

Survey of Recent Halakhic Periodical Literature

SILK SCREENED TORAH SCROLLS

A completed Torah scroll represents the culmination of close to a year of painstaking labor on the part of a scribe who must copy each word from an already existing scroll. The scribe must be proficient in the myriad regulations governing the fashioning of the various letters of the alphabet and must be vigilant in assuring that his calligraphy produces not only an aesthetically pleasing result but that each letter conforms to the requirements of Halakhah. Little wonder, then, that the price of a new Torah scroll, including the cost of the parchment that must be specially prepared for this sacred purpose, now ranges from a minimum of \$30,000 to well over \$70,000. One twelve-inch Torah scroll recently sold for \$90,000. The price of that Torah reflected the lengthy period of time required to write a diminutive scroll.

Megillot, *tefillin* and *mezuzot* must be written in a similar manner but, since less writing is involved, the cost is commensurately lower. *Megillot* sell for between \$800 and \$2,000. *Tefillin* parchments, exclusive of the leather containers in which the parchment scrolls are encased, cost between \$350 and \$1,500. *Mezuzot* range in price between \$40 and \$280. The disparity in cost largely reflects the reputation of the particular scribe and the beauty of his calligraphy. Beauty, it is said, is in the eye of the beholder. The beauty of a Torah scroll, to a significant degree, lies in a combination of objective factors including rationalization of lines and margins, symmetry of size with regard to the letters, as well as elements of style that generally are appreciated only by an expert.

I. THE SILK SCREEN METHOD

Halakhah prescribes that each letter of a Torah scroll be formed by a qualified scribe. That requirement effectively bars use of printing or of photographic processes.¹ However, recently, Rabbi Yitzchak Abadi, formerly of Lakewood, N. J., and now a resident of Har Nof in Jerusalem, has developed a novel method for use in producing Torah scrolls,

megillot, tefillin and *mezuzot*. If acceptable, utilization of that method would dramatically reduce the cost of those sacred artifacts.

The newly-developed process represents an adaptation of the silk screening commonly employed in various forms of commercial art. Silk screening is one of the oldest methods of printing words and images. The origin of silk screening can be traced back to early Egyptian and Chinese civilizations and was probably first developed sometime in the fifth century of the common era. Today, the process, often referred to as serigraphy, is most commonly used by commercial artists because it allows for printing upon virtually any material. Screen printed materials include most plastic containers used for food and industrial products, cosmetics, signs, tee shirts and caps.

The screen printing process is quite simple. The fabric or mesh of which the screen is made is similar to a window screen but is much finer. Although the screen was originally made of silk, it can also be made of nylon, wire, cotton, or even more commonly at present, polyester. The stencil placed over the screen consists of a thin lacquer sheet. Ink or a coloring agent is deposited onto the screen and pressure is applied by means of a squeegee in order to pull the ink or dye over those parts of the screen not blocked by the stencil. The ink or coloring agent then passes to the surface below the screen known as the substrate. Thus, the letter or design formed on the substrate is defined by the stencil.

The process developed by Rabbi Abadi, as described in the Tammuz 5762 issue of *Or Torah* and the Av-Elul 5762 issue of *Kovez Bet Aharon ve-Yisra'el*, involves use of a piece of tightly woven silk that is stretched upon a wooden frame. Minute holes in the material are arranged in the shape of the letters of an entire column or of several columns of a Torah scroll. The silk screen is then placed over parchment, and ink is poured on an unperforated area of the silk along the entire length of the right side of the screen.² A broad-faced implement, similar to a squeegee, made of rubber or plastic, is then used to force the ink across the screen from right to left with the result that the ink enters and fills the gaps that have been left between the woven strands of the screen. The ink is allowed to dry and, with the removal of the screen, a full column or multiple columns of writing appear. The process is repeated for each section of the Torah scroll and, ultimately, the parchment columns subjected to this process are sewn together in the usual manner. Many individuals will readily recall using stencils as children either to trace the outlines of the alphabet or to fill in entire

letters with crayon. The silk screen process, in effect, produces letters through the intermediacy of a stencil-like device.

There are reports that a quantity of *megillot* prepared in this manner have been sold in the United States. An announcement of planned production of Torah scrolls and a solicitation of deposits has been posted on a web site for some time. Each Torah scroll was offered for sale at a price of \$18,000 and required an initial deposit of \$10,000. The estimated completion date for the first thirty Torah scrolls was given as November 2002. Nevertheless, to date, there have been no reports of actual delivery of any Torah scrolls produced in this manner.³

II. REACTION TO THE SILK SCREEN METHOD

Reports of the sale of silk screened *megillot* evoked the harsh censure of leading Israeli halakhic authorities. Letters signed by R. Yosef Shalom Eliashiv, R. Samuel ha-Levi Woszner, R. Nissim Karelitz and the members of the *Bet Din* of Jerusalem's *Edah ha-Haredit* declaring *megillot*, Torah scrolls, *mezuzot* and *tefillin* prepared in such manner to be unfit for use were published in the Israeli weekly *Yated Ne'eman*, 24 Kislev 5763. A similar letter dated 5 Kislev 5763 signed by R. Ovadiah Yosef has also been circulated. The letter signed by R. Nissim Karelitz and published in the *Yated Ne'eman* is in the form of a statement signed by three other noted rabbinic figures and is dated 16 Kislev 5763. Much earlier, an identical letter was circulated dated Tammuz 5762. In addition to the signatures appearing in the *Yated Ne'eman*, the earlier letter also bears the signatures of Rabbi Eliashiv and Rabbi Karelitz, who apparently later issued their own individual letters, as well as the signature of R. Chaim Pinchas Scheinberg, Rosh Yeshivah of Yeshivat Or Torah in the Mattesdorf section of Jerusalem. A journalistic report and critique of the process appeared in *Shabbat Kodesh*, the magazine section of the *Yated Ne'eman*, *Parashat Mikez* 5763.

A detailed analysis of the objections voiced with regard to the silk screen process is presented in an article by R. Menachem Yehudah ha-Levi Gross that appeared both in the Tammuz 5762 issue of *Or Torah*, a Torah journal published by a Sephardic Torah institution in Jerusalem, Yeshivat Porat Yosef, and in the Av-Elul 5762 issue of *Kovez Bet Aharon ve-Yisra'el* published by the Torah Institutes of Karlin-Stolen. The Av 5762 issue of *Or Torah* features a relatively brief responsum by R. Ovadiah Yosef, dated 8 Sivan 5772, addressed to a son of R. Samuel

Woszner making many of the same points. Rabbi Yosef's comments were penned in response to an unpublished analysis of the issues drafted by the younger Rabbi Woszner and transmitted by him to Rabbi Yosef.

The various letters of condemnation are univocal in substance; they differ only with regard to the tone and degree of vehemence, ranging from Rabbi Woszner's exhortation to fulfill the halakhic obligation to flee from this "act of corruption," Rabbi Eliashiv's declaration that "one who rules permissibly in the matter, the distributors, their merchants and sub-merchants are in the category of sinners and those who cause the multitudes to sin" to R. Ovadiah Yosef's comparatively mild conclusion that the proponent of this novel method "has nothing at all upon which to base himself." However, even that statement is preceded with the declaration, "The matter demonstrates that the fear of God is not upon their shoulders. Woe to them on the Day of Judgment!"

An anonymous *apologia* in the form of a pamphlet titled *Ha-Emet ve-ha-Shalom Ahevu* countering the alleged infraction of the regulations governing the writing of Torah scrolls and the like was published in Bnei Brak (5763). A similar exposition also appears in Rabbi Abadi's recently published work, *Or Yizhak*, no. 53. Although the process is defended in *Ha-Emet ve-ha-Shalom*, the anonymous author states in his preface in bold type that "it is certainly clear to us that this thing should not be done, as has been ruled by R. Yosef Shalom Eliashiv." However, the tenor of the concluding section of the work and of Rabbi Abadi's responsum is quite different.

III. HALAKHIC OBJECTIONS

1. "Spilling" as Opposed to Writing

The textual locus of the primary objection—and ostensibly of the proposal itself—is the statement of the Gemara, *Gittin* 19a, presented in the context of procedures to be employed in drafting of a bill of divorce: "Witnesses who do not know how to sign, we tear a blank paper on their behalf and they fill the torn spaces with ink." Deuteronomy 24:1 provides that a husband desirous of divorcing his wife must "write her a bill of divorcement." The Gemara, *Gittin* 19a, cites a *beraita* containing two opinions with regard to the procedure to be followed in situations in which the witnesses do not know how to affix their signatures. One opinion rules that a non-durable substance should be employed to outline the letters of their signatures. The witnesses,

using those letters as guidelines, should write their names over that substance with ink. The second opinion maintains that “we tear a blank piece of paper on their behalf and they fill in the torn spaces with ink.”

Rashi presumes that the expression “we tear” (*mekar'in*) is not to be understood literally and that the term “paper” does not refer to a piece of paper superimposed upon the *get* itself. Rather, the reference is to the paper upon which the bill of divorce itself has been drafted and the “tearing” to which reference is made is, in actuality, a form of etching, i.e., letters forming the names of the witnesses are scratched into the paper and the illiterate witnesses append their signatures by drawing a pen over the indentations in the paper.

Rambam, *Hilkhot Geirushin* 1:23, rules that illiterate witnesses may be assisted by having others form the letters of the witnesses’ names with “spittle or something similar that does not make a durable impression” and allowing the witnesses to write over that substance. Rambam’s codification is followed by *Shulhan Arukh, Even ha-Ezer* 130:16 and *Hoshen Mishpat* 45:4. Rambam fails to record that “tearing” blank paper is also an acceptable expedient. If Rambam regarded the two talmudic opinions to be in conflict with one another and intentionally excluded the expedient of “tearing” a piece of paper it would follow that there is no basis for an assumption that a procedure involving tearing a piece of paper is a halakhically recognized form of writing. However, *Bet Yosef, Even ha-Ezer* 130, asserts that “tearing” blank paper is acceptable even according to Rambam. According to *Bet Yosef*, the two opinions recorded by the Gemara are complementary and Rambam simply recorded the expedient he regarded as representing the greater *novellum*.

Nevertheless, even assuming that “tearing” a piece of paper is an acceptable expedient, Rashi explains that “tearing” really means scratching the shape of the letters on the document in order to enable the witnesses to fill in the indentations. According to Rashi’s understanding of the text, there is no indication whatsoever that spilling ink over a stencil from which letters have been excised constitutes a halakhically acceptable form of writing.

Tosafot, however, challenge Rashi’s interpretation on the obvious grounds that the term “mekar'in” connotes actual tearing rather than etching. *Tosafot* cite Rabbenu Hannanel who explains the *beraita* literally: a piece of paper is employed to fashion a rudimentary stencil by cutting out letters and the witnesses then ink in the cut out spaces representing the letters of their names. That is also the understanding of

Rabbenu Nissim, Ritva and *Shiltei ha-Gibborim* in their respective commentaries, *ad locum*, as well as of Ramah cited by *Tur Shulhan Arukh, Even ha-Ezer* 130:16. *Tosafot ha-Rosh* further cites an objection raised by the Palestinian Talmud, *Gittin* 2:3. In order to prevent a challenge to the authenticity of the *get*, the signatures of the witnesses must be validated either by comparison of those signatures with already authenticated signatures or by testimony of witnesses who recognize the signatures. According to *Tosafot ha-Rosh's* interpretation of the relevant passage contained in the Palestinian Talmud, the Palestinian Talmud raises an extremely cogent objection: How can signatures be verified if they are not idiosyncratic but instead are stylized by means of a stencil? Such signatures, argues the Palestinian Talmud, will have the characteristics of the pattern prepared by the person who cut the stencil rather than of the witnesses. The Palestinian Talmud's response is that the witness must be mindful not to ink in the space in its entirety but to use the torn paper merely as a guide in forming the letters of their names with the result that there will indeed be a distinctive pattern to the manner in which the letters are formed.

Since *Tosafot, Gittin* 4a, declare that all regulations governing the "writing" of a *get* are attendant upon the signatures of a *get* as well, it might then be argued that filling in the cut out areas of a stencil or silk screen does constitute "writing" in the halakhic sense of the concept. Moreover, since there is no need for authentication of the handwriting of a Torah scroll, the cut out areas might also be inked in in their entirety. Nevertheless, filling in spaces on a stencil is readily distinguishable from simply passing ink over a stencil and allowing the blank spaces to absorb the ink. The former involves an act of "writing" in that each letter is individually formed by a series of acts entirely similar to those of conventional writing with the stencil merely serving as a guide; the latter involves only spilling ink without any need for an act designed to fashion letters or even for the intent to do so. That distinction is expressly formulated in the name of *Tosafot* both by *Hiddushei Ritva ha-Yeshanim* and Rabbenu Crescas who state that the expedient of a torn paper may be utilized "only in the manner of writing but not by spilling ink on the paper, for that is not 'writing.'"⁴ Rabbi Abadi, *Or Yizhak*, no. 53, sec. 3, however, insists that since the silk screen method requires application of pressure it is not to be equated with "spilling."⁵

Rabbi Gross suggests that the concept formulated by Ritva and Rabbenu Crescas is rooted in a discussion of the Palestinian Talmud, *Gittin* 2:3 and *Shabbat* 12:4. Citing the verse "and he shall write her a bill

of divorcement” (Deuteronomy 24:1) the Palestinian Talmud declares: “‘He shall write,’ but not gouge (*ve-lo ha-hokek*); ‘he shall write,’ but not drip (*ve-lo ha-matif*); ‘he shall write,’ but not spill (*ve-lo ha-shofekh*).” As an example of “but not spill,” the Palestinian Talmud describes a type of “invisible ink” employed by the wise men of Medenha. The ink of antiquity included a variety of components including an apparently colorless substance known as *mei afazim*. That ingredient used in isolation was the invisible ink of the “wise men of Medenha.” The recipient of a seemingly blank piece of paper would make the writing appear by pouring a specially prepared ink lacking *mei afazim* over the paper. Upon coming into contact with the *mei afazim* already imbedded in the paper, the letters originally formed by the invisible *mei afazim* became clearly legible.

The Palestinian Talmud declares that such a procedure does not constitute “writing.” Rabbi Abadi, *Or Yizhak*, no. 53, sec. 3, asserts that only a procedure of this nature is excluded by the exegetical declaration “but not spill.” That principle, he asserts, does not exclude “pushing” ink in order to form letters. Nevertheless, it seems evident that the rationale reflected in the comment of the Palestinian Talmud “but not drip” is that letters formed without direction, i.e., by merely dribbling a substance capable of arranging itself into words without the hand motions involved in normal writing, is not a form of “writing” for purposes of Halakhah.⁶ More fundamentally, the exclusion “but not spill” certainly seems to connote the pouring of ink in a manner that allows the ink to form itself into letters. The silk screen process certainly falls within that category.

2. “Dripping” As Opposed To Writing

The Palestinian Talmud further states that the exclusion “but not drip” also precludes forming letters by means of dots and adduces a controversy with regard to whether a bill of divorce containing letters originally formed by means of dots but later connected contiguously is valid.⁷ Ramban, *Gittin* 20a, followed by Rabbenu Crescas and Me’iri, rules that a Torah scroll written in that manner is unfit for use even though the dots are ultimately connected because “this is not writing.” *Pri Hadash*, *Even ha-Ezer* 125:4, rules that, in light of the unresolved talmudic controversy, the validity of a *get* drafted in such a manner must be regarded as matter of doubt.⁸

Rabbi Gross observes that the silk screen method does not really employ a stencil that allows the letter to be filled in on the underlying parchment in its entirety. Instead it utilizes a series of holes in the screen through which the ink drips onto the parchment. Contiguous letters are

the result of a bleeding process, i.e., a series of dots are formed and later merge into a complete letter. Rabbi Gross notes that, unlike *Korban ha-Edah* in his commentary to the Palestinian Talmud, *ad locum*, *Teshuvot Sho'el u-Meshiv, Mahadura Kamma*, III, no. 102, asserts that the Palestinian Talmud disqualifies the *get* only if the drops of ink were originally significantly distanced from one another but not if they are placed so close to one another as to appear in the guise of a letter. Nevertheless, Rabbi Gross maintains that even such letters are rendered acceptable only if the dots are connected by means of a pen but are unacceptable if the dots merge of their own accord to fill the page. Rabbi Abadi, *Or Yizhak*, no. 53, sec. 3, responds to that objection by contending that the silk screen method does not cause letters to be formed by means of bleeding which serves to connect tiny droplets of ink. Rather, he insists, although the ink penetrates between the strands of the silk screen drop by drop, the ink emerges onto the parchment, not as droplets, but as a complete letter.⁹

3. Not “In The Manner Of Writing”

In his rejection of the validity of the silk screen method, Rabbi Yosef does not focus upon the nature of the silk screen method as a process tantamount to connecting dots. Instead he cites *Teshuvot ha-Rashba ha-Meyuhasot le-Ramban*, no. 122, who states that the procedure described by the Palestinian Talmud results in an invalid *get* because “we require that [the scribe] write in the manner of those who write”¹⁰ and concludes that, *a fortiori*, the silk screen method is unacceptable “for after he drips the ink he does not perform an act of writing or of moving a pen.” In effect, Rabbi Yosef categorizes the forming of letters by means of droplets of ink as not being “in the manner of writing.” Unlike Rabbi Abadi, Rabbi Yosef does not regard the pushing of a squeegee to be comparable to maneuvering a pen.

Rabbi Gross advances an even more basic consideration to disqualify the silk screen process on the grounds that it is “not in the manner of writing.” Torah scrolls, *tefillin*, *mezuzot* etc. must be written “in the manner of writing” (*derekh ketivah*). For that reason, *Shulhan Arukh, Orach Hayyim* 32:5, cites authorities who rule that if a right-handed individual writes *tefillin* with his left hand they are unfit for use.¹¹ In “writing,” letters are formed by discrete hand motions that give shape to the letters. In silk screening, the motions of the hand do not give the letters their distinct shape; rather, the shape is an indirect result that arises from the presence of the stencil.

In addition, R. Moshe Sofer, *Teshuvot Hatam Sofer*, VI, no. 29, s.v. *ma-she-katav ma'alato*, declares that speedwriting executed by invoking supernatural powers is no different from writing with the left hand, i.e., it is not “in the manner of writing.” Accordingly, argues Rabbi Gross, the rapid manner in which silk screen writing is performed is not “in the manner of writing.” However, it should be noted that in discussing the halakhic status of a printing press, R. Abraham I. Kook, *Da'at Kohlen*, no. 160, endeavors to demonstrate that, for purposes of Sabbath strictures, simultaneous writing of multiple letters constitutes a capital transgression.¹² Consequently, *Da'at Kohlen* regards simultaneous formation of multiple letters to be “in the manner of writing.” Moreover, as Rabbi Abadi, *Or Yizhak*, no 53, sec. 1, notes, the Gemara, *Yoma* 38b, describes a process employed to write four letters simultaneously. *Teshuvot R. Mosheh Provençal* declares explicitly that there is no obligation to form letters individually or to write every word separately. The process described by *Hatam Sofer* is readily distinguishable from the simultaneous writing described in that source and in *Da'at Kohlen* in that the process described by *Hatam Sofer* involved harnessing supernatural powers. It is readily understandable that utilization of supernatural powers is not “in the manner of writing” and, moreover, it may be argued that writing effected by means of such powers is not to be deemed the product of a human act.

Rabbi Gross also suggests that for the procedure to be carried out “in the manner of writing,” it is necessary for the writing implement to come into direct contact with the paper or parchment being written upon. Silk screening involves the interposition of a screen between the squeegee and the parchment and hence, contends Rabbi Gross, the process may not be consistent with “the manner of writing.”

4. *Hok Tokhot* (Gouging)

Another objection to the silk screen process is based upon analysis of the rule that excludes whittling from the category of “writing.” The Gemara, *Gittin* 20a, cites the verse “and he shall write” as excluding gouging in the form of whittling a substance so that letters appear in relief (*hok tokhot*). Of course, pouring ink upon a stencil in silk screening is quite different from whittling. Nevertheless it may be argued that the rationale underlying the exclusion of whittling is equally applicable to the silk screen process. Rashi explains that whittling is not a form of “writing” because the whittler “did not form the letters.” *Tosafot, Sanhedrin* 21b, similarly explain that in the process of whittling “the

writing appears of its own.” Me’iri, in his *Kiryat Sefer, ma’amar bet*, part 2, s.v. *ve-af*, is even more explicit in explaining that the exclusion is predicated upon the consideration that such a procedure does not constitute writing “for he did not perform an act upon the letters themselves and the basic writing is made of itself.” One who forces ink over a silk screen certainly has not shaped or formed the letters and hence by performing an act “upon the letters themselves” the resultant writing can accurately be described as having come about “of itself” in that it is produced by the screen rather than by the writer. Indeed, as Rabbi Gross points out, whittling does involve acts that shape the letter but is unsatisfactory because those acts are performed in a manner that is external to the letter itself. The silk screen process is even further removed from the category of “writing,” contends Rabbi Gross, by virtue of the fact that, in pressing ink upon the screen, the human hand performs no act with regard to the actual shaping of the letters.¹³

5. The Divine Names

Another problem with regard to the silk screen process is the writing of the many occurrences of the Divine Name. *Shulhan Arukh, Orach Hayyim* 32:19 and *Yoreh De’ah* 276:2, records the rule that the Divine Name, in each of its occurrences, must be written explicitly “for the purpose of the sanctity of the Divine Name” (*le-shem kedushat ha-Shem*). Many authorities, including, *inter alia*, *Bnei Yonah* 276:2; *Divrei Hamudot, Halakhot Ketanot, Hilkhhot Sefer Torah* 4:11; *Ma’adanei Yom Tov, Halakhot Ketanot, Hilkhhot Sefer Torah* 4:5; *Eliyahu Rabbah* 32:36; *Teshuvot Bet Shlomoh, Yoreh De’ah*, II, no. 163; *Teshuvot Dvar Shmu’el*, no. 76; *Melekheth Shamayim*, no. 5; *Birkei Yosef, Yoreh De’ah* 276:3; *Bet Aharon*, no. 12; *Teshuvot Maharam Shik, Yoreh De’ah*, no. 276; *Kol Ya’akov, Yoreh De’ah* 274:4; R. Yitzchak Dov Bamberger, *Melekheth Shamayim, Binah* 9:3; and *Hazon Ish, Orach Hayyim* 6:13, maintain that such sanctification must be performed verbally prior to the writing of each and every Divine Name.

However, *Taz, Yoreh De’ah* 274:1, rules that at least *post factum*, such sanctification is necessary only at the beginning of each writing session.¹⁴ *Taz*’ position is itself the subject of differing interpretations. Some authorities, including *inter alia*, *Bnei Yonah* 276:2, *Teshuvot Bet Shlomoh, Yoreh De’ah*, II, no. 163, *Be’er Heitev, Yoreh De’ah* 276:2; *Teshuvot Maharam Shik, Yoreh De’ah*, no. 276; *Teshuvot Zera Emet*, I, *Orach Hayyim*, no. 6; *Emek She’elah, Yoreh De’ah*, no. 77; and *Pithei Teshuvah, Yoreh De’ah* 276:1, maintain that, although according to *Taz*,

a single verbal declaration is sufficient, it is nevertheless necessary for the scribe to sanctify the Divine Name mentally in the course of his writing prior to each of its occurrences.

However, *Pri Megadim*, *Eshel Avraham* 32:32, followed by *Teshuvot Avnei Nezer*, *Yoreh De'ah*, no. 359, sec. 1 and no. 374, sec. 3 and *Keset ha-Sofer*, *Lishkat ha-Sofer* 11:26 as well as by *Mishnah Berurah* 32:96, understands *Taz'* position to be that, *post factum*, even absence of subsequent mental sanctification does not invalidate the Divine Name. *Mishnah Berurah*, 32:19, *Bi'ur Halakhah*, s.v. *be-tehilah*, rules that *Taz'* position may be relied upon only in cases of doubt with regard to whether the scribe verbally sanctified a particular Divine Name.¹⁵ *Kol Ya'akov* 274:4 asserts that the majority of authorities reject *Taz'* position.¹⁶

Rabbi Gross takes it for granted that, according to those who reject *Taz'* position and require sanctification of each Divine Name individually, use of the silk screen process cannot be contemplated. However, *Teshuvot Ma'aset Binyamin*, no. 99, cogently asserts that multiple Divine Names may be written consecutively with a single sanctification. *Maharik*, *Yoreh De'ah*, no. 277, and *Teshuvot Devar Shmu'el*, no. 76, similarly seem to maintain that a number of Divine Names may be written with a single sanctification provided there is no interruption in the writing. *Melekheth Shamayim*, *Binah* 9:3, also emphasizes that, when there is no interruption, a single sanctification is sufficient. Similarly, *Binat Sofer* 1:1 declares that use of a printing press cannot be proscribed for that reason because "even if there are many Divine Names it is possible to sanctify them at one time." If so, the use of a squeegee to produce an entire column may well be regarded as no different from consecutive writing of multiple Divine Names. Nevertheless, R. Ovadiah Yosef, *Yehaveh Da'at*, VI, no. 57, rules that printing methods are invalid because of the requirement that each occurrence of the Divine Name must be sanctified separately.¹⁷ A similar view was earlier advanced by *Bnei Yonah*.¹⁸

Rabbi Gross further argues that, as noted by numerous authorities, including *Bi'ur ha-Gra*, *Orah Hayyim* 32:19; *Pithei Teshuvah*, *Yoreh De'ah* 276:9; and *Teshuvot Avnei Nezer*, *Yoreh De'ah*, no. 359, secs.1-3, the scribe must at least be cognizant of the fact that he is transcribing the Divine Name.¹⁹ Rabbi Gross regards that requirement to be incapable of fulfillment in conjunction with employment of the silk screen method presumably because the requisite mental act is marred by virtue of the fact that the person applying the ink is also cognizant of the

other words that he is forming. Rabbi Abadi, *Or Yizhak*, no. 53, sec. 5, asserts that awareness of the fact that other words are being formed simultaneously does not interfere with cognizance of the writing of the Divine Name.

Another consideration with regard to the writing of Divine Names is the issue of the order in which the letters of the Divine Name must be formed. R. Abraham ben Mordecai Ha-Levi, *Teshuvot Ginat Veradim, Orah Hayyim, klal 2*, nos. 10 and 12, asserts that the letters of the Divine Name must be written in consecutive order.²⁰ That is also the position of *Teshuvot Noda bi-Yehudah, Mahadura Tinyana, Yoreh De'ah*, no. 74 and supporting evidence is advanced by *Minhat Hinnukh*, no. 436. *Teshuvah me-Ahavah*, III, no. 391, similarly remarks that the letters of the Divine Name "must certainly be written consecutively." That also seems to be view of the *Zohar, Va-Yikra* 11b. Nevertheless, the position that the letters of the Divine Name must be written consecutively is refuted by *Teshuvot Avnei Nezer, Yoreh De'ah*, no. 30, and, as demonstrated by *Teshuvot Yabi'a Omer*, III, *Yoreh De'ah*, no. 14, is contradicted by numerous other authorities.²¹ In any event, in employment of the silk screen method, ink is spread across each column from right to left with the result that the letters of each Divine Name are indeed produced in consecutive order.

6. Copying from an Existing Scroll

Based upon a statement of the Gemara, *Megillah* 18b, *Shulhan Arukh, Yoreh De'ah* 274:2, rules that a Torah scroll cannot be written from memory but must be copied from an already existing Torah scroll. Rabbi Gross endeavors to demonstrate that this requirement is not based upon the fear that a fallible memory may lead to inadvertent scribal error but is an intrinsic procedural rule.²² R. Jonah Landsopher, *Bnei Yonah* (Prague, 5562), no. 271, *Pilpul Arukh*, p. 14a, observes that the Palestinian Talmud, *Megillah* 4:1, reports that Rabbi Meir wrote a *megillah* from memory and then copied a second *megillah* from it. Thereupon, Rabbi Meir secreted the first *megillah* and used the second for the reading of the *megillah*. Assuredly, the first *megillah* was free of error, else it could not have been used as a master copy for purposes of copying the second.²³ Nevertheless, the first *megillah* was not useable because it had not been copied from an already existing *megillah*.²⁴ Similarly, argues Rabbi Gross, scrolls produced by a silk screen process are not acceptable because they have not been copied from existing scrolls. A similar objection was earlier advanced by R.

Ben-Zion Meir Chai Uziel, *Piskei Uzi'el*, no. 31, with regard to use of a printing press for such purposes.

Rabbi Gross' argument is, however, subject to challenge. It is quite correct that subsequent proofreading does not retroactively validate a scroll written from memory. Nevertheless, it is not at all clear that, other than being an uncorrupted text, the scroll used as a master copy need necessarily be written in conformity with all halakhic requirements. Proof: As is evident from the anecdote concerning R. Meir, a *megillah* may be used as a master copy even if it itself was not copied from another scroll. Thus, for example, it is possible that a scroll written by a minor, although itself invalid, might nevertheless be used for purposes of copying.²⁵ If so, the stencil used in the silk screen process may perhaps be regarded as the master scroll and the scroll produced from it may perhaps be regarded as functionally "copied" from the screen.²⁶

7. Vocalization Prior To Writing

As recorded by *Shulhan Arukh*, *Yoreh De'ah* 274:2, there is also a requirement that the scribe pronounce each word before committing it to writing. However, both *Rashi* and *Tosafot*, *Menahot* 30a, as well as numerous other early authorities indicate that vocalization is necessary only in order to prevent scribal error. That consideration certainly is not germane with regard to the silk screen process. However, *Bah*, *Orah Hayyim* 32:15, states that vocalization is mandated in order to cause the sanctity of the spoken work to become attached to the written letters. Although *Bah*'s position is cited by *Shiyarei Knesset ha-Gedolah*, *Hiddushei Bet Yosef*, *Orah Hayyim* 32:20, and by a number of other latter-day authorities, the weight of opinion is not in accordance with his view. Nevertheless, citing *Bah*, *Mishnah Berurah* 32:36 rules that if the scribe does not vocalize the words prior to writing them the scroll can be regarded as valid only *post factum*. Rabbi Abadi, *Or Yizhak*, no. 53, sec. 7, concedes that the silk screen method is not compatible with the requirement for vocalization as understood by *Bah*.²⁷

IV. CONCLUSION

The silk screen method is certainly subject to challenge on the basis of its inherent incompatibility with a number of considerations:

1. The position of *Bah*, who maintains that each word must be vocalized before writing even when there is no chance of scribal error;

2. The view of the authorities who maintain that each word must be copied from an existing text and that an error-free "master text" is not sufficient for this purpose.
3. The view of the authorities who maintain that multiple Divine Names cannot be sanctified even simultaneously;
4. *Iggeret Mosheh's*²⁸ view that any method in which *sirtut* serves no purpose is disqualified;
5. The view of *Teshuvot Zera Avraham*, *She'ilat David*, *Da'at Kohen* and *Piskei Uzi'el*²⁹ that the printing press is not acceptable because "it is not in the manner of writing."
6. The kabbalistic view expressed by Ari³⁰ regarding the particular form of writing that governs the manner in which the writing of each letter is begun.

Nevertheless, a competent rabbinic decisor might, with justification, conclude that those are minority views and consequently rely upon the weight of authority in ignoring such concerns. The crucial consideration is whether or not the silk screen method constitutes either "spilling" or "dripping" and hence is ruled invalid by the Palestinian Talmud. Since the validity of Torah scrolls, *tefillin* and *mezuzot* is a matter of biblical law, any doubt, if there is indeed such doubt, must be resolved in the negative. Thus, it would be necessary either to adduce strong precedent in support of the validity of a method similar to the silk screen process or to advance a compelling logical distinction between that method and the processes described by the Palestinian Talmud. In this writer's opinion, the requisite demonstration has not been forthcoming.

NOTES

1. See *infra*, note 9.
2. The description of the process presented in these sources is probably somewhat inaccurate. The usual form of silk screening as described in the literature employs a stencil placed over the screen. The screen itself bears no letter or design. The ink is then applied to the stencil and penetrates the exposed portion of the screen. Rabbi Abadi himself, in his recently published *Or Yizhak*, *Yoreh De'ah*, no. 53, indicates that the process utilizes a plastic stencil with letters formed by small, closely-placed holes.

Although unmentioned in these sources but duly noted by Rabbi Abadi in his *Or Yizhak*, the parchment used in this process is scored in the proper

