

## Overview

### Siman 55 Seif 14:

Someone who is behind the *Bais HaKnesses* but there is a window and he is visible from that window he counts towards the *minyan* even if it is several stories high and is not four *tefachim* wide. Roofs and attics are not part of the house and one who stands there is not part of the *minyan*.

❖ Even if there is a wall between them he is included as long as he can be seen. Therefore, if there is a window in the *mechitza* that separates the men's section from the women's section and someone is in the women's section he can be counted in the *minyan*. If there is a *minyan* anyway it is clear that someone in the women's section is considered *davening* with the *tzibbur*. Preferably, however, he should join the *minyan* where they are located. Some authorities reject the principle that as long as someone is visible they can be counted towards the *minyan*. (M.B. 52)

### Siman 55 Seif 15:

If some are inside and some are outside and the *shaliach tzibbur* is in the doorway he connects them together.

❖ Shulchan Aruch's ruling is necessary only when the two groups do not see one another. (M.B. 54)

### Siman 55 Seif 16:

If a small courtyard is completely open to a large courtyard, meaning the smaller one is breached where it connects to the larger one and none of the wall by the smaller one remains but from the larger courtyard strips of the wall remain on each end – the larger one is considered separate from the smaller but the smaller is not considered separate from the larger; rather it is considered like a corner of the larger courtyard. Therefore, if nine people are in the larger courtyard and one is in the smaller courtyard they constitute a *minyan* since the smaller courtyard is considered part of the larger courtyard and he is considered standing in the large courtyard since that is where the majority are standing but if nine were in the smaller courtyard and one was in the larger courtyard or five were in the large courtyard and five in the small courtyard they do not combine.

❖ The larger courtyard cannot be drawn after the smaller courtyard nor can the group be drawn after the individual. The only allowance is for an individual to be drawn after the group. (M.B. 55)

### Siman 55 Seif 17:

If the *shaliach tzibbur* was in the smaller courtyard and the *tzibbur* was in the larger courtyard he can discharge their obligation since he is drawn after them but if the *shaliach tzibbur* was in the larger courtyard and the *tzibbur* was in the small courtyard he does not discharge their obligation since the majority is not drawn after the individual.

❖ Even if the *minyan* is in the smaller courtyard the *shaliach tzibbur* in the larger courtyard cannot discharge their obligation but if there is a *minyan* where the *shaliach tzibbur* stands he can certainly discharge the obligation of all the others. (M.B. 56)

## Halacha Highlight

### Can someone outside of the *Bais HaKnesses* be included in the *minyan*?

Shulchan Aruch Siman 55 Seif 14  
ומראה להם פניו מטרע עממת לערשה

And he shows them his face from there he can merge with them to formulate a *minyan*

Shulchan Aruch (ס"ע י"ד) discusses someone who stands near a window behind the *Bais HaKnesses* and can be seen from there and he rules that such a person may be counted in the *minyan*. Mishnah Berurah (ס"ק י"ב) in the name of Magen Avrohom explains that as long as the one standing outside could be seen by those who are standing inside he may be counted in the *minyan*. This is similar to the *halacha* for formulating a group for the purpose of making a *zimun*. Shulchan Aruch (ס"ק ק"ה ס"ע א') writes that as long as two groups of people can see one another they may merge together for the purpose of forming a *zimun*.

Mishnah Berurah then mentions that it is preferable for this person to enter the room with everyone else since there are authorities who reject the parallel between the formation of a *zimun* and the formation of a *minyan*. This opinion is recorded by Bais Yosef in the name of Rabbeinu Yeruchum. Rabbeinu Yeruchum writes that someone outside of the *Bais HaKnesses* is counted in the *minyan* only if he sticks his head into the room where the *minyan* is being held. According to this approach, it is not sufficient to be able to see the person who is outside but he must be at least partially in the room as well. Mishnah Berurah writes that preferably one should follow the stringent opinion, but he seems to accept the lenient opinion if it would be difficult for the person outside to put his head through the window. The reason he maintains that one should *l'chatchila* adopt a stringent approach is that Rashba, who is one of the primary sources for the lenient opinion, only writes this position as possible but does not issue a definitive lenient ruling. Teshuvas Kinyan Torah (ח"א ס"י י"ז) emphasizes that even according to the lenient position the person has to have in mind that he is a part of the *minyan* but if he is just wandering about outside of the *Bais HaKnesses* without intent to participate in the *minyan* he may not be counted in the *minyan*.

During the year that Rav Kovalsky, zt"l, a student of the Chazon Ish zt"l, was in mourning for his father, he arrived in shul one morning to pray at the *amud*. As he waited patiently for the next *minyan*, Rav Kovalsky caught sight of an elderly man who had just finished *davening*, who was standing and asking someone, anyone, to help him home. But who has time for that on a busy morning? This poor old man was looking at all the people streaming by him with pleading eyes and outstretched, trembling hands, but they ignored him. Rav Kovalsky pulled himself out of line, approached the old man, and gently took him by the hand. The elderly Jew took hold of it with his own shaking hand, and they began their walk home together.

It was quite a long walk, but all the while, Rav Kovalsky murmured under his breath, "This should be for the elevation of my father's soul..." Finally, they reached the old man's home. He offered an emotional thanks to Rav Kovalsky, but the rav's job wasn't yet over. He supported the old man on his slow walk up the stairs.

Not surprisingly, Rav Kovalsky caught the last *minyan*, where another man was *chazzan*. This was the only time that Rav Kovalsky ever missed leading the prayers when he had an obligation to do so.

That night, Rav Kovalsky's father appeared to him in a dream. "I'm willing to forgo every prayer of yours before the *amud*," he said, "...as long as you do mitzvos like that in their stead!"

## Stories to Share

ש"ע ס"ה, ט"ו: "ושליך ציבור תוך הפתח הוא מצרף..."

On today's *amud* we find the exact details of when and how a *shaliach tzibbur* can combine a *minyan* in two different places and when not. Although being a *shaliach tzibbur* is a very precious mitzvah, there are times when it must take a back seat to a more pressing obligation.