

# Zera Shimshon

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## Chapter XIX: Terumah (Ex. 25:1–27:19)

### Essay 8. The tachash: pure and impure

**שַׁבַּת** (דף כ"ח ע"ב) אומר הגה"ר מאיר תחש שהיה בימי משה טהור הגה ולפי שעה ננדמנה לו למשה, וכן פירש רש"י על פסוק "ועלת תחשים". והקשה הרא"ם והלא ביתחזקאל פתיב "ואנעלה תחש", דמשמע שהיו הרבה תחשים שהיו עושים מהם מנעלים? ותירץ דתרי מיני תחשים הם: אותם שהיו במשכן היו מבהמה טהורה, והא דכתיב "ואנעלה תחש" הגה מבהמה טמאה עכ"ל.

Tractate **Shabbat** (page 28b): Rabbi Meir used to say: The *tachash*<sup>1</sup> that existed in the days of Moses was pure [i.e., kosher] and appeared suddenly to Moses, and thus explains Rashi on the verse, “And these are the gifts that you shall accept from them: gold, silver, and copper; blue, purple, and crimson yarns, fine linen, goats’ hair; tanned ram skins, *tachash* skins, and acacia wood” (Ex. 25:3–5). The Re’em<sup>2</sup> questions, “Isn’t it written in Ezekiel, “I clothed you with embroidered garments, and shod you with shoes of *tachash*, and wound fine linen about your head, and dressed you in silks.” (Ezek. 16:10), with the meaning that there were so many of the *tachash* such that they were making shoes from them? I.e., Shabbat 28b makes it sound as though this is a mysterious, single-horned land animal, that suddenly appeared to Moses at the time of the Tabernacle. How then were there so many that in Ezekiel’s time they were making shoes from them? [The Re’em] solved the problem by suggesting that there were two types of *tachash*: those that were used in the Tabernacle, which were a pure [i.e., kosher] animal, and those about which it’s written, “and shod you with shoes of *tachash*,” which were an impure animal.

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<sup>1</sup> Shabbat 28b: “What about the *tachash* that existed in the days of Moses? Rabbi Ela said that Rabbi Shimon ben Lakish said that Rabbi Meir used to say: The *tachash* that existed in the days of Moses was a creature unto itself, and the Sages did not determine whether it was a type of undomesticated animal or a type of domesticated animal. And it had a single horn on its forehead, and happened [to come] to Moses for the moment [while the Tabernacle was being built], and he made [the covering for] the Tabernacle from it. And [from then on, the *tachash*] was suppressed [and is no longer found]. From [the fact] that it is said that it had a single horn on its forehead, conclude from this that it was pure [i.e., kosher], as Rav Yehuda said: The ox that Adam, the first [man], sacrificed as a thanks-offering for his life being spared, had a single horn on its forehead, as it is stated: “And it shall please the L-rd better than a horned [makrin] and hooved ox” (Ps. 69:32). [The word *makrin* means one with a horn.] But *makrin* indicates [that it has] two [horns]? Rab Nachman bar Yitzchak said: [While it is read *makrin*, which is plural,] it is written [in the singular form,] *mikeren* [to indicate that it had only a single horn].”

<sup>2</sup> Rabbi Elijah Mizrachi (c. 1455 – c. 1526) (“Re’em”), Talmudist, posek, and mathematician, best known for Sefer ha-Mizrachi, a supercommentary on Rashi's commentary on the Torah.

והמפרשים מקשים על הרא"ם דהא איתא ביבמות פ'ק מצות חליצה (דף ק"ב ע"ב) בתוספות דבור המתחיל "ואנעלך תחש". מכאן אומר רבנו תם שצריך שיהיה מנעל של חליצה מעור בהמה טהורה דתחש כתיב וכו'. הרי משמע דביחזקאל איירי בהמה טהורה. ואף להפוסקים הפך סברת רבנו תם, היינו משום דכתיב נעל נעל ריבה, כמו שכתב שם הרא"ש ושאר פוסקים.

**The commentators question the view of the Re'em, as in tractate Yevamot, the chapter entitled “the commandment of *chalitza*,”<sup>3</sup> in the Tosafot for the words beginning “and shod you with shoes of *tachash*” (page 102b). The Tosafot says: “From here, Rabbeinu Tam<sup>4</sup> says, it is necessary that the shoe [of *chalitza*] be from the skin of a pure animal, as it’s written ‘*tachash*.’ ” Here, Rabbeinu Tam understands the meaning of Ezekiel is to point not at the exact animal known as the *tachash*, but at a pure animal. But the commentators reversed the opinion of Rabbeinu Tam, because it was written “shoe” in Deut. 25:9, and again “shoe” in Deut. 25:10, which amplifies, i.e., includes any other shoe, as the Rosh<sup>5</sup> and other decisors wrote there. Thus, the Tosafot concludes, “One need not be particular if he did *chalitza* with a shoe from [leather] of an impure animal.”**

ולדין נראה לתרץ דאדרבא מפשט הש"ס, צריך לומר פדברי הרא"ם, דפריך התם ואימא, תחש אין, מידי אחריןא לא, ותירץ נעל נעל ריבה וכו' ועיי"ש.

**To us, this discussion of the Tosafot appears to solve the matter contrary to the plain meaning of the Talmud, which states:**

Rav Yehuda said that Rav said: One may not perform *chalitza* using a shoe sewn with flax, as it is stated, “And I made you shoes of *tachash*” [implying that a shoe is something made entirely of leather]. [The Gemara challenges: If the source is the word *tachash*, then] let us say: [A shoe made of] *tachash*, yes [it can be called a shoe and used for *chalitza*], [but one made of] anything else, no [it is not called a shoe and thus is not valid for *chalitza*].

- Yevamot 102b

That is, the Talmud first suggests that the implication of the word *tachash* is that the shoe used for *chalitza* must be from a kosher animal, as the *tachash* of Moses’ time was pure. Yet the Tosafot say that a shoe made from an impure animal can also be used for *chalitza*. To resolve this, perhaps **one must say according to the words of the Re'em, who disagrees there and says, regarding the *tachash* of Moses, yes, it was pure; but for anything else, such as regarding the**

<sup>3</sup> While the law of levirate marriage requires a childless widow to marry a brother of her deceased husband (Gen. 38:8), this can be avoided by the practice of *chalitza*, where the widow makes a formal declaration, removes a shoe from the brother, and spits on the floor (Deut. 25:5–10). In tractate Yevamot, the chapter “the commandment of *chalitza*” begins on page 101a.

<sup>4</sup> Rabbi Jacob ben Meir (1100–1171) (“Rabbeinu Tam”), a grandson of Rashi and prominent Tosafist.

<sup>5</sup> Rabbi Asher ben Jehiel (c. 1250–1327), Talmudist best known for his abstract of Talmudic law.

*tachash* mentioned in Ezekiel, **no, and he solves it** by noting the appearance of “shoe” and “shoe” in subsequent verses, which **amplifies** to include any shoe, **and see there**.

ואם איתא ד"נאנעלד תחש" מיירי בבהמה טהורה, איך סלקא דעתך לומר תחש אין, מידי אחריןא לא? הא תחש טהור לא היתה אלא לשעה ואינו עור בעולם. ואם כן אי אפשר למנעל של חליצה להיות מאותו תחש דנקא, אלא נדאי צריך לומר דקרא מיירי בתחש טמא שמאלו יש הרבה כמו שקתב שם הרא"ם.

**If “and shod you with shoes of *tachash*” had spoken about a pure animal, how does it enter your mind to say, “regarding the *tachash* of Moses, yes, it was pure; but for anything else, such as regarding the *tachash* mentioned in Ezekiel, no”? For the pure *tachash* of Moses was only in existence for an hour and there is none of its skin still extant in the world. If so, it’s impossible for a shoe for *chalitza* to be from the same precise *tachash*, rather it’s certainly necessary to say that the verse spoke of an impure animal called a *tachash*, of which there are many, as the Re’em wrote there.**

וכי היכי דלא נימא תחש דנקא אמתא נעל לרבויי. אלא דהשתא דאיכא נעל סבירא ליה לרבנו תם דבעינו דנקא מבהמה טהורה, דאם לא כן תחש מאי אהני ליה לפי ש"נאנעלד תחש"? יכול להתפרש נמי בתחש טהור שהיה בימי משה, כמו שצדד אף הרא"ם ועיי"ש.

**In order that we not say *tachash* specifically, the word “shoe” comes in consecutive verses to include something broader. Rather, even though there is the repetition of the word “shoe,” the opinion of Rabbeinu Tam is that we specifically require a pure animal for *chalitza*, for if that’s not so, what purpose does the word *tachash* serve in “and shod you with shoes of *tachash*”? It’s possible to interpret also as a pure *tachash* that was in the days of Moses, as even the Re’em sided with this view, and see there.**

In other words, the presence of the word “*tachash*” led Rabbeinu Tam to say that a pure animal was required for the shoe for *chalitza*. But the Re’em instead interpreted the *tachash* of Ezekiel as a different, unclean animal, which would agree with the position of the Tosafot that an unclean animal could be used for *chalitza*. Finally, the Gemara concludes that the word *tachash* in Ezekiel serves to tell us that the shoe used for *chalitza* must be made entirely of leather (whether from a kosher source or not).

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