The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קמ"ג סעיף ד'

Overview

Siman 143 Seif 4 (c):

Reading from a second *sefer Torah* is mandated only when there is a serious error but if there are missing or extra letters it is unnecessary to take out a second *sefer Torah* since our *sifrei Torah* are not so precise that we can say that the second *sefer Torah* would be any better (Agur, Piskei Maharai, Ri'az and Maharil ruled that one should not take out another *sefer Torah* but Bais Yosef rules that one must remove another *sefer Torah*, therefore the above compromise must be reached). In a pressing circumstance when the *tzibbur* has only one *sefer Torah* that is invalid and there is no one available to repair it, there are authorities who permit reading from the Torah with the *berachos* but others disagree. If they have a single *chumash* without an error one may be lenient to read from that *chumash* even though there are mistakes in the other *chumashim*.

- Rema refers to ויו and יודין that are extra or deficient in the word that does not affect the reading or the meaning of the word. If the extra or missing letter changes the pronunciation even though the meaning remains the same or if it changes the meaning even though it does not change the pronunciation another *sefer Torah* should be taken out. (M.B. 26)
- If a letter that was supposed to be large or small was not written correctly it is not necessary to take out another *sefer Torah*. The same is true if a letter is missing the dots that are supposed to be on top of it. (M.B. 27)
- Rema is compromising between Agur who maintains that another *sefer Torah* is not removed even for an actual error and Bais Yosef who maintains that another *sefer Torah* must be taken out even for extra and missing letters that do not change the meaning and pronunciation. (M.B. 28)
- Later authorities agree that one should not take out an invalid *sefer Torah* for reading but if they began reading and found a mistake while reading there are authorities who maintain that they may read all seven *aliyos* with *berachos* but the *maftir* should not be called for a separate *aliyah* and *kaddish* should be recited after the *haftorah*. Dagul M'Rivavah contends that the *oleh* in whose *aliyah* the mistake was found should not recite the *beracha* following his *aliyah* and should remain there for the remainder of the seven *aliyos* who will read without reciting the *berachos*. The *oleh* should pay attention to each *aliyah* and after all the *aliyos* the *oleh* should recite the *beracha* after Torah reading and he will read the *haftorah* as well and some contend that the *haftorah* should be read without the *beracha*. If the mistake was found in the third or one of the other *aliyos* after the *aliyah* was finished the rest of the *aliyos* should be read by the *ba'al koreh* without the *berachos*. (M.B. 29)

Halacha Highlight

Different scripts for writing a *sefer Torah*

Rema Siman 143 Seif 4 (c)
אין להוציא אחרת
It is unnecessary to take out another *sefer Torah*

Rema explains that the requirement to take out a second *sefer Torah* is limited to where there is an actual mistake. Mishnah Berurah (ס"ק כ"ז) enumerates many examples of mistakes that are not essential and do not mandate taking out another *sefer Torah*. One example is if the scribe did not write the letters that tradition teaches should be made larger or smaller than the other letters. Similarly, if the upside down נונין are missing or if the scribe did not add dots above the words that are supposed to have dots it is not considered an error that requires taking out another *sefer Torah*.

Poskim discuss whether the manner in which the letters are shaped is considered significant. In other words, are the differences between the way letters are shaped according to Bais Yosef (the *Ashkenazi* custom) and the way they are shaped according to the Vellish custom (the *Sephardi* custom) significant deviations? The consensus amongst the *Poskim* is that these deviations are considered insignificant. Moreover, since all of the different traditions are based on ancient customs, one should not invalidate a *sefer Torah* that was written with a different style of script. For that reason there is no issue for an *ashkenazi* to receive an *aliyah* in a *sephardi sefer Torah* nor is there reason for a *sephardi* to refuse to receive an *aliyah* from an *ashkenazi sefer Torah*. Even those who are particular that their *tefillin* should not be written with a צ whose י is backwards, as is the custom amongst *sepharrdim*, nevertheless, it is acceptable to receive an *aliyah* from a *sefer Torah* that was written by a scribe who makes the צ with a backwards י even as one wears his *tefillin* with a צ with the י facing forwards. Rav Shlomo Kluger (קנאת סופרים סי' קכ"א) wrote a very strong letter against someone who ruled that an *ashkenazi* may not receive an *aliyah* from a *sefer Torah* written according to the Vellish custom demanding from him a public apology (פסקי תשובות אות ט"ו והע' 163).

Stories to Share

The Brazen Chazzan

ש"ע, ס' קמ"ג, ד': "משום חסרות ויתרות אין להוציא אחרת..."

The Bach had a big detractor who always worked to undermine him. This person was none other than the chazzan of the community. This chazzan was quite vocal about his belief that studying gemara was unnecessary for arriving at the correct psak. In his opinion, learning Tur, Shulchan Aruch and their commentaries was sufficient for this. The Bach disagreed strongly.

One Shabbos, the chazzan noticed an error in the sefer Torah from which they were reading and ordered them to take out a new sefer. The Bach disagreed, explaining that it was a minor error and they could continue to read from this sefer, as we find on today's amud. The chazzan cursed the Bach out in public, accusing him of being ignorant of the halachah. It was only when the Bach announced that the man deserved to be put into a form of cherem that cannot easily be revoked that the chazzan finally slunk out.

The chazzan ran to the Rav of Lublin and succeeded in convincing him to give a psak not to call the Bach up to the Torah. The Bach wrote this rav a sharp letter explaining that the chazzan was an ignorant sinner who only knew how to read from the Torah. He demanded the Rav of Lublin to repeal his psak, which he eventually did.

When Rav Nosson Gestetner, zt"l, told over this story he commented, "We must learn a lesson from this. Despite the Bach's greatness he was confronted with terrible difficulties. Despite such hardships, he strengthened himself. Even with these obstacles, he taught Torah and wrote works that give us vitality to this day!"

חדש בחדשו, ניסון תשס"ח, ע' ג'