

ליקוטי ופסקי הלכות

"חוקי חיים"

ותלמודם
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הזרעה" שכונת מנחת יצחק פעיה"ק ירושלים תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochoh compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Halochoh of

Respect of Beis Medrash

Request:

In these troubled time where people are not in the Batei Midrash, Please send to as many people as possible, with that, having a hand in spreading Torah and relevant Halochoh

[To Donate](#)



Click To Download
previous Gilyonos
[Archives](#)

ליקוטי ופסקי הלכות "חוקי חיים"

ותלמדם
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שבונת מנחת יצחק פעה"ק ירושלם טובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Please do not
read during
Davening or
Krias Hatorah

Respect for a Beis Medrash

Behar-Bechukosai 5780

177

Because of Our Sins, We Were Exiled...

To Begin with a Lament...

Because of our sins, we were exiled from our batei medrash; and we were distanced from the walls of our yeshivos; and we are not able to come up, appear, bow before You, and perform our obligations of davening and learning in the house of Your choice, in the great and holy House that Your Name is called upon.

- Gezeiras ta"ch veta"t.** In the years of fury of 5408-5412 (1648-1652), hundreds of thousands of Jews were killed in brutal ways, r"l. The Tosfos Yom Tov declared a fast day, and it was revealed to him that the decree was because people degraded shuls and batei medrash and spoke within them, thereby causing a flaw in the letter vav of the word דבר/dibur [speech], turning it into דבר/dever [plague].
- Gezeirah of 5780.** Sadly, we find ourselves today cast outside the walls of the shuls and batei medrash. It is now been nearly two months that Klal Yisroel has not been learning diligently in its batei medrash. This might be the first time in Klal Yisroel's history that every single beis medrash in every Jewish community in every country in the world is desolate and empty of the people who occupy, learn, and daven in them – for this, we are anguished.
- We find in the Torah that holy places do not tolerate sinners, as the posuk says, "The land will not vomit you out for contaminating it like it vomited out the nation..." (אחר, יח, כ"ח). This is analogous to a prince who was fed something unpleasant; his stomach couldn't contain it, and he threw it up. So too, Eretz Yisroel does not contain sinners. The batei medrash and shuls, that have the kedushah of a mini mikdash, also vomited out their royal children because of something unpleasant.
- Perhaps it is because we degraded and caused harm to the "kavod" of batei medrash that we are suffering from this pandemic, r"l [which is called "Covid" – a hint to "kavod"], and Hashem took some of Klal Yisroel's "oil and fine flour" from all the holy communities throughout the world away from us. Therefore, if we truly want to return to the batei medrash, it is not enough to grow stronger in these areas; we need to make major changes, to accept it upon ourselves to completely transform the way we act in batei medrash in a big way, such that the respect shown in batei medrash can be divided into "before 5780" and "after 5780." Then perhaps Hashem will have mercy on us, end the pandemic, and take us back to His House where kedushah dwells, the place where His Shechinah rests.

Respect for a Beis Medrash

Mini Mikdash

- In shuls and batei medrash, one may not act with frivolity, e.g., joking, mocking, and idle speech (ש"י קנ"א ס"א). This is because a shul is called a mini mikdash, as the posuk says, "I have become for them a small mikdash," and regarding the mikdash, the posuk says, "You shall fear My mikdash" – the fear of the One Who dwells there should be upon a person (מ"ב סק"א). The Zohar Hakadosh on the posuk, "They will make for Me a mikdash, and I will dwell among them," points out that it just says the word mikdash, because every shul in the world is called a mikdash (במדבר נשא אות ק"ה).

Deoraisa or Derabanan?

- Respect for a beis medrash.** Some Rishonim hold the chiyuv to respect our batei medrash is deoraisa (הובאו בחפ"ק, וסמ"ק, וסמ"ק). Others say it is derabanan, but if there was a neder that it should require kavod beis medrash, there is a chiyuv deoraisa from the neder aspect (סק"א). However, everyone agrees idle talk is a great issur (שם).
- Disgrace of a beis medrash.** Some say even according to the poskim who hold that as far as the kedushah of a beis medrash goes, the

chiyuv of respect is derabanan, disgracing a beis medrash, e.g., doing something degrading or acting foolishly inside, is an issur deoraisa (ש"ת בית יצחק אבה"ע"ו ח"ב סי' ל"ג).

Cleanliness of a Beis Medrash

- One must treat batei medrash with respect; keep them clean; sweep them to remove dust and dirt from the floor; and wash the floors with water (ש"י קנ"א ס"ט). The frequency of the cleanings depends on the circumstances (ע"פ משנה שקלים פ"ז מ"ב); they shouldn't be cleaned less often than one cleans his house (הובאו בס' בית יהודה עמ' ק"ט) (הגר"י ליברמן, הובאו בס' בית יהודה עמ' ק"ט).
- A person's own trash.** One may not actively make a beis medrash dirty. Likewise, one may not leave his trash in a beis medrash. Thus, if one used a tissue and placed it under his siddur during davening, he must make sure to put the tissue in the garbage, for reasons of both respect for a beis medrash and of course, "ואהבת לרעך כמוך." The same goes for an empty cup of coffee drunk in a beis medrash (see below, 17) and leftovers or wrappers from children's sweets – when one leaves, he must make sure to clean his spot up after himself.
- Someone else's trash.** If one sees someone's trash in a beis medrash, and there is a designated person or time for the cleaning of the beis medrash, he does not need to clean it up (הגר"ה קנייבסקי). Nevertheless, it is proper and a mitzvah for one to pick up garbage he sees on the ground and throw it out, especially if it is in front of the aron kodesh, where one needs to be more careful to show respect (מג"א סק"י בשם ספר חסידים).
- If, however, the beis medrash does not have a set janitor, anyone who enters the beis medrash must see to it that the place is clean as befits a mini mikdash and, if necessary, clean it personally (הגר"י ליברמן, שם).

Kedushah of a Beis Knesses and Beis Medrash

- Definitions.** A beis knesses is a place that is designated for the public solely for davening. A beis medrash is a place designated for the public for learning. They both have kedushah (ש"י קנ"א ס"א), but the kedushah of a beis medrash is greater than that of a beis knesses (ש"י קנ"ג ס"א).
- For davening and learning.** A beis knesses is designated solely for davening. If people also learn there – even just for one hour (באר היטב) – it has the status of a beis medrash. Thus, almost all shuls today have the status of a beis medrash (הגר"ש"ז) (אוריבאך, תפילה כהלכתה פ"ב הע' ל"ז).

Chachamim and Their Talmidim

- Those who consistently learn in a beis knesses or beis medrash are allowed to do certain things there, e.g., eating, drinking, sleeping, and the like (ש"י קנ"א ס"א), as will be explained. Some say that because they spend the bulk of their time in the beis medrash, they may do what they need to do there (ש"י קנ"ג); others say the reason is to prevent bittul Torah (מג"א סק"ב), if refraining will cause actual bittul Torah, i.e., when they are learning (מ"ד בספרו צדקה ומשפט פ"ב הע' י"ז). The Rama is meikel in a beis medrash even if there is not a great necessity (רמ"א שם).

Beis Medrash Built with a Tenai

- If a beis medrash or beis knesses was built on condition that non-mitzvah activities will be allowed to be done within, certain things may be done. This depends whether it is in Chutz La'aretz vs. Eretz Yisroel; if the activities are disrespectful, e.g., eating and drinking, vs. other things; and if the beis medrash is still functioning vs. in ruins. See Shulchan Aruch and its commentaries for details (ש"י קנ"א ס"א).
- "Leiv beis din masneh."** Strictly speaking, the condition must be explicitly stated during the building (מ"ב סק"ב). However, several poskim agree that one may rely on the poskim who hold we assume shuls are made with this condition by default (הובאו) (במ"ב שם), at least in certain circumstances and for certain things (ש"ת) (קרן לדוד אורח ל"ז ד"ה אלא, משנת יוסף סי' כ"ז אות ח' וט'), as will be explained.

Eating, Drinking in Shuls, Batei Medrash

Eating, Drinking

17. One may not eat or drink in a beis knesses or beis medrash (שׁוּרֵי עֵי קִנְיָא). Nevertheless, if one is thirsty in the middle of learning, he may drink in order not to interrupt even if he does not consistently learn in the beis medrash (בִּיאָרְהֵל דִּיהּ וְאִיִּן אִוְלֵיִן). If it was built with the condition heter, strictly speaking that only allows feeding the poor or guests who need to eat.
18. **Talmidim, chachamim.** People who consistently learn in a beis medrash, e.g., yeshiva bochurim and kollel yungerleit, may eat and drink inside, as mentioned above.
19. **Seudas mitzvoh.** A seudas mitzvoh may be held in a beis knesses or beis medrash (סִמְרָק מִצְוָה וְ, מִגִּי'א סִקְיָה). The poskim argue whether this is only true of a small seudah or even a large seudah that might involve drunkenness and frivolity. One who is meikel for a large seudah has poskim to rely on (מִי'ב סִקְיָה).
20. **Definition of a seudas mitzvoh.** A seudah for a siyum mesechta is definitely considered a seudas mitzvoh since it is connected to a beis medrash (עֵרֶךְ הַשְּׁלֶחֶן סִי'ו). Other seudos, even for a bris or pidyon haben; a kiddush for a bar mitzvoh, aufruf, or birth of a daughter; or for a yahrzeit, seudas shlishis, tish, and the like, are not considered seudos mitzvoh enough to be held in a beis medrash. These must rely on a condition made when the beis medrash was built or on a by default assumption ["lev beis din masneh"] that it should be able to be used for such things (שׁוּרֵי אַגְרוֹת מִשָּׁה אִוְיָה חִי'א סִי מִי'ה). The poskim allow this even in Eretz Yisroel (הֵי שֶׁבֶט הַלְוִי חִי'ט סִי ל', תְּשׁוּהֵינּוּ חִי'א סִי קִנְיָה).
21. **Minimize frivolity.** Even when using the above heterim to make a seudah with lots of simchah, etc. in a beis medrash or shul, the participants must always sit with the proper respect and constantly remember that at the end of the day, they are sitting in Hashem's house, not their living room.

Conversation, Frivolity in a Beis Medrash

22. One may not act with frivolity in a shul or beis medrash, e.g., joking, mocking, and idle speech (שׁוּרֵי עֵי קִנְיָא סִי'א) since it is called a mini mikdash, as the posuk says, "You shall fear My mikdash," meaning the fear of the One Who dwells there should be upon a person (מִי'ב סִקְיָה).

Idle Speech

23. The idle speech that may not be conducted in a beis medrash or shul is speech that has no purpose, like most of the stories people tell about what happened or what will be, various types of news, international politics, and of course internal politics between different sects, chassiduses, and various communities in Klal Yisroel – all the more so forbidden speech, lashon hara, rechilus, and arguments. Besides for the issur itself, one disgraces the Shechinah's honor in the King's palace (מִי'ב סִקְיָה). This is something that needs much improvement.
24. **No heter whatsoever.** Even if a shul or beis medrash was built on condition it would be allowed to be used for non-mitzvoh activities, idle speech is in no way permitted (שְׁעָה'צִי סִקְיָה). There is also no heter for talmidei chachamim who learn there all day; are talmidei chachamim not obligated in fear of the mikdash? Only eating, drinking, and the like are permitted for them, not idle speech or frivolity (מִי'ב סִקְיָה).
25. **"Schmoozers Groups"**. Sadly, in many batei medrash, people congregate by the back bench in a group of schmoozers with no regard for the issur of talking during davening and in a beis medrash. Now, there is an opportunity for every rav or gabbai to show a new policy that does not tolerate any of this behavior. If the schmoozers are unable to close their mouths during davening, they shouldn't come back to the beis medrash; they can continue where they've been davening for the last two months...

Speech for Parnassah Purposes

26. Some poskim hold speech that is not idle, but also not for a mitzvoh, e.g., for parnassah, is muttar (תְּרֻגוֹם תּוֹרִי'ט עַל אִוְרוֹתוֹת). Others hold this too is assur (חִי'ים לִהְרָא'שׁ אוֹת מִי'ב פְּנִי'א אִי'א סִקְיָה, מִי'ב סִקְיָה). There is also no heter for talmidei chachamim who learn there all day; are talmidei chachamim not obligated in fear of the mikdash? Only eating, drinking, and the like are permitted for them, not idle speech or frivolity (מִי'ב סִקְיָה).
27. Some justify those who are meikel if the shul was built with a condition (עֵרֶךְ הַשְּׁלֶחֶן סִי'ה), at least if they are also talmidei chachamim whose fixed place is the beis medrash (מִסְגֵּרַת הַשְּׁלֶחֶן קִיְצוּשׁוּרֵי עֵי סִי י'ג) if it is hard for them to leave the beis medrash to discuss these things (גִּרְשִׁי'א).

Talking during Davening and Krias HaTorah

28. Everything we have written until now was about idle speech in a shul or beis medrash. During davening, krias haTorah, and krias Haftarah, though, speech is certainly assur, even between aliyos (שׁוּרֵי עֵי קִמְי'ו סִי'ב).

Cell Phone in a Beis Medrash

29. No cell phone should be brought into a beis medrash. Any sensible person understands it is a disgrace to a beis medrash to talk in it as if on the street. Also, it disturbs the other people present, especially when a phone rings in the middle of davening and its owner does not rush to turn it off. Even when a phone is on silent or vibrate, it generally prevents its owner from concentrating during davening, as he is constantly worried that he might be missing a call.

30. **Earphones.** It is also disgraceful to stand and daven with a cell phone's earphones in one's ears. Certainly no one would stand this way before an important person.

Proper Practice to Take On for the Future

31. Since most speech is forbidden in a beis medrash or shul, and the heterim are not universally agreed upon, it is proper for every person to take it upon himself from now on not to engage in pointless speech at all in these places. As the Mishnah Berurah concludes, "Therefore, one who fears and trembles before Hashem's word should constantly place his eyes and heart on this – not to engage in any idle speech in a beis knesses or beis medrash; and for him, this place should be designated solely for Torah and davening" (מִי'ב סוּף סִקְיָה).
32. **New takanos.** Now that all Jews are outside the beis medrash, this is an opportunity for shul rabbanim to reaccept people to the beis medrash, at the appropriate time, only if they take it upon themselves to follow new standards prescribed by the local rav, to be careful with the beis medrash's honor, not to speak during davening, and the like.

Musical Instruments in a Beis Medrash

33. Musical instruments may not be brought into a beis medrash (שׁוּרֵי עֵי קִנְיָא), but the minhag is to allow it for a mitzvoh, e.g., a simchas beis hasho'eiva, hachnasas sefer Torah, and the like (מִי'ב סוּף סִקְיָה). In the past, it was common to play musical instruments in a beis medrash (בְּסִפְרוֹ צְדָקָה וּמִשְׁפָּט פִּי'ב סוּף הֵי' י"ט).
34. **Recording a song in a shul.** Lately, musical groups have begun recording songs inside old shuls they choose to use as a background, and they bring in all sorts of recording equipment. This is completely assur, as it makes use of a shul for a mundane purpose and to make a living off the recordings; this is a disgrace to a mini mikdash (עֵי קִי אִוֹר (יִשְׂרָאֵל ל"ג עֵמֶל מִי'ה).

Spending Leisure Time ["Tiyul"] in a Shul

35. One may not spend leisure time in a shul or beis medrash (שׁוּרֵי עֵי קִנְיָא סִי'א), i.e., moving from corner to corner leisurely or for enjoyment, with no goal (צְדָקָה וּמִשְׁפָּט פִּי'ב הֵי' י"ט).
36. **Enjoying its beauty.** It is common for people to enter a shul just to check it out or see its beauty, e.g., in the ancient shuls of Amsterdam and Prague, or to see the ornate aron kodesh of the Ponovezh yeshiva, etc. This raises a discussion of whether this is an issur of leisure time in a shul. It depends: if one enters just to see its beauty for his own satisfaction or to admire the details of its architecture and design, it is assur (הֵרִי' מְלוֹנֵי מַגִּילָה דִּף כִּחַ עֵי'ב). If one enters to admire the beauty of a shul built for Hashem's honor, it is muttar (כִּפִּי אַהֲרֹן סִי טִי'ו).

Reading a Newspaper

37. One may not read any sort of newspaper, not even... in a beis medrash, as it is degrading to the beis medrash (מִי'ב אִמְרֵי אִמְת' (הוֹבָא בְּפִסְקֵי תְּשׁוּבָה סִי רֵעִי).

Money Changing

38. One may only make calculations in shuls and batei medrash if they are mitzvoh related (שׁוּרֵי עֵי קִנְיָא סִי'א). The same goes for all types of business. Thus, one may not designate a beis medrash as a spot to exchange foreign currency (מִשְׁנֵת יוֹסֵף הֵל' בִּיהֲכִי' סִי כִי'ו). However, one may make change for coins or small amounts of money for tzedakah purposes.

How to Enter and Exit a Shul

39. **Entering.** Before entering a shul, say, "בְּבֵית אֱלֹקִים נִהְלַךְ בְּרַגְשִׁי," and then add, "וְאֲנִי בְּרוּב חֶסֶדךָ אֲבֹא בֵיתךָ אֲשַׁתְּחוּהוּ אֵל הַיְכָל קִדְשְׁךָ בִּירְאָתְךָ." Upon entering, bow toward the aron (מִי'ב רִישׁ סִי מִי'ו בְּשֵׁם שְׁעִי'ת) aron kodesh. If one is careful to do this, it will help him remember that he is now entering the King's palace, a place where the Shechinah rests, a mini mikdash. He will then naturally act accordingly the whole time he is inside.
40. **Exiting.** When exiting a shul, say, "נִחְנֵי בְּצִדְקָתְךָ לִמְנוֹן שׁוֹרְרֵי יִשְׂרָאֵל," then bow and exit (תְּהִלִּים ה' ט' "לִפְנֵי דַרְכְּךָ"). One should not exit with his back to the aron kodesh; he should face the aron and then exit (בְּשֵׁם רַאשִׁית חֲכָמָה). If one is careful about this, it will create the feeling that he now left a holy place, the house of the King of all kings, and it will help him act properly in the future.

...And to End with a Plea

If we take it upon ourselves to change our behavior in shuls and batei medrash, perhaps Hashem will have mercy on us, His poor nation, and return us to the place of the mikdash, the mini mikdash. We beg Him... Shine Your face on Your desolate mikdash. Hashem, bend Your ear and listen, open Your eyes and see our desolate places; have mercy, Hashem, on Your nation and save us from Your anger; remove from us the punishment of this plague and the harsh gezeirah, because You are the guardian of Yisroel. Once we are already begging to be returned to the small mikdash, we will daven and beg for the great and awesome mikdash... Show favor, Hashem, to Your nation, Yisroel, and turn to their tefillah; return the avodah to the Kodesh Hakadashim; and quickly, lovingly accept the korbanos and tefillah of Klal Yisroel with favor.

"הַשִּׁיבֵנו ה' אֵלֶיךָ וְנִשְׁוֵבָה חֲדָשׁ יְמֵינוּ כְּקִדְמָה"