

Laws of the Sefer Torah

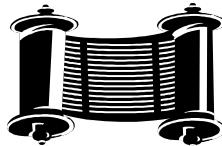
ECLECTIC TORAH COMPILATIONS

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— TALMUDIC BOOKS —

כִּי מֵצָיוֹן תַּצֵּא תּוֹרָה וְדָבָר ה' מִירוּשָׁלָם



SELECTED LAWS AND CUSTOMS

RELATING TO THE

SEFER

TORAH

COMPRISING:

THE MITZVOH OF WRITING A SEFER TORAH; BUYING AND SELLING A SEFER TORAH; HONORING THE SEFER TORAH; CEREMONIES AND PRAYERS WHEN REMOVING FROM AND RETURNING A SEFER TORAH TO THE ARON KODESH; BLESSINGS RECITED BY ONE WHO GETS AN ALIYAH; PROCEDURAL ASPECTS OF HAGBOHOH AND GALILOH; GENERAL CONDITIONS WHICH MAKE A TORAH POSUL; HOW PARCHMENT AND INK ARE PREPARED

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FOURTH EDITION

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

PREFACE

The Sefer Torah is the holiest tangible object Judaism has today. Its sanctity is supreme and unsurpassed. It contains the immutable word of the Creator and is man's primary window into G-d's Master Plan for all existence in the universe. It is the repository of the ultimate Truths.

The Torah contains G-d's perspective on the role of man in the cosmos. It informs us of His demands for our scrupulous ethical and moral behavior and how we are to conduct our relationship with Him.

The Torah defines the meaning and purpose of life. It is the apex of religiosity and spirituality. This is G-d talking to man.

INTRODUCTION

Although most of the laws and customs relating to this topic are well-known and practiced, there are a number of them which the public is generally unaware of or has become lax in observing. Most common of these are the failure to stand when hearing ברכו, failure to properly escort the Sefer to and from the Aron, and the recitation of the phrase beginning with זאת התורה despite the fact that one did not actually see the writing in the Torah.

It is the intent of this monograph to highlight certain, basic laws and customs relating to the Sefer Torah in order to encourage a more meticulous observance and stimulate further detailed and serious study of this subject. Assuredly, it is not possible to cover every law and custom in such a short space, and I apologize for any time-honored Minhog which was overlooked.

It should be emphasized that no one should deduce the Halochoh from this work. The information brought below is for general knowledge only. Specific and practical questions must be addressed to a competent rabbi.

Any mistakes listed in this booklet are entirely my own responsibility.

Reuven Brauner

See page 18 for list of the abbreviations used herein.

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

A. THE MITZVOH OF WRITING A SEFER TORAH

- It is a positive Mitzvoh for every male Jew above the age of Bar Mitzvoh to write a Sefer Torah for himself, as it says: **וְעַתָּה כִּתְבֹו לְכֶם אֶת הַשִּׁירָה הַזֹּאת** (Devorim 31:19). This means that one must write an entire Sefer Torah which contains this song, since we do not write a Sefer Torah by chapters alone.
- Some suggest that women are also obliged in this Mitzvoh (Rif and Sh'agat Aryeh 35).
- Even if one inherits a Sefer Torah, he has to write one for himself as it says: **כִּתְבֹו לְכֶם,** "Write for yourself."
- If one wrote a Sefer Torah on his own (i.e. did not commission a scribe to write it), it is considered as if he received the Torah directly from Har Sinai.
- There is doubt if buying an already-written Sefer Torah qualifies for fulfilling this Mitzvoh.
- A woman, non-Jew or child under the age of Bar Mitzvoh can neither write nor correct a Sefer Torah, except that a woman or a child may beautify it (Teshuvas Maharam M'Lublin 65).
- Anyone who corrects even one letter in a Sefer Torah is considered as if he wrote the entire Torah by himself (Taz YD 270:1).
- Since it is written **זֶה אֱלֹהֵינוּ וְאֲנוּ הָיוּ** (Shemos 15:2) we learn that a Torah must be written beautifully and with all the appropriate adornments possible by an experienced, G-d-fearing scribe who is expert in all the laws pertaining to the writing of a Sefer Torah. He must be acquainted with which words are written full and which are written defective. He must write it meticulously and with proper intent.
- One who writes a Sefer Torah for himself recites two Brochohos: **שְׁחַחִינוּ** and **הַטּוֹב וְהַמְּטִיב**. Some say that only **שְׁחַחִינוּ** is said. These Brochohos are also recited when a Sefer Torah is bought or when read from in public for the first time.
- There is question among the Poskim if one fulfills his obligation for this Mitzvoh by entering into “partnership” with others in the writing of a Sefer Torah, as would be the case with “buying” a letter in a Torah’s writing. Most authorities rule that this is acceptable. Rabbi Akiva Eiger and the Oruch HaShulchon (OC 270:11) rule that one does not fulfill the Mitzvoh of writing a Sefer Torah with this.

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- ▶ It is a **סגולת** (merit, special virtue, remedy) for one who has no children to write a Sefer Torah and donate it to a synagogue.
- ▶ Given all this, then why aren't we all writing Sifrei Torah? There is an alternative (and accepted) opinion (Rosh, Tur) which suggests that the essential aspect of this Mitzvoh is the learning and teaching of Torah which is best accomplished by the purchase, lending, writing or publishing of Sifrei Kodesh. Thus, buying Chumoshim, Tanachs, Mishnayos, Gemorohs, the Rambam, the Shulchon Oruch, Rishonim and Achronim, Sifrei Halochoh and Musar, etc. would constitute an acceptable method of fulfilling this Mitzvoh.

SPECIAL MITZVOH FOR A KING

- ▶ A king has an additional Mitzvoh of writing a second Sefer Torah for himself in addition to the one everyone is obligated to write, as it says: **והיה כשבתו על כסא מלכותו יכתר לו וגוי** (Devorim 17:18). This Sefer is bound to his right arm and taken wherever he goes, excluding to the baths and the bathroom. His other Sefer is stored in his home.

B. BUYING AND SELLING A SEFER TORAH

- ▶ It is forbidden to sell a kosher Sefer Torah except to provide means for:
 - a) Studying Torah.
 - b) Marrying.
 - c) Ransoming captives (SO YD 270).
 - d) Life-threatening medical expenses (OH YD 270:16).
 - e) Buying a better Sefer Torah (Taz OC 153:101).
- ▶ Some authorities say that the custom today is that one may sell his own Sefer Torah and do with the money as he pleases (see Eliyoh Raboh 153:7).
- ▶ There is apparently no problem in selling a Posul (disqualified) Sefer Torah.
- ▶ One who sells his father's Sefer Torah will see no blessing.
- ▶ Kosher Sifrei Torah must not be bought back from non-Jews for more than their nominal market value so as not to encourage them to steal Sifrei Torah. We buy Posul Sifrei Torah from non-Jews for their nominal market value, as well.

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C. HONORING A SEFER TORAH

The Sefer Torah deserves exceptional honor and must be treated with great reverence.

SHOWING RESPECT

- A Sefer Torah must be stored in a special and dignified cabinet or case, which is why we place it in the Aron Kodesh.
- One who sees a kosher Sefer Torah moving from one place to another must stand until such time as it is out of view or finds a resting place, such as on the Bimoh or in the Aron Kodesh. A Posul Sefer Torah has reduced sanctity and is on the level of any other Holy Book, like a printed Chumash (OH YD 282:4). Some are stringent and stand for Chumoshim, as well (Ramoh YD 282:2).
- From here we have the custom of putting bells on the Torah's crown or mantle to alert the congregation of an approaching Torah (similar to the bells which were on the Kohen Godol's garment). The Taz objected to the use of bells on Shabbos because of the prohibition of **משמע קול**, but the custom is to permit it (OH YD 282:3).
- Technically, there is no obligation to stand if someone is holding a Sefer Torah and not moving, as would be the case when the Shaliach Tzibur blesses the new month or recites Hazkoras Nishomos. Nevertheless, people stand out of respect.
- If one is walking down the street and a Sefer Torah is passing by, one should stop out of respect (OH YD 282:3).
- The Sefer Torah must be escorted to the Bimoh or back to the Aron by anyone whom the Sefer passes (MB 149:7). [It seems improper to impede the forward progress of the Shaliach Tzibur by moving in front of him. One should stand to the side and kiss the Torah as it passes by and then walk behind. Respectful decorum must be maintained in Shul at all times. -RB]
- It is proper to kiss a Sefer Torah and bring one's children over to do the same when it is being moved to and from the Aron Kodesh (Ramoh OC 149).
- The Oruch HaShulchon says that one must stand on Simchas Torah only when the Sifrei Torah are moving during the Hakofoh processional, but not when they are stationary (OH YD 282:5).
- Nevi'im or the five Megillohs, even if written on kosher parchment, do not receive the same honor as a kosher Sefer Torah (OH YD 282:4).

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- ▶ An item of lower Kedushoh (sanctity) cannot rest on an item of higher Kedushoh (such as a Novi on top of a Chumash). However, items of the same level of Kedushoh can rest one upon another. Therefore, it is permitted to lay one Sefer Torah on top of another (OH YD 282:22).

DECORATING A SEFER TORAH

- ▶ As a sign of honor, the Sefer Torah is dressed in beautiful materials and covers.
- ▶ Objects or decorations which ornament a Sefer Torah attain the sanctity of Tashmeshei Kedushoh (accoutrements of sanctity) and cannot have their level of sanctity lowered (OH YD 282:18).

HOLDING THE SEFER TORAH

- ▶ A Sefer Torah should always be held on the right side/arm as it says: **מימינו שמאלו תחת לראשי וימינו תחבקני אשדת למון** (Devorim 33:2) and **Shir HaShirim 2:6.**)
- ▶ The Maharil says that even a left-handed person holds the Torah on his right side. The Pri Megodim questions this.
- ▶ Someone who is Tomei (ritually impure), including a Niddoh, may hold a Sefer Torah and read from it inasmuch as a Sefer Torah cannot receive Tumoh (ritual impurity). However, one should never touch or handle a Sefer Torah with dirty or unwashed hands (OH YD 282:15).
- ▶ A Sefer Torah which fell must be picked up immediately (OH YD 282:11). It is customary that everyone present fast and give charity. Similarly, this is what should be done if the parchment tore through the letters.

THOSE THINGS WHICH ARE IMPROPER TO DO

- ▶ It is forbidden to treat a Sefer Torah disrespectfully (SO YD 277, 282). Therefore:
 - a) It is forbidden to bring a Sefer Torah into a bathhouse, bathroom or a filthy place.
 - b) It is forbidden to carry a Sefer Torah through a cemetery because of the prohibition of **לועג לרשות**, mocking the indigent, i.e. the dead who can no longer observe the Mitzvoths.

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- c) It is forbidden to place a Sefer Torah or any other Sefer Kodosh (OH YD 277:1) with its writing face down. If someone finds a Sefer like this, he must turn it over. One must be careful to always close a Sefer Kodosh if he will be away for any length of time since leaving it open leads to forgetfulness (OH YD 277:2).
- d) One must not touch the parchment of a Sefer Torah with his bare hands but only by means of a cloth/piece of material. This is why we hold the Sefer Torah via the wooden Atzei Chaim (staves), so called because of the verse **עַז חַיִם הִיא לְמַחְזִיקִים בָּה** (Mishlei 3:18). Some are even careful not to hold the Atzei Chaim directly with their bare hands. Our Sages have taught that anyone who touches a Sefer Torah (except when fixing it) with his bare hands will be buried “bare”, i.e. he will die without reward for whichever Mitzvoh he was performing at that time (e.g. reading, Geliloh, learning) (Megilloh 32a).
- e) Other acts which are forbidden to do in front of a Sefer Torah include spitting, exposing oneself, urinating, sitting in a disrespectful manner, having marital relations in the same room without a proper partition, speaking in any way which doesn't show respect and awe, etc. (OH YD 282:1, 14).
- f) It is forbidden to carry a Sefer Torah on one's head or back as if it was some type of burden or load.
- g) It is forbidden to place a Sefer Torah or any other Sefer Kodosh on one's lap and rest his elbows upon it. Sifrei Kodesh include Siddurim.
- h) It is forbidden to sit or stand on a container containing a Sefer Torah.
- i) It is forbidden to sit on a bench or chair next to or underneath which lies a Sefer Torah. It is forbidden to sit on a bench or chair upon which Sifrei Kodesh are resting.
- j) It is forbidden to set a Sefer Torah or a Sefer Kodosh on the ground.
- k) It is forbidden to throw a Sefer Torah or Sefer Kodosh. Thus, given the callous way packages might be handled, one should consult with a Rabbi for instructions in the event a Sefer Torah has to be shipped by post or courier.
- l) When transporting a Sefer Torah, it is best that someone hold it and that it not be placed down on a seat or elsewhere unless there is no alternative (OH YD 282:6).
- m) It is forbidden to read from a Sefer Torah within four Amos (about 6 feet or 2 meters) from a bathroom (unless the door is closed or there is another type of partition) or if there is a strong odor present (OH YD 282:9).
- n) It is forbidden to turn one's back on a Sefer Torah (SO YD 182:1).
- o) It is forbidden to use a Sefer Torah or any other Sefer Kodosh for one's own benefit such as shading the sun from one's face (to shade the sun from shining on another Sefer is permitted), to hide behind, to use as a bookmark, to store papers within or to use to prop up another book, unless it was there first and is of a lower sanctity than the upper book (see KSO 28:9).

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TAKING A SEFER TORAH OUT OF THE ARON/SHUL

- ▶ The Beis Yosef (OC 135) is very stringent about removing a Sefer Torah from Shul whereas the Ramoh (OC 135:14) permits it for an ill person, a learned prisoner, if it is being brought to another “permanent” place (even if it is for a few days, such as the house of a mourner; the Oruch HaShulchon (OC 135:32) requires a minimum of three Readings to justify this), and for the reading of פראת זכור and פראת פרה.
- ▶ Besides the mandatory Readings, a Sefer can be removed from the Aron Kodesh to:
 - a) Bring to someone who will proof or correct it.
 - b) Show off its beauty.
 - c) Hold during Kol Nidre.
 - d) Dance with on Simchas Torah.
 - e) Greet a new Sefer Torah being brought to Shul (Birkei Yosef, YD 282).
 - f) Possibly, greet a visiting king.
- ▶ It is probably a good idea for anyone who lends his own Sefer Torah to a Shul to make an explicit condition at that time that he can take the Sefer back whenever he wants.

D. THE ARON KODESH

- ▶ It is permissible to stand with one’s back to the Aron Kodesh and give a Torah lecture. In fact, it is an honor for the Torah that someone stands there and gives a lecture on its teachings and Mitzvoths. The Oruch HaShulchon says that there is no problem here since the Aron Kodesh is raised off the ground and, thus, constitutes a separate domain (OH YD 282:2).
- ▶ Nothing but a Sefer Torah, its accoutrements and other Holy scrolls may be stored in an Aron Kodesh. It must not be used to store secular items (OH YD 282:17). It is improper to store the Shul’s Pushke and other valuables therein.
- ▶ According to the strict Law, one does not have to stand when the Aron Kodesh is open, unless a Sefer Torah is about to be removed or has just been returned, and when a Sefer Torah is moving, as stated above.
- ▶ However, since it is common practice that the Aron is opened for certain prayers, particularly on the High Holidays, in order to alert the congregation as to when they should stand, one should stand so as not to give the impression that he is being disrespectful to the Torah. If it is clear that the reason one is not standing is due to old age, feebleness or ill health, one may sit (OH YD 282:13).

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E. CEREMONIES AND PRAYERS WHEN TAKING THE SEFER OUT FROM THE ARON

א-ל אַרְן אֲפִים

- ▶ Prior to opening the Aron on a Monday and Thursday morning when Tachanun is said, the congregation recites a short supplication beginning with the words **א-ל אַרְן אֲפִים**. This is since the Courts would sit in judgement on Mondays and Thursdays, it was appropriate to add a special prayer for clemency (Siddur Chasidei Ashkenaz).
- ▶ The Magen Avrohom says that since this prayer includes the phrase **חָטָאתָנוּ לְךָ אָדֹון** there is an element of confession and must be said standing (MB 137:7).
- ▶ There are two versions of **א-ל אַרְן אֲפִים** which some Siddurim list as Nusach Ashkenaz and Nusach Sfard, and which others list as one being said in Germany, Poland Minor and Bohemia and the other one in Greater Poland. Some say that these are two halves of one prayer. As a result, some people say one or the other version and others say them both (Levush) as did the Avudrohom. Machzor Vitry implies that the Shaliach Tzibur would say the first version and the congregation would respond with the second (LM).
- ▶ The first version includes the Nusach **הוֹשִׁיעֵנוּ** which refers to the redemption from the exile and the second version contains the Nusach **הצִילֵנוּ**, a request for mercy from all things bad.
- ▶ Together, both versions have a total of 50 words corresponding to the 40 days Moshe received the Torah and the Ten Commandments. The 24 words in the first version correspond to the 24 books of the Tanach, the 24 “languages of atonement” in Achrei Mos [i.e. 24 times **כְּפָרָת** or **כְּפָר**] is mentioned from 16:1 through 17:11 -RB] (Matei Moshe 221) and the 24 hours in a day during which we may have sinned and for which we require atonement. The 26 words in the second version correspond to the numerology of G-d’s Name.
- ▶ [The processional of removing and returning the Torah to and from the Aron Kodesh is an ideal opportunity for showing honor for the Torah and should be done ceremoniously and with harmonious singing. –RB]

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אין כמן באלוקים אב הרחמים

- ▶ On Shabbos morning and Yom Tov, we embellish the ceremony and add **אין כמן באלוקים אב הרחמים**. Nusach Sfard precedes these verses with **אתה לדעת**.
- ▶ Siddur Avodas Yisroel notes that most Ashkenazi communities did not recite **אין כמן** except on Simchas Torah when many additional verses were added, as well.

ויהי בנסוע הארון

- ▶ There is a custom to give P'sichoh (opening the Aron and removing the Sefer Torah) to one whose wife is in her ninth month of pregnancy. [The symbolism here is very vivid. –RB]
- ▶ When the Aron Kodesh is opened, we say: **ויהי בנסוע הארון**. The Paroches should be slid from left to right (Dreshoh OC 651).

י"ג מידות רבון של עולם

- ▶ On Rosh Hashonoh, Yom Kippur, Hoshanoh Raboh and Yom Tov, we add **י"ג מידות רבון של עולם** and **ואני תפלתי** neither of which is found in ancient manuscripts nor old printings of the Siddur. The verses **ה' ה' אל רחום** are each said thrice for emphasis. These prayers are not recited when Yom Tov falls out on Shabbos since these are forms of supplications which are inappropriate to recite then because we have a concept of **עונג**, delight, on Shabbos. This concept does not apply to a weekday Yom Tov.
- ▶ Note: The word **נקה** is written with a tzeire under the **ק** and should be pronounced closer to NAK-KAY than NAK-KEH.

בריך שמייה

- ▶ Most congregations now add **בריך שמייה** (MB 134:13). This mystical prayer is a latter-day addition taken from the Zohar (Vayakheil) and was not said by many of the Ashkenazi communities (AY). This may have been because they objected to the public saying any prayer from the Zohar (i.e. originating in the Kabbalah, Toras Hanistar), and given that the general public could probably not fathom its deep meanings.

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שמע ישראל אחד אלוקנו

- ▶ On Shabbos mornings and Yom Tovs the Shaliach Tzibur raises the Sefer and says **אחד אלוקנו, גדול אדונינו קדוש, שמע ישראל**, again raises the Sefer and says, **(וּנוֹרָא) שמו**. These three phrases correspond with the three Patriarchs and the triple saying of **קדוש קדוש קדוש** (AY).

גדלו לה' אתי לך ה' הגדולה

- ▶ The Shaliach Tzibur turns toward the Aron Kodesh, raises the Sefer, and says **גדלו לה' אתי ונរוממה שמו יחדו**. This verse has six words corresponding to the sets of six paces taken by those who carried the Aron in King David's time when they brought the Ark to Jerusalem, as it says **ויהי כי צעדו נושאי ארון ה' שה צעדים** (Shmuel 2 6:13) and contains 26 letters corresponding with the numerology of G-d's Name. The congregation responds with **רוממו ה' אלוקנו** (Ramoh OC 134:2) and other verses such as **לך ה' הגדולה** emphasizing G-d's "greatness."
- ▶ The Sefer Torah is brought up to the Bimah from the right since Chazal have told us that all our turnings should be to the right (Yoma 17b). Some say that the bringing of the Torah to the Bimah should be done by the shortest and most direct route possible in order to show that we are anxious to hear the word of G-d. The return trip to the Aron, however, should be done circuitously indicating our reluctance to part with the Torah.
- ▶ It is improper for the Shaliach Tzibur to bring the Sefer Torah to the people – the people must come to the Torah (LM).

על הכל יתגדל אב הרחמים

- ▶ **אב הרחמים הוא על הכל יתגדל** on Shabbos and **ויחוץ יرحم** (Ramoh OC 134:2). Avodas Yisroel suggests that the proper text is **ויחוץ עליינו אותן** rather than **אותנו**.
- ▶ On weekdays and Shabbos Minchah we recite **תגלת ותראה**, and **תגלת** on Shabbos morning. The change in text is because on Shabbos we read a Haftora and introduce a prayer for the Moshiach. **תגלת** is recited even on weekday fasts even though we read a Haftora, so as to equate the fast day to an ordinary weekday and not to a Shabbos. **תגלת** is a prayer for the restoration of the Monarchy of the House of David.

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- ▶ Avodas Yisroel says that the first word is ותגלה as is typically printed in Siddurim. He claims this is not a continuation of the previous paragraph and should not begin with a “ז”. He bases this on texts he found in the Levush and elsewhere. Siddur Amudei Shomayim of the Yavetz says that this is a continuation of the previous paragraph and warrants the “ז”.
- ▶ **ונאמר ויעוזר** is a continuation of **אב הרחמים** and it is proper to recite it through **אמן** and not conclude earlier. The intention of the printers of Siddurim was to indicate that the Shaliach Tzibur should repeat the last passage out loud (as he does elsewhere) and they, therefore, separated **ויעוזר** from the first half of the prayer.
- ▶ The first Oleh is called up and the congregation recites **ברוך שנתן תורה** (Ramoh OC 134:2). This verse has 40 letters corresponding to the forty days Moshe took to receive the Torah.
- ▶ Based on Tosofos, Megilloh 32a and the Shulchon Oruch (SO OC 134:2), R' Wolf Heidenheim in his famous Rodelheim Siddurim, Siddur Avodas Yisroel and others add four verses of mercy which are to be recited by the congregation after the verse **ברוך שנתן** and before **ואתם הדבקים**.

תורת ה' תמימה משיבת נפש עדות ה' נאמנה מהכימת פתי :
פקודי ה' ישרים משמחי לב מצות ה' ברה מאירת עינים :
ה' עוז לעמו יתן ה' יברך את עמו בשלום :
הא-ל תמים דרכו אמרת ה' צרופה מגן הוא לכל החוסים בו :

There are a total of 40 words in these four verses, and 40 letters in the last verse, as there are in the last of the Haftorah Brochohs.

F. THE READING

- ▶ The Torah is read from the Bimoh as it says: **הנה המלך עומד על העמוד** (Melochim 2 11:14; Divrei Hayomim 2 23:13). The referred to is the Bimoh.
- ▶ One must not go up to the Torah unless called by name. Failure to go up if called is one of three things which “shorten one’s life” (MB 139:1).

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

THE OLEH

- ▶ The Oleh quickly approaches the Bimoh from his seat by the shortest route possible because of Kovod HaTorah and Kovod HaTzibur. He returns to his seat the long way and walks back slowly. The Gra and the Chasam Sofer say that he should always approach the Bimoh from the right.
- ▶ The Oleh should wear a Tallis as a sign of honor to the congregation, even at Minchah. Surely, the Baal Koreh should wear a Tallis. Some say that anyone who has a “Mitzvah” (including the Shaliach Tzibur, the Magbehoh, the Golel, etc.) should wear a Tallis out of respect for the congregation.
- ▶ The Oleh stands to the right of the Baal Koreh.
- ▶ The Oleh should read his Aliyah quietly and in parallel with the Baal Koreh’s reading. The Gra says that the Oleh does not read along with the Baal Koreh but simply follows along word by word.
- ▶ The Oleh should hold the right Eitz Chaim with his right hand for the duration of the Reading.

THE SAYING OF ברכו AND THE FIRST BLESSING

- ▶ The Torah is opened to the place where it is to be read, the Baal Koreh points to the first word of the Reading, the Oleh looks there (since one has to know upon what he is making a Brochoh), kisses it with his Tzitzis or Tallis corner, etc. (but must not touch the parchment with his bare hands), grasps both Atzei Chaim, turns his face to the left or closes his eyes (SO, Ramoh 139:4).
- ▶ **בָּאִי אָמַרְתָּ בְּרָכָה בָּנָנוֹ** and the first blessing on the Torah. The recitation of בָּרָכָה and the Brochos must be loud enough that at least a Minyon can hear it and, ideally, that everyone in the congregation can hear it. It is a mistake to say בָּרָכָה quietly (SO 139:6). This is similarly true for the saying of Kaddish.
- ▶ בָּרָכָה is pronounced either BO-RAH-CHU or BO-R'-CHU, but certainly not BOR-CHU. This is because the letter ר is punctuated with either a חטף פתח or a שׂוֹא נָעַ. [There is divergence of opinion among Hebrew grammarians on the usage of the Chataf Patach versus the Shvoh Noh. Either way, everyone agrees that this is definitely not a שׂוֹא נָחַ. –RB]

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

- ▶ The Torah need not be rolled closed when this Brochoh is recited. Rather, it should be open so that the Baal Koreh can begin reading immediately upon completion of the Oleh's Brochoh (MB 139:17).
- ▶ If the Oleh wishes, he can read the Brochoh from a Siddur or elsewhere as long as he is not looking directly into the Torah when he is making the Brochoh so as not to give the impression that the Brochoh is written inside.
- ▶ The congregation must stand when ברכו and their response ברכות are said, as one must for any other דבר קדושה such as Kedushah and Kaddish.

THE READING

- ▶ A minimum of three persons must stand next to the Torah when it is being read.
- ▶ The Baal Koreh, the Oleh and the Gabbai must stand. Ill or aged persons can lean.
- ▶ The Baal Koreh must wait until the congregation concludes its אמן before reading.
- ▶ Between each Aliyah (בין גברא לגברא) the Sefer is rolled closed (the mantle need not be placed over it). The mantle should be placed on top when there is a long break between Aliyos for any reason (e.g. the Mi'shebeirachs, saying Kaddish, etc.) (SO, Ramoh OC 139:5).

THE CONGREGATION DURING THE READING

- ▶ There are two customs regarding standing or sitting during the actual Torah Reading: standing or sitting.
 - a) Those who stand stand because the reading of the Torah is compared to the receiving of the Torah at Har Sinai, when we all stood (Maharam M'Rav, Taz, Ramoh, Minhogei Ashkenaz and France). Even according to this opinion, one is permitted to sit if he is unable to stand, such as if he is feeble or ill.
 - b) Those who sit sit because they argue that the reading of the Torah is equivalent to learning Torah, and, today, we sit when we learn (Tur, Rav Sar Shalom, the Shulchon Oruch, the Gra, the Prach and the Ari'zal). From the time of Moshe until Rabbon Gamliel HaZoken, the Torah was learned standing.
- ▶ The Igros Moshe says that if everyone in the congregation stands for the Reading of the Ten Commandments, one should stand as well (Orech Chaim, part 4:22).

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

- ▶ Everyone must listen attentively to the Torah Reading. Even if one is in the middle of his prayers, including the Amidoh, one must stop and listen. One is not permitted to engage in another activity during the Reading, with the possible exception of performing the Mitzvoh of “**שנים מקרא ואחד תרגום**”. It is forbidden to talk neither during the Reading nor between Readings.
- ▶ One is not permitted to leave the Shul if a Sefer Torah is open, whether or not it is being read from at this moment. Between Readings, one may leave if he has compelling reason to, or stay and continue his prayers. It is not respectful for the majority of the congregation to leave before the Sefer Torah has been returned to the Aron (MB 149:1).

THE CONCLUDING BLESSING

- ▶ At the end of the Reading, the Oleh again kisses the Torah, rolls the Sefer closed, grasps both Atzei Chaim and recites the concluding Brochoh **בא"י אמ"ה אשר נתן לנו**. Some have the custom of raising the Torah slightly when reciting the words **נתן לנו נותן התורה** or at **נתן לנו**.
- ▶ Together, the first and second Brochohs on the Torah have a total of 40 words. **וחחי עולם נטע בחוכנו תורה אמת** refers to the Written Torah and the phrase **וחחי עולם נטע בחוכנו** refers to the Oral Torah.
- ▶ The Oleh does not descend from the Bimoh until the following Oleh concludes his second Brochoh.
- ▶ Chatzi Kaddish is said at the end of the day's mandatory Reading.

G. POSUL (DISQUALIFIED) SEFER TORAH

- ▶ If a Sefer Torah becomes worn or is beyond repair, it must be placed in an earthenware container and buried next to a Talmid Chochom. The Torah's mantle and covers also have Kedushoh and may be made into burial shrouds for a Talmid Chochom (OH YD 282:16).
- ▶ It is forbidden to burn a Sefer Torah (OH YD 282:16) except for one written by an apostate, heretic or non-Jew.
- ▶ It is forbidden to leave a Sefer Torah in a state of disqualification for more than thirty days without either correcting or burying it (Kesubos 19b). Some are lenient and permit leaving a Posul Sefer in the Aron for longer periods of time.

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

- ▶ The Rambam lists twenty basic problems which render a Sefer Torah Posul. Any of these would remove the Kedushoh (sanctity) of the Sefer Torah and lower it to the level of an ordinary Chumash. It cannot be read from in public.
 1. It was written on the hide* of a non-kosher species of animal.
 2. It was written on the unprocessed hide* of a kosher species of animal.
 3. The hide was not processed* with the intent of being used for a Sefer Torah.
 4. It was written on the wrong side of the parchment*.
 5. It was written partly on the Gvil* and partly on the Klaf*.
 6. It was written on Duchsustus*.
 7. It was not scribed.
 8. It was written with a non-durable black ink.
 9. It was written in a language other than Hebrew.
 10. An apostate, heretic or similar wrote it.
 11. The names of G-d were not written with the proper intentions.
 12. A letter is missing.
 13. A letter is added.
 14. Two letters touch.
 15. The form of a letter is spoiled because it is punctured or the like.
 16. Letters are so far apart that one word appears as two or the letters are so close together that two words appear as one.
 17. The breaks between Parshios have been altered.
 18. The forms for the two Songs **שירת הארץ** or **שירת הים** have been altered.
 19. Other sections of the Torah have been written in the form of these two Songs.
 20. The Yirios have been sewn together using non-kosher sinew.

* See Appendix 1 for further details.

- ▶ A Sefer Torah with three errors in one column can be corrected. If there are four errors in one column, it must be buried. If there were many errors in the Sefer, but they were spread out over many sections, it may be corrected (Menochos 29b).

H. HAGBOHOH AND GALILOH

- ▶ During Talmudic times, the Golel would receive the final Aliyoh of the day and it was considered that his reward was equivalent to that of all the other Olim (Megilloh 32a). In later times, the task of Golel was made a separate Mitzvoh and the Magbehoh was added, neither of whom received Aliyohs. Although these Mitzvohs are not as prestigious as receiving an Aliyoh, it is customary for people to buy these honors (Tur OH 147).

SELECTED LAWS AND CUSTOMS - THE SEFER TORAH

HAGBOHOH

- ▶ The custom for performing Hagbohoh is learned from a very damning verse **לא קים את כל דברי התורה הזאת** (Devarim 27:26). From here we learn that one should do the opposite and the Torah should be raised (Yerushalmi Sota 87:4).
- ▶ The Magbehoh opens the Sefer Torah while it is laying on the Bimoh (Shulchon) so that three columns are exposed. The Mishna Brura says that the number of columns opened depends upon the strength of the Magbehoh (MB 134:8).
- ▶ The Magbehoh raises the Sefer so that everyone present, men and women, can see the writing by turning to his left and right or simply by making a complete 360 degree clockwise circle. Everyone must stand during Hagbohoh (Rashboh).
- ▶ It is a Mitzvah for everyone to look at the writing (SO OC 134:2). It is beneficial to read the letters since the Kabbalists have written that by so doing one draws an **אור גדוֹל** upon himself (MB 134:11). The Rashal says that a Niddoh should not look at the writing at this time (Taz OC 88).
- ▶ Upon seeing the writing*, one should bow and say: **וזאת התורה אשר שם משה לפני בני ישראל...על פי ה' ביד משה** (SO OC 134:2) and the other verses listed in the Siddur. Some say that the original custom was that the Magbehoh would recite **וזאת התורה על פי ה'** and the congregation would respond with **על פי זkiduscha** (ODM p. 90). Some add these verses:

עַז חִיּוֹם הָיָה לְמַחְזִיקִים בָּה וְתָמְכִיה מְאֹשֵר : דֶּרֶכְךָ דֶּרֶכְיָ נָעַם וְכָל נְתִיבוֹתָךְ שָׁלוֹם :
אָדָק יָמִים בַּיּוֹמָה בְּשָׁמָאלָה עָשָׂר וּכְבוֹד : ה' חֲפֵץ לְמַעַן צְדָקָה יְגַדֵּיל תּוֹרָה וַיָּדֵיר :

(See Siddur Avodas Yisroel, Goldschmidt's Tefillas Yisroel, Tefilloh Brura, Tefillas Yosef, Siddur Vilna, Tefillas Kol Peh, etc. for the various verses the Magbehoh and Golel recite.)

* It is a common practice in many synagogues for the entire congregation to sing these verses in unison when the Torah is lifted even though the writing has as yet not faced them. This does not seem to correspond with the Halochoh. –RB

- ▶ Anyone outside of Shul has a Mitzvah to come inside and watch the Sefer Torah being removed and returned to the Aron – **ברוב עם הדורות מלך** (MB 134:9).
- ▶ The Sfardi custom is to perform Hagbohoh prior to the Reading in accordance with Maseches Sofrim and the Shulchon Oruch.

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GALILOH

- ▶ The Magbehoh then sits and the Golel rolls closed the Sefer taking care that the seam between the Yirios is in the middle (as insurance that if the Sefer falls it won't split in the middle of a Yirioh) and binds it tightly with the bow or clasp on the side of the Magbehoh. The Eitz Chaim on the Bereishis side should sit on top of the other one.

יהי רצון

- ▶ It is customary for the Shaliach Tzibur to recite a series of four "יהי רצון"s and a passage beginning on **אתינו כל בית ישראל** Mondays and Thursdays when Tachanun is said. It is unnecessary to wait until the Sefer has been rolled closed for him to begin since the recitation of these phrases is only a Minhag. The Maftir, however, must wait until Galiloh is completed before reciting the Brochohs on the Haftorah to also enable the Magbehoh and the Golel to be able to pay full attention to these blessings (MB 147:22).

"יהי רצון" is found in the ancient Siddurim of Rav Amram Gaon and the Kol Bo (37). "אתינו" is found in a slightly altered version in the Roman rite and refers to Jewish captives.

- ▶ The Magbehoh and the Golel should escort the Sefer Torah back to the Aron Kodesh and not return directly to their seats upon completing their tasks.

I. RETURNING THE SEFER TO THE ARON

- ▶ In preparation for its return to the Aron, the Shaliach Tzibur takes the Sefer Torah in his right arm and says: **יהללו את שם ה'**. The congregation responds with the second half of this verse beginning with the word **הוזו** (pronounced HO-DO). One who does not hear the first half of the verse should recite the entire verse beginning with **יהללו**.
- ▶ On weekdays, a Yom Tov which falls on a weekday and Shabbos Minchah, the congregation continues with a praise for G-d **lodod mazmor la'ha ha'aretz v'mloah** (Tehillim 24) followed by **v'bnecha yamer** (Tehillim 29) again followed by **lodod mazmor la'ha**.

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שאָו שערִים רַאשֵיכֶם לְדוֹד מְזֻמּוֹר is said because it includes the phrase **לְדוֹד מְזֻמּוֹר** which King Solomon recited when the Kohanim brought the Aron to the Kodshei Kedoshim (Shabbos 30a). **מְזֻמּוֹר לְדוֹד** is said because the theme of this Psalm is the Giving of the Torah (Zevochim 116a) which took place on a Shabbos (Shabbos 87b) (AY p. 125).

WHEN TO RETURN THE SEFER TO THE ARON

- ▶ On weekdays, Nusach Ashkenaz returns the Sefer Torah prior to the recitation of **וּבָא אֲשֶׁר** while Nusach Sfard delays the Torah's return until after the saying of **לְצִיּוֹן** (either before or after Kaddish Tiskabeil). Both Minhagim are cited in the Tur OC 149 and the Ramoh OC 25:13.
- ▶ Everyone must stand until the Sefer Torah has been returned to the Aron and it is closed.

PREPARING THE SEFER FOR THE NEXT READING

- ▶ It is the responsibility of the Gabboim to roll the Sefer to the appropriate place for the next public reading at a time when it will not inconvenience the congregation.

SOURCES AND ABBREVIATIONS

The Rambam, the Tur, the Shulchon Oruch (SO) [Orech Chaim (OC) and Yoreh Deyoh (YD)], the Ramoh, Kitzur Shulchon Oruch (KSO), Kesses HaSofer, Mishna Brura (MB), Oruch HaShulchon (OH), Likutei Mahariach (LM), Rabbi N. Hoffner's Sefer Halochoh/Dinei Krias HaTorah, Sha'arim M'Tzuyonim B'Halochoh, Shonah Halochos, Dr. Seligman Baer's classic Siddur Avodas Yisroel (AY), Siddur Otzar HaTefillos, Otzar Dinim U'Minhagim (ODM), Siddur Tzelusoh D'Avrohom, and other Poskim and Siddurim. Information on preparing parchment and inks was found on the Internet.

ACKNOWLEDGEMENTS

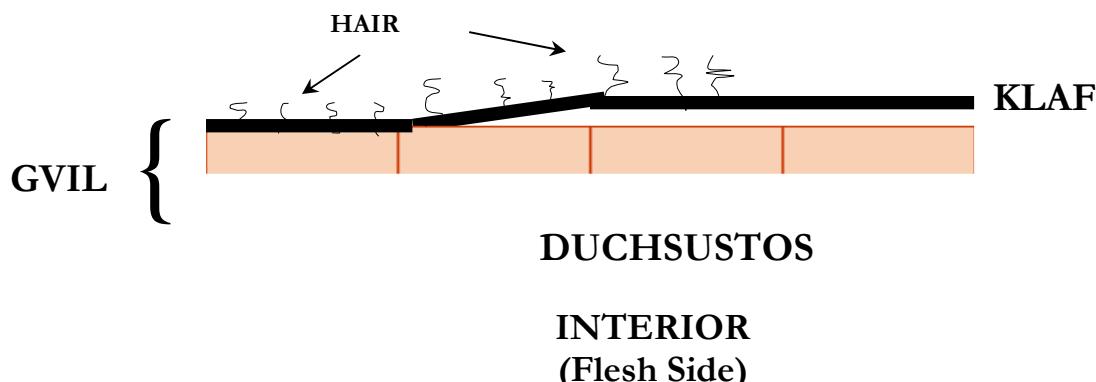
Yasher Koach to HaRav Binyomin Ze'ev Stein, Mr. Ivor Brown and Mr. Shimi Oschry of Raanana and my dear wife Rachel for their assistance in preparing this work. May Hashem reward them for their efforts.

Reuven Brauner
Fourth Edition
5 Nissan 5772

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APPENDIX 1

EXTERIOR (Hair or Grain Side)



INTERIOR (Flesh Side)

The thickness of an animal's hide (when processed called Gvil or "full-grain") can be split into two: a thin, outer layer called Klaf (the epidermis, "grain-split") and a thicker, inner layer called Duchsustus (the dermis or corium, "flesh-split"). When properly processed, these become kosher parchments. Klaf is of superior quality to Gvil and Duchsustus. (See Kesses HaSofer 2:8-12 for additional details.)

The exterior sides have a grainy, distinct, follicle pattern while the interior surfaces are typically smooth and silky.

Sifrei Torah can be written on the exterior side of Gvil or the interior side of Klaf; Tefillin are written on the interior side of Klaf; and Mezuzos can be written on the exterior side of Gvil and Duchsustus or the interior side of Klaf.

A Non-Halochic Discussion of How Parchment and Inks are Prepared

A. Parchment

Parchment is made from the skin of animals, most commonly cows, sheep and goats. The process of making parchment is a very labor-intensive and expensive operation, and more or less follows these steps:

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1. Soaking. Skins or pelts are immersed for several days in water to remove residual blood, soluble proteins and salt, and to condition them for further processing. Calcium or flour, salt and tannin may be added to produce a chemical reaction to strengthen the hide.
2. Unhairing. After soaking for several days or weeks in an alkaline bath (typically, a suspension of slaked lime [calcium hydroxide]), the hair and surface grease can be easily washed off and scraped away.
3. Fleshing. The hide is now “fleshed”: the fatty underside of the pelt is removed by cutting away hypodermal and muscle tissue.
4. Re-liming. Further cleanses pelt and disperses grease.
5. De-liming. The skin is washed with a weak solution of acid to remove residual lime.
6. Stretching/drying/finishing. The skin is tension-stretched (“punched”) on a frame, dried and smoothed (“pounced”) with an abrasive, such as sandpaper or pumice-stone, to produce a suitable surface for ink penetration, and modified to produce the desired thickness and finish. The hair-side may be polished or coated with chalk or gesso (a gypsum [calcium sulfate] mix) to lower the grease content.

Parchment is strong, durable, smooth, relatively non-absorbent of inks and dyes, inelastic and, when reasonably thin, functions as a good writing substrate. With time, most inks easily rub away (non-indelible) unless they are very acidic (as with some iron gall inks) and eat into the parchment surface. Finer quality parchments are generally called vellum.

B. Inks

Inks are made of different materials, traditionally from sepia produced from the liquid of a cuttlefish or squid, lampblack made by depositing soot from a candle flame onto a cold surface mixed with plant juice or, more commonly, iron gall ink produced from gallnuts or from chemicals. Pigments are mixed with gum arabic or tragacanth or glue and diluted with egg white. Minerals such as copper sulfate are added to vary and strengthen the dye making erasure harder.

עַצְחִים הֵיא לְמַחְזִיקִים בָּה וְתוֹמֶכֶת מְאוּשֶׁר: