

HALOCHOSCOPE

This week's question:

The ornate frame around a micrography picture of a *Sefer of Tanach* is falling apart. The picture is of *Shlomo Hamelech* and the 'two women'. The *Sefer* is *Melachim*. Must the frame be repaired if possible, or may it be discarded?

The issues:

- A) The sanctity of the picture
- B) The sanctity of the frame
- C) *Hidur* and *bizuy mitzvah*, beautifying or disgracing a *mitzvah* object

A) The sanctity of the picture

The picture contains the words of a *sefer* that in its own right has *kedusha*. However, the current form of the *sefer* is hard to use for the original purpose that it was recorded, to learn from it. Micrography is more an expression of art and precision than for use. This raises two issues. First, is it appropriate to use the words of Scripture or, for that matter, of any sacred work, for this purpose? Is this not using the Torah for a motive other than its intended use? Should a picture like this be on display? Second, does this affect whether the picture has sanctity in the first place?

Micrography is generally thought to be exclusively Jewish. It has been practiced for centuries. *Sofrim*, scribes, used it to decorate holy works, inscribing names, verses, Talmudic sayings and the like in borders and designs. It stems from the idea of *hidur mitzvah*, beautifying a *mitzvah* article. The concept of writing a sacred text into a picture, though it will not be used to study or pray from, is raised in connection with various customs. The best known of these is the '*shivisi*'. This is often a picture of a menorah with the words of a chapter of *Tehilim* written through it. It is placed at the *amud*, where the *chazan* stands, inside the *aron hakodesh*, or in *sidurim*. Other examples include embroidered covers for holy items, *talaisim* with *brochos* on them, *sukah* decorations and children's texts. The issues include the possibility of *bizayon*, the text being treated disrespectfully, and the permissibility of writing an incomplete part of the Scriptures. Even in Talmudic times, things were written on items that were not used for study, such as on a vessel. In the case of micrography, this was taken to a new level.

First and foremost, there is a *mitzvah* to honor the Torah and other sacred works. There is also a *mitzvah* to beautify them, and not to disgrace them. These all apply to actions and to items. One must act in accordance with honoring them and in accordance with beautifying them. One may not dishonor them in action. Our discussion focuses primarily on how one must treat them as items.

The issue of *bizayon* is dealt with by the Talmud. It is Scripturally forbidden to erase the Name of Hashem or to destroy a holy item. At one point, the Name of Hashem was written into mundane documents. After use, these would be discarded in an undignified

manner, bringing the Name of Hashem to disgrace. The Sages were able to abolish the practice, and designated the anniversary of the date as a holiday. This shows how serious the matter was taken. From this we learn about using Names of Hashem in friendly letters and on other items that are not specifically dedicated for *mitzvos*. Another passage describes those who write out *tefilos* and *brochos* as those who destroy the Name of Hashem. If a fire would break out on *Shabbos*, sacred writings may be rescued, even if it means carrying them to a place that was normally outside the same domain. In those days, prayers were not meant to be recorded. Therefore, the written papers were not considered holy enough to be rescued from a fire on *Shabbos*. The fact that they could be left to be destroyed was enough to forbid writing them out in the first place. When a Name of Hashem was written out, it had to be protected.

A second issue arises, that is connected by some to *hidur mitzvah*, or the prevention of *bizayon*. One may not write a verse of Scripture, even to quote for Torah study purposes, unless the paper is scored first. Usually one's hand is not steady enough to write it in a straight line. Thus, when writing verses, especially for decorative purposes, one must be sure to fulfill this requirement. This should not affect micrography. In fact, the entire art is based on drawing the words into a beautiful design. However, the basis of the requirement could be to write the words in a straight line, rather than just for beauty. It is also forbidden leaving a *sefer* open and revealed, unattended. It must be covered when not in use. A picture obviously cannot fulfill this requirement.

The Talmud debates whether the Torah was given in one large document, or whether it was given in installments. Based, in part, on this debate, the Talmud discusses the permissibility of writing incomplete sections of the Scriptures. In one view, that is generally followed, one may not write an incomplete book of Scripture. It is only permitted for the passages required to be written in their own right, such as a *mezuzah* or *tefillin*. One may cite part of a verse in the course of a letter needed to be written for Torah study. The Talmud also discusses providing for writing out small passages for children to study from.

Nowadays, we write out and print *sidurim*, *sefarim* of the Oral Torah and pamphlets. We also regularly cite words of Scripture in correspondence, using acronyms of Hashem's Name. Verses and passages are used for decorative purposes. While many of these practices are shunned by the poskim, some of them are permitted based on the verse 'it is time to do for Hashem' (*Tehilim 119*). To facilitate the fulfillment of the Torah we are allowed to disregard the otherwise improper use of Hashem's name and the Scripture. Presumably, those who initiated the practice of using the words for decorative purposes had in mind that this would be considered a form of beautifying the *mitzvah*. One source for *hidur mitzvah* is the verse 'all of the fattest for Hashem'. Another is a reference to 'beautifying my G-d'. Accordingly, one could make the case for writing the Name of Hashem or a verse in its own right.

Nonetheless, even the acceptable practices such as the menorah with *Lamenatzaiach* [based on the tradition that this is what was written and drawn on the shield of *David Hamelech*, and that he read from it for victory] is condemned when it leads to the paper being treated disrespectfully. The newer innovations, such as verses or blessings on *tal-laisim* or *challah* covers are found more objectionable. These items could be taken to undignified places or washed out. *Sukah* decorations have become accepted, though not

without dissent. The same seems to apply to posters to decorate children's rooms. Nonetheless, care must be taken to avoid disrespectful behavior in their presence.

Micrography is intricately beautiful. When used around a border it enhances the item of the *mitzvah*. When used for the actual verses of the text, it enhances the beauty of the text. It would not qualify as a valid version of the *sefer* for public reading. It would have the status of a printed work. However, it seems to be made for beauty alone. While it is praiseworthy in comparison to plain pictures, it is hard to find justification for using sacred texts for this. The basis seems to be the use of verses for their poetic or catchy language. In addition, we may assume that one could also use the text if he wanted to, as is the case with the *menora* prayer. He would need to turn the picture on its side half the time, and the words are very small. In addition, there is the decorative value of the item. As for exposure, this might only apply when the item is being disrespected by it. Here it is actually being used to honor the Torah. In any event, once the micrography is written it seems to have the type of *kedusha* that requires respect, as we see the concern raised about the pictures. There is a view that tiny passages printed decoratively on Israeli banknotes that were never meant to be studied have no *kedusha*, though they should never have been used for this. However, in our case, they are hand-written with express intent to serve as some form of specially holy decoration. [See *Brochos* 54a, *Shabbos* 22a 40b 61b 115a-116b 120b 133b, *Eruvin* 98a, *Rosh Hashanah* 18b, *Sukah* 9a, *Gitin* 6b 60a-b, *Poskim*. *Tur Sh. Ar. OC* 1:1 45:1 84-85 90:23 638:2, *YD* 276:9 13 277 282 283(esp. :4) 284, commentaries. *Lishkas Hasofer* 11:28.]

B) The Frame

The level of *kedusha* of the text would indicate the level of *kedusha* of the frame. If the text were a real handwritten *sefer*, its coverings and, presumably its adornments and frames, would have the *kedusha* of *tashmishei kedusha*. If it would be a printed text used for study, some consider it *kedusha atzma*, the highest level of *kedusha*. Most consider it on the level of either *tashmishei kedusha* or *tashmishei mitzvah*. The frame would then have a level of *tashmish detashmish*, that is only present during use as a sacred item. If it is not meant to be learned from, it is clearly no more than a *mitzvah* of beautifying Hashem. Despite the presence of Names of Hashem on the picture, the intent of the scribe was not to sanctify it as a holy scripture. The frame would then have the same level of *kedusha*. Clearly, the ornate frame was chosen, and probably specially made to serve this purpose. While on the picture, it is dedicated to the *mitzvah*. It may not be used for other uses. If it was dedicated to this *mitzvah*, it may not be taken off this picture and used for other pictures. [Same references as section A]

C) *Hidur* and *Bizuy Mitzvah*

How much effort must be made to restore the frame? Is it preferable to replace it with a newer frame? Here the issue is whether, when a *mitzvah* item is worn out, it is a worse form of *bizuy mitzvah* to continue using it for the *mitzvah* or to discard it. Likewise, is the *hidur mitzvah* of a newer frame sufficient to override the lack of it on the older frame? Or is the older frame already sacred enough to warrant its restoration? Is it even preferable to just keep the frame as it is rather than make a newer one?

If and when it is removed from the picture, does it still have any *kedusha*? Some *tashmishei mitzvah* lose their status after they are removed from their service of the *mitz-*

vah. Some may be removed automatically after having served a purpose, such as *sukah* decorations after *sukos*. They were only placed there for the duration of *sukos*, when the *sukah* was serving as a *mitzvah* item. Before the end of *sukos*, they may not be used for another use. One may stipulate before placing them there that he wants to be able to remove them, if, for example, they are foods that he wishes to eat. There is a question whether the remaining oil from a *chanukah* lamp that burned for the minimum time and was then extinguished is considered dedicated for the *mitzvah* and forbidden to be used for anything else. On the other hand when *tzitzis* strings are removed from a garment, both lose their *kedusha*. Nonetheless, the poskim debate whether they may be disposed of in the usual manner. One who acts stringently is praiseworthy.

We could compare this case to replacing *tzitzis* or a *talis*. The Talmud debates whether one may move *tzitzis* from one garment to another. The *tzitzis* will still be used for a *mitzvah*, but the *talis* will lose its *mitzvah* usage. We follow the lenient ruling. If the *tzitzis* will not be used again, it is forbidden. The same applies to removing a *mezuza* from a door, even after moving out of the room. However, one may replace worn out *tzitzis* with new ones, and certainly a worn out *talis* with a new one. In our case, assuming that the picture has no inherent *kedusha*, the frame is serving as *tashmish* of the picture. This is similar to the level of the garment relative to the *tzitzis* or the *mezuza* relative to the door. It would then depend on how bad the condition of the frame is, and whether when it is repaired it would surpass the newer frame in its *hidur*. While *tzitzis* or garments get worn out, a stationary picture frame should be possible to restore.

In summary, one would need to get an expert's opinion on whether the frame could be restored properly. If it can be restored, but the expert does not think it would 'pay', one must determine why. If it is because it would cost more, this is not sufficient reason to dispose of the beautiful old frame. If it is because the wood has lost its capacity for repair, one must obviously replace it. The frame should be treated with respect when it is discarded. One should not place it in the garbage together with everything else. If it has any use for another *mitzvah*, it should be put to that use. If the picture is deemed *tashmish* *kedusha* because it can be used to learn from, the frame has a higher level of *kedusha*. It should be put away in *geniza*, with other *shaimos*. [Note: the frame should be examined closely. It is possible that verses were etched into the frame as well. This is not uncommon in such cases.] [See Shabbos 22a, Sukah 9a, Megilah 26b, Baba Metzia 102a, Menachos 41b, Poskim. Tur Sh. Ar. OC 15:1 21 154:3 etc., YD 282:10-16, commentaries. Tzedaka Umishpat 15:7-16 etc. 33-34, 16:29.]

On the Parsha ... [Yosef] fell on the neck of his father and wept on his neck ... [46:29] [Rashi] Ramban asks, it does not seem respectful for Yosef to fall on his father's neck and weep! He should have bowed down! Rather, it means Yaakov fell on Yosef's neck and wept. Perhaps we could answer that in this circumstance, Yosef's weeping on his father's neck was actually an enhanced manifestation of respect. Respect can be relative. Yosef was a king, and could stand on his own dignity. Even so, he fell on his father's neck to weep. [See *Gur Aryeh*]

♫ Sponsored by 'your name here'. ♫

© Rabbi Shimon Silver, December 2007.

Subscriptions and Sponsorships available. (412) 421-0508. halochoscope@hotmail.com