

Poskim who PROHIBIT/DISCOURAGE it

Mishnah (Meseches Brachos 34A) states "ha-ovair lifnai hataiva lo ya'ane amen achar hakohanim mipnai hatairuf", with no argument.

Tur (Yaakov, son of the Rosh, teacher of Abudraham) (Yaakov, son of the Rosh, teacher of Abudraham) (Orach Chaim, siman 128 sif 19) repeats the words of the Mishna without comment.

Shulchan Aruch (Beit Yoseif, Kesef Mishna, Yoseif Karo, 1488-1575, Israel) (Orach Chaim, siman 128 sif 19) repeats the words of the Mishna without comment.

Aruch Hashulchan Yechiel Michel Epstein, 1829-1888, Bobroysk, Navardok) (Orach Chaim, siman 128, sif 31) states that despite the Midrash Rabah allowing it, the minhag is for shliach tzibur NOT to say "amen", either because 1) it might confuse the shliach tzibur, or 2) belief that the Bach holds the Medrash is referring to the "amen" after the bracha "asher keedeshanu bikdushato".

Bach (Yoel Sirkes, 1560?-1640, Krakow, wrote Bayit Chadash) prohibits, without mentioning any exception if chazan is confident or has a siddur.

Mordecai Ha'aruch (per MagenAvraham) prohibits even if shliach tzibur is confident won't get confused and even if the shliach tzibur has a siddur.

Taz (David HaLevi, born 1586-1667, Cracow & Lvov, Bach's son-in-law, wrote Turei Zahav (Taz) on Shulchan Aruch) (per B'air Haitaiv, Orach Chaim, siman 128, sif katan 34, and Shulchan Aruch Harav) prohibits even if shliach tzibur is confident he won't get confused and even if has siddur.

Magen Harav (per Shulchan Aruch Harav) prohibits

Pri Chadash (Chizkiya ben David DiSilo, 1659-1698, Livorno, Italy) (per Shulchan Aruch Harav) prohibits

Tosfos YomTov (Yomtov Lipman Heller (1579-1654) Krakow Poland also wrote Lechem Chamudot) (per MagenAvraham and Shulchan Aruch Harav) prohibits, saying "we don't learn halachah from Medrash", thus retracting his heter to do so in his former book Lechem Chamudos.

Machatzis Hashekel (Shmuel ben Natan Neta HaLevi, 1738-1827) (siman 128 sif katan 29) prohibits it (I deduce since he doesn't quote the permitters)

Shulchan Aruch Harav Baal Hatanya, siman 128, sif 30, concludes it is **better not** to say amen.

Rashi (Meseches Brachos 34a) (brought to my attention by Mois Navon who is ASIC Dept. Project Manager at Mobileye, lives in Efrat, got smicha through Mercas Harav Yeshivah) prohibits due to *tiruf hada'as*.

Rambam on Mishna Brachos (perek 5, mishna 4) and **Rambam** Hilchos Tfilah Unsi'at Kapaim (perek 14, halachah 5) (brought to my attention by Mois Navon) prohibits due to *tiruf hada'as*.

Rabbi Ovadiah Mibartanurah (Meseches Brachos perek 5, mishnah 4) (brought to my attention by Mois Navon) prohibits due to *tiruf hada'as*.

Machatzis Hashekel (on Shulchan Aruch, Orach Chayim, siman 128, sif 19) (brought to my attention by Mois Navon) prohibits due to *tiruf hada'as*.

Poskim who PERMIT shliach tzibur to answer "Amen" to Birkas Kohanim

PriChaim (per B'air Haitaiv Orach Chaim, siman 128, sif katan 34) permits if shiach tzibur is confident he won't get confused

Midrash Rabah. Kee Tavo (according to Aruch Hashulchan, siman 128, sif 31) permits if shiach tzibur is confident he won't be confused

Aliyahu Raba (per Mishnah Brurah, siman 128, sif katan 71) permits if shliach tzibur uses a siddur.

Chayai Adam (brought by Mishnah Brurah, siman 128, sif katan 71) permits if shliach tzibur uses a siddur.

DH"Ch (per Mishnah Brurah, siman 128, sif katan 71) permits if shliach tzibur uses a siddur.

Magen Avraham (Avraham Avli ben Chaim HaLevi Gombiner 1633-1683, Kalish, wrote Magen Avraham) Orach Chaim, siman 128, sif katan 29 permits, especially nowadays that we use a siddur

ChayaiAdam (klal 32, siman 24) permits nowadays that shliach tzibur uses a siddur

Poskim Who RECOMMEND it

Artscroll Siddur states that the chazan DOES say amen (along with the congregation). This is surprising, since it contradicts the majority of poskim, who hold the chazan should not say amen even if he is confident and has a siddur. The Artscroll Siddur even contradicts the minority of poskim, who state the chazan may say amen only if he is confident or has a siddur. No posek holds what the Artscroll Siddur says, that the chazan should say amen. In short, there are 3 possibilities: 1) The chazan should NOT say amen (which a majority of poskim hold). 2) The chazan MAY say amen (which a minority of poskim hold); and 3) The chazan SHOULD say amen (which only the Artscroll Siddur holds).

POSKIM ON RELEVANT ISSUES

Tosfos on the Mishna states that the Mishna implies that it is not a hefsek, because it is tzorech tefillah, without indicating whether it's OK if the shliach tzibur may say "Amen" if he is confident he won't get confused.

Tosfos Harosh (on Brachos daf 34 paragraph starting "ha'ovair lifnai hataivah" is relevant to this issue.

B'air Haitaiv (Rav Yehuda ben Shimon Ashkenazi, 1748-, Tiktin) (Orach Chaim siman 128 sif katan 34) says everyone holds it's OK to say amen after bracha asher kidshanu bikdushato.

Mishnah Brurah (siman 128 sif katan 71) states that some (Aliyahu Raba) say it is worse for the shliach tzibur to say amen after the bracha "asher kidshanu bikdushato" than to say amen after the 3 pesukim, which contradicts B'air Haitaiv above)

ChayaiAdam (klal 32 siman 24) states it is worse for the shliach tzibur to say amen after the bracha "asher kidshanu bikdushato" than to say amen after the 3 pesukim, which contradicts B'air Haitaiv above)

Magen Avraham permits shliach tzibur to say amen after the bracha "asher kidshanu bikdushato"

Pnei Yehoshua chelek 1, perek 5, pg 26, starting "daf 34", paragraph starting "btosfos divrai hamaschil lo ya'aneh" is related

Lechem Chamudos (per Shulchan Aruch Harav and Mishnah Brurah siman 128 sif katan 71) says may say OK, but later retracted it in his later book TosfosYomTov which forbids it (as Magen Avraham notes)