The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ל"ב סעיף י"ז

Overview

Siman 32 Seif 17:

If a drop of ink falls on a letter so that it is no longer recognizable, the letter may not be repaired by scratching off the extra ink so that the letter should be recognizable. The reason is that it involves scratching ink to shape the letter (חק תוכות) and the Torah mandates that one should write that letters. Similarly, if one wrote an ד instead of a ר or a ב instead of a כ the letters may not be repaired by scratching the extra part of the letter since that is considered חק תוכות.

- If wax fell on a letter it is permitted to scratch it off and is not considered חק תוכות. (M.B. 61)
- It doesn't matter for this halacha whether the ink caused the letter to look like a different letter or if it didn't look like any letter. (M.B. 63)
- If the extra ink did not cause the letter to lose its shape it may be scratched off. (M.B. 67)
- There is a disagreement whether the issue of חק תוכות applies only when the letter is finished by scratching off ink or if it applies even as one is in the middle of forming the shape of the letter. Later authorities maintain that one should be stringent. (M.B. 67)
- Letters cannot be repaired by scratching off ink but may be repaired by adding extra ink to round off the end of the letter. (M.B. 68)
- Scratching is not considered writing but scratching off extra ink when the letter retained its shape does not pose a problem of writing letters out of order. Writing is the correct way to form letters but it poses a problem of writing letters out of order. (M.B. 68)

Halacha Highlight

Carving out letters – חק תוכות

Shulchan Aruch Siman 32 Seif 17

אין תקנה לגרר הדיו ועל ידי כך יהיה נכר האות

It is not effective to scratch off the extra ink so that the letter should become recognizable

Shulchan Aruch introduces the principle of חק תוכות-literally carving around. The Torah requires that the letters must be written rather than carving out the shape of a letter from ink which is on the parchment. Biur Halacha (ד"ה אם נפלה) emphasizes that halacha does not differentiate between a case in which the letter was carved out while writing the letter or afterwards. If at any time the letter was formed by scratching off ink it is invalid. Furthermore, the requirement that the letters must be written raises another issue. If a drop of ink falls on the parchment in a place where a letter is to be written, is one allowed to incorporate that drop into the letter? Mishnah Berurah (ס"ק ס"ז וע' פסקי תשובות אות כ"ו) adopts a stringent approach since the ink was not written on the parchment. He writes that one could use his quill to spread the ink so that it should be considered as though he wrote the letter but some Poskim reject that option.

When faced with a letter that cannot be repaired by adding additional ink, it is preferable to erase the entire letter and start again from scratch (ע' פסקי תשובות הנ"ל). However, according to halacha, it would be sufficient to scratch off just the part of the letter that lost its shape. Mishnah Berurah (ס"ק ס"ד) also writes that one may not scratch off the extra ink in order to restore the letter to its shape and then take one's quill and trace over the letter. Although according to some Poskim tracing an existing letter will help if a letter was not written for the sake of the mitzvah, nevertheless, it is not effective for letters that were carved. The reason, writes Levushai Serad, is that the Gemara Gittin (19a) teaches that tracing on top of an existing letter is not considered writing.

Stories to Share

The Sofer's Question

ש"ע סי' ל"ב, י"ז: "דהוי חק תוכות..."

A certain sofer-in-training learning Yoreh Deah came across a Taz that revolutionized his thinking. His dearest wish was to find a way to manufacture cheap kisvei kodesh. The main reason they are normally so expensive is because of the many hours it takes the sofer to write them. If there was only a way to mass produce such items they would be much cheaper. To his delight, the Taz extrapolates from Gittin 20 that printing kisvei kodesh is the same as writing them.

The gemara states that although חק תוכות, carving out letters, is prohibited as we find on today's amud, if one engraves the letters themselves it is considered writing. The Taz cites this and states, "What's the difference if one pushes the implement used to engrave the letters on the paper or the paper on the letters?"

ט"ז יו"ד סי' רע"א, ס"ק ח'

Even the Rama Mipano, zt"l, who argues on the Taz, only prohibits the printing of sifrei Torah, mezuzos, and tefillin—however, printed megillos would be acceptable. (שו"ת רמ"ע מפאנו סימן צ"ג) But this seemed too good to be true. If there was a real heter here, why doesn't anyone make use of it?

When the trainee sofer asked his mentor about this, he was told that his suspicions were entirely correct and this is definitely prohibited. His safrus rebbi explained, "Even the Taz has many detractors. The Bach, Knesses Hagedolah, and Pri Chadash all rule clearly that even printed megillos are invalid (או"ח סי' תרצ"א) and the Zera Emes bring other sources that concur. (שו"ת זרע אמת, יו"ד סימן קי"ז)

Their reasoning is simple: this is not derech kesivah and cannot be compared to someone who engraved letters of a get with an implement, which is a derech kesivah."

The sofer's rav concluded, "Either way, the Maharsham writes that even the Taz only permits the old-fashioned type of printing which was accomplished by pressing letters on the paper. Any other type of printing, such as mimeographing or photographing and the like, is prohibited according to all authorities!"

שו"ת מהרש"ם, חלק ג', סימן שנ"ז