The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קנ"ד סעיף ז'-ח'

Overview

Siman 154 Seif 7:

A *bimah* (meaning a high place), for example, the platform they make for the king, has the sanctity of a *Bais HaKnesses* rather than the sanctity of an *aron kodesh*.

- The same *halacha* applies to the *bimah* that we build to hold the *sefer Torah*. (M.B. 32)

Siman 154 Seif 8:

Regarding the *aron kodesh* and other items made for a *sefer Torah* it is acceptable to stipulate that one should be able to use it for other purposes, even non-sacred ones. The custom is to derive benefit from sacred items, e.g. the covering for *sefer-im*, the *shulchan,* the wrapping of a *sefer Torah*. The reason, it was suggested, was that since people are doing it anyway and it is impossible to avoid benefit from these items it is considered as though *Bais Din* stipulated that they may be used so that people do not violate the restrictions. Even if a stipulation was not made it is considered as though it was stipulated.

- Shulchan Aruch refers to where it was stipulated when they first built it that it should be permitted to derive personal benefit from it. (M.B. 33)
- It is not permitted to use sacred items for reprehensible purposes even if it was stipulated that personal benefit is permitted. (M.B. 34)
- It is appropriate that when someone donates something or if the *gabbaim* purchase something that they stipulate that personal benefit should be permitted. (M.B. 37)

Stories to Share

The Respectful Route

ש"ע קנ"ד, ז': "הבימה אין בה קדושת ארון..."

Today's amud discusses the level of respect one should afford the bimah, aron and the sefer Torah.

A certain man's niece married someone that he felt was below her. The uncle preferred to stay as far away as possible from the chosson and did everything he could to avoid him. Yet every time he got an aliyah, the uncle would follow the halachah and walk back to his seat using the longer route around the bimah, and this meant that he passed near the chosson's place. He preferred not to even see him and now he was forced to walk past him! Since he was an important man in the community he was called up to the Torah fairly frequently and this became more than a passing annoyance.

After much thought, he figured he had a solution to his problem. He would walk back to his seat the way he came, but he would do so very slowly rather than take the longer route. Surely this was as much honor to the Torah as going the long way since he was taking at least as much time to return to his seat. After all, does it not say that one should rush to shul but leave in an unrushed manner?

But when he consulted with the Ben Ish Chai, the sage ruled this is absolutely prohibited. "You are definitely incorrect in your assumption that walking slowly to your place via the shorter way back is the same as taking the longer way with bigger steps. The proof to this is the words of the Rambam who writes that rushing or walking slowly does not have any relevance on our consideration of what is the short or long way to leave the Beis Hamikdash. The same holds true here.

He concluded, "Taking the longer way to one's seat shows respect; any other way shows disdain no matter one's pace!"

שו"ת תורה לשמה, ס' נ"ז

Halacha Highlight

Storing an invalid *sefer Torah* in the *aron kodesh*

Shulchan Aruch Siman 154 Seif 8

הארון וכל מה שעושים לספר תורה וכו'

The *aron* and all items that are made for the Torah etc.

Shulchan Aruch (סע' ח') rules that a stipulation allows one to benefit from sacred items, even the *aron kodesh*. Rema goes on to report that the common custom is to permit benefit from sacred items even without an explicit stipulation. This is based on the assumption that Bais Din stipulated that the benefit should be permitted since anyways people are benefitting from these objects. Someone once posed the following question to Rav Yechezkel Landau, the author of Teshuvas Noda B'Yehudah (שו"ת נודע ביהודה מהדו"ק או"ח סי' ט'). He wanted to know whether it is permitted to place *Sifrei Torah* that are invalid and incapable of repair into the *Aron Kodesh* that was made to store valid *Sifrei Torah*. The questioner initially cited the Gemara Menachos as proof that it should be permitted. The Gemara relates that the broken set of Tablets was placed in the *Aron Kodesh* together with the second set of Tablets that was complete. Even though the *Aron Kodesh* was made for the second set of tablets, nevertheless, the broken Tablets were stored inside indicating that as long as an item had sanctity before it became broken or invalid it may continue to be stored in the place designated for intact and valid sacred items.

Noda B'Yehudah rejects the parallel between the broken Tablets and the invalid *Sefer Torah* because he maintains that the *Aron Kodesh* was built to store the broken Tablets and since that was the original intent it is permitted for them to be stored therein. An *Aron Kodesh* in a *Bais HaKnesses* was designed to store valid *Sifrei Torah* and as such one that is invalid and irreparable should not be stored in the *Aron Kodesh*. He observes, however, that common custom allows for the storage of invalid *Sifrei Torah* in an *Aron Kodesh* and in the end his only concern regarding this practice is the possible pitfall of removing the invalid *Sefer Torah* for reading before the *tzibbur*.