קיח. יעשה כל השורות שוות, שלא תהיה שורה אחת נכנסת ואחת יוצאה. אלא כל השורות יתחילו במקביל מאותו מקום, ויסתיימו במקביל באותו מקום [ש"ע סעיף לג], ואפילו אות אחת לא תצא חוץ לשורה, משום "זה אלי ואנוהו" (תמונה כ"ג). [משנ"ב ס"ק קמז]

ולכן צריך הסופר לכלכל צעדיו במשפט כשמתקרב לתיבות האחרונות שבסוף כל שורה ושורה, באופן שיוכל לסיים השורות בשוה ממש. [פסקי תשובות אות נה, הלכה ברורה עמ' שצא]

ועל כל פנים צריך הסופר ליזהר שלא יכתוב שלוש אותיות מחוץ לשורה. ובדיעבד שכתבם, בין בתחילת השורה בין בסופה, לא פסל, והפרשיות כשרות. [ש"ע שם, משנ"ב ס"ק קמט]. ואפילו היא תבה שלימה חוץ לשורה, כשר, אך בתנאי שניכר שהיא נקרית עם אותה השורה בפרשה זו, שאם אפשר לקרותה גם עם הפרשה שבעמוד האחר שבצידה, פסול. [ראה קול יעקב יו"ד סי' רעג ס"ק יג, משנ"ב ס"ק קנ]

קיט. כל אותיות שם ה' צריך שיהיו כולם בתוך הדף, ולא יצא מהם כלל מחוץ לדף. [ראה ש"ע סעיף לה]. ובדיעבד אם אות אחת בלבד מאותיות שם ה' יצתה חוץ לשורה יש להקל, אבל אם היו שתי אותיות משם ה', או יותר, מחוץ לשורה, יש להחמיר. [ראה הלכה ברורה עמ' שצג]

Uniform length of lines

118) The lines of a tefillin scroll should all be the same length, with each line beginning directly under the beginning of the line above it, and ending directly under the end of the line above it. The scribe must try his best to avoid writing one line longer than the other lines, even if the discrepancy is only a single letter, for that would detract from the scroll's beauty. (Illustration №23) He must plan ahead, so that when he approaches the end of each line, he can make the letters of the final words wider or narrower so that he ends the line in exactly the right place.[98]

If a scribe finds that he cannot finish the line without extending it beyond the length of the previous lines, he must make sure that he does not extend it by three letters. Nevertheless, if a scribe wrote three or more letters beyond that length, the scroll is still kosher. Likewise, if a scribe began a line by writing three or more letters to the right of the beginning of the lines above it, the scroll is still kosher. This is true even if an entire word is written outside the right margin or left margin, as long as a person reading it understands that the word belongs to this passage. If the word appears to belong to the passage to the right or to the left, however, the scroll is not kosher.

Positioning God's Names

119) It is imperative that each of God's Names be written entirely within the length of the lines of each passage, and that not even one letter protrudes to the write or the left of the margins. If a single letter of God's Name protrudes, there is a basis for leniency to deem the scroll kosher, but if two letters protrude, the scroll is considered not kosher for use.[99]

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98. There are many details involved in this halakha. See the *Mishna Berura* (32:148; 32:151), the *Kol Yaakov* (*Y.D.* 274:9), and the *Halakha Berura* (page 392).

99. See the *Mishna Berura* (32:153), the *Kol Yaakov* (*Y.D.* 276: 25 and 26), and the *Halakha Berura* (page 396) for possible ways to correct this error.

פרשיות פתוחות וסתומות

קכ. יעשה כל פרשיות התפלין פתוחות, חוץ מפרשה אחרונה הכתובה בתורה, שהיא "והיה אם שמוע", שיעשנה סתומה. ואם שינה פסול.

ולכן נהגו שפרשת "קדש לי", "והיה כי יביאך", ופרשת "שמע", מתחילין בראש השורה, ובסוף "קדש לי" ובסוף "והיה כי יביאך" מניחים חלק כדי לכתוב ט' אותיות. ובסוף "שמע" אין מניחים חלק, ואם מניחים הוא פחות מכדי לכתוב ט' אותיות. ופרשת "והיה אם שמוע" מתחילים באמצע שיטה

Petuhot vs. *Setumot*

Spaces between passages

120) The first three passages in tefillin scrolls are *parashat petuhot*, just as they appear in Torah scrolls. The fourth passage, which is *vehaya im shamowa*, is a *parasha setuma*, as it is in a Torah scroll. The space between these passages in tefillin scrolls must identify the first three as *petuhot* and the fourth as *setuma*. If the scribe leaves no space, or if he leaves the wrong type of space, the scroll is not kosher.[100]

How to create *petuha* spaces

In order to fulfill this halakha and identify the first three passages (*kadesh li*, *vehaya ki yevi'akha*, and *Shema*) as *petuhot*, he begins the first line of each passage on the left end with no indentation at all. He finishes the passage of *kadesh li* in the middle of the bottom line, leaving a blank space long enough to write nine letters. Likewise, he finishes the passage of *vehaya ki yevi'akha* in the middle of the bottom line, leaving a blank space long enough to write nine letters. He must finish the passage of *Shema* at the very end of the bottom line, and if he leaves any blank space it must be shorter than nine letters.

How to create *setuma* spaces

The scribe then leaves a blank space at least nine letters long on the right end of the first line of the fourth passage (*vehaya im shamowa*) and begins writing the passage to the left of that blank space. Following this formula, the scribe has written the first three passages as *parashat petuhot* according to both Rambam and

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100. *Parashat Kadesh*

This passage is *parasha petuha* in Torah scrolls, because the previous passage ends in the middle of the line, leaving a blank space at least nine letters long at the end of the line. In tefillin scrolls this is not possible since there is nothing written before the passage of *kadesh*. Nevertheless, the very fact that it begins at the beginning of the first line without any indentation identifies it as *parasha petuha*, much like the very first passage of *Bereshit* in a Torah scroll, which likewise is considered *parasha petuha*. See the comment of Harav Yitzhak Abohab, cited in the *Bet Yosef* (32:36), and the *Mishna Berura* (32:156).

If the space at the end of *kadesh* or *vehaya ki yevi'akha* is less than nine letters long

The *Eliya Rabba* stated that if a scribe was forced to end the passage of *kadesh* near the end of the last line, and the blank space he left is less than nine letters long, he should leave the entire first line of *vehaya ki yevi'akha* blank and begin writing it at the beginning of the second line. In this way, it will be *parasha petuha* according to Rambam. Although we have a tradition to write each passage of *tefillin shel yad* on seven lines, and each passage of *tefillin shel rosh* on four lines, and in this case the scribe writes the passage of *vehaya ki yevi'akha* on one line less, it is still kosher. The *Bi'ur Halakha* (32:36) recommends leaving the first two lines blank and beginning on the third line.

עליונה, ומניחה לפניה חלק כדי לכתוב ט' אותיות. ונמצא ששלשה פרשיות הם פתוחות בין להרמב"ם בין להרא"ש, ופרשה אחרונה היא סתומה לדעת הרמב"ם. (תמונה כ"ד) [ש"ע סעיף לו]

ופרשת "והיה אם שמוע" בסופה אין צריך להניח שום ריוח, אלא מסיים "על הארץ" בסוף השורה התחתונה. ובדיעבד אם סיים "על הארץ" בשיור ריוח תשע אותיות, יש להכשיר. [קול יעקב ס"ק קע]

Rabbenu Asher. He has written the fourth passage as *parasha setuma* according to Rambam[101] (Illustration №24) [but according to Rabbenu Asher he has written the fourth passage as *parasha petuḥa*. It is not possible to write tefillin scrolls with the passage of *vehaya im shamowa* being *parasha setuma* according to both Rambam and Rabbenu Asher].

At the end of the bottom line of the fourth passage it is best to leave no blank space, so that the words עַל הָאָרֶץ reach the very end of the line. If the scribe leaves a blank space after the words עַל הָאָרֶץ, however, it is still kosher [since there is no other passage following it].

101. To understand these halakhot, it is necessary to know the definitions of *parasha petuḥa* and *parasha setuma*. There are two main schools of thought among the *Rishonim* – that of Rambam and that of Rabbenu Asher.

According to Rambam (*Hilkhot Sefer Torah* chapter 8), a *parasha petuḥa* is a passage that begins at the right end of the line without any indentation. It is separated from the previous passage by a blank space at least nine letters long at the end of the line before this passage. If the scribe was not able to leave a blank space that long at the end of the previous passage, he must leave an entire line blank and begin the *parasha petuḥa* at the beginning of the following line without indenting.

A *parasha setuma* is one that begins in the same line on which the previous passage ended, with a blank space at least nine letters long separating them. Alternatively, if the scribe begins the new passage after indenting and leaving a blank space at least nine letters long at the beginning of a line, it is considered a *parasha setuma*. In this case, it would not matter whether he ended the previous passage at the end of the line or in the middle of the line.

In short, a *parasha petuḥa* always begins at the beginning of the line, and a *parasha setuma* always begins somewhere in the middle of a line.

According to Rabbenu Asher (*Hilkhot Sefer Torah* #13), a *parasha petuḥa* is one that begins after indenting and leaving a blank space at least nine letters long in the beginning of the line. Alternatively, if the scribe left a blank space at least nine letters long at the end of the last line of the previous passage, the next passage is considered *parasha petuḥa* even if he begins at the beginning of the next line without indenting at all.

A *parasha setuma* is one that begins in the same line on which the previous passage ended, with a blank space at least nine letters long separating them. Alternatively, if the scribe leaves an entire line blank and begins the next passage at the beginning of the next line, it is a *parasha setuma*.

It turns out that if a scribe indents at the beginning of a passage, leaving a blank space at least nine letters long, Rambam considers that passage to be *parasha setuma*, whereas according to Rabbenu Asher it is *parasha petuḥa*.

A Torah scroll consists of hundreds of *parashot* – some are *petuḥa* and some are *setuma*. Our scrolls are written in a way that satisfies both opinions. Every passage that is supposed to be *parasha petuḥa* begins at the beginning of the line, while a blank space at least nine letters long is left at the end of the previous line. Every passage that is supposed to be *parasha setuma* begins on the same line that the previous passage ends, with a blank space at least nine letters long separating them in the middle of that line.

When writing tefillin scrolls, however, this is not possible. The halakha demands that each passage be written in its own column. Thus, it is not possible to end the passage of *Shema* and begin that of *vehaya im shamowa* on the same line. If the scribe chooses to satisfy Rambam's opinion and leave a blank space in the beginning of the first line of *vehaya im shamowa*, it will be *parasha petuḥa* according to Rabbenu Asher. If he chooses to satisfy Rabbenu Asher's opinion and leave the entire first line of the fourth column blank, it will be considered *parasha petuḥa* according to Rambam. Since we cannot satisfy both

קכא. הרב "טורי זהב" המציא עצה לעשות את פרשת "והיה" סתומה לפי כל הדעות, שבסוף פרשת "שמע" יניח ריוח פחות מכדי ט' אותיות, וכן יניח ריוח פחות מט' אותיות בתחלת פרשת "והיה אם שמוע", ועל ידי זה שאין ט' אותיות במקום אחד כי אם על ידי צירוף, היא נקראת סתומה לכל הדעות. וכן נהגו כמה מהפוסקים האשכנזים. (תמונה כ"ה) [משנ"ב ס"ק קסד]

אולם לדעת מרן השלחן ערוך אם יעשה כן לא יחשב לפרשה סתומה לדעת "הרמב"ם", ולא יועיל צירוף ט' אותיות, ופסול אף בדיעבד. וגם כמה מפוסקים האשכנזים סברו שאין לעשות כן. [ראה קול יעקב ס"ק קסח, אול"צ ח"ב עמ' לה]

Day 28

The *Ture Zahav's* invention

121) The *Ture Zahav* suggested a formula for making the passage of *vehaya im shamowa* a *parasha setuma* according to both Rambam and Rabbenu Asher. His opinion is that the scribe should leave a blank space at the end of the passage of *Shema*, but the space should be shorter than nine letters. Then he should leave another blank space at the beginning of the first line of the passage of *vehaya im shamowa*, and again the space should be shorter than nine letters. Since each blank space is shorter than nine letters, neither one counts by itself to separate the passages but they combine to form a separation between the passages. This sort of separation, the *Ture Zahav* claimed, makes the fourth passage a *parasha setuma* according to both Rambam and Rabbenu Asher. A number of Ashkenazic *Poskim* concurred with this novel approach. (Illustration №25)

According to Maran in the *Shulhan Arukh*, however, Rambam would not consider this to be a *parasha setuma* or a *parasha petuha*, and the scroll would not be kosher. Several opinions, Maran ruled that we must follow Rambam's opinion, ending the passage of *Shema* at the end of the line and indenting the first line of the passage of *vehaya im shamowa* with a blank space at least nine letters long. See the *Mishna Berura* (32:164) and the *Halakha Berura* (page 400).

Leaving a blank space at the end of *Shema* and at the beginning of *vehaya im shamowa*

The *Shulhan Arukh* gives instructions not to leave any blank space at the end of the passage of *Shema*, or at least not to leave a space as long as nine letters. The *Mishna Berura* (*Bi'ur Halakha* 32:36) explained that although the *Shulhan Arukh* preferred that the scribe not leave a blank space nine letters long at the end of *Shema*, the scroll would be kosher even if he did. Although such a blank space is normally the preparation for making the following passage a *parasha petuha*, in this case the next passage will be *parasha setuma* since the scribe leaves an indentation of nine letters at the beginning of the first line. As explained above, Rambam's general rule is that as long as the scribe does not begin the passage at the beginning of the line, it is *parasha setuma*.

The custom of Habad Hassidim, based on the ruling of Harav Zalman (responsum #1 at the end of his *Shulhan Arukh*), is to purposely leave a blank space at least nine letters long at the end of the passage of *Shema* and to indent the first line of the passage of *vehaya im shamowa* as well with a blank space at least nine letters long. Harav Zalman ruled that Rambam concurred with this practice.

The responsa *Igrot Moshe* (Vol. I, #12; *Y.D.* Vol. I, #169) disagreed with this practice, demonstrating that Harav Yitzhak Abohab, cited in the *Bet Yosef*, specifically instructed the scribes not to leave a blank space nine letters long at the end of the *Shema*. If the scribe does leave blank spaces both at the end of *Shema* and at the beginning of *vehaya im shamowa*, it is a "hybrid" – not really *setuma* and not really *petuha*. The *Hazon Ish* (*O.H.* 10:2) discussed this and did not arrive at a definite conclusion.

Sefardic Jews should follow the instructions of Maran in the *Shulhan Arukh*, but the *Or Letziyon* (Vol. II, page 35) ruled that Sefardic Jews may use tefillin made according to the practice of Habad Hassidim.