

Overview

Halacha Highlight

Siman 32 Seif 37:

The leather of the *batim* must come from kosher - domesticated animals, undomesticated animals or birds even if they were *neveilos* or *tereifos*. One may use the *klaf* or hide of a fetus. The *retzuos* may also be made from the same materials. The hide should be processed for the sake of the *mitzvah* when possible.

- ❖ *Klaf* is considered leather even though it is very thin. (M.B. 167)
- ❖ When making *retzuos* they must be blackened since *Halacha L'Moshe M'Sinai* requires that they should be black. (M.B. 169)
- ❖ If the hide was manufactured for *retzuos* it may not be used for *batim* since *batim* contain a greater degree of sanctity. (M.B. 170)
- ❖ The reason Shulchan Aruch wrote that the hide should be treated for the sake of the *mitzvah* when possible is that Rambam does not require the hide to be manufactured so certainly there is no requirement that it should be treated for the sake of the *mitzvah*. (M.B. 171)

Must the leather for the *batim* be manufactured *lishmah*?

Shulchan Aruch Siman 32 Seif 37
צריך שיהיה מעבד לשמו היכא דאפשר

The leather must be manufactured for the sake of the *mitzvah* when possible

The reason Shulchan Aruch's ruling that the leather must be manufactured for the sake of the *mitzvah* is somewhat qualified is that Rambam writes (פ"ג מהלי תפילין הטי"ו) that the leather that covers the *parshiyos* does not have to be treated [to remove the hair] and as such there cannot be a requirement that it should be done for the sake of the *mitzvah*. Bais Yosef explains that since the majority of Poskim disagree with Rambam, halacha follows their opinion and the leather used for the *batim* should be manufactured for the sake of the *mitzvah*. However, if one was not able to obtain *tefillin* whose *batim* were made from leather that was manufactured for the sake of the *mitzvah* one may rely upon Rambam's position.

Bach asserts that when one is forced to rely upon Rambam's opinion one should not recite the *beracha* since most Poskim maintain that such *tefillin* are not valid. Magen Avrohom (ס"ק נ"א) however, disagrees and writes that one may even recite the *beracha* since Rashi also follows Rambam's position. Gaon Chida (ברכי יוסף שירי ברכה ס"י ל"ב סק"י) cites additional Poskim who also subscribe to the same position as Rambam and thus he agrees with Magen Avrohom's ruling that when relying upon Rambam's position the *beracha* may be recited.

Sefer Halacha Berurah (בירור הלכה אות קל"ב) suggests the following proof that Shulchan Aruch requires the recitation of the *beracha* even when relying upon Rambam's position. In *Hilchos Tzitzis* (ס"י י"ד סעי' ב') Shulchan Aruch writes that if necessary one may rely upon Rambam's opinion that if one did not put *tzitzis* in the garment for the sake of the *mitzvah* it is valid but one should not make the *beracha* when doing so. The fact that in that case he mentions explicitly that when relying on Rambam one should not recite the *beracha* and in our case he did not add that qualification indicates that in our case Rambam's position is sufficiently supported that the *beracha* may also be recited. He then suggests additional reasons for leniency for making the *beracha* and in his conclusion the composite weight of all those arguments allows one to recite the *beracha* as well.

lin is to spend time every day learning Torah.

He elaborated, "I suggest that you spend at least one hour a day learning Shulchan Aruch according to your ability—Shulchan Aruch, Ben Ish Chai, or the like, which will certainly shield and protect you from sin. You should also give coins to tzedakah to atone for your sin and redeem any fasts you would have had to endure. You should give not less than eighteen small coins daily. If you miss a day for some reason, give double the next day.

Rav Ovadiah concluded, "In this manner, 'וסר עונך וחסאתך תכופר, Your iniquity will be removed and your sin will be expiated.'"

הליכות מוסר, ח"ב, ע' תתשלי"א-תתשלי"ב

Stories to Share

Repairing a Lapse

מ"ב ל"ב, קס"ו: "דכתיב למען תהיה תורת ה' בפיך..."

In 1970, Mr. Yisrael Harari was a soldier in the Israeli army. During Cheshvan he was so busy that he began long before dawn and only finished his mission towards the end of the day. His assignment had been such a vexing and difficult mission that he came back near to collapse. Upon his return to the base, he did what he could to decompress.

By the time he recalled that he had not donned tefillin that day, it was already well into the night, too late to put them on. Of course, he felt distraught about this oversight and wondered how it could be rectified. It was only natural that he wrote his rav and asked for guidance as to how he could repair the spiritual damage of his negligence.

It is fortuitous that his rav was Rav Ovadiah Yosef and that the response was carefully preserved. "The words of our sages—that teshuvah immediately rectifies violation of a positive commandment—are well known. And everyone also knows that the main element of teshuvah is to cease committing the sin. It is therefore fitting to check your tefillin to ensure that, from now on, you will be able to fulfill this precious mitzvah properly.

He added, "I also suggest that you procure a pair of Rabbeinu Tam tefillin which you should wear daily after Shemoneh Esrei. But do not wear both Rashi and Rabbeinu Tam tefillin at the same time, as I have explained in Yabiyah Omer 1:3."

Rav Ovadiah proceeded to offer another suggestion, based on one way to understand a verse brought on today's amud. "Since in the verse the words, 'ויהי לך לאות על ידך,' are followed by 'למען תהיה תורת ה' בפיך,' we see that tefillin are inextricably bound with learning Torah. It follows that one way to rectify missing tefil-