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{ TOPIC }

Standing During *Aseres Hadibros*



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► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of Harav Yisroel Belsky, *zt"l* on current issues.

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Standing During *Aseres Hadibros*

There are a few times during the year when the custom of most people is to stand during *leining*. One of those times is when the *Aseres Hadibros* are read (*Parshas Yisro*, *Parshas Va'eschanan* and on Shavuot). However, this is not a simple matter. This custom is not mentioned in the Gemara and Shulchan Aruch. In this issue we will discuss the differing opinions regarding standing versus sitting and the rationale behind them.

Introduction

The Gemara in *Maseches Berachos*¹ says that although some wished to include the *Aseres Hadibros* in *Shema*, it was not done.² The reason is that we were concerned for *minim* — heretics — who would tell the less learned people that the *Aseres Hadibros* is the main part of Torah. The proof would be that we are only saying what Hashem told Bnei Yisrael, which is the *Aseres Hadibros*.³

Rambam's Opinion

In a very famous responsa of the Rambam,⁴ a Rav was about to assume a position in a shul whose custom was to sit for the *Aseres Hadibros*. He asked the Rambam if he should change this custom. The Rambam told him that he must not allow the shul to stand during the *Aseres Hadibros*, based on the above discussion regarding heretics and the less learned.

1 12a, *Yerushalmi*, *Maseches Berachos* 1:5.

2 See *Rashba* 1:184.

3 *Rashi*, *Maseches Berachos* 12a, “*mipnei*.”

4 263.

איזן ער להקדיש הבעלות אליו
אמרת של הלכה בלכד... (ברכות ה.)

Although there may be shuls that do stand, this does not mean that one should adopt this custom.

Those Who Stand: Other Sources

The Devar Shmuel⁵ says that some had the custom to stand although the shul's custom was to sit. Others mention that specific individuals had the custom to stand.⁶ The Chidah⁷ writes that it is incorrect for the entire congregation to stand but if individuals wish to stand they may do so. Nonetheless, he says that in some places everyone stands. The Shaarei Ephraim says the custom "of the world" is to stand.⁸

The following *poskim* say to stand:⁹ Shemesh U'magen (this is the custom in Morocco),¹⁰ Yaskil Avdi,¹¹ Tzitz Eliezer,¹² Betzel Hachochmah,¹³ Igros Moshe,¹⁴ Harav Shlomo Zalman Auerbach, *zt"l*,¹⁵ Ketzos Hashulchan,¹⁶ Teshuvos V'hanhagos,¹⁷ Rivevos Ephraim,¹⁸ Orchos Rabbeinu,¹⁹

5 276.

6 Refer to *Minhag Avoseinu B'yadeinu* 2:pages 608-609; see *Ohr Yisrael* 8:pages 170-174.

7 *L'Dovid Emes* 6:5:page 11.

8 7:37.

9 Refer to *Divrei Binyahu* 10:27.

10 1:57.

11 *O.C.* 2:1, 7:1.

12 14:1:7, 17:26.

13 5:1:7.

14 *O.C.* 4:22.

15 *Halichos Shlomo Moadim* 12:8.

16 84:22

17 1:146.

18 2:98, 3:19:3, 193, 5:209, 6:153:14, 8:500:22.

19 1:page 120.

Shaarei Halachah U'minhag,²⁰ Lekutei Maharich,²¹ Be'er Moshe,²² and Mekadesh Yisrael.²³ This is the custom in London and Amsterdam,²⁴ and in many yeshivos as well.²⁵

Others Who Sit

The Chesed L'alafim²⁶ says not to stand for any *leining*, not even the *Aseres Hadibros*.

The Yechaveh Daas²⁷ says that the Rambam's opinion should be followed and that one should sit. He adds that if those who were lenient saw the Rambam's *teshuvah* they would not have been lenient.

This is the custom among Sefardim²⁸

Some maintain that if a shul has no custom, they should not adapt the custom to stand.²⁹ However, this does not seem to be the custom (of Ashkenazim).

Standing or Sitting during *Leining* in General

There are differing customs as to whether one should sit or stand during *leining*. The custom of many Ashkenazim is to stand,³⁰ while the custom of Sefardim is to sit.³¹ Since the

²⁰ 5:page 53.

²¹ 2:page 59 (old).

²² 8:60.

²³ (Shavuot) 59.

²⁴ *Keser Shem Tov*, page 315:81.

²⁵ As brought in *Yisrael B'mamadam*, page 520:footnote 111.

²⁶ 135:14.

²⁷ 1:29. Harav Elyashiv, *zt"l*, said that the real halachah follows the Rambam (*Piskei Shmuos Shavuot* page, 84).

²⁸ *Yabea Omer*, O.C. 8:15:16, *Yaskil Avdi*, O.C. 7:44:10, *Siach Tefillah*, page 176:8. See *Divrei Shalom* 494:23, *Rivevos Ephraim* 5:209.

²⁹ *Asei Lecha Rav* 6:21.

³⁰ *Rema*, O.C. 146:4.

³¹ *Shulchan Aruch*, O.C. 146:4.

Sefardim sit, the custom to stand for *Aseres Hadibros* may be foreign to them.³²

Reason for Standing

Some say that the reason one should stand during the reading of the *Aseres Hadibros* is because Klal Yisrael stood when receiving the Torah. We therefore want to make a remembrance of that occasion.³³ Others say that when reading the *Aseres Hadibros* it is as if we are accepting the *Shechinah*,³⁴ since we heard these *pesukim* directly from Hashem.³⁵

Others say that the entire Torah is hinted at in the *Aseres Hadibros* and therefore we stand during this *leining*, as opposed to standing for other parts of the Torah.³⁶

Another reason to stand is because witnesses stand when saying their testimony.³⁷ The *Aseres Hadibros* incorporate the entire Torah, and so we therefore stand as witnesses to the entire Torah.³⁸

Reasons to Be Lenient

There are those who maintain that there is no issue of people thinking that the *Aseres Hadibros* are more valuable than the rest of the Torah and therefore we shouldn't stand, since every Shabbos we read many *pesukim* from the Torah and when we read the *Aseres Hadibros* it is no different.³⁹

32 Refer to *Minhag Avoseinu B'yadeinu* 2:pages 614-615.

33 *Tov Ayin* 11. See *Rambam (teshuvos)* 263. Refer to *Halichos Shlomo Moadim* 12:footnote 8.

34 *Devar Shmuel* 276.

35 *Igros Moshe, O.C.* 4:22.

36 *Shemesh U'magen* 1:57.

37 *Maseches Shavuot* 30b, *Rambam, Hilchos Eidos* 21:3, *Shulchan Aruch, C.M.* 17:1.

38 *Vayitzvar Yosef Bar* 2:16:11.

39 *Tov Ayin* 11, *Kapei Aharon* 29.

Others maintain that we all know the *Aseres Hadibros* were given with fanfare, so there is no issue of naysayers or less learned saying otherwise. The concern may be when reading it every day in *tefillah*.⁴⁰

Some maintain that since we stand when the *shirah* is read on Shabbos,⁴¹ the less learned will see that we stand for Torah readings as well. There would therefore be no issue with standing for the *Aseres Hadibros*.⁴²

Others say we all know that on Shavuos the *Aseres Hadibros* were given, so there is no issue of *minim* (this only works for the custom to stand on Shavuos).⁴³

There are those who maintain that today there is no issue of *minim* and therefore there is no concern.⁴⁴ The heretics of today don't frequent our shuls and don't know enough to say that standing during *Aseres Hadibros* would be an issue.⁴⁵

If All Are Standing

If one goes to a shul where everyone is standing for the *Aseres Hadibros*, it is not correct that some should sit since it looks bad that some are sitting while the rest of the shul is standing.⁴⁶

Opinion of Harav Yosef Ber Soloveitchik, *zt"l*

There is a very novel approach offered by Harav Yosef

⁴⁰ *Mateh Yehudah*, O.C. 1:6:page 3.

⁴¹ *Ketzos Hashulchan* 84:22 (from *Vayosha*), *Rivevos Ephraim* 3:194, *Shaarei Halachah U'minhag* 5:page 53. See *Noam* 17:pages 156-159.

⁴² *Igros Moshe*, O.C. 4:22. See *Halichos Shlomo*, *Moadim* 12:footnote 8.

⁴³ *Minhag Avoseinu B'yadeinu* 2:page 620.

⁴⁴ *Levush*, O.C. 494:3, ***Bechor Shor?*** *Shaarei Rachamim* on *Shaarei Ephraim* 37:7, *Asei Lecha Rav* 6:21; see *Elya Rabbah* 494:5. Refer to *Madanei Chaim* 15.

⁴⁵ *Asei Lecha Rav* 6:21.

⁴⁶ *Tov Ayin* 11, *Shaarei Ephraim* 7:37, *Yechaveh Daas* 6:8, *Rivevos Ephraim* 2:48:95. See *Igros Moshe*, O.C. 4:22, *Banim Chavivim*, page 301, *Oz Nidberu* 6:43:5.

Ber Soloveitchik, *zt"l*, in relation to standing versus sitting during the *Aseres Hadibros*. He says that the two customs of whether to stand or sit are based on *tam elyon* and *tam tachton*. *Tam elyon* is the *trup* that many use to *lein* the *Aseres Hadibros*, and *tam tachton* is the *trup* we use to *lein* the Torah all year round. The reason we *lein* with *tam elyon* is because it splits the words according to the *Aseres Hadibros*. This way each *dibrah* is read by itself. *Tam tachton*, on the other hand, separates each *passuk*. Those who *lein* the *Aseres Hadibros* with *tam elyon*⁴⁷ read each *dibrah* by itself. This is like the way they were said when the Torah was given and so therefore we stand. Those who read the *Aseres Hadibros* with *tam tachton* sit because it is like all other readings and not a special *leining*.⁴⁸ It is very possible that the Rambam, who is opposed to standing, had the custom to read the *leining* with *tam tachton*. Therefore, the custom according to that opinion is to sit.⁴⁹

Other Options

Some suggest that one who wishes to stand for the *Aseres Hadibros* should stand for the entire *leining*—i.e., the entire *Parshas Yisro*, *Parshas Va'eschanan* and *Shavuos leining*.⁵⁰

Others say that one should stand a little before the reading of the *Aseres Hadibros* and this way there is no issue of heretics.⁵¹

Some say that on *Shavuos* (when one is up all night) one

47 Refer to *Magen Avraham* 494, *Machatzis Hashekel* 494, *Shulchan Aruch Harav* 494:11, *Mishnah Berurah* 3, *Biur Halachah*, “*mebe'chodesh*,” *Aruch Hashulchan* 494:4, *Ketzos Hashulchan* 84:22, *Shaarei Ephraim* 8:29.

48 Brought in *Mesora* (journal) 1:pages 17-18, *Harirei Kedem* 117:pages 250-251.

49 Ibid. The custom in Eretz Yisrael is to read *tam tachton* except for *Shavuos* (*Imrei Halachah V'minhag* 6). See *Ohr Yisrael* 20:pages 151-155. Refer to *Moadim U'zmanim* 7:234 on this topic.

50 *Shem M'Shimon*, O.C. 4.

51 *Teshuvos V'hanhagos* 1:146.

can concentrate better on the *leining* while sitting during the *Aseres Hadibros*,⁵² although the custom is not like this.

Others suggest to stand at the beginning of the *aliyah*.⁵³

While Being *Maavir Sedra*

According to all opinions, while one is being *maavir sedra* for *Parshas Yisro* and *Ve'eschanan* there is no need to stand when reading the *Aseres Hadibros*.⁵⁴

Who Gets the *Aliyah* of *Aseres Hadibros*?

The custom is that the *Rav* or an important person in the shul gets the *aliyah* of the *Aseres Hadibros*.⁵⁵

Saying the *Aseres Hadibros*

The Rema⁵⁶ says one should not read the *Aseres Hadibros* in public every day due to the concern of heretics who would say this is the only Torah.⁵⁷ One can say it by himself but not as part of davening.⁵⁸ It is interesting to note that many Rishonim don't mention this halachah at all.⁵⁹

Writing

One should not write the *Aseres Hadibros* on a paper or card that is meant for the public.⁶⁰ This means that it will

52 *Kaf Hachaim* 494:30.

53 Refer to *Yechaveh Daas* 6:8.

54 *Divrei Binyahu* 10:27. See *Gam Ani Odecha* 47.

55 *Siddur Yaavetz* 1:page 306:20, *Mishmeres Shalom* 39:4.

56 *O.C.* 1:5. See *Tur*, *Beis Yosef*, *Aruch Hashulchan* 24. Refer to *Maharshal* 64, *Yaskil Avdi*, *O.C.* 2:1.

57 *Taz* 5, *Pri Megadim*, *M.Z.* 5, *Magen Avraham* 9, *Mishnah Berurah* 16. See *Yesodei Yeshurun* 1:page 249.

58 *Mishnah Berurah* 16. Refer to *Shaarei Teshuvah* 9.

59 Refer to *Tov Ayin* 10.

60 *Magen Avraham* 9, *Mishnah Berurah* 16, *Teshuros Shai* 1:3, *Be'er Moshe* 8:60, *Tzitz Eliezer* 14:1.

be read by the public as a *tefillah* on the wall. However, is it permissible to put the *Aseres Hadibros* on the wall of a shul or on top of the *aron kodesh*? Many refrained from doing this,⁶¹ while others maintain it is permitted since doing so merely shows the importance of the *Aseres Hadibros*, since it hints to the entire Torah,⁶² and it is also done for beauty.⁶³

Pictures of Har Sinai

Harav Shlomo Zalman Auerbach, *zt"l*, was not in favor of writing or drawings of mountains made to look like Har Sinai. However, it is permissible for children to color pictures and the like that are only temporary.⁶⁴

The *Aseres Hadibros*

Although there are only ten sayings in the *Aseres Hadibros*, the entire Torah is hinted to in the *Aseres Hadibros*.⁶⁵ The *Aseres Hadibros* are split into two groups. The right side are commandments between man and Hashem (honoring parents is included) while the second half is between man and people.

61 *Nemukei Orach Chaim* 1:5, *Be'er Moshe* 8:60:6. See *Rivevos Ephraim* 1:3.

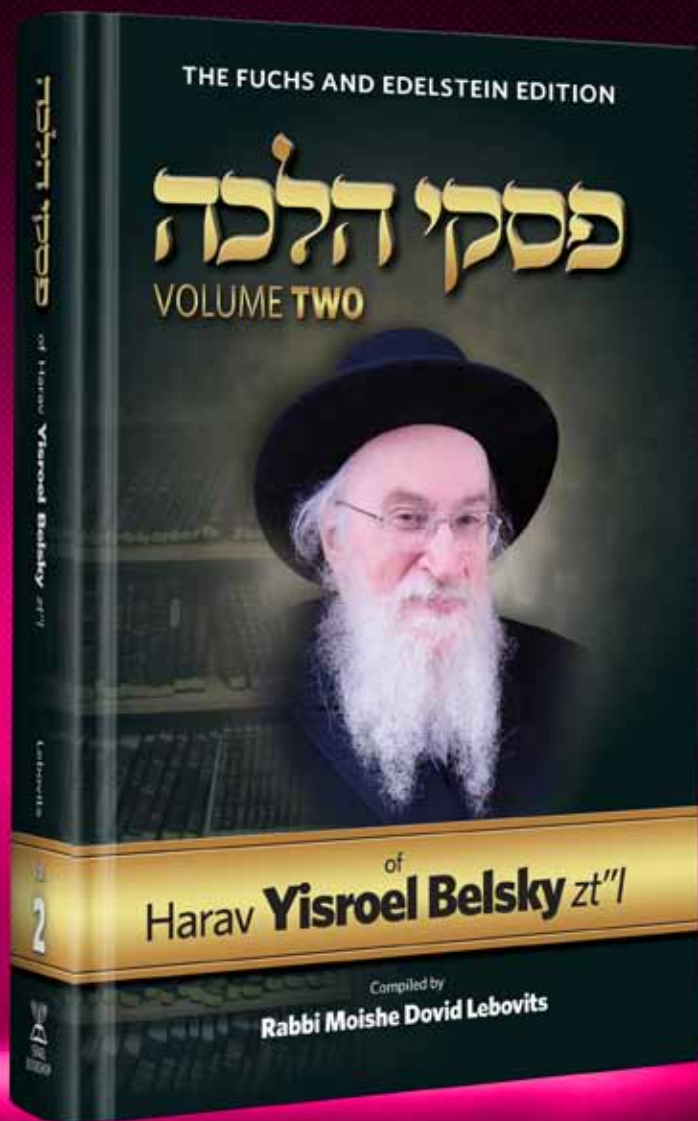
62 *Me'asef Lechol Hamachanos* 1:62, *Lekach Hakemach Hachodesh* 1:49, *Shraga Hameir* 5:117,

63 *Teshuvos V'hanhagos* 2:535. Refer to *Betzel Hachochmah* 3:112 about a clasp for a *sefer Torah* in the shape of the *luchos*.

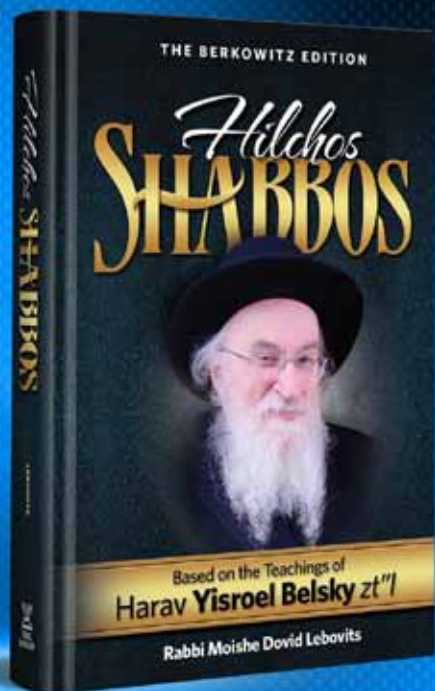
64 *Halichos Shlomo Moadim* 12:footnote 29. One should not draw or color pictures of the *Avos* (ibid.).

65 *Medrash Rabbah Bamidbar* 13:16, *Rashi*, *Shemos* 22:12, "eis"; see *Vayitzvar Yosef Bar* 2:16. Refer to *Maseches Berachos* 5a.

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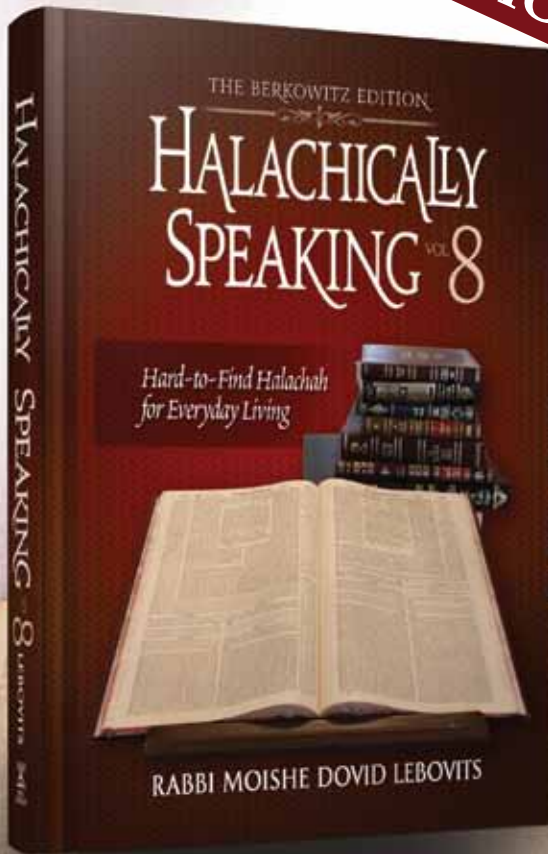
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