

TALMUDIC METHODOLOGY
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Shiur #08: Defining the Prohibition of *Kotev* – Writing
Part 1

The *mishna* (73a) lists writing (*kotev*) as one of the prohibited *melakhot* of Shabbat. On a basic level, we might assume that the *melakha* consists of forming letters with ink or other forms of inscription material. However, several indicators suggest that the *melakha* is defined slightly differently.

The *mishna* lists two letters as the requisite *shiur* to violate the *melakha* of *kotev*. When considering the various options of two letters, the *gemara* (103a-b) lists several opinions, including disputes regarding the permissibility of writing two repetitive letters. At face value, it seems that all opinions agree that writing repetitive letters which convey absolutely no meaning – for example, writing the letter *alef* twice in succession – does not constitute *kotev*. Rashi, however, claims that the *Tana Kamma* of the original *mishna* (103a) would in fact prohibit two repetitive letters without meaning. Presumably, he would claim that *kotev* is defined in a classic sense – simply crafting letters. It therefore makes little difference whether the letters convey meaning or coherent ideas.

By contrast, most of the *Tanna'im*, who permit that repetitive letters with no meaning, may assert that *kotev* is defined as **communication** via text. Two letters without content provide absolutely no communication, and cannot be prohibited. In fact, the Yerushalmi cites a position that even writing two **different** letters that provide no coherent content would not violate *kotev*. Evidently, *kotev* is not defined as merely crafting calligraphy, but rather as communication through text, and in the absence of content, no communication has occurred.

Defining *kotev* as communication may yield some interesting **expansions** of the prohibition. For example, R. Hai Gaon (cited by the Rashba (103a)) claims that writing two letter-like **symbols** would violate *kotev*. He cites an example of upside down *nuns*, which are employed in *Parashat Beha'alotekha* to cordon off a minuscule *parasha*. Although these forms aren't classic letters, they do convey text-related information (similar to the function of parentheses), and are prohibited – assuming that *kotev* prohibits conveying information.

In fact, the *mishna* (103a) cites an interesting minority opinion of R. Yossi, who defines the prohibition as “*roshem*” and prohibits the crafting of lines and sketches. In the *Mishkan*, these lines were used to denote the

sequencing of the wooden beams which formed the skeleton of the edifice. By prohibiting markings – even if they are not in any way related to formal language – R. Yossi forbids **any** conveyance of information. Of course, the *Chakhamim* disagree and require actual language (or letter-related forms, as in the case of the upside down *nuns* noted by R. Hai Gaon), but they may also define *kotev* as conveyance of information. However, in their view, without **actual** letters, the conveyance is too vague and too dependent upon the interpretation of the recipient, and therefore not a direct enough communication to violate *kotev*. In fact the *mishna* (104b) cites a different dispute between the *Chakhamim* and R. Yehoshua ben Beteira about *nutrikin*, conjugated words. Indeed, R. Yehoshua prohibited this because it both contains content and the requisite two letters to entail a *kotev* violation. Presumably, the *Chakhamim* reject this as a *kotev* violation because the conveyance of information – although letter-based – is still too vague, and therefore indirect. Inasmuch as the conjugated words must be properly interpreted by the recipient or reader, this cannot be considered direct communication through text.

Based on similar logic, any letters that **do** convey coherent information may entail a *kotev* violation even if they aren't crafted in a classic fashion. The *gemara* cites the case of someone who wrote one letter on the painted gate of one city and the second letter on the painted gates of a different proximate but non-contiguous city (according to R. Hai Gaon's explanation of the scenario). Since the onlooker knows to associate the two letters and read them as one, *kotev* has been violated even though the two letters were not actually written in adjacency – a condition that is typically required to violate *kotev*. Evidently, proximity per se isn't necessary; it is simply typically required to assure **readability** and comprehensibility. When the letters can be read in sequence even at a distance, *kotev* has been violated.

By contrast, an interesting statement of the Ra'avya (cited by the Ohr Zarua, *Shabbat* ch. 76) limiting *kotev* to two unique languages may indicate that the *melakha* is more formally defined as crafting letters. The Ra'avya limits the prohibition on Shabbat to writing in Hebrew or Greek. *Chazal* had a respect for the linguistic integrity of the Greek language and afforded it alone (along with Hebrew) the status of "High Language" (see *Megilla* 8b regarding writing Scripture in Greek or Hebrew). The conveyance of **content** would be effective in any number of languages; by limiting the prohibition to two formal "languages," the Ra'avya clearly defines the *melakha* as an act of crafting letters – and only letters from "high languages" are prohibited.

A similar "formal" limitation which may indicate that crafting letters, rather than communication, is prohibited can be discerned in the *gemara* (103b) that discusses substituting "end" letters with regular letters. If a person wrote a word that should end with a *mem sofit* and instead wrote a standard *mem*, would he violate *kotev*? The *gemara* **appears** to link this question to a general issue as to whether end letters and regular letters are indeed the same letter. If Halacha treats them as different (for example, when writing a *sefer Torah*), they would also be considered different regarding Shabbat violation. This is quite strange if *kotev* is defined merely as conveyance of

information. Why should formal differences between letters thwart the communication of information through text?

In fact, the Rambam appears to disassociate the two issues. Even if the letters are considered distinct for general purposes, Shabbat would still be violated by swapping an end letter and a standard letter. However, the simple reading of the *gemara* **does** suggest that such an exchange would not be prohibited. Presumably, this implies that the *melakha* is defined in very formal terms of writing letters and words. Since the word must conclude with an end letter and instead was concluded with a regular letter, no violation has occurred, even though the reader can clearly comprehend the meaning.