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The Parameters and Power of Community Prayer in the Absence of a Minyan¹

Approved on December 21, 2022 by a vote of 21-0-1. Voting in favor: Rabbis Aaron Alexander, Jaymee Alpert, Adam Baldachin, Pamela Barmash, Emily Barton, Suzanne Brody, Nate Crane, Elliot Dorff, David J. Fine, Joshua Heller, Barry Leff, Amy Levin, Daniel Nevins, Micah Peltz, Avram Israel Reisner, Tracee Rosen, Rachel Safman, Robert Scheinberg, Marcus Mordecai Schwartz, Ariel Stofenmacher, Ellen S. Wolintz-Fields. Voting against: None. Abstaining: Rabbi Deborah Silver.

שְׁנַיִם שְׂיוֹשְׁבֵינֵי וַיֵּשׁ בֵּינֵיהֶם דְּבַרֵי תוֹרָה, שְׁכִינָה שְׂרוּיָה בֵּינֵיהֶם
משנה אבות ג,ב

Rabbi Hanina ben Tardiyon says, “two that sit and share words of Torah together, the Shekhinah is present among them.”

Mishnah Avot 3:2

שאלה(Question): For communities that do not accept the practice of establishing a virtual minyan as delineated by our colleague Rabbi Joshua Heller (“Counting a Minyan via Video Conference”) what are the parameters of communal prayer and what is the value of gathering for communal prayer when a minyan cannot be achieved?

תשובה(Response):²

In a voluntary community, we receive the gift of community connection through shared disciplines and life rhythms. In each of them are spiritual gifts that we discover only when we lovingly accept each repetition and openly seek what each new repetition has to offer.

David A. Teutsch. *Spiritual Community: The Power to Restore Hope, Commitment And Joy*

The establishment of minyan (a gathering of ten Jews who have attained halakhic majority) has long been a primary enterprise of Jewish communities all over the world and throughout our post-sacrificial-cult history. Central prayers [*bar'khu*, *kaddish* and the *k'dushah*] may only be recited and the Torah scroll may only be read amidst a minyan. Those who wish to review the

¹ *The Committee on Jewish Law and Standards of the Rabbinical Assembly provides guidance in matters of halakhah for the Conservative movement. Individual rabbis, however, are authorized to interpret and apply halakhah for their communities.*

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² I am grateful for the wisdom, insight and dispassionate critiques of this paper from the following colleagues. My thanks to: Rabbi Pamela Barmash, Rabbi Joshua Heller, Rabbi Jan Caryl Kaufman, Rabbi Avram Israel Reisner, Rabbi Robert Scheinberg.

traditional sources establishing the parameters of minyan are encouraged to study “Wired to the Kadosh Baruch Hu: Minyan via Internet” by our colleague, Rabbi Avram Israel Reisner.

There are many challenges to establishing and maintaining a minyan: some small, isolated communities may struggle to achieve a minyan at all. Other communities may find that as the demographics of their community evolve, establishing a consistent minyan becomes increasingly challenging. The exigencies of life in a pandemic created additional legal and ethical barriers to establishing weekday, Shabbat and Festival in person minyanim. It is understandable that halakhic sources relating to prayer have consistently reserved the passages and practices noted above for the minyan. Yet, as the Mishnah cited at the opening of this paper indicates, there is a measure of *k’dushah*, the blessing of the presence of the Shekhina, God’s immanent presence, when two or more Jews come together to share Torah (in the broadest sense including tefillah/prayer). And as Rabbi David Teutsch notes above, there is intrinsic value to “repetition,” to bringing to the surface of our consciousness the terminology, the values, the defining concepts of Judaism and sharing the reverberations of those words with our friends and neighbors ... even if fewer than ten of us are present. What follows is the case for valuing and enhancing the potentially crucial role of communal prayer that takes place in the absence of a minyan.

The Valued-Added of Communal Prayer

A community is an invaluable element of human life and of Jewish life in particular. Community is the place where we and our family learn the values that are important to us. The most powerful socialization outside our homes, takes place in whatever setting we choose as our community. If we have a community we have a setting that prepares us to “be there” for those in need, to have others there for us when we need emotional and/or material support. Community enables us to find others who share a common defining denominator, a context for meaningful friendships and for living shared, thoughtful moral and ethical lives with other Jews. Community challenges us to think and act beyond the parameters of our own immediate personal needs and desires.

The four or six or eight people who gather together to pray strengthen each other as they raise their voices together in prayer. The neophyte can learn melodies and pronunciation. The more experienced may feel satisfaction that they are helping new participants feel more comfortable with the siddur and with sharing prayer in community. Prayer establishes a shared vocabulary and fundamental concepts within our specific community and with Jews all over the world. Those who meet regularly to pray together develop strong bonds and are naturally present for each other in times of challenge or grief and even joy.

None of this is contingent on having ten people in a room at any given time.

The Liturgical Parameters of Communal Prayer in the Absence of a Minyan

Without diminishing the power and significance of responding to the prayer leader’s call of “bar’khu!, the transformative experience of the *k’dushah* and the awe-inspiring millennia-spanning participation in Torah reading directly from the scroll, we need to remember that the overwhelming majority of the daily, Sabbath and Festival liturgy is to be recited by anyone (an individual, a small group or a minyan) engaged in prayer.

Strictly speaking, a group of fewer than 10 should be following the accepted practice of an individual praying alone. What follows is a guide for navigating such a group around the passages that are only recited in the midst of a minyan while enhancing and enriching the group's shared experience:

1. בָּרְכוּ / *Barkhu at the beginning of the Reading of the שמע / Sh'ma and Its Blessings*

There is no liturgical substitution available, but there is also no barrier to embarking on this liturgical moment with a creative announcement from the prayer leader. A few options:

- “We will now embark together on the reading of the Sh'ma passages and their surrounding blessings.”
- “Let us continue together in the spirit of praise and appreciation for God.”
- “In praise and gratitude we read the Sh'ma passages and their surrounding blessings.”

2. הַעֲמִידָה / *The Amidah*

The earliest rabbinic texts refer to הַעֲמִידָה / the *Amidah* as “The Prayer” [Ha'Tefillah].³ It is the only liturgical element present in every daily prayer service: עֶרְבֵית [ar'vit / evening], שַׁחֲרִית [shaharit / morning] and מִנְחָה [minhah / afternoon]. The name is based on the Hebrew for standing — עוֹמֵד / o'meid. The *amidah* itself is comprised of a series of short blessings (ranging from 7 through 19 depending on the context [weekday, Shabbat, festival, etc.]). Those who pray in a minyan are privileged, in the third blessing of the *amidah* for morning/*shaharit* and afternoon/*minhah* to join the heavenly hosts in praising God through the recitation of הַקְדִּישָׁה / the *k'dushah*, which declares the holiness of God. The presence of a minyan also creates the conditions under which the kohanim in the community may recite the priestly blessing during the prayer leader's repetition of the *amidah* / הַעֲמִידָה as a prelude to the final [שִׁמּוֹן / sim shalom / grant peace] blessing.⁴

The absence of a minyan dictates the elimination of הַקְדִּישָׁה / the *k'dushah* and the recitation of the priestly blessing from the prayer group's purview. However, hearing the prayer leader recite the text of the *amidah*, or reciting the text of the *amidah* together in communal prayer without these passages are all well within the legitimate parameters of prayer in absence of a minyan since the entire remaining text of the *amidah* is obligatory for individuals. Particularly on Shabbatot and Festivals, communal singing as the prayer leader chants aloud the individual's version of the *amidah* can be a treasured opportunity to sing beloved melodies and experience the power of voices raised in song and prayer together.

The following are legitimate options for a communal prayer experience of the *amidah* in the absence of a minyan:

³ Mishnah Brakhot 3:3, in discussing the liturgical obligations of different sectors of the community makes clear the distinction between “reading the *sh'ma*” and “the *tefillah*” [The Prayer], which is the *amidah*.

⁴ Different communities, based on geography or ethnicity (Ashkenazic [most of central and eastern Europe], [Sephardic or Mizrahi—around the Mediterranean basin and points east] have different traditions for this recitation ranging from not at all, to only musaf for festivals to every leader's repetition of *musaf*.

- The group may chant the entire *amidah* out loud together, reciting the version of the third blessing that is appropriate for individuals.
- The group may first recite the *amidah* silently. The prayer leader should not at that time recite his/her own silent *amidah*, but rather should wait until the remaining members of the group finish. At that point, the prayer leader may recite his/her *amidah* aloud, including the version of the third blessing that is appropriate for individuals. The group may respond “amen” to the progression of *brakhot*/blessings and may sing passages together with the prayer leader, but should not join the prayer leader in reciting the *hatimah* [the closing signature line that concludes each blessing].

3. Torah Reading

There are a number of options available to the communal prayer group: Any of these may very appropriately be preceded by the group reciting the blessing “*la’asok b’divre Torah*”[“to engage in the words of Torah”]. (see below, Appendix 1). Following the blessing, the communal prayer group may engage in one of the following options:

- chant the day’s passage directly from the *Humash* / the printed Torah text.
- read the day’s passage in English from the *Humash*.
- conduct a short study session based on a passage from the day’s Torah reading.

4. קדיש / Kaddish

For many, the elimination of the Mourner’s Kaddish is the most difficult, even painful, consequence of gathering for communal prayer that does not achieve a minyan. This does not mean that we are consigned to denying mourners and those observing *yahrzeit* [marking every anniversary of the death of a 1st degree relative] the support and compassion that they ... we ... need at these times. In the context of an intimate group, those who would under other circumstances be reciting the Mourner’s Kaddish may be invited to share the name of the person they are commemorating, or mourning, and if appropriate, even share a few words about that person with the group. Appendix 2 below includes three alternative liturgical passages that evocatively stand in the place of the *kaddish aveilim*, the Mourners’ Kaddish that would be recited in the presence of a minyan.

5. הושענות / Hoshanot

All three Biblically-ordained festivals of the year (Pesach, Sukkot and Shavuot) are marked by observances both at home and with the community. Of these, the Hoshanot of Sukkot and Shemini Atzeret are among the most dramatic and colorful. All bearing lulav and etrog are welcome to circle the amud (the prayer leader’s table), chanting together, responding to cues from the prayer leader. Is this a practice that requires the presence of a minyan?

The Mishnah in Sukkah describes the roots of the practice we know today as the “hoshanot.”

משנה סוכה ד, ה
 מצנות ערבה כיצד, מקום הנה למטה מירושלים, ונקרא מוצא. יורדיו לשם ומלקטין משם מרביות של ערבה, ובאין
 וזקפין אותן בצדי המזבח, וראשיהן כפופין על גבי המזבח. תקעו והריעו ותקעו. בכל יום מקיפין את המזבח פעם

אחת, ואומרים, אָנָּא ה' הוֹשִׁיעָה נָּא, אָנָּא ה' הַצְּלִיחָה נָּא. רבי יהודה אומר, אָנָּי נְהוּ הוֹשִׁיעָה נָּא. ואותו היום מקיפין את המזבֵּחַ שְׁבַע פְּעָמִים. בְּשַׁעַת פְּטִירָתוֹ, מָה הֵן אוֹמְרִים, יְפִי לָךְ מְזַבְּחִי, יְפִי לָךְ מְזַבְּחִי. רבי אליעזר אומר, לֵיָּהּ וּלְךָ, מְזַבְּחִי. לֵיָּהּ וּלְךָ, מְזַבְּחִי:

Mishnah Sukkah 4:5

The mitzvah of the willow branch how? There was a place below Jerusalem, and it was called Motza. They descend there and gather quantities of willow branches, and then they come and stand them upright at the sides of the altar, and the tops of the branches would be inclined over the top of the altar. They then sounded tekia! terua! tekia! Each day they circle the altar one time and say: "Lord, please save us. Lord, please grant us success" (Psalms 118:25). Rabbi Yehuda says: *Ani vaho*, please save us. And on that day, the seventh day of Sukkot, they would circle the altar seven times. At the time of their departure at the end of the Festival, what would they say? It is beautiful for you, altar; it is beautiful for you, altar. Rabbi Elazar said that they would say: To the Lord and to you, altar; to the Lord and to you, altar.

Thus, the ritual processional of the *hoshanot* is rooted in the ritual processional of the *kohanim* around the altar of the Temple in Jerusalem. The Rambam (Maimonides) describes normative practice (which assumes the presence of a minyan) in his halakhic codex the *Mishneh Torah*:

Mishneh Torah, Laws of Shofar and Sukkah and Lulav 7:23

On each day of the festival, they would walk around the altar once, carrying their *lulavim* in their hands, reciting: "Please, God, save us. Please, God, grant us success" [*Psalms* 118:25]. On the seventh day, they would walk around the altar seven times.

It has become universally accepted Jewish custom to place the prayer table [ark] in the center of the synagogue and walk around it each day, as they walked around the altar in remembrance of the Temple [service].

So beloved is this dramatic processional, that a practice that was originally reserved for the *kohanim* came to be re-enacted by all members of the *kehillah*. There is mention, in some sources, of placing a Torah scroll on the *amud* ... perhaps in order to intensify the significance of the object. The altar (*mizbei'ah*) would have needed no such enhancement in its time and place.

The *Mishneh Torah* provides one further piece of relevant direction as we consider how a prayer group short of a minyan might engage in the *hoshanot*:

Mishneh Torah, Laws of Tefillah, 12:3

The Torah is never read in public in the presence of fewer than ten adult free people.

Although this second passage from the *Mishneh Torah* does not reference the practice of placing a sefer Torah on the *amud* as the *hoshanot* are recited and as those gathered circle the reader's table with *lulavim* and *etrogim*, it does serve as a general directive. Guided by

the principle of כבוד התורה (*k'vod haTorah* / respect for the Torah) it is normative practice to only remove a scroll from the holy ark in the presence of a *minyan* for the purposes of a public reading. In the absence of a *minyan*, therefore, it is well within the purview of the group to circle the *amud* with *lulavim* and *etrogim*, to respond to the calls of the prayer leader reciting the texts of the *hoshanot* and singing with gusto ... but a Torah scroll is not to be removed from the holy ark to be placed on the reader's table.

/ פסקי דין Rulings:

1. It is incumbent upon any *kehillah k'doshah*, any congregation, to reserve for the quorum of ten, the *minyan*, the passages and rituals that halakhically have always required the presence of a *minyan*.
2. Those who gather to pray together with fewer than ten Jews of the age of halakhic responsibility should embrace the opportunity to share prayer and Torah with each other. This communal prayer experience should be enhanced with melodies, chanting and reading together ... emphasizing the commonality and mutuality of their spiritual and ritual practice.

Rabbi Amy Levin

Israel ,Hanaton

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Appendix 1: The Blessing for “engaging in the words of Torah”

בְּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְעִסוֹק בְּדִבְרֵי תוֹרָה:

Baruch atah Adonay, eloheinu melech ha'olam, asher kidshanu b' mitzvotav u' tzivanu la'asok b' divrei Torah.

Blessed are You, Adonay, our God, sovereign of the universe, who has made us holy through the commandments and commanded us to engage in the words of Torah.

Appendix 2: Three Alternative Texts to be Recited by Mourners and Those Observing Yahrzeit When a Minyan is Not Present

Alternative A

The following text by Rabbi Dov Edelman appears in the Israeli Masorti [Conservative] prayer book, *Va' Ani Tefillati* and may be recited by mourners and those observing *yahrzeit* in the context of communal prayer in the absence of a *minyan*:

In memory of a male:

אל אלהי הרוחת אשר בידך נפשות חיים ונמתים, פנה היום בחד וברחמים אל תפילתי לזכר יקירי. זכור נא את כל החד והטוב שעשה בעולם החיים. תן לו מנוחה נכונה תחת כנפי השכינה, וצור בצור החיים את נשמתו.

יתגדל ויתקדש שמה רבא.

עושה שלום [בעשי"ת: השלום] במרומו הוא יעשה שלום עלינו ועל כל ישראל / ועל כל ישרי תבל / ואמרו אמן:

Eil elohei haruhot asher b'yad'kha nafshot hahayim v'hameitim, p'nei hayom b'hased u'v'rahamim el t'filati l'zeikher yakiri. Z'khor na et kol hahased v'hatov she'asah b'olam hahayim. Tein lo m'nuhah n'khonah tahat kanfei hash'khinah' u'tzror b'tzror hahayim et nishmato.

Yitgadal v'yitkadash shmei raba.

Oseh shalom [during the ten days of repentance: hashalom] bimromav hu ya'aseh shalom aleinu v'al kol yisrael / v'al kol yoshvei teiveil / v'imru amein.

In memory of a female:

אל אלהי הרוחת אשר בידך נפשות חיים ונמתים, פנה היום בחד וברחמים אל תפילתי לזכר יקירתי. זכור נא את כל החד והטוב שעשתה בעולם החיים. תן לה מנוחה נכונה תחת כנפי השכינה, וצור בצור החיים את נשמתה.

יתגדל ויתקדש שמה רבא.

עושה שלום [בעשי"ת: השלום] במרומו הוא יעשה שלום עלינו ועל כל ישראל / ועל כל ישרי תבל / ואמרו אמן: קהל: אמן

Eil elohei haruhot asher b'yad'kha nafshot hahayim v'hameitim, p'nei hayom b'hased u'v'rahamim el t'filati l'zeikher yakirati. Z'khor na et kol hahased v'hatov she'astah b'olam hahayim. Tein lah m'nuhah n'khonah tahat kanfei hash'khinah' u'tzror b'tzror hahayim et nishmatah.

Yitgadal v'yitkadash shmei raba.

Oseh shalom [during the ten days of repentance: hashalom] bimromav hu ya'aseh shalom aleinu v'al kol yisrael / v'al kol yoshvei teiveil / v'imru amein.

God, the God of all spirits in whose hand are the souls of all the living and the dead, turn today with grace and mercy to my prayer in memory of my beloved. Please

remember all the mercy and good that he/she did in the world of the living. Grant him/her rightful rest sheltered under the wings of the Shekinah and bind his/her soul in the bond of life.

May God's great name be exalted and hallowed.

May the One who brings peace on high, bring peace to us and to all Israel /and to all who dwell on earth/.

And respond: Amen

*Alternative B*⁵

Personal Prayer In Lieu of Kaddish

(from the traditional prayer book, based upon Massekhet Sofrim 14.6)

על הכל יתגדל ויתקדש וישתבח ויתפארו ויתרומם ויתנשא שמו של מלך מלכי המלכים הקדוש ברוך הוא
בעולמות שפרא, העולם הזה והעולם הבא.

צור העולמים, אדון כל הבריות, א-לוה כל הנפשות היושב במרחבי מרום וקדושתו על כסא הכבוד –
יתקדש שמך בנו, ה' א-להינו, לעיני כל חי. ככתוב: ונגלה כבוד ה', וראו כל בשר יחדיו כי פי ה' דבר.
יהא שלמא רבא מן שמיא וחיים (טובים) עלינו ועל כל ישראל, ואמרו אמן.

עושה שלום במרומיו, הוא יעשה שלום עלינו ועל כל ישראל (ועל כל יושבי תבל), ואמרו אמן.

For all things, may the name of the King of Kings, the Holy One, be exalted,
sanctified, praised, glorified, lauded and adored in the two worlds that God has
created – this world and the next.

Rock of Eternity, Master of all creatures, God of all souls, who resides in the expanse
of heaven, whose holiness sits upon the divine throne –

May Your name be sanctified within us, Adonai our God, in the eyes of all

who have lived, as it is said: The glory of Adonai will be revealed
and all flesh together shall see that the mouth of Adonai has spoken (Isaiah 40:5).

May there be peace from heaven, with life's goodness for us and for all Israel.

May He who establishes peace across the universe, grant peace to us, to all Israel and
to the world.

All say: Amen.

⁵ With thanks to Rabbi Avram Israel Reisner for directing me to this source.

Alternative C

Prayer in Place of Mourner's Kaddish When a Minyan is Not Present

Siddur Lev Shalem for Shabbat and Festivals, page 30

רבונו שֶׁל עוֹלָם, אֱלֹהֵי הָרוּחַת לְכֹל בְּשָׂר

hot l'khol basar *Ribbono shel olam, elohei ha-ru*

Master of the world, God of the spirit of all flesh, it is revealed and known before You that it is my fervent desire to praise Your name, and to remember and honor my beloved:

father/mother/son/daughter/husband/wife/partner/brother/sister/_____
[the name and relation of the person may be inserted]

by reciting the Mourner's Kaddish in the company of a *minyan*. May my presence here today with my community find favor in Your eyes, and be accepted and received before You as if I had prayed the Kaddish. May Your Name, Adonai, be elevated and sanctified everywhere on earth and may peace reign everywhere.

All who are present respond:

בָּרוּךְ שֵׁם כְבוֹד מַלְכוּתוֹ לְעוֹלָם וָעֶד. Barukh shem k'vod malkhuto l'olam va-ed.

Praised be the name of the one whose glorious sovereignty is forever and ever.

Together:

וְאָמְרוּ אָמֵן, [יִשְׂרָאֵל תְּבַל-וְעַל כָּל] יִשְׂרָאֵל - עֲשֵׂה שְׁלוֹם בְּמִרְוֹמָיו הוּא יַעֲשֵׂה שְׁלוֹם עָלֵינוּ וְעַל כָּל

Oseh shalom bimromav hu ya-aseh shalom aleinu v'al kol yisrael [v'al kol yosh'vei teiveil], v'imru amen..