חילוק בין תפילין של ראש לתפילין של יד. [משנ"ב ס"ק קסו, וראה ביאור הלכה ד"ה טהורים]. וכן הוא הדין לגבי עור התיתורא והמעברתא (שבתחתית התפילין) שיהיו "מן המותר בפיך", כיון שהם מחוברים ותפורים בבתים. (תמונה ל"ה) [משנ"ב ס"ק קסח]

דין עור רצועות התפילין שיהיה "מן המותר בפיך", יתבאר לקמן בסימן ל"ג.

קכז. תפילין שהונח על התיתורא מבפנים חומר הנקרא ג'לאטין שנעשה מעצמות בהמות טמאות, כדי להשקיף ולהצליל את עור התיתורא, ויהיה ניכר מבחוץ שהפרשיות מונחות בבתים (תמונה ל"ו). יש להכשיר התפילין הללו, ואין לחוש בהם משום "מן המותר בפיך". [יבי"א ח"א סי' א]

קכח. עור הבתים רשאי לעשותם מקלף, או מעור שליל. [ש"ע שם].

domesticated beast, a wild beast (e.g., deer), or the skin of a kosher bird. Even if the animal was not slaughtered properly, or if it is *terefa* because of a fatal blemish, its skin can be used for tefillin.

This applies both to the *tefillin shel yad* and the *tefillin shel rosh*, and it includes the leather used for the *titura* and the *ma'abarta*, since they are permanently attached to the *ketzitza*. (Illustration №35) See below in *Siman* 33 for the rules regarding the leather used for tefillin straps.

Day 31

Gelatin additives

127) It was once common to smear gelatin on the bottom *titura* to make it transparent. In this way, the rolled up scrolls inside are visible through the *titura*. (Illustration №36) Although gelatin is often made from the bones of nonkosher beasts, the tefillin are kosher.[107]

Fetal vs full-grown animals

128) Tefillin *battim* may be made from parchment or from the skin of a fetal animal. It is preferable, however, to use the leather of a large domestic mammal, specifically the skin of its neck and throat. This is the common

Nevertheless, the *Mishna Berura* did not arrive at a definite conclusion.

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. I, #1:12) found reasonable grounds to rule that the tefillin are kosher. The purpose of the added leather plate is to give the tefillin a symmetrical appearance, and the responsa *Noda Bihuda* and *Teshuva Me'ahava* both ruled that anything added to tefillin simply to improve its appearance may be the product of a nonkosher animal.

One might argue that the added plate serves an important purpose besides improving the tefillin's appearance. Without the added plate, the four compartments of the *tefillin shel rosh* are more likely to separate from one another, and the added plate holds them in place. If so, the plate is equal to the glue used in the making of the *bayit*, just as the *Mishna Berura* asserted. Therefore, even if it is not ideal to use nonkosher leather for this plate, the tefillin would be kosher nonetheless.

107. Maran the Rishon Letziyon (responsa *Yabia Omer*, Vol. I, #1) ruled that this is kosher since the gelatin is not needed for the construction of the tefillin. Furthermore, this treatment enhances the beauty of the tefillin.

אולם המובחר ליקח עור בהמה גסה, מהחלק של צוואר ועורף הבהמה, שעור זה עב כהוגן, ולא ימצא בו נקבים אשר עלולים לפסול הבתים. וכן נוהגים כהיום (תמונה לו.א). ואף על פי שלענין קלף לכתיבת סת"ם מעדיפים עור שליל (ראה לעיל הלכה מ"ג), לא נהגו בחומרא זו לענין עור הבתים. [פסקי תשובות אות נח]

קכט. עור הבתים צריך שיהיה מעובד לשמו ("לשם קדושת תפילין"), היכא דאפשר [ש"ע סל"ז], ואם אין לו בתים אחרים, רשאי להשתמש בבתים אלו למצות תפילין עד שימצא אחרים, דעדיף מאשר יתבטל ממצות תפילין. [משנ"ב ס"ק קעא]

custom in our times.(Illustration №36a) Regarding parchment, we prefer the skin of a fetal animal for a number of reasons, but it is not practical for tefillin *battim*.[108]

Tanning leather for the sake of tefillin

129) The leather used for tefillin *battim* must be tanned for the sanctity of tefillin, if at all possible. If the only tefillin available are made of leather that was not tanned specifically for this purpose, one may use them until better tefillin can be obtained. This is better than wearing no tefillin at all.[109]

108. Tefillin "*gassot*"

Until approximately the year 5650 / 1890, all tefillin *battim* were made using the thin skin of smaller animals like sheep and goats. Most *battim* were made of pieces of parchment folded and glued together. These tefillin, although relatively simple to construct, were easily damaged and usually became unusable after a short time. This was the situation until Harav Netan'el Tefillinski, a resident of Yerushalayim, developed a method to produce tefillin using the skin of cows' necks. These tefillin were made to last a lifetime, and his methods became the standard till today. Harav Yisrael Meir Kagan (author of the *Mishna Berura*) was one of his first customers, and he testified that Rav Netan'el satisfied the demands of all the possible stringencies regarding the making of tefillin. As time progressed and technical advances were developed, the process for making tefillin *battim* has been improved and expedited, using hydraulic presses and other modern machinery. (Illustrations 36a, 36b, 36c)

109. Rambam (*Hilkhot Tefillin* 3:15), cited in the *Bet Yosef*, ruled that the leather used for *battim* of tefillin does not have to be tanned at all. The *Bet Yosef* explained that Rambam's opinion was that untreated leather would last longer than tanned leather and therefore no tanning is necessary. If so, Rambam's opinion is that if someone tans the leather he definitely does not need to tan it for the sake of tefillin.

Rabbenu Asher and many other *Rishonim* ruled that the leather of tefillin *battim* must be tanned for the sanctity of tefillin, and the Talmud seems to agree with this. Therefore, Maran ruled according to the stringent opinion, but added that if no other tefillin are available one may rely on Rambam's opinion.

Reciting the blessing

The *Bayit Hadash*, cited by the *Mishna Berura* (32:171), ruled that although one may use such tefillin in this situation, he must not recite the blessing over them. The *Mishna Berura* (*Bi'ur Halakha* 32:37) and the *Kol Yaakov* (32:173) agreed. The *Magen Avraham*, however, ruled that he may recite it, and Harav HIDA (*Birke Yosef*) concurred with him. The *Halakha Berura* (page 407) ruled that if the person tanning the leather intends to use it for tefillin *battim*, they can be considered kosher even though he did not verbalize his intentions. This is true even if a non-Jew was employed to tan the leather, as long as a Jew supervised him and instructed him to do it for the sake of the mitzvah.

The ideal

Despite all the arguments for leniency, it is certainly best to make sure that the person tanning the leather declares from the beginning that he is doing it for the sake of the sanctity of tefillin. The *Piske Teshuvot* (32:59) ruled that technically, after declaring this once it is not necessary to repeat it on the following day. It is best, however, to repeat the declaration after each interruption.

קל. תפילין שעיבוד העורות שלהם נעשה על ידי מכונה חשמלית שמסובבת יורה עם מים וסיד, ושם נותנים העורות (תמונה ל"ז), הבתים כשרים. [אור לציון ח"ב פ"ג ה"ה]

קלא. תפילין של ראש יעשה ארבעה בתים מעור אחד, ותפילין של יד יעשה בית אחד מעור אחד. [ראה ש"ע סעיף לח]

ואם הדביק או תפר כמה עורות, רוב רבותינו הראשונים סברו להקל בזה, וכן דעת מרן הבית יוסף שקבלנו הוראותיו. ולכן הבתים של התפלין העשויים מכמה עורות, שהודבקו זה עם זה, ונעשו כעור אחד, כשרים למצות תפלין, וכן המנהג.

Machine tanning

130) If an electric machine was used for tanning the leather, meaning that after a person places the skins in the vat, the machine agitates them so that the chemicals act thoroughly on every corner of the skins, (Illustration № 37) the skins are kosher for tefillin *battim*.[110]

Day 32

A single sheet of leather

131) The *bayit* used for *tefillin shel rosh* contains four separate compartments, but all four must be made of a single sheet of leather. The *bayit* used for *tefillin shel yad* contains only one container, but it likewise must be made of a single piece of leather.[111]

Glued or sewed together

Most *Rishonim* agreed that if someone glues together two or more pieces of leather to construct the tefillin *bayit*, or if he sews them together, they are considered one piece of leather and the tefillin are kosher. This is likewise the ruling of Maran, the author of *Bet Yosef*, and this is the common custom.

110. This is the ruling of the *Or Letziyon* (Vol. II, 3:5). He explained that the act of tanning leather is never the direct act of a person. The person places the leather in the lime and water, but then the tanning takes place by itself while the skins are soaking in the mixture. The halakha demanding that it be performed for the sake of the mitzvah can apply only to that first moment. After that, it does not matter whether the skins simply soak in the chemicals or are agitated in them.

111. The Talmud teaches (*Menahot* 34b) that according to Ribbi Yishma'el the *tefillin shel rosh* has four compartments since the word *letotafot*, referring to *tefillin shel rosh*, appears three times in the Torah. Once it is spelled לטוטפת, suggesting two compartments, and the other two times it is spelled לטטפת, suggesting one compartment each. The three words together represent four compartments. Ribbi Akiva countered that the halakha requiring four compartments is inherent in the word *totafot* itself. He explained that *tot* means two, as it does in the Katfi language, and *fot* also means two, as it does in an African dialect. Therefore, the word *totafot* means two plus two.

The Talmud continues: How do we know that the Torah means to make one head ornament with four separate compartments? Maybe it means to wear four separate head ornaments? The Talmud answers that this is why the Torah refers to the *tefillin shel rosh* as a *zikaron*, a reminder. That is, although the word *totafot* might be seen as a plural term, the word *zikaron* is definitely a singular term. It teaches us that the *tefillin shel rosh* must be a single ornament and not multiple ornaments. How is this accomplished? The scribe writes the passages on four pieces of parchment and inserts each one into a separate compartment of the single head ornament.