כ. מותר לקפל הטלית בשבת, שלא כדרך קיפולו. ויש נוהגים לקפלו כסדר קיפולו, ואף על פי שאינם צריכים אותו עוד ליום השבת, ואין למחות בידם, שיש להם על מה שיסמוכו. [יחו"ד ח"ב סי' מ, יבי"א ח"ט סי' קח אות קנ, חזו"ע שבת ח"ה עמ' שמג]

כא. אחר שקיפל הטלית, יאחז בידו ארבעת הציציות וינשקם, ואחר כך יניחנו בכיס. וכן יעשה בטלית קטן, כשפושטו ינשק הציציות. [עוד יוסף חי פי' בראשית ה"ה]. וראה לעיל בסימן ח' הלכה י"א.

כב. גדול עונש המבטל מצות ציצית, ועליו נאמר לאחוז בכנפות הארץ וגו' (איוב לח, יג). הזהיר במצות ציצית, זוכה ורואה פני שכינה. [ש"ע שם ס"ק]. וכבר נתבארו מעלות מצות ציצית, לעיל בהקדמה לסימן ח'.

Folding tallit on Shabbat

20) It is permissible to fold a tallit on Shabbat if one does not fold it on its crease. Some people have the custom of folding it on its crease, even if they are not planning to use the tallit again on that day. There is a sound halakhic basis for this leniency, and others must not protest those who rely on it.

Day 102

Kiss tzitzit before putting it away

21) After folding up the tallit, one should grasp the four tzitzit tassels and kiss them, and only afterward place the tallit into the *kuracha*. One should likewise kiss the tzitzit tassels of one's *tallit katan* after taking it off. See above in *Siman* 8:11.

Reward and punishment

22) A terrible punishment is in store for those who fail to fulfill the mitzvah of tzitzit, and this is alluded to in the verse (*Iyov* 38:13): "To seize the world by the corners so that the wicked would be shaken from it." On the other hand, someone who takes care to fulfill the mitzvah of tzitzit properly will be rewarded by becoming privileged to gaze upon the glory of the Shekhina. See above in the preface to *Siman* 8 for a list of the spiritual and material advantages gained through the mitzvah of tzitzit.

Preface Reciting Passages of the Written Torah by Heart

Source

The Talmud teaches (*Gittin* 60b; *Temura* 14b): Ribbi Yehuda bar Nahmani contrasted the beginning of the verse (*Shemot* 34:27), "כְּתָב לְךָ אֶת הַדְּבָרִים הָאֵלֶּה – write for yourself these words," with the end of the same verse, "כִּי עַל פִּי הַדְּבָרִים הָאֵלֶּה – since according to the speaking of these words...." The verse begins by saying that the Torah must be written, implying that it is to be studied from the written text. The end of the verse, however, implies that the Torah's words remain verbal, without any written text. How can this be reconciled? The Talmud explains that the variation in the verse's text teaches us two halakhot: Whatever is included in the Written Torah may not be studied without using the written text, and the Oral Torah that was transmitted verbally by Moshe Rabbenu must not be taught using a written text.

Any student reading this passage should ask an obvious question – here we are studying the Talmud from a written text, and in fact the twenty printed volumes of the Talmud are the embodiment of the Oral Torah. If so, it ought to be forbidden to study written or printed texts of the Talmud. Rashi addressed this question, commenting that at one point in our history, our Sages realized that the Jewish people were being dispersed throughout the world and subjected to harsh persecution, and that as a result the entire Oral Torah was in danger of being forgotten unless the Talmud would be published as a hard-and-fast written text. Although until then it had been forbidden to teach the Oral Torah using written texts, that prohibition was absolved. From then on, it became permissible to teach the Oral Torah using textbooks, giving rise to the enormous Torah library we have today, including works by the *Ge'onim*, *Rishonim*, and *Aharonim*.

A Torah Prohibition or Simply a Recommendation?

Our Sages taught (*Yoma* 68b) that on Yom Kippur the *Kohen Gadol* chanted the Torah passages describing the Yom Kippur service. He read the first half of *parashat Ahare Mot* and then he turned the Torah scroll to the passage in

parashat Emor about Yom Kippur. After reading that passage, he shut the scroll and recited by heart a third passage that is found in *parashat Pinehas*.

Rabbenu Asher (*Tosafot haRosh* to *Yoma* 68b) and the *Tosafot Yeshanim* (to *Yoma* 70b) asked why our Sages permitted the *Kohen Gadol* to chant the third passage by heart, when the rule is that it is forbidden to teach the Written Torah by heart. Both of these Tosafot offered the same resolution: Of course it is best to make sure to teach the Written Torah from a written text and to teach the Oral Torah without using a text, but sometimes other considerations can override that rule. In this case, it would be improper to keep the thousands of spectators in the *Bet Hamikdash* waiting while the *Kohen Gadol* rolled his Torah scroll to *parashat Pinehas*. Therefore, they permitted him to chant the third passage by heart.

According to this, the rules taught in tractate *Gittin* and *Temura* are not absolute. They mean only that the ideal way to teach the Written Torah is to use a written text, and the ideal way to teach the Oral Torah is without any written text. If someone has good reason to do otherwise, however, he is not guilty of any sin.

Harav HIDA (*Petah Enayim* to *Yoma* 70a) noted this and commented that the language used by the *Poskim* infers that these rules are obligations, and that it is absolutely forbidden to recite the Written Torah by heart. In fact, the *Torat Hayim* Sofer (*alef*) pointed out that it is obvious from the Talmud (*Temura* 14b) itself that these rules are absolute obligations. The Talmud relates that on each Shabbat, Ribbi Yohanan and Rish Lakish studied written compilations of Aggadah. When asked how they were permitted to use written texts, they replied that they based their decision on the verse (*Tehillim* 119:126): "עֵת לַעֲשׂוֹת לַה' הֵפֵרוּ תוֹרָתֶךָ – There is a time to take action for God's sake; they have annulled Your Torah." This means that sometimes it is worthwhile to override a law of the Torah in order to ensure that the entire Torah will not be forgotten. Rashi explained that this applies to a situation where overriding the Torah's law protects the status of God's Name. If that is the case, it is permissible to override the law.

This passage clearly implies that in normal circumstances it is absolutely forbidden to study the Oral Torah using a written text. Otherwise, the decision made by Ribbi Yohanan and Rish Lakish would not be an instance of "annulling the Torah." It is not possible, therefore, that the Tosafot meant to imply that these are not absolute prohibitions.

To resolve this, the *Torat Hayim* asserted that the Tosafot agreed with the other *Poskim* that it is absolutely forbidden to ignore these rules under normal circumstances. The Tosafot meant that these are not Torah prohibitions; they are institutions of our Sages. Therefore, when our Sages imposed these restrictions, they realized that they would cause an inappropriate inconvenience on Yom Kippur and decided that it would be

best not to impose this restriction on the *Kohen Gadol* in the first place. In other words, the *Kohen Gadol's* Torah reading on Yom Kippur is an exception to the rule.

Harav HIDA (*Birke Yosef* 49:2) noted that the simple reading of the Talmud in *Gittin* and in *Temura* suggests that these are Torah prohibitions. Although the *Tosafot haRosh* and *Tosafot Yeshanim* clearly indicated that they are no more than institutions of our Sages, Harav HIDA demonstrated that the proof they brought to that effect from the passage in *Yoma* can be refuted. On the other hand, he brought proof from *Megillah* 18b that they are forbidden by institution of our Sages. See more about this in the *Halakha Berura* (page 410).

The *Sefer Yere'im* stated clearly that these prohibitions were instituted by our Sages. Although the Talmud bases them on a verse, that is no more than *asmakhta* to these rules, but it is not the actual sources for them. On the other hand, the *Sefer Haredim* (cited by Harav HIDA in *Mahazik Berakha Siman* 49) stated that these are Torah rules, and this is apparently the opinion of responsa *Tashbetz* (Vol. I, #2) and responsa Rashba''sh (#277).

Based on the conclusion of Harav HIDA, the *Kaf Hahayim* Sofer (48:2) ruled that we should consider these prohibitions to be institutions of our Sages. Therefore, in any case where it is unduly difficult to keep the rules, they may be overridden.

The responsa *Hikre Lev* (*O.H.* #12, page 11a) asserted that anyone who ignores these rules is not considered a sinner, and he will not be punished for it. However, since he is studying Torah in the incorrect fashion, he will not be credited for the mitzvah of Torah study. Moreover, he ruled (ibid. #14) that these rules apply to even a single word of Torah, meaning that it is forbidden to say a single word from the Written Torah without reading it from a written text, and it is forbidden to write down a single word from the Oral Torah. The Mahara''l (*Tif'eret Yisrael* chapter 67, cited by the *Kenesset Hagedola, Siman* 49 gloss on the *Arba'a Turim*), however, ruled that a single word has no significance until it is put together with other words. Therefore, he ruled that while reading the Torah, it is permissible to recite a single word by heart if it is missing from the written text. The *Hikre Lev* (*O.H.* #14), however, ruled that it is forbidden to recite even one word by heart. Moreover, he ruled that the prohibition applies even when someone is not performing the public Torah reading.

Day 103

Why not Recite the Written Torah by Heart?

a) Rabbenu Crescas (commentary traditionally misidentified as *Hiddushe haRitb''a* on *Gittin* 60b) cited the Ramba''n explaining that when people recite passages from the Written Torah without using a written text, they fail to notice the special spelling of each word. Many Hebrew words can be