

הלכות תפילה (סימן קח: מי שלא להתפלל לסבת טעות או אנס או במזיד)

קח:ה-ח

Outline

1. Today's Topics
 - a. Make-ups for Multiple תפילות
2. שו"ע קח:ה) נדבה לתשלומין (שו"ע)
 - a. Although תשלומין is available only for the most recently missed תפילה, one may daven a נדבה for other missed תפילות if he adds something new to the נדבה (שו"ע)
 - i. Q: How should one go about davening a נדבה for multiple תפילות?
 1. (If one regains his ability to daven at night), one should daven מעריב and then מנחה and then שחרית. If he does so on ר"ח, he should say יעלה ויבוא in all. If his first opportunity to do so is on שבת ויו"ט, he should wait until מוצא"ש ויר"ט (משנ"ב יח)
 2. One should stipulate that if he is חייב to make up the multiple תפילות, then his תפילה is a חובה and if not, then it is a נדבה (משנ"ב יט)
3. שו"ע קח:ו) תשלומין למוסף (שו"ע)
 - a. If one goes the whole day without davening מוסף, he cannot do תשלומין for it (שו"ע)
 - i. Q: Why?
 1. Because he cannot say the קרבנות when their time has passed (משנ"ב כ)
4. שו"ע קח:ז) מזיד (שו"ע)
 - a. If one intentionally doesn't daven a תפילה, he cannot do תשלומין for it, but he may daven a נדבה even without an addition if he does so adjacent to the תפילה that he missed (שו"ע)
 - i. Q: In what cases is one considered or not considered מזיד?
 1. If he comes to shul close to מעריב and davens מעריב with the ציבור before davening מנחה, he is not considered מזיד for missing מנחה even though he should have davened מנחה (משנ"ב כא)
 - a. Q: What should he do in this case?
 - i. Daven two מעריב's, and if ר"ח, he should recite יעלה ויבוא in the second or if שבת, he should use the שבת text (משנ"ב שם). However, if he didn't say יעלה ויבוא in the first מעריב, then he shouldn't say it in the second because the next day is not considered to have arrived (משנ"ב ב).
 2. If one davens in a place in which he should have suspected צואה but davens there nonetheless and then the תפילה זמן passes, he is considered מזיד and not given תשלומין (משנ"ב שם)
 - ii. Q: Do all agree that no addition is required?
 1. No; the ב"ח and גר"א require a חידוש (משנ"ב כב)
 - iii. Q: May one daven a נדבה even nowadays for a תפילה that he intentionally omitted?
 1. Yes, because one didn't daven the תפילה at all (גר"ח קניבסקי הע' 48)
 5. שו"ע קח:ח) אנוס (שו"ע)
 - a. If one expects to have more time to daven after he finishes with a responsibility or misses תפילה because of financial pressures or because he is drunk, he is considered אנוס and given תשלומין (שו"ע). However, לכהחילה, one should not miss תפילה to prevent loss of money (רמ"א)
 - i. Q: What type of responsibilities are included?
 1. Even those in which one should not be engaged once the תפילה זמן arrives (משנ"ב כג)
 - ii. Q: What financial pressures are included?
 1. Even distraction due to the need to buy and sell merchandise (משנ"ב כד)
 - iii. Q: What if one fell asleep and missed the תפילה זמן?
 1. He is considered אנוס (מקור"ח הע' 49)
 - iv. Q: What if one was not engaged in anything but just delayed with the intention to daven later and ended up missing the זמן?
 1. He gets תשלומין (ערה"ש קח:ה הע' 50)
 2. No תשלומין (חח"ס חו"מ מב, מקור"ח שם)