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Making Up a T'fila with No Net Gain

Question: Consider the following scenario. Someone davened on Rosh Chodesh and left out YA'ALEH V'YAVO. He resolved the omission by repeating Amida. However, this time he forgot to say V'TEIN TAL UMATAR (when we've already started saying it). I heard that he does not have to say the Amida a third time because, all in all, he said all the necessary elements. Is the same true in the opposite case – if he left out V'TEIN TAL UMATAR in the first t'fila and forgot YA'ALEH V'YAVO in the second one – or is leaving out V'TEIN TAL UMATAR worse? Also, what happens if one left out V'TEIN TAL UMATAR at Friday Mincha? Should he daven an extra Amida of Ma'ariv to make up for the invalid Mincha? Or do we assume that since we do not say V'TEIN TAL U'MATAR on Shabbat, one gains nothing by doing that?

Answer: We will start with a discussion that is connected to your cases. If one forgot to daven Mincha, he davens the Amida of the following Ma'ariv twice, with the second one being a makeup for the missed tefilla.¹ This is also the halacha if the missed t'fila was the full Mincha of Erev Shabbat and the t'fila of Ma'ariv is the shortened version of Shabbat. Although both of the Ma'ariv Amida t'filot that he is going to daven are of Shabbat, the second still makes up for the missed Mincha.²

However, the matter is more complicated in a situation in which one actually davened Mincha of Rosh Chodesh but forgot Ya'aleh v'Yavo, and the next Ma'ariv is after Rosh Chodesh, which, of course, does not include Ya'aleh v'Yavo. The Tur³ cites a machloket Rishonim whether he should recite a second Amida at Ma'ariv to make up for the insufficient Mincha. The Tur and the Shulchan Aruch⁴ rule that due to the doubt regarding which opinion to follow, one should say the second Amida with the intention that, if it is not required, it should be considered a T'FILAT N'DAVA (voluntary prayer).⁵ Accordingly, if one omitted Ya'aleh v'Yavo on Friday afternoon and this

¹. Shulchan Aruch, Orach Chayim 108:2.

². See Shulchan Aruch, Orach Chayim 108:9.

³. Orach Chayim 108.

⁴. Orach Chayim 108:11.

⁵. See Mishna Berura 108:33.

question arises at the time of Ma'ariv of Shabbat, one does not recite a double t'fila, because T'FILOT N'DAVA are not said on Shabbat.⁶

The conceptual issue behind this machloket relates to the status of a t'fila in which a crucial section was omitted. That is, when one leaves out a necessary section of the Amida, is it considered a valid t'fila, just that it was missing an element that needs to be made up - or - is it considered an invalid t'fila? If the lacking Amida is a valid t'fila, then there is no point in making up the Amida if the omitted sections will not be added. If, however, the lacking Amida is considered invalid, it should be made up regardless.

Rav Tzvi Pesach Frank⁷ connects this machloket to your first two cases, in which one omitted Ya'aleh v'Yavo and then V'TEIN TAL UMATAR and the reverse, without distinguishing between the cases. According to the opinion that a t'fila with an important omission is still considered a t'fila, but one repeats it in order to provide a framework in which to insert the omission, then between the two t'filot that the person recited, he said everything necessary. If, however,

the lacking Amida is not considered a t'fila at all, then each of the attempts was useless and a third Amida is necessary.

As mentioned, this point is subject to a machloket that is not conclusively decided. Contemporary sefarim dispute whether a third Amida as a t'filat n'dava is proper,⁸ optional,⁹ or best avoided.¹⁰ We believe that it is proper.

Rav Chaim of Brisk is widely cited¹¹ as distinguishing between a case of forgetting Ya'aleh v'Yavo and one of forgetting V'tein Tal uMatar. Ya'aleh v'Yavo is an addition, whereas TAL UMATAR is part and parcel of the t'fila's format. Thus, if V'TEIN TAL UMATAR is omitted, it is as if that t'fila was not recited at all, and a third t'fila is needed to fix the t'fila that was valid in some ways but was lacking Ya'aleh v'Yavo. The order of omission (i.e., whether he first omitted TAL UMATAR or first omitted Ya'aleh v'Yavo) should not make a difference; either way, according to Rav Chaim, the t'fila missing TAL UMATAR was ineffective and cannot validate the Ya'aleh v'Yavo recited in that t'fila.

⁶. Ibid. 36.

⁷. *Har Tzvi*, *Orach Chayim* I:54.

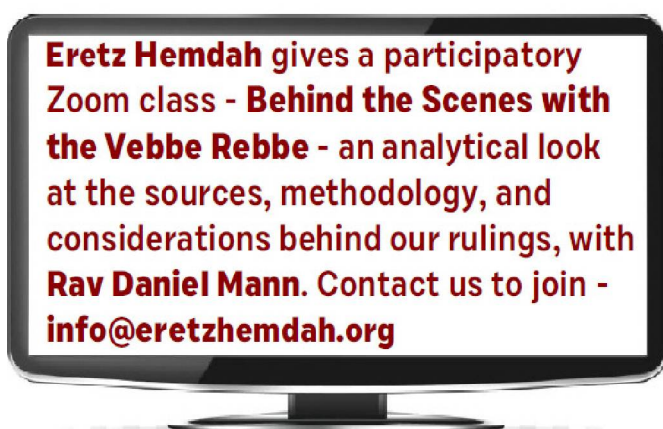
⁸. *Ishei Yisrael* 39:30. This is also the opinion of Rav Frank op. cit.

⁹. *Tefilla K'Hilchata* 22:(25).

¹⁰. *Piskei Teshuvot* 108:12.

¹¹. Including in *Har Tzvi* op. cit.

According to Rav Chaim, if one forgot V'TEIN TAL UMATAR on Friday Mincha (your third case), he should recite a double t'fila of Ma'ariv - even on Shabbat, in spite of the fact that voluntary t'filot are not recited then.¹² However, there are strong questions on Rav Chaim's distinction and its application. We will mention only one: If V'TEIN TAL UMATAR is indeed central to its b'racha, why is it halachically acceptable for one who forgot it at its usual spot to make it up later in the b'racha of SH'MA KOLEINU?¹³ While there likely are answers to the questions on Rav Chaim's approach, poskim¹⁴ do not concur with him regarding your third case. Therefore, in the event that making up an Amida that was said without V'TEIN TAL UMATAR would not add anything new, one repeats it only during the week, when it is permissible to recite a T'FILAT N'DAVA.



¹². See *Har Tzvi* op. cit.

¹³. See *Berachot* 29a.

¹⁴. Including the *Har Tzvi* op. cit. and *Kaf HaChayim, Orach Chayim* 33:711 –see *Ishei Yisrael*.)75(:03