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

Overview

Siman 32 Seif 18 (b):

If the left leg of a ה or ק touches its roof one must scratch off the entire leg and rewrite it but it is not necessary to scratch off and rewrite its roof since it was written correctly. If the empty space above the bottom י of an א becomes filled with ink or the empty space below the upper י becomes filled with ink it is invalid and may not be repaired by scratching off the additional ink since that would involve חק תוכות. The entire part (the י) must be scratched off and rewritten. The same invalidation could occur to the י of a ש, צ, and ע if they attach more than just their designed point of contact.

- Even if the connection is as small as a hairsbreadth such that a child would recognize the letter, the leg must nevertheless be erased since it lost its essential shape. (M.B. 83)
- The upper and lower י of an א are only supposed to make contact with the middle line by only a slight connection. (M.B. 86)
- Even if the leg of the י is wide as long as it looks separate from the main body it is valid and does not need to be repaired. (M.B. 87).
- According to some opinions if the top י connected improperly to the middle line one must erase the entire letter and start again but it is not clear that *b'dieved* one must be strict about this issue. (M.B. 89).
- Levushei Serad questions why the disqualifications discussed in the latter part of the *seif* require any erasing when one could always widen the existing section to make it valid, assuming that one did not yet write any subsequent letters. (M.B. 91)

Stories to Share

The Demands on a Sofer

ש"ע סי' ל"ב, י"ח: "אם נגע רגל האלף בגג האלף ..."

Today's daf continues to discuss the complex halachos of writing the parshios placed in tefilin.

Rav Chaim Palagi once explained why the exile has lasted so long. "My heart tells me that one reason the exile is so long is because people are not careful with tefillin. In our generation no one is even interested in doing the mitzvah properly. People procure tefillin with all kinds of errors, and make a brachah l'vatalah. Because the tefillin are invalid, they are actually going without tefillin.

"In Menachos 44 we find that one who fails to put on tefillin fails to fulfill eight positive mitzvos while one who disregards the mitzvah to put tzitzis on a four-cornered garment violates five positive mitzvos.

"Why are so many people violating such serious commandments? The main reason is because they purchase tefillin from those who are not experts in the halachos. Such people who don't know the difference between their left and their right in such matters walk in darkness. Even an expert sofer can easily err, how much more so one who did not learn the halachos properly to begin with! These soferim lack yiras shamayim and are among those who lengthen our exile. They are like Yeravam ben Nevat who caused the many to sin.

"If I had the ability and the other rabbanim agreed with me, I would decree that no one buy sifrei Torah, tefillin, and mezuzos from any sofer not duly certified to write by a qualified halachic authority. I would also decree that if a sofer sells what is later found to be invalid tefillin three times, he should be absolutely forbidden to write any longer, just like a shochet who sold three animals that proved to be treifos. Why should safrus be any less important than shechitah, or milah? Shochtim require certification and in many places a mohel must also be approved. Why not sofrim?

He concluded, "Those who listen to me in this will have tranquility and their great merit literally has the power to bring Moshiach."

תנופה חיים, תהילים, אות תל"ב

Halacha Highlight

Letters that connect after being written correctly

Shulchan Aruch Siman 32 Seif 18 (b)

הא דמכשרינן כשנפסק האות דוקא כשנכתב בכשרות ואחר כך נפסק

The validity of a letter that becomes punctured is limited to where it was initially written correctly and then became invalid

Shulchan Aruch rules that if the left leg of a ה or ק touches the roof of the letter one must scratch off the entire leg and rewrite it. Mishnah Berurah (ס"ק פ"ג) emphasizes that even if the connection between the leg and the roof is nothing more than a hairsbreadth and a child reads the letter correctly ,it is, nevertheless, invalid and must be properly repaired.

Sefer Halacha Berurah (סוף אות פ"ה) asserts that if the scribe wrote the leg of the ה or ק from the bottom up and after the leg was properly formed a thin strand of ink connected the leg to the roof, the additional ink may be scratched off without scratching off the entire leg. (This halacha assumes that even with the strand the letter would be read correctly by a child.) The basis for this lenient ruling is a combination of three different uncertainties which when combined, allow one to adopt a lenient position. The first issue is that there is a dispute amongst the Poskim whether the ה or ק becomes invalidated if the leg touches the roof. According to some Poskim, it is only when different letters touch that they become invalidated but not when different parts of the same letter touch one another. Another uncertainty is that even if one assumes that the leg of a ה or ק may not touch the roof perhaps halacha follows those Poskim who maintain that if the connection is thin the connection may be repaired by simply scratching off the additional ink. Thirdly, even if one maintains that a thin connection disqualifies the letter and requires the leg to be erased and rewritten, perhaps halacha follows the opinion who maintains that once the letter was properly formed and then it attached to a second letter it is not considered חק תוכות to scratch off the ink that connects the letters. Therefore, if the leg was formed by writing from the bottom of the leg up it was properly formed before the leg became attached to the roof and it is not a violation of חק תוכות to scratch off the additional ink. He notes however, that Biur Halacha (ד"ה רגלי) expresses hesitancy about relying on the opinion who maintains that if the letter was properly formed it is not subject to the חק תוכות restriction.