

THE PIRCHEI SHOSHANIM ROADMAP TO PRAYER PROJECT

The Roadmap to Prayer

Lesson 10

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The Roadmap to Prayer



Chatzi Kaddish at the conclusion of Pesukei De'Zimra

Kaddish is considered an extremely elevated Prayer as discussed in a previous lesson¹. It exalts G-d above all praise and blessing and asks for G-d to reveal His Divine Presence to all mankind. It speaks of praise in a way that Heavenly angels could only wish they had permission to express themselves. Thus, it should be recited earnestly and fervently with the full participation of the congregation. When *Kaddish* is recited properly, it is a prayer that has the power to spiritually uplift; whether it is a *Kaddish* that we recite after completing a segment of prayer or a *Kaddish* recited in honor of a deceased relative.

Kaddish

Devarim She'bikdusha – Words of Sanctification

When a *Davar she'bikdusha* – (Words of Sanctification), are recited, they must be done in the presence of a *Minyan* of 10 adult males. This is derived from a verse in *Parshas Emor*² where it states, *Venikdashti besoch Bnei Yisrael* – (And I will be sanctified amongst the Jewish people). The Gemora³ teaches us that this refers to a group of at least 10 adult Jewish males. This applies to the recitation of *Kaddish*, *Kedusha* and *Borchu*. Whenever these words of sanctification are recited, they must be recited only in the presence of a *Minyan*⁴.

Rav Samson Raphael Hirsch *zt"l* explains that *Kaddish* speaks of a time in the future when all of mankind will see the glory and majesty of G-d and they will recognize the

¹ Lesson 6

² Vayikra 22:32

³ Sanhedrin Daf 2a

⁴ Krias Hatorah is also only recited with a *Minyan* as well as many other recitations. However the requirement for a *Minyan* in that case is for a different reason. See Biur Halacha Simon 128.

Almighty as the One and Only power. This is a sanctification that must be done together with a *Minyan*, since a *Minyan* represents a microcosm of the Jewish nation. In order to speak of such lofty ideals and concepts which transcend the ability of individual's, it must be done with a representation of the nation – a *Minyan*. After the *chazzan* recites *Chatzi Kaddish* he proceeds to *Borchu* which is a call to action to presently proclaim our belief in this ideal that G-d is the One and Only. The *chazzan* says *Borchu es Hashem hamevorach* – (Let us bless G-d Who is blessed), affirming *Hashem* as being intrinsically blessed. Such a proclamation needs to come forth from a group that can represent the nation as a whole. We proclaim our belief in this today even while the sovereignty of G-d is not so obvious to all.

Rav Hirsch adds although *She'moneh Esrei* prayers may be recited without a *Minyan* present, it is still better when it is recited together with a *Minyan*. This is also why the words of our prayers are generally in the plural, since the prayer of a *Minyan* or congregation is always more significant.

Intimation רמז

A congregation or *Minyan* is referred to as a ציבור – *tzibbur*. Rav Shimon Schwab mentions that this hints to 3 elements that compose a *tzibbur*.

צ - *Tzaddikim*, righteous individuals,

ב - *Beinunim*, average individuals and

ר - *Resha'im* those who used to be wicked and have now mended their ways.

The acronym for this group of individuals collectively is (*tzibbur*) ציבור.

The Parameters of a Minyan

Although a *Minyan* consists of ten adult Jewish males, sometimes not all 10 need to be present. For example; there are certain cases where part of the *Minyan* walked out and a majority of the *Minyan* is still present, we consider it as good as having a *Minyan* with regard to reciting words of sanctification (*devarim she'bikdusha*).

Laws דינים

The *Shulchan Aruch* in *Simon 55 se'if 2 - 3* states that the Mechaber's opinion is that:

- § If there were 10 men present when they started reciting *Kaddish* or *Kedusha*, even if some left in the middle, they may finish reciting it if at least 6 men remain.
- § It is nevertheless forbidden for someone to leave in the middle of *Kaddish*, *Kedusha* or *Borchu*.
- § If someone already heard the *Kaddeishim*, he may leave if there are 10 men still present without him. However, in the middle of *Kedusha* he may not leave even if he already said *Kedusha*.

- Š If *Yishtabach* was recited with a *Minyan* and then some left, *Chatzi Kaddish* is not recited.
- Š If *Kaddish* was recited after *Yishtabach* with a *Minyan* present and then some left before *Borchu*, according to the Mechaber *Borchu* cannot be recited. According to the custom of *Ashkenazim*, some *Poskim* (*Halachic* authorities) allow *Borchu*; others do not.
- Š If there was a *Minyan* present for the reading of the Shema (*Krias She'ma*) and its *brochos* but not for *She'moneh Esrei*, *Chazoras hashatz* (*Chazzan's* repetition of *She'moneh Esrei*) cannot be recited.
- Š If a *Minyan* was present for the beginning of *Chazoras haShatz* but not present for *Kedusha*, it may be recited as long as at least 6 men remain. The rest of the *Chazoras haShatz* is also recited.
- Š In the previous example, *Nesias Kapayim*, the actual Priestly Benedictions (*Ducahning*) is not done. Instead, the *chazzan* recites the prayer *Elokeinu ve'Elokei Avoseinu ...*

The Mechaber rules:

- Š If *Chazoras haShatz* started with a *Minyan* present and then some left, *Kaddish Tiskabal* is not recited afterwards.

The Rama rules:

- Š *Kaddish Tiskabal* is recited afterwards.

By Mincha

- Š If just *Ashrei* was recited prior to the *Tefilla* of *Mincha* with a *Minyan* and then some left before *Chatzi Kaddish*, the *Kaddish* is not recited.

By Ma'ariv

- Š If a *Minyan* was present for *Borchu* and then some left, the *Chatzi Kaddish* before *She'moneh Esrei* is recited.
- Š If they started *She'moneh Esrei* with a *Minyan* and then some left, then *Kaddish Tiskabal* is not recited.

Laws - דינים: A Discussion

From our previous examples we can extrapolate that it's not always necessary to actually have ten people responding *Amen* to *Kaddish*. It would be sufficient even if only six of the ten answer *Amen*.

Someone who is asleep can still be counted as part of the *Minyan* although he cannot respond *Amen*. However, this *Halacha* raises a difficulty with the opinion of the Rosh that requires there to be a minimum of nine people listening and following along with the *shatz*. The *sefer* (book) *Tehilla Le'Dovid* is bothered with this very question. He says that once the *Minyan* begins with nine people listening and responding, even after some people leave, it's considered as if we still have the required nine people listening and responding. We might add that the *Mishna Berura*⁸ states that if there was a *Minyan* at the beginning by *Kaddish* and *Borchu*, it counts as if there still is a full *Minyan* present for the requirement of being *motzee* someone with *Birchos Krias She'ma*.

The question is, how many people do we allow to be sleeping until we finally disqualify the *Minyan*?

The Magen Avraham⁸ quotes from the Maharalnach⁹ that it is acceptable to have three or four individuals who are in middle of *She'moneh Esrei* or even sleeping to be counted in a *Minyan* for the purpose of reciting *Devarim She'bikdusha*.

The Magen Avraham himself doesn't agree. He only allows one such individual to be counted for the *Minyan*. He maintains that having someone asleep is no better than including a minor to the *Minyan*, which the Gemora¹⁰ also limits to one minor¹¹.

⁵ Acronym for *shaliach tzibbur* – leader of the prayers of the congregation

⁶ Simon 55 s"k 17

⁷ Fulfill someone's obligation

⁸ Simon 55: 8

⁹ MAHARALBACH (Maharalnach) - Rabbi Levi ben Chabib (Chaviv), also known as Maharalbach, was born in Semora, Spain, ca. 1483. In 1492 he immigrated to Portugal, where he and his father (R. Jacob, author of *Ein Yaakov*, a work on the Aggadah in the Talmud) were apparently baptized by force. Later he escaped with his father and settled in Salonika, where he was educated and later served in the rabbinate. He moved to Israel and became the chief rabbi of Jerusalem. He vigorously opposed Mahari Berab's attempt to reestablish the Sanhedrin, arguing, inter alia, that only Jerusalem could serve as the spiritual center of world Jewry. Berab's attempt failed, largely due to Maharalbach's opposition. Maharalbach was an important halachic authority. He died in 1545.

¹⁰ Berachos *daf* 47b

¹¹ Other opinions do not allow even one minor to be included to make a *Minyan* since he is not considered old enough to bring about the necessary Divine Presence when a *Minyan* gathers.

As mentioned before, the verse (*pasuk*) of *Venikdashti be'soch bnei Yisrael* (and My Name will be sanctified amongst the *Bnei Yisrael*) is the source for reciting *Devarim She'bikdusha* only in the presence of a *Minyan*. The Rosh in the seventh perek¹² of *Berachos* elaborates on reason for this *Halacha*. He quotes from Rav Hai Gaon who rules that a minor (*Kattan*) can be counted as the tenth man for a *Minyan*. The Rosh explains that this opinion is based on the verse (*pasuk*) of *Ve'nikdashti*. The reason for a *Minyan* is to create an appropriate setting where the *Shechina* (Divine presence) can dwell. Therefore if we have ten people present, even if one is a minor (*Kattan*), he can be counted for the *Minyan* since he also has *Kedushas Yisrael* (the sanctity of a Jew), which brings about *hashro'as haShechina* (a proper setting for the Divine Presence). Also an *Eved* (non-Jewish slave¹³) can be included for this reason because he's a *ben bris* (member of the covenant) and is obligated in the commandments (*mitzvos*). We don't allow for more than one of these types to be included since it's inappropriate to have a more noticeable presence of such individuals¹⁴. The advantage of having nine people is that nine people give the impression of a *Minyan* of ten.

The Shulchan Aruch Harav¹⁵ brings the above and explanation, allowing one *Eved* (slave), *Isha* (woman) or a *Kattan* (minor) who is at least six years old to be part of *Minyan*. He brings another opinion that doesn't allow it. He concludes that if there is a *Minyan* that relies on including one minor, one does not have to protest this practice. Still, only the necessary *Borchu*, *Kaddish* or *Kedusha* should be said. However, the *Kedusha* of *Aleinu* is not required and should not be recited in such a *Minyan*.

The Shulchan Aruch Harav¹⁶ *paskens* that even if there are up to four individuals who are praying (*davening*) ahead of the rest of the *Minyan*, that are unable to respond to the words of sanctification (*Devarim she'bikdusha*) that are being recited, the *Minyan* is still functional for the purpose of reciting *Kaddish*, *Kedusha* or *Borchu*.

On the other hand, only one sleeping individual may be counted into the *Minyan*. This is because it doesn't manifest the honor of *Hashem* (*kevod shomayim*) to have so many sleeping individuals count toward a *Minyan*. Other opinions contend that even one

¹² Simon 20

¹³ This Law applied in Biblical and Talmudic times when slaves were purchased from other nations or were captured in the course of a war. The slave would be converted to practice as a Jew with the exception of time-bound *mitzvos* similar to a Jewish woman. This slave would enjoy many benefits a slave as outlined in the Torah and the Talmud. For more details see Rambam Laws of Avadim (Slaves) Chapter 9:12, 13.

¹⁴ Perhaps it's because these people do not really have an obligation to daven with a *Minyan*, giving the impression that those who are indeed obligated are lax towards their own obligation and don't bother getting together to form a *Minyan*.

¹⁵ Simon 55: 5

¹⁶ Simon 55: 7, 8

sleeping individual is not counted towards the *Minyan* at all. Therefore, one should try to wake up that individual.

The Biur Halacha¹⁷ adds that if someone is praying (*davening*) in a synagogue (*shul*) where someone who's part of the *Minyan* is asleep and cannot be aroused; he may pray (*daven*) there without hesitation and recite the *She'moneh Esrei* out loud¹⁸ but only until after *Kedusha*¹⁹. This way there is no issue of reciting unnecessary blessings (*brochos*) since *Chazoras haShatz* is not said. Only one *She'moneh Esrei* is recited except that it starts out loud and with *Kedusha*.

The Magen Avraham previously quoted the Maharalnach²⁰ who allows up to four such individuals to be counted in the *Minyan*, but he personally disagrees with his opinion.

Upon examining the language of the Mechaber²¹ there are several indications that he also disagrees with the Maharalnach. Firstly, the Mechaber presents the case in a situation where only one individual is ahead praying (*davening*) *She'moneh Esrei*. Secondly, the Mechaber teams up this *Halacha* with the *Halacha* of someone who's sleeping that may be counted into the *Minyan*. Just as the case of someone sleeping, it works only for one such individual, so too the case of someone who's ahead in davening, only one individual may be included²².

The Magen Avraham makes another point, that although the opinion of the Rosh is that for repeating the *She'moneh Esrei* (*Chazoras hashatz*) we need nine listeners; the prevalent custom is that six out of ten are sufficient even for the repetition of *She'moneh Esrei* (*chazoras hashatz*).

Laws of Responding to Kaddish

Orach Chaim Simon 56

- 1) One should concentrate (1) when responding to Kaddish

¹⁷ D"h *ah she'hu yoshon* in se'if 3

¹⁸ This is a custom that is commonly implemented for *tefilas Mincha* in many *yeshivos* but for other considerations.

¹⁹ I.e. until the end of the *brocha* of *Hokeil hakadosh*

²⁰ Simon 15

²¹ According to the Magen Avraham in 55: 8 and the Be'er Hetev

²² See Magen Avraham s"v 8

Rama: 2) One should not interrupt between the words *Yehei Shemei Rabba* and *Mevorach* (*Hagahos Ashri* in the name of *Ohr Zeruah* writes that according to the first interpretation one should not interrupt between *Yehei Shemei* and *Rabba* and according to the *Ri*, between *Rabba* and *Mevorach*)

answering in a 3) loud voice and making an effort to listen to *Kaddish*

Rama: (2) 4) One should be standing when responding to *Kaddish* and all *devarim she'bikdusha* (words of sanctification). Someone coming to shul and hears the congregation responding to *Kaddish*, 5) responds with them even though he didn't hear the *shali'ach tzibbur* saying *Yisgadal* ... The leader of the congregation (*shali'ach tzibbur*) himself should also respond *Yehei Shemei* 6) *Rabba*. When he starts saying *Yisgadal* the *Tzibbur* should say the *pasuk* 7) *Ve'atta Yigdal nah Ko'ach* ... *Zechor Rachamecha* ...

When to Say *Ve'atta Yigdal Nah*

The *Magen Avraham*²³ says that once the *chazzan* starts reciting *Kaddish*; one must stop davening and focus on the words of *Kaddish*. Thus, it is inappropriate even to recite the verse (*pasuk*) of *Ve'atta Yigdal Nah* after the *chazzan* has begun. Therefore, it must be that the *Rama* means that we say it right before the *chazzan* begins reciting the *Kaddish*.

The *Ari Zt"l* doesn't agree to the recitation of this *pasuk* at all. Therefore, since there is a disagreement regarding this *Halacha*, in a part of *davening* where it is prohibited to interrupt, it is advisable not to say these verses (*pesukim*²⁴). But, if it doesn't matter whether he interrupts, for example, by *Kaddish* after *Aleinu*, one should be careful to recite these verses (*Pesukim*) immediately before the *chazzan* starts saying *Kaddish*.

The *Maharshal* in his *Responsa*²⁵ says to recite it between *Yishtabach* and *Yotzeir Ohr* because he doesn't consider it an interruption (*hefsek*) unless it is just idle talk. However, he notes that by *Ma'ariv* (the evening service), he may not interrupt between the *brocha* of *Go'al Yisrael* and *She'moneh Esrei*²⁶. Therefore, he shouldn't say these verses (*Pesukim*) because it is an interruption between *geulah* and *She'moneh Esrei* (*tefilla*).

2. When the *shali'ach tzibbur* says *Yisborach* all the congregants respond *Amen* and also when he says *be'reech*²⁷ *hu* (3) 8) and also when he says *ve'imru Amen*

²³ S"K 6

²⁴ *Magen Avraham* S"K 7 in the name of the *Bach* and *Shela hakadosh*

²⁵ *Simon* 64 on bottom of page 46

²⁶ The *Mishna Berura* in S"K 11 *paskens* like the *Maharshal* with regard to interrupting by *Ma'ariv*.

See *Simon* 236: 2.

²⁷ Pronounced softly as in the word *Chaim*

Rama: *The custom is not to respond Amen after Yisborach and not after be'reech hu. He shouldn't interrupt between be'reech hu and le'eyla mikol birchoso ...*

The First Amen of Kaddish

The Rambam²⁸ states that after the opening words of *Kaddish* – *Yisgadal ve'Yiskadash Shemei Rabba* (May His great Name grow exalted and sanctified), the congregation responds *Amen*. The Beis Yosef also mentions this, and it is the prevalent custom amongst all Jews from varying backgrounds. It is therefore quite remarkable that the Mechaber doesn't mention it here in the Shulchan Aruch²⁹.

The Different Responses to Kaddish

There are varying customs (*minhagim*) customs in the way people respond to *Kaddish*. The Mechaber says that when the *chazzan* says “*be'reech hu*” the response is *Amen*. The Rama says that the custom (amongst *Ashkenazim*) is not to say *Amen*. They also disagree whether to answer *Amen* when the *chazzan* starts with *Yisborach* just after *Yehei Shemei Rabba*. The Rama³⁰ rules that the *Chazzan* should say “*be'reech hu le'eyla mikol birchoso ...*” without interruption. It is unclear if the Rama holds that we should respond with anything when the *Chazzan* says *Shemei de'Kudsha*, which precedes the words “*be'reech hu le'eyla mikol birchoso ...*”.

The Taz³¹ mentions that it has become the custom to prod the *chazzan* to continue “*be'reech hu*” with *le'eyla mikol birchoso* by responding *be'reech hu le'eyla* (He should be blessed above). However, he very much dislikes this because it sounds as if he means to say that *Hashem* is only blessed above (in Heaven) but not down here on Earth.

The Magen Avraham³² mentions that this is the reason why the *tzibbur* says *be'reech hu le'eyla*. But it is a mistake for the *Chazzan* to pause between “*le'eyla*” and “*mikol birchoso*”.

Apparently, the Magen Avraham argues on the Taz that it is appropriate for the *Tzibbur* to respond *be'reech hu le'eyla*, just the *chazzan* shouldn't. However, this can't be,

²⁸ The Order of the Tefilos, Kaddish.

²⁹ Mishna Berura s"k 12

³⁰ Also mentioned in the Darchei Moshe in the Name of the *Ohr Zarua*

³¹ S"k 3, Mishna Berura s"k 13

³² S"k 8

since there is no reason to differentiate between the *chazzan* and the *tzibbur*. In fact, the Machatzis Hashekel explains that the Magen Avraham agrees with the Taz. He therefore explains that the *tzibbur* responds *be'reech hu le'eyla* out loud to prod the *chazzan* along, and then they continue to say the rest quietly without pausing between "*le'eyla*" and "*mikol birchoso*".

The Sha'arei Teshuva³³ writes that the Ari Zt"l holds that if the congregants who say the twenty-eight words by *Yehei Shemei Rabba* finish until *da'amiron be'olma* before the *Shali'ach Tzibbur* reaches "*be'reech hu*", they should respond *Amen* to "*be'reech hu*". From this we see that the *Chazzan* should say *Shemei de'Kudsha* together with "*be'reech hu*". This is also the opinion of the Gra³⁴.

It is common nowadays to just respond "*be'reech hu*" alone after the *chazzan* says the same.

Someone Who Didn't Hear the Chazzan³⁵

If someone enters a shul while the Congregation (*tzibbur*) has already responded to *Amei Yehei Shemei Rabba* and are up to the word *mevorach* ... he may still respond along with them. However, he may only start from the words *Yehei Shemei Rabba* but not *Amen*. This is due to the fact that the *Amen is* in response to the first part of *Kaddish*, which he did not hear. However, *Yehei Shemei Rabba*, which is a prayer (*tefilla*) by itself, may be said as long as the congregation (*tzibbur*) is still in the middle of their response.

If one hears the congregation (*tzibbur*) responding to *Kedusha* even if he did not hear the *Chazzan*, he may respond as well.

If one arrived when the congregation (*tzibbur*) just began their response of *Amen Yehei Shemei Rabba*, he may even respond *Amen* since he is saying it along with everyone else, if he is able to collect his thoughts fast enough to concentrate that the *Amen is* in response to the beginning of the *Kaddish*. This law (*Halacha*) is brought in Simon 124:11.

The Levushei Serad discusses this law (*Halacha*) in that chapter (Simon). He explains, that this is only when one knows to which blessing (*brocha*) he is answering *Amen*. He compares it to the situation in the synagogue (*shul*) in Alexandria, Egypt, where there was someone standing up front waving a flag to indicate when the *chazzan* finished a blessing (*Brocha*). The *tzibbur* (congregation) knew which blessing (*brocha*) it was by

³³ S"K 6

³⁴ Mishna Berura s"K 14

³⁵ Based on the Mishna Berura s"K 9

following along. However, when coming into *shul* while people are responding *Amen Yehei Shemei Rabba*, although one can figure out what was said because they are saying *Yehei Shemei Rabba*, nevertheless, it may still be an *Amen Yesoma* (an “orphaned” *Amen*) since at the time he answers *Amen* with the rest of the *Tzibbur* congregants *Tzibbur* he does not yet know for what it is being said. Nevertheless, perhaps it is good enough as long as the majority is still busy responding *Amen*.

3. Those who answer up until *ule’olmei olmaya* alone are mistaken as it is forbidden to interrupt between 9) *olma’yo* and *Yisborach*.

The Proper Way to respond *Yehei Shmei Rabba*

There are different customs regarding how far to respond when responding *Amein yehei shmei rabba*.

- Š The Mechaber says that he should connect the word *Yisborach* with the words *le’olam u’le’olmei olmaya*.
- Š The Mishna Berura explains that the Mechaber says this because he holds that one should say all twenty-eight words until *ve’imru Amen* at the end of *Yisborach*, which is what, is implied by his commentary, *Beis Yosef*.
- Š The Magen Avraham says to say it until and including the word *Yisborach* (i.e. He should respond *Amei Yehei* until and including the word *Yisborach*).
- Š The Gra argues that one should only respond until *olmaya* and not including *Yisborach*, since that start a new stanza of praise. The Mishna Berura³⁶ comments that according to the Gra it would be considered appropriate to respond *Amen Yehei Shemei Rabba* with *Yisborach* if he takes a breath between *olmaia* and *Yisborach*³⁷.

Since there are many *minhagim* regarding this, one should be careful not to say *Yisborach* if he hears *Kaddish* while he’s holding at a place in *davening* where he may not interrupt.

4. When the chazzan says *Yisgadal* he bows, also by *yehei shemei rabba* and also by *be’reech hu* and by *Amen*.

³⁶ S”k 15

³⁷ Apparently, if one does this, one should say *Yisborach* until *da’amiron be’olma*, and not just the word *Yisborach*

Places to Bow When Saying Kaddish

The Mechaber mention's four places to bow during *Kaddish*. The Beis Yosef brings a more precise list from the *Kolbo*. There are five places he mentions to bow. They are:

- *Yisgadal ve'yiskadash*
- *Yehei Shemei Rabba*
- *Yisborach*
- *Be'reech hu*
- *Amen (after da'amiron be'olma)*

The Beis Yosef clarifies that the language used by the Rabbinical Authorities (*poskim*) for bowing, *Ko're'a*, literally means kneeling or bending the knees. However, here it only means to bow.

5. After finishing reciting Kaddish, he takes three steps backwards and after that says *Osseh shalom* ...

One More Place to Bow

While taking three steps back from *Shemon'eh Esrei*, the Tur mentions that it's permitted to bow when saying *Osseh Shalom* ... The Beis Yosef quotes that the Terumas Hadeshen³⁸ proves that one should first take three steps backwards and only then start saying *Osseh shalom*.

The Bach brings from the Gemora in Shabbos³⁹:

Resh Lakish says whoever answers *Amen* with all his might – *be'chol kocho* – will merit entrance through the gates of Gan Eden. As the *pasuk* in *Yeshaya*⁴⁰ states – *Pischu she'orim ve'yavo goye tzaddik shomer emunim* (Open the gates so the righteous nation, keeper of the faith, may enter). Don't read it *emunim*, rather *Amen*. *Amen* is an

³⁸ Simon 13 – Terumas HaDeshen – R' Yisrael Ben Petachiah Isserlein – Born: Regensburg, Germany, 1390. Died: Weiner-Neustadt, Austria, 1460. Notes: Also known as the MaHarai. Student of the *Maharil*. Forced to flee to Italy and then Austria, he became Rav and Av Bet Din of Neustadt after 1445. Author of **Terumas HaDeshen/The Fat Offering**, halachic responsa and rulings based on the works of French and German scholars as well as some Spanish scholars (Rif and Rambam mostly). This sefer includes 354 responsa which is the gematria of *deshe*. His rulings tended to be stringent.

³⁹ Daf 119b

⁴⁰ 26:2

acronym for (A) *Keil*⁴¹ *Melech Ne'eman* (Amen). Hashem is a trustworthy King. *Tosefos*⁴² says that he should have this in mind when saying *Amen*.

Similarity to She'moneh Esrei

The Biur HaGra notes that the Halacha mentioned here about taking three steps back after saying *Kaddish* is like the Halacha of the three steps after *She'moneh Esrei* mentioned in Simon 123. Apparently those Laws (*halachos*) apply to *Kaddish* as well.

Walking in Front of Someone Saying Kaddish

The Shaari Teshuva⁴³ rules that just like one may not walk in front of someone praying (*davening*) *She'moneh Esrei*, so too, one may not walk in front of someone saying *Kaddish*. The *Kaf Hachaim*⁴⁴ and *Birchei Yosef*⁴⁵ also rule like that. This applies until the end of the main portion of *Kaddish* that ends at *da'amiron be'olma*. Rav Chaim Kanievsky⁴⁶ *shilita* adds that according to this reasoning, one may also not sit in the vicinity of someone saying *Kaddish* just like by *She'moneh Esrei*. He notes that the Mishna Berura never mentions this *Halacha* of not walking in front of someone saying *Kaddish*. Rav Shlomo Zalman Auerbach⁴⁷ *zt"l* rules that one shouldn't walk in front of someone saying *Kaddish*.

⁴¹ The letter "K" is used instead of the letter "A" to avoid uttering Hashem's Name in vain

⁴² Shabbos 119b *d"h Omar Rabbe Chanina*

⁴³ 56: 1 – R' Chaim Mordechai Margoliot – Born: 1700s. Died: Poland, 1818. Notes: Author of *Shaarei Teshuva* a commentary on the *Shulchan Aruch*. *Shaarei Teshuvah* (Gates of Repentance/ Responsa), provides a digest of responsa as a supplement to the *Shulchan Aruch Orach Chaim*, including the responsa composed after the publication of the *Shulchan Aruch*.

⁴⁴ *Kaf HaChaim* – R' Yaakov Chaim Sofer - Born: Baghdad, 1870, **Died:** Jerusalem, Israel, 1939 **Notes:** Initially of Bagdad, he moved to Israel by the turn of the century to study in the Beth El Yeshiva for Kabbalah studies. Author of **Kaf HaChaim**, a multi-volume commentary on *Shulchan Aruch Orach Chaim* and parts of *Yoreh Deah*.

⁴⁵ *Chida* – R' Chaim Yosef David Azulai - **Born:** Jerusalem, Israel, 1724. Died: Livorno, Italy, 1806. **Notes:** Torah commentator, Kabbalist, emissary for religious institutions in Israel. Some refer to him as the Sephardic equivalent to the Vilna Gaon. Direct descendent of R' Avraham ben Mordechai Azulai. Author of **Birchas Yosef**, Glosses on the *Shulchan Aruch*. Author of **Devash L'Fee**, **Zavrei Shalal**, **Nahal Kedumim** and other homiletical interpretations of *Tanach*. Author of **Yosef Ometz**, a collection of responsa. Author of **Shem HaGedolim**, a biography of over a thousand scholars and two thousand books. He is considered the father of modern Hebrew bibliography.

⁴⁶ R' Chaim Kanievsky - Leading Torah Sage, author of many *Seforim* including *Shoneh Halacha* which is a comprehensive guide to Jewish Law in the area of *Orach Chaim*. Son of the Steipler Gaon and resident of Bnei Brac. Reviews and makes a *Siyum* yearly on *Shas*. His advice and guidance is sought by people from around the world from all walks of life.

⁴⁷ *Sefer Halachos Shlomo* 6:14 by *She'moneh Esrei*

Rulings of the Yalkut Yosef⁴⁸ regarding Kaddish

Standing Up for Kaddish

The Law (*Halacha*) follows the opinion of the Ari⁴⁹ *zt"l* that one need not stand up for *Kaddish*. However if one is standing at the start of *Kaddish* he should remain standing at least until after he says *Amen Yehei Shemei Rabba*. This is the custom of Sephardim and Edut Hamizrach and is the same with regards to *Borchu*. However when praying (*davening*) in an *Ashkenazic* congregation (*Minyan*), where the custom is to stand for *Borchu* and *Kaddish*, one should follow the custom (*minhag*) to stand.

Taking Three Steps Back

One must take three steps backwards at the end of each *Kaddish* that ends with *Osseh shalom*. This is done *before* one recites the words *Osseh shalom*. Then, after completing *Osseh shalom*, one takes three steps forward. This is done the same way as when reciting *Osseh shalom* at the end of *She'mone Esrei*.

Interrupting Amein Yehei Shemei Rabba

According to the custom (*minhag*) to say the twenty-eight words from *Amen Yehei Shemei rabba* until *da'amiron be'olma*, one shouldn't interrupt it by answering to the *chazzan's* "*be'reech hu*" since the response is not legally (*Halachically*) required, as it is only a custom. However, when hearing the *chazzan* saying *da'amiron be'olma ve'imru Amen*, one is required to respond *Amen* according to the Law (*Halacha*). Therefore, he should answer *Amen* even when he is in the middle of the twenty-eight words, since to recite those twenty-eight words is only a custom. Additionally, one must respond to the final *Amen* of *Kaddish* since the closing is always considered to be most significant as the dictum goes, everything follows the conclusion (*Hakole holeich achar hachittum*). It is therefore considered as if he said the entire *Kaddish* himself, which means it is as valuable as saying *Amen Yehei Shemei Rabba* as well, which is reason to allow him to respond to this *Amen* even in the middle of the twenty-eight words.

⁴⁸ Hilchos Kaddish and Kedusha 11-13

⁴⁹ Ari Zt'l - R' Yitzchak Ben Shlomo Luria Ashkenazi – Born: Jerusalem, Israel, 1534. Died: Safed, Israel, 1572. Notes: Also known as Ari HaKodesh/Holy Lion. Great Talmudist and Kabbalist. Disciple of R' Betzalel Ashkenazi. One of the fathers of the Kabbalistic movement. Renown for his saintly character and ascetic way of life.

A Thought on *Osseh Shalom Bi'meromav*

The Tur explains that *Osseh shalom bi'meromav* (He Who makes peace in Heaven), refers to the angels (*malachim*) *Gavriel* (the one who's put in charge of water) and *Michael* (the one put in charge of fire). Although they are two extreme opposites, they still can co-exist. So too we ask *Hashem* to bring peace amongst our ranks. The Prisha⁵⁰ quotes a *Yerushalmi*⁵¹ (Jerusalem Talmud) that there is a certain *malach* (angel) that is half fire and half snow (water). This perhaps connotes another dimension of peace (*shalom*). Not only does one co-exist with the other, but also they join together with their unique qualities to complement each other. Just as there is a need to have both fire and water, whether used separately or together, they are both indispensable. We use fire for heating and water for drinking. We use fire and water together for cooking. Similarly there should be peace (*shalom*) amongst us as well. We need to utilize our unique qualities and combine forces together to create new possibilities and reach greater heights in our *Avodas* (service) *Hashem*. When diversity is harnessed by a unified focus on *Avodas Hashem*, it will lead us to the road of true perfection.


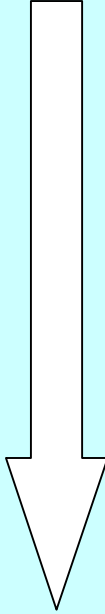
We conclude the *She'moneh Esrei* with the same ending of *Osseh shalom* . . . We then add a *Tefilla* (prayer) that Hashem should speedily rebuild the *Beis Hamikdash* speedily in our days, *Amen*. This will help us achieve our ultimate goal of *shleimus* (perfection).

⁵⁰ S"K 15, a commentary on the bottom of the page of the Tur

⁵¹ Rosh Hashana 2: 4

Laws of Devarim She'bikdusha that Require a Minvan of 10 men

10 people were present for...	...and then up to 4 people left	10 people were present for...	...and then up to 4 people left
Yishtabach	No Chatzi Kaddish	Chazoras haShatz	Recite Chatzi Kaddish, U'vah le'tziyone and then Kaddish Tiskabal
Ashrei by Mincha	No Chatzi Kaddish	Chazoras haShatz	No Krias Hatorah
Chatzi Kaddish before Borchu (Shacharis or Ma'ariv)	Some hold can say Borchu	Nesias kapayim	Finish Nesias Kapayim
Kaddish and Borchu	Considered like Minyan present to be motzee someone with Birchos Krias She'ma	Krias Hatorah	Finish Krias Hatorah
By quiet She'moneh Esrei	No Chazoras hashatz	Borchu by Ma'ariv	Recite Chatzi Kaddish before She'moneh Esrei
Chazoras haShatz	(10 were present at beginning of Chazoras hashatz) Finish Chazoras hashatz but no Nesias kapayim Chazzan should only recites pesukim of Birchos Kohanim	Quiet She'moneh Esrei by Ma'ariv on Motzei Shabbos	Recite Chatzi Kaddish and Kaddish Tiskabal after Ve'atta Kadosh

Laws of Devarim She'bikdusha that Require a Minvan of 10 men			
If 10 people were present by... 	and then...		
	<i>1 person fell asleep, or, 1 person started She'moneh Esrei and cannot answer with everyone</i>	<i>2 – 4 people were asleep⁵² 2 – 4 people started She'moneh Esrei and cannot answer with everyone</i>	<i>Even if only 1 person fell asleep (a stricter opinion)</i>
Yishtabach	Maharalnach, Magen Avraham: <i>Say Chatzi Kaddish</i>	Maharalnach: <i>Say Chatzi Kaddish</i> Magen Avraham: <i>Do not say Chatzi Kaddish</i>	 Shulchan Aruch Harav: <i>Cannot count for Minyan when asleep according to some opinions (Taz)</i>
Ashrei by Mincha	Maharalnach, Magen Avraham: <i>Say Chatzi Kaddish</i>	Maharalnach: <i>Say Chatzi Kaddish</i> Magen Avraham: <i>Do not say Chatzi Kaddish</i>	
Chatzi Kaddish before Borchu (Shacharis or Ma'ariv)	Maharalnach, Magen Avraham: <i>Say Borchu</i>	Maharalnach: <i>Say Borchu</i> Magen Avraham: <i>Do not say Borchu</i>	
Kaddish and Borchu	Maharalnach, Magen Avraham: <i>Can be motzee someone with Birchos Krias She'ma</i>	Maharalnach: <i>Can be motzee someone with Birchos Krias She'ma</i> Magen Avraham: <i>Cannot be motzee someone with Birchos Krias She'ma</i>	
By quiet She'moneh Esrei	Maharalnach, Magen Avraham: <i>Say Chazoras hashatz</i>	Maharalnach: <i>Say Chazoras hashatz</i> Magen Avraham: <i>Do not say Chazoras hashatz</i>	
Chazoras haShatz	Maharalnach, Magen Avraham: <i>Finish Chazoras hashatz</i>	Maharalnach: <i>Finish Chazoras hashatz</i> Mechaber according to Magen Avraham: <i>Do not Finish Chazoras hashatz</i>	

52 See Be'er Hetev ס"ק 9. Aruch Hashulchan 55:13 differentiates between sleeping where no more than 1 is allowed and having started *She'moneh Esrei* where up to 4 are allowed.

53 Recite *she'moneh esrei* out loud (= *Hoch* in Yiddish) with *Kedusha* until *Hokeil Hakadosh* so there are no wasted *brochos* since there is no *Chazoras hashatz*

Laws of Devarim She'bikdusha that Require a Minvan of 10 men			
If 10 people were present by... 	and then...		
	<i>1 person fell asleep, or, 1 person started She'mone Esrei and cannot answer with everyone</i>	<i>2 – 4 people were asleep⁵⁴ 2 – 4 people started She'mone Esrei and cannot answer with everyone</i>	<i>Even if only 1 person fell asleep (a stricter opinion)</i>
Chazoras hashatz	Maharalnach, Magen Avraham: <i>Say Kaddish</i>	Maharalnach: <i>Say Kaddish</i> Magen Avraham: <i>Do not say Kaddish</i>	Shulchan Aruch Harav: <i>Cannot count for Minyan when asleep according to some opinions (Taz)</i>
Chazoras hashatz	Maharalnach, Magen Avraham: <i>Say Krias Hatorah</i>	Maharalnach: <i>Say Krias Hatorah</i> Magen Avraham: <i>Do not say Krias Hatorah</i>	Same as above
Nesias kapayim	Maharalnach, Magen Avraham: <i>Finish Nesias kapayim</i>	Maharalnach: <i>Finish Nesias kapayim</i> Magen Avraham: <i>Do not finish Nesias kapayim</i>	Same as above and even according to more lenient opinions better not to
Krias Hatorah	Maharalnach, Magen Avraham: <i>Finish Krias Hatorah</i>	Maharalnach: <i>Finish Krias Hatorah</i> Magen Avraham: <i>Do not finish Krias Hatorah</i>	Same as above and even according to more lenient opinions better not to
Borchu by Ma'ariv	Maharalnach, Magen Avraham: <i>Recite Chatzi Kaddish before She'mone Esrei</i>	Maharalnach: <i>Recite Chatzi Kaddish before She'mone Esrei</i> Magen Avraham: <i>Do not recite Chatzi Kaddish before She'mone Esrei when more than one person is not participating</i>	Shulchan Aruch Harav: <i>Cannot count for Minyan when asleep according to some opinions (Taz)</i>
Quiet She'mone Esrei by Ma'ariv	Maharalnach, Magen Avraham: <i>Recite Kaddish Tiskabal after She'mone Esrei</i>	Maharalnach: <i>Recite Kaddish Tiskabal after She'mone Esrei</i> Magen Avraham: <i>Do not recite Kaddish Tiskabal after She'mone Esrei</i>	Same as above
Quiet She'mone Esrei by Ma'ariv on Motzei Shabbos	Maharalnach, Magen Avraham: <i>Recite Chatzi Kaddish and Kaddish Tiskabal after U'vah le'tziyone</i>	Maharalnach: <i>Recite Chatzi Kaddish and Kaddish Tiskabal after U'vah le'tziyone</i> Magen Avraham: <i>Do not recite Chatzi Kaddish and Kaddish Tiskabal after U'vah le'tziyone</i>	Same as above

⁵⁴ See Be'er Hetev s"v 9. Aruch Hashulchan 55:13 differentiates between sleeping where no more than 1 is allowed and having started *She'moneh Esrei* where up to 4 are allowed.

Questions:

1. What is the prerequisite for a *Davar she'bikdusha* to be permitted to be recited?
2. Where is this principle derived from?
3. What does the word *Tzibbur* ציבור hint at?
4. In general, when would a *Davar she'bikdusha* be recited even without a *Minyan* present?
5. How many people from the core *Minyan* may be sleeping according to the Magen Avraham and to which *Halacha* does he compare this?
6. According to the Shulchan Aruch Harav what limitation does he give when relying on a six year old to be counted into a *Minyan*?
7. What does the Biur Halacha suggest doing if someone that is needed for the *Minyan* fell asleep and cannot be aroused in time for *chazoras hashatz*?
8. What is the preferred amount of people necessary to listen to *chazoras hashatz* according to the Magen Avraham and what is the prevalent custom?
9. Is it appropriate to recite the verse (*pasuk*) of *Ve'atta Yigdal Nah* after the *chazzan* has begun reciting *Kaddish*? Why?
10. If someone enters a shul while the *tzibbur* has already responded to *Amein yehei sheme rabba* and are up to the word *mevorach*, what should his response be?
11. What should someone omit from the response of *Amein yehei sheme rabba mevorach* when reciting it while one is holding at a place in *davening* where he may not make other interruptions?
12. What intent should one concentrate on when saying the word *Amen*?

Answers:

1. One is required to have a *Minyan* of 10 adult Jewish males.
2. It is derived from the verse in *Parshas Emor*⁵⁵ where it states, *Venikdashti besoch Bnei Yisrael* – And I will be sanctified amongst the Jewish people.
3. It hints to 3 elements that compose a *tzibbur*.
צ - *Tzaddikim*, righteous individuals,
ב - *Beinunim*, average individuals and
ר - *Resha'im* those who used to be wicked and have now mended their ways.
4. If a certain section of Prayer (*Tefilla*) started with 10, it is considered as if the *Minyan* is still present as long as there are at least 6 people left.
5. The Magen Avraham allows only one such individual. He says it is no different than including a *Kattan* (minor) where only the maximum of 1 is allowed.
6. If it is necessary to rely on a *Kattan*, one should only recite necessary *Kaddeishim* omitting the one after *Aleinu*.
7. The Biur Halacha suggests that the *Shali'ach Tzibbur* begin reciting *She'moneh Esrei* immediately out loud with *Kedusha*. After the final *bracha* of *HaKeil Hakadosh*, he continues reciting *She'moneh Esrei* quietly on his own.
8. It is preferable to have the *Shali'ach Tzibbur* with 9 listeners. In practice, 6 are enough for reciting the complete *chazoras hashatz*.
9. Since one should rather focus on the *Kaddish* itself.
10. *Amen*.
11. The final word, *Yisborach*.
12. (A)Keil⁵⁶ Melech Ne'eman (*Amein*). Hashem is a trustworthy King.

⁵⁵ Vayikra 22:32

⁵⁶ The letter "K" is used instead of the letter "A" to avoid uttering Hashem's Name in vain