

## Overview

### Siman 32 Seif 25:

Any letter that was not written correctly and does not have its shape, e.g. parts of a letter are improperly touching other parts of the letter or if letters that are made up of multiple parts are separated and after writing additional text the scribe went back to fix the invalid letters the *parsha* is invalid since the letters were written out of order. It is permitted, however, to separate letters that became attached even if one wrote additional text since the letters retained their essential shape it is not considered writing. Similarly, if parts of the letter were not properly connected but a child recognizes the letter, even if one wrote additional letters he may repair the broken letter since it retained its essential shape. There is an opinion who maintains that if the roof of the נ does not touch the sides but the separation is not easily detected even if a child reads it as two "zayins" it may be repaired.

- ❖ There are three categories for the halachos of letters written out of order. 1) Letters that are not properly shaped cannot be repaired if subsequent letters were written, 2) Letters that are not valid but still retain their essential shape maybe repaired and 3) Letters that require an erasure in order to repair them poses a problem of writing letters out of order. (M.B. 114)
- ❖ If part of the letter is not attached but a child reads it correctly there is a dispute whether it may be repaired without concern for letters being written out of order but if the separation is not detected immediately it is unnecessary to show the letter to a child but if one did show the letter to a child and he did not read it correctly it is invalid. (M.B. 122)
- ❖ The halacha introduced with the words, "There is an opinion" is accepted by all opinions and it is introduced in this manner to indicate a novel ruling. (M.B. 123)

## Stories to Share

### An Unclear Reading

שי"ע סי' ל"ב, כ"ה: "ויתנוק שלא חכם ולא טפש..."

A certain sofer who had an exceptionally nice script was reviewing his beautiful parshios when he came across a problem. One of the shins in the parshios was not easily discernable. Perhaps it looked more like two letters: an ayin with a yud? Although he thought it looked enough like a shin, he was unsure.

When he asked a rav about this, he was told to test it with a child who is not too clever and not too dull, as we find on today's amud. "If the child reads the letter as a shin, the parshah is kosher. If not, not."

The child read it as the sofer had hoped, but he then had a different question. Was he responsible to tell prospective clients about this problem before selling the parshah?

When he asked Rav Moshe Sternbuch, shlit"a, about this, he replied that it depends. "It is clear that such a parsha is not

## Halacha Highlight

### Writing letters out of order

Shulchan Aruch Siman 32 Seif 25

ואחר שכתב לפניו חזר ותקנם הוי שלא כסדרן ופסולין

**After writing subsequent letters one went back to repair the damaged letters the writing is invalid since it was done out of order.**

The halachos in this *seif* are unique to *tefillin* and *mezuzos* that must be written in order. A Sefer Torah does not have this requirement and the letters should be fixed without concern for the issue of writing letters out of order. Sefer Piskei Teshuvos (אות מ"ה) divides the halachos of damaged letters and whether they constitute a problem of writing letters out of order into four categories. The first category involves letters that are split but the split can only be detected with the use of a magnifying glass or holding the parchment in the sun. A letter such as this is valid according to all opinions and although it is not necessary to repair the letter, it is preferable to do so.

The second category is letters that are split which are noticed only when one looks carefully at the letter. If the split does not cause the two halves to look like two separate letters it may be repaired. There is, however, a dispute if the split causes the letter to look like two separate letters. For example, if the letter מ splits at the point of connection between the כ and the ו what remains after careful examination looks as though the scribe wrote two separate letters there is a disagreement whether it can be repaired.

The third category involves letters whose split is readily apparent without having to look at it carefully but nonetheless a child reads the correct letter. In this case as well there is a disagreement. One opinion maintains that it may not be fixed since it would violate the restriction against writing out of order. The second opinion maintains that it may be repaired as long as before the repair it does not appear as though there are two separate letters.

The fourth category is letters whose split is so readily apparent that it is glaring. Such a letter has lost its shape altogether and may not be repaired even if a child reads the letter correctly.

שירון כל הקורא בהם'—All who read them should be able to run through them.' According to this, a child only helps if it is obvious how adults would read such a letter, yet we are unsure about a child. In this case, where even adults were not certain, the parshah is pasul according to the Rambam. Although that is not the halachah, it is enough of a glitch to render the parshah not mehadrin.

Rav Sternbuch concluded, "As far as whether you must tell a prospective client about this, it depends. If you take a high price, you are obligated to tell your client that this is not mehadrin. But if you only take an average price for this parshah you are not obligated to tell your client that this parshah isn't mehadrin."

תשובות והנהגות, ח"ה, סי' תתי"ג