

HILKHOS T'FILLAH 1:04 - THE ORDER OF BAKASHOT PART II

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In the last shiur, we discussed the order of the middle B'rakhot of the T'fillah from a liturgical and thematic perspective, explaining why each B'rakhah followed its antecedent B'rakhah.

In this shiur, I would like to explore the Halakhic perspective on the unity and sequence of these 13 B'rakhot - a topic which is the subject of an interesting debate between the Rishonim.

I

THE SUGYA: BERAKHOT 34A

In the Mishnah (Berakhot 5:3), we are taught that if a Shaliach Tzibur (agent of the community - the leader of the T'fillah) makes a mistake in his T'fillah, another person should take his place. The substitute should pick up from the beginning of the B'rakhah where the first leader erred. Commenting on this Halakhah, the Gemara (BT Berakhot 34a) cites the following dispute:

*"Rav Huna said: If he made a mistake during the first three B'rakhot, he must go back to the beginning [of the T'fillah]; if he made a mistake during the middle B'rakhot, he must go back to **Atah Honen** (the first of the Bakashot); if he made a mistake during the last three B'rakhot, he must go back to **'Avodah** (the first of those last three). Rav Asi said: The middle B'rakhot have no order (**ein lahen seder**).*

Rav Sheshet brought the following challenge to Rav Huna's position from our Mishnah: 'From where does he begin? From the beginning of the B'rakhah where the other erred.' This would seem to refute Rav Huna's position - since, according to Rav Huna, the Mishnah should have stated that if he makes a mistake, the substitute should go back to the beginning of that series of B'rakhot (first three, middle, last three).

The Gemara defends Rav Huna's position by answering that the middle B'rakhot could be seen as one [extended] Berakhah.

Thus, we have a difference of opinion of how a person should correct his own errant T'fillah if he made a mistake during the middle B'rakhot. Must he go back to the beginning of that series or not?

II

ANALYZING THE SUGYA

There are three issues which must be clarified within this sugya to understand the nature of the middle B'rakhot.

1) *What does Rav Asi mean "ein lahen seder"? There are two ways to understand this statement, depending on whether we focus on Rav Asi's words, or on Rav Huna's words that he is coming to challenge.*

(A) *If we look at Rav Asi's words on their own, the simplest way of understanding **ein lahen seder** is that the order is totally inconsequential. Unlike the first three and last three B'rakhot, the middle B'rakhot may be said in any order (in which case, we would have to understand the pre facto requirement to recite them in a given order - and the status of the rationale behind that order, as outlined in the last shiur.) If this is the case, then if someone left out one of the middle B'rakhot, he could recite it - out of order - at whatever point in the T'fillah he remembered it (provided he was still reciting some of the middle B'rakhot). For instance, if someone left out **Birkat haShanim** (B'rakhah #9) and became aware of that mistake at **Boneh Yerushalayim** (#14), he could recite Birkat haShanim at that point and then pick up with **Matzmiach Keren Y'shuah** (#15).*

(B) *Contradistinctively, if we look at Rav Huna's ruling that Rav Asi is challenging, we may come up with a different understanding. Rav Huna rules that just like if you made a mistake during the first three B'rakhot, you would have to go back to the beginning of that sub-series - in the same way, if you made a mistake during the middle B'rakhot, you would have to go back to the beginning of that sub-series - **Atah Honen**. Rav Asi may not be disputing this point as radically as we suggested in (A) above; he may be saying that you can "pick up" from wherever the mistake was made and follow the order from there. In other words, although Rav Huna rules that you would always have to go back and recite the entire sub-series properly, Rav Asi would say that all of the B'rakhot recited until the point of the mistake are valid and you only have to go back to the point of the mistake and read *_in order_* from there. Following the example at the end of (A) above, the person would stop after Boneh Yerushalayim (when he realized that he had omitted Birkat haShanim), then recite from Birkat haShanim, following the order from there (Birkat haShanim, Kibbutz Galuyot, Mishpat etc.)*

2) What connection - if any - is there between the Halakhah of a Shaliach Tzibbur who makes a mistake and this sugya? Since the sugya seems "jumpstarted" by the case of the Shaliach Tzibbur, there may be a connection. We have evidence that points to either conclusion:

(C) It is possible that Rav Huna and Rav Asi are only debating a case of a Shaliach Tzibbur. If that is the case, why does the Mishnah rule that he must step down immediately, whereas they rule that he may go back and only debate how far?

(D) If they are debating a case of a regular person (non-Shaliach Tzibbur) reciting T'fillah, why does Rav Sheshet challenge Rav Huna's ruling with a quote from our Mishnah? There is every reason to distinguish between our Mishnah, which is discussing the case of a Shaliach Tzibbur who errs and is replaced - and the case of the individual who errs. In the case of the Shaliach Tzibbur, we are concerned with **tircha d'tzibbura** - causing the community the discomfort of having to wait and have their T'fillah extended (which is a significant Halakhic concern; see BT Yoma 70a and Rashi ad loc. s.v. Mipnei); this concern clearly does not apply to the requirements placed upon an individual to "repair" his T'fillah.

3) What is the final P'sak Halakhah here?

(E) On the one hand, Rav Asi is given the "last word" in the sugya and, judging from the challenge to Rav Huna (which is rebuffed), it seems that the Gemara prefers Rav Asi's approach.

(F) On the other hand, Rav Huna's position was successfully defended - and he does present a certain consistency to the three sub-series of T'fillah, seeing each as one basic unit which must be said, from start to finish, without mistake.

III

RASHI'S APPROACH

Regarding the first question, Rashi makes the following comment on Rav Asi's position:

" 'They have no order': and if he skipped one B'rakhah, and then remembers it, he says it even out of its place". (Rashi Berakhot 34a s.v. ein lahen).

In other words, Rashi understands Rav Asi as literally meaning "they have no order" - and if the middle B'rakhot of the T'fillah are said in any order, the T'fillah is still valid.

Rashi's position seems to stand in opposition to two sugyot from Megillah.

*A) In the beginning of the second chapter of Megillah, the Mishnah rules that if someone reads the Megillah (book of Esther) **l'maphre'a** (out of order), he has not fulfilled the Mitzvah. The Tosefta (Megillah 2:1) states that this rule applies to other things as well - K'riat Sh'ma, Hallel and T'fillah. [The parallel Tosefta at Berakhot 2:3 begins with K'riat Sh'ma and lists Hallel, Megillah and T'fillah as following this rule]. This indicates that reciting the B'rakhot out of order invalidates the T'fillah - just like reading the Megillah out of order invalidates the Mitzvah. How can Rashi explain Rav Asi (an Amora) as validating this "out-of-order" T'fillah? Shouldn't Rav Huna have challenged him from this Tosefta?*

*B) In the Gemara (BT Megillah 17b) we discussed in the last shiur, the rationale for the sequence of B'rakhot was introduced with the phrase: **Shim'on haPakuli hisdir sh'moneh es're B'rakhot lifnei Rabban Gamliel b'Yavneh al haseder** - Shim'on haPakuli arranged the 18 B'rakhot in the presence of Rabban Gamliel at Yavneh in order. The emphasis on **seder** here ("arranged", "in order") indicates that the order has significance and must be maintained. Following Rashi, how can Rav Asi allow for this "out-of-order" recitation?*

There are two ways to understand Rashi's position:

*1) The order of the B'rakhot (Shim'on haPakuli) is only an ideal; in the best of situations, this order would be maintained. The bottom line, however, is to make these particular requests; if said out of order, it is still valid. Regarding the Tosefta which disallows **T'fillah l'Maphrea'**, Lieberman (Tosefta KiPhshutah, Berakhot, p. 15) points out that there were alternate versions of this Tosefta (e.g. the version found in the Yerushalmi) - some of which did not include T'fillah as one of those recitations which is invalid if recited l'maphrea'.*

*2) There is still a demand of "order" in T'fillah - (meaning, we accept the version of the Tosefta which includes T'fillah and we understand that Shim'on haPakuli's "arrangement" is a necessary one) - but that order is of a more general scope. It is clear that within the list of items in that Tosefta, the definition of **l'maphre'a** is not consistent. Whereas in the case of Megillah, reading even one word out of order invalidates the reading - and, all the more so, reading one chapter before an earlier chapter - in regards to K'riat Sh'ma the rule of **l'maphre'a** is, possibly, only in reference to words within a verse (see a discussion of the various approaches in our shiur at K'riat Sh'ma 2:11). The **l'maphre'a** concern in T'fillah may be just the opposite. Although we are not bothered by putting one word before the earlier one - or even a phrase (e.g. **Ropheh Holim, Somekh Nophlim**), we may be ultimately concerned*

only with maintaining the basic order of praise, request and thanks. In other words, the key "order" issue is that we first praise, then request, then thank God. As long as the Bakashot come after praise and before thanks, the necessary order has been preserved and the T'fillah is valid. This would be the intent of Shim'on haPakuli's "arrangement" which is, indeed, an inviolable component of T'fillah.

*As Lieberman points out (ibid), there is support for this approach from another Tosefta. In Menahot (6:6), the Tosefta rules that **[the lack of] Hallel, Shevach and T'fillah invalidate each other** - meaning that if one of these was left out, the whole T'fillah would be invalid. Hallel refers to the praise at the beginning of T'fillah, Shevach to the thanks at the end - and T'fillah to the requests in the middle. This indicates that the basic concern of T'fillah is to have these three components - in their proper order. This would also explain why the very next sugya in Berakhot (34a) is the statement of Rav Yehuda which distinguishes between the "mood" of the first three & last three B'rakhot on the one hand - and the middle B'rakhot on the other.*

Very few of the Rishonim adopt Rashi's approach - and the Rif goes to uncharacteristic length to challenge it - but the Ba'al haMa'or (commenting on Rif at the end of Chapter 5 of Berakhot) does side with Rashi. (By the way, Rashi's approach appears earlier as an understanding shared by some of the Ge'onim - which is why Rif raised, challenged and rejected it.) In his explanation of Rav Asi, he explains that the basic concern of the "order" of T'fillah is sectional - and his comments provide the core for the second explanation of Rashi above.

IV

TOSAFOT'S APPROACH

Tosafot (BT Berakhot 34a s.v. Emtza'iot) challenges Rashi on the grounds that we suggested above. Basing himself on the simple reading of the Tosefta, Rashbam explains Rav Asi's position as allowing for a return to the point of the mistake and continuing in the T'fillah from there (approach **"B"** above). Rashbam finds support in the next statement of the Tosefta - (Megillah 2:1, Berakhot 2:4) - "if he left out one verse (of the Megillah [Megillah] or K'riat Sh'ma [Berakhot]), he should not read that verse on its own (out of order), rather he should go back to that verse and read (in order) from that point - and the same applies to T'fillah (again, these two words **v'khein biT'fillah** are not found in all manuscripts).

This approach is adopted by most of the Rishonim - including Rif, Ramban (in Milhamot Hashem at the end of the fifth chapter of Berakhot), RABD (ibid) - and Rambam (MT T'fillah 10:1).

V

THE SHALIACH TZIBBUR

As we discussed earlier, there is some interplay between the Halakhah of a Shaliach Tzibbur who errs during the public T'fillah and an individual who errs during T'fillah. In answering our question, we may want to reevaluate R. Huna's original statement. R. Huna said that if he **(who?)** makes a mistake in the first three B'rakhot, he **(who?)** goes back to the beginning, etc. It is possible that we are not talking about the same person in each unidentified pronoun. In other words, this Halakhah may be a commentary on the Mishnah, explaining where the substitute Shaliach Tzibbur should "pick up" for his errant predecessor. R. Huna rules that if the mistake of the first Shaliach Tzibbur took place during the first three B'rakhot, the understudy should begin the Sh'moneh Es'reh from the beginning; if the mistake was during the middle B'rakhot, he should begin at **Atah Honen** and if the mistake was during the final third of the T'fillah, he should begin with **Avodah**. R. Asi then counters by claiming that although the first and last three comprise indivisible units, the middle B'rakhot are a series of individual - and independent - request-blessings which may be said out of order (however that is interpreted - Rashi vs. Tosafot).

The challenge to R. Huna from the wording of the Mishnah is, then, a direct attack from the selfsame material regarding which he is commenting (and not an ancillary source). The defense - that all of the middle B'rakhot are considered one B'rakhah - is a necessary one in any case. Consider that the same question could be posed to both R. Huna and R. Asi regarding the first and last three B'rakhot: Whereas they rule that these units are indivisible, the Mishnah states that the understudy picks up at the B'rakhah where the mistake was made. In that case, we must explain that that ruling is not to be understood in a limited and fundamental fashion - certainly, if the mistake took place during the first or last three B'rakhot, the entire series would have to be recited from the beginning.

Once the Halakhah is formulated regarding the Shaliach Tzibbur, we can apply it to the individual - since the same understanding of the indivisibility of the units of T'fillah holds.

VI

P'SAK HALAKHAH (HALAKHIC RULING)

The question of how to rule in this dispute is not so easy to resolve - for two reasons. First of all, the Gemara challenges R. Huna - which may indicate a preference for R. Asi (pushing R. Huna against the proverbial wall), or may indicate a preference for R. Huna (clarifying, defining and defending his position. Second of all, both R. Huna and R. Asi were students of Rav; as such, we have no automatic "preference in p'sak" here.

The Rif (24a in Rif pages) rules, in the name of **kamai** (his predecessors) that the Halakhah follows R. Asi. He rules this way even though the Gemara challenges and defends R. Huna's ruling - which would indicate that the Gemara understood R. Huna's ruling as normative and needing defense. Although he provides an explanation why we wouldn't necessarily rule like R. Huna - he doesn't provide a rationale for ruling like R. Asi.

Tosafot (BT B'rakhot 34a s.v. emtza'iot) adds that we often find R. Huna quoting a Halakhah in the name of R. Asi (even though they were both students of Rav) - thus giving us good reason to prefer the teacher to the student. (even though both of them were students of Rav, it seems that R. Huna also saw himself as a student of R. Asi).