

HALOCHOSCOPE

A Shul has a small room opening into it. The door between the rooms is usually left open. The rooms are used together, for both davening and study. On occasion, the doors are closed so that the room can be used separately. If nine people are in the main Shul, may a person in the small room count towards the Minyan required for prayers that require such? If there are ten in the shul, may the one in the small room answer these prayers? If the answer to either question is affirmative, is the person in the small room davening with the others considered davening *Tefilah Betzibur*?

(A) *Davar Shebikedusha*, prayers that require a *Minyan*

(B) *Tefilah Betzibur*, the advantage to davening with a *Minyan*

(C) The place where the *Minyan* is gathered

(A) *Davar Shebikedusha*

This is the general term used to describe services that are considered a public sanctification of Hashem's Name. *Kedusha* and *Kaddish*, as their names indicate, are sanctification of Hashem's Name. This requires a quorum of ten adult Jewish males. The Talmud derives from the Scriptural Mitzvah of *Kidush Hashem* (in this week's reading) that this requires a *Minyan*. The Torah uses the word *Betoch*, in the midst of the Jewish people. The Talmud derives from other sources that this means a quorum of ten. The Torah refers to resisting pressure to violate a Mitzvah in public. However, any act that is a *Davar Shebikedusha* proclaiming Hashem's greatness, requires the same *Minyan*, Rabbinically.

Generally, the ten men must participate together in the service. However, for some responses, the Poskim maintain that their presence is sufficient. Thus, if one is asleep or in the middle of his personal Shemone *Esrei*, he may be counted as part of the *Minyan* for these responses.

There are qualifications to counting a *Minyan*, including age and competence of the participant. Other requirements determine whether one is considered part of the group. This includes whether one is considered present in the group, based on where the group is located. This will be our discussion. [See Megillah 23b, Poskim. Tur Shulchan Aruch Orach Chaim 55, commentaries.]

(B) *Tefilah Betzibur*

In our case, it is important to distinguish between *Davar Shebikedusha* and *Tefilah Betzibur*. The sources for davening with a *Minyan* are not those of *Davar Shebikedusha*. They are based on the same principle, but apply differently. When

a quorum of ten Jews gather, the Divine Presence comes to rest in their midst. However, this is only the source for the number ten. The Talmud explains that Hashem pays special attention to the Tefillah of a group, which is considered at the minimum ten. Other sources cited by the Talmud show that this *Shechina* is especially present in a *Bais Haknesses*, place of congregation. The Shul assumes its special sanctity and aura, which enhances all Tefila recited there, from the fact that the people congregate there. Though the congregation might not be present, the place where they usually go is sanctified. This shows the power of the Tefilah of a congregation. Some say that the power of Shul only works when the Tzibur is also there. The Talmud explains that references to an *Ais Ratzon*, time of appeasement, refer to Tefilah davened with a Tzibur.

Accordingly, one is obliged to daven with a Tzibur. Normally, one may not liberate a Canaanite slave. However, to allow nine Jews to have a Minyan, he may be liberated, in which case he automatically becomes a kosher Jew for a Minyan. The Talmud condemns those who do not participate in Tefilah Betzibur.

There is a debate on *Rov Tzibur*, whether one could count most of a Minyan for Tefillah Betzibur. While this works for Davar Shebikedusha, to an extent, it might not work for Tefilah Betzibur. In fact, there is a widespread practice to explicitly allow a *Rov Tzibur*. The origin of this practice is questionable. Davar Shebikedusha applies to responses. If they are said with a Minyan, Hashem's Name was sanctified, regardless of whether all present were obligated, or even whether they all participated. The sanctification took place in a Minyan, in the presence of the Shechina. For Tefilah Betzibur the entire group should be saying Shemone Esrei together. Just as one must eat a whole measure of Matzo, and we may not count most as the whole, so too with anything requiring a number. The widespread practice and ruling is based on a ruling on the repetition of the Chazan. One only does this if a Minyan davened the quiet Shemone Esrei together. An individual may recite the first three brochos of his own Shemone Esrei aloud and say Kedusha if he has another nine people to answer him. A Posek says that if there are six who need to recite Shemone Esrei, they should recite it silently and repeat the entire Chazaras Hashatz aloud. The implication is that this would constitute Tefilah Betzibur, since the other four are present but not participating. Indeed, the Shechina is probably there. However, firstly, this presumes that the ruling deals with the obligation of Tefilah Betzibur. Some suggest that it really deals with the personal obligation of Chazaras Hashatz, which takes effect when *Rov Tzibur* is present, but that the six cannot gain the advantages of Tefilah Betzibur as well. Second, there is no mention of *Rov Tzibur* in the original ruling. This was added as explanation when the ruling was cited.

Others citing the ruling write ten rather than six. [Actually, the full word does not appear in the original, but a 'vav', and in some texts, a 'yud'!]

Accordingly, one should have a full Minyan for Tefilah Betzibur. It is clear from the stringent opinion that there is a fundamental difference between responses for Davar Shebikedusha and Tefilah Betzibur. [See Brachos 6a 7b-8a 21b, Sh. Ar. o.C. 90:7-11 16-18, 69:1 (M.A. 4, Sh. Ar. Harav, Baer Hetev 2,) 59:3 (M.A. 5, Biur Hagra, Sidur R. Y. Emden) Igros Moshe O.C. I:28-30.]

(C) The location of the Minyan

How is a group of people davening Shemone Esrei defined as a quorum as opposed to individuals? One way is by their proximity. It is not ideal to daven in a field, but should a group see the need for it, they should all be together. The ideal is to daven in one confined area. Four passages of Talmud indicate the possibility of combining people inside a confined area with others outside the area.

The *Korban Pesach* may not be removed from Yerushalayim. The Talmud discusses the status of parts of the *Korban* that are in the gateways to the city. The exact border is the piece that the doors bang against, inside of which is considered part of the city. The Talmud then debates whether the same applies to Tefillah. In one view, Tefillah has no such conditions. In one view, the debate is whether one in the doorway, or even outside, can be counted towards the ten. Others interpret the issue as whether one may add himself to an existing quorum to answer as though he was present with them. In another passage, a small room has no wall separating it from a larger room. Viewing it from the larger room the opening to the smaller room is like a wide doorway. The issue is whether those in the smaller room are considered inside the larger room. One application the Talmud discusses is the presence of the *Shliach Tzibur* in one of the rooms while the congregation is in the other. Another application is the issue of nine men in one room and the tenth in the other room. As long as it is the individual in the smaller room he may be counted with the others. A third passage discusses hearing the *Shofar* from outside a Shul. A fourth passage states that when *Kohanim* bless a congregation, those standing behind them are not included in the blessing. However, those outside, who are unable to be there, are included. The Talmud then cites an opinion that even if there is a partition separating the listeners, they are included.

Three other passages are cited. In the first, the Talmud describes the huge shul in Alexandria. The *Chazan* stood on a very high platform. When he reached a juncture that required a response, a *Shamash* would wave flags, so the people far away could respond. We see that a Chazan can be on a different floor than the level of the people. In the second, the Talmud discusses two groups eating separately and combining for *Zimun*, i.e., to say the Name "elokainu" when reciting

Zimun with a Minyan before *Birchas Hamazon*. If they are able to see each other, they may combine. This applies as long as they are in the same general building, even in different rooms or floors. The Yerushalmi on this passage states that if they intended to be part of one party, they may combine from two rooms (houses) if they can see each other. If they are clearly two groups, but would mingle, they may combine. If they can not see each other but one person positions himself between both and sees both, he may serve as the *Mezamen* for both together.

In reconciling these passages the Poskim discuss issues of partitions versus seeing one another. An additional factor is added. A prevailing practice was for the Chazan to stand on a high platform with walls around it. Could he be part of a Minyan or should the whole Minyan be in his domain? Two arguments are made to permit him to be combined with the Minyan. The platform was specifically there to serve the needs of the larger room, the shul. Therefore, it was really a part of it. He could even be considered serving the women's section in this way, as though he was in there as well. Secondly, since some participants could always see some others, the group was unified, as with *Birchas Hamazon*.

This ruling is then debated. Some permit people to combine from a second room provided they can see the participants in the main room. Others only permit this for *Birchas Hamazon*, and only if each group could anyhow say Zimun with a Shem independently. Some say it permits answering Davar Shebikedusha if there is a full Minyan in the main room. As we have shown, it is possible that for Tefillah Betzibur the rules change. This is not a matter of answering, but participating. The Poskim do not decide in favor of either opinion, but prefer the stringent when possible. Thus, in an emergency, one may rely on the lenient ruling.

There is a ruling on a similar case, based on the platform logic. A shul is divided by a doorway, usually left open to combine the people on both sides. Since the doors are usually left open, to expand the space of the main shul, the side room may be considered servicing the shul. Therefore, it would work if the people can see each other. However, even this ruling should only be considered an emergency measure. If people habitually rely on it, they will get out of the habit of convening the ideal ten people in one room. People should try to be in the room with the Aron Hakodesh all the time. [See Brochos 52a, (Yerushalmi), Eruvin 92b, Psachim 85b, Rosh Hashana 27b 28b-29a 35a, Sukah 51b, Sotah 38b, Pokim. Teshuvos Rashba I:96, Tur Sh. Ar. O.C. 55:13 (Pri Chadash) 16, 18, commentaries. Mishkenos Yaakov 74-75. Teshuvos Vehanhagos I:163.]