham doesn't have da'as, a neveila is better than him. Come and learn from Moshe, the father of chochma, the father of nevi'im, who took the Bnei Yisroel out of Mitzrayim and through his hand many miracles were performed at the Yam Suf, and he went to the heavens and brought down the Torah, and he was involved with the work of the Mishkan. Yet still he didn't enter until he was called as it says, 'vayikra el Moshe.'*" This medrash teaches how integral proper derech erez is to being a talmid chacham.

R' Aharon Kotler zt"l takes this concept a step further. He points out that derech erez kodma latorah doesn't merely mean that derech erez is something that one is obligated to work on prior to learning Torah. Rather, explains R' Aharon, that without proper middos all of his Torah study is flawed. Furthermore the person's essence- his nefesh hachiyonis- is devalued. This is what chazal mean when they say that a neveilah-a carcass- is better than him.

This can be explained with the well known opinion of R' Chaim Vital as to why there are no explicit mitzvos in the Torah which deal with tikkun hamiddos-refining ones character. He explains that this is because proper middos must precede the Torah, for they are in fact the foundation upon which the Torah is built. Torah without the proper focus on middos is akin to building a large edifice without sufficient attention to the quality of the foundation.

R' Aharon explains the mishna in avos, (3:14) "Chaviv adam shenivra b' tzelem elokim... Chavivin Yisroel shenikriu banim lamakom." "Precious is man who was created in the image of Hashem etc. Precious are the Bnei Yisroel that are called children of Hashem." R' Aharon explains that every person -Jew

and non Jew- has the distinction of being a tzelem elokim. Jews have the additional distinction of being called "banim lamakom". If one lacks derech erez, this detracts from the connection he has to Hashem on the elementary level of tzelem elokim. This then automatically weakens his higher connection to Hashem that we, as Bnei Yisroel, are privileged to have - that of banim lamakom.

There are many reasons for the small alef in the word "vayikra" which begins this parsha. The Baal Haturim explains that Moshe Rabbeinu wanted to write the word "vayikar", which is the word used when Hashem spoke to Bilaam, which connotes a chance, one time meeting. Hashem insisted that the word be written with an alef which would portray the true manner in which He appeared to Moshe, but He agreed that Moshe could write the alef small. This is another example of the middos of Moshe- he was an anav mikol adam.

It is customary in many places that when children begin learning chumash, they begin with Parshas Vayikra. The lesson of the centrality of middos tovos is certainly one which should be conveyed to our children, but we mustn't make the mistake of thinking that this message is only for them. R' Aharon points out that it's no coincidence that the midrash quoted above said, "*if a talmid chacham doesn't have da'as, a neveila is better than him.*" Middos tovos are crucial to all Jews, but for those involved in Torah, the chilul Hashem which results when their middos and derech erez are not up to par, earns them the unfortunate title of *neveila tova heimenu*.

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# HALACHA ENCOUNTERS

## Davening with the Tzibur When you are a Step Behind

Rabbi Ephraim Friedman

**A**s is true in most areas of Judaism, one who enters a shul to daven with the tzibur must be aware of certain “rules” in order to fulfill his obligations properly and to take full advantage of the opportunities open to him. In particular, one who arrives late or davens slower than the tzibur, must be familiar with some basic halachos governing these situations. I would like to use this article to help familiarize the readers with some of the halachas of these situations, as they are found in Shulchan Aruch Orach Chaim 109.

**GENERAL PRINCIPLE:** When davening in the presence of a minyan, one is not permitted to begin Shmoneh Esrei if by doing so he will not be finished (i.e. he will not have reached “Elokay N'tzor”) in time to join the tzibur in responding to devorim shebikedusha.

**EXCEPTION:** This rule does not apply when one begins Shmoneh Esrei together with the tzibur.

### DETAILS:

- One who is davening Shacharis with a minyan and finds himself trailing behind so that when he is ready to begin Shmoneh Esrei the tzibur has already begun, must take the following halachos into consideration. If he is starting late enough that he will not complete Shmoneh Esrei before the shaliach tzibur reaches Kedusha in chazaras hashatz, he may not begin. The following options are open to him.

**Option #1** – To wait at the words “Shira Chadasha” and participate in the recital of Kedusha by reciting the pasuk “Kadosh Kadosh Kadosh...” the pasuk “Baruch Kvod Hashem Mimkomo” and the Amen at the end of “HaKail HaKadosh”. At that point he may (theoretically) start Shmoneh Esrei, but **only** if he will complete it before the shaliach tzibur reaches the brocho “Shomea Tefillah”. The recital of Amen at the conclusion of that brocha is also considered amongst the devorim shebikedusha. In most cases it will not be possible and certainly not recommended, for the individual to daven an entire Shmoneh Esrei between “HaKail HaKadosh” and Shomea Tefillah” of the shaliach tzibur. If he would instead wait until after answering amen to “Shomea Tefillah” he would still not be allowed to begin Shmoneh Esrei until after bowing with the tzibur at Modim (as well as reciting the first three words “Modim Anachnu Lach”), and even then he would not be allowed to begin if this would mean being unable to respond to Kadish or Borchu (e.g. at Krias HaTorah). In short, waiting at Shira Chadasha would involve an awfully long wait – possibly till the minyan finishes davening. This option is therefore not extremely practical.

**Option #2** – To leave the room in which the minyan is davening and continue davening in a side room. By exercising this option, he would not be required to wait, but he would of course miss out on answering to Kedushah etc. (see Mishna Brura 109:1)

**Option #3** – The most practical option which is halachically correct is to wait at Shira Chadasha until the shaliach tzibur is about ready to begin chazaras hashatz and at that point to continue till “Go-al Yisroel” and then begin the silent Shmoneh Esrei as the shaliach tzibur begins chazaras hashatz. Upon reaching “Mechaye HaMeisim” the individual would then recite Kedusha along with the shaliach tzibur word for word, including “L'Dor Vador...” at a nusach Ashkenaz minyan. After completing Kedusha, while the individual is not

required to daven word for word with the shaliach tzibur, he must continue to daven at a similar pace in order to complete the brocha Shomea Tefillah simultaneously and to reach Modim together. After bowing together at Modim, the individual is free to complete Shmoneh Esrei at his own pace, taking care to be finished in time to answer to the first Kadish which will follow. [Note: The Aruch Hashulchan 109:11 suggests that this individual should recite “Elokeinu V'Ailokei Avoseinu Borchainu...” together with the shaliach tzibur. The Mishna Berura, however, makes no mention of this. See also Eshai Yisroel Chapter 33 Note 24. On a public fast day, the individual should not recite the brocha “Aneinu” together with the shaliach tzibur. M.B. 109:11]

- At Mincha and Maariv as well one is not allowed to begin Shmoneh Esrei later than the shaliach tzibur if this will result in his missing out on answering to any devorim shebikedusha. With regard to Mincha it would be acceptable to follow option #3 above and daven together with the shaliach tzibur. However, the following point must be considered. According to a number of Gedolei haPoskim, amongst them HaGaon Rav Moshe Feinstein zt”l (Igros Moshe O.C. 3:9), one who davens along with the shaliach tzibur is not credited with the mitzvah of tefillah bitzibur. Therefore, although one would not be in violation of the halacha if he were to exercise this option, an even better choice for one who came late to Mincha would be to find a different minyan davening later, as long as the hour permits it.
- At Maariv where there is no chazaras hashatz, one who is late in starting Shmoneh Esrei and could not finish before the shaliach tzibur recites Kadish would have no option (other than leaving the room) but to wait until after answering to Kadish following “Aleinu” and then daven Shmoneh Esrei. It should be noted, however that one is permitted to skip “Boruch Hashem L'Olam...” in order to catch up and begin Shmoneh Esrei with the tzibur. After davening, he should recite Boruch Hashem L'Olam but omit the last line (i.e. the concluding brocha). [M.B. 236:11]. One, who is very late to Maariv and has no other minyan available, may skip everything up to Shmoneh Esrei in order to daven together with the tzibur. Afterwards he must of course recite Krias Shema and the brachos he skipped omitting, once again, the concluding bracha of Boruch Hashem L'Olam. [O.C. 326:3 and M.B. 12]

Three final points remain to be clarified.

- We indicated above that one who is beginning Shmoneh Esrei **together** with the tzibur is entitled to do so even if he does not anticipate finishing in time to answer to Kedusha or Kadish etc. Sefer Avnei Yushfai (Chapter 6 note24) quotes HaGaon Rav Elyashiv shlita as ruling that as long as you assess that the tzibur is still holding in the first brocha (before “Magen Avraham”) starting then is defined as together with the tzibur and is permissible.
- If one is holding in the paragraph “Elokay N'tzor” when devorim shebikedusha are being recited, it is permissible for him to respond in the same manner as one who is waiting at Shira Chadasha (see above). However, he should first recite the Pasuk “Yihiyu L'Rotzone...” if he did not do so before beginning Elokay N'tzor. Even better would be to abridge Elokay N'tzor and take three steps back before responding. See Shulchan Aruch O.C. Siman 122:1 and the Mishna Berura's commentary for full details.
- One need not be concerned about missing Kedusha or Borchu as a result of davening Shmoneh Esrei if he had, or will have, another opportunity that morning to respond to Kedusha or Borchu. (see Mishna Berura 109:5 for details)

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