

What's the Truth about...Davening with a Minyan?

By Ari Z. Zivotofsky

Misconception: The main purpose of *davening* (praying) with a minyan is to be able to recite *devarim shebekedushah* (prayers with the status of sanctity), such as Kaddish, Kedushah and Barchu.

Fact: There are many advantages to *davening* in shul with a minyan: creating community; davening slower and with more *kavanah* (concentration); responding to Kaddish, et cetera, and hearing the Torah reading. But the main halachic goal of praying with a minyan is to say Shemoneh Esrei simultaneously with a quorum—which is the technical definition of *tefillah betzibbur* (communal prayer).

Background: The *Mishnah Berurah* (90:28), citing the *Chayei Adam* (19:1), sets the record straight.

The main purpose of tefillah betzibbur is Shemoneh Esrei ... that ten adult men should daven [it] together. Unlike what the masses think, that praying with

Rabbi Dr. Zivotofsky is on the faculty of the Brain Science Program at Bar-Ilan University in Israel.

*a minyan is for the purpose of hearing Kaddish, Kedushah and Barchu... one has an obligation to get to shul on time in order to daven Shemoneh Esrei with the congregation.*¹

Significant authorities maintain that *tefillah betzibbur*² necessitates that there be ten people actually *davening* together,³ not just ten people present. According to these *posekim*, if there are six people *davening* who are joined by another four who have already *davened*, the former may recite Kaddish and Kedushah, but they do not get the benefit of *tefillah betzibbur*.⁴ (This is not to imply that the saying of *devarim shebekedushah* is not a valid motivation for *davening* with a minyan,⁵ but the most significant reason to do so is to be able to recite the Shemoneh Esrei with a minyan.) The Tur notes that one's prayers are "heard" only when recited with a minyan in a synagogue (*OC* 90, quoting and explaining⁶ Rabbi Yochanan, *Berachot* 8a).⁷ The Talmud (*Taanit* 8a) declares that for an individual's prayers to be accepted, proper *kavanah* is necessary, but com-

munal prayers are accepted by God even if deficient in *kavanah*.⁸ The Talmud goes on to say that one who regularly attends shul, morning and night, will be granted a long life.

Some authorities maintain that it is important to actually begin reciting Shemoneh Esrei with the minyan, i.e., together with the *shaliach tzibbur* and the congregation (see *MB* 66:35 and *Pri Megadim*, *Eishel Avraham* 109:2).⁹ And indeed this was the custom in the famed Kelm yeshivah; the students would all conclude the *berachah* of *ga'al Yisrael* and start Shemoneh Esrei in unison (Rav Moshe Sternbuch, *Teshuvot Vehanhagot* I, 80, in the name of Rav Eliyahu Eliezer Dessler). Nevertheless, if one begins Shemoneh Esrei late, but while the congregation is saying Shemoneh Esrei, he is still considered to be *davening betzibbur* (Rav Shlomo Zalman Auerbach, *Halichot Shlomo* I, 8:7; cf. *Iggerot Moshe OC* 3:4). According to some, even *davening* along with the *shaliach tzibbur* word-for-word is somewhat akin to *tefillah betzibbur* (*Halichot Shlomo* I,

8:41; *Yalkut Yosef* I, 145), although Rav Moshe Feinstein maintains otherwise (*Iggerot Moshe OC* 3:9).

Because of the requirement to say Shemoneh Esrei with the *tzibbur*, there are detailed halachic guidelines enabling the latecomer to "catch up" (for the rules regarding Shacharit, see *Shulchan Aruch OC* 52). Thus, for example, for Ma'ariv, a latecomer is required to first recite the Shemoneh Esrei with the congregation and then the rest of Ma'ariv (*Shulchan Aruch OC* 263:3; *Chayei Adam* 19:7).¹⁰ One who is only moderately late may skip the paragraph beginning with the words *Baruch Hashem leolam* (said by many in *chutz la'aretz*) in order to say Shemoneh Esrei with the congregation (*Mishnah Berurah* 236:11).¹¹

Rav Yitzchak Elchanan Spektor, the Kovno Rav (*Shu"t Be'er Yitzchak, OC* 20), opines that the mitzvah of *tefillah betzibbur* supersedes saying the prayers in the proper sequence.¹² Thus, he rules that a person who arrives (very) late to shul on a day in which Musaf is recited should say Musaf with the minyan and then Shacharit.

The Talmud asserts that one who lives in a town with a shul but does not attend is called a *shachen ra*—a bad neighbor (*Berachot* 8a; based on *Yirmiyahu* 12:14). This *gemara* is cited by the Rosh (*Berachot* 1:7), the Tur (*OC* 90) and the *Shulchan Aruch* (*OC* 90:11), as well as others. Rambam, when bringing down this *gemara* (*Hilchot Tefillah* 8:1), emphasizes that the person should *daven* in shul "with the *tzibbur*." Stressing the importance of minyan as well, the *Mishnah Berurah* (90:38) states that if there is a minyan in a house, even if those present do not attend shul, the term "*shachen ra*" does not apply to them. *Iggerot Moshe OC* 3:7 rules that one should *daven* in shul with a minyan even if he would have more *kavanah* if he davened privately at home.¹³

Sometimes *halachah* dictates missing *tefillah betzibbur*. If one arrives late to shul and realizes that by starting Shemoneh Esrei of Minchah he will not finish in time for Kedushah, he should not start (*SA, OC* 109:1; *MB* 109:2).

However, if one is a "slow *davener*" and regularly does not finish Shemoneh Esrei in time for Kedushah, many authorities advise that he start Shemoneh Esrei with the congregation—thereby benefiting from *tefillah betzibbur*—and *daven* at his usual relaxed pace, even though it will mean missing Kedushah (*Ishei Yisrael* 33:4 and note 25).

Other priorities sometimes overshadow *tefillah betzibbur*. Even though six *daveners* and four others who have already *davened* constitute a minyan (and can therefore respond to Kedushah, et cetera) but are not eligible for *tefillah betzibbur*, Rav Auerbach rules that one should still be part of those six and help make a minyan even if he thereby forfeits having *tefillah betzibbur* elsewhere (*Halichot Shlomo* 5:8). Similarly, he rules that a group of *frum* soldiers should forfeit *tefillah betzibbur* on Rosh Hashanah in order to spread out to other bases to blow the shofar for those who would otherwise not fulfill this mitzvah (*ibid.*, note 28). He also rules that a soldier who has guard duty on Shabbat should not switch it so that he could *daven* with a minyan if by doing so his replacement will violate Shabbat (*ibid.*, 5:6). In other words, certain *mitzvot*, like strengthening a "weak" minyan, blowing shofar for others and preventing another person's desecration of Shabbat override *tefillah betzibbur*.

The *Mishnah Berurah* (236:14) rules that it is better to *daven* Minchah privately rather than do so with a minyan after sunset.¹⁴ In a similar vein, Rav Yosef Dov Soloveitchik, following his grandfather, rules that it is preferable to *daven* privately rather than do so with a minyan that recites Shema and its *berachot* after the proper time.¹⁵

There is no obligation to pay people in order to make a minyan (*MB* 55:66).¹⁶ However, in a town that has trouble getting a minyan, those in the midst of learning Torah should take a break in order to help make one (*MB* 55:73). Some authorities hold that there is no requirement to experience either a loss of money or a significant amount of time in order to *daven* with a minyan (*MB* 90:29; *MA* 671:12).¹⁷

The *Magen Avraham* (671:12) states that a person who, on occasion, is tied up with business is not obligated to attend shul. Interestingly, a sick person who was instructed by his physician to leave his house at most once a day was told by Rav Auerbach to use that opportunity to go to work rather than shul (*Halichot Shlomo*, 66, note 52). Similarly, if one regularly¹⁸ *davens vatikin*, then doing so takes precedence over *davening* with a minyan.¹⁹ Whether or not the minyan interferes with others is another consideration. According to his students, Rav Auerbach was not in favor of making a minyan on an airplane when it infringed upon others (*Halichot Shlomo* 8:4, note 12).

The Brisker Rav, Rav Chaim Soloveichik, had an open house in which the poor would make themselves at home, any time of day or night. The one exception was a private corner he set aside for *davening*.²⁰ Sometimes, instead of *davening* with a minyan in shul, he would use that area. There is a story told of Rav Archik Bakst, *rav* in Lomzha and Shavil, Lithuania, who skipped minyan one morning to stay home. Rav Bakst's wife had gone shopping, and there was no one at home to offer a potential visitor a bite of food.²¹ Clearly, Rav Bakst attended minyan the majority of the time, but certain obligations supersede minyan attendance.

Having said all this, is it a mitzvah to *daven* with a minyan? The *Shulchan Aruch* (*OC* 90:9) writes that a person should "make an effort" (*yishtadel*) to *daven* with a minyan. Note that he does not write "one must." Because of this, some deduce that it is meritorious but not obligatory to *daven* with a minyan. Rav Moshe (*Iggerot Moshe OC* 2:27) says that there is actually an obligation, and one should not deduce anything less from the *Shulchan Aruch*.²² Even those who disagree with Rav Moshe have to admit that the *Shulchan Aruch* requires that "one make a significant effort" to *daven* with a minyan. Thus, the *mechaber* rules (*OC* 90:16) that a person who is

traveling not for the sake of a mitzvah must retrace his steps up to a *mil* (mile) and advance up to four *mil* to catch a minyan.

The Talmud (*Berachot* 47b) states that Rabbi Eliezer once freed a non-Jewish slave, thus granting him the status of a full-fledged Jew, so that he could be the tenth man in a minyan. He did this, despite the prohibition of freeing a non-Jewish slave, because of the importance of the mitzvah of minyan.²³

Minyan is so important that although one may not wake his father for great financial loss, he may wake him for minyan (*Chayei Adam* 67:11).

Are women obligated in minyan to the same degree as men? And if not, is there at least merit in their *davening* with a minyan? There is a story in the Talmud about a widow who used to *daven* in Rav Yochanan's *beit midrash* (*Sotah* 22a). Rav Yochanan questioned the fact that she traveled to his *beit midrash*, which was much farther than her local shul. (He did not, however, question her attendance per se, implying that it is virtuous for a woman to participate in communal prayers.) Nonetheless, *Shu"t Shvu"t Yaakov OC* 3:54 and *Shu"t Teshuvah Meahavah* 2:229 rule that a woman has no obligation to *daven* with a minyan. Because of this, the students of Rav Auerbach (*Halichot Shlomo* I, 61, note *dale*d and 10) point out that a woman who arrives late to shul has no reason to follow the rules about "catching up" that enable one to say Shemoneh Esrei with the *tzibbur*.²⁴

Minyan, at least when regularly attended, seems to provide a special "protection" to both men and women. An exceedingly elderly woman once approached Rav Yossi ben Chalafta and expressed a desire to die. He asked her which mitzvah she performed regularly. She responded that she attended morning minyan faithfully, even if it meant putting aside other things. He suggested that she not attend shul for three days. She obliged, and on the third day, she became sick and died.²⁵

The protection granted in this story may be related to the "secondary" aspect of *davening* with a minyan—answering

devarim shebekedushah. In other words, even though the main purpose of minyan is to participate in *tefillah betzibbur*, and most authorities seem to feel women have no part in that, both men and women can benefit from attending a minyan by responding to Kaddish, Kedushah and Barchu. And as evident from the story above, this component should not be minimized.

Notes

1. This admonition is especially true for Minchah where there is very little "introduction" before Shemoneh Esrei.

2. Rav Hershel Schachter, *Nefesh HaRav* (1994), 123, states that Rav Yosef Dov Soloveitchik used to stress the difference between "*tefillat batzibbur*—the prayer of the congregation [via the *shaliach tzibbur*]"—and "*tefillah betzibbur*—the many individual *Shemoneh Esreis* said with the congregation concurrently." See also Rav Sternbuch, *Teshuvot Vehanhagot* 1:102, where he too distinguishes between these concepts but in a different manner.

3. It may not be necessary for the ten to be together. Rav Soloveitchik ruled that even if one is in another room, he may still have the advantage of *tefillah betzibbur*, just as he may respond to *devarim shebekedushah* (see *Mipninei HaRav* [2001], 41).

It may not be necessary to actually *daven*. Rav Auerbach (*Halichot Shlomo* 5:11, note 17) rules that a recent *ba'al teshuvah* who does not know how to *daven* can count as part of the ten necessary for *tefillah betzibbur* because he understands the point of *davening*, and he beseeches God in his own way.

4. *Halichot Shlomo* 5:8; *Iggerot Moshe OC* 1:28; *Teshuvot Vehanhagot* 1:102. Rav Ovadiah Yosef (see *Yalkut Yosef* 1 (5745), 145, based on *Yechava Da'at* 5:7) and Rav Y.Y. Weiss (*Minchat Yitzchak* 9:6-7; 10:107:2) disagree with this. To a limited extent, Rav Sternbuch agrees (*Teshuvot Vehanhagot* 1:102). See *Ishei Yisrael*, p. 102, note 15.

5. Rav Moshe was asked if a *talmid chacham* could stay up all night, knowing that he would miss morning minyan. One of Rav Moshe's reasons for responding in the negative was that the individual would miss saying all of the *devarim shebekedushah*, which brings one's *davening* to a higher level (*Iggerot Moshe OC* 2:27, p. 201).

6. See *Beit Yosef*; s.v. *lo yitpalel*.

7. See *Prisha* who explains that the Tur's

opinion is that even without a minyan, it is still preferable to *daven* in a shul.

8. See the seemingly contradictory Rambam that implies that even communal prayer must be "*belev shalem*—with a sincere heart" in order to be accepted, and the resolution suggested by Rabbi Akiva Eiger on Rambam (*Hilchot Teshuvah* 2:6). On the topic of prayers being answered, see the *Meshech Chachmah* to Deuteronomy 48:22.

9. As noted, not everyone requires starting with the *tzibbur*. The *Pri Megadim* (*Eishel Avraham* 422:1) suggests that on Rosh Chodesh the *shamash* (sexton) start Shemoneh Esrei of Shacharit ahead of the congregation so that he will reach Ya'aleh Veyavo first, and then say those words aloud as a reminder to others.

Many people miss starting Shemoneh Esrei with the congregation on Rosh Chodesh when *tefillin* are removed before Musaf (*SA, OC* 25:13; 423:4). Since some take longer than others to wrap their *tefillin*, it's a good idea to remove the *tefillin* before Musaf but to wrap them afterward.

10. Note that this does not work for Shacharit because linking *geulah* to *tefillah* takes precedence over *tefillah betzibbur*.

11. An interesting opinion advises against skipping parts of *pesukei dezimra* in order to catch up. See Rabbi Chaim David Halevi, *Mekor Chaim* I (5736/1976), 175-176. He notes that the specific order of prayer ordained by *Chazal* is of utmost significance (cf. *Iggerot Moshe OC* 2:16).

As such, one who arrives late to shul is faced with two conflicting concepts: *tefillah betzibbur* and the rabbinically prescribed sequence of prayer. The obvious ideal, emphasized by the "Maggid" to the *mechaber* (see *Beir Haitaiv* 52:1), is to get to shul on time. However, one who either comes late or who always *davens* slower than the congregation has a dilemma. The *halachah*, which is agreed upon by all earlier and later authorities, is that one should skip, says Rabbi Halevi. Nonetheless, there are those who advise reciting all of *davening* in order (*Sha'arei Teshuvah* 52:1 in the name of Yosef Ometz). It is reported that many great people acted in such a manner (*Kaf Hachaim* 52:2). Taking a highly unusual position, Rabbi Halevi concludes that it is hard for him to rule against the *Shulchan Aruch*—who like everybody else says that one should skip—and therefore he leaves it up to each person to determine whether he prefers to get the merits of *tefillah betz-*

ibbur or that of *pesukei dezimra*. He concludes by saying, "*Kol levavot doresh Hashem*," "For the Lord searches all hearts" (1 Chronicles 28:9).

12. See, however, *Tzitz Eliezer* 14:6 for discussion and qualifications, and *Iggerot Moshe OC* 4:68 who disagrees.

13. For many sources on this, see Rabbis Aryeh A. Frimer and Dov I. Frimer, "Women's Prayer Services—Theory and Practice, Part I, Theory," *Tradition*, 32:2 (winter 1998), notes 100-2 (available at http://www.mail-jewish.org/Womens_Prayer_Service.doc).

14. See, however, *Yechave Da'at* 5:22 who states the opposite.

15. See *Nefesh HaRav*, 114. I am indebted to Rabbi Avishai David for pointing this out to me.

16. See, however, *Teshuvot Vehanhagot* 1:98. The exception is for Rosh Hashanah and Yom Kippur (*Shulchan Aruch* and Rema *OC* 55:21 and *Mishnah Berurah* and *Biur Halachah* loc. cit.).

17. Rav Yisrael Pesach Feinhandler, *Avnei Yashfe* (on *Hilchot Tefillah*) (5753), 6:5, note 7, in the name of Rav Yosef Shalom Elyashiv.

18. "Regularly" is defined as with a pattern (i.e., every day or every Rosh Chodesh, et cetera).

19. *Biur Halachah OC* 58, s.v. *umitzvah*; *Halichot Shlomo* 5:17; See Frimer, "Women's Services," note 148.

20. See Rabbi Nathan Kamenetsky, *Making of a Gadol* (Jerusalem, 2002), 1231-2.

21. *Ibid.*, 1267. See *Ishei Yisrael* 12:30, and note 72.

22. See *Minchat Yitzchak* 7:6 on the level of obligation, and for another way to understand the *mechaber*.

23. Tosafot explain that the mitzvah referred to is *tefillah betzibbur*. Surprisingly Rashi and Rosh understand that the mitzvah was that of saying *devarim shebekedushah*. The *Shulchan Aruch* (*YD* 267:79) rules that it is prohibited to free a non-Jewish slave; however, for a mitzvah, any mitzvah, even a rabbinic one such as minyan, it is permitted (e.g., *Aruch Hashulchan, OC* 90:21; *Shulchan Aruch Harav, OC* 90:17). But the *mechaber* does not specify what aspect of minyan he is referring to.

24. For numerous sources on women's obligation, or lack of one, to *daven* with a minyan, see note 13.

25. The story appears in *Yalkut Shimoni*, Ekev 871. 