

## Aliyos for Everyone!<sup>1</sup>

On Simchas Torah, the Minhag is to call every person up to the Torah for an *Aliya*, including children. Those too young to recite the Brachos themselves are called up together for *Kol haNe'arim*.

This Minhag occasionally raises an interesting question regarding those unable to stand, whether due to old age, medical condition, or injury. On any given day of the year, it is less likely for people who cannot stand to receive an *Aliya*. However, on Simchas Torah or for a *Yahrzeit* or other *Chiyuv*, what is the Halacha?

The source for standing during *Krias haTorah* is *Matan Torah* itself. *Matan Torah* was an extraordinary event of Divine revelation, an otherworldly experience that inspired all of those present with awe and trepidation. *Chaza"l* viewed *Krias haTorah* as a reenactment of *Ma'amad Har Sinai* and instructed us to act with great honor and respect for the Torah that Hashem gave us there, which includes the obligation to stand during *Krias haTorah*. The obligation to stand for *Krias haTorah* applies to both the *Ba'al Korei* and the person who receives an *Aliyah*.

The *Mishna* in *Megila* (21a) rules that one may read *Megilas Esther* while sitting down. The *Gemara* notes that this does not apply to *Krias haTorah b'Tzibur*, which must always be performed while standing. This Halacha is derived from the *Posuk* in *Devarim* (5:28) which relates that when Hashem taught Moshe the Torah, He said to him, "*and you shall stand here with Me*" implying that Hashem "stood" – *Kaveyachol* – while He taught Moshe. If Hashem "stood" while teaching Torah, certainly the Jewish people stood at *Matan Torah* in awe of Him. (*Mishna Berura* 141:1 citing the *Levush*).

The *Mishna Berura* also mentions another reason to stand: "*Just as the Torah was given with awe, so we must treat it with awe.*" The source for this is a *Yerushalmi* cited by the *Beis Yosef* (*ibid.*) that relates that R' Shmuel bar Yitzchak once witnessed somebody leaning on a pillar while reading from the Torah. He informed him that it was forbidden to do so because "*Just as the Torah was given with awe, so we must treat it with awe.*"<sup>2</sup>

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<sup>1</sup> This essay was originally published under "Wheelchairs on the Bima" for *Parshas Yisro* 5780 and in *Medical Halacha on the Parsha* (2022).

The *Shulchan Aruch* (*ibid.*) quotes the *Mordechai*:

*One must read [from the Torah] while standing. Even to lean on a wall or a stand is forbidden unless a person is heavyset. (Mordechai, Halachos Ketanos)<sup>3</sup>*

The *Mishna Berura* (*ibid.* 4) maintains that the same would apply to a sick or elderly person who finds it difficult to stand without support. Nevertheless, even those who do have this dispensation must not lean so heavily that if the object is removed they would fall, unless they cannot stand at all without support. (Below we will cite a dispute among the Poskim in this regard).

The *Mishna Berura* and other Poskim only mention that the sick or the elderly may lean during *Krias haTorah*, but not that it would be permitted for them to sit. This precludes those who are confined to a wheelchair from being called to the Torah or serving as *Ba'al Korei*. This was the conclusion of Rav Ovadia Yosef *zt"l* (*Yalkut Yosef, Krias haTorah uBeis haKnesses*, footnotes 141 – *Dinei Korei uMakrei* 2).

However, there may be a basis for leniency. We will begin by citing two rulings of the *Magen Avraham* on this topic with the explanatory comments of the *Machatzis haShekel*.

The *Magen Avraham* rules that a fit and healthy person may not lean on anything at all during *Krias haTorah* because doing so is inconsistent with the necessary “awe” that he is supposed to exhibit. The *Machatzis haShekel* explains that this ruling is dependent upon the reasons (discussed above) for standing during *Krias haTorah*. It is only according to the second reason (“*Just as the Torah was given with awe, so should we treat it with awe*”) that it would be forbidden to lean at all. However, the first reason (that we must emulate Hashem who “stood” when teaching Moshe the Torah) only dictates that a person must stand, and standing with slight support would still be considered standing.

The second ruling of the *Magen Avraham* is that a heavyset person may support himself during *Krias haTorah*. According to the *Levush* (*ibid.* 1), he may support himself completely, even to the extent that he would fall if the item that is supporting him would be removed. However, the *Magen Avraham* (*ibid.* 2) forbids it, because leaning on something that heavily is the equivalent of sitting down.<sup>4</sup>

The *Machatzis haShekel* explains that this ruling is based upon the first reason for standing during *Krias haTorah*, that we emulate Hashem who “stood” when teaching Moshe the Torah. Although a person who is unable to stand without support can still be considered acting in “awe” even if he is leaning, as the support is necessary to prevent him from falling

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<sup>3</sup> This leniency is cited by the *Beis Yosef* *ibid.*

<sup>4</sup> The *Mishna Berura* rules in accordance with the *Magen Avraham* as noted above.

and not an indication of disrespect, since leaning on something heavily is the equivalent of sitting down, one would not fulfill the requirement of “standing” that is derived from the *Posuk* of “and you shall stand here with Me”.

Despite his explanation of the *Magen Avraham*, the *Machatzis haShekel* sides with the Poskim who permit a heavyset person to lean heavily on something during *Krias haTorah*. He supports this conclusion from the *Yerushalmi* (cited by the *Mordechai*) which relates that *R' Yochanan* saw somebody who leaning while reading from the Torah and he informed him that doing so was forbidden because of the *Posuk* “and you shall stand here with Me”. The man replied that it was permitted because he was heavyset and unable to stand unsupported and *R' Yochanan* agreed that it was indeed permitted.

The *Machatzis haShekel* assumes that the man must have been leaning heavily while reading, otherwise Rav Yochanan would not have cited the *Pasuk* of “and you shall stand here with Me” which does not preclude somebody *lightly* supporting themselves during *Krias haTorah* (as explained above). Despite that, Rav Yochanan ultimately agreed that it was permitted since the man was heavyset. We see that it is permitted for a person who cannot stand unsupported to lean heavily on something during *Krias haTorah*.

If leaning heavily is permitted, then it is likely that actual sitting would also be permitted. This is the conclusion of *haGaon* Rav Asher Weiss *Shlit"a* (*Shu"t Minchas Asher* 3:9). Even though the Poskim do not mention this explicitly, since we are only dealing with an *Issur d'Rabbanan* and one would certainly fulfill the *Mitzva* of *Krias haTorah Bedi'eved*, this would be considered a *Sha'as haD'chak* (an extenuating circumstance) and we could be lenient on Simchas Torah or for a *Yahrzeit* (or on other rare occasions, if necessary)<sup>5</sup>.

Rav Asher added that he himself witnessed the elderly Sanz-Klauzenberger Rebbe *zt"l*<sup>6</sup> not only receiving an *Aliyah* but even serving as the *Ba'al Korei* while sitting, and that this was also the practice of Rav Ovadia Yosef *zt"l* when he was sick and in his later years. However, this may have been due to the great honor that must be extended to an eminent Torah scholar. The *Gemara* (*Sota* 41a) notes that a Jewish king may read from the Torah while in a sitting position and it the same would possibly apply to a great Sage<sup>7</sup>.

Additionally, the *Talmud Yerushalmi* implies that an element of the requirement to stand when reading from the Torah or receiving an *Aliyah* is *Kavod haTzibur* – the honor of the congregation. Rav Moshe Shternbuch *Shlit"a* mentions this possibility in the name of his

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<sup>5</sup> This was also the conclusion of Rav S'raya Dublitsky *zt"l* (1926-2018)

<sup>6</sup> R' Yekusiel Yehuda Halberstam *zt"l*, known also as the *Divrei Yatziv*, 1905-1994.

<sup>7</sup> In fact, this must be true of Rav Ovadia Yosef *zt"l* who we cited earlier as ruling that it is not permissible for somebody to lean heavily during *Krias haTorah*, let alone sit down.

brother-in-law, Rav Meshulam Dovid Soloveitchik *zt"l* (*Moadim uZmanim* 2:182). He therefore rules that if it is more respectable for a particular disabled person to serve as the *Ba'al Korei* for the *Tzibur*, he may do so even while seated. As an example, if the only person who can read accurately without mistakes is unable to stand, he may serve as *Ba'al Korei* instead of somebody who would make many mistakes and need many corrections.

In conclusion, the Poskim agree that where there are not enough people who are able to stand when receiving an *Aliyah*<sup>8</sup> (as may occur at *Minyanim* in hospitals or nursing homes), one may be lenient and allow them to sit. One should not skip *Krias haTorah* in these circumstances, especially as one fulfills the Mitzva *Bedieved* even while sitting.

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<sup>8</sup> *E.g.*, three people on a Monday or a Thursday or 8 (7 + *Maftir*) on Shabbos