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HISTORY  
— OF —  
AMULETS, CHARMS,  
AND  
TALISMANS.

מוזמפת, תפירין, זקמי'עות.

HISTORY OF  
AMULETS, CHARMS,  
AND  
TALISMANS.

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A Historical Investigation into their Nature and Origin.

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BY

MICHAEL L. RODKINSON

AUTHOR OF

*“Ursprung und Entwicklung des Phylacterion-Ritus bei den  
Juden.” and Editor of Ha-Kol, Ha-Hose, Ansheith  
Chachamim, Ha-Mosseph, etc.*

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NEW YORK.

1893.



Gift of the author  
TO  
Dr. ADOLPH JELLINEK,

CHIEF RABBI OF VIENNA.

Dr. M. LAZARUS,

Prof. of the Royal University, Berlin

Monsieur ZADOC CAHN,

Chief Rabbi of France, a Paris

AND

Dr. GUSTAV GOTTHEIL,

Rabbi of Temple Emanu-El, New York.

In token of gratitude for the many valuable services rendered by them to science in general, and Jewish learning in particular, as well as for the great kindness shown by them to his person.

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## TESTIMONIALS.



Of the many testimonials given to the author by most renowned scholars of the world he gives here only two : one by REV. DR. JULIUS H. WARD, editor of the Scientific Department of the *Boston Herald*; the other by REV. DR. WILLIAM C. WINSLOW, Vice-President for the United States of the London Egypt Exploration Society.

(From the *Boston Herald*, June 19, 1892.)

Sometimes a genuine scholar is dispossessed of his place and is compelled to take up his abode among strangers, and usually just in proportion to his excellence as a student is his difficulty in meeting the world and making a square fight when everything turns against him. This seems to be the case with Dr. Michael L. Rodkinson, who has been the victim of the persecution of the Jews in Russia to the extent that his home and means of obtaining a livelihood have been destroyed, and with an imperfect knowledge of English, he and his family have been compelled to shift as good as they could among comparative strangers in a new country. He bears with him an indorsement of his work and position the names of the most eminent Jewish rabbis in England and on the continent, and in the hope of establishing himself in this country he has written a book on the history of amulets, which, if published, would not only give him among us the scholarly rank to which he is entitled, but would, to some extent, be of pecuniary help to him. This book is now in press in New York. It will be issued in an English translation as soon as Dr. Rodkinson has secured enough subscriptions at

two dollars a volume to pay for its printing and binding. Prof. H. C. Toy of Cambridge has looked over his work and gives the following estimate of its value. "Leaving out the etymologies of Hebrew words and the pretalmudic archaeology, I find Dr. Rodkinson's history of Jewish amulets, from the talmudic times to the present, clear and useful, particularly his expositions of the genesis and method of rabbinical discussion." The writer has also carefully examined the same manuscript, and strongly indorses what Prof. Toy has said. The work is readable for any one, and it brings out in Hebrew life the interest in amulets, which is the expression of the fondness for charms which Christians illustrate in wearing the symbol of the cross. What Dr. Rodkinson needs is a recognition of his scholarly work in the form of subscriptions, and he can be reached by letters or in person at 52 Chambers street.

Boston, Mass., June 13, 1892.

REV. DR. M. L. RODKINSON.

My dear Sir:—

From a cursory reading of some of your MS., in typewritten copy, I am led to conclude that you are handling an exceedingly interesting subject with the thoroughly critical and scholarly manner that belongs to its proper consideration. Your disquisition on the Tephillin is very luminous and forcible. The world of Oriental research is placed under obligation to you for your painstaking labors and for the valuable result therefrom.

I am glad to know that so scholarly a treatise as yours is to be published.

Thanking you for your kindness in calling,

I am most faithfully yours,

WM. C. WIXSLOW.



## A few Words to the Critic.

A few years since, in my book entitled "Ursprung und Entwicklung des Phylacterien Ritus bei den Juden" (The Origin and Development of the Phyl. Rit. by the Jews) I expressed an opinion concerning the history of the *Tephillin* which caused a great uproar among the Scholars of the "Orthodox" class on the one hand, and gained for me the sympathy of the "Reformed" Hebrews, on the other. All the Jewish periodicals<sup>1</sup>, in different countries, at that time, ap-

1) The following are the names of periodicals which mentioned our work in 1883: "Jewish Chronicle, Jewish World, London; Revue des Etudes Juives, Paris; Allgemeine Zeitung des Judenthums, Bonn; Magdeburger Wochenschrift, Magdeburg; Reformer, Prague; Monatschrift, Frankfurt a. M.; Ungarischer Israelite, Buda-Pest; Voschod, St. Petersburg; American Israelite, Deborah, Cincinnati; and a few others in Italy, etc.

proved my position and many prominent scholars<sup>2</sup> honored me with private letters and expressed that approval, partially or wholly of our opinion.

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2) The names of the honorable gentlemen are the following: Dr. Ascher, London; Dr. Bernstein, the well-known Naturalist, Berlin; Dr. Brill, Frankfort a. M.; Dr. Bamberger, Königsberg; Pr. Dr. Bloch, Posen; Mr. Buber, Lemberg; Dr. Zadoc Cohn, Grand Rabbi of France; Dr. S. Cohn, Buda Pest; Prof. Dr. Delitz, Leipzig; Dr. Duschak, Krakau; Dr. Drabkin, St. Petersburg; Mr. S. I. Finn, Wilna; Prof. Dr. Goldzieher, Buda Pest; Rev. Green, London; Dr. Isidor, (the late Grand Rabbi of France); Dr. Jellinek, Vienna; Dr. Kaiserling, Buda Pest; Dr. Krochmal, Frankfort a. M.; Dr. Klein, Stockholm; Prof. Dr. Lazarus, Berlin; Dr. M. Lipschitz, Berlin; Dr. Landau, Dresden; Prof. Margis, London; Dr. Marbaum, Berlin; Mr. Neubauer, Cambridge; Dr. Oppenheimer, Thorn; Dr. Rabinowitz, Paris; Dr. Rubin, Vienna; Mr. Sachs, Paris; Mr. Ch. S. Szmmsky, Warsaw; Mr. B. Stutzker, Hamburg; Prof. Dr. Steintal, Berlin; Prof. Theodorus, Manchester; Dr. Whens, Dresden; Mr. Wustenetzyk, Szavalko. And the following eminent gentlemen honored me with their commendations in this country. Count Jay works in my album, Dr. F. is cited by letters Chicago; Dr. Gotthell, New York.

I am well aware that it was not the superior knowledge contained in the book just mentioned, which attracted the attention of so many eminent men, Hebrews and Christians (as Prof. Delitz of Leipsic, Dr. Wuensche of Dresden, the Bishop of Westminster, London, who honored me with their letters), but the fact that the subject had remained untouched by Jewish writers up to that time (as stated by Dr. Rubin of Vienna, Phyl. Rit. x.) It is true that H. Shur, editor of the "*Hachalutz*" attempted to treat this subject (*Hachalutz* vol. v.) but he did not carry his investigation very far concerning the names and history of the *Tephillim*: hence it was that my attempt to elaborate a subject which had been but little investigated attracted the attention of prominent men, and many of them urged me to proceed with the investigation. (See the letter of the well-known Naturalist Dr. A. Bernstein, and Prof. Lazarus of Berlin, did the same concerning

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Dr. Hirst (by letter) Chicago. Dr. Jastrow. Philadelphia.  
Rabbi Jacob Joseph. Dr. Kohler. Dr. Kohut. Dr. Klein,  
and Prof. Edw. R. Seligman. New York. Dr. Morais,  
Philadelphia.

my work *Der Schulchan Aruch und seine Beziehungen etc.*)

Being much indebted to the gentlemen named for their kindness and encouragement, I could not satisfy myself without continuing my investigations: especially as I did not see any detailed criticism of my opinions relative to the history and development of the Tephillin, and, much to my disappointment, it seemed as if the Scholars of the present time, did no more than distract themselves in trying to analyze my opinions.

Mr. L. Lillienblum, indeed, often sent me brief remarks, and attempted to refute a few of my hypotheses. These I gave a place in my *Ebben Sappir*, together with my replies. But all this did not amount to a criticism, as the author himself admits.

Mr. K. A. Krochmal in "*Juan Tephillin*" limited his criticism to the remark, that in his opinion the *Tephillin* were established by the "Asheoles" (after the Temple Synedrion  $\text{תלמוד בבלי א' ע"ב}$ ) and not by the Synedrion of Jamnia. Farther than this he did not go. (See his original words in *Ebben Sappir*, already referred to, and my reply). A still fuller reply will be found in Chapter v. of this book. Monsieur



Isidor Loeb, of the *Revue des Etudes Juives*, satisfied himself with saying only that it is credulous that there could not be found a pair of Tephillin in France in the days of Rashi and Tosephoth as we prove in our Phyl. Rit. (in disregard of our proofs induced in said work from R. Isaac the eldest (ר"י הזקן) of the Tosphoth, and the Rabbi Jacob the author of the "Question and Answers from Heaven *שאלות ותשובות מן השמים* of Curbel and did not attempt to go further remarking only that there are in my work many good things worthy of notice. Prof. Steinthal expressed the opinion in his letter to me (see Shulchan Aruch und seine Beziehungen etc.) that the meaning of (וקשרתם) can not be taken in the ordinary sense, that it should be tied on the hand, but in the sense in which I explained it, and thou shalt write it on the door-post of thy house. (וכתבתם על מזוזת ביתך) which can not be taken to mean that the whole Bible, or Pent. alone shall be written on the door-posts, or (ושמתם על לבבכם) And you shall set it on your hearts, to mean to place it on the heart, but inside the heart i. e. to be always borne in mind: with this his criticism ended. The few remarks I have quoted, comprise the whole criticism upon my work during 1883-'84, at least, all that came to my eyes.

From the orthodox class I did not hear anything either for or against the above work. Were it not for the encouragement given by honorable gentlemen named on the first page I should be inclined to think that the subject I have elaborated is of very slight interest, and does not deserve to be further considered. But seeing that my opinions have gained approval, in general, if not in detail, and since I knew that my investigations were not complete, I determined to undertake the work of criticism myself; to go over again all I have written in *Phyl. Rit.*, *Ha'kol* and *Ebber Sappir*, to collect further information, complete my work.

When this was done I came to the conclusion that the material which was crowded into *Phyl. Rit.* and *Ebber Sappir*, was not sufficient to give a clear history of the Tephillin and Komeoth, leaving out the polemical part which I introduced there. I was also influenced by Dr. Rubin of Vienna, who advised me to write a plain history of the Tephillin, free from polemics and scholastic discussion, in order that the Critic might penetrate the subject without hindrance. And now having been requested by one of the Professors of Harvard University, Boston, to write a short history of the Tephillin in English, I have composed this

book, which although not large, presents not only the history of the Tephillin or Totophoth, but the history of all kinds of Komeoth in general, from their first appearance until now. The texts contain the facts, which I have gathered from different sources, these have been carefully analyzed, and may be taken as positively established.

In the remarks, which accompany the text, I have given the sources from which the facts have been obtained, and the reason for my own opinions, whenever these have been introduced.

I also deem it necessary to call attention to certain opinions, which I have expressed, which have not been set forth by any writer hereto, and to ask the Scholars of the present time to analyze them, and give their opinions concerning them, namely: The Origin of the Names *Totophoth*, *Tephillin*, and *Komeo*, which I found out after all I have heretefore written on this subject was in print: also the nature of the *Tephillin* in the period beginning from the Prophet Ezek to Hillel the Zakken: also the change in removing the texts from the outside to the inside of the cases by the Jannian Synedrion, also the Komeo known as the "dove's wings" (כנפי יונה) worn by the Samaritan, and

originating from the "Dove" placed them on the mount "Gerizim" as a God, which Komeo "Elisha" "the Man of the Wings" ("עִישָׂא בְּרַעְמָה") wore to turn aside the attention of the Casdor; also my opinion about the Komeo Qishre "Mochson" with which Dr. Dushak and others agree also; the wearing of Tephillin by the Jewish Christians in the earliest ages, which caused many changes to be made against them by opposers, the Pharasees; also a new explanation of the *Beraittha* "עֲשֵׂה לְךָ תְּפִלִּין" and the meaning of the Mishna the *Talpoth's* when they are sewed up; and lastly,—the developments of wearing the *Tephillin* "תְּפִלִּין עֲשֵׂה לְךָ" in the course of time until R. Joseph Caro. 1600)

I humbly request learned men and scholars to read this work attentively, and in the order as presented, and not to leap from Chapter to Chapter, irregularly; only thus can they judge correctly whether my positions and conclusions are correct. I shall be glad and grateful to see my work carefully analyzed and candidly criticised. I do not offer this book as a final and absolutely perfect authority but as a contribution to the literature of a subject which demands still further study.

New York, March, 1892.

The 55th Year of my life.

## CHAPTER I.

### PRELIMINARY CONSIDERATIONS.

Lo, this only have I found, that God hath made man upright; but they have sought out many inventions. (Eecl. VII. 29).

The wonderful workings of the powers of nature, hidden from man's knowledge in early days and but imperfectly understood even to-day; good and evil events which happen, whose causes are unknown; the fortunes and misfortunes which have befallen mankind; epidemics which spread over the earth; the medicinal powers contained in plants and herbs, discovered by chance, when tasted or applied externally, to have a curative property—all these and other similar facts led man in early times to the belief in the existence of hidden and mysterious powers. These were supposed to be created of God on the one hand as a scourge or a plague, and on the other

is a benefit to mankind. The earth, it was believed, was by the will of God submitted to the influence of these powers, that they might rule over all creation, sustaining or destroying life, causing sickness or removing it, and bringing fortune or misfortune as the case might be. These occult powers, called "spirits", seeing everything, but themselves being invisible, were moreover believed to wander over the world doing harm to those who did not respect them or who in any way defiled their sanctity, but making happy those who chanted their praises in songs and hymns or who met therewith the names of the holy gods who were revered by them. The credulous sought therefore every means of appeasing these spirits and of ingratiating themselves with them in order to avoid misfortune and escape bad luck.

In consequence of such superstitions some shrewd people claimed to have intercourse with the holy gods and to possess the power of conferring favors upon their friends and of rectifying out misfortunes to their enemies. Such men were set up as priests and ministers of the gods and as mediators between the latter and men. These enjoyed honors and were held in great reverence by the people less of their hands and

the borders of their garments. Others, again, shrewdly claimed intimacy with omnipresent spirits and the power to influence them for good or evil. Such were the sorcerers and enchanters of ancient times. People feared them often but did not honor them, willingly gave them gifts, though considering themselves robbed of their property; still they were compelled to give, out of fear of arousing the anger of the evil spirits. Hence there arose two kinds of such men: the holy priests of the gods, and the sorcerers or enchanters who had the power simply to cause or remove evil but not to bestow good (1).

The fear felt by the people for the sorcerers and for the occult powers urged them on to seek from their priests devices of protection which might be used by them at home or abroad, when awake or asleep, and defend from conjury (שִׁדְדוּת) and conjurers. The holy priests gladly fell in with the people's requests and furnished them with various images of their idols, with magic sentences inscribed on various substances, containing names of gods and

1) As can be seen from Scripture, Balaam the sorcerer had only the power of cursing, but not that of doing good.

goddesses. They taught exorcism of the evil spirits. They gave them verses culled from their sacred books, songs and hymns addressed to gods and heroes, and the like; also charms to be worn on the head, breast, and arms. Men of the same period living under similar conditions are everywhere alike; and thus there was no nation of antiquity that did not wear charms of one form or another on the head, breast, or arm.<sup>2</sup>

## CHAPTER II.

### 1. AMULETS, THEIR MATERIAL, FORMS, NAMES AND POWERS.

The charms which were worn in ancient times by all peoples and also by the Jews are called in the Talmud *GAMEOTH*. We shall see further on how the word originated and how it was used by the authors of the Talmud.

<sup>2</sup> See H. H. Müller, *Geschichte des Götterdienstes*, p. 10; De Mejer, *und our Ursprung und Entwickelung des Elvactoren-Kritik bei den Juden*.



Since the amulet had to be worn exposed to view, in order that the spirits should see their inscriptions and keep away from the wearer, they in the course of time developed into ornaments. The rich made them of gold, silver, bronze, and precious stones, while the poor contented themselves with parchment, pieces of linen or woolen cloth, lace or embroidered fillets made by the women to embellish their QAMEAH (amulet), for women also wore charms for protection as well as for ornament 3).

Not only did the materials vary, but there was also exhibited a multiplicity of shapes. Some were in the form of plates worn on the forehead 4); some represented images of gods; some were round like a half 5); while others had the form of small square cases with their outside faces covered with inscriptions. That the fillets also had a variety of designs may easily be inferred; for the frontlets were fastened by fillets from the forehead to the occiput, and the

3) Tract Shabbath, fol. 57; also Dr. Matter, l. c.

4) Ibid; *ibid*.

5) Mishna, Megilla: "If one make his phylactery round", etc.

balls or small cases were fastened by means of a fillet encircling the head, making a knot at the occiput and falling down over both shoulders upon the breast 6).

The Hundoos and the Persians call these charms, talismans; the latter also HAMALETE 7). The Romans called them amulets (amuleta), the Mesopotamians teraphim, the Basilians abra xas, and the Greeks *phylacteria* or "stücheja" 8). The Egyptians and the ancient Hebrews also totaphoth 9), and the Chaldees (seru che) tebhulim 10). The shapes and inscriptions varied with the different nations and religions, also with the taste of the wearer; but the belief in their efficacy for warding off evil spirits and for breaking their spell was common to all nations.

Besides the above qualities their wearers ascribed to them the power of bringing them success in their

6) Ezek. xiii. 15.

7) Hammer, cited by Dushak in our work, Eblhen Sappir, p. 36, and Dr. Kohut in a letter to us.

8) Dr. Matter, op. c.

9) Dr. Mandelkern in Ha-Kol.

10) Eblhen Sappir.

undertakings and of preserving them from various diseases. Special amulets existed for use in time of epidemics, and such are found even to-day among the lower classes. The Hebrews also, like many other nations, believed them to be conducive to the prolongation of human life 11.)

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### CHAPTER III.

TOTAPHOTH; Origin of the Name: the two Idols Toth, Poth; the Time during which they Remained in Use; their Changes.

The Hebrews in Egypt used to wear frontlets upon their foreheads, after the manner of the Egyptians of that time, which they called "Totaphoth." They also wore knots upon their arms 12).

The name "totaphoth" was taken from the

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11) Tract Menahoth, fol. 27.

12) See Munter, also Wiener and Gottfried cited by Dushak in our Ha-Kol, No. 207, p. 124, and in our Ebleh Sappir, p. 36. The same appears from the testimony of Demetrius in De Rossi's Meor Enayim, Hadra'ath Zeqenim, and see, at length, in our Phyl. Kitus, pp. 52-71.

Egyptians, who call them *sa'at* their  
two gods "Photh" and "Phath". Therefore  
the Bible commands "And these were which I

13. The same name is also found in the  
Egyptian hieroglyphs, and is the same as the  
one which appears in the Egyptian hieroglyphs  
of the same name. The name is also found in  
the Egyptian hieroglyphs of the same name.

When the name is written in the  
Egyptian hieroglyphs, it is the same as the  
one which appears in the Egyptian hieroglyphs

of the same name. The name is also found in  
the Egyptian hieroglyphs of the same name.

The name is also found in the  
Egyptian hieroglyphs of the same name.

When the name is written in the  
Egyptian hieroglyphs, it is the same as the  
one which appears in the Egyptian hieroglyphs

command thee this day shall be in thine heart . . .  
And thou shalt bind them for a sign upon thine

The Idol „TOH“ who was supposed to grant support to the rulers of Egypt and who had at his disposal the „tree of life“ and to bestow it upon everyone whom he chose and who according to legends of the Egyptians, has engraved on the leaves of the „tree of life“ the king Ramesas II was associated by the rulers of Egypt with the Idol „Poth“, these two being together have the power of granting both life and light upon everyone of their worshippers. But life being the first necessary to conception of enlightening, they gave the preference to „To h“ and called „TOH POTH“ And this name, including the basis of happiness, the Egyptians gave to everyone they favored and respected; thus they called their kings and rulers.

Mr. Marieto Exploring the ruins of Memphis, found an Obelisk of the ruler „TOTOTFH“ at present in Paris which after all, probably, was named after the above mentioned Idols. And according to the opinion of the great orientalist Mr. Aulehman even the name „Egypt“ from the Greeks is composed of the words „Co-Poth“ (Coptic) which means „The land of Poth“ because Poth being the first of the Idols of the Egyptians.

And now we can only confirm Dr. Mandelkern's opinion, that the names of the said two Idols which the Hebrews borrowed from the Egyptians. See History of Oriental Nations page 10-15 who were worshipping them in the days when the Hebrews were dwelling in Egypt, and we will add too, that R. Aquiba

hand, and they shall be as frontlets (TOTAPHOTH) between thine eyes" (Deut. 6:6-8). This passage is to be understood in the way in which R. Samuel ben Meir, a grandson of Isaacides (Rashi) explained it in his with his dictum (Fract. *Sanhedrim* 4 b) טט בפנתי יתהים meant the same; for the correct reading there is טט בפנתי in Coptic (Cf. our Phyl. Rit. p. 94.) Tot might have had the meaning "two" because of its being always coupled with PHAT (and also with the god Phat, was coupled the god Tot (See Mandelkern l. c.) However that be, we see that R. Aqiba considered the name totaphoth to be of Egyptian origin, and the same view is held by Dr. David de Pélus (See our Phyl. Rit. p. 89), and by Abraham Saba, author of *Zeror Hamot*, whose words are cited by us in Phyl. Rit. p. 64, note 7. Since it is well known that those amulets bore the names of gods or names that expressed some relation to the latter, and that "Tot" and "Phat" were members of the Egyptian Pantheon, there is no doubt as to the correctness of Dr. Mandelkern's opinion.

Prof. Steintal, who rejects the idea of its being of Egyptian origin (See Phyl. Rit. p. 68), did not see Dr. Mandelkern's article. If there were any doubt about the matter, it is now entirely dispelled, after we have found that the name *tephillin* is of foreign origin, borrowed bodily from the Babylonians. In fact it is commonly observed that nations borrow costumes from one another. Especially are subjected peoples apt to imitate their conquerors.

commentary ad loc. “‘For a sign upon thine hand.’ This is to be understood in its conventional sense; that is, it shall be to thee a continual memorial, as if it had been written upon thine hand, like the expression (Cant. viii. 6.), ‘Set me as a seal upon thine heart.’ ‘Between thine eyes,’ for an ornament or golden trinket which used to be worn on the forehead.” The Talmudists’ view of this passage, namely, that it commands the substitution of passages from the Bible for heathen incantations in the *totaphoth* used, is also admissible. For often we meet with the exhortation: “After the doings of the land of Egypt shall ye not do” 14).

The form of the *Totaphoth* was that of a plate slightly curved, covering the forehead and reaching from ear to ear, bound by a fillet to the occiput. On its outside face it bore an inscription of some verses or of names of God, and that form continued in use down to the time of the Mishna, and though we do not know what verses or names it bore in Egypt, we nevertheless do know that at the time of the first doctors of the Mishna the verses on the *totaphoth* contained the

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14) This has been already suggested by us in *Proc. Rit.* p. 8 of the Introduction, lines 28-30.

Shema portion (פרשת שמע) (Deut. vi. 4, 5) 15. The gold used to make them of gold or silver, and the poor use of cloth of various colors, and both men and women wore them as ornaments 16. The Mishna allowed women to go out with them on the Sabbath, provided they bore inscriptions on the outside, but forbade wearing them on the street upon the Sabbath before they yet had their inscriptions 17. But the Mishna

15. Moses of Cony in his *Eleph He'arav* vol. ii. ed. W. A. 1555 says "It is a' ornamental of certain use". מצות קטנה is, in fact, the repeated form of the Hebrew, because it is not said that shall bind them? יקשרום. He also says "A קשר which is fastened upon the tooth (i. e. reaching from ear to ear) called in Scripture פסאפוד, etc., and in the section (סוטה 75) written תרוב. Cf. also Catalogue Zedner's vol. 11 p. 73. Mevot, N. p. 486, 427. Mevot, Cony, vol. 2 p. 133, 134, 136, 138, 139.

16. Tanch. S. p. 220. R. Ashi says that the Pharisees deriving from their fathers' custom that women should wear ornaments, then the Pharisees would not wear any. To be some way, says R. Zema. The ornaments had inscriptions, like the ornaments of the priests, and that was the reason that the Pharisees were so strict. K. p. 47. B. B. p. 107.

17. See R. H. p. 220. R. Simeon said of the region of G' that when a woman came out of the bath she wore not merely a slight



does not speak at all about men's wearing *totaphoth*, for the reason that men had then begun to wear another amulet known by the name of *tebhulim* or *tephillim*; which latter also the doctors allowed to be worn on the Sabbath only in exceptional cases, as for instance in case one was found on the street 18).

trace, but the very thing, the ornament and the names as well. Cf. the Mishna: "A woman must not go out (on the Sabbath) with a totaphoth or a headdress (כנבוטין) when they are not yet sewed on, but may go out when they are sewed on." The meaning of that passage is not that the amulet be sewed to the hair-net as the commentators *ad loc.* explain it, for does not the Mishna allow on the Sabbath the wearing of all kinds of ornaments even if they be not fastened to the body?

It would have allowed even the carrying of swords and bows, if those things were not considered as things to be ashamed of rather than ornaments, as the Mishna (Tract Sabbath) clearly states. But the expression "Sewed on" refers to the customary verses or images. Thus this case is exactly similar to that of a ring, which is allowed to be worn on the Sabbath only when it has a seal engraved upon it, but not otherwise. We are the first to propose this explanation and for this have earned the praises of many Scholars.

18) "One is allowed to put on the tephillim or to bring them into the house, one pair at a time, in case he find them

It appears that the doctors of the Mishna regarded amulets as ornaments only in respect to women, the fair sex being usually fond of adorning themselves; as regards men, they considered amulets as preservatives from spoils and evil spirits. Believing, as they did, that it would not be necessary to wear them on the Sabbath, the sanctity of the day being viewed as a sufficient protection, they forbade wearing them on the Sabbath except in extraordinary cases.

At the time of the Amoraim in Babylon the name *Shatpeth* gave way to that of *qetiphta* or *hemrate diphtta* (שֵׁטֶפֶת / שֵׁטֶפֶתֶת), which latter at the time of Abbaye and Rabha, "The pillars of the Babylonian Talmud," was considered as an approved and generally accepted amulet (19). But a century later, in the latter part of the Sabbath, "So far that in respect to the Jews, it is not necessary to wear them in an unusual situation." (Tract Erubim, Sect. Hanotze To'ar, folio 5 verso, col. 1, l. 13.) (1894 see also further notes.)

To find a *Shatpeth* or *qetiphta* like the later amulet, referring to the sanctity of the Sabbath, is clear (200). It is correct to hold that the *qetiphta* was an approved amulet. It is not to be confused with the *Shatpeth* mentioned above

time of R. Jehuda of Diputa, we find the women wearing another kind of head ornament known by the name of absayim (a kind of baroque) and the totaphoth became obsolete and known to the Amoraim only by name.<sup>20</sup>)

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 considered it an *amoret* at all since he was not among those of the totaphoth which were known to him, but he answered R. Joseph who was troubled about the *amoret* of Diputa which was well known to him. And perhaps the *amoret* was not of the same sort and that the cases were the result of a mistake on the part of the sages who a few later corrected by the commentators. The cases that arose our century later for the later doctors of the Mishnah being centuries after the first authorities of the Mishnah — a barefoot country, not sedentary, in contrast to the Mishnah. Albay's objection in fact, however, was correct. Only a century after R. Jehuda of Diputa, it may have been the amount worn that was at issue, as we shall see in the *Traktat Ketubot*.

<sup>20</sup> For an example of the *absayim* see *Traktat Ketubot*, page

#### CHAPTER IV.

Tephillin: their Origin and Form. They originate in Babylon. Hillel, R. Johanan ben Zakkai.

Among the various customs which the Hebrews borrowed from the Babylonians during the Exile, as for example the nomenclature of angels, of devils and of months, there was also the use of a new kind of amulet called Tebhulim or Tephillin, as the word is used in later Hebrew literature<sup>21</sup>), an amulet different from the totaphoth both in nature and in shape or form. The name tebhulim is derived from a root tabhal: meaning to "enwrap" or dress the head with ornaments<sup>22</sup>), and is very appropriate to

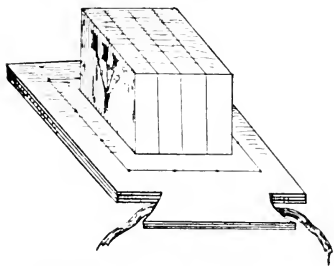
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21) The names tebhullim or tephillin are undoubtedly identical and even pronounced alike, differing merely in orthography. The Babylonians promiscuously used טבל, טפל, טפל (The root means "to join", and the Talmudic טבל "entwined" is probably of the same root). In Jerusalem Talmud the spelling is טפל, טפל. Likewise the Babylonian Talmud writes טפל, טפל where the Jerusalem Talmud has טפל, טפל.

22) In Ebben Sappir we have demonstrated that Fuerst's translation "Turban" is incorrect, it being an ornament.

this amulet on account of its encircling the head while the fillets fall over the shoulders and breast. It is true that the exiles who returned with Ezra and Nehemiah had not adopted the tephillin, for no mention is made of them nor throughout the existence of the second temple down to the time of Hillel; but they were adopted by those who remained in Babylon, who were more numerous than those who returned. Among these the use of the tephillin continued even in the time of the Parthians, but only men of distinction and rank wore them, as will be shown further on.

The form of this amulet was like a square case



with a bottom plate projecting beyond its edges and a prolongation of that plate wrapped over so as to allow

March 12, 1870, Dr. J. Astor of Philadelphia when calling attention to the object in the ancient hieroglyphs and to find it as well as we understand.

Amulets, Charms, Talismans. — Rooker's —

the fillet which bound it to pass through the prolongation lengthwise. The ends of the fillet fell across the shoulders over the breast and down to the loins where they were stuck in the girdle.

What form the tephillim had in the time of Ezekiel can not be ascertained; but so much is certain: they encircled the head and had appendages terminating at the loins and there stuck in the girdle. Ezekiel uses the expression *seruche tebhulim*, and the latter word is undoubtedly of Babylonian origin as would appear from Ezek. (xxiii. 14, 15): "For when she saw men portrayed upon the wall, the images of the Chaldeans portrayed with vermilion, girded with girdles upon their loins", *seruche tebhulim*, i. e., hanging down with *tebhulim* or *tephillim*, "upon their heads, all of them princes, to look to after the manner of the Babylonians of Chaldea, the land of their nativity" etc. Moreover we see from these passages that *seruche tebhulim* was a mark of distinction and rank, and *tebhulim* were the ornaments of princes, and likewise that pictures were drawn, called by Ezekiel *תבליט*.

According to the Talmud the first mention of

tephillim was made by Hillel <sup>23</sup>, who emigrated from Babylonia and brought them along with him as an heirloom from his mother's father (Talmud Jer. Trac. Erubin.). Nor do we find any clear Biblical paraphrase rendering *t o t a p h o t h* by *tephillim*. Jonathan ben Uziel, the Samaritan Targum, and many others do not translate the word. The Septuagint renders it periphrastically by *ἀσάλευτος* (something still or unmoved) and in the same sense did Aquila in

23) In our Phyl. Rit. we doubted whether this Hillel was H a - Z a q e n (the Elder) or, H a - N a s s i (the Prince), the latter flourishing a generation after the former. This doubt was caused by our uncertainty of the derivation of the word *tephillim*. We there followed the late Dr. Asher, who assumed it to be a corruption of the Greek *τό φιλαιτηριον*; but now having found the name to be of Babylonian origin and that it remained unchanged down to our own time, we see no reason why we should not rely upon the statement of the Jer. Talmud that it was Hillel the H a - Z a q e n. We have changed our opinion on a number of points maintained in Phyl. Rit. on account of later investigations which prove that *tephillim* are entirely distinct from *t o t a p h o t h*, and that the latter never changed their name, which became obsolete together with the use of the thing itself.





Onkelos, the proselyte, who wrote his Targum under the guidance of R. Eliezer and R. Joshua, both disciples of R. Johanan ben Zakkai, is the first to render *to taphoth* by *tephillim*; for the Jamnian Synedrion had already accepted them and ordered placed within them the four Biblical texts, as will be explained further on. Just as the *tebulim* in Babylon were worn only by men of nobility and rank, so the *tephillim* in their changed form were worn only by eminent scholars and by presidents of the Synedrion. Moreover even these prominent men could only wear them upon receiving special permission from the rabbinical authorities, and the one who received this considered it a great boon and an especial honor<sup>27</sup>. The enjoyment of such a privilege

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author, since it is not found in the *Pesiqta di R. Kahana* but after having examined all known sources without finding that the Palestinian doctors had ever worn *tephillim*, we have no reason to doubt his statement and are willing to believe that he had such a reading before him.

This we do the more gladly since true criticism requires the reading with *פס*. In the *Pesiqta* the word must have been omitted.

27 Cf. Tract. Bechoroth 30 b, where to the question

brought the esteem and the confidence of the people, and moneys were entrusted to them without even the presence of a witness 28. Such men wore their tephillin the whole day.

## CHAPTER V.

Change in the Form of the Tephillin  
by the Jamnian Synedrion; their change in  
the Time of the Amoraim. The Samaritan  
Amulet Dove's Wings.

When the Synedrion under the presidency of R. Jehannan ben Zakkai was established at Jamnia the outside form of the tephillin underwent a change. Previous to that time their four outer sides were covered with Bible texts (besides the incantations and exorcisms inclosed within the case) but the

Obv they are exous, the rabbis answer that they wear tephillin  
see our Phyl. Rit. pp. 73-74, note \*\* 97.

28. Jerusalem Talmud Sect. H. Halachoth I., and Mid-  
rash and Pesq. tal. and also cited by the "Rosh Hashanah"  
Josephus, B. Eruthal. sect. H. and Halachoth  
90-91, 92.

Synedrion at Jamnia resolved that all outside inscriptions be transferred to the inside 29).

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29) In our Phyl. Kit. in several places, and especially on p. 107, we have proved that the change in the form of the tephillim for the first time was due to the initiative taken by the Jamnian Synedrion. Without here repeating all the arguments there adduced in support of the above view, we would simply add a few points gathered by us during the decade following the publication of that work.

a) After the name tephillim had been introduced by Hillel Ha-Zaqen as signifying an amulet containing Biblical texts and after that name had gained currency even in Palestine, it was then by the schools of the doctors of the Mishna and the Beraitha also applied to the old totaphoth described above. Whenever therefore the Talmud relates that the first rabbis wore Tephillim, the ancient totaphoth are meant. But in the case of the phylacteries *φυλακτήρια* mentioned in the Greek of Matthew's gospel XXIII. 5), and in the Syriac (מִפְתִּיחַ הַטֵּן נִרְ אִמְרֵתְהוֹן וּמְרַבֵּן צִנְפֵּתְהוֹן דְּמֵאֲנִיחֵין), it is doubtful whether the reference is to the old totaphoth which the Pharisees are said to have amplified and used as ornaments, or to the tephillim in the form in which Hillel had brought them from Babylon; for the Greek renders both alike by *φυλακτήριον*. The Syriac again says that Jesus denounced the broad fillets but not the amulets themselves, as appears from

The following is a list of the names of the authors of the papers in the volume: H. ... (The text is extremely faint and difficult to read, but appears to be a list of names and titles.)

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first link in the family of Ishmael ben Fabius **ישמעאל בן פאביוס** the High Priest, and a contemporary of Jose ben Joezer of Zereda, and he remarks in his "Eon Tephilla" (Ehben Sappir, p. 25) that at that time the Hebrews were subject to the Greeks, that it was the time before the Maccabees, and that therefore the prohibition of wearing tephillim was made by the Greek government and not by Hadrian who forbade not only the tephillim but all religious practices. But in all this we are unable to find anything to contradict our theory. For if in truth Elisha was a contemporary of Jose ben Joezer of Zereda and the decree was issued by the Greeks, we can understand fully the reason why the latter made war only on the tephillim. For being on hostile terms with Egypt, they forbade the wearing of the tephillim, i. e. of the Egyptian totaphoth which might be taken as a token of sympathy between the Jews and the Egyptians, and so they wished the former to adopt instead of the Greek phylacteries.

The Jews then being subjected to the Greeks, Elisha was aware that disobedience to that government would not go unpunished and therefore he provided himself with the amulet of a dove's wings (**כנפי יונה**), the symbol of the Samaritans, who, as the Talmud relates, had the figure of a dove on Mount Gerizim which they worshipped. This he placed in his pocket, and when the quaestor met him he took to flight, meanwhile changing the totaphoth which he had worn to the dove's wings which he had in his pocket. When the quaestor reached him he found him wearing the Samaritan amulet against which he had no

action. For the Samaritans were at home with the Greeks, and it is a good thing.

It is unnecessary to suppose, says Dr. Kirchhof, that the words *וְהָיָה כִּי יִשְׁרָף* associates that El-sha' had led the quaestor to the agency of *וְהָיָה* and a playful allusion to the passage in Psa. lxxvii. "The wings of a dove covered with silver." Such a meaning would be far-fetched, and would besides impute to the Talmudists' description, making them raise a case of bribery to that of a miracle. The Talmudists were wise teachers, not shrewd imposters. But according to our explanation they called it a miracle that El-sha' had the prudence to provide himself with a Samaritan amulet to thereby save his life. Accordingly the sense of R. Johanan contains that whosoever is not at the start prudent in regard to the possible consequences of his actions should not wear tephillum in times of danger.

We can now understand the homiletical explanation of R. Johanan, that the act of Jeroboam's rebellion against King Solomon consisted in his taking off his tephillum in the latter's presence; that is, he took off the amulet which the Hebrews used to wear by order of King Solomon as a token of allegiance to his royalty, as we have previously said, that amulets varied with the nationality and region of the wearer and were characteristic of them. Thus by taking off his tephillum Jeroboam renounced his allegiance to the king. The given exegesis on shields-light also upon an allegorical passage in the Talmud in which it is mentioned that the tephillum is *וְהָיָה כִּי יִשְׁרָף* in the inscription: "And who is like unto thee, O God? In all the earth, who is like thee?" Here God

In addition to that they ordered that the texts in which the words "and they shall be as frontlets (to taphoth) between thine eyes" are mentioned be written on parchment and also placed inside<sup>30</sup>. Rabbi Johanan ben Zakkai was the first and perhaps the only one of his time who wore the tephillin continually.

The motive which prompted the Jamnian Synedrion to pass that law is to be found in the fact that Jewish Christians had then begun to use those amulets

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is said to wear an amulet with the characteristic inscription meaning that He always shows to the world the provident care and watchfulness exercised by Him over His chosen People.

We have thus far enumerated all the passages in which the tephillin are mentioned in connection with the ancient Rabbis. As to the forty measures of tephillin casings said to have been found at the destruction of Bethel, there of course the customary Jewish tephillin are meant.

30) Rabban Gamaliel, the president of the Jamnian Synedrion, says in the section **H**amats'o Tephillin that if one find tephillin on a Sabbath-day, whether they be new or old ones, or whether the finder be a man or a woman, he or she may put on, two pairs at a time, and carry them home. We have shown Phyl. Rit. pp. 112, 119) that by new tephillin R. Gamaliel meant those that were introduced in his own time, while

for 1950, and 192) their religion having added to the older text some passages from the Gospel according to John.<sup>33</sup>

For the same reason a number of laws were added to Mishna. For example: "If one denies to the Torah from Biblical authority, he commits thereby no *melechet ra'ah* [evil deed], as if he swam to a phosket, which is *ra'ah*, yet he thereby did upon the people and were also *melechet ra'ah*. For phosket is support from his own opinion, and *melechet ra'ah* is the same as for R. Jehu and Ben Zakkai by *melechet ra'ah* is a denial of torah from Him. It is further possible that the denial of torah did not, at first, gain general acceptance among the learned men of Palestine, R. Jehu's (c. 100 B.C.) son Ben Hanan of Jerusalem, while he allowed old laws to stay new ones. We need not at all assume, as we did at the time of R. H. I. (kit), that Jehu's four lines four generations (c. 100 B.C.) meant by old torah from the same that R. Gamabeh (c. 300) stated a new ones. But it is possible that at the time of R. Jehu's the Jews of Christian had begun to substitute the *melechet ra'ah* with the letter *Shin* (צ) and other things of *melechet ra'ah* had not done yet at the time of R. Gamabeh, so that at the time of R. Jehu's it had to wear a *ta'am*.

<sup>33</sup> For the laws, Deuteronomy 10: 16, 17, 20, 16: 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



transgression; but if he, contrary to the enactment of the rabbis, maintains the necessity of five totaphoth, he does commit transgression". (Tract Sanhedrin, fol. 88) By these five totaphoth they referred to the custom of Jewish Christians, who added a fifth to the four usual Biblical passages<sup>32)</sup> For a similar reason they enacted (Menah, section Haqanets Rabbai) that none of the four texts of the tephillin should be omitted, in order to prevent the substitution of some text from the Gospel for the omitted one. It is further probable that the

32) This Mishna might have been uttered also at the time when the four Biblical texts were engraved on the outside of the tephillin, and the Jewish Christians must have added a fifth space filled with text from John's Gospel. It therefore says "five totaphoth", and not five texts or Bible actions. This becomes clear from another unique saying namely: "If one deny to the tephillin authority in order to transgress the law", etc. By this is meant that if one denounced the wearing of tephillin with the object in view of destroying the Bible texts engraved on them, he does not incur punishment, for the obligation of wearing tephillin is not based on Biblical authority, but he does incur punishment if he attempts to make additions to the norms given by the rabbis, in such a case being considered a disenter.

law that the omission of the hand phylactery does not affect the legality of that of the head (Section Hatachaleth) was enacted by way of reaction against the above mentioned Christians, for the latter used to cover their phylacteries with gold and silver and wore them together with their cross<sup>33</sup>, wearing them always in pairs, one on the arm and one on the head. In fact it is entirely due to the Christians that the subject is mentioned in the Mishna at all. The best proof of this is its omission in its proper place, the tract on benedictions, where such subjects as prayer and devotion are minutely treated. Instead of this the phylacteries are mentioned, curiously, in the tract on offerings (Menachoth), a subject which does not concern us at all in modern times. Moreover no mention is made in the Mishna about the writing or making of tephillin or totaphoth, though the doctors go into the minutest details about all other matters connected with the religious practices of the Jews<sup>34</sup>.

<sup>33</sup> We have already demonstrated in Phyl. Rit. p. 57, and at length on p. 65 under the heading פ"ק 228 that the Mishna Megilla, 'If one cover them with gold, i.e. he acts like a dissenter,' refers to the Jewish Christians.

<sup>34</sup> See Phyl. Rit. p. 66, note 1, and Eilchen Saqif pif. p. 47, note 27. In the former we have also shown that

The reason of this is simple. The doctors of the Mishna were not at all concerned with amulets: they even forbade one to rescue them from a fire on the Sabbath. They allowed the wearing of an approved amulet on the Sabbath only because they had to yield to popular superstition. If they had forbidden them altogether, the people would have refused obedience, for they believed that their life and happiness depended upon their amulets: while the doctors themselves did not care for them, and even tephillim were worn by only a very few of them, and that upon extraordinary occasions 35).

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even in *Masiqta Sopherim*, a later work, no laws for tephillim are given, and they are mentioned only incidentally.

35) In *Thyl. Rit.* we have shown that neither R. Gamaliel nor R. Eliezer ben Hyrkanos wore tephillim, though the most prominent among the disciples of R. Johanan ben Zakkai, and that only the later rabbis, associating with royalty, and a few others in the same position, wore them, as a mark of dignity. See also *ibid.* p. 104, note 2. There is also an additional proof of the recent origin of the tephillim from the *Berachta's* question, "How are they arranged". From this we see, that it was new, and they did not know how to arrange them.

After the new form of the tephillin was fixed by the Jamnian Synedrion and approved by the learned Hebrews of that time, the followers of R. Eliezer and R. Joshua began to seek in the Bible some support for this form of the tephillin. R. Akiba thought that the word totaphoth could be explained as referring to the "four" Biblical texts placed in the tephillin, since tot and phath have in different languages each the meaning of "two" R. Ishmael was of the opinion that some support of the form could be found in the use and the omission of the two letters Vav (ו) in the word תפילין as met with in the Bible etc. Others even ventured to find some indication in the Bible as to the place where the tephillin ought to be worn; for instance, one rabbi was of the opinion that they should be worn on the left hand, basing his opinion on the addition of the letter He (ה) in the word ידך, which is very seldom added in the formation of the second person in the Hebrew language, and he divided the word ידך (thy hand) into two separate words, יד (hand) and כף

(weak), "the weak hand" i. e. the left hand. R. Nathan in a far-fetched manner determined the place where the tephillin should be worn from the words וַיִּשָׂתֵּם (and thou shalt place them) and וַיִּקְשֹׁרֵם (and thou shalt bind them). This he does by saying that as the tying is usually performed by the right hand the place of the tying consequently must be on the left hand. Others endeavored to find in the Bible still other ceremonies to be observed when tying on the tephillin. R. Eliezer maintained that the ceremony of wearing the tephillin must be private and not public, and made it out very ingeniously by emphasizing the words לְךָ לְאֵימָתָא (to thee for a sign), i. e. לְךָ לְאֵימָתָא וְלֹא לְאֵימָתָא לְאַחֵרִים (for a sign to thee and not for others). Similarly did R. Isaac and R. Jehuda. See our Phyl. Rit. p. 108.

All these attempts to find in the Bible some support for such things was with the intent that the people should adopt the reforms of the Synedrion, and to put an end to their habit of wearing talismans of other kinds which bore inscriptions engraved on the outside. The reason which influenced the Synedrion and the other learned men

to change the form of the tephillim was because they wished to prevent the people from idolizing them, as those of other religious creeds did, and as afterwards the Christians idolized the cross and the pictures of their Messiah and the apostles.

Having then in view these two things: to strengthen the belief in the tephillim and to prevent their being regarded as objects of worship, the rabbis always in the first place endeavored to give much value to them by describing them as "God's Word" and by finding some foundation for them in the Bible to oppose to those who claimed that there was no Biblical authority whatever for their use, and then in the second place they endeavored to prevent the common people from wearing them too often and so in the course of time giving them a superstitious reverence. And therefore all their writing and speaking on the subject was from a purely theoretical point of view, as they themselves wore them either very seldom or not at all. (36) But all these precautions were

36. In our *Phyl. Rit.* we have mentioned all who did not approve of the use of tetaf both or tephillim, and *see* *ibid.* *cap. lxx.*

in vain, as those who worshipped Jesus as the Messiah soon learned to obey all these restrictions as Pharisees and at the same time not to abandon their own principles as will be shown further on.

The Jewish Christians, who were not entirely separated from the Pharisees and who adopted all the reforms of that sect but who in addition believed in Christ and his resurrection, had also adopted this new reform in regard to the *tephillin*. And so they also wrote the "four texts" on parchment and placed them inside the cases, but they at the same time spared nothing to employ every available means of propagating their own doctrines. For this purpose they painted the outside of their *tephillin* red, as in memory of Christ's blood. The Pharisees then immediately passed a resolution forbidding this color for the *tephillin* as being unsightly (*Menachoth* 35), and then the Christians adopted the threeheaded letter Shin (שׁ) of the Hebrew alphabet as a symbol of the trinity.

From the tradition known as "Halachoth le Moshe mi-Sinai" (the tradition given to Moses from God on Mt. Sinai) and which prescribes the letters Daleth (ד) and Jodh (י) for the *tephillin*, which are not admitted by the *Tosephoth*, we may judge that these two letters

were placed upon the *tephillin* by the Jewish Christians. The  $\daleth$  was the abbreviation of  $\text{דָּוִד}$  ( $\text{דָּוִד}$ ) "son of David", and the  $\text{ש}$  of  $\text{יֵשׁוּעַ}$  "Jesus". These were used together with the  $\text{שׁ}$ , the emblem of the trinity. The true meaning of these letters they endeavored to conceal from the Pharisees by explaining that  $\daleth$  and  $\text{ש}$  together with ( $\text{שׁ}$ ) had the meaning of  $\text{שְׁדַי}$  "The Almighty". The Jewish Christians employed different emblems and colors and ascribed to them certain relations to Christ, and therefore the Hebrew authorities of those times forbade also the painting of *tephillin* white or green (*Beraita* 37), which before was permitted, and only the black color was allowed. (Ibid. 35, *Shabbath* 28.) With the same object in view the Hebrew authorities, inasmuch as they had not the power to displace the word  $\text{שְׁדַי}$  of the *tephillin* even though the Jewish Christians gave it their own meaning, considered it wise to add to the letter Shin ( $\text{שׁ}$ ) one more head, thus  $\text{שׁ}$ , making a letter which had no existence in the Hebrew alphabet, and explained that these four heads indicated the unity of God in the four quarters of the world. They then abolished the three-headed Shin.

The Amoraim of the middle of the period when they



flourished, who found so many restrictions in regard to the *tephillim* adopted by those before them, endeavored to increase the number of restrictions. Still they did not want to abolish the *tephillim* altogether as did the authorities of Jerusalem, who prohibited their use on account of the "treacherous people" (רמאים)(37) And although we find even among the Amoraim of Babylon some who used to laugh and jeer at the use of *tephillim* (as for example, Plaimo and Roma bar Tamri. (See Chulim, 13, and our Phyl. Rit. 37 and 57), they nevertheless did not go further than to increase yet more the number of restrictions and in this way diminish their use. From all this originated the eighteen rules and regulations in regard to writing and wearing

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37) In the Jerusalem Talmud (Berachoth II, Par. 1) the following explanation is given of the "Ramaim": A traveller once on Friday evening deposited some money in the hands of a man whom he took for an honest one, because he wore *tephillim*, and when the traveller demanded his money the man denied that he had received it. This is the explanation given to the word רמאים by the Amoraim; but it can also be explained as referring to the Jewish Christians who deceived the Pharisees into thinking that they agreed with them in everything.

*tephillin*. It was all done by the latest Amoraim of Babylon. (28) Afterward the number of restrictions was still further increased, and at last they were forbidden to be worn by women and common people and were replaced by another kind of talisman called *Gishrei Mochsan* (29), and so the *tephillin* became

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38. In our *Phyl. Rit.* p. 260 we gave an account of all these Halachoth with the name of the author of each one. The author of the most of them was R. Jeremiah, who returned from Babylon, one of them is from R. Hananeel, who stated that it originated with Rab. Another Halachah originated with R. Jose bar Bibi, who is mentioned by Fraenkel in the Introduction to the Jerusalem Talmud as being only a few third kin to the Amoraim. Bibi, his father, was born in Jerusalem, but of Babylon as is explained in the Hebrew. There were all authorities of the Babylonian Talmud. No authority of the Jerusalem Talmud has stated any Halachah of the Mishna, Me'asana, or the Tephillin. In the Babylonian Talmud there are some Halachoth stated in the name of Abay, but Manuscripts and the Tosepht are not allowed to admit them. One Halachah was stated in the name of R. Kahana or R. Papa, but it was not put in the Mishna.

39. See our *Phyl. Rit.* p. 260, 261, 262, and also Dr. Dastark in *Phyl. Rit.* p. 261, 262, 263.

scarce and in the course of time they were only known in the literature of the Mishna and Beraitha and among the Amoraim. The latest Amoraim who preceded the *Rabbanim Seborai*, raised the question among themselves why the ceremony was so little in use. (40) This is the history of the rules (41) and regulations, and the change (42) in the form of the *tephillim*.

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40) Many of the Amoraim were approved when they only once performed the ceremony of wearing the *tephillim*. Among the good and pious things ascribed to Rabh, the founder of the Babylonian Talmud and the most prominent man of that time, was counted the fact that from time to time he wore *tephillim*. The wearing of *tephillim* was abandoned only afterward in the time of the latest Amoraim.

41) It was not allowed to wear them when asleep, nor when thinking of a woman, and the wearer must always bear in mind (*Shulchan Aruch, Orach Chaim, 373*. Our Phyl. Rit. Ch. VII.)

42) The *tephillim* of R. Hiya were tied and sewed with common flax strings (not with animal strings). *Makkoth II*, Hyrkanos, the son of R. Eliezer used to fasten the *tephillim* with strings of *techeloth*. We have given only a few changes in the form of *tephillim* which were adopted by the later Pharisees, but have not mentioned many changes adopted by the *Tseduqim* (*Megilla*) and by the

## CHAPTER VI.

The Isolated and Unexplained Article in *Bereitha* on the Order in which the "Four Biblical Texts" are to be placed in the Cases under the title *בציר סדרין*: the Wrong Explanation of this by the Different Commentators of the Talmud which led to Many Misunderstandings in regard to the History of *Tephillin*: a Sketch of the Four Styles of *Tephillin*, the Water of the unleavened Bread.

The sudden change made by the Jamnian Synedriion in placing the inscriptions inside the *tephillin* instead of upon the outside, together with the fact that they were only worn by the learned and very rarely even by them, provoked people of all classes to acquaint themselves with the form and order of the inscriptions. There was nothing mentioned about them in the Mishna except that there are "four Biblical texts". Even the fact that the Synedriion assembled and passed a resolution showing that a majority of

Samaritans, according to the opinion of Mr. Herzfeld II, p. 223, who claim to have found the word *tephillin* in an ancient Samaritan manuscript. There were some who wore round *tephillin*, etc.

them were in favor of changing the outside form was not mentioned either. Nor were these changes included in the ten new reforms adopted by the school of R. Johanan ben Zakkai, as these reforms were immediately to be put in practice. Accordingly the Amoraim began to occupy themselves with finding out information concerning the inside form of the *tephillin* and unexpectedly there was found a *Beraitha* treating of this subject. The author as well as the school from which this *Beraitha* originated was unknown. (*Mena. hoth.* 34).

The *Beraitha* began as follows: "In what order shall the four Biblical texts be placed (in the cases of the *tephillin*)? In the following order: The texts beginning with the words 'Sanctify to me' (Ex. xiii. 1-10) and with the words 'When the Lord shall bring thee' (Ex. xiii. 11-16) shall be placed in the right; and the passages beginning with the words 'Hear O Israel' (Deut. vi. 4-10) and 'If ye hearken' (Deut. xi. 14-20) shall be placed in the left." And to this article was annexed the question: "But do we not find in some places the contrary order?" This question as well as the *Beraitha* is without author. Abbai, reading the article and the question, wished to explain

them as not at all opposed to each other and gave the following obscure explanation. “*There* it means to the right of the wearer and *here* it means to the right of the person looking at them on the wearer.” “*There*” and “*here*” are in the sentence expressed by the word 82. Now this explanation of Abbai needs for itself also an explanation: for Abbai did not say whether “*there*” refers to the *Beraita* and “*here*” to the question or *vice versa*, as in the Talmud sometimes we find comments made first upon the latter part of a question, as being fresh in the memory of the questioner.

Still further, from the question itself we cannot distinguish whether it means that in some other place it was found that the texts “Sanctify to me” and “And when the Lord shall bring thee” were to be placed in the left and the texts “Hear O Israel” and “If ye hearken” in the right, or that “Sanctify to me” and “Hear O Israel” were placed in the right and “When the Lord shall bring thee” and “If ye hearken” in the left. Hence this obscure explanation of Abbai became the cause of adopting four different styles of *tephillin* worn on the head and two different styles worn on the hand. These were from four different

authorities; namely, the style of *Rashi* (R. Salamon ben Isaac) and *Maimonides*, the style of *R. Tam.* (Jacob), the style known as *Schemusche Rabba*, and the style of *Rabad* (R. Abraham ben David of Paskira). These dispute with one another in the Talmud. The different styles of *tephillin* are exhibited in the following table :

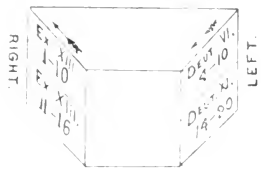
The Tephillin worn upon the forehead.

According to Rabad. (ראב"ד)	According to R. Tam. (רבנו תם)	According to Shemushe Rabba. שמישה רבה	According to Rashi & Maimonides (רש"י ומימ"ס)
Right of the "Wearer".	Right of the "reader."	Right of the 'wearer'.	Right of the 'reader.'
Ex. xiii. 1-10 קדש ל'	Deut. vi. 4-10 שמע	Ex. xiii. 1-10 קדש ל'	Deut. xi. 14-20 והיה אם
Ex. xiii. 11-16 והיה כי	Deut. xi. 14-20 והיה אם	Ex. xiii. 11-16 והיה כי	Deut. vi. 4-10 שמע
Deut. xi. 14-20 והיה אם	Ex. xiii. 11-16 והיה כי	Deut. vi. 4-10 שמע	Ex. xiii. 11-16 והיה כי
Deut. vi. 4-10 שמע	Ex. xiii. 1-10 קדש ל'	Deut. xi. 14-20 והיה אם	Ex. xi. 1-10 קדש ל'

The Tephillin worn upon the arm.

According to both		According to both.	
Ex. xiii. 1-10	קדש ל'	Ex. xiii. 1-10	קדש ל'
Ex. xiii. 11-16	והיה כי	Ex. xiii. 11-16	והיה כי
Deut. xi. 14-20	והיה אם	Deut. vi. 4-10	שמע
Deut. vi. 4-10	שמע	Deut. xi. 14-20	והיה אם

If there were no commentaries upon the above-mentioned *Beraita*, we would explain it as follows: The question as to the order of the four Biblical texts does not relate to the order of their position after being located inside the cases, but to the order in which they used to be engraved on the outside of the cases of the *t'phillin*. They were supposed to have remained in the same order after they were placed inside the *t'phillin*. Upon the question then follows the answer: The texts Ex. xiii. 1-10 and Ex. xiii. 11-16 were to be placed on the right (*i. e.* the writing began at the right side of the case) and the texts Deut. vi. 4-10 and Deut. xi. 14-20 on the left, thus :



It should be borne in mind that the Hebrew reads from right to left in the direction of the arrows.



“The reader will read them from his right to the left in the same order as they are in the Bible” (43) First Ex. xiii. 1-10 and then Ex. xiii. 11-16 etc. And to the question implying that there is some place in which it is said that the order of these texts is the contrary, Abbay answered that it meant that the first two texts were so written as to be at the left of the person wishing to read them, which is at the right of the person wearing them and that the last two texts were at the right, but in the same order as they are in the Bible. According to Abbay there is no difference how the texts are except that they must be read in the order as they are in the Bible; namely, Ex. xiii. 1-10 previous to Ex. xiii 11-16 on one side; and Deut. vi. 4-10 previous to Deut. xi. 14-20 on the other. To con-

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43) The sentence. “The reader will read them from the right.....as they are in the Bible” belongs to the text of the anonymous *Beraitha* and not to Abbay’s explanation. The Tosephoth endeavored to give their own explanation but did not succeed: *Rif* (Alfasi) quoting the *Beraitha* omits altogether the sentence mentioned expressing his opinion that in his view there is no difference in what order they are placed.

firm our view of this subject, that it refers to the time when the inscriptions were on the outside of the cases, we will quote what Abbai himself said when he heard R. Hananel in the name of "Rabh" utter a new law concerning the change of the order of the four texts.

R. Hananel 44) said in the name of Rabh that if the order of the four texts were changed from that adopted, the *tephillin* should be considered not to be in compliance with the requirements and ought not to be worn. Abbai said that he understood this to be only in case the change was made by placing the second texts first and *vice versa*, but that if they were changed from the right side to the left it made no difference, *i. e.* no difference was made so long as the four texts could be read (whether beginning at the right or left) in the order as they are in the Bible. Rabha, who was unwilling to admit that Rabh said what R. Hananel quoted and who did not regard it, as Abbai did,

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44) This R. Hananel was a professional writer of *tephillin* and this was after Rab's death. R. Hananel, too, invented the bottom plate (תחתית) of the *tephillin*, and in the name of Rab supposed it to have been given to Moses on Mt. Sinai.

worthy any commentary at all, began to oppose it by a scholastic sarcasm against Abbai, saying: "Why do you not consider it in compliance with the requirements if the change is made in placing the second text first and *vice versa*? Probably because the first text which is out of the shadow gets into the shadow? By this Raba meant to say: "There is no difference to one reading the inscriptions, as they are both before his eyes, whether this or that text be first in order, but probably there was some difference to the author of the *Beraita* who insisted that Ex. xiii. 1-10 and Deut. vi. 4-10 should be out of the shadow and nothing should be in their way." 45) If so, the author probably insisted that the texts second in order must be each in its shadow, *i. e.* the second text on the right to be in the shadow of the right and the second text on the left in the shadow of the left. Consequently your opinion (O Abbai) on this subject has no foundation! But my opinion is that this question of Rab's is R. Hananel's own invention, and that he, wishing to give

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45) That is, at the end where one would begin to read the text.

it weight, uttered it in Rab's name (46). But in reality in whatever manner the text are placed they are in conformity to the requirements.

If now all the different commentators had taken into consideration all we have, they would have seen that the question regarding the order of the "four

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49) Such things were then done, as can be seen from the following example: "Sometimes the Amorai told a falsehood and ascribed his opinion to a known authority in order to make others adopt his opinion, as in *Erubin* 51 it is plainly said that such and such an opinion has no basis but is ascribed to an authority to give it more value." *Gufe Halachoth*, par. 498. Dr. Jelinek in his work "The Collection of Rules" quotes the same. In our journal *Ha-Kol*, vol. vi, p. 12 the following instance is quoted: "R. Huno bar Isaac quoted to R. Nachman a certain *Halachah* from his contemporary, R. Huno. R. Nachman, who could not believe R. Huno to have said it, wished to send a messenger expressly to the latter to ascertain it; whereupon R. Huno bar Isaac, fearing the consequences, confessed that the quotation was his own invention but that he ascribed it to R. Huno to give it more authority." *Bat's Bat'ra* 111. See our work "To Establish Justice", where it is given more in detail. R. Johanan said, openly that a man is not to be blamed for ascribing his opinions to a known authority. See *Phyl. Kit.* 37 50 for more instances.

texts” refers to the time when they were engraved on the outside of the *tephillin*: since Rabba’s words, “Because they need to be out of the shadow” must refer to inscriptions upon the outside and not upon the inside, as within the parchments are in separate compartments covered with skin and hair and sewed up with animal strings (עֲדָיִם) and there is no place for a shadow at all. If this had been observed and cited, all these scholastic disputes would have been prevented, and we should not have four different styles of *tephillin*(47) considered to be in perfect compliance with the requirements, in fact nine styles (48) considered to be in perfect compliance with the requirements. (סֵפֶק בְּשֵׁרֵת סֵפֶק בְּסוּלֵת) But to our great regret all the commentators have understood the reference to be to the order of the texts upon the inside of the *tephillin*, and, finding great difficulty in explaining the obscure words, they took R. Hananel’s sayings as uttered of God Himself, and so disagreeing as to their

47) See Phyl. Rit. 145, but there by mistake 3 occurs instead of 4.

48) See Phyl. Rit. p. 145, but also there is a mistake of 3 for 5.

meaning were separated into different sects. But inasmuch as they were all prominent and considered great authorities in Jewish Rabbinical Literature, and since the arrangements of the texts produced the four varieties of *tephillin*, we consider it our duty to explain all their theories (19)

40. A few instances may be given which show the manner of disputing and commenting as carried on by the authorities of the Talmud and which exhibit the great difference in manner between those of the different periods, as the Tannaim, the Amoraim, the Gaonim, etc. The Tannaim (first century) commented upon the Bible or some other text of great authority. The Amoraim (second to fifth centuries) commented upon the words of the Tannaim and were by no means sparing of their criticism if in their judgment what they commented upon could not stand it. If they found no support for an opinion elsewhere and it seemed to them to have no logical foundation, they simply denounced it. The later Rabbim, on the contrary, who followed the Gaonim, never allowed themselves to criticise, but took every word of their predecessors as of indisputable authority and commented upon every word and every stroke of the pen in so many different ways that on each sentence there were hundreds of commentaries and explanations.

In proof of the foregoing, we cite the following: — There

is one instance when a Tana said plainly: "I cannot grasp that saying, *i. e.* it does not stand criticism," and R. Aqiba responded: "I will explain it." The terms and rules were: "It should be read in another way, and not the way it is here" (אל תקרא בן אלא בן) "If it has no connection here, refer it to some other place" (אם אינו ענין לכאן תנהו לכקום) (אחר), commenting upon Ex. xxi. 24 to show that the inquired person shall be satisfied with a *money* compensation, and not by injuring his damager. These terms which are met with in the essays of the Tena'im may serve as proof of our statement that with all their respect for the Bible they did not scruple to subject it to their criticism. But further. The Amoraim in commenting upon the Tena'im did not on their part hesitate from subjecting the opinions of the Tena'im to criticism. They first asked: "Where did they get it from?" If they failed in finding an origin for it, they tried to explain it as best they could, saying: "It is omitted and means so and so", or "It does not matter much", or simply, "Exclude it from here". For example, one quoted a certain *Halachah le Moshe mi-Sinai* in the name of R. Johanan, and it was "split to pieces", *i. e.* it was directly opposed by saying "It has never been said" or "It has no foundation in common sense".

The Rabane Seborai (sixth century) and the Gaonim (seventh and eight centuries) followed in the way of their predecessors, the Tena'im and the Amoraim, and commenting upon them omitted some sentences and added others as can be shown by the expression "They did not say that" etc.

*Das Judentum des Mittelalters* and *Jewish Tradition*, by A. H. Weiss, and many places of their own work).

On the other hand, as we have said, the Rabanim (ninth century and later) did not allow criticism at all and took every word of their predecessors as of indisputable authority. They did not allow any doubt to enter their heads concerning their authority even when the statements were utterly opposed to reason and common sense, and they applied them as they were to practice. The Gaon R. Sherira, the father of the well-known Hal Gaon, the latest of the Gaonim, maintained that if one of the Gaonim said it, it is so; because the same goes to God to Moses, although this be not proven, and nobody disputing it is as if opposed to God's Word. Dr. Weiss in his *Zur Geschichte der jüd. Tradition* maintains that this was said on account of the Karaites who were unwilling to give authority to the commentators. If then such authority is given to a Gaon, there is no doubt that a Tana or an Amora could not be criticized at all.

Taking all this into consideration, it is no wonder that the change of one letter in a word resulted in the writing of volumes upon volumes and the adoption of hundreds of restrictions.

The following is an example of a restriction, R. Jehuda being once in a company of friends, asked the housekeeper not to use for eating bread any other water than that kept in the house, and he said to him, אֵינָהּ לֹא תִלְיֵשׁ אֵילָּא בְּמֵיִם יְשֵׁלֵנִי. A similar restriction was made with other than *our* water. The reason



was that other water might have been poisoned by snakes which are abundant in those countries. R. Jehuda said this in reference to the dispute in the *Beratha* (Terumatii VI.) where one maintained that bread made with water kept in an uncovered vessel outside the house should be burnt, even if it were bread of *Terumah*. R. Nehemiah was of the opinion that the snake poison loses its power when brought into contact with fire, and therefore that the bread might be used. To avoid this R. Jehuda advised the use of *domestic* water which he expressed by the word (ישלנו) our.

R. Mathua, who lived sixty years after R. Jehuda, happened to be in the city of "Papuni" and on a certain occasion (probably having some objection to the use of the water of that city) lectured in public about using the water which collects in the public streets, and he quoted R. Jehuda's original words: "A woman should not knead with other than *our* water". The people present understood R. Mathua to have brought some water along with him because of his using the word "our." They therefore came to him the next day with vessels to get some of this water. Then R. Mathua explained in the Talmudic language that he meant domestic water, namely (אנא במי' דביתא קאמרינא) using the word (דביתא) (d'baitha with an א at the end, having the meaning "domestic". In course of time the word d'baitha was incorrectly copied and the Meph (א) at the end was changed to Vav. (ו), which would make it mean "to remain over night". The Rabanim, finding the word in this changed form (דביתו), concluded that it related to the Matzoth (unleavened bread) used at the Passover and therefore maintained that the

water used in making Matzoth must remain over night in the house before it is used. Neither R. Jehuda nor R. Mathua mentioned this, but it was assumed simply because these words of R. Jehuda are found in that part of the Talmud which treats of the Passover feast (פסחים). The later Rabanim wrote volume after volume upon this subject (See our journal *Ha-Kol*, Nos. 286, 287, 200, etc.). Still they could not give the least explanation of why they referred this to the Matzoth, and they did not care to investigate where R. Jehuda got it from nor how Matzoth were kneaded before his time.

But this is nothing compared with what has been written upon the short sentence of eight words originating from Abbay concerning the *tephillum*. בָּאֵן מִיִּמֵינוּ יֵשֶׁל קוֹרֵא בָּאֵן מִיִּמֵינוּשֶׁל מִנֵּה. "Here it means to the right of the reader and there to the right of the wearer". From these eight words have resulted countless conflicts among the commentators of the Talmud and the legislators concerning the different styles of *tephillum*. Different articles were written in the name of the Gaonim, and each one claimed that R. Hai Gaon wore his style of *tephillum* according to his explanation of the eight words. The final outcome was that it was stated (Remark on *Shulchan Aruch*) that all these styles are favored of God, but if they are all used by one person he enjoys a greater Divine blessing.

This last statement was made because it was desirable that no one who wore any style of *tephillum* should fail to be in accord with the requirements, and that God's word be not pronounced over it in vain. This in spite of R. Hananel's

Rashi (R. Solomon Isaaki), the chief of commentators, quotes his comment upon the *Beraitha* mentioned from *Menahoth* 34. "What was their order?" Rashi: The order in which they are to be placed. "There it means at the right of the reader." Rashi: When the reader stands opposite the wearer, then the right of the reader is the left of the wearer. "And the person looking at them reads them in the way they are in the order." Rashi: That is, the first written in the Bible is to be read first and the last written is to be read last: and consequently in the *Beraitha* where it is said that the two texts of Exodus must be on the right hand, the right of the reader is meant, and where it is said the contrary, the left of the wearer is meant, which is the right of the reader. From this comment of Rashi in such detail which is contrary to his custom, and from his repeating the comment twice in different words, we see that Rashi was in great difficulty to explain it, and he wished to find some basis for his comment: and so finding the expression, "And the reader shall read them in or-

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four words equally obscure. אַם הַחֲלִיף פִּרְשֵׁינֵיהֶם בְּסוֹלֵת. "If the four texts are changed in order the *tephillim* are considered not in compliance with the [requirements,] *Tosaf.*, i. e. spoiled.

der," he explained it to mean, "in the order as they are written in the Bible". But with all his detailed explanations Rashi did not sufficiently explain what relation there is between the reader who sees only the outside of the *tephillin* and the texts which are sewed up within the *tephillin*. To oppose this commentary of Rashi, his grandson, R. Tam, rightly asks as follows: If the author of the *Beraittha* meant that the texts should be placed in the order as they are in the Bible, why did he interrupt the sentence with the words "right" and "left" hand, when he might plainly have said, "The texts Ex. xiii. 1-10, 11-16; Deut. vi. 4-10, xi. 14-20 as they are one after another in the Bible", which would be better than saying the first two on the right and the last two on the left?

And therefore R. Tam was led to explain the *Beraittha* as follows: The last two texts, Deut. vi. 4-10 and Deut. xi. 14-20 should be placed in the left-hand compartment, *i. e.* the last text, Deut. xi. 14-20, should be placed in the third compartment and Deut. vi. 4-10 in the last one. The sentence, "And the reader shall read them in the order as they are in the Bible" refers to the professional writer, *i. e.* that he when writing them should read them first in the order

as they are in the Bible and then write them in the same way, first Deut. vi. 4-10, then Deut. xi. 14-20, but he must write Deut. vi. 4-10 at the end of the parchment and leave an empty space for Deut. xi. 14-20, which must be placed before the former.

The commentators of the Talmud who are called *Baale Tosphot* expressed their opinion that the *Beraitha* was explained in the above sense by R. Hananel

Rabad (R. Abraham ben David of Paskira), who could not agree with all these different explanations of the *Beraitha* attacked Maimonides, who approved Rashi's explanation, with the following argument : "The author (Maimonides) explains the meaning of the *Beraitha* to be at the right of the person who wishes to read the *tephillin* and the question annexed to the *Beraitha* to mean at the right of the wearer, but it is strange that the *Beraitha* chose the "reader" and not the "wearer", who wears the *tephillin* and is logically connected with it. (Refutations of Rabad against Maimonides' works). The way Rabad explains the *Beraitha* is that "there" in Abbai's explanation relates to another article which maintains the contrary to the first *Beraitha*, and "here" to the first *Beraitha*.

According to Rabad's explanation, the space in  
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which according to Rashi and R. Tam Ex. xiii. 1-10 was to be placed was to be reserved for Deut. vi. 4-10 and the space in which according to Rabbi Tam Ex. xiii. 11-16 was to be placed should be reserved for Deut. vi. 14-20. See the table on p. 21, second column.

But all these opinions regarding this subject were only theories and were never brought into practice, as none of these reverend men ever wore *tephillin* or saw them, as is stated by R. Isaac (called *Iti*), who was one of the first authorities of *Tosphot*, in his own language, (*Shabbath* 49 and *Phyl. Rit.* 78.)

The *Shemushe Rabba*, who wanted to apply them practically, adopted Rashi's opinion concerning the writing of the texts, but the contrary as to their situation. Both are written in the same order but exactly reversed as placed in the compartments. See table p. 21, third and fourth columns compared.

All of these opinions would have been considered simply as private and personal ones and as of no great importance were it not for the fact that great authority was given to the statement of R. Hananel that if the order of texts were changed, the *tephillin* were considered as invalid (possible). This

caused each one to maintain strongly his own opinion and to oppose the opinion of others as not complying with the requirements. Hence arose the great variety of styles and opinions.

And therefore there is no other way for a man to do, who wishes to perform the ceremony of the *tephillin* and be sure he is right, than to wear four different styles. And if he wishes to be certain as to the further position of the texts, whether vertical or horizontal etc., he would have to wear nine different styles!





In process of time, when the Jewish Christians began to assimilate with the new converts to Christianity from other nations and the number of Christians became greater than that of the Jews and there arose a total separation between them, then the *tephillin* were abolished among the Jews, as if there is no cause, there is no effect. In the meantime among other nations the custom of wearing talismans began to grow less little by little. Christianity, which then began to spread very rapidly, did a great deal towards abolishing the use of talismans. So did the Moslem religion five centuries after the birth of Christianity. Taking all these things into consideration, we need not wonder why we find no trace of talismans in the days of the latest Amoraim and the Rabanin Seborai.

They would have become disused and forgotten altogether were it not for the rise of a new sect called the Karaim (Keraites) or Anonim, in the days of Mar Rab Jehudaj Gaon, (774 A. D.) This sect turned their backs upon the commentators of the Bible and denied their authority, laughing and jeering at them. They took as a guide in religious matters the Samaritan and the Zadukier Pentateuch and claimed their own commentaries as the only right ones, as, for instance,

they explained (ב'ש"ס ז"ל זכרונם לברכה) (and thou shalt fasten them, and place them for a sign, etc.) to mean that they should always be borne in mind, in the sense of "Set me as a seal upon thine heart". (Cant. 8:6.) The birth of this sect afforded a motive to the Gaonim to revive a great number of obsolete rules and laws, among which were those concerning the *tephillin*, in regard to which they made new laws besides. (50)

50. In our *Phyl. Rit.* we have called attention to a question asked by R. Jeoudai Gaon, whether a business man who is in the habit of studying every day a few chapters of the Mishna should wear the *tephillin* during the time of prayer and reading the *Shema*, or whether only prominent men should wear them and ordinary men not, in order not to appear meaghty among the rest of the people? From the answer of R. Hilla Gaon it appears that the public wearing of *tephillin* was allowed only to the chief Rabbis, and for them a certain height, that of three fingers, was prescribed. Other Rabbis and their disciples were allowed only to wear them the height of one and one-half fingers (*amot*  $\frac{1}{2}$  *teph* *amot*), that they might not be seen publicly and appear independent in the presence of their chiefs, wearing the same as the latter. In the "Answers of the Gaonim", published in Lycke, it is to be found that disciples were only allowed to wear *tephillin* the height of one finger. In Beth Jeset, *Oruch Chaim* 27, the

foregoing is ascribed to R. Hai Gaon, but in different words.) R. Shirira Gaon was once asked the following question: "Why do not the most people obey (מיִלְלֵי) them (the *tephillim*)?" And also he was asked, if scholars are allowed to wear *tephillim* what was his own habit and that of his school in regard to this. In answer to these questions he said nothing positive but spoke in such a way that his words could be understood in both a positive and negative sense. In *Shaloth* and *Tschuboth Gaone Misrad*, printed in the journal *Botte Torah*, Vol. IV. and in Weiss' *Zur Geschichte u. s. w.*, R. Shema's own words are cited as follows: "The commandments (מצוות) are of two kinds: some of them are obligatory, and if they are not performed, it is considered a sin; others are not obligatory and the matter is left to the performer, who if he performs them receives a heavenly reward (שכר). For instance, one who is in the habit of giving alms gets a compensation (שכר) for doing it, but it is not a sin if he does not do it, as it is if he does not perform *Tephilah* (prayer), *Tsitsith* (fringes), and *Sukkoth* (the ceremony of dwelling in a summer booth), when he loses a reward in heaven." Now if he counts *Tephila*, *Tsitsith*, and *Sukkoth* among those considered as a sin if not performed, and does not mention *tephillim*, we may judge that they did not care much for it. And this agrees with what he has said in his answer regarding *tephillim*. See P'yl. Kit. 74, answer 5) when he does not plainly declare that the use of *tephillim* is obligatory. The foregoing may serve to show that the Gaonim did not much care to introduce the *tephillim*.

But even these laws remained theoretical merely and were never put into practice, as they by no means prescribed them for the common people, and even for their own use they made many special laws and regulations.

The *tephillim* are mentioned for the first time by the Gaonim in the polemical answers (*Ieshuboth*) of R. Jehudi Gaon. *Shibbole Loketh*. Section *Iuyan Tephillim: Halachoth Pesuqoth*; and see our Phyl. R. 1 p. 73.) But even in the writings of the Gaonim they are very seldom mentioned. In the course of one hundred fifty years from the days of R. Jehudi Gaon to the days of R. Natranai and his son Hillai they are not mentioned at all; and then they are not mentioned for ninety years until the days of R. Sherira and Hai *im* among the people, as we have several times remarked in our Ehl. Kit.

And upon Rab's words, "A bodily cursed Jew is a man who does not wear *tephillim*" (פושע ישראל בנפשו קרמפתה דלא) the Gaon commented that a person only is meant who wilfully disobeys and laughs at them. R. Jacob Tam in his own name explained it in the same sense and added that it is only in case he plays neglectfully with the fillets. It is curious why Tam did not give this explanation in the name of the Gaon.

Gaonim. In our Phyl. Rit. we have endeavored to prove that the mention of these laws from time to time was due every time to the renewal of the strife between the Rabanim and the Keraim.

Beginning from R. Hai Gaon and coming down to the days of the commentators of the Talmud we find no further mention of the *tephillin* either in theory or in practice. R. Alfasi in his composition of the *Halachoth*, when the strife with the Keraim was again renewed gives place indeed to the beginning of the *Beraita*, "What is their order?" (כיצד סדרן), and, as we have stated in the foregoing chapter, omitted the words "and the reader shall read them in their order." But about the subject he says very little. In the same way the author of the *Halachoth Gedholoth* treats that *Beraita*.

Maimonides in his treatise upon the *Halachoth* comments largely upon this *Halachoth* which *were* and *were not* put in practice. Rabad in his refutations of Maimonides in this place leaves his usual custom and begins as follows: "R. Hai Gaon did not say so". Tosphath (Menahoth 34) commenting upon Rashi says in the name of R. Hai Gaon exactly the contrary to what Rabad claimed R. Hai Gaon to have said and

maintained that according to R. Hai Gaon the two texts Deut. xi. 14-20 and Ex. xiii. 11-16 (which begin with the words *והיית* and are therefore called *היית*, (Havaioth) must be near each other expressed by the words, "The Havaioth together" (*היית לחד*). It is stated by "Smag" that R. Sherira, the father of R. Hai Gaon, was of the same opinion in regard to the two Havaioth. R. Joseph Karo in his *Keseph Mishna* cites a letter written by Maimonides (51), in which he claims that R. Hai Gaon said something inconsistent with what both Rabad and Tosphath claim, but not

51) See our Phyl. Rit. in which we have proven that this letter was not written by Maimonides, but only ascribed to him (*בזויף*) and R. Joseph Karo himself is doubtful as to the authenticity of the letter. In the same place we have remarked upon the authors of the Tosphath and all others who participated in this dispute that they never cite *והיית*; but only say "so and so says this or that". There we maintain that R. Alfasi wrote his work only on account of the Keraim who began to grow in his days (par. 80) and we now add to that if it were not for the Keraim, even that little about the *tephilin* would not have been mentioned by Alfasi, since the people in his days did not wear them.

one of them could say positively, "These are the *tephelim* worn by R. Hai Gaon," as Hillel said, "These are the *tephillim* worn by my mother's father". R. Menahem Azarie from Panu in his "Answers," par. 107, assumed that R. Hai, the most prominent of the Gaonim, used to wear four different styles of *tephillim*, and therefore he thinks all the above styles, claimed to have been found in R. Hai Gaon's *tephillim*, do not contradict one another, but that each one claiming a different style saw a different one of R. Hai's *tephillim*.

The same author further states that he saw an ancient set of *tephillim* in which the order of the texts was at the right of the wearer, but this was only a conjecture, and he could not say positively whether, R. Hai Gaon really wore four styles or that the ancient set was that of R. Hai.

We thus see that after the time of the Gaonim that *tephillim* had fallen into disuse and that to such an extent that not one pair could be found that might serve as an example of the kind worn in ancient times. Accordingly as no reason could be given why the order of the texts should be one way or another, or which opinion is to be preferred, and as it all depended upon the explanation of the *Beraita*, ביצד כדרכן, they could find no higher authority than R. Hai Gaon: and so

they tried to find out the style he used to wear.

As we have proven in our Phyl. Rit., neither Rashi nor Tosphath wore *tephillin*, as is admitted by the authorities of Tosphath themselves.

One prominent person, R. Jacob of Kurbil by name, whom the author of Tosphath called the "Höly Man," claimed to have communicated with Heaven (שאלת והשיבות מן השמים) regarding the order of the texts in the compartments and the obligation of wearing them; but the response to his communication was so obscene 52) that nothing could be made of it to put in practice.

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52) See our Phyl. Rit., the chapter entitled "Questions and Answers from Heaven"; where we cite that to the first question the answer was received that God Himself says that the texts Deut. xi. 14—20 and Ex. xiii. 11—16 must be placed in the middle; and that His suite (שליח) are of the opinion that the texts named must be in their regular Biblical order. Now the order of texts used at present is just the contrary; and thus contrary to the Will of Heaven! And to the second question he received in answer to certain Biblical quotations which are inexplicable. It was only in regard to the ceremony of



And thus the *tephillin* were forgotten in the last centuries of the "Fifth Thousand" of the Jewish Calendar (900-1200 A. R.) till the appearance of R. Moshe mi Coucy, the author of "Smag", who devoted himself to reviving their use, moved by the motive which we shall now explain.

Christianity, which in its early age as we have seen prompted many reforms in the *tephillin*, in the middle age when it was rapidly spreading all over Europe also did a great deal toward the spread and adoption of *tephillin* in the days of R. Moses of Coucy This Frenchman who was with his whole heart and soul devoted to the Jewish faith, saw his co religionists in Spain and Portugal begin to assimilate more and more with the governing nations in those countries.

*Tsitsith* that he got a distinct answer: "Let them do what they are in the habit of doing, because it is better to do it involuntarily than wilfully **מוטב שיהיו** (הנחלתו ליישראל **מוטב שיהיו** **ואל יהיו מזידן** **ישמנון**). In the same place we have stated that the third part of the seventy questions concerned the *Tephillin* and *Tsitsith*. From all this we can see how much the scholars of that time troubled themselves about the *Tephillin*. (See 127-732).

adopting their customs and usages. The Jews then resembled Christians externally as there remained nothing of their peculiar customs but circumcision, the custom of wearing *Tephillin*, *Tsitsith*, eight strings at each end of a square robe, and *Mezuzoth*, the Biblical text *Shema* (Deut. vi, 4) on the door, were not then observed by the Jews. Christians were distinguished by wearing the cross with which the Jews, not considering it as idol-worship (עֲלֵימָם מִצְלִימָם), used somewhat to deal and ornament and give to their Jewish and Christian friends, they themselves being distinguished by no external mark. Upon seeing this a fear crept into the heart of Moses of Coney that in the course of time the Jews would become wholly assimilated with the Christians; and to prevent this he devised the following, he being the first and the last to explain it thus: "By two witnesses shall a fact be established (עֲלֵימָם שְׁנֵי עֵדִים יָרִים דָּבָר) and therefore every Jew must have these witnesses to show that he is a Jew. (*Smag* par. 3 ע"ג). But there are only three things which can witness to the person obeying them that he is a true Jew; namely, the Sabbath, *Tephillin* and Circumcision. The Bible in speaking of these three uses the expression 'and they shall be a sign, a

witness, to you'. Therefore on the Sabbath-day there is no need of wearing *Tephillin*, as there are two witnesses without them (Sabbath and circumcision), but on week days every Jew must wear *tephillin*, that they together with circumcision should be two witnesses". But knowing that no one would heed him and wear *tephillin* the whole day, R. Moses of Coucy satisfied himself with making them obligatory only during the morning hour of prayer when they should remind the wearer that he is a Jew and that he has many duties to perform. In this way R. Moses of Coucy hoped to prevent his fellow-religionists from assimilation.

His long dissertation states that rather the impious<sup>53)</sup> than the pious should wear *tephillin*, which is copied from Smag, and that he ordered a red string to be worn instead of *tephillin* in case the government

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53) "God would rather have the *cursed* than the pious to wear *tephillin*: and the *tephillin* were principally commended for the *cursed* ones as a reminder to them" (Smag's own words). See Phyl. Rit. pp. 84, 85, and also what R. Joseph of Cologne said, p. 78.

should prohibit the latter (54); and he wrote also: "In the year 4995 A. M. there was an occurrence from heaven (בבשר פת השמים) as a proof, and in the next year, 4996, I went to Spain to preach to them, and

54. In his preface to the book *Elyah Hamitzveh* mentioned above p. — — —. In our Phyl. Rit. p. 135 we cite his own words, and there he says that already in Portugal it was forbidden to wear *tephillin*, but he does not give exactly the time. In the histories of the Jews there is no trace of this. And yet this is not remarkable, as so many things which happened are omitted from Jewish histories, as is justly said by R. Gamaliel, that if we were to attempt to enumerate all the sufferings of the Jews we should not be able to do it, even if we devoted to it all our lifetime. Even R. Moses of Coucy did not note directly all the sufferings of his own time, but called them "Occurrences from heaven", "earthquakes", etc. As there is no mention in history of any earthquake or any astronomical occurrence (מראה שמימי) in the years 4005 or A. M. — although in 4000 there was a great flood at Viriza not an earthquake in Bohemia — he probably meant by "Occurrences from heaven" the edicts of Pope Gregory and for fear of the government so designated them. Of these sufferings of the people R. Moses of Coucy took advantage to make them about the *Mitzvah* mentioned.

God gave me power by the dreams of the Jews and the dreams of the Christians (55) and visions of the stars : and the earth quaked and there was a great uproar and they repented of their sins, and thousands and tens of thousands adopted the *Tephillin*, the *Mezuzah*, and the *Tsitsith*". From all this we may judge that

55) The meaning of the words "the dreams of the Jews and the dreams of the Christians" seems to be very peculiar and so does the explanation of R. Sh. Lurie (Amude Shelome, Vol. II. p. 21, which is as follows, "The dreams of the Christians", *i. e.* "There were not found such good dream-readers as among the Christians" is not intelligible at all, although by the author claimed to be "easily understood" (וְקֵל לְהַבִּין). — As it seems to us R. Moses of Coucy spared nothing to make his co-religionists adopt the *tephillin*. They easily adopted the *mezuzah* and *tsitsith*, the former being only in the house and the latter covered with their garments. But the *tephillin* they did not want to adopt, for they were to be worn on a conspicuous place (the forehead). Therefore he had to employ different means, lectures and dreams: and not having much success he tried to gain them by the dreams of the Christians, in whom in such cases the Jews have great confidence, because "the Jews believe a Gentile speaking unintentionally more than a hundred witnesses" (עַל מִסַּת לְפִתוּמֵי נֹאמָן לְיִשְׂרָאֵל מִמֵּאָה עֲרֻמִּים).

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then, in the days of Pope Gregory, when the adoption of Christianity by the Jews increased and persecutions began, R. Moses of Coucy took advantage of this to compel them to adopt the *Tephillin*, the *Mezuzoth*, and the *Tsitsith* for themselves and their children, and in this way he hoped to prevent them from assimilation.

The devotion and labor of R. Moses of Coucy bore many and good fruits, although not all the Jews then adopted the three ceremonies, *tephillin*, *mezuzah*, and *tsitsith*, as he himself says it was only thousands, (56) and even this was an exaggeration, as can be seen

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56) It is curious that the author of *Or Zerua*, who lived at the same time or a few years after R. Moses of Coucy, contrary to the latter, allowed only the most prominent to wear *tephillin* and not the *cursed* ones. In the days of R. Asher (Rosh) it seems that the custom was somewhat more widely adopted, as may be judged from his words "and why a *few* of the people pay no attention to it etc. This would seem to indicate that the most of the people wore them. But we cannot consider this absolute proof, nor can we tell exactly how many are to be understood by the word "few", nor of what class they were, as he

from the fact that two hundred years afterwards, in the days of R. Joseph of Cologne, *tephillim* were but very slightly worn; and R. Joseph says plainly: "The 'command' (עֲשֵׂה) of *tephillim* is doubtful, and God's name pronounced over them may be considered as pronounced in vain" (ברכה לבטלה), from which it may be concluded that R. Joseph himself did not wear them; and in the same place, in answer to one who questioned him on this subject, he says that he agrees with the questioner (*i. e.* that *tephillim* need not invariably be worn) (57). The author of *Shibbole*

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probably did not speak of the common people. R. Asher's son, R. Jacob, the author of the "Turim", did a great deal toward spreading the *tephillim*, and made them obligatory upon everyone; after him in the days of R. Joseph Karo it appears to have been very extensively adopted by the common people, who made them according to Rashi's style, placing the texts from the right of the *zanier*. But he ordered that the style of R. Tam be also worn at the same time, that there be not the slightest doubt that God's name were not pronounced in vain (חֵשֶׁשׁ בְּרֵכָה לִבְטָלָה).

57) The original words of the questioner are not quoted in the text (Clause 175), but it seems that two questions

*Leisheth* says that they are to be worn only on certain days, from which we may conclude that they were not then used by the people commonly. R. Jacob Weil, who lived much later than the foregoing, expressed his dissatisfaction with the young folks, married or unmarried, who were in the habit of wearing *tephillin*. (58). From all these facts we can see that there were numerous people who did not wear *tephillin* until the days of Joseph Karo. But still we can truly say that, had it not been for R. Moses of Coney, there would be no trace of the custom in our days; as it was the pains taken by that man and the various calamities which befell the Jews in the two centuries which followed him caused them little by little to adopt the *tephillin* where they lived, and in course of time the number of those

years as well as the same time. If a man ought to die at a certain age, to perform the commands *שְׂמִיעָה* etc., and if he is old, why should he wear *tephillin*. This would seem to show that the question can be related to the age of the person. R. Joseph of Cologne said: "It is better to wear *tephillin* than to be old." (P. 178).

It is also stated in the *Shulchan Aruch* (M. 178) that a man should wear *tephillin* from the age of thirteen years. (P. 178).



who wore them increased to such an extent that R. Joseph Karo could justly say, "and the people (עלם כנהג) wear the style of Rashi".

But even the *tephillin* of R. Moses of Coucy underwent a certain change, although not an entire change; and they differed in form from the *tephillin* worn in ancient times, as there was added on the outside one more "Shin" which we do not find mentioned elsewhere.<sup>(59)</sup> The motive whereby they were led to

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59) The "Two Shins" (שתי השינים) are indeed mentioned in Tosphath (Menahoth 35) in the name of *Shemushe Rabba* in the following words: "And he puts a three-headed Shin (ש"י) on the right side and a four-headed Shin (ש"ט) on the left, and it does not matter if he change them", from which we may judge that it was new to the writer. Who that *Shemushe Rabba* was we cannot find out, save what R. Menahem of Panu stated, that he *Shemushe Rabba* said his words in the name of the Gaonim. R. Moses of Coucy did not mention the *Shemushe Rabba* at all, from which we may conclude either that it was not in existence in his days, or that it was not known at least to him. The collection Tosphath was made, as we have proven in our Phyl. Rit., in the course of 4027-5000 A. M., because R. Moses of Coucy is mentioned therein. See Phyl. Rit., p. 141. And therefore

this was simply because they probably found one set of *t'phillim* with a three-headed Shin (שׁ) and one with a four-headed Shin (שׂ), the three-headed Shin adopted by the Jewish Christians as an emblem of the Trinity, and the four-headed one adopted by the Jews in opposition to the Jewish Christians, and indicating that God is one in all the four quarters of the world. As they did not know the explanations and which one to prefer, they adopted both of them, following the example of the Talmud in such cases. So after undergoing numerous changes we have the *t'phillim* in

if indeed the *Shema ve Kaba* is quoted in Tospath, which was not for practical application, but only as an explanation of a *halakah*, we cannot conclude therefrom that the Gaonim had two Shins on the *t'phillim* when they wore. But it may be presumed that they were already thinking about the Shins and could not decide what to do, as they probably found different sets of *t'phillim* with both the שׁ and the שׂ, the style of the Jewish Christians and the Jews, and so used both together. R. Moses of Coucy applied this to practice and made both Shins obligatory.

their present form, and no one has anything against them. (60)

With this we conclude a short history of the *tephillim*, and we find it only necessary to remark that at present the custom of wearing *tephillim* is growing less and less, not only among the reformed Jews but even also among the Orthodox Jews; as many of them satisfy themselves with performing this ceremony only once in their life, *i. e.* when a boy reaches the age of thirteen years, at which age he is considered to be "ripe" for performing all religious ceremonies. They take him to the synagogue and put the *tephillim* upon him, and the boy never repeats the ceremony. In this the Orthodox Jews probably agree with R. Alfasi, who

(60) Rabbi Chaim Oppenheim of Turin has indeed called attention to the fact that the Grand Rabbi Mordecai Benet created a great uproar by claiming that the *Tephillim* worn at the present day are invalid (פסיל). The Grand Rabbi (Reformed) Aaron Hariner sent us an answer on this point, but we have never happened to see anything written on this subject by the Rabbi in question, and we have sought information from many writers but so far in vain.

says that if any one has worn *tephillin* once in his life he cannot be called "Po-he Israel b'gufho", (פֹּהֵי אִשְׂרָאֵל בְּגֻפּוֹ) "a Jew cursed in his body". And possibly they used to do so in the days of R. Alfasi. As we have a great rule from R. Hillel ha-Zapen, who once said: "You can rely upon the Jews: if they are not themselves prophets, they are the sons of prophets." And so they probably know what they are doing.

## CHAPTER VIII.

A Correspondence with Learned Men of the Present Time regarding the Origin of the Term *Qamea*, (קמיע), Our own Opinion on this Subject.

After we have, with God's help, discovered the origin of the terms *totaphoth* and *tephillin*, we consider it our duty to say a little about the word קמיע (*Qamea*), which occurs often in the Mishna. And although we have not succeeded in establishing its etymology with indisputable proofs, as we have done in the case of the other two words, and although our hypothesis is not absolutely certain, we shall nevertheless cite the opinions of many scholars with whom we have been in correspondence in regard to this subject, and in addition we shall give our own opinion, leaving it to the reader to choose.

Dr. Dushak, the Rabbi of Cracow, expressed his opinion as follows: "The origin of this word is Amulets, Charms, Talismans.—Rodkinson. 15

from the German "amulet", and it is derived according to the opinion of a few from the Latin verb *amoliri*, which means to remove all kinds of sufferings and mischiefs; but I cannot approve this opinion, and in my judgment the most correct opinion is that of Hammer that amulet is Arabic and means an article worn by the Arabs around the neck for the purpose of keeping them from harm, etc. Thus we understand that the word (אמולת) is derived from (אמולת אפולת), and this means the dangling of anything around any part of the body. The change of (א) to (א) is not new." These are Dr. Dushak's original words in our *Ebhen Sappir*, p. 36, where the reader may see our remarks upon them.

Mr. Recheles opposed Dr. Dushak (Ibid. p. 46) and maintained that "This word (אמולת) originates from the Latin and is composed of the words *cum me* (with me), because of its being *always* attached to the body, never removed even for a moment, that mischief may be kept from the wearer.

Dr. Plant, the Rabbi of Frankfort on the Main, after examining the above-mentioned opinions of Dr. Dushak and Mr. Recheles, wrote us the following: "The word (אמולת) is derived from the low Latin

*cammaeus*, which means a cameo, or an embossed figure on a precious stone, worn by the ancient nations on their breast and arms as a talisman." And in his opinion the Talmudists borrowed this name for any article worn as a talisman (פנילה). See our journal *Ha-Kol*, No. 300.

Finding no satisfaction in the above mentioned explanations, for reasons which we shall hereinafter state, we wrote (Nov. 11, 1891) to the well-known author of the *Aruch Hasholeim*, the Rev. Dr. Kohut, asking his opinion about the word *qamea*, and received in reply the following:

New York, Nov. 12, 1891.

REV. DR. M. L. RODKINSON:

Your esteemed letter has just been received and I hasten to answer you, as "in the moment when you see a scholar you shall bless him" (וּתְיַבֵּךָ לְהַיָּה בְּרַבָּה).

You request my opinion in regard to the word קַמֵּיעַ. I have written much about it in my work, *Aruch Hasholeim*, Vol. VII, p. 123, and the following

is what the author of the "Aruch", Dr. Nathan, says about it.

(Here Dr. Kohut cites the words of *Aruch* and *Musphio* with a list of all the places where the word קִטְנָה occurs in the Talmud and Midrashim and adds his own opinion that it is derived from a Greek word which means a "knot" and refers to many passages to prove it, which are unnecessary to quote here, as the *Aruch Hasholeim* can be found in any library. He then proceeds as follows:)

"Concerning the word *cammaeus* from which the word קִטְנָה is supposed to be derived, I beg to say that it is not to be found in the dictionaries of the Latin classic literature, and it appeared for the first time in 1444 A. D. See Du Fresne, *Glossarium*, *cammaeus*,

And with this I am, with regards,

Yours very truly,

HANOH JEHUDA (Dr. Kohut).

Now Dr. Kohut has overthrown Dr. Plaut's opinion by proving that the word *cammaeus* appeared



for the first time in the 15th century, while the word קמיע is found in the Mishna, which was composed in the 3d century A. D. But for a like reason we cannot approve Dr. Kohut's opinion. For the Mishna, as is well known, is written in plain Hebrew, and only certain expressions which the Hebrew language lacks were borrowed from the languages then current: and now, if it be really as Dr. Kohut thinks that the word קמיע means קשר (a knot), then it is curious why the Mishna did not use the word קישורין (a knotted ornament), which is used in Isa. iii. 20, of an ornament worn by women, rather than choose a Greek word to express this meaning. And to tell the truth, there is little difference between the opinion of Dr. Dushak and Dr. Kohut, the former explaining it as *attached* and the latter as *tied* to the body(a). Dr. Dushak

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a) The true meaning of the word קשר is a knot, קשר של (קשר) קימא שביה קשר) a knot which lasts forever is called a *knot* i. e. a complication of threads which cannot be untied, and the verb is derived from this noun. The intention of the Bible in saying וקשרתם לאות is that they should be bound and knotted mentally forever.

at least derived it from a Hebrew word, קמין. Therefore in a second letter to Dr. Kohut we expressed our opinion that the word קמיע may be derived from קמיעא קמיעא ("a little", or "a small portion") found in the Talmud: because a *qamea* (קמיע) contains fragments of the names of angels, gods, etc. and in reply to this the Rev. Dr. Kohut wrote the following, bearing date, Nov. 17, 1891:

"In reference to your second letter I beg to say in order:

"1) Himalet, Hamalet, which are derived from the Latin *amuletum* and the German *Amulet*, have nothing in common with the word קמיע, which is derived from the Greek [?] as I have proved [!] in *Aruch Hasholeim*, Vol. vii. fol. 122, pp. 1 and 2

"2) In the same work, fol. 123 b, I tried to explain the word קמיעא קמיעא, after giving a list of all places where this word occurs in the Talmud, and in my opinion this word is derived from the Persian *kam*, *kami* קמא קמא, and means "a portion, a little", and I quote the opinion of *Tishbi* who tried to explain it thus: because a קמיע contains small portions and fragments and abbreviations of different writings, and therefore it is called a קמיע. But this opinion

is too far-fetched (ברוהק). The work *M'Kor Chain* by R. Joseph Karo is not to be found in my library, and I have never seen the work „Caphtor ve Pherach,” by Luzatto, but only a work with the same name by Edelman. I have *Hurbh* by Hirsch, but in that *tephillim* is supposed to be derived from התפלל ‘to pray’, see *ibid*, p. 231, — but you would not there find what you desire”.

Now since Dr. Kohut has declared that *Tishbi* preceded us with the opinion that the word קמיע is derived from קמאה, קמעה (kam, kami), which means in Persian, “a little”, we approve the opinion of *Tishbi* and do not find it far-fetched (ברוהק) as Dr. Kohut finds it; and that for the following reasons :

R. Nathan, the author of the *Aruch*, was very careful in explaining the word *qamea* as meaning קשר “a knot”, citing only the place *Bechorath* 30, “It happened to a woman..... and she was folding (קמעה) him *tephillim*; afterwards when she was married to an ignorant man (עם הארץ) she used to tie him *qoshre mochson*: (קשרי מוכסון) from which we may conclude that the word קמעה is something like tying, or קשר to “knot”. The

author of the *Musphio* (appendix to the *Aruch*) was also careful in explaining the word as the same as קשר and simply adds: "It is a kind of tying and there are some medicaments which are tied to the neck", etc. But Dr. Kohut, wishing to do something surprising (מיסיף נופך) (using his own words) and exhibit his knowledge of other languages, found the word Hima, and in the Mid-rash *Beresith Rabba* he found a word *himus* which he corrected to *himum* and claimed it as the same as Hima, and because the latter word means a "knot" he explained the word קמיע to mean קשר — See *Aruch Hasholeim*, p. 127.

Having made one mistake in giving the above explanation, he must needs make another one, and so he expressed the following baseless opinion: "It seems to me that קמיע must have come in (sic!) from the margin [see remark below] referring to *himum*"(b). But his explanation and opinion are

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(b) The grand Rabbi of the congregation *Aharath Chesed* (Dr. Kohut) is an excellent preacher and a good teacher, but his knowledge in the oriental tongues and especially in the Hebrew language, is not very precise in this as well as in ma-

ny other places in *Aruch Hasholeim* his Hebrew is very obscure and needs explanation, he not being used to it. In nearly every generation the Hebrew language has undergone some changes. There is a difference between Biblical Hebrew and the dialect of the *Mishna*, as well as between the early and middle Amoraim, and there is a great difference between them all and the dialect of the Rabanim Seborai. Likewise is the language of the Gaonim different from them all. In the Talmud are articles in all these dialects just mentioned. (See Weiss' "Geschichte" and our *Open Letter to the Rabanim*, where it is proven that there are annexed to the Talmud many articles from the latter (Gaonim).) An expert can even tell from the dialect in which the article is written to what age the author belonged, as we have proven in our "Open Letter". To this Dr. Kohut has paid no attention, and as soon as he finds in any language a word or expression resembling that found in the Talmud, he jumps to the conclusion that the Talmud borrowed from that language, regardless of the date of the writing and whether such borrowing were possible and therefore he often fails to conclude aright. And therefore with all due respect to Dr. Kohut we cannot recommend Scholars to accept his opinions and hypotheses without a careful examination. The late great Philologist, R. Sch. J. Finn (see the *Journal Haacarmel*, vol. iv. 42-45) called Dr. Kohut's attention to the fact that, owing to his not being qualified for such work and not having a thorough knowledge of Hebrew, he made many mistakes in very important matters.

not easily understood (לא נדיר ולא כביר), as we have already stated, for if the meaning of קטני were קטן, then the *Mishna* would certainly have used the word קטנין which is Hebrew, having in the Bible the same meaning, rather than a Greek word. And therefore we are inclined to approve the opinion of Tishbi, that a קטני contained small pieces

R. Finn showed many examples of this, although he saw only one part of the first volume of Dr. Kohut's work. But we who have had the honor to see the work as completed are sorry to say that the author is not yet fully qualified and the *Aruch* *Ma'achalim* needs many important improvements. For instance, not understanding correctly the verses of R. Nathan, the author of the *Aruch*, he concluded that he was a traveling merchant with shirts apeddler. Also, not being qualified for this work, he omits names of authors whose works he cites, as in the section of Dr. Frankel. Not being perfect in Hebrew, he uses the expression, "and Di Laro preceded me with this explanation," although Dr. Kohut never before wrote on the point, etc. (See also Hachamitz vol. VII, pp. 85-95 where many other instances are cited").

We hope Dr. Kohut will pardon us for this; for, as the proverb says: "Respect Socrates and respect Plato, but respect the truth the most."

of parchment with names of angels, etc., and in proof of this we cite the following place in the *Mishna* (Tract Shabbath), "A piece of skin enough to make a קמיע and parchment enough to write thereon a small text of *tephillin*". From this we may judge that the word קמיע as used by the doctors of the *Mishna* did not signify the *parchment* and what was written upon it, but the *case* which contained the parchment and writings; and not as in the later centuries when they began to call the parchment and writings קמיע. Therefore it was that the doctors of the Talmud borrowed this word קמיע also for the *tephillin*, as we find it plainly in the tract upon *tephillin*: "If he reverse (הפך) the קמיע it is considered invalid" (פסיל), which means if he reverse the *tephillin*; see Phyl. Rit. 126. The following is also found (*ibid.* 121): "If he make it as a kind of קמיע it is then invalid" (פסיל). This means if one made a kind of case in which the writings are placed. For these reasons the *Mishna* could not term it קמיע, which means an article directly tied to the body, but termed it קמיע, which means an article made up of a collection of small portions of names and abbrev-



itions of the names of angels placed in a skin case folded and attached to a string and tied around the neck. In this way it comprised the meaning of the three words together: קטין, a collection, טוט to fold, and טיטט, a little, a small portion. The Mishnah in other places is also in the habit of terming an article which is plaited and doubled "טוט טיטט" or "foldings", as the foldings on the neck טיטט טיטטטט (Negoam, Sect. 6.) And likewise they used the expression קיטט ל טיטט she used to fold the *tephillin* on him, as the word טיטט is not appropriate to express the fastening of the *tephillin*. For the *tephillin* themselves are not fastened to the body, but only the fillets, which are folded around the arm and head. And for this reason the latter authorities prohibited uttering the blessing of the *tephillin* לטט with the words, "to tie the *tephillin*" לטט טיטט from יקטטתם, which is found in the Bible and to which they refer the *tephillin*, but enjoin the word "to put on" לטט טיטט; because only the *totaphoth* were tied from ear to ear, but not the *tephillin* themselves. For a similar reason the Talmud preferred the word קיטט to the word טיטט because the



term קמיע was known to them as a name for *anything* worn as a medicament or a charm, a סגולה. And as a conjecture we may assume that the word קמיע was adopted together with the names of angels from the Persians, because without the names of angels there could be no קמיע, for the medical properties of herbs they did not call קמיע. Thus they borrowed it together with the name in Persian, which originates from קימעה, as is explained above. Likewise the author of the *Mashbir* explained the word קימיעא from קמא. See *Mashbir*.

This is our own opinion in regard to the word קמיע. But all these different views are left to the choice of the reader.

With this we conclude this work, and though we have in many places been satisfied with a brief treatment where greater detail seemed necessary, we hope to return again to the subject when we shall be enabled to publish the "History of the *Tephilah*, *Tzitzith*, and *Mezuzah*", on which we are now at work and in the preparation of which we have made many new and important discoveries.



