מהדורת משפחת ברייטמן

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תמצית ערוך השולחן

TAMTZIS ARUCH HASHULCHAN

A Concise Summary of the Dinim of the Aruch HaShulchan

ORACH CHAIM · VOLUME I · SIMANIM 1–319

Morning Conduct ◆ Tzitzis ◆ Tefillin ◆ Krias Shema ◆ Tefillah
Berachos ◆ Birchos HaNehenin ◆ Erev Shabbos ◆ Kabbalas Shabbos
Muktzeh ◆ Melachos of Shabbos

Concise practical rulings, with source references and explanatory notes from the Mishnah Berurah and later authorities

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Orach Chaim, Volume I — Daily Conduct, Prayer, Blessings & Shabbos I

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מוקדש לעילוי נשמת

הורינו היקרים

דבורה בת זוסיע ז״ל

דוב צבי בן יעקב הלוי ז״ל

משה אהרן ורעיתו פייגל ברייטמן

In everlasting memory of our dear parents

Devorah bas Zusya · Dov Tzvi ben Yaakov HaLevi

Dedicated by Moshe Aharon and Faigie Braitman

merely as support. (AH §28)

When appointed for life, or appointed for a term where custom is not to remove at term's end (which is like a permanent hire), it is as if it was stipulated that when he needs assistance in old age or illness he may take a helper of his choosing, and then his son takes precedence when fit. (AH §29)

- **But when the father dies**, the congregation is certainly not obligated to accept the son unless they now wish to choose him — not on account of inheritance. (AH §29; Magen Avraham 33)

In appointments to the rabbinate, inheritance has no *Torah* basis; we find sages whose sons did not succeed them, and the hereditary Nasi-ship from Hillel onward was an enactment for the sake of *Torah* on account of Herod. (AH §30; Magen Avraham)

- Nonetheless, if the son truly fills his father's place, it is fitting for the townspeople to install him in his father's post. (AH §30)

The Prayer Text and the Meaning of the Terms

There is a view that the *shaliach tzibbur* should pray from a book designated for the congregation, written for its sake; but nowadays that we pray from printed prayerbooks, this does not apply. (AH §31; Rema)[456]

The *shaliach tzibbur* of the Talmud was appointed for all the town's needs and prayed daily — *Shacharis*, *Minchah*, and *Maariv* — to discharge the obligation of the many; the term "*chazzan*" appears in the *Mishnah* with various meanings (teacher of children, court agent, beadle). (AH §32; Rashi, *Chullin* 24b)

Nowadays "*chazzan*" and *shaliach tzibbur* are one and the same — appointed only to pray and sing on certain *Shabbosos*, festivals, and the High Holy Days — since everyone prays for himself and does not need him to discharge their obligation. Therefore, the scrutiny of them is not so exacting. (AH §32)

- Nonetheless it is obligatory that he be God-fearing; otherwise his prayer is an abomination and arouses accusations, God protect us. (AH §32)

54: The Blessing of Yishtabach

The Blessing of *Yishtabach*

Yishtabach does not open with "*Baruch*" because it adjoins the blessing of *Baruch She'amar* — *Baruch She'amar* being the blessing before *Pesukei DeZimra* and *Yishtabach* the blessing after it. (AH §1)

Therefore, one may not say *Yishtabach* unless he first said *Baruch She'amar* and at least some of *Pesukei DeZimra*. (AH §1)

The conclusion of the blessing is "*chei ha'olamim*," and it is there that one answers *amen* — not after "*gadol umehulal batishbachos*" as in the *Sefard* version. (AH §1)[457]

One must say "*chei*" with a *tzeirei*, not a *pasach*. (AH §1)

Although one may answer *amen* upon completing his own blessing when he finishes together with the *chazzan*, we do not hold that one may otherwise answer *amen* after his own *Yishtabach*, and this is not the custom. (AH §1; Siman 51:4)

Interrupting Between *Yishtabach* and *Yotzer*

Even though *Pesukei DeZimra* and *Yotzer Or* are two separate matters and *Kaddish* is said between them, it is forbidden to interrupt with speech between *Yishtabach* and *Yotzer*, since all are part of the order of prayer and are considered one matter. (AH §2; Yerushalmi)

This restriction concerns only mundane speech. (AH §2)

Saying "*Shir HaMa'alos MiMa'amakim*" after *Yishtabach* during the Ten Days of Repentance is not an interruption, since it is regarded as part of the order of prayer. (AH §2; Siman 51)

Permitted Interruptions for a Mitzvah

For communal needs, or to pledge charity for one who comes to be sustained from charity, some say it is permitted to interrupt between *Yishtabach* and *Yotzer*. (AH §3)

From this arose the widespread custom to bless a sick person, or to lodge a complaint in the synagogue to obtain justice, between *Yishtabach* and *Yotzer* — all of which is considered a *mitzvah* need. (AH §3)

After such an interruption, when they resume praying, the *chazzan* says some of *Pesukei DeZimra* and then recites *Kaddish* over them, since there is never *Kaddish* without praise preceding it. (AH §3)[458]

One who did not have *tzitzis* or *tefillin* and they were brought to him between *Yishtabach* and *Kaddish* may put

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456. see *Igros Moshe* OC 2:17, who learns from this *Rema* that the manner in which a *siddur* was produced bears on the *tefillah* itself, and therefore forbids even an individual to daven from *siddurim* printed on *Shabbos* or *Yom Tov*.

457. see *Mishnah Berurah* 3, who is in doubt whether one may interrupt to answer *amen*/kaddish/*kedushah* before "*chei ha'olamim*," since *Yishtabach* is one continuous unit.

458. see *Mishnah Berurah* 9, who (citing the *Magen Avraham*) holds *Kaddish DeRabbanan* requires at least some words of *Aggadah* be said first.

them on and recite the blessing over them. (AH §3)[459]

Between *Kaddish* and *Barchu*, one may not interrupt for anything; and all the more so one may not interrupt after the *chazzan* says *Barchu*, before beginning the blessing of *Yotzer*. (AH §3)[460]

Practice Nowadays

In our times, we have never heard of making any interruption between *Yishtabach* and *Kaddish*; any delays in the prayer, or the giving of charity, are done before the reading of the *Torah*. (AH §4)

When *tallis* and *tefillin* are brought to be put on between *Yishtabach* and *Kaddish*, this applies to an individual; the *chazzan*, however, should put them on before *Yishtabach*. (AH §4; Siman 53:2)

Where there is an established custom, one certainly should not say two consecutive *Kaddishim* without verses of praise between them. (AH §4; Siman 55)

55: Kaddish and the Minyan of Ten

The Nature and Greatness of *Kaddish*

Kaddish is a lofty praise instituted by the Men of the Great Assembly after the destruction of the First Temple; it is a prayer over the desecration of *Hashem's* Name caused by the Temple's destruction, the ruin of the Holy Land, and the scattering of Israel, that His Name be magnified and sanctified. (AH §1)[461]

It was composed in Aramaic, the language then spoken in Babylonia, so that everyone would understand it. (AH §1)

One who answers *Amen, yehei shemei rabba* with all his strength has his sentence torn up and the gates of *Gan Eden* opened to him; (AH §2; *Shabbos* 119b) answering it aloud annuls harsh decrees, (AH §2; *Pesikta*) and it is one of the pillars of the world. (AH §2; Sotah, end) One must therefore be very careful to answer it with intent and aloud. (AH §2)[462]

Not Multiplying Kaddishim

It is a mistake to think that multiplying *kaddishim* is a *mitzvah*; just as it is good to reduce unnecessary *berachos*, so too it is good to reduce *kaddishim*, and one who multiplies them shows disrespect for the sanctity of the King. (AH §3; Knesses HaGedolah)

The early authorities said only seven *kaddishim* per day: three at *Shacharis* (after *Yishtabach*, after *Tachanun*, and after *Uva Letzion*), two at *Minchah* (after *Ashrei* and after *Tachanun*), and two at *Maariv* (before and after *Shemoneh Esrei*). (AH §4; *Rokeach*)

Later, three more were added after *Aleinu* at each prayer, so that each person fulfills daily the letters of *tzaddik*: four *kedushos*, ten *kaddishim*, and one hundred *berachos*. (AH §4; Magen Avraham)

The *Kaddish* after *Aleinu* was instituted for orphans who cannot lead the prayers, and is called *Kaddish Yasom*. (AH §4)

On a day the *Torah* is read there is an additional *Kaddish* after the reading; and one more was added after the Psalm of the Day for the many orphans — but beyond this it is forbidden to add. (AH §4)

Under no circumstances should *Kaddish* be said hurriedly or hastily, which is the way of the ignorant; it must be said with intent and reflection, grieving over the exile of the Divine Presence. (AH §4)

Kaddish DeRabbanan After Study

Only when ten study Oral *Torah* — even *midrash* or *aggadah* — together may one of them recite *Kaddish DeRabbanan* upon concluding; fewer than ten who study, and certainly an individual, may not. (AH §5; Rambam, Seder HaTefillah)

One must therefore rebuke those who on a *yahrtzeit* study a few chapters of *Mishnayos* by themselves and then say *Kaddish*; this is forbidden. (AH §5)

Some write that *Kaddish* is said only over words of *aggadah*, and it is therefore customary to say some *aggadic* passage after study in order to recite *Kaddish DeRabbanan*. (AH §5; Magen Avraham 54:3)

The Requirement of Ten for a *Davar SheBikdushah*

Any *davar shebikdushah* — *Kaddish*, *Kedushah*, and *Barechu* — requires ten Jews: males, adults who have grown two hairs, and free men (excluding slaves); the Divine Presence rests upon ten. (AH §6; *Berachos* 21b)

If they began *Kaddish* or *Kedushah* with ten and some left in the middle, they finish that *Kaddish* or *Kedushah*, provided six — the majority of the ten — remain. (AH §6)

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459. see *Mishnah Berurah* 12, who cautions that between the *shel yad* and *shel rosh* one may not interrupt even for *amen*/*Barchu*, so an individual should only don them if he can finish before the *chazzan* reaches that point.

460. see *Mishnah Berurah* 13, who rules that if *tallis* or *tefillin* arrive only after *Kaddish* began one dons them but does not bless until after *davening*, and after *Barchu* no *beracha* may be made on them at all.

461. see *Mishnah Berurah* 1, that ten who do not understand Hebrew may have one serve as *chazzan* and say *Kaddish* and *Kedushah* in the vernacular.

462. see *Igros Moshe* OC 3:101, who rules that although *Tiskabel* itself is an obligatory part of the *Kaddish*, answering Amen to *Yehei shelama rabba* and *Oseh shalom* is only optional and not on the level of the Amen after a *berachah*.

Even so, it is a transgression to leave; but if ten remain, one who must leave — such as to relieve himself — may do so. (AH §6; Rema)

Completing the Service When Some Leave

The general rule when ten began and some left in the middle: they complete only the current matter together with the *Kaddish* belonging to it, and no more. (AH §7)

If some left during *Pesukei DeZimra*, they finish through *Yishtabach* and say *Kaddish*, but no further, since *Yotzer Or* is a separate matter. (AH §7)

If some left during *Yotzer Or*, they finish through *Shemoneh Esrei* and no further. (AH §7)

If some left before the *chazzan* began the repetition, the *chazzan* does not repeat the prayer. (AH §7)[463]

If some left after the *chazzan* began the repetition, they finish the *Kedushah* and the whole repetition with the *Kaddish* after *Shemoneh Esrei*; but *Ashrei* and *Uva Letzion* each says by himself. (AH §7)

If some left after they began *Ashrei–Uva Letzion*, they say the full *Kaddish*. (AH §7)

But regarding *Aleinu*, even if some left after they began it, they do not say the *Kaddish* after *Aleinu*, since it is only a custom; and so too the law at *Minchah* and *Maariv*. *Hallel*, *Musaf*, and the *Torah* reading are each a separate matter. (AH §7)

The *Torah* Reading When Some Leave

The *Aruch HaShulchan* suggests that **if some left** during the *Torah* reading, they complete the day's obligation with the *aliyos* called, but the *maftir* does not bless over the *haftarah* or the *Torah*; he leaves this procedure requiring further study and refers to Eliyah Rabbah. (AH §8)

At *Minchah* of a public fast, the *maftir*, who is the third called to the *Torah*, does go up since he is part of the count of readers; but the *haftarah* and its blessings are not recited, being a separate matter. (AH §8)

When Ten Assemble in the Middle

If they began without ten and ten arrived in the middle — e.g. they began *Baruch SheAmar* without ten and ten arrived at *Yishtabach* — they say *Kaddish*; and likewise at *Maariv*. (AH §9; Siman 53)[464]

As for study, only **if they studied part together** without ten and ten arrived in the middle is *Kaddish* said; but if the ten arrived after the study, no *Kaddish* is said, (AH §9; Magen Avraham 69:4) nor is *Kaddish* said merely because ten were present in the synagogue without all having studied. (AH §9; Rambam, *Berachos*, ch. 8)

Who Cannot Be Counted: Minors, Slaves, and Women

A minor over six who knows to Whom one prays may **not** be joined as a tenth, and this is the ruling of the great authorities; likewise a slave or a woman may not be joined, nor may a minor be joined even by means of a *chumash* in his hand. (AH §10; SA §4)

Some are lenient to rely on such a minor in pressing circumstances, but the *Levush* saw none who were lenient even then, and so we rule in practice. (AH §10; Levush)[465]

Age of Majority and the Presumption of Signs

A minor who reached thirteen years and one day is joined for everything, for we presume he has grown two hairs — this presumption applying to rabbinic matters but not to *Torah* matters. (AH §11)[466]

If we know he has not grown hairs, he is not joined until he does. (AH §11)

If he is a *saris* in whom the signs of a *saris* appeared, he becomes an adult at twenty; if no such signs appeared, only when most of his years have passed — at thirty-six — does he become an adult. (AH §11; *Yevamos* 80a)

A boy born in Adar of an ordinary year whose thirteenth year is a leap year becomes *bar mitzvah* in Adar II. If both birth and thirteenth years are leap years, one born in Adar I becomes *bar mitzvah* in Adar I. When the birth year is leap but the thirteenth is not, a later-born Adar II child may become an adult before one born late in Adar I. One born on Rosh Chodesh becomes *bar mitzvah* on Rosh Chodesh regardless of whether it comprised one or two days in either year. (AH §§14-15)

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463. see *Igros Moshe* OC 4:19, who holds that the *chazzan*'s repetition requires ten who actually listen to it, so that learning during *chazaras hashatz* is forbidden outright when nine are not attending, and one who does not listen is not counted toward the ten.

464. see *Mishnah Berurah* 17, who rules that even if they only said *Kaddish* and *Barechu* with ten and some left before starting *Yotzer Or*, it counts as having begun with ten and they may continue through *Shemoneh Esrei* even with fewer than ten.

465. see *Mishnah Berurah* 24, that many later authorities are stringent not to join any minor even under pressing circumstances until he completes thirteen years, though the common custom is to join one via a *chumash* for *Barechu* and *Kaddish* but not the *Kaddish* after *Aleinu*. See also *Igros Moshe* OC 2:18, who permits joining one minor when otherwise the *minyan* will collapse (even though another shul exists in town), preferably a twelve-year-old holding a *sefer Torah* (even a *pasul* one) resting on the table, and directs the *chazzan* not to daven the silent *Shemoneh Esrei* but to begin aloud to avoid a *berachah levatalah*.

466. see *Mishnah Berurah* 30, citing the *Pri Megadim*, that for *tefillah* (a rabbinic matter) one may possibly join a *saris* exhibiting the signs even before age twenty.

A *Shoteh* and a Deaf-Mute

A definite *shoteh* is not joined; a deaf-mute who neither hears nor speaks is like a *shoteh*. (AH §12)

But one who speaks but does not hear, or hears but does not speak, has the status of a normal person for all matters and is joined; it does not matter that not all of the ten answer or hear. (AH §12)[467]

Joining One Praying, Asleep, or Ill

One of the ten who is in the middle of his own *Shemoneh Esrei* and cannot answer is nonetheless joined. (AH §13; SA §6)

One who is asleep is also joined, though some hold he is not; some uphold that he is joined, but no more than one asleep may be joined, (AH §13; Taz 55:4)[468] whereas those standing in *Shemoneh Esrei* may be joined up to four. (AH §13; Magen Avraham 55:8) *Lechatchilah* a sleeper should be awakened. (AH §13)

When one is praying alone, it is proper for the others to wait before saying *Kaddish* until he finishes, so that he too may share in it; but if he prolongs greatly, they need not wait for him. (AH §13; SA §7)[469]

An ill person who is lucid is joined if he lies in the room where they pray; if he is not lucid, he is not joined — and even according to the view that a sleeper is joined, an ill person is different, since a sleeper can be awakened. (AH §13; *Gittin* 70b)

A Transgressor and the Ostracized

A transgressor against the whole *Torah* is not joined to the ten; but one who transgressed a single sin, or violated a communal decree, is joined. (AH §16)[470]

One who was placed under a ban is not joined, since the distanced person is not joined to anything requiring ten; nevertheless one may pray in a synagogue where he is present, and need not distance from him unless they expressly imposed this stringency upon him. (AH §16; Yoreh De'ah 334)

Answering *Kaddish* and *Kedushah* From Outside

One passing in the street beside a synagogue who hears the congregation say *Kaddish*, *Kedushah*, or *Barechu* must answer with them, provided there is no interposition of a foul thing or idolatry between them. (AH §17; *Pesachim* 85b)

This applies only where there are ten in one place, that is, in one room; ten cannot be joined from two places, for the Divine Presence rests only where they are gathered in one place, and the *chazzan* too must be with them in the same room. (AH §17)

Standing in the Doorway

One standing within the doorway, from the inner edge of the door's thickness and outward, is considered outside. (AH §18; SA §13)[471]

Since the great authorities dispute this and hold an open doorway is as within, one may be lenient where needed for those standing under the lintel while the door is open. (AH §18; Magen Avraham 55:11)

Roofs, Upper Stories, and Windows

Roofs and upper stories are not included in the "house," and one standing on them is not joined with those inside. (AH §19)

If some are outside and some inside and the *chazzan* is within the doorway, he joins them, as though they were all in one room, even if they do not see one another, since both sides are drawn after the *chazzan*. (AH §19; SA §15)

One standing behind the synagogue with a window between them — even many stories high and less than four wide — who shows them his face through it, is joined to the ten; (AH §20; SA §14)[472] but only one such person, and no more, is joined. (AH §20)

Where upper stories are separated only by posts so that those below see those above and it is difficult for them to descend, some join them together, though others hesitate; perhaps in pressing circumstances one may rely on this. (AH §20; Eliyah Rabbah 55:12)

Those standing in the women's section are certainly not joined with those in the synagogue, even through windows where they see one another's faces, since full partitions make them two domains. (AH §20)

A Small Court Breached Into a Larger One

Where a small court's wall is fully breached into a larger one, leaving the small court no side-posts while the large one retains them, the dwellers of the large court draw the small one

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467. see also *Igros Moshe* OC 1:29, who holds that for a *davar shebikdushah* there is no requirement that the other nine actually answer, but the special merit of *tefillah b'tzibur* requires all ten adults to be davening together.

468. see *Be'ur Halacha* s.v. *aval im nishtayru*, that even according to those who join a sleeper, *lechatchilah* one should wake him or at least rouse him to a dozing state.

469. see *Mishnah Berurah* 37, that one waits for the individual to finish only if there remains time in the day for him to pray.

470. see *Mishnah Berurah* 46, citing the *Pri Megadim*, that this refers only to one who sins out of appetite, but a *mumar l'hachis* or for idolatry or public *Shabbos* desecration is like a non-Jew and is not joined.

471. see *Be'ur Halacha* s.v. *safah penimis*, that under pressing circumstances one may rely on those standing within the thickness of the doorway being joined.

472. see *Mishnah Berurah* 52, that it is nevertheless better for such a person to descend to the *shul*, since some later authorities dispute the whole comparison to *zimun*.

to them as though one court, but the small does not draw the large. (AH §21; *Eruvin* 92a)

If the congregation is in the larger and the *chazzan* in the smaller, they are joined and fulfill their obligation, as though the *chazzan* too were in the larger; even nine in the larger and one in the smaller are joined. (AH §22)

If the congregation is in the smaller and the *chazzan* in the larger, they are not joined; and an individual in the larger with nine in the smaller are not joined. (AH §22)

Up to four may be in the smaller with six in the larger and be joined; the reverse — the majority in the smaller — is not joined, nor an even split; but if the *chazzan* or the individuals stand on the threshold of the larger and the majority is in the smaller, they are joined. (AH §22; Prishah)

Two Rooms Not Fully Breached

If the small court is not fully breached into the larger, they are not joined at all; thus ten are not made up from two rooms. (AH §23)

In a synagogue, all must be within it; one standing in the entrance-hall or an adjoining room, even with a doorway to the synagogue, is not joined. (AH §23)

All this concerns joining; **but where there is a minyan in one place**, those standing elsewhere may answer *Amen*, *Kaddish*, *Kedushah*, and *Barechu*, and if they pray with them are considered to be praying with a congregation. (AH §23)[473]

The *Bimah*

The *bimah*, though ten high and four wide with partitions forming its own domain, is nonetheless counted as one place with the synagogue for joining, since it serves the synagogue; even nine on the *bimah* and one in the synagogue are joined. (AH §24)

Some say that if the partitions reach the ceiling it forms a separate domain, and this concern should be heeded — though it is uncommon, and if the partitions reach the ceiling on only one or two sides but not all, it is treated as one. (AH §24; Yoreh De'ah 242)

A Town With Only Ten and Hiring to Complete a Minyan

In a town with only ten, one who wishes to leave for the whole year cannot be prevented; **but during the Days of Awe** they may prevent him from leaving unless he provides a replacement — though if ten remain without him, he cannot be prevented. (AH §25)

If they are eleven and two wish to leave, both must hire one to take their place to complete the *minyan*, paying half according to wealth and half according to persons. (AH §25)[474]

If there are eight and they must hire two to make the *minyan*, the eight pay half by wealth and half by persons, since the poor can say they may go pray elsewhere while the wealthy fear to leave their property; but when two are the ones traveling away, poor and wealthy pay equally. (AH §25; Magen Avraham 55:16)

Those leaving must pay their share also toward hiring the *chazzan*; and there is no difference whether they leave shortly before the Days of Awe or long before — as long as one will not return for the Days of Awe, he must provide a replacement. (AH §25)

One forced to flee is entirely exempt, provided he was not himself negligent in his flight. (AH §25; Eliyah Rabbah 55:20)

Compelling One Another to Maintain a Minyan and Hire a Chazzan

One is not compelled to hire in order to complete a *minyan* except on the Days of Awe, and only when one or two are lacking — unless there is a fixed and known custom in the town to compel hiring even for a shortage of three, four, or more. (AH §26)

Where there is a minyan but none can serve as *chazzan*, they compel one another to hire a *chazzan*. (AH §26)

Where there is not always a minyan in the synagogue because not all come, they may compel one another with fines to come so the daily prayer not be nullified; but where there is another synagogue in town, one cannot be compelled to come specifically to this one. (AH §26)[475]

Regarding outlying settlements needing to hire a *minyan* and *chazzan*, those in the surroundings who are accustomed to come there cannot be compelled to share the burden, for they can say "we can travel elsewhere"; but this is not an absolute rule, and all depends on the circumstances — and our common custom is that all in the surroundings share the burden of the expense. (AH §26; Maharil)

56: The Text and Laws of Kaddish

Notes

473. see *Mishnah Berurah* 62, citing the *Chayei Adam*, that one elsewhere may answer *yehei shemei rabba* and *Kedushah* (being mere verses) but not *Barechu*.

474. see *Mishnah Berurah* 68, that the reading 'half by wealth' is a scribal error and when two are leaving both pay equally, since each is obligated to provide a replacement.

475. see *Igros Moshe* OC 3:16, who rules that members belonging to a particular shul must see to it that a daily *minyan* is held there even though another shul in town is available, though where it is difficult they need only rotate among themselves to complete the *minyan*.

The Words of *Kaddish* and Their Meaning

In *Yehei shmeih rabba*, the Aramaic **"shmeih rabba"** corresponds to the Hebrew "His great Name," referring to the Name *Havayah*. (AH §1)

- Some read **"shmeih"** as two words — *shem* Yud-Hei — since after the Destruction the world uses only two letters of the Name. (AH §1)

In **"kirusei"** the *kaf* is soft (*rafeh*), per the rule of *begadkefat* following a *hei-yud-vav*. (AH §2)

- Some hold the *kaf* is hard (*dagesh*), since *kirusei* refers back to "*yisgadal ve'yiskadash*" — that these will be by His will — and it stands as a pausal form. (AH §2; Gra)

"Ve'yamlich malchusei" is a prayer. (AH §2)

- The *Sefard* rite adds "*ve'yatzmach purkanei vi'karev meshichei*"; some read "*ketz meshichei*." (AH §2)

"Ba'agala u'vizman kariv" is a prayer that we merit to see this in our lifetime, and speedily; *agala* in Aramaic means "speedily." (AH §3; *Berachos* 18b)

Answering *Amen* Yehei Shmeih Rabba

The congregation answers *Amen*, and one should recite "*Amen! Yehei shmeih rabba*" with concentration and in a loud voice. (AH §3; Siman 55)[476]

One should not make an interruption between "*Yehei shmeih rabba*" and "*mevarach*" — meaning not to treat it as a separate matter, but to draw the words together. (AH §3; *Sukkah* 39a)[477]

- This does not require saying it in a single breath. (AH §3)

The vocalization: **"yisgadal"** and **"ve'yiskadash"** with the *dalet* in *tzeirei*; **"shmeih"** without a *mapik* in the *hei*; **"mevarach"** *kamatz* under the *beis* and *patach* under the *reish*; **"le'alam"** *kamatz* under the *ayin*. (AH §3)

The reading is **"ule'almei almaya"** with a *vav*, and this is the common practice, though some say "*le'almei*" without a *vav*. (AH §3)

How Far to Answer

The prevailing practice, followed by most, is to answer up to "*yisbarach*." (AH §4; Beis Yosef)[478]

- Some hold one answers only up to "*almaya*" (Tur; and so the Gra). (AH §4; Tur)
- Some answer up to "*da'amiran be'alma*" (Abudraham). (AH §4; Abudraham)

One may not separate "*almaya*" from "*yisbarach*," and this applies to the one answering as well. (AH §4)[479]

When the *shaliach tzibbur* recites quickly — such that by the time one reaches "*yisbarach*" the *shaliach tzibbur* is at the end of the *Kaddish* — the individual should say up to "*da'amiran be'alma*." (AH §4)

The Continuation and Additional Amens

One answers "*yisbarach ve'yishtabach... ve'yis'aleh ve'yis'halal*." (AH §5)[480]

- Some hold not to say "*ve'yis'halal*," as only seven praises are needed; but the widespread practice is to say it. (AH §5)

Kaddish requires concentration to understand what is said; without concentration it is worthless, and better not recited. One should answer in a loud voice and hurry to hear *Kaddish*. (AH §5; Beis Yosef)[481]

When the *shaliach tzibbur* says "*yisgadal ve'yiskadash shmeih rabba*," one answers *Amen*; after "*ve'yikarev meshichei*" (in the *Sefard* rite); and after "*ve'imru amen*" one answers *Amen*. (AH §6)

After "*berich hu*" one answers *Amen*; the *Ashkenaz* custom is to respond "*berich hu*." (AH §6)[482]

- Although the Rema held one should not interrupt between "*hu*" and "*le'eila min kol birchasa*," the accepted practice is that "*berich hu*" refers back to "*kudsha berich hu*," and one answers *Amen* — and so the Rambam ruled. (AH §6; Rambam)[483]

During the Ten Days of Repentance one says "*le'eila u'le'eila*," and then says "*mikol birchasa*" rather than "*min kol birchasa*" — since one added word requires dropping another to preserve the word-count. (AH §6)

Notes

476. see *Mishnah Berurah* 6, that *Amen* Yehei Shmeih Rabba takes precedence even over *Kedushah* and *Modim*.

477. see *Mishnah Berurah* 3, clarifying the pause means not interrupting with silence, and one need not say it in a single breath.

478. see *Mishnah Berurah* 15, who notes that per the Gra one answers only up to "*almaya*", but if one says both parts in two breaths even the Gra permits continuing to "*yisbarach*".

479. see *Mishnah Berurah* 15, that one standing in a place where interruption is forbidden should answer only up to "*almaya*".

480. see *Mishnah Berurah* 15, who cites the *Magen Avraham* that the original custom is to say only up to "*yisbarach*" and then listen silently to the *shaliach tzibbur*.

481. see *Mishnah Berurah* 1, that even mere thinking in words of *Torah* is forbidden while the *chazzan* says *Kaddish*, since it requires great concentration.

482. see *Mishnah Berurah* 13, warning against those who mistakenly echo "*berich hu*" together with "*le'eila*", which implies He is blessed only above.

483. see also *Igros Moshe* OC 2:16, who rules that one in the middle of *Pesukei d'Zimra* should not respond "berich hu" — since there is no real obligation to say it, it is weaker even than Baruch Hu u'Varuch Shemo — though between *Yishtabach* and *Yotzer* he may answer.

Bowing During *Kaddish*

There are five bows in *Kaddish*: at "*yisgadal*," at "*yehei shmeih rabba*," at "*yisbarach*," at "*berich hu*," and at "*ve'imru amen*." (AH §7; Tur)

- Rav Nachshon Gaon holds four are obligatory and one voluntary, counting the fifth at "*oseh shalom*." (AH §7; Rav Nachshon Gaon)
- Some are hesitant about these bows, since one may not add to the bows fixed by the Sages. (AH §7; Gra)

These are not full bows like those of *Shemoneh Esrei* but a slight bending, and so one should do. (AH §7)

After completing the *Kaddish* one takes three steps back and then says "*oseh shalom*." (AH §7)

Half *Kaddish* and Full *Kaddish*

The true conclusion of the *Kaddish* is only up to "*da'amiran be'alma*"; what is popularly called "half *Kaddish*" is merely a name. (AH §8)

At the end of the prayer one adds "*tiskabbel*" and "*yehei shlama rabba*," since peace is the pillar of the world, followed by "*oseh shalom bi'meromav*." (AH §8)

- "Oseh shalom" is a separate request: first we ask for peace among us, then that God help us make peace even should a dispute arise. (AH §8; Tur)

Standing and Related Practices

The Rema holds one should stand when answering *Kaddish* and any matter of *kedushah*. (AH §9; Rema)

- The Maharil disagrees. (AH §9; Maharil)
- Per the Arizal, whoever begins *Kaddish* while standing remains standing until after "*Amen yehei shmeih rabba*," but one who is seated need not stand. (AH §9; Arizal)

The apparent practice is to stand for the required *Kaddishim* within the prayer, but for other *Kaddishim* there is no need to stand. (AH §9)

One who arrives as the congregation is answering "*Amen! Yehei shmeih rabba*" answers with them, even though he did not hear the *shaliach tzibbur* say "*yisgadal*." (AH §9; Rema)[484]

The Rema wrote to say "*ve'ata yigdal na ko'ach*" at the start of "*yisgadal*," but this is not the practice. (AH §9; Rema)

Some say verses at "*tiskabbel*" and "*yehei shlama rabba*," but this is not the practice, and the Arizal instructed not to say them. (AH §9; Arizal)

57: Barchu and the Blessing

Reciting *Barchu*

After *kaddish*, the *shaliach tzibbur* says בָּרְכוּ אֶת ה' הַמְבֹרָךְ, and the congregation answers בָּרוּךְ ה' הַמְבֹרָךְ לְעוֹלָם וָעֶד. (AH §1)[485]

The *shaliach tzibbur* then repeats בָּרוּךְ ה' הַמְבֹרָךְ לְעוֹלָם וָעֶד, in order to include himself in the blessing. (AH §1; Siman 139)[486]

- Some hold he does not repeat it. (AH §1; Rambam, Hilchos Tefillah, ch. 12)[487]

One does not answer *amen* after the *shaliach tzibbur* repeats בָּרוּךְ; those who do so are mistaken. (AH §1)[488]

The Custom of Prolonging *Barchu*

The Rema records a custom that when the *shaliach tzibbur* prolongs בָּרְכוּ, the congregation says יִתְבָּרַךְ וְיִשְׁתַּבַּח during that time. (AH §1; Rema)

This applies only when he prolongs it with a melody; but while he is actually enunciating the words, nothing should be said. (AH §1)[489]

Where the *shaliach tzibbur* does not prolong the melody of בָּרְכוּ, this practice is not followed. (AH §1)

Bowing and Facing at *Barchu*

It is customary to bow slightly at בָּרְכוּ, but not like the bows of *Shemoneh Esrei*. (AH §1)

Even according to the view that one does not bow for the *Torah* reading, one does bow here during the prayer, and this is the widespread custom. (AH §1; Siman 139)

Some write that one should not turn his face from the east until he says בָּרוּךְ. (AH §1; Shaarei Teshuvah)

- Strictly, there is no impediment in this; it simply results naturally, since one is already standing facing east. (AH §1)

Notes

484. see *Mishnah Berurah* 9, that even if he arrives at the very end of the congregation's response he still says Yehei Shmeih Rabba and not *Amen*.

485. see *Mishnah Berurah* 1, that the *shaliach tzibbur* must say *Barchu* out loud so all can hear and answer.

486. see *Mishnah Berurah* 2, that one who heard only the congregation say *Baruch Hashem hamevorach* (not the *shaliach tzibbur*'s *Barchu*) may answer along with them, but one who heard only the *shaliach tzibbur* answers *amen* rather than joining.

487. see *Mishnah Berurah* 3, that if there are not ten present besides him and he did not answer along with the congregation, he has not fulfilled his obligation.

488. see *Be'ur Halacha* s.v. *ve'onim acharav*, that where the *shaliach tzibbur* recited *Barchu* quietly and fewer than nine actually heard him directly, one who hears only the congregation may not answer *Barchu* with them but only *amen*.

489. see *Mishnah Berurah* 5, who adds that where the *chazzan* does not prolong *Barchu*, it is better to remain silent and attend to his words so as to answer *Baruch Hashem hamevorach*, and who cites Rashal rejecting the practice of saying *Es Hashem Elokecha tira*.

No Interruption After *Barchu*

It is forbidden to interrupt between *kaddish* and בָּרְכוּ, and between בָּרוּךְ and יוֹצֵר אוֹר; likewise at *Maariv*. (AH §2)

Even for the sake of a *mitzvah* it is forbidden to interrupt. (AH §2)

Where the custom is to delay the prayer for some matter, the delay should be made before *kaddish*. (AH §2; Siman 54)

58: The Time for the Morning Shema

The Ideal Time — *Kevasikin*

The choicest way to fulfill the morning *Shema* is like the *vasikin*: to begin reading a bit before sunrise so that the final blessing — *Ga'al Yisrael* — is completed exactly at sunrise, and one begins *Shemoneh Esrei* immediately at sunrise. (AH §1; *Berachos* 9b)

- This period before sunrise is about a tenth of an hour before the sun rises. (AH §1; Rambam, Hilchos Kerias Shema, ch. 1)[490]

One who manages to do this — his reward is very great, he is assured a share in the World to Come, and he will suffer no harm all that day. (AH §3)

The Practical Start of the Time

The time for the morning *Shema* begins from when one can see a person somewhat familiar to him from a distance of four *amos* and recognize him — a time well before sunrise; this is the ruling of the *Tur*, the *Shulchan Aruch*, and most authorities. (AH §3)

After the fact, if one recited the *Shema* from dawn (*amud hashachar*) onward, he has fulfilled his obligation. (AH §1)[491]

If one did not recite the *Shema* before sunrise, he should hasten to recite it as quickly as he can. (AH §6)

The End of the Time — Three Hours

The time for the morning *Shema* extends until the end of the third hour of the day, for one who was delayed and read late. (AH §1)[492]

The three hours are a quarter of the day, reckoned in *seasonal hours* (*sha'os zemaniyos*): the day is always divided into twelve hours, and the length of each hour varies with the length of the day. (AH §11; Rambam, Peirush HaMishnayos, *Berachos*, ch. 1)

- When the day is long (sixteen hours), the time extends to the end of four hours; when short (eight hours), only to two hours into the day. (AH §10)

The quarter-day is reckoned **from sunrise**, not from dawn; the great authorities established this with clear proofs, and this is the accepted ruling in practice. (AH §14; Gra, Siman 459)

- Some say the quarter-day is reckoned from dawn, but this view has been rejected. (AH §14; Magen Avraham)

In our northern lands, in summer the time of *Shema* ends by the middle of the eighth hour even reckoning from sunrise; one must therefore be careful in summer to begin prayer no later than when the clock shows seven, so as to reach *Shema* before the middle of the eighth hour. In winter the time extends until the tenth hour and a little more. (AH §10)

The seasonal-hour reckoning applies to all Torah matters and does not change with location; the notion that the hours are always equal applies only to the Garden of Eden, not to our halachic reckoning. (AH §11; *Zohar* Vayakhel 195b)[493]

The Torah's mention of "lying down and rising" is not measured by each individual's habits but by the time most of the world arises; the Sages estimated that at sunrise most people arise, and thus wherever a person is on the globe, the time follows sunrise and the passing of a quarter of the day at his location. (AH §13)

One Under Duress or Pressing Need

One under duress — such as one who must set out on a journey through a place of wild beasts or bandits, where he cannot stand and concentrate even on the first paragraph — may recite the *Shema* with its blessings from dawn, and may also say *Yotzer Or*. (AH §9)[494]

- Some say he should not say *Yotzer Or* at that time. (AH §9;

Notes

490. see *Mishnah Berurah* 9 and *Be'ur Halacha* s.v. *kemo shiur sha'ah achas*, who bring the Gra that the correct reading is a third of a tenth of an hour, and who establish that sunrise is the moment the sun's first point begins to shine on the world (in the mountaintops).

491. see *Mishnah Berurah* 19, that one fulfills his obligation *b'dieved* from dawn only if this happens occasionally, but one who does so regularly has not fulfilled it (unless it is a pressing situation).

492. see *Igros Moshe* OC 4:50, who explains (following the Taz and *Magen Avraham*) that "when you rise" refers only to the stretch during which people are getting up from bed — which is why it closes after three hours, on account of late risers such as bnei melachim — in contrast to "when you lie down," which spans the entire night.

493. see *Igros Moshe* OC 2:20, who rules decisively that every halachic hour — the time of *Shema* morning and evening, *tefillah*, and *chametz* on erev Pesach — is a seasonal hour, and that the attempt to reckon fixed equal hours is to be dismissed entirely against the Rambam and the *poskim*.

494. see *Mishnah Berurah* 15, that such a person should also *daven Shemoneh Esrei* at home after *Shema* and its blessings. See also *Igros Moshe* OC 4:6, who rules that when the government advanced the clock and workers had to leave an hour earlier, they are *anusim* no less than the traveler of the *Shulchan Aruch* and may read *Shema* with its blessings — including *Yotzer Or* — from *amud hashachar*, though they don the *tallis* and *tefillin* and delay their blessings until *mishe'yakir*.

Magen Avraham)[495]

If the caravan is moving quickly and will not wait for him at all, he may likewise recite from dawn. (AH §9)

But if he is not traveling through a dangerous place and the caravan is not so pressed, even one setting out after dawn does not recite until the proper time arrives. (AH §9)[496]

After the fact, if he already recited from dawn even though he was not under duress, he has fulfilled his obligation. (AH §9)

If he recited without the blessings, he should recite again at the proper time with the blessings. (AH §9)

Where there is a pressing communal need to recite *Shema* as early as possible — such as when there is a corpse, a *bris milah*, on *Hoshana Rabbah* when there are many supplications, or those praying at daybreak on the first day of *Shavuos* — they may recite immediately after dawn. (AH §9; Magen Avraham)[497]

The Night *Shema* Read by Day

If one was prevented from reciting the evening *Shema* until dawn, since the sun has not yet risen, he recites and fulfills his obligation of the evening *Shema*. (AH §8)

If at that time he was compelled to set out to a place of wild beasts and bandits, he does not then recite a second time to fulfill the morning *Shema*, since once he has treated that time as night he cannot turn it back into day. (AH §8)

The Torah Obligation of *Shema*

Shema is a positive Torah commandment to be recited twice daily, once in the morning and once in the evening; this is the view of most authorities. (AH §15)

- Even those who hold *Shema* is Rabbinic agree there is a Torah obligation to recite "when you lie down and when you rise," holding one may fulfill it with other Torah passages, while the Sages ordained these three paragraphs. (AH §15; Shaagas Aryeh Siman 1)

We hold that the actual *Shema* is Torah-mandated. (AH §15)

- Some say only the first verse is from the Torah; some say the first paragraph; some say *Vehaya im shamoa* is also from the Torah. (AH §15; Shaagas Aryeh Siman 2)
- It appears from the Rambam that all three paragraphs are from the Torah. (AH §16; Rambam, Hilchos Kerias Shema, ch. 1)
- In a case of doubt whether one recited, he recites all of them according to all views. (AH §15)

One Who Reads After the Time

One who reads after the time has not lost out — he is like one reading in the Torah and receives reward as one engaged in Torah study, though he has not fulfilled the *mitzvah* of *Shema*. (AH §18; *Berachos* 9b)

"Has not lost out" means he has not lost the blessings: he may still say *Yotzer Or* and *Ahavah Rabbah* before, and *Ga'al Yisrael* after. (AH §18)

- This is only until the end of the fourth hour — the time of prayer (a third of the day); after the time of prayer it is forbidden to say the blessings, and one who does so has made a blessing in vain and transgresses "You shall not take [*Hashem's* name in vain]." (AH §18)[498]
- The Rambam holds one may say the blessings all day. (AH §18; Rambam, Hilchos Kerias Shema, ch. 1)[499]

The Sages permitted reciting the blessings after the time **only to one who was under duress** and did not read; but one who willfully let the time of *Shema* pass may not say the blessings. (AH §19)

- The *Beis Yosef* held the term "under duress" was not meant precisely, but this is difficult. (AH §19)

The Yerushalmi raises a concern against reciting *Shema* communally after its time, lest the unlearned think it is still the proper time; the *Aruch HaShulchan* leaves unresolved whether this applies when the congregation did not previously read *Shema* on time. (AH §20; Yerushalmi *Berachos*, ch. 1)

Making Up a Missed *Shema*

If one was under duress and did not recite by day, some say a make-up (*tashlumin*) helps in the evening — reciting the first for the obligation and the second as make-up; and likewise if he did not recite in the evening, some say it may be made up by day. (AH §21)[500]

Notes

495. see *Mishnah Berurah* 17 and *Be'ur Halacha* s.v. *zman K"Sh*, that the *Magen Avraham*, *Pri Megadim*, and Gra hold *Yotzer Or* may not be said even in a pressing situation before the time of *mishe'yakir*, though everything up to *Barchu* may be said.

496. see *Mishnah Berurah* 16, that he dons *tefillin* but does not recite the blessing on them until the time of *mishe'yakir* arrives.

497. see *Be'ur Halacha* s.v. *umitzvah min hamuvchar*, that those who are careful to recite like the *vasikin* may read and *daven* even *b'yechidus* when they have no *minyan*.

498. see *Mishnah Berurah* 26 and *Be'ur Halacha*, that even one who was under duress forfeits the blessings after the fourth hour, and one who recites them has made a *berachah levatalah*.

499. see *Mishnah Berurah* 27, that even after the time one should ideally still recite the *Shema* to accept the yoke of Heaven, and that the *Parshas Tzitzis* or other verses of remembering the Exodus remain a Torah obligation all day.

500. see *Mishnah Berurah* 28, that the *tashlumin* does not fulfill the *mitzvah* of *Shema* but is like Torah study, and applies only when the omission was *be'shogeg*.

- Others disagree, holding it is unlike prayer, since *Shema* requires the time of lying down and rising, and one cannot recite the "rising" reading at the time of lying down or vice versa; of this it is said "what is crooked cannot be made straight." (AH §21)[501]
- In any case the blessings are not to be said, and we have never heard a ruling in accordance with the first view. (AH §21)

59: The Blessings of Kri'as Shema

The Number and Structure of the Blessings

The Men of the Great Assembly instituted two blessings before *Kri'as Shema* — *Yotzer Or* and *Ahavah Rabbah* — and one after it, *Ga'al Yisrael*. (AH §1; *Berachos* 11a)

In the evening there are two before and two after, since *Hashkiveinu* was added, which is not applicable in the morning. (AH §1)

These blessings are not blessings on the act of reading *Shema* [like *Birkas HaTorah* or the blessings on *mitzvos*]; rather they were instituted as independent blessings, arranged to be said before and after *Kri'as Shema*. (AH §2; Rashba, Responsa §47)

- One who read *Kri'as Shema* without its blessings goes back and recites the blessings on their own, (AH §2; Rashba, Responsa §47) and afterward reads *Kri'as Shema* again together with the blessings, as is the widespread custom. (AH §2; Yerushalmi)

The First Blessing — *Yotzer Or*

The first blessing is יוֹצֵר אוֹר וּבוֹרֵא חֹשֶׁךְ עֹשֶׂה שָׁלוֹם וּבוֹרֵא אֶת הַכֹּל. (AH §3; *Isaiah* 45:7) Although the verse concludes וּבוֹרֵא רָע, they did not wish to mention something bad and used the refined expression *hakol* ("the All"); the intent is the same. (AH §3; *Berachos* 11b)

Even though "darkness" is likewise not a favorable term, its wording was not changed — on the contrary, this is precisely in order to mention the trait of day in the night and the trait of night in the day. (AH §4; *Berachos* 11b)

- Therefore in the morning one mentions the "darkness" of night, and in the evening one says "He rolls away light before darkness, and darkness before light." (AH §4)

The Second Blessing and the Blessings After *Shema*

The second blessing is *Ahavah Rabbah* (or *Ahavas Olam*), and the blessing after *Shema* is *Emes VeYatziv* through *Ga'al Yisrael*. (AH §5)

In the evening the first is *Asher Bidvaro Ma'ariv Aravim* and the second *Ahavas Olam*; after *Shema* is *Emes Ve'emunah* through *Ga'al Yisrael*, and the second is *Hashkiveinu*. (AH §5)

Opening and Closing with "*Baruch*"

The first blessing before *Kri'as Shema*, morning and evening, both opens and closes with *Baruch*. (AH §5)

The second blessings do not open with *Baruch*, since they are adjacent to the first; likewise the blessings after *Kri'as Shema* do not open with *Baruch*, being adjacent to those before — for a blessing adjacent to its fellow closes with *Baruch* but does not open with it. (AH §5)

This applies to long blessings; but short blessings open with *Baruch* and do not close with it. (AH §5)

- Thus *Birchos HaShachar*, *Kiddush*, *Havdalah*, and the seven wedding blessings all open with *Baruch*; only within them are some that close with *Baruch* and do not open with it, such as *Sos Tasis* and *Sameach Tesamach*. (AH §5; Even HaEzer §62)

Not Altering the Fixed Text

All these blessings were instituted by Ezra and his court; one may not subtract from them nor add to them, and may not deviate from the coinage the Sages fixed — whether to open or close with *Baruch* where they did or did not so ordain. (AH §6; Rambam, Hilchos Kri'as Shema, ch. 1)

One who deviates from the fixed coinage errs and repeats the blessing in its proper form — this refers to changing the opening or closing; but changing some words in the middle does not invalidate it, (AH §6; Kesef Mishneh, Hilchos *Berachos*, ch. 1)[502] though it is nonetheless forbidden to do so. (AH §6)

Variant wordings between one *nusach* and another are not considered a deviation; both have basis and both are the words of the living G-d, and there is in any case no variation in the openings and closings. (AH §6)

Emes VeYatziv and *Emes Ve'emunah*

One who did not say *Emes VeYatziv* in the morning or *Emes Ve'emunah* in the evening has not fulfilled his obligation. (AH §7; *Berachos* 12a)

Even if he said the entire blessing but did not begin with

Notes

501. see *Mishnah Berurah* 29, that the Gra and *Birkei Yosef* ruled in accordance with this stringent view.

502. see *Be'ur Halacha* s.v. *v'lo amar*, who rules like most *poskim* that so long as one has not yet concluded with the erroneous *chasimah* he has not fulfilled and must return to the very start of the blessing.