

On History, Mesorah, and Nignaz

Mois Navon

History

Archaeological evidence now available suggests that the origins of the purple and blue dye industry can be traced to Crete dating to 1750 BCE. And on a tablet from Tel el-Amarna, dating as far back as 1500 BCE, the phrase *subatu sa takilti* – a garment of *tekhelet* – is listed as one of the precious articles sent to Egypt by Dusratta, King of the Mittani, as dowry to the Egyptian prince who was about to marry his daughter. These finds, among others, indicate that mollusk based dyeing were in place long before the Jews came out of Egypt (1312 BCE) and that the dyes were used for royalty.¹ So, just as the nations of the world used *tekhelet* to signify royalty, *malchut*, the Jews too were commanded to use it to signify *malchut*, *malchut shamayim* - the Kingship of Heaven.

A great number of archeological sites along the northern coast of Israel and extending up to the port city of Sidon attest to a well-developed *Murex* based dying industry in the region.² Fittingly, this region is precisely where the Gemara (Shabbat 26a) states the *hillazon* fisherman were located – “from Haifa to Tyre.” One of the more telling finds is that of a vat found at Tel Shikmona (just outside of the modern city of Haifa) which contained dye stains found to be molecularly equivalent to the dye produced from *Murex* snails. The finds at these sites date between 1300 BCE to 900 BCE, corresponding to the time Yehoshua conquered the land from the Canaanites.

The Jews continued to produce and wear *tekhelet* as the royal ensign until foreign rulers became jealous and restricted its production and use to their ruling class. Various decrees were promulgated by the Romans, some provided exemption for ritual use, while others strictly prohibited Jewish use (e.g., Constantius 337-362). Documenting life during this period, the Gemara (c. 550-570) contains numerous references to the ritual use of *tekhelet*; the latest of which tells of *tekhelet* being brought from Israel to Babylon in the days of R. Achai (506). This statement denotes the last positive mention of the use of *tekhelet*. As no reference to its discontinuance is recorded, it is safe to assume that *tekhelet* was available until the redaction of the Gemara. Chronologically, the next mention of *tekhelet* in Judaic literature is found in the Midrash Tanhuma (c. 750) which laments, “and now we have no *tekhelet*, only white.”³ R. Herzog surmises that it was the Arab conquest of Israel (c. 639) that brought an end to the snail source dyeing industry in Israel.⁴

Nevertheless, R. Gershon Hanoch Leiner, the Radzyner Rebbe, estimates that *tekhelet* was in use during the times of R. Natronai Gaon (853) and R. Shmuel Hofni Gaon (d. 1013) in that they write of *tekhelet*, and they only concerned themselves with rulings that were of actual pertinence – *halacha lemaaseh*. He also makes an argument that perhaps even the Rambam (1135-1204) had *tekhelet*; however this is most difficult considering that the

¹ That the color was for royalty see also Megillat Ester (8:15); Rashi (Shabbat 26a, s.v. *uleyogvim*); Ramban (Shmot 28:2).

² R. Isaac Herzog, “Herew Porphyrology”, *The Royal Purple and The Biblical Blue* (Keter, 1997), p.24, 149-157; Dr. Yisrael Ziderman, *Reinstitution of the Mitzvah of Tekhelet in Tzitzit*, *Techumin*, Vol. 9, p. 438.

³ Midrash Tanhuma (Shelach 28); Bamidbar Rabba (17:5).

⁴ R. Isaac Herzog, p. 112.

Rambam states explicitly, “We have no *tekhelet* at the present day.”⁵ The Radzyner himself states that this is only conjecture, indeed one based on an idea that is not without weakness.⁶ As such, he puts the end of *tekhelet*’s use among the Jews at the end of the Gaonic period (1038).⁷

The earliest date given for the loss of *tekhelet* is put forward by R. Yehoshua Mikutna in his work *Yeshuot Malko* (Orech Hayim 2:1-3). He estimates that *tekhelet* was lost toward the end of the Amoraic period (474), based on the fact the Amoraim came to the conclusion that *tekhelet* was not a *sin-qua-non* for the fulfillment of the mitzvah of *tzitzit*.⁸ In contrast, the absolute latest date given for *Murex* based dyeing in the non-Jewish world is put at 1453 with the fall of Constantinople.⁹

The import of this discussion is not academic but holds quite important *halachic* ramifications concerning the issues of *mesorah* and *nignaz*.

Mesorah

With regard to the issue of *mesorah*, the Beit Halevi wrote a tshuva on the subject to the Radzyner Rebbe. There are actually two records of their correspondence: one recorded by the Beit HaLevi’s grandson (R. Y. B. Soleveitchik) and the other recorded by the Radziner himself.¹⁰ The response as recorded by R. Y. B. Soleveitchik demonstrates that the Beit Halevi was of the opinion that a *mesorah* was essential, however perhaps more telling is the response recorded by the Radzyner which reveals *why* the Beit Halevi felt a *mesorah* was necessary. The *responsa* is as follows:

“After he [the Radziner] has clarified that something had been lost and he rediscovered it will we be obligated to listen to him and wear it. However, if we say that the fish was in existence, and the [manner of] extracting its dye was known during all the time that has passed since *tekhelet* stopped [being used] in Israel, and yet our fathers and our forefathers did not wear it, then it is as if we have a tradition and a transmission from our ancestors that this fish and its dye are not the *hillazon* and the *tekhelet*, despite its having all the signs which our sages have designated. Only after it has become clear to us that this fish or the dyeing process ceased and was forgotten at any time during all this time, and therefore that the transmission was interrupted, only then will the *halachic* evidence serve as proof.”

From this quote it is clear that the mitzvah of *tzitzit* is not in a category all of its own that can only be determined by *mesorah* (something which would be an unparalleled

⁵ Shu”t v.1, #138; also comm. on Mishna Menachot 4; Hil. Tzitzit 2:9.

⁶ Ein Ha*Tekhelet* p.286 in Sifrei Ha*Tekhelet*.

⁷ Sefunei Temunei Hol pp. 5-7. in Sifrei Ha*Tekhelet*. It should be noted that R. Herzog rejects the notion that the Gaonim had *tekhelet* – as part of his proof he brings the words of Mar Sar Shalom Gaon (d. 859) who speaks of *tekhelet* as a thing of the past (R. Herzog, p. 113).

⁸ R. Borshtein, Ha*Tekhelet*, p.135.

⁹ R. Herzog, p. 114; Sanders, Red Dyes, p.30.

¹⁰ Both are quoted in R. Moshe Tendler’s article in “*Tekhelet: Renaissance of a Mitzvah*”, YU Press, p.49. See also R. Borshtein, Ha*Tekhelet*, p. 133.

anomaly).¹¹ Rather the Beit Halevi simply said to the Radzyner, “if this ‘hillazon’ was known to my father and to my grandfather, etc., and yet they didn’t have any *mesorah* attached to it, why should I now accept it as the *hillazon shel tekhelet*?!” That is to say, since the squid (*Sepia officinalis*) proposed by the Radzyner has always been known, it comes with a known *mesorah*, albeit a negative one.

However, when it comes to the *Murex* snail now being proposed as the *hillazon shel tekhelet*, the words of the Beit Halevi argue in its favor. According to all accounts the *Murex* snail had been lost to the Jewish people from sometime between 474 – 1038 (and lost to the non-Jewish world since 1453). It was only rediscovered by the French Zoologist Henri Lacaze Duthiers in 1857,¹² and only reintroduced to the Jewish world in the 1980s.¹³ As such, the Beit Halevi would obligate the use of *halachic* evidence in the face of a broken *mesorah* – a break ranging from at least 400 years and going up to more than 1300 years (depending on when one holds the loss of *tekhelet* to have occurred).¹⁴

Nignaz

In explaining that *tekhelet* is no longer available, the Midrash¹⁵ uses the expression, “*nignaz*” – “stored away.” Some have interpreted this to mean “hidden” to the extent that the mitzvah is simply unachievable by any natural means. The Arizal mentions the time of this “storing away” in connection with the destruction of the second Temple (c. 70) – “For the truth is that at this time, after the destruction of the Temple, we don’t have the power to wear *tekhelet*.”¹⁶ However, by all accounts *tekhelet* was still in use following the destruction of the Temple, the earliest date given for its loss being 474. Commenting on this conflict, R. Tikochinsky explains: “Therefore it is understood that only during the time of the Temple it was found in abundance, following which it

¹¹ See R. Chaim Twerski, *Identifying the Chilazon*, Journal of Halacha and Contemporary Society, Num. XXXIV, Fall 1997. See also R. M. Tendler, *Identifying Tekhelet: Masoret and Yediyah*, “*Tekhelet: Renaissance of a Mitzvah*”, YU Press, 1996.

¹² R. Herzog, p. 24.

¹³ In 1913, R. Isaac Herzog’s doctoral thesis on *tekhelet* named the *Murex trunculus* as the “most likely candidate” for the source of *tekhelet* - except that, by using contemporary dyeing procedures, its dye was not pure blue. In 1980, Prof. Otto Elsner of the Shenkar College of Fibers in Israel discovered the secret of producing a pure blue color from the *Murex trunculus* snail, thus solving Herzog’s most compelling difficulty. Together with Ehud Spanier of Haifa University, he investigated the photo-chemical properties of the *trunculus* dye and found that when the dye is in a reduced state (a prerequisite for dyeing wool), exposure to ultra-violet light will transform the blue-purple colorant (dibromoindigo) to unadulterated blue (indigo). In 1985, while writing his book (*K’lil Tekhelet*) about *tzitzit*, R. Tavger became convinced that the source of authentic *tekhelet* had been in fact discovered. Determined to actualize his newfound knowledge, and after much trial and error, he succeeded in applying the process according to the *halakha* from beginning to end - thus becoming the first person since its loss to dye *tekhelet* for the ritual purpose of *tzitzit*. In 1993, together with R. Tavger, the *P’til Tekhelet* organization was formed to produce and distribute *tekhelet* strings, as well as to promote research and educational projects.

¹⁴ 1453 – 1857 = 404; 474 – 1857 = 1383.

¹⁵ See fn. 3.

¹⁶ See Arizal, Pri Etz Hayim, Shaar HaTzitzit, ch. 5. There are some who have seen in these words a nullification of the mitzvah of *tekhelet* in the present day (see R. Borshtien, HaTekhelet, p. 138, n. 35) and there are those who have understood them as merely a statement on the spiritual status of Jewry, but not as an invalidation of the possibility to fulfill the mitzvah (see R. Borshtien, HaTekhelet, p. 139, n. 36). R. S. Taitelbaum explains that it is ridiculous to suppose that the Arizal would nullify a biblical command (Lulaot Tekhelet, p. 40). Indeed he brings the letter of the Lubavitcher Rebbi (Rashab) who, though he held the Ari’s word to imply that we do not wear *tekhelet* now, nevertheless writes, “the mitzvah is an eternal one, and when we will be able to fulfill it, so we must do.” (Lulaot Tekhelet, p. 52).

was *nignaz*, not that it was stored away completely, but that it was found less frequently.”¹⁷

Thus it is most reasonable to adopt a less extreme interpretation of the term *nignaz* than first supposed. Indeed, the term is translated by the Aruch to mean stored for safekeeping – and not that the thing has been abolished or vanished.¹⁸ This definition fits quite nicely with the explanation of R. Glebshtien, who surmises that the Jews stored away the *hillazon* “*legeniza* - because they knew the Temple would be destroyed and the *hillazon* would no longer [miraculously] be available...following the destruction of the Temple.”¹⁹ The Radvaz too explains that, “it is possible that the *hillazon* exists but we do not recognize it or how to trap it.”²⁰

Conclusion

In conclusion, we have seen that the mitzvah of *tekhelet* has been lost to the Jewish world anywhere from 900 to 1500 years!²¹ This complete break in continuity provides an opening from within which *halacha* can then accept *evidence* to fill the void left by the lack of *mesorah*. In addition, we learned that *tekhelet* was still in use even after the term *nignaz* was employed, as such we can rest assured that there is no prohibition, mystical or otherwise, stopping us from fulfilling this coveted mitzvah – one which the Gemara itself states is “equal to all the mitzvot” (Men. 43b).

¹⁷ R. Tikochinsky, *Ir HaKodesh VeHamikdash*, vol.5, p.50. See also *Lulaot Tekhelet*, p. 20 for a similar argument.

¹⁸ R. S. Taitelbaum, *Lulaot Tekhelet*, p. 19.

¹⁹ R. Glebshtien, *Ptil Tekhelet*, 2:16. A similar argument is brought by R. S. Taitelbaum, *Lulaot Tekhelet*, pp. 273-274.

²⁰ Radvaz, (shu”t 2:265).

²¹ 1038 – 1985 = 947; 474 – 1985 = 1511.