

## **False Tekhelet**

Mois Navon, 5764

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Though there is a vast amount of evidence indicating that the true source of *tekhelet* has been found in the *Murex trunculus* mollusk,<sup>1</sup> questions nevertheless arise regarding the *halachic* consequences were it not to be the authentic source of the precious dye. Is there some benefit or "*hidur*" that one forfeits if his *tzitzit* are colored? Does one lose out on fulfilling the positive mitzvah of *tzitzit*? Or worse yet, is one in violation of wearing a four-cornered garment without *tzitzit*? And finally, could one be liable to incur the divine punishment (mentioned in Baba Metzia 61b) for wearing fraudulent *tekhelet*?

## **The "White" Strings**

*"HaKanaf" Min HaKanaf*

The Gemara (Men. 38a, Shab. 27b) explains that the verse (Bamid. 15:38), "And they shall place on the *tzitzit of the corner*", implies that the "white" strings should be like the corner of the garment (in color<sup>2</sup> and/or material<sup>3</sup>).

The Rambam (Hil. Tzitzit 2:8) and Rashi (Men. 41b, s.v. *meitivei*) hold that the "white" strings should be the color of the garment – e.g., a red garment should have red strings. The Rama (Orech Hayim 9:5), on the other hand, states that the custom of Ashkenazim is to use white strings even if the garment is colored. In order to reconcile these differing opinions, a number of poskim recommend that one wear a white garment, thus fulfilling the requirements of both opinions.<sup>4</sup> Others comment that in addition to fulfilling both opinions there is an extra preference to using a white *talit*, for by doing so one imitates God (*ze keli ve'anveihu*) since white is the color of God's *talit*, as it were.<sup>5</sup>

Be that as it may, R. Yosef Karo does not seem to be overly concerned as to what color one uses. For though in his Beit Yosef he writes, "one should be careful" to use colored strings matching the garment, he brings as *halacha* in the Shulchan Aruch (Orech Hayim 9:5) the less than forceful words:

"There are those who state that one is required to make *tzitzit* the same color as the *talit*, and the *medakdekim* (meticulous) are accustomed to do so."<sup>6</sup>

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<sup>1</sup> See my "Criteria for Identifying the *Hillazon* and *Tekhelet*" at [www.tekhelet.com](http://www.tekhelet.com).

<sup>2</sup> See Mishna Berura (Orech Hayim 9:5:15) who quotes Pri Megadim. "When one begins, he begins with white, [because the verse states,] 'the corner' [implying] the same type as the corner" (Men. 39a).

<sup>3</sup> See Mishna Berura (Orech Hayim 9:1:4). Rashi (Shabbat 27b, s.v., *min kanaf*).

<sup>4</sup> Taz Magen David (Orech Hayim 9:5:8); Beir Heteiv (seif katan 4) and Mishna Berura (seif katan 16) both quote the Taz.

<sup>5</sup> Mahatzit Hashekel (on s.k. 6); Ateret Zekeinim (Orech Hayim 9:5); Bach 24.

<sup>6</sup> The point here is that the Shulchan Aruch is rather ambivalent whether the strings are to be white or the garment's color.

## The Tekhelet Placeholders

The Gemara (Men. 38b) states, “if one has no *tekhelet* he uses white.” That is to say, when no *tekhelet* is available then the string(s) that were to be of *tekhelet* are made up of string(s) like the “white” strings. However there is in fact no *halachic* necessity for these non-*tekhelet* placeholder<sup>7</sup> string(s) to be any specific color, as will be shown presently.

*Lo Yehei Ela Lavan*

The Gemara (Men. 40a) discusses the issue of wearing *tzitzit* on a linen garment. Given that the *tekhelet* string(s) must be made of wool (Yev. 4b), placing them on a linen garment would constitute a forbidden blend of materials known as *shaatnez* (which is one of the forbidden admixes: *kilayim*). However, since in so doing one is fulfilling the positive mitzvah of *tzitzit*, this overrides the negative injunction forbidding *kilayim*. Nevertheless, the Gemara explains that a decree barring such garments was made to insure that people would not think that *kilayim* was permitted in other instances.

Rava bar Rav Chana raises a series of objections as to why the decree is unjustified, all of which Rava resolves. At one point Rava explains that the decree was issued to insure that one would not violate the prohibition of *kilayim* if he unwittingly wore *kela ilan* in place of *tekhelet* – since in such a case he would not be fulfilling the complete positive mitzvah necessary to override the prohibition. To this Rava bar Rav Chana exclaims, “but let [the *kela ilan* string] be considered like a “white” thread!” – i.e., the *kela ilan* string is a valid string for “white” and so one is still fulfilling the mitzvah of *tzitzit*. This, even to the point where it was considered possible to use it to override a Biblical prohibition!<sup>8</sup>

The Chazon Ish (Orech Hayim 3:25) learns a number of crucial points from this statement of Rava bar Rav Chana:

- (1) If one holds that, when there is no *tekhelet*, all the strings are considered like the “white” strings, then this statement clearly permits the use of varying colors – even that of *kela ilan* – to fulfill the requirement for “white” strings.<sup>9</sup> That is to say, there is never any requirement that the “white” strings be the color of the garment.<sup>10</sup>

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<sup>7</sup> Arugot HaBosem (Helek 3, p. 217); Artzot Hahayim (9:32); Hazon Ish (3:25). Shu”t Rosh (klal 2:9) – “two white strings would have sufficed, but we insert another two strings *zecher l’tekhelet*.” Notice that he **doesn’t** say “another two white strings.” Also Tos. (Men. 38a, s.v. *hatekhelet*) state that there is a need for 4 strings, whether of one type or two, to fulfill “*gedilim*” (which is understood to mean a minimum of 4).

<sup>8</sup> The only reason Rava bar Rav Chana’s proposal was subsequently rejected was because it is learned that a prohibition (e.g., *kilayim*) can only be overridden by a unique positive mitzvah – i.e., only if there is no other way to do the mitzvah. Thus, if one does not have *tekhelet* available, one can fulfill the mitzvah of a linen garment with linen strings without any need of wool threads - the wool would only be required if one had real *tekhelet*. (See Rashi, s.v. *gezeira*; Rabeinu Gershom, s.v. *v’amay*).

For the purposes of the present discussion, it should be clear that one could have unwittingly placed *kela ilan* string(s) along with “white” strings on a non-linen garment and fulfill the mitzvah of *tzitzit*.

<sup>9</sup> Indeed, the Smag (aseh 26) states that there is no concern (*ain lahush*) if one places colored *tzitzit* on a white *talit*. Radzyner (Ein HaTekhelet, p. 329, 331).

<sup>10</sup> With this position, the rule of *min hakanaf* is understood not to imply that one must have strings the color of the garment, but rather that the “white” strings should be different than the real *tekhelet* string(s) when used (See Chazon Ish).

- (2) On the other hand, for those who explicitly demand that the “white” strings be the color of the garment (e.g., Rambam and Rashi), this statement of Rava bar Rav Chana would have to be understood as implying that the strings that were to be *tekhelet* could be any color at all – even *kela ilan* – when *tekhelet* is unavailable.<sup>11</sup>

From this analysis it is clear that if one unwittingly tied *kela ilan* in place of *tekhelet* (on a non-linen *talit*) he would still be fulfilling the mitzvah of *tzitzit*, *l’chatchila!* And similarly, if one employed a blue dye believed to be *tekhelet*, even if it turned out to be inauthentic, he would have nevertheless fulfilled the mitzvah of *tzitzit* in no less an ideal manner than if he had used only white strings.<sup>12</sup>

### **The Divine Punishment**

Following the above analysis, which concludes that *kela ilan* is permissible for non-*tekhelet* strings, it is necessary to understand the penalty discussed in the Gemara (Baba Metzia 61b) for in fact wearing *kela ilan* string(s):

Raba said, ‘Why did the Torah mention the exodus from Egypt in connection with interest, *tzitzit*, and weights?’ God said: It is I who distinguished in Egypt between the drop of a firstborn and that of a non-firstborn; even so it is I who will in the future exact retribution from he who ascribes his money to a Gentile and lends it to a Jew with interest; or he who steeps his weights in salt; or he who attaches *kela ilan* to his garment and claims it is *tekhelet*.

The Gemara here minces no words in conveying the absolute unacceptability for wearing *kela ilan* in place of *tekhelet*. Nevertheless, the punishment is not for merely wearing *kela ilan*, but rather for doing so with the intent of deception – as indicated by the words “and claims it is *tekhelet*”. This is clearly the import of the Gemara, which lists three acts of misrepresentation wherein no one but the perpetrator would be able to discern the deception. Thus God declares, to those who might entertain the thought that perhaps ‘that which is not seen is not known’, that indeed He can discern that which is not on the surface detectable<sup>13</sup> – as He established when executing the plague against the first born of Egypt.

Alternatively, the Maharasha (B. Metz. 61b) explains that God is declaring to those who would try to increase their wealth through evil means that He will punish them as he did the Egyptians who tried to increase their wealth through the evil means of enslaving His “firstborn” Israel. Here too the punishment is for those who act out of impure motives. In the case of *kela ilan*, since it is a much cheaper dye than *hillazon tekhelet*, one would be punished for trying to find a cheap way out of the mitzvah or alternatively, for selling it<sup>14</sup> as real *tekhelet* to make a large profit.

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<sup>11</sup> Similarly Rashba (Men. 40a) quoted in Radzyner, *Ein HaTekhelet*, p. 331).

<sup>12</sup> Radzyner (*Ein HaTekhelet*, p. 329) explains that the demand for strings to be the color of the garment applies only to the “white” strings, but not to *tekhelet* placeholders. See also Anaf Yosef (B. Metz. 61b, s.v. *u’imim*). Note however that R. Gelbshtien (in his book “*Ptil Tekhelet*”, states that *kela ilan* is *pasul* even when there is no real *tekhelet* (quoted in R. Menahem Borstein, *HaTekhelet* (Jerusalem, 1988), p. 70, n. 48).

<sup>13</sup> See Sifri (Bam. 115); Iyun Yaakov (s.v., *amar Raba*); H. Freedman, *Soncino Talmud*, n. b4.

<sup>14</sup> Rosh (quoted in Anaf Yosef on B. Metz. 61b).

## Conclusion

In conclusion, the fundamental problem with *kela ilan* – or any alternative dye<sup>15</sup> for that matter – is if one knowingly commits fraud, as is clear from the context of the Gemara (B. Metz. 61b) which warns of divine punishment for wearing *kela ilan*. Other than that, as was seen from the Gemara (Men. 40a), there is clearly no concern for using a blue dye one believed to be authentic to sincerely fulfill the mitzvah in its entirety.<sup>16</sup> In fact, because it is a Biblical Commandment (*mitzvah d'oraita*), one should go out of his way to attempt to fulfill, as the dictum teaches, “*Sfeika D'oraita L'Humra*.”<sup>17</sup>

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<sup>15</sup> There are some who consider anything that is not *hillazon* source *tekhelet* to be in the category of *kela ilan* (see Borstein p. 70, n. 52); though there are those at the other end of the spectrum who consider the prohibition of *kela ilan* to be specifically on the plant source and only on the plant source (Tifferet Yisrael, Intro. to Mishnayot Moed, d"h *oman hadavar*. Indeed, a number of poskim held that synthetic dye could be used – as long as it was fast to wool and the right color [See R. B. Naor, Substituting Synthetic Dye for the *Hillazon*, JOHCS, p. 105]).

<sup>16</sup> Of course one must abide by the *gezeira* to not wear even real *tekhelet* on a linen *talit* as discussed in the Gemara (Men. 40a-40b). On this *gezeira* see (Mishna Berura, Orech Hayim 9:6). See also R. Tavger, Kelil Tekhelet (ch. *Sadin V'Talit*, p.130) for a through discussion.

<sup>17</sup> Some hold that this dictum only applies when one unquestionably fulfills that for which he was previously uncertain. For example, if one were in doubt if he had said grace after meals, he would be required to say it again, thus absolutely fulfilling the commandment of saying grace after meals. In the case of uncertain *tekhelet*, even after one has put it on, he still remains in doubt if he is fulfilling the requirement of *tekhelet*.

Nevertheless, the application of this principle can be found in a number of cases: when writing a Sefer Torah, one is never sure if it was done completely or perhaps a letter was missing; or when giving *tzedaka*, one is not sure the person is really poor; or when lost in the desert and unsure which day is Shabbat, one keeps the seventh day counting, though he is never sure if that day was really Shabbat. (Borstein, pp.141-2).

Indeed, it is told of the Vilna Gaon that he would pay his own *pidion haben* to every man that came to his town claiming to be a Cohen, in order to be sure that he fulfilled the commandment of *pidion haben*. This he did, even though after paying him, he still remained in doubt if indeed he had found a genuine Cohen.

R. Herschel Schachter writes in his letter of approbation to the Ptil *Tekhelet* Organization that even if one is in doubt one should wear the Murex trunculus *tekhelet* because of the principle of *Sfeika D'Oraita L'Humra*. See also Radzyner, Ptil *Tekhelet*, 108; Radzyner, Ein Ha*Tekhelet*, p. 333.