דיני רצועות התפילין

ד. עור הרצועות צריך שיהיה מעור בהמה וחיה ועוף הטהורים (תמונה קל"ה). [ש"ע ס"ג]. ואפילו נבלות וטרפות שלהן. [רמב"ם פ"ג מתפילין הט"ו]. וראה לעיל בסימן ל"ב הלכה קכ"ו בהערה.

ה. עור הרצועות צריך שיהיה מעובד לשמו. [ש"ע שם]. ובדיעבד שעיבדו בלא שאמר "לשם קדושת תפילין", ואין לו רצועות אחרות, רשאי להשתמש ברצועות אלו, אך נכון שלא יברך עליהם. [ראה הלכה ברורה עמ' תפג]

Tefillin Straps

What are they made of?

4) Tefillin straps are made of leather from kosher animal hides or kosher fowl skin. (Illustration №135) The leather may come from animals that were not slaughtered kosher or that were found to be *terefa*. See above in the footnote to *Siman* 32:126.

Tanning the leather

5) The leather must be tanned for the sake of the sanctity of tefillin.[186] If the leather was tanned without any specific intentions, it may be used if no other tefillin straps are available, but one should refrain from reciting the blessing.[187]

Day 52

How do we define "new" tefillin and "old" tefillin?

The *Shulhan Arukh* ruled that if someone would hold the tefillin by one end and leave the rest hanging, it is considered still new if the remaining stitches hold the tefillin closed. If this causes other stitches to come apart, however, it is considered old. This definition was applicable in the times when tefillin *battim* were made of parchment or the skin of sheep or goats. Now that they are made of the skins of a cow or steer, it would be hard to find a *bayit* that we would call "old."

In light of this, if two adjacent stitches snap, or if any three stitches snap, one should avoid using the tefillin. If no other tefillin are available, however, one may use it and recite the blessing, since our tefillin are considered "new."

If the *bayit* is considered "old," then even if only two adjacent stitches or any three stitches have snapped one should not use it. If no other tefillin are available, one should use this *bayit* but he must not recite the blessing, unlike the ruling of the *Halakha Berura*.

When a corner stitch snaps

The *Mishna Berura* (*Bi'ur Halakha* 33:2) pointed out that even if only two stitches have snapped, if because of this the stitches no longer describe a square, it is not kosher. In fact, this should be true even if only one stitch had snapped. Rambam and the other *Poskim*, however, did not differentiate between the halakha of the center stitches and the corner stitches. The *Piske Teshuvot* (33:2) ruled that, based on this, one should make sure to repair the stitches if even one corner stitch snaps. Until the repair is made, one may consider the tefillin to be kosher and recite the blessing on it.

186. Based on the Kabbalah

The *Sefer Hakavanot* (*Derushe Tefillin* #4) states: Ideally, one should tan two sheets of leather, one for the strap of *tefillin shel rosh* and one for the strap of *tefillin shel yad*. When inserting the leather designated for *tefillin shel rosh* into the lime solution, one should be conscious of one's intention to use it for *tefillin shel rosh*, and one should meditate on the Name of הויה. When inserting the leather designated for *tefillin shel rosh*, one should be conscious that one intends to use it for *tefillin shel yad*, and one should meditate on the Name אדני. The *Kol Yaakov* (33:11) testified that as far as he knows no one follows these instructions, but he still recommends them for those who are scrupulous.

187. The responsa *Be'er Esek* (#10) ruled that if the leather was not tanned with these intentions, it can be remedied by having these proper intentions when painting the straps black. The *Kol Yaakov* (33:10) rejected this ruling, declaring that even the *Poskim* who ruled that the

ומהיות טוב, נכון שחיתוך העור לרצועות דקות, גם כן יהיה לשמה. אם כי מעיקר הדין אין צריך. [פסקי תשובות אות ג]

ו. רצועות תפילין, בין מעור בין מקלף, כשרות. [ש"ע שם]

It is recommended that one declare when slicing the hide into straps that one's intention is for the sake of the sanctity of tefillin. Technically, however, this is not necessary.

Straps from parchment

6) If someone makes tefillin straps out of parchment, they are kosher.[188]

leather of the *battim* does not need to be tanned for the sake of the sanctity of tefillin agreed that the leather used for the straps must be tanned with these intentions. If this was not done, it cannot be compensated for by painting the straps with these intentions.

The responsa *Rav Pe'alim* (Vol. IV, #2) likewise ruled stringently in this matter. He complained that the tefillin manufacturers had been purchasing tanned leather from non-Jews, and they "fixed" them by spraying lime solution on them and declaring that this is for the sake of the sanctity of tefillin. This is totally ineffective, he explained, since it does not undo the tanning performed by the non-Jew. Once this was discovered, Harav Eliyahu Hayim (the author's father) and the other leading rabbis of Baghdad went on a campaign to provide new tefillin straps for the entire community, and had them made from beginning to end by Jews for the sake of the sanctity of tefillin.

The *Halakha Berura* (page 483) cited the *Shulhan Gavowah* noting that the wording used in the *Shulhan Arukh* suggests that it is not crucial that the leather be tanned with these intentions, although it is proper to do so. Therefore, the *Halakha Berura* suggested that there is a *safek sefeka* upon which one may rely, saying that the straps are kosher even if the leather was not tanned with these intentions. Furthermore, even if the worker does not declare any intentions, it is obvious from his procedure that he meant in the first place to tan the leather for the sake of the sanctity of tefillin. Nevertheless, he concluded that we cannot ignore the *Poskim* who ruled that the straps are not kosher. If no other tefillin straps are available, one may use the straps made of leather that was not tanned with these intentions, but one may not recite the blessing on them.

When there is another basis for leniency

Since the *Be'er Esek* ruled that the straps can be made kosher by painting them black for the sake of the sanctity of tefillin, we can add his opinion to the weight of the above arguments for leniency. Therefore, if someone painted the straps for the sake of the sanctity of tefillin, one may use them and even recite the blessing. Likewise, since there are *Poskim* who ruled that if someone took the tanned leather and tanned it a second time for the sake of the sanctity of tefillin the straps will be kosher, we can add that opinion to the weight of the lenient *Poskim* and rule that one may recite the blessing on the tefillin with these straps. Furthermore, if someone suspects that the leather was not tanned with the proper intentions but he is not sure, he may go ahead and use the tefillin and recite the blessing.

188. Parchment originally intended for writing tefillin scrolls

The *Peri Megadim*, cited in the *Bi'ur Halakha* (33:3), debated whether it is permissible to make tefillin straps from parchment that was tanned with intentions to use it for sacred scrolls, and he did not come to a definite conclusion. The *Piske Teshuvot* (33:3) ruled that it is technically permissible, but it is not recommended. The *Halakha Berura* (page 487) ruled conclusively that it is permitted, since Rabbenu Avraham, son of Rambam, permitted it, and therefore we may disregard the doubts raised by the *Peri Megadim*. If the author of the *Peri Megadim* had known of Rabbenu Avraham's ruling, he would not have questioned it.

189. Why not red?

דין רצועות שחורות

ז. הלכה למשה מסיני שיהיו הרצועות שחורות מבחוץ, [ש"ע סי' לג ס"ג] בין רצועות התפילין של של יד בין רצועות התפילין של ראש. [רמב"ם פ"ג הי"ד]. והוא לעיכובא אפילו בדיעבד. [ביאוה"ל ד"ה הלכה]. אבל מצד פנים יעשה מאיזה צבע שירצה, חוץ מאדום. (תמונה קל"ו) [ש"ע סי' לג ס"ג].
וצד החיצון הוא לצד השיער שהוא מקום החלק. ואם השחירם מבפנים, אינו מועיל, וצריך לחזור ולהשחירם מבחוץ. [משנ"ב ס"ק כ]

ח. אין צריך לצבוע חודי הרצועה במקום החתך הנראה מבחוץ (תמונה קל"ז). [ראה קול יעקב ס"ק יב, זכרון אליהו פ"כ סי' ב ועוד]

Black Straps

The outer side

7) The *halakha leMoshe miSinai* demands that the outer side of tefillin straps be black. This applies to both the straps of *tefillin shel rosh* and *tefillin shel yad*. If they are not black, the straps are not kosher. The inner side of the straps may be any color other than red.[189] (Illustration № 136)

The outer side of the straps must be the smooth, outer side of the leather, meaning the side from which the animal's hair grew. If someone painted the inner side black and not the outer side, the straps are not kosher until he paints the outer side as well.[190]

Edges of the straps

8) It is not necessary to blacken the edges on the sides of the straps, even though they are visible when one wears them.[191] (Illustration № 137)

The Talmud (*Menaḥot* 35a) teaches that one must not color the tefillin straps red because 1) it is dishonorable, and 2) for another reason. Rashi explained that the first reason is that when people will see the red straps they will suspect that the wearer suffers from a neurosis and constantly scratches his arm until it bleeds. He explained that the second reason, which the authors of the Talmud did not wish to spell out in so many words, is that people will suspect that this man had relations with his wife while she was *nidda* and her blood stained his tefillin straps. The *Shulḥan Arukh* cites the first reason only.

190. The *Peri Megadim* seems to contradict this, since he ruled that if someone painted the outer side without having intentions for the sake of the sanctity of tefillin, he may remedy it by painting the inner side black with the correct intentions. The *Mishna Berura* (*Bi'ur Halakha* 33:3) rejected that ruling, however. The *Halakha Berura* (page 489) demonstrated that the *Zera Emet* and other *Poskim* agreed that it does not help to paint the inner side black.

191. The *Keset Hasofer*, cited by the *Kol Yaakov* (33:12) and the *Or Letziyon* (Vol. II, page 284), ruled that one must paint the edges black, suggesting that the edges are included in the *halakha leMoshe miSinai* since they are visible while one wears the straps. The *Zikhron Eliyahu* (20:2) proved that according to the *Peri Megadim* this is unnecessary. The *Peri Megadim* ruled that if someone painted his straps black without declaring that he is doing so for the sake of the sanctity of tefillin, he may remedy it by painting the other side of the tefillin black with the proper intentions. Now, if he had originally painted the outer side and the edges without these intentions, the edges cannot be remedied by turning the strap over to the other side. It must be, therefore, that according to the *Peri Megadim* this person never painted the edges. Furthermore, the *Orḥot Rabbenu* (Vol. I, #36) cited the *Tikkun Tefillin* instructing tefillin manufacturers to paint the leather sheets black and then to slice them into straps. Obviously, this leaves the edges unpainted.

This is likewise the ruling of the *Halakha Berura* (page 488). See the *Piske Teshuvot* (33:5).