

In Hilchos Tefillah

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Appreciating our Shuls

The Halchos of Kedushas
Bais Hakneses – Part I

A summary of the weekly Wednesday night shiur by Rabbi Shmuel Stein at the Miami Beach Community Kollel / To receive a copy send an email to InHilchosShabbos@gmail.com

A *Bais Hakneses* has a special place in Jewish life. The Ramban¹ writes that “the sole purpose of creation is for people to recognize that Hashem is the Creator, and we gather in a *Bais Hakneses* and daven together to fulfill this purpose.” The Mishna Berura² writes that “as one approaches a *shul*, he must be overcome with feelings of fear and awe.” The *Kitzur Shulchan Aruch*³ writes that before one enters the *Shul* in the morning, he must ask for permission to enter by saying “[Although I am not worthy,] I enter your house due to your kindness.”

Our *Batei Kneisios* protects us

The Gemara⁴ states that our *Batei Kneisios* are like fortresses that protect us.⁵ Yet, along with the holiness of the *Batei Kneisios* comes the responsibility to treat them with proper respect. The *Reishis Chachma*⁶ writes that one of the sins that hold back the final *geulah*, is the sin of not showing the proper respect to a *Bais Hakneses*. *Sefer Lachmei Todah*⁷ writes that “one should not wonder about the length of our exile, for the sin of talking in a *Bais Hakneses* is more than sufficient to warrant the lengthening of our exile.” It is known that the *Tosfos Yom Tov* had a dream in which it was revealed to him that the reason for the decree and the pogroms of *Tach v’Tat* was due to the sin of not showing proper respect to the *Bais Hakneses*.⁸ The Gerrer Rebbe, the *Imrei Emes*,⁹ wondered why Ashkenazi Jewry suffered so much from the perils of Holocaust, while Sephardic Jewry were for the most part spared? He explained that Sephardic Jewry were protected because they were careful with the halachos of *Kedushas Bais Hakneses*.

*Sefer Derech Moshe*¹⁰ warns, “My beloved brothers, if you want to save yourselves and your families from plague hold yourself back from talking idle talk in the *Batei Kneisios*!” He continues, that “Sadly, nowadays the large majority of people are careless regarding the holiness of the *Batei Kneisios*, and talking idle speech in the *Batei Kneisios* have become as if it were permissible.”¹¹ The *Sefer Kav HaYasher*¹² writes “When one sees a mitzvah that people are not careful with, the mitzvah waits for a righteous individual to perform the mitzvah properly and to encourage others to fulfill the mitzvah as well.” We will divide our discussion to two parts:

Part 1 – The Basic Halachos of *Kedushas Batei Kneisios*

Part 2 – Activities that are prohibited in a *Bais Hakneses*

This week we will discuss Part 1, the basic halachos of *Kedushas Batei Kneisios*.

A *Bais Hakneses* – A Place for the *Shechina* to rest

The Gemara¹³ writes that whenever the Jewish people were exiled the *Shechina* (Divine Presence) went to exile along with them and resided in their *Batei Kneisios*. The Gemara¹⁴ states that *Hakadosh baruch Hu* can be found in the *Batei Kneisios*. In fact, we call a *shul* is called a *Bais Hakneses* (a house of gathering), because it is in a *shul* where the Jewish people gather, together with Hashem.¹⁵

A Miniature *Bais Hamikdash*

The verse¹⁶ states that while the Jewish people are in exile in faraway lands, Hashem provides for them “a *mikdash me’at*,” a miniature sanctuary. The Gemara¹⁷ explains that this is referring to our *shuls* which serve as a miniature *Bais Hamikdash* during our exile. The Medresh¹⁸ writes that someone who davens in a *shul* is considered to have davened in the *Bais Hamikdash*. The Zohar¹⁹ writes that all *shuls* are called a “*Mikdash*.”

Because our *shuls* are a miniature *Bais Hamikdash* this obligates us to show them respect and many of the halachos mimic those of the *Bais Hamikdash*. As an example, the Rema²⁰ writes that when one exits a *shul* he should walk out bowing (towards the *aron kodesh*²¹), just as was done when one completed the service in the *Bais Hamikdash*. Similarly, the *Shulchan Aruch*²² writes that there is an obligation for a community to build a *shul*. According to some *poskim*²³ this is a mitzvah *d’Oraisa* just as there is a mitzvah *d’Oraisa* to build a *Bais Hamikdash*, as the verse²⁴ that states “Make for me a *Mikdash* for me to dwell in.”

A *Bais Hakneses* and a *Bais Hamedrash*

There are two types of *shuls*: A *Bais Hakneses*, which is a *shul* that is designated primarily for davening, and a *Bais Hamedrash*, which is a *shul* that is designated for learning.²⁵ The *Shulchan Aruch*²⁶ rules that “a *Bais Hamedresh* contains more holiness than a *Bais Hakneses*,” because the act of learning Torah is greater than the act of Tefillah.²⁷ The Gemara²⁸ states that “From the day that the *Bais Hamikdash* was destroyed, *Hakadosh Baruch hu* only has the four amos where halacha is learnt (to dwell in).”²⁹ Therefore, concludes the *Shulchan Aruch*³⁰ “it is a greater mitzva to daven in a *Bais Hamedresh* than to daven in a *Bais Hakneses*.”³¹ *Sefer Mikdash Me’at*³² writes that “some people mistakenly think that the halachos of *Kedushas Bais Hakneses* apply only to a *Bais Hakneses* but not to a *Bais Hamedrash*. This is a common but big mistake, because really the opposite is true, a *Bais Hamedrash* has more holiness than a *Bais Hakneses*, and the halachos of *Kedushas Bais Hakneses* apply there as well.”

1 End of Parshas Bo 2 Introduction to siman 46 3 11:12. The Mishna Berura (Introduction to siman 46) writes that as one approached the *Shul* he should recite: “I will go to the House of Hashem with feeling,” and let the feeling of awe of the *Bais Hakneses* overcome him. Then, before entering the *shul*, he must stop and say “[Although I am not worthy,] I enter your house due to your kindness, I will bow down to your Sanctuary with fear,” and then he may enter. He should have in mind that although he is not worthy, he is entering in the merit of Avraham Yitzchak and Yaakov (Chida, *Moreh Eitzbah* 67). As one enters the *shul*, he should bow towards the *aron kodesh* (Shaarei Teshuvah 46:1). 4 Pesachim 87a 5 The Medrash (Medrash Rabba, Ki Savo, 7:1) says that someone who enters a *Bais Hakneses* in this world will merit to enter a *Bais Hakneses* in the world to come. The Medrash (Yalkut Shamoni, Tehillim 559) also says that the opposite is also true, and one who does not enter a *Bais Hakneses* in this world will not merit to enter a *Bais Hakneses* in the world to come 6 Sha’ar Hayirah 5:17 (see Bais Yehuda 21:3 for others that write this as well). The Chafetz Chaim (sefer *Zecher Miriam*, 18) writes “*Hakadosh baruch Hu* left the *Bais HaMikdash* because we did not show Him the proper respect there. For the *Shechina* to return to the *Bais HaMikdash* we must show Him that we do respect Him, which we can accomplish by being careful with the holiness of our *shuls*, which nowadays serves as our miniature *Bais HaMikdash*. This we will be a *tikkun* for our earlier sins.” 7 Siman 19 8 Cited in *sefer Mikdash Me’at* p. 40. It is for this reason that the *Tosfos Yom Tov* wrote the tefillah that is recited in *shul* for those who refrain from talking in *shul* (*sefer Mikdash Me’at*, *ibid*). 9 Cited in *kuntres Havu Lashem Kavod*, p. 57 10 Cited in *kuntres Mikdash Me’at* p. 49; Bais Yehuda 21:6 11 Yalkut Yosef 151:2 writes as well “There is a holy obligation to be extra careful with this prohibition, because unfortunately due to our many sins, this has become by many people as if it is permissible.” 12 Beginning of perek 64 13 Megillah 29a 14 Berachos 6a. See Megillah (*ibid*) that when Dovid HaMelech says “Hashem you were an abode for us,” this refers to the *shuls* of the Jewish people. 15 Maharsha Shabbos 32a 16 Yechezkel 11:16 17 Megillah 29a 18 Yalkut Shamoni, Tehillim 559 19 Naso (p.126a) 20 132: end of 2; Mishna Berura 132:18 21 It is for this reason that the *Shulchan Aruch* (151:5) writes that one must build the door of the *shul* opposite the *aron kodesh*, so that when people exit the *shul* they can bow towards the *aron kodesh* (Rav Chaim Kanievsky, Bais Yehuda, Emek Halacha, Inyan 8) 22 150:1. The Rambam (Hilchos Tefilla, perek 11) writes that any community that has ten Jewish men must arrange for there to be a place where they can daven all the tefillos. 23 Cited in *S’dei Chemed*, klallim 44. However, others hold that building a *shul* is only a mitzvah *d’Rabanan*. While others hold that it is not a mitzvah, but an obligation that is placed on the people of a community (*S’dei Chemed, ibid*). Once there is one *shul* in the community there is no obligation to build another one, unless of course the first *shul* cannot contain all the congregants in the community, or it is too far away. In fact, the Mishna Berura (150:2) explains that if the first *shul* can contain all the congregants it is indeed forbidden to build another *shul*. However, if there are disagreements in the *shul* and the congregants cannot get along it is preferable to build a second *shul* to minimize the strife (see Mishna Berura, *ibid*). 24 Shemos 25:8

Showing Proper Respect to a Shul

The Rambam³³ writes that we are required to show proper respect to our *shuls*. The Mishna Berura³⁴ explains that since a *shul* is considered a *mikdash me'at*, a miniature *Bais Hamikdash*, one must show respect to a *shul* just as one must show respect to the *Bais Hamikdash*. The Torah³⁵ states regarding the *Bais Hamikdash* "You shall fear my Sanctuary," because of the *Shechinah* that resides inside it.³⁶ So too, one who does not show proper respect to a *shul* violates this prohibition³⁷ as well, because they too are considered a *mikdash me'at* and the *Shechina* resides in them as well. The *Shulchan Aruch*³⁸ writes that even after a *Bais Hakneses* is destroyed, the ground that it was built on retains its holiness and must be treated with respect. The Gemara³⁹ warns that one must be careful to show proper respect to a *shul*, and states "A community that does not show proper respect to a *shul*, in the end, people will die and will not receive proper burial."

Keeping a Shul Clean. The *Shulchan Aruch*⁴⁰ writes that there is a requirement⁴¹ to keep a *shul* clean, as this is included in showing honor to a *shul*. In the *Bais Hamikdash* there was a mitzvah to remove the ashes from the *Mizbeich* each day,⁴² as the Torah⁴³ states "the kohen shall remove the ashes from the *Mizbeich*." This was done to clean the *Bais Hamikdash* and beautify it.⁴⁴ So too, there is a mitzvah to keep our *shuls*, which are a *mikdash me'at*, clean and to beautify them.⁴⁵ Therefore,

- One should not enter the *shul* if his shoes are dirty and will dirty the *shul*.⁴⁶
- One must be careful that children do not throw papers or wrappers on the floor of a *shul*.⁴⁷

Lighting candles in shul. The *Shulchan Aruch*⁴⁸ writes that the custom is to light candles in *shul*, as the verse⁴⁹ states "with light we honor Hashem."⁵⁰ The *Reishis Chachma*⁵¹ writes that "lighting candles in *shul* is beloved by Hashem, as these candles replicate the Menorah that was lit in the *Bais Hamikdash*." This custom is fulfilled by lighting two candles in front of the *amud* where the chazan stands during davening.⁵² These candles can be extinguished after davening.⁵³

There is another custom to light a *ner tamid* (a constant light) in front of the *aron kodesh*,⁵⁴ which is never extinguished. This *ner tamid* replicates the continuous fire that was lit on the *Mizbeich*, as the Torah⁵⁵ states "A fire should remain on the *Mizbeich* continually,"⁵⁶

Bringing one's personal belongings into a shul

The *Shulchan Aruch*⁵⁷ writes that it is permissible for one to bring his walking stick or briefcase into a *shul*.⁵⁸ Similarly,

- One may bring his wallet into a *shul*.⁵⁹
- One may bring a cellphone that is turned off, into a *shul*.⁶⁰

However, bringing in personal belongings that are disturbing to one's davening and learning denigrate the *Kedushas Bais Hakneses* and should

not be brought into *Shul*. For example, *poskim*⁶¹ write that bringing a cellphone that is turned on or is on vibrate into a *shul* is considered a dishonor to the holiness of the *shul*. Certainly, while one is davening he may not bring a cell phone into a *shul* as it disturbs one's concentration, and is not befitting to have when one is standing in front of the King.⁶² But even while one is learning he may not bring a cell phone in to *shul*, because it causes one to interrupt his learning.⁶³ Furthermore, if one uses his cell phone to allow him to tend to his personal and business needs, bringing it in to the *shul* is considered degrading the *Kedushas Bais Hakneses*.⁶⁴

Bringing a gun into a Shul. The *Shulchan Aruch*⁶⁵ writes that one may not bring a long knife into a *Shul*. The Mishna Berura⁶⁶ explains that since a *shul* is a place that is designated to daven (and learn⁶⁷) which lengthen the life of a person, one may not bring a long knife, which is designed to shorten the life of a person, into a *Shul*. Similarly, the *poskim*⁶⁸ write that one may not bring a gun into a *Shul*.

However, the Mishna Berura⁶⁹ writes that if the knife is concealed one may bring it into the *shul*. Similarly, one may bring a gun into a *shul* if it is totally concealed in a way that it is not noticeable that he is carrying a gun.⁷⁰

Kissing a Child in Shul

The Rema⁷¹ writes that "it is prohibited to kiss one's child in a *Shul*, because this will engrain in one's heart that there is no love like the love of *Hakadosh baruch Hu*. One may not kiss his child on his face or on his hand.⁷² Similarly, if friends meet each other it is forbidden for them to kiss each other.⁷³

However, if one may kiss someone in a *Shul* if it not done out of love. For example,

- If a child is crying one give him a kiss to calm him down, because this is done to calm him down not out of love.⁷⁴
- One may kiss the hand of a Tzadik, because this is done to show respect to Torah and not out of love.⁷⁵
- One may kiss the hand of his father or Rabbi who got an Aliyah, because this is done out of respect and not out of love.⁷⁶

Bringing young children to Shul. The Mishna Berura⁷⁷ writes that "the Shela HaKadosh strongly condemns those who bring young children who have not yet reached the age of *Chinuch* to *Shul*. These children joke and run around the *Shul* and thereby profane the *Kedushas Bais Hakneses*. Furthermore, one is training his children to act this way when they get older, for once they act this way when they are young, they will continue to degrade the *Kedushas Bais Hakneses* when they are older as well. The *Eliyahu Rabba* expounds on the great sin of allowing one's children to talk idle speech in a *Shul*. However, once a child reached the age of *Chinuch*, one should certainly bring him to *Shul* and train him how to daven properly. One should teach him to sit in his seat with fear and awe and to answer *amen* and *Kedusha*."

25 A *shul* that has a daily *shiur* for an hour or two each day is considered a *Bais Hakneses* not a *Bais Hamedrash* (Toras Chaim 90:23). Rabbeinu Yona (Berachos 4a) explains that when the Gemara states that Hashem loves the places where halacha is learnt more than other *shuls*, it is referring to places where Torah is learnt continuously throughout the day. See Bais Yehuda, Emek Halacha, Inyan 53). However, Rav Shlomo Zalman Auebach (cited in sefer Teffillah k'Hilchasa 2, note 36) said that most *shuls* nowadays are considered a *Bais Hamedrash* since there is some learning that takes place there. 26 90:18 27 Levush 153:l 28 Berachos 8a 29 Rabbeinu Yona (on Gemara Berachos 8a) learn that this applies to any place where Torah is continuously learnt through the day (and is not limited to a place where specifically "halacha" is learnt). However, the Maharsha (Berachos, ibid) learns that this applies only to a place where 30 90:18 31 See Mishna Berura (90:55) where he writes that certainly a *Bais Hamedresh* that is designated for the public to learn Torah is holier than a *Bais Hakneses*, and it is preferable for one to daven there than in a *Bais Hakneses*, even if there *b'rov am* in the *Bais Hakneses*. 32 *Kuntres Mikdash Me'at* p. 42 33 Rambam Hilchos Teffilah; see *Shulchan Aruch* 1:5 151:l; see 34 151:l 35 Vayikra 19:30 36 Yevamos 6b 37 See Sefer Chafetz Chaim, aseh 7, *Be'er mayim chaim* 8, where he cites the majority of *poskim* that hold that even nowadays there is a mitzvah *d'Oraisa* to respect our *shuls*. And even according to the *poskim* that hold that it is not a *d'Oraisa* they too agree that it is a great sin to not show respect to our *shuls*. 38 151:10 39 Megillah 28b 40 151:9 41 Although the *Shulchan Aruch* states that "the custom" is to keep the *shul* clean, the Bais Yehuda (16:3:4) explains that the *Shulchan Aruch* means that "one must accustom himself to ensure that the *shul* is kept clean. 42 Chinuch, Mitzvah 131 (see Rambam Hilchos *Temidim uMusafim* 2:10-15) 43 Vayikra 6:3 44 Chinuch, ibid 45 Yafei l'Lev (cited in Bais Yehuda 16:3:4). The Magen Avraham (151:10) writes that there were *Tzadikim* that would sweep the floors of the *Bais Hakneses* with their beards. 46 Bais Yehuda 16:4 47 Bais Yehuda, ibid 48 151:9 49 Yeshaya 24:15 50 Tur 151 51 Shaar HaYireh 15:64-65 52 Bais Yehuda 16:10 53 Bais Yehuda 16:11 54 Based on the verse (Mishlei 6:23) states "The candle of the mitzvah and the light of the Torah." 55 Vayikra 6:6 56 Yafeh l'Lev (cited in Bais Yehuda 16:11:19) 57 151:6 58 However, some write that it is praiseworthy not to bring one's bags into a *shul*, but to leave them outside (see Bais Yehuda 4:13, note 29). Furthermore, although one may bring his packages *along with him* inside the *shul*, one may not store his packages in a *shul* while he takes care of his needs *outside* the *shul* (Bais Yehuda, ibid). 59 Bais Yehuda 4:13. However, he cites opinions that rule that it is preferable not to leave a wallet out in the open in a *shul*. 60 Bais Yehuda 4:14 61 Mishnas Yosef (4:13); Rav Shmuel Vosner (Kovetz miBais Levi, Nissan 5758); Bais Yehuda 4:14; sefer *Vayivarech Dovid* (Hilchos Teffilah, p. 6). See sefer *Vayivarech Dovid* (Hilchos Teffilah, p. 6) where he writes that there is an obligation to protest when one sees someone bringing a cell phone into the *Bais Medrash*. 62 sefer *Vayivarech Dovid* (Hilchos Teffilah, p. 6) where he writes that "It is obvious that had cell phones been around in the times of *Chazal* they would have certainly forbade bringing a cell phone into *shul* during davening." 63 sefer *Vayivarech Dovid* (Hilchos Teffilah, p. 11) 64 Mishnas Yosef (4:13); Rav Shmuel Vosner (Kovetz miBais Levi, Nissan 5758); Bais Yehuda 4:14 65 151:6 66 151:22 67 Aruch HaShulchan 151:10 68 Oht l'Tzion (2:45:59); Bais Yehuda 13:8 69 151:22 70 Bais Yehuda 13:9. If one is carrying an unconcealed gun and has nowhere to leave it outside the *Shul*, some say that he may bring it inside the *Shul*, while others say that he should rather daven alone than bring the gun inside the *Shul* (see Bais Yehuda 13:10). 71 98: end of l 72 Bais Yehuda 14:1 73 Bais Yehuda 14:7, note 8 74 Bais Yehuda 14:2 75 Bais Yehuda 14:3 76 Bais Yehuda 14:3 76 98:3