**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**TALMUDIC METHODOLOGY**

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**Shiur #24: The Letters of *Tefillin***

The *gemara* in *Shabbat* (62a) discusses the violation of carrying *tefillin* into a bathhouse. Typically, sacred items may be carried into a bathhouse if they are covered, but *tefillin* may not be brought inside even though the texts are covered by the *tefillin* boxes. The *gemara* explains that this is because of the “*shin*” of the *tefillin* *shel rosh*. There is a *Halakha Le-Moshe Mi-Sinai* requiring that a *shin* be engraved on the boxes housing the *tefillin*. Since it is exposed to the surroundings, the *tefillin* cannot be brought into a bathhouse.

The text of our *gemara* lists two other “exposed” parts of the *tefillin* that are required due to a *Halakha Le-Moshe Mi-Sinai* and cannot be brought into a bathhouse – the *daled* shaped leather strap by which the *tefillin shel rosh* is affixed and the small *yud* shaped strap that is nestled aside the *tefillin shel yad*. Together with the *shin* engraved on the *tefillin shel rosh*, these letters form the holy name *Sha-ddai*. Since these letters are all exposed, the *tefillin* cannot be brought into bathhouse.

Throughout his commentary to *Shas*, Rashi equates all three letters – the *shin*, *daled*, and *yud*. This is evident in his interpretation of an interesting statement of R. Eliezer (*Berakhot* 57a; *Megilla* 16b) that highlights the unique status of *tefillin shel rosh*. Several *gemarot* cite the verse in *Devarim* (28:10) that describes foreign nations beholding the manner in which the name of *Hashem* “appears” upon a Jew. The simple reading of the verse is that this is a metaphor – our behavior and identity is closely affiliated with *Hashem*, and this is (or at least one day will be) noticed by all. However, R. Eliezer took this verse literally as well – by donning *TEFILLIN SHEL ROSH*, a Jew literally fastens the name of *Hashem* to himself. Why did R. Eliezer highlight the head *tefillin* as possessing the name of *Hashem*, as opposed to the hand *tefillin*? Rashi explains that the head *tefillin* contains the *shin* engraved upon its box and the *daled* shaped strap that secures the *tefillin*, thus containing TWOof the three letters comprising the name *Sha-ddai*. Hence, it is specifically the *tefillin shel rosh* that showcases the essential name of *Sha-ddai*. Rashi equates all three letters, giving the “nod” to the *tefillin* that contains the majority of the letters.

A different *gemara* differentiates between the *shin* and the other two letters. Logically, this distinction stems from the fact that the *daled* and *yud* are shaped with leather straps, whereas the *shin* is actually engraved on the leather housing of the *tefillin*. The context of this distinction is a discussion in the *gemara* in *Shabbat* (28) as to whether hides for *tefillin* can be taken from non-kosher animals. The *gemara* cites a *pasuk* that instructs that all TORAH be written on items that are legally consumable. Applying this to the skins used to construct the housing of *tefillin*, the *gemara* insists that even these must be taken from kosher animals. Since the *tefillin shel rosh* feature the *shin* of the name *Sha-ddai*, the boxes are considered Torah and kosher hides are mandated. The leather straps of the *tefillin*, however, are not considered Torah texts and are not included in the principle that Torah texts must be inscribed upon kosher skins.

The *gemara* here only refers to the *shin*, ignoring the *daled* and *yud*! This serves as the source for Tosafot’s position that ONLY the *shin* is an actual *Halakha Le-Moshe Mi-Sinai*; the *daled* and the *yud* are not. Based on this distinction, Tosafot emends the *gemara* in *Shabbat* 62a to omit the mention of *daled* and *yud* as a *Halakha Le-Moshe Mi-Sinai*.

Reconciling Rashi’s position with the *gemara*’s distinction is a bit challenging. He obviously equates the *daled* and *yud* to the *shin* by classifying each as a *Halakha Le-Moshe Mi-Sinai*, whereas the *gemara* that demands kosher skins based on the status of Torah texts only discusses the *tefillin shel rosh* housing and not the leather straps used to create a *daled* and *yud*.

The simplest approach is to distinguish between the status of a *Halakha* *Le-Moshe Mi-Sinai* and the status of Torah texts. Indeed, the *daled* and *yud* shaped straps possess the status of *Halakha Le-Moshe Mi-Sinai*. However, leather straps cannot be considered “text” and are therefore not limited by the kosher hide clause that governs all Torah texts. This position is cited by the Chiddushei HaRan in his comments to the Rif (*Shabbat* 62a).

The possible flaw in this approach is the prohibition of bringing *tefillin* into a bathhouse, which (at least according to Rashi’s version of the *gemara* in *Shabbat* 62) applies equally to the *shin* and the *daled* and *yud*. Evidently according to the Ran’s logic, any component of *tefillin* that stems from a *Halakha Le*-*Moshe Mi-Sinai* cannot be exposed in a bathhouse, even though only the *shin* is considered actual halakhic text and the *daled* and *yud* do not enjoy that status.

The alternate approach to that of the Ran is to assume that Rashi granted FULL text status to the *daled* and *yud* shaped leather straps. Perhaps in formal contexts, such as the *melakha* of writing on Shabbat, these leather based shapes would not constitute actual halakhic text. However, for *tefillin* purposes, they are considered text because they represent the letters of *Sha-ddai*. Since they are considered text, they cannot be brought into a bathhouse. However, for some reason, the rule of employing kosher hides for Torah texts does not apply in this case.

The Ramban (*Shabbat* 28) suggests that although the straps may be considered texts, since these straps can be untied, they do not possess the typical *kedusha* status of Torah texts. Absent this *KEDUSHA*, they do not demand kosher skins in the same manner as the parchment upon which the actual portions of *tefillin* are written or the skins of the outer housing of the *shel rosh*. The latter texts possess full *kedusha* status and mandate kosher hides.

R. Soloveitchik noted that this Ramban may parallel the case of a different Scriptural text that does not accord with the typical guidelines because it is not a permanent object. The Yerushalmi in *Sota* claims that the text used for the *sota* ceremony (which is taken from *Parashat Naso*) may be written on non-kosher hides since it will ultimately be erased. Presumably, the fact that it will be erased as part of the *sota* ceremony strips the text of its *kedusha* and, bereft of the *kedusha* status that normally applies to Scriptural texts, it can be written on non-kosher hides. Similarly, the letter shaped straps of the *tefillin* may become unraveled, and therefore do not possess *kedusha* status.

To be sure, *tefillin* is slightly different from a *sota* text. The latter will definitely be erased as PART of the *sota* ceremony, whereas the *daled* and *yud* leather shapes MAY become unraveled. Rabbenu Eliyahu (one of the Tosafists) indeed claimed that *tefillin* must be reformatted on a daily basis and the various leather strap letters must be reconstructed, but most opinions reject this demand and allow the leather strap letter to remain permanently. Presumably, according to the Ramban, the very fact that these letters MAY unravel entails that there is no *kedusha* and permits non-kosher hides to be employed.

A different solution is asserted by the Ohr Sameach in his comments on the Rambam. Even if the *daled* and *yud* are considered halakhic texts similar to the *shin*, they are not considered Torah texts because they do not reflect the name *Sha-ddai* in the same way the *shin* does. Since the *shin* is the first letter of the name *Sha-ddai*, it symbolically denotes the name. Letters can only be considered a Torah text requiring kosher hides if they signify one of the names of *Hashem*.