The *Sefer Hateruma*, Rabbenu Asher, and the *Arba'a Turim* all recommended putting on the two sets of tefillin at the same time, explaining that one must have in mind that one intends to fulfill the mitzvah with whichever set is the correct one, while wearing the second set simply as a set of straps. This is the ruling stated in the *Shulhan Arukh*.

The *Noda Bihuda*

The responsa *Noda Bihuda* (Vol. II, *O.H.* #4) deals with the following question: Just like we care to construct a set of tefillin with the passages inserted in the order prescribed by Rabbenu Tam, we should also insert the scrolls in the manner prescribed by Rabbenu Tam. We insert the scrolls upright, following Rashi's instructions, whereas Rabbenu Tam ruled that the scrolls must be inserted so that the words appear going up and down rather than right to left. Why are we careful to follow Rabbenu Tam's opinion in one aspect of tefillin construction but not his opinion in the other aspect?

He explained that regarding the order of the passages, Rabbenu Tam's opinion is supported by many *Ge'onim* and early *Rishonim*. Regarding the direction in which the scrolls are inserted into the compartments, Rabbenu Tam's opinion is not supported by any earlier authority. Therefore, we can ignore his opinion on this matter.

The *Sha'are Teshuva* (32:28) also dealt with the question posed to the *Noda Bihuda*. He answered that we follow both opinions regarding the order of the passages since the Arizal taught that both opinions are true and both must be followed. Regarding debates over any other aspect of tefillin, we follow the opinion of the majority of *Poskim* and ignore the other opinion. Maran the Rishon Letziyon refuted this resolution, since the *Sefer Mitzvot Gadol* and Rabbenu Asher both ruled that one ought to fulfill both opinions about inserting the scrolls into the compartments by wearing two pairs of tefillin. Therefore, it appears that the *Noda Bihuda's* resolution is superior.

According to the testimony of the *Ma'ase Rav* (*Kuntras Si'ah Eliyahu* #64), Harav Hayim of Volozhin once asked Harav Eliyahu of Vilna why he did not bother to wear tefillin "of Rabbenu Tam." He replied, "If someone would want to fulfill the mitzvah of tefillin while taking every opinion into account, he would have to put on sixty-four pairs of tefillin each day."

Day 62

According to the Kabbalah

The *Ben Ish Hai* (*parashat Vayera* halakha 21) commented that the *Poskim* originally thought that the debate between Rashi and Rabbenu Tam is similar to all other halakhic debates, where one opinion is actually correct and the others are incorrect. This was the case until Eliyahu the prophet revealed to the Arizal that both Rashi's and Rabbenu Tam's opinions are correct and that we must wear both types of tefillin. In fact, he added, all Jews since the time

of Moshe Rabbenu always wore two pairs of tefillin, up to the era of the *Ge'onim*. This is why the Talmud comments, "There is room on a person's head to place two tefillin *battim*." Additionally, the *Zohar Hadash* states although there are people who wear two sets of tefillin, thinking that only one of them is the correct one, they are unaware that in truth they need to wear both sets.

Therefore, the *Ben Ish Hai* concluded, anyone who possesses the fear of Heaven ought to have two sets of tefillin made for himself, one according to Rashi's opinion and the other according to Rabbenu Tam's opinion. Holding the two together, he should loop them onto his arm and tighten them both, one above the other. He needs to put on both sets at the same time, unlike those who put on a set "of Rashi" by itself and afterward a set "of Rabbenu Tam" by itself.

Rabbenu Yaakov of Troyes, who is counted among the authors of Tosafot, authored the *Responsa from Heaven*, a collection of questions he asked just before going to sleep, and the answers he received in his dreams. One of these questions (#3) was whether to follow the opinion of Rashi or of Rabbenu Tam regarding tefillin. The reply he received was, "Both opinions are the words of the Living God. Just as it is a subject of debate on earth, it is a subject of debate in Heaven. The Blessed Holy One claims that we must position the *havayot* in the middle (like Rabbenu Tam), while all the Sages in Heaven claim that the four passages must be positioned in the order in which they are written (like Rashi)." This appears to support the position of the kabbalists that both opinions are correct, but the proof can easily be refuted.

The *Matzat Shimurim* concurred with the *Ben Ish Hai* that the halakha demands that a person put on both sets of tefillin. Moreover, it states that if anyone does not wear both sets at the same time, it is as if he has never fulfilled the mitzvah. Both opinions are correct, and everyone must put on both sets.

Harav Yaakov of Emden (*Mor Uktzi'a Siman* 34) disagreed sharply with the opinion that a person who doesn't wear both sets at the same time is considered to be someone who has never worn tefillin. This is a terrible thing to say about all the great Torah scholars of previous generations. Furthermore, the *Zohar Hadash* does not say that a person must wear two sets of tefillin, he contended, countering the *Ben Ish Hai's* interpretation of that passage.

Harav HIDA (responsa *Hayim Sha'al* #1) expressed his amazement at the audacity of the *Mor Uktzi'a* to flatly disagree with the opinion of the Arizal and the other kabbalists who taught that both sets of tefillin are correct and both are necessary. He complained, "Not only did the *Mor Uktzi'a* insist that the necessity of wearing both sets of tefillin is only because we are unsure

which one is correct, he even asserted in the prayer book he published that this is the halakha. How is it possible to suggest that the *Zohar Hadash* teaches something other than the ruling of the Arizal, when all the Arizal's sublime teachings are based on the words of the holy *Zohar*? The ruling of the *Mor Uktzi'a* is null and void, and undoubtedly he had a mistaken version of the *Zohar Hadash*."

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. I, #3:7) demonstrated that Harav Eliyahu of Vilna verified the version of the *Zohar Hadash* cited by the *Mor Uktzi'a* to be correct. He explained that Harav Eliyahu ruled consistently with his thesis that it is not necessary to accept all the Arizal's rulings as correct. According to Harav Eliyahu, the halakha is that Rashi's opinion is definitely correct [and it is not necessary to put on tefillin "of Rabbenu Tam" at all]. Harav HIDA and the author of *Ben Ish Hai*, in contrast, followed the assertion of Harav Zalman of Liadi in a letter to the effect that the source of all the Arizal's teachings is Eliyahu the prophet, and this is the assumption of most Sefardic Torah scholars.

Maran the Rishon Letziyon took issue with the *Ben Ish Hai's* assumption that Jews had been wearing two sets of tefillin together for over a thousand years, from the time of Moshe Rabbenu until the era of the *Ge'onim*. He demonstrated that the *Tikkune Zohar* (page 9) contradict this, stating that our Sages were debating whether to position the passages like Rashi or like Rabbenu Tam already in the time of Ribbi Shim'on bar Yohai. Furthermore, the *Poskim* proved that the *Mekhilta* ruled according to Rashi's opinion, while the Talmud Yerushalmi ruled according to Rabbenu Tam's opinion, as explained earlier in this preface. Additionally, the plain reading of the Talmud in a number of places is not consistent with the assumption that people wore two sets of tefillin.

What's more, the picture of our history as the *Ben Ish Hai* presents it is improbable. If it was standard since the time of Moshe Rabbenu to wear two sets of tefillin all the time, how did this suddenly become forgotten during the era of the *Ge'onim*? How could it be that all the Torah leaders of the generation suddenly decided that one set of tefillin is sufficient?

Assuming that Jews always wore one set of tefillin, we can understand how the debate of how to position the scrolls arose. After all, the scrolls are enclosed in the *battim* and most people never see how they are constructed and put together. Over the years, due to constant persecution, exiles, and the harsh restrictions placed upon Jews wherever they were, some scribes became confused about how to insert the scrolls into the *battim*, and eventually two schools developed among the *Ge'onim*. But if it would be true that both opinions are correct and both are necessary, it is very hard to imagine how and why that became forgotten. [It is even harder to imagine

that, from the time of the *Ge'onim* until that of the Arizal and beyond, all Jews failed to fulfill the mitzvah of tefillin.]

Both Together or One at a Time

Maran the Rishon Letziyon ruled that if someone is tall enough and can afford to purchase two sets of tiny tefillin that will fit together in the proper space on his head and arm, it is certainly meritorious to wear both sets of tefillin at one time, following the instructions of Rabbenu Asher, the *Arba'a Turim*, and the *Shulhan Arukh*. According to the kabbalah, this practice is imperative.

Our standard tefillin, however, are much too large to allow for this practice. It is impossible to fit two sets in the proper place at the same time. Therefore, people who have standard size tefillin must wear tefillin "of Rashi" at one time and tefillin "of Rabbenu Tam" at another. The *Shulhan Arukh* also cites this practice and prescribes it for people who cannot position two sets of tefillin properly at the same time. If someone would attempt to wear two sets at the same time, at least one set will be in the incorrect position. *Tefillin shel yad* must be positioned entirely on the lower half of the upper arm. Since those who wear both sets at the same time wear the tefillin "of Rashi" on the arm above the tefillin "of Rabbenu Tam," it is almost certain that part of his tefillin "of Rashi" will be higher than the permissible area. Not only does that mean that he has failed to fulfill the mitzvah, it is likely that he will be guilty of reciting the blessing in vain.

It would be wonderful to follow the instructions of the kabbalists. We must keep in mind, however, that their insistence that one wear both sets at the same time is based on their assumption that one must wear both sets in order to fulfill the mitzvah. As explained above, it is clear from the Talmud and the *Poskim* that this is not the case.

In conclusion, whoever wishes to fulfill the mitzvah in the safest and most acceptable manner should wear one set of tefillin at a time, changing into tefillin "of Rabbenu Tam" after *shaharit* and reciting the *Shema* a second time. This is the formula recommended by the *Shulhan Arukh*, and it is the practice of Ashkenazic Jews as well.

The *Yaskil Avdi*

When Harav Ovadya Hadaya, author of responsa *Yaskil Avdi*, read this responsum in *Yabia Omer*, he wrote a letter to Maran the Rishon Letziyon challenging his ruling: "How could you say that a person can fulfill his obligation according to all *Poskim* by wearing the two sets of tefillin one at a time? This directly contradicts the teaching of the Arizal and the other masters of Kabbalah, who taught that it is imperative to wear both sets at one time since both sets are obligatory."

Maran the Rishon Letziyon replied that if a person can obtain two tiny sets of tefillin and he knows how to position them both on his head and arm, then it is certainly best that he wear two sets at one time in deference to the ruling of the Arizal. If his tefillin are too large to allow for this, however, he definitely must wear the two sets one at a time. Otherwise, he might be guilty each day of reciting a blessing in vain.

Harav Hadaya accepted this reply without comment, but some time later he made a public announcement that people should not follow the ruling issued by Maran the Rishon Letziyon. Maran's response to that announcement is published in *Yalkut Yosef* (first edition, page 45).

Two More Opinions

The *Shimusha Rabba*, cited by several *Rishonim*, taught a third opinion about positioning the four scrolls in the tefillin. It concurs with Rashi that the order is *kadesh*, *vehaya ki yevi'akha*, *Shema*, and *vehaya im shamowa*, but their placement is exactly the opposite of Rashi. According to *Shimusha Rabba* the passage of *kadesh* is inserted into the compartment on the right side of the person who is wearing the tefillin, and the other passages are to the left of it. According to Rashi, the passage of *kadesh* is inserted into the compartment on the left side of the person wearing the tefillin.

Many people, following the teachings of Kabbalah, wear tefillin "of *Shimusha Rabba*" while reciting the *minha* prayer. These tefillin do not actually follow the rulings of *Shimusha Rabba*, however. They follow its instructions regarding the size of the *battim* and the manner in which the *battim* are sewn up, but the scrolls are inserted in the manner that Rashi prescribed, not as the *Shimusha Rabba* prescribed. This is explained below in *Siman* 37:6.

Rabbenu Avraham ben David ruled according to the teaching of *havayot ba'emtza*, but in contrast to Rabbenu Tam, he ruled that the passage of *kadesh* is inserted in the compartment on the right side of the person wearing the tefillin. According to Rabbenu Tam, the passage of *kadesh* is inserted into the compartment on the left side of the person wearing the tefillin.

Actually, there are even more opinions about how tefillin are constructed. As mentioned above, Harav Eliyahu of Vilna told Harav Hayim of Volozhin that if someone wished to fulfill the mitzvah according to every opinion he would have to put on sixty-four sets of tefillin every day.

Nevertheless, in practice people are concerned only with the opinions of Rashi and of Rabbenu Tam. Other than a handful of individuals, hardly anyone is concerned about following the opinions of *Shimush Rabba* or of Rabbenu Avraham ben David.