ח. המוסר ממון חבירו ביד הגוים, אפילו הוא לתאבון (שיש לו מכך טובת הנאה, כגון שמקבל על כך שכר ועמלה). ואפילו עשה כן פעם אחת, פסול. [ראה משנ"ב ס"ק ז]

ט. כל הפסול לכתיבת תפילין, פסול בכל תיקון עשייתן. [ש"ע סי' לט ס"ב]. ודוקא שעושה מעשה בגוף התפילין, כגון: חיפוי הבתים ותפירתן בגידים, וכל שכן עשיית השי"ן בעור הבתים, או הגהת אות להכשירה שאז נחשב ככתיבה ממש. [משנ"ב ס"ק י]. והוא הדין כריכת השיער על הפרשיות, קודם הכנסתן בבתים, וצימצום הבתים והתיתורא שיהיו מרובעין, שכל זה הוא בכלל תיקון עשייתן. [ביאור הלכה ד"ה בכל].

A *moser*

8) A Jew who is a *moser*, meaning that he informs on his fellow Jews to enable non-Jews to confiscate their possessions or cause them harm, is not qualified to write tefillin parchments. This is the halakha even if he commits this sin in order for his own personal gain since he is rewarded by his clients. This halakha applies even if someone commits this terrible sin only once.[301]

Making tefillin

9) Any person who is disqualified from writing tefillin parchments is also disqualified from participating in other stages of tefillin preparation, such as inserting the parchments into the *battim* or sewing the *battim* shut. They are certainly disqualified from shaping the letter *shin* on the outside of the *bayit*, or correcting the form of a single letter that was not written in the parchment according to halakhic specifications – these acts have the status of writing. Furthermore, these persons are disqualified from wrapping the individual parchments with hair to prepare them to be inserted in the *battim*, or filing down the *battim* to perfect their square shape.[302]

301. Suing a fellow Jew in a secular court

Rambam and the *Shulhan Arukh* (*H.M. Siman* 26) ruled that if someone sues another Jew in a secular or non-Jewish court, he is guilty of a cardinal sin, equal to blaspheming and attacking the Torah. Based on this, the *Halakha Berura* (page 250) ruled that a scribe who is guilty of this sin is disqualified from writing tefillin parchments or mezuzot. He added that the secular courts in Israel are no better than non-Jewish courts in other countries, as Maran the Rishon Letziyon ruled in responsa *Yehave Da'at* (Vol. IV, #65).

302. Separating letters that touch each other

If two letters in a tefillin parchment touch one another, the parchment is not valid. In many such cases, it is permissible to scratch the ink and separate the letters, thus validating the parchment. The *Mishna Berura* (39:10) cited a responsum of the Mahara"m of Lublin ruling that anyone who is disqualified from writing tefillin parchments must not separate the letters in such a case. If such a person separated the letters, however, the parchments are kosher since that person did not write any part of them. In any case where a letter would need to be erased and written again, however, it is not possible to employ such a person to make the correction. See more about this in the *Bi'ur Halakha* (ibid.).

Other examples of corrections in tefillin parchments

The *Bi'ur Halakha* ruled that if all the letters in a tefillin parchment have been written correctly, except that two of the letters were written too far apart from each other, it is possible to correct the error by thickening those two letters so that they are now closer together. If someone who is disqualified from writing tefillin parchments made this sort of correction, the parchments are kosher since all the letters had already been written by a kosher scribe. Furthermore, if the scribe wrote tefillin parchments but forgot to add the crowns (*taggim*) to some of the letters that are supposed to have such crowns, and then someone who is disqualified from writing the parchments added the missing crowns, the parchment is kosher. This is because the parchment was already kosher even while the crowns were missing. The *Halakha Berura* (page 252) added that if the scribe mistakenly wrote an extra letter in the parchment and someone who is disqualified from writing it erased the extra letter, the parchment is now kosher.

ולכתחילה יש ליזהר, שאף לא יתפרו יריעות הספר תורה. [ביאור הלכה סוד"ה בכל תקון. יבי"א ח"ט חיו"ד סי' יח]
אבל עיבוד הקלף אינו בכלל זה, וכשר על ידי אשה. אבל על ידי גוי אנו חוששים לדעת הרמב"ם שעיבוד גוי פסול אפילו אמר לו ישראל לעשות לשמה, כמבואר לעיל בסימן ל"ב הלכה מ"א.
וכיום נוהגים בכל המקומות לימנע לחלוטין מלעשות על ידי גוי או יהודי מחלל שבת בפרהסיא כל עבודות עיבוד הקלף והבתים והרצועות. [פסקי תשובות סי' לב הערה פה]

י. לאור האמור, למדנו עד כמה יש לדקדק בבחירת הסופר סת"ם והעוסקים בתיקון עשייתן, שיהיו יראי שמים, ומדקדקים במצוות בשלימות. וכמו שכתב מרן בשלחן ערוך (סי' לב ס"כ), שהמתעסק בכתיבת תפילין ותיקונן, צריך להיות מאוד ירא שמים וחרד לדבר השם. ולכן יש להקפיד ולדקדק במינוי

Ideally, these people should not be commissioned to sew together the parchment sheets of a Torah scroll.[303]

The act of tanning the leather in preparation for making the parchments, however, is not considered part of the tefillin-making process, and women may be employed to tan the leather. A non-Jew must not be employed to tan the leather, however, since Rambam (cited above in *Siman* 32:41) ruled that if the leather is tanned by a non-Jew it is not kosher to use for tefillin parchments. In fact, it is not kosher even if a Jew supervised the tanning and instructed the non-Jew throughout the process to tan the leather for the sake of the mitzvah of tefillin.

Nowadays, all tefillin manufacturers have a policy of not hiring any non-Jew to tan the leather used for the parchments, the *battim*, or the straps of tefillin. In fact, they will not hire a non-observant Jew who desecrates the Shabbat publicly, either.

Choosing a scribe

10) It becomes clear from all the above that we must be quite discriminating when choosing a scribe to write tefillin parchments, or choosing a company to make the tefillin *battim* and to put tefillin together and prepare them for use. Anyone involved with the processes of making tefillin must first develop a high degree of fear for Heaven. The scribe must also be fluent in all the detailed halakhot regarding the

303. Women sewing together a Torah scroll

Harav Shalom Messas (responsa *Shemesh Umagen* Vol. III, #85:16) testified that the common custom in Morocco was to permit women to sew together the parchment sheets of a Torah scroll. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IX, *Y.D.* #18) pointed out that many *Poskim* ruled that women should not be permitted to sew them together, and he testified that among Eastern communities it has always been unheard of for women to perform this task. He concluded that scribes should not permit women to do this. The *Yalkut Yosef* (page 679) and the *Halakha Berura* (page 253) both ruled that if women did sew it together, the stitches should be taken out and the sheets sewn together again by men, unless this would pose great difficulties. If it really would be difficult, the Torah scroll may be used as it is.

Sewing the Torah scroll to the wooden dowels; spinning the tendon thread

The *Piske Teshuvot* (39:4) cited the *Me Yehuda* and *Tzitz Eliezer* ruling that all the *Poskim* agree that it is permissible for a woman to sew the wooden dowels onto the ends of a Torah scroll, since Rambam (*Hilkhot Sefer Torah* 9:14) ruled that the Torah scroll is kosher even if it is not sewn to the dowels. And, the *Evven Yisrael* ruled that women may be hired to spin the tendon fiber into threads to be used for tefillin and Torah scrolls.

הסופרים יותר ממינוי השוחטים. [קול יעקב סי' לב ס"ק קיב], וזה מלבד מה שהסופר צריך להיות בקי בהלכה היטב, לדעת כל הלכות סת"ם לפרטי פרטים. וכמו שכתבנו בזה בסימן ל"ב הלכה צ"ז והלאה.

יא. גם למדנו לאור האמור, שיש להזהיר את הנוהגים שבשעה שמסיימים כתיבת ספר תורה, שקודם שמכניסים אותו לבית הכנסת מניח הסופר כמה תיבות בסוף פרשת "וזאת הברכה", ומכבדים כמה אנשים לכתוב האותיות, שיזהרו ויקפידו ביותר שיהיו הכותבים אנשים גדולים שהגיעו למצוות ונתמלא זקנם, ושיהיו יראי שמים ושומרי מצוות, ויודעים לכתוב לשם קדושת ספר תורה.

ויש להזהר בזה אפילו אם כבר עשה הסופר שרטוט האותיות בדיו, והניח חלק באמצע האות, כדי שישלימוהו הכותבים. ואם אי אפשר להזהר בכל הנ"ל, נכון יותר שיבטלו מנהג זה. [הלכה ברורה עמ' רמט, ועי' שו"ת בצל החכמה ח"ד סי' נא]

act of writing the parchments. See above in *Siman* 32, beginning with halakha 97, just how complicated these halakhot are. When choosing a scribe for tefillin, mezuzot and Torah scrolls, a community must be more discriminating than when choosing someone to slaughter kosher meat.

Completing a Torah scroll

11) It is common that when someone commissions a brand-new Torah scroll to be written, the scribe leaves the final few words unwritten so that it can be completed during a ceremony celebrating its completion. At this ceremony, a number of people are given the honor of writing one or more letters. It is very important to make sure that all those given this honor are adults whose facial hair is developed, and who are known to be observant, God-fearing individuals who are aware of the need to have specific intentions to write for the sake of the Torah scroll's sanctity.

All this applies even if the scribe has already written the outlines of the remaining letters of the Torah scroll so that the honorees need only fill them in. If these rules cannot be enforced, then the scribe should complete the scroll in private although this part of the ceremony will not be observed.[304]

304. The responsa *Betzel Hahokhma* (Vol. IV, #51) concluded that once the scribe writes the outline of the letters and a child would recognize them, the Torah scroll has technically been already completed. Even so, if a child or a nonobservant Jew would fill in the letters, it is likely that the Torah scroll is rendered nonkosher. Based on this ruling, the *Halakha Berura* (page 249) warned that nonobservant Jews must not be permitted to fill in the outlined letters. The *Piske Teshuvot* (39:2) ruled that if a nonobservant Jew filled in letters after the scribe wrote their outline, we may consider it to be a kosher scroll. It is best, however, for the scribe to add a second layer of ink over that person's writing, or to scrape the letters away and write them again.

It has become common practice today for the scribe not to allow anyone else write anything at all in the new Torah scroll. Instead, the honorees are invited to hold his hand lightly while he writes the final letters.