

TALMUDIC METHODOLOGY
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**Shiur #09: Defining the Prohibition of *Kotev* – The Act of Writing
(Part 2)**

In the [previous shiur](#), we explored the definition of *kotev* and whether pure manufacturing of letters is forbidden. To the degree that the prohibition consists of conveying information, even non-formal letters would be prohibited, as long as meaningful and coherent content is conveyed. In this *shiur*, we will explore the mechanics of the act of writing and what type of activities are forbidden.

The *mishna* (104) exempts the process of “*ketav al gavei ketav*,” wherein text already exists and a second layer is written on top; this type of writing would not be forbidden on Shabbat. This reflects the position of the *Chakhamim* (*Gittin* 19a), who dispute R. Yehuda’s claim that in general, *ketav al gavei ketav* is considered a halakhic act of writing. According to R. Yehuda *ketav al gavei ketav* would be forbidden on Shabbat; the *mishna* reflects this opinion of *Chakhamim*. However, a minority opinion (R. Acha bar Yaakov) suggests that even the *Chakhamim* consider *ketav al gavei ketav* as halakhic writing (and they invalidate *ketav al gavei ketav* for a *sefer Torah* for other reasons). If everyone agrees that *ketav al gavei ketav* is considered halakhic writing, why is it not forbidden on Shabbat – as the *mishna* so clearly asserts?

The Ramban in *Gittin* (19a) tackles this question and asserts that *kotev* is only violated if a higher and conventional grade of writing is performed. Indeed, *ketav al gavei ketav* would entail a baseline halakhic act of writing. However, *kotev* is only violated if **creative** writing is performed. Second layer overlays are not creative acts of writing and therefore are not included within the prohibition of *kotev*. Presumably, the Ramban maintains that the *melakha* of *kotev* entails **crafting** letters. Only highly creative operations of crafting letters are forbidden; tracing a second layer on top of a previously inscribed layer is not creative enough to be forbidden. If the *melakha* of *kotev* entailed the conveyance of information, **any** halakhic act of writing should be prohibited as long as meaningful content is conveyed.

By stark contrast, the Ran suggests that even subpar forms of writing are forbidden on Shabbat. The *gemara* (*Shabbat* 104b) prohibits a situation of removing the roof of a letter *chet* to yield two letters of *zayin*; since the process has yielded two letters, *kotev* has been violated. Many *Rishonim* question this application of *kotev*, as removing ink and yielding letters is not general considered a halakhic act of writing, but is rather referred to as “*chok tochos*.” For example, a person crafting a *get* or writing a *sefer Torah* cannot

merely erase ink and allow letters to emerge from non-erased areas of ink. Isn't erasing the roof of a *chet* to yield two *zayins* an example of adding through subtraction, which should thus be permissible on Shabbat? The Ran acknowledges that the roof removal would not be considered a formal act of writing; since it is erasure *chok tochos*; despite this deficiency, he argues that the *melakha* of *kotev* has been violated. Any **process** of producing letters constitutes a violation of *kotev*, even without a generally recognized halakhic act of writing. By so dramatically reducing the standard of the formal act of writing, the Ran may be emphasizing **communication** of content as the core of the *kotev* violation. Communication is effected even with subpar forms of writing.

It appears as though the Ran and the Ramban debate the need for a formal act of writing for *kotev* violations. The Ramban requires a surpassing form of writing, and he therefore disqualifies *ketav al gavei ketav*. By contrast, the Ran prohibits ink removal that yields letters, even though typically erasure cannot be considered an act of writing, because this process leads to communication of content, and thus a violation of *kotev*.

A third issue relates to writing with the weaker hand. The *gemara* (103a) claims that employing the weaker hand to write is not prohibited. Once again, the simple reading suggests that the *melakha* of *kotev* entails crafting of letters; if this craftsmanship is performed in a clumsy or awkward manner, the *melakha* has not been violated. If by contrast *kotev* prohibits the conveyance of information, **any** cogent writing should be sufficient, even if performed in a non-conventional manner. If *kotev* consists of communication even left-handed writing should be prohibited.

The *Sefer Ha-Teruma* extrapolates that left-handed writing is not considered halakhic writing even for *get* composition or drafting a *sefer Torah*. Even though the resultant text may be comprehensible, the mechanics are inelegant, and thus no *ketiva* has occurred. If this is true and left-handed *ketiva* is not generally considered an act of writing, the permissibility of left-handed writing on Shabbat can be understood regardless of the nature of the *melakha* of *kotev*. Even if the *melakha* is defined as rendering content, it still must be performed with a basic act of writing. If left-handed writing is subpar (evidently even less halakhically meaningful than erasure-based writing), *kotev* will not be violated.