

# לוקוטי ופסקי הלכות "חוקי חיים"

ותלמוד  
התקף תנים  
לעשות רצונך  
בלבב שלם



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Please do not  
read during  
davening or  
Krias HaTorah

Passing in Front of Someone Davening – 1

Vayeira 5784

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## Proper Care for These Halachos

### Widespread Disregard

1. There are halachos about sitting, standing, and passing in front of someone davening Shmone Esrei, which, sadly, are widely ignored and very neglected. They have virtually been forgotten by the general public due to the great disregard for them and the difficulty in keeping them. This is even true of many who are meticulous about major and minor halachos equally. This was already decied in earlier generations (א"א בוטשאטש סי ק"ב, דרך חיים סי ק"ב); certainly we, in our current generation, find ourselves disregarding these halachos and not according them importance.
2. **"Marketplace" of mispallelim.** There are likely many causes for the widespread disregard for these halachos. People used to daven in a set place in a set shul; everyone came at a set time to daven and stayed from beginning to end; everyone davened together as a tzibbur, with a shliach tzibbur; and everyone finished at around the same time. Thus, these halachos were not so hard to keep. Today, on the other hand, everyone runs their schedules according to their own plans: they arrive at different times; start when it's convenient for them; do not have a set place to daven; and stroll back and forth in the aisles as if they were strolling on the street. It has all become like one big marketplace of people davening. Thus, it has become difficult to keep these halachos.
3. **Not knowing the halachic details.** The difficulty in keeping the halachos also stems from the fact that many people do not know the particular halachos of when it is mutar or assur to pass before someone davening. This leads to complete disregard for all the halachos. If people would have a thorough knowledge of the halachic details, it would be much easier to keep the halachos.
4. **מוטב שיהיו שונגין.** Some advise not to write about this topic because in any event, there is widespread disregard and people will not listen. There is a rule that "It is better for people to transgress unintentionally than intentionally" (ביצה ל, שו"ע א"ח תר"ח סי"ב), and we should fulfill Chazal's statement that, "Just as it is a mitzva for a person to say something that will be heeded, it is a mitzva for a person not to say something that will not be heeded" (יבמות ס"ה).
5. However, this is not a valid claim, for multiple reasons. 1) This rule is only for something not done publicly, but when something is in public and there is a concern others will learn from it, one has a chiyuv d'rabanen to protest (חכמה שלמה); 2) This rule is only in a private domain, not in a shul (רס"ג מובא במג"א סי רס"ג), where there will likely be some righteous people who will listen (מחצה"ש שם); 3) It is only when people definitely won't listen, but if there is a chance they will, one must protest (ג"ק שם סק"ג).
6. 4) Furthermore, this rule only applies when people do not even know there is an issur. But when there is something that people know is assur, just they need encouragement to keep the halachos, the rule does not apply. Here too, everyone knows there is an issur to pass in front of someone davening; they just disregard it. The rule of "מוטב שיהיו שונגין וכי" doesn't apply, as they are not שונגין.
7. **Let us strengthen ourselves!** Thus, after consulting with Gedolim, we decided to write about and raise the issue, as it applies to each and every one of us three times a day, when we gather in our mini Batei Mikdash to pour out our tefillos before Hashem. Our hope is that with greater clarity in these halachos and an explanation of what is technically assur and where the halacha gives room to be meikel, it will be easier for us to keep them and act as we are expected to, not showing disregard for any halacha; to improve ourselves by adding honor for a place of Shechina; and to restore Chazal's decree to its original glory.

8. Thus, in the current issue, we will cite the principles of the issur, and in the coming one, we will cite the heterim, related matters, and the topic of sitting next to someone davening.

### The Issur to Pass in Front of Someone Davening

#### Place of the Issur and Reasons for the Issur

9. One may not pass within four amos of someone davening Shmone Esrei (ל"ו, שו"ע סי ק"ב ס"ד) (ברכות ל"ו, שו"ע סי ק"ב ס"ד). We find multiple reasons in the poskim; below we will explain some practical ramifications that emerge.
10. **Ruining kavana.** Some say passing in front of a mispallel causes him to lose kavana (מ"ב סק"י) (אסור, מ"א סק"י, מ"ב סק"י) (מאמר מרדכי הובא בביאה"ל ד"ה אסור, מ"א סק"י, מ"ב סק"י).
11. **Shechina's honor.** Some explain that when someone stands before the King in tefilla, the Shechina is present by him. Walking between the mispallel and the Shechina does not show proper honor and reverence for the Shechina (שם מ"ב שם, ח"א, מ"ב שם).
12. The poskim explain that l'chatchila one should take both reasons into account (ביאה"ל שם).
13. **Zohar.** The Zohar HaKadosh explains that it is not just in front of a mispallel, but one may not pass within four amos on any side (זוה"ק פ', וחי' שרה דף קל"ב ע"א, והובא במג"א סק"ה, מ"ב סק"י); even behind is implied. Scrupulous people who conduct every matter of their lives in accordance with the Zohar should l'chatchila be careful about this too.
14. **Speaking to a king.** It is worthwhile to illustrate these reasons. If a person was talking to a human king, l'havdil, no one else would come within four amos out of respect for the king, who is talking with the person. Certainly when a person is davening to the King of all kings, respect for the Shechina dictates that one should not enter within four amos of the mispallel. Similarly, one would not come into the vicinity of someone standing before a king so as not to disturb the person or jumble up his requests.
15. What emerges is that someone who is careful not to pass before a mispallel honors Hashem and the Shechina, whereas one who shows disregard for this without a heter does the opposite ח"ו.

#### Four Amos

16. Four amos is 192 cm (a bit over six feet) according to Rav Chaim Naeh; for d'rabanen matters, one can go with this opinion.

#### Where One May Not Pass

17. **In front.** The issur to pass before someone davening, i.e., in front of him, is agreed upon by all poskim (שו"ע סי"ד). The distance is four amos; if one is more than four amos away, he may even pass before a mispallel.
18. **To the side.** Strictly speaking, one may pass to the side (שו"ע שם), i.e., one may pass from behind a mispallel until he is level and even with the mispallel. For those who are careful in accordance with the Zohar, even passing at the side is assur (above, 13).
19. **In front but to the side.** The poskim argue whether one may pass to the side, but in front, of a mispallel, i.e., may one enter into a mispallel's field of vision in front of him but off to his side? This is common when a mispallel is davening at a table, and one wants to walk through the aisle next to him, whether he is walking from east to west or west to east. Some say this is the same as in front and it is forbidden, because as long as one enters the mispallel's field of vision, he disturbs him and ruins his kavana (מג"א סק"י).
20. Others say in front but to the side is mutar (א"ר). The consensus of the poskim is that in a pressing situation, one may rely on this opinion (מ"ב סק"י); this same is true for a mitzva need (ש"ת מנח"י ח"ח) (סי"י, תשובות והנהגות ח"א סי"י ע"ה).
21. **Passing in front and stopping.** The poskim also argue whether one may pass in front of a mispallel and come to a stop in front of him, e.g., when one wants to go to his spot, which is directly in front of a mispallel, and he will not continue passing in front of him, but will remain standing in front of him. Some say this is assur (מג"א ה"ל); others say it is mutar (א"ר ה"ל וכשיבאר המ"ב סק"י). As above, one may be meikel in a pressing situation (מ"ב שם).

## Separated by a Barrier

### Does a Barrier Help?

22. The poskim discuss whether a ten-tefach tall barrier in front of a mispallel allows one to pass before him. According to the reason of honor for the Shechina, it would be mutar, as it is considered a different domain; according to the reason of ruining kavana, a barrier would not help if it is not so tall and the mispallel can still see the person, as passing before him still ruins his kavana. L'chatchila, one should be careful about this (מ"ב סק"ב), but one can be meikel in a pressing situation (ערוה"ש סי"ג).
23. **Passing in front of the bima.** If one is davening by the bima and someone else wants to pass in front of the bima, if the bima is wide enough that there is four amos between the person passing and the mispallel, it is mutar in any event. If there is less than four amos, it will depend on the above (22) regarding a barrier [as a bima is usually at least ten tefachim tall].
24. **Glass partition.** L'chatchila, one may not pass before a tall, glass partition; doing so still disturbs the mispallel, as he can see him (כ"ה החיים סק"ה).
25. **Table, shtender.** Even if it is ten tefachim tall [80 cm (about 31 inches) according to Rav Chaim Naeh], a table does not constitute a barrier, as there is more than three consecutive tefachim of airspace under the table. A shtender is not a barrier either, as it is open on the bottom and also, it is something that is moved.
26. **Shul bench.** However, sometimes shul benches with backrests are ten tefachim tall, like a barrier, and even at the bottom, they sometimes have a beam for resting feet which is within three tefachim [24 cm (about nine inches)] of the ground in such a manner that there is no one spot with three consecutive tefachim of airspace – this is a valid barrier using the rule of "lavud." This, too, is subject to the above discussion of whether a barrier helps, as the mispallel is still disturbed when someone passes in front of it.
27. **Person separating.** A person standing in front of a mispallel is considered a barrier [if he is ten tefachim tall and four tefachim wide], allowing someone else to pass in front of him (א"א בוטשאטש). That is assuming the person blocks the mispallel's vision, as if his vision is blocked, the person passing doesn't disturb him.

### Stepping Back at the End of Shemoneh Esrei

#### Check If Someone Is Behind

28. When one finishes davening and wants to take three steps back, he should look back to see if someone is davening there (שאלות להגרי"א). If he sees his friend davening behind him within four amos, or by taking his steps back, he will enter into his friend's four amos, he may not take three steps back until his friend finishes davening; this is like passing before a mispallel (שם).

#### Standing Behind Him Diagonally

29. **Standing behind him diagonally.** If the person within four amos is not directly behind him, but behind him diagonally, it is subject to the above machlokes (19) about passing in front and to the side. Thus, l'chatchila one should not step back until the person finishes davening, but in a pressing situation, or for a mitzva need, he may step back and rely on the meikel opinion (מ"ב סק"ה וסק"ט).
30. **Stepping diagonally.** If someone is davening directly behind, but it is a pressing situation or there is a mitzva need, one may step back diagonally so that he does not go toward the mispallel, but to his side (כ"ל, הגרש"א הליכות שלמה תפלה פ"ח דבה"ל אות נ"א, הגרי"ח קנייבסקי אש"י). Similarly, if the person behind him is davening for a long time and waiting making him very agitated, he can be meikel and step toward the side (ע"ה).

#### Only Step Back after the Person Behind Steps Back

31. When the person in back finishes Shemoneh Esrei, the person in front should l'chatchila not step back until the one behind him takes three steps back and does the three bows while saying "עושה שלום." Only after he finishes the bows and steps should the person in front step back. He should not do it while the one in back is taking his steps, as the Shechina is still present in front of him then (הגרש"א).

#### Person Behind Is Waiting for the Person Behind Him

32. If the one standing behind a person finished Shemoneh Esrei but did not step back because he is waiting for the mispallel behind him to finish, the front mispallel can step back if necessary, e.g., to say Tachanun or for any mitzva matter (הליכות שלמה שם ס"ד). Some allow the one in front to step back if he will not come within four amos of the third person (א"א ברכות י"א). Others allow it even if he will come within four amos of the third person (הגר"ח קרליץ, חוט שני שבת ח"ב עמ' רח"צ). At least if the middle person is ten tefachim tall and four tefachim wide and thus considered a barrier as mentioned above (27), the person behind is still a barrier (ל"ב, הגרש"א לשכנו תדרשו ח"א קונט' הל' תפילה).

## Giving Abundant Honor to the Shechina

33. The reason for taking three steps back at the end of Shemoneh Esrei is to give honor to the Shechina, like a servant walking backward to take leave of his master. If, while one is giving honor to the Shechina, he enters the area of the Shechina in front of the mispallel behind him, he is then disgracing the Shechina, and his benefit is offset by his loss. Thus, one should stand in place until his friend finishes and then he should step back; this way he gives great and abundant honor to the Shechina.

### Steps at the Beginning of Shemoneh Esrei

34. The main part of the minhag of taking three steps before Shemoneh Esrei is to walk forward three steps before starting, in a manner of a person approaching a task he needs to do (רמ"א סי' צ"ה ס"א). One does not need to first go backward in order to walk forward, but the common minhag is to take three steps back and then return to one's place (מ"ב סק"ג). However, if someone already started Shemoneh Esrei, the person in front of him should not first walk backward, coming within four amos of the mispallel. If he has room, he should take three steps forward, as per the main halacha; if he does not have room, he should start Shemoneh Esrei without taking any steps (הגר"ח קנייבסקי, אש"י ישראל סוף הספר תש"ר קכא).

### Shliach Tzibbur

35. After the shliach tzibbur finishes his own Shemoneh Esrei, he should l'chatchila take three steps back before starting Chazaras HaShatz (ש"ע סי' קכ"ג ס"ה). If someone is davening behind him within four amos, the shliach tzibbur can step back and to the side (above, 30).
36. If there are also people to the side who are still davening, he can start Chazaras HaShatz without taking steps back, relying on the opinions who hold a shliach tzibbur does not need to take steps back after his own Shemoneh Esrei (ש"ע סי' קכ"ג). This is better than burdening the tzibbur and keeping them waiting until he can step back to start Chazaras HaShatz (ס' ד' אמות). Still, it is best to pick up his feet somewhat in his place and then start Chazaras HaShatz (הגר"ח קרליץ חוט שני פסח עמ' ש"ח).

### Consideration for Others

37. **Long tefilla.** Anyone who knows his Shemoneh Esrei is much longer than others' should find a place to daven where people do not pass by and there are no mispallelim in front of him who will need to wait until he finishes to take their three steps. He should certainly be careful about this if he knows there are people there who are not careful in these halachos so as not to cause others to transgress (ש"ע סי' קכ"ג ס"ה).
38. **Short tefilla.** However, it is impossible for everyone to finish Shemoneh Esrei at exactly the same time. Thus, one who davens quicker must understand that some people daven a bit longer – as long as it is within reason, e.g., at Shacharis and Mincha, until the end of Chazaras HaShatz, and at Maariv, until the end of the tefilla.
39. When waiting for the person behind to finish, one should wait patiently. He should not get anxious or constantly turn around to see if he is finished. It is worse to remain in front of a mispallel turned around and facing him, as that disturbs his kavana much more. One of the reasons not to take the steps back is so as not to disturb the mispallel (above, 10), but he is just disturbing him in a different way. Thus, he should wait patiently, keeping in mind that he will have another zechus of honoring the Shechina, and that is his reward.
40. **Standing in the shul doorway.** One should not daven Shemoneh Esrei in a passageway not designated for tefilla, e.g., next to the shul entrance or in a room before the shul meant for passage and not tefilla, as doing so prevents people from passing. If someone stands next to the shul door, preventing people from coming in and out, it is very possible there is no issur to pass in front of him, as he is standing there without permission (א"א בוטשאטש מהד"ק). He has the status of a mazik, so one may even tell him to move. Strictly speaking, one may pick him up and set him down somewhere else (הליכות שלמה פ"ח אות ו'), but in practice, it is not recommended to do this...

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