

השיעור השבועי

The Weekly Halacha Shiur of Maran HaRishon LeTzion Rabbi Yitzchak Yosef shlita

Based on the weekly Motzaei Shabbat shiur in the Yazdim synagogue that was established by Maran Rabbenu Ovadia Yosef ztk"l.

Refuah Shelemah for Yishak Ben Hanom Hannah



Dedicated in Honor of Mr Harry Adjimi for his tireless work for our community.

The Prayers for Rain

Mashiv Haru'ach U'Morid HaGeshem

Beginning from *Simchat Torah*, we started to mention “*Mashiv haru’ach u’morid hageshem*” in the *Amidah*. We do not mention rain during Sukkot since rain is not considered good during the *Chag* (*Taanit* 2a). The *Gemara* (*Sukkah* 28b) says that rain on Sukkot is comparable to a servant who comes to pour wine for his master, and he pours a jug of water in his face to show him that his presence is not desired. So too, in the sukkah, rain is an indication that the Hashem, does not want the person to fulfill the mitzvah of sukkah. *Chemdat HaYamim* (*Sukkot* 4:43) says that this only applies if it suddenly rained on Sukkot and did not yet rain previously, but if it previously rained before the *Chag* began, then the rain is considered rain of blessing. This is also mentioned by *Bikurei Yaakov* (639:39) and *Yalkut HaGershuni* (end of *siman* 639).

Not Interrupting Between Geulah and Teffilah

We begin saying “Mashiv haru’ach u’morid hageshem” during Mussaf of Shemini Atzeret, but not during *Shacharit*, since one cannot mention *Mashiv haru’ach* before the chazzan does. We also do not begin on the night before since not everyone is present in the synagogue at night. In the morning it can’t be mentioned by the chazzan before *Shacharit* since one is not permitted to interrupt in between the *berachah* of *Ga’al Yisrael (geulah)* and the *Amidah (teffilah)*. Therefore, we only mention it at *Mussaf*. This is also mentioned in the *Talmud Yerushalmi*.

According to this, some poskim bring a proof against the ruling of the *Rama*. The *Rama* (111:1) says “There are those who say that the requirement to juxtapose “redemption” (*geulah*) to “prayer” (*teffilah*) is only on a weekday or Yom Tov, but one does not need to do so on Shabbat. Meaning, that the reason that we require to juxtapose *geulah* to *teffilah* during the week is because it is written “Hashem will answer you in a day of distress,” (*Tehillim* 20:2) and juxtaposed to it is written, “Let the words of my mouth be desire ... and my redeemer.” (*Tehillim* 19:15), but Shabbat is not a time of distress.” However, it seems from the *Talmud Yerushalmi* that the reason why we wait to mention *Mashiv haru’ach* during *Mussaf* is because we cannot interrupt between *geulah* and *teffilah*. We see that this also applies to Yom Tov and presumably also to Shabbat.

The truth is that the *Rama* seems to have also been bothered by this question, as he ends the halachah by saying, “In my humble

opinion, it seems that the reason this is not so on Yom Tov is because they are days of judgement, as we learned in *Mishnah (Rosh Hashanah 1:2)*, “On Passover the world is judged on grain...” And it is good to be stringent unless in a place that needs to do such.” It seems from the *Rama* that he differentiated between Shabbat and Yom Tov. On Yom Tov there is an obligation not to interrupt between *geulah* and *teffilah*, but not on Shabbat.

The Opinion of the Shulchan Aruch and the Arizal

The *Bet Yosef* does not agree with the opinion of the *Rama*. He writes that the pasuk “Hashem will answer you in a day of distress,” (*Tehillim* 20:2) is only a support to the halachah (an *asmachta*), and one cannot decide a halachah based on this pasuk alone. Therefore, even on Shabbat there is an obligation of not interrupting between *geulah* and *teffilah*. This is also the opinion of *Sha’agat Aryeh* (*Siman* 16) and *Pri Chadash* (beginning of *Siman* 111). *Shaar HaKavanot* (*Derush HaKaddish*; end of *Derush Keriat Shema*) also brings Kabbalistic reasons for the importance of not interrupting between *geulah* and *teffilah* even on Shabbat. *Kaf HaChayim* (111:9) also rules likewise. *Talmud Yerushalmi* (*Berachot* 1:1) says that one who interrupts between *geulah* and *teffilah* is compared to someone who is very close friends of a king who knocks on the king’s door. As the king comes answers the door to greet him and grant him what he wants, the friend leaves. Seeing this, the king also closes the door of his palace and returns inside.

Therefore, one should not interrupt between *geulah* and *tefilah* even without saying anything, even a pause should not be done. One cannot even answer to *Kaddish*, *Kedushah*, or *Barchu*, similar to someone who is in the middle of praying the *Amidah*. Therefore, if one is waiting for ten people to begin the *Amidah* together, one should wait slightly before reciting the *berachah* of *Ga'al Yisrael*, and not wait in between the *berachah* and the *Amidah*.

Answer to Kaddish and Kedushah

One application of the dispute between the *Bet Yosef* and the *Rama* is regarding if one can answer on Shabbat to *Kaddish* or to *Kedushah* between *Ga'al Yisrael* and the *Amidah*. According to the *Rama*, who holds that there is no obligation to recite them immediately together, it is permitted to interrupt. According

to the *Bet Yosef*, one is not permitted to interrupt between *geulah* and *teffilah* even on Shabbat. *Shalmei Tzibbur* (p. 86b) gives an alternate opinion and says that one can interrupt to answer for the first five amen's of *kaddish*, and only the most important parts of *kedushah* (*Kadosh...* and *Baruch Kevod...*), and *Barechu*. The halachah follows his opinion.

One Who Comes Late to the Synagogue

Shalmei Tzibbur (p. 86c) adds that one who comes late to the synagogue on Shabbat, and finds that the congregation is about to begin praying the *Amidah*, should pray with them so that he fulfills *teffilah betzibbur*, and then he should recite *Keriat Shema* with the *berachot* after praying the *Amidah*. He reasons that one should do this since praying the *Amidah* with a minyan is more important than juxtaposing *geulah* to *teffilah*. This is also the opinion of *Elya Rabba* (111:4) in the name of *Lechem Chamudot*, and *Tehillah LeDavid* (111:5). It seems to me that one should not rely on this opinion since the *Bet Yosef* holds that there is an obligation to juxtapose *geulah* and *teffilah* even on Shabbat. This is especially the case according to the *Mekubalim* who say that for Kabbalistic reasons it is necessary to recite *Ga'al Yisrael* immediately before reciting the *Amidah*. Furthermore, the obligation of praying with a minyan and reciting the *Amidah* is a Rabbinical obligation, whereas reciting *Keriat Shema* is a Biblical obligation, and one should not skip over a Biblical obligation in order to fulfill a Rabbinical obligation. Therefore, the halachah is that one who comes late should not skip *Keriat Shema*, and rather, he should pray normally without skipping even though he will miss out on praying the *Amidah* along with a minyan. This is also the rulings of *Bikurei Eretz* (*Berachot*, 21).

One Who Forgot to Recite Mashiv HaRu'ach

If one forgot to recite *Mashiv haru'ach* in the *Amidah*, and only remembers after saying the *berachah* of "*Mechayeh HaMetim*," should not interrupt and recite *Mashiv haru'ach* before beginning the paragraph of *Atah Kadosh*. This is because any place where one is not required to repeat the *Amidah* again, he should not interrupt in between the *berachot*. This is unlike when one forgot to recite *Yaaleh ve'yavo* on Rosh Chodesh or Chol HaMoed, where the halachah is that if one remembers after saying "*Baruch Atah Hashem*," then he should finish the *berachah* with the words "*Lamideni chukechah*," and then return to *Yaaleh ve'yavo*. If he only remembers after finished the *berachah* of "*HaMachazir Shechinato leTzion*," then he can recite *Yaaleh ve'yavo* before *Modim*, and then continue with *Modim*.

Chiddushei HaRadal (*Sotah* 38b) states that if one only remembers that he omitted *Yaaleh ve'yavo* after he recited the *berachah* of *HaMachazir Shechinato*, he should go back to the beginning of *Retzeh*. *Bet Yosef* cites that this is also the opinion of *Rabbenu Yonah*, *Rabbi Yeshayah HaRishon*, *Ritva*, *Tosafot Ri HaZaken*, and *Rabbi Yehudah HaChassid*. On the other hand, *Bet Yosef* states that the *Rosh*, *Hagahot Maimoni*, *Mordechi*, and *Ra'avya*, all say that one should recite *Yaaleh ve'yavo* before beginning *Modim* and one should not go back

to the beginning of *Retzeh*. This is also the opinion of the *Radvaz* (561), and the halachah follows this opinion.

Ritva (*Taanit* 3b) brings in the name of '*Gedolei HaTzarfatim*' who say that if one says "*Baruch Atah Hashem*," and then realizes that he forgot *Yaaleh ve'yavo*, he should end the *berachah* with *Lamideni chukechah*, and then go back to *Retzeh*. *Ritva* holds like *Rabbenu Yonah* who says that if one finishes the *berachah*, it is better to return to *Retzeh*, and not recite *Yaaleh ve'yavo* before *Modim*. It would seem that the halachah should be that unlike this *Ritva*, and it would be better not to end the *berachah* with *Lamideni chukechah*, since one can say *Yaaleh ve'yavo* before *Modim*. However, since this is subject to dispute, it is better to say *Lamideni chukecha* if one has not yet completed the *berachah* and return to *Yaaleh ve'yavo*.

Rabbi Mordechai Karmi writes in *Ma'amar Mordechai* (422:4) that one should not make a *hefsek* by saying *Lamideni chukechah*. Instead, one should finish the *berachah* of *HaMachazir Shechinato leTzion*, and then recite *Yaaleh ve'yavo* before *Modim*. However, *Yad Avishalom* (p. 29), who lived in the same generation as the *Ma'amar Mordechai*, says that the *Ma'amar Mordechai* retracted his opinion, and he also held that it is better to say *Lamideni chukechah* and go back to *Yaaleh ve'yavo*. This way, one satisfies all of the opinions.

Interrupting During the Amidah

This halachah is only stated in regard to interrupting for *Yaaleh ve'yavo* because if one completely omits it, then he has to repeat the entire *Amidah* again. However, in the case of the night of Rosh Chodesh, when one is not required to repeat the *Amidah* again if one forgot to recite *Yaaleh ve'yavo*, or for *Al HaNissim* during Chanukah or Purim, or if one forgot to say *Mashiv haru'ach*, one should not make any interruption between *berachot* of the *Amidah* to correct one's mistake. Therefore, if one forgot to say *Mashiv haru'ach*, and he remembers after saying "*Baruch Atah Hashem*," but did not yet finish the *berachah*, he should not finish the *berachah* with "*Lamideni chukechah*" since it is better to skip it rather than make an interruption. One should also not say *Mashiv haru'ach* in between the *berachot* of *Mechayeh Hametim* and *Atah Kadosh*, since that would also be considered an interruption since one is not required to go back to fix his mistake.

The Opinion of the Ben Ish Chai

Ben Ish Chai (*Beshalach* 1:16) writes that if one remembers that he omitted *Mashiv haru'ach*, he should say it before the beginning the paragraph of *Atah Kadosh*. He explains that since one did not yet begin the next *berachah*, it is considered like one is still connected to the previous *berachah*, and one can still mention *Mashiv haru'ach*. However, *Yabia Omer* (vol. 1, 22:13) argues, and asks that we do not find that this is the case in any other instance regarding a *teffilah* where one is not required to go back to fix. For example, *Rosh* and *Rashba* state that if one forgot to say *Atah Chonantanu* on *motzaei Shabbat*, he should not recite it before the paragraph of

Hashivenu. This is also the ruling of the *Shulchan Aruch* (294:1, 4). In any case where one is not required to return to correct his mistake, one should also not make an interruption in between *berachot* in the *Amidah* either.

Divrei Shalom (vol. 5, p. 421) says that it is possible to defend the ruling of the *Ben Ish Chai* since the *Ran* (beginning of *Taanit*) brings an opinion who says that one should return to the beginning of the *Amidah* if one forgot to say *Mashiv haru'ach*. Even though the halachah does not follow this opinion, nevertheless, it is possible that this is enough of a reason to justify interrupting between the *berachot* to say *Mashiv haru'ach*. However, it seems that this is not a proof since in a similar case, regarding one who forgot to say "*Zochrenu le'chaim*," during the *Aseret Yemei Teshuvah*, should not say it in between *berachot* even though there are *Geonim* who say that one is obligated to go back if one forgot to recite these words (see *Tosafot, Berachot* 12b; *Terumat HaDeshen* 144). In that case, the *Shulchan Aruch* (582:5) and even the *Ben Ish Chai* (*Netziv* 1:20) state that if one said "*Baruch Atah Hashem*," and then remembered that he didn't say *Zochrenu le'chaim*, he should not go back or end the *berachah* with *Lamideni chukechah*. In that case, they were not concerned about the opinions of the *Geonim* who say that one must go back, and this should also be the case regarding one who forgot to say *Mashiv haru'ach*.

Yaaleh Ve'Yavo on the Night of Rosh Chodesh

Likewise, if one forgot to say *Yaaleh ve'yavo* on the second night of Rosh Chodesh, and he remembers before he began *Modim*, the *Shulchan Aruch* (422:1) says that one should not go back. However, according to the reasoning of the *Divrei Shalom*, one should insert *Yaaleh ve'yavo* before beginning *Modim* since there are *Rishonim* (*Tosafot, Berachot* 30b; *Orchot Chaim, Tefillah* 103; *Kol Bo* 43 in the name of Rabbi Nattan and *Riva*) who say that one must go back to fix his mistake. Nevertheless, the *Ben Ish Chai* (*Vayikra* 1:12) says that one who forgot *Yaaleh ve'yavo* on either the first or second night of Rosh Chodesh should not return to the beginning of *Retzeh* or the beginning of the *Amidah*, and he does not mention that it can be recited before *Modim*? This matter needs further research.

The ruling of the *Ben Ish Chai* that one should say *Mashiv haru'ach* in between *berachot*, before reciting *Atah Kadosh*, is very difficult to understand. The *Ben Ish Chai* (*Beshalach* 1:16; *Vezot HaBerachah* 1:14) agrees with the *Shulchan Aruch* (114:5) that if one say *Veten Tal U'mattar* instead of *Mashiv haru'ach*, one does not have to go back. The *Shulchan Aruch* only wrote that one should recite *Mashiv haru'ach* in between the *berachot* in a case where one did not mention *Veten Tal U'mattar* either. Otherwise, one should not go back or insert it in between the *berachot*. *Shulchan Aruch* (294:4) says outright: "In a situation where we say one does not go back and repeat the *Amidah* immediately when one finishes the blessing, one does not go back even though he did not begin the following blessing."

Elya Rabba (114:7) says that this is also the case regarding *Al HaNissim* and *Anenu* (on a fast day), and that this is the conclusion of *Rashba* (*Berachot* 29a) and *Tosafot*. This also seems to be the opinion of the *Rosh* and *Mordechi*. Even though *Radvaz*

(561) says in the name of the *Shibolei HaLekei* that one who inserts *Yaaleh veyavo* on the night of Rosh Chodesh in between the *berachot* of *Retzeh* and *Modim* is not considered to have made an interruption, *Chida* (*Birkei Yosef* 188:7; 422:1) points out that the *Rashba*, *Rosh*, and *Tur*, do not agree with this. This is also the ruling of the *Bet Yosef* (*Siman* 114). This is also the ruling of several *Acharonim*, such as *Shalmei Tzibbur* (p. 220) in the name of *Ma'amar Mordechai*; *Pekudat Elazar* (*Siman* 95); *Kaf HaChayim* (294:16); and *Mishnah Berurah*. See also *Kesher Godal* (14:8) which seems to slightly contradict the *Chida* in *Birkei Yosef*.

One Who Forgot to say Vayechulu

As a side point, I also have a question on the *Kaf HaChayim* (268:4) who says that if one forgot to say *Vayechulu* in the Friday night *Amidah*, even though the *Chayeh Adam* (28:1) and *Pri Megadim* (M.Z. 268:1) say that one should not go back to fix his mistake, one can recite it in between the *berachah* of *Mekadesh HaShabbat* and it is not considered a *hefsek*. According to what we have mentioned before, if there is no obligation to go back to fix one's mistake, then one should also not recite it in between *berachot* since it will then be considered a *hefsek*. Even the *Kaf HaChayim* (294:16) mentions this!?

If One Recited Morid HaTal

Our custom is that we recite *Morid HaTal* throughout the summer, and then we change it to *Mashiv haru'ach u'morid hageshem* in the winter. Others have the custom to not say *Morid HaTal* in the summer at all, and according to their custom, if they forgot to add *Mashiv harua'ch* during the winter, then they are obligated to return to the beginning of the *Amidah* to fix their mistake.

The *Talmud Yerushalmi* (beginning of *Taanit*, cited in *Rif*) says that if one accidentally recited *Mashiv haru'ach* in the summer time, then he must go back and repeat the *Amidah* again since rain in the winter is not a good thing, and therefore one damaged his *Amidah* by praying for the wrong thing. Whereas, if one said *Morid HaTal* in the winter, since dew is not a bad thing during the winter, one is not obligated to repeat the *Amidah* again. This is also the ruling of many *Rishonim* (*Tosafot, Taanit* 3b in the name of the *Yerushalmi*; *Berachot* 29b; *Rambam, Tefillah* 10:8) and the *Shulchan Aruch* (114:5).

Asking Properly

The *Gemara* (*Taanit* 4a) says: The Bnei Yisrael entreated Hashem unreasonably, and yet Hashem, responded reasonably, as it is stated: "And let us know, eagerly strive to know the Lord. His going forth is sure as the morning, and He will come to us as the rain" (*Hoshea* 6:3). They compared the revelation of God to the rain.

In response, Hashem said to the Jewish people: My daughter, you request the manifestation of My Presence by comparing Me to a matter, rain, that is sometimes desired, but is sometimes undesired, e.g., during the summer. However, I will be to

you like a matter that is always desired, dew, as it is stated: "I will be as the dew to Israel" (*Hoshea* 14:6), since dew appears in all seasons and is invariably a blessing.

The Bnei Yisrael further entreated Hashem unreasonably in another context, saying before Him: Master of the Universe: "Set me as a seal upon Your heart, as a seal upon Your arm" (*Shir HaShirim* 8:6). Hashem, said to her: My daughter, you ask that I be manifest to you in a matter that is sometimes visible and sometimes not visible, as the heart and arm are not covered. However, I will act so that I manifest Myself for you like a matter that is always visible, as it is stated: "Behold, I have engraved you on the palms of My hands, your walls are continually before me" (*Yeshayah* 49:16).

The *Gemara* also says: Rabbi Shmuel bar Nachmani said that Rabbi Yonatan said: Three people entreated Hashem in an unreasonable manner, i.e., in situations where their requests might have received an unfavorable answer. To two of them Hashem responded reasonably, with a favorable response to their requests, and to one Hashem responded unreasonably, i.e., unfavorably, in a manner befitting the unreasonable request. And they are: Eliezer, servant of Avraham; Shaul, son of Kish; and Yiftach the Gileadite. With regard to Eliezer, servant of Avraham, he made a request when he prayed beside the well, as it is written: "That the maiden to whom I shall say: Please let down your pitcher that I may drink; and she shall say: Drink, and I will also give your camels to drink; that she be the one whom you have appointed for your servant Yitzchak" (*Bereshit* 24:14). Eliezer entreated Hashem unreasonably, as his request allowed for the possibility that she might even be lame or even blind, and yet he had promised to take her to Yitzchak. Nevertheless, Hashem responded to him reasonably and the eminently suitable Rivka happened to come to him.

Tosafot asks why this is considered like he entreated Hashem unreasonably; first he would look to see if the girl was attractive and physically fit, and then he would offer her to marry Yitzchak? *Tosafot* answers that it was possible that there were blemishes that he could not immediately notice, such as if she had a fake eye or a fake leg.

With regard to Shaul, son of Kish, he made an offer when Goliath the Philistine challenged the Jews, as it is written: "And it shall be that the man who kills him, the king will enrich him with great riches, and will give him his daughter" (*I Shmuel* 17:25). The man who killed Goliath might even have been a slave or born from an incestuous or adulterous union, who would be unfit to marry his daughter. Nevertheless, Hashem responded to him reasonably and David happened to come to him.

By contrast, there is the case of Yiftach the Gileadite. Upon leaving for battle he issued a statement, as it is written: "Then it shall be that whatever comes forth from the doors of my house to meet me when I return in peace...it shall be to the Lord and I will bring it up for a burnt-offering" (*Shoftim* 11:31). This might even have been an impure, non-kosher animal, which he had committed himself to sacrifice. In this instance, Hashem responded to him unreasonably, and his daughter happened to come to him.

This *Gemara* shows us also the importance and seriousness

of making a *neder* (a vow). *Midrash Tanchuma* (*Bechukotai* 5) gives us more insight to what happened with Yiftach: The pasuk says (*Shoftim* 11:34-35), "and there was his daughter coming out to greet him... And it came to pass, when he saw her, that he rent his clothes...." But was not Pinchas there? And still he said, "and I cannot retract?" However, Pinchas had said, "I am a Kohen Gadol the son of Kohen Gadol. Shall I humble myself and go to an ignoramus?" And Yiftach said, "I am head of the tribes of Israel and head of the magistrates. Shall I humble myself and go to a commoner?" Between the two of them that poor woman perished from the world; so the two of them were liable for her blood. In the case of Pinchas, he lost his *ru'ach hakodesh*. In the case of Yiftach, his bones were scattered, as stated (in *Shoftim* 12:7), "and he was buried in the cities of Gilead." When he sought to sacrifice her, she cried in front of him. His daughter said to him, "My father, I came out to greet you in joy, and now you slaughter me? Is it perhaps that the Hashem wrote in the Torah that Israel offer the lives of people in front of the Hashem? And is it not written (*Vayikra* 1:2), 'When one of you presents an offering to the Lord from the beasts.' 'From the beasts' and not from people?" He said to her, "My daughter, I made a vow (*Shoftim* 11:31), 'Then it shall be that whatever comes forth....' Is it possible that anyone who makes a vow does not have to fulfill his vow?" She said to him, "Behold, when our father Yaakov made a vow (*Bereshit* 28:22), 'and of all that You give me, I will surely set aside a tithe for You'; when the Hashem, gave him twelve sons, did he ever offer up one of them as a sacrifice? Moreover, does not Chanah do likewise, when she makes a vow and says (*Shmuel* / 1:11), 'And she made a vow and said, 'Lord of hosts, if You will surely see... [then I will give him to the Lord all the days of his life].'" Did she ever offer up her son as a sacrifice to Hashem?" All these things she said to him, but he did not heed her. When she saw that he did not heed her, she said to him, "Let me go to a Bet Din. Perhaps one of them will find a loophole for your words." Thus it is stated (*Shoftim* 11:37), "leave me alone for two months, so that I may go and come down to the mountains." ... She went to them, but they did not find a loophole for undoing his vow, because of the sin of those that he slaughtered from the tribe of Ephraim.... Hashem had hid the halachah from them, so that they would not find a loophole for undoing his vow. When they did not find [a loophole] for undoing his vow, he went up and slaughtered her. Then *Ruach HaKodesh* proclaimed, "Did I desire you to sacrifice lives to Me, 'which I never commanded, never spoke for, and which never entered My mind (*Yirmiyah* 19:5).'" "Which I never commanded" - Avraham, that he slaughter his son. Instead I said to him (*Bereshit* 22:12), "Do not raise your hand against the lad." This was in order to make known Avraham's love [of God] to the nations of the world, that he did not spare his only one from Me and carried out the will of his Maker. "Never spoke" - to Yiftach to offer up his daughter as a sacrifice to Me.

The *Midrash* adds that because he was not a Torah scholar he lost his daughter; for if he had read the Torah, he would not have lost his daughter. Being righteous is not enough, one also has to learn Torah.