הלכה יומית

Daily Halacha

Kitzur Shulchan Aruch Yomi: the whole Kitzur in a year, a few paragraphs a day

THE LAWS OF TZITZIS · KITZUR 9:10-13

Sunday • 7 Cheshvan

10. If you take off your tallis with the intention of putting it on again immediately, even if you did so for the purpose of going to the lavatory, when you return and put it on again you do not recite the berachah over it (the tallis). (Since it is permissible to enter the lavatory with it [i. e. even while wearing a tallis] it is,therefore, not considered an interruption). However, if your intention was not to put the tallis on again immediately, and then you changed your mind and did put it on again, you must recite the berachah over it.

If your tallis fell off accidentally, [then] if part of it remained on your body, regardless if most of it fell, as long as part of the mitzvah remained upon you you are not required to repeat the berachah when you readjust [the tallis]. However, if none of the tallis remains on your body, although you are holding it in your hand, [then] since no part of the mitzvah remains on your body, for the mitzvah is not to hold the tallis in your hand, but for the body to be wrapped in it, you must, therefore, say a berachah when you put the tallis on again.

If this happens to you during prayers at a point when you are not permitted to interrupt, you should not recite the blessing then but wait [instead] until you are permitted to recite the berachah, [at which point] you should grasp the tzitzis in your hand and recite the berachah.

11. The halachah states that "One who borrows without the owner's knowledge is considered a thief". (Bava Basra 88a). Here we find an exception to this law. When the borrower's purpose is to perform a mitzvah with the object, and the owner will not incur any loss, then it is assumed that the owner would be pleased and the borrower may make use of the object.

Some go so far as to say that even where the owner explicitly objects, use may be made of his tallis. (Responsa Maharsham Vol. I 29) Others, however, maintain that if the owner is known to be one who would usually object then it is not permitted to use the article without specific permission (Mishnah Berurah 14: 13).

Still others go even further and hold that nowadays everyone is assumed to mind and specific permission must be received (Aruch Hashulchan 14: 11). It is permissible to borrow someone's tallis on an irregular basis, even without his knowledge, and use it for prayers and to recite a berachah over it, because it may be assumed that one is pleased that a mitzvah is performed with his property, if it is at no loss to [the owner]. However, [the article] may not be removed from the house in which it was placed because the owner may object to that. If the [borrower found] the tallis folded he should replace it folded, but on Shabbos he may not fold it [and it may be assumed] that since the reason for his not folding it is due to a Shabbos restriction, the owner would not object.

One who borrows a tallis from another only for the purpose of going up to [read from] the Torah, there is a halachic question if the berachah is recited. Therefore, you should specifically intend not to acquire the tallis, thereby, according to all opinions, you are not required to recite a berachah. However, on the congregation's tallis, even if you

take it only for going up to the Torah, you are required to recite a berachah, because it is considered as if it were yours.

12. When the Torah refers to "wool" or when the Poskim do so they [usually mean] sheep's or ram's wool. A pious person should not recite the berachah over a tallis [in which] the warp [threads] are made of wool and the woof threads are made of cotton, silk or the like; or the reverse, [that is,] that the woof threads are made of wool and the warp threads are of another material, because some Poskim maintain that even tzitzis made of wool only exempt a garment made of the same material.

Similarly, over a tallis made of silk and the tzitzis are made of wool, a berachah is not said, but, [rather,] you should first recite the berachah over a woolen tallis and enwrap yourself with it and remove it (the woolen tallis), and then, enwrap yourself with it (the silk tallis).

However, if the tzitzis [of the silk tallis] were also made of silk you may recite a berachah over it (the tallis,) (Tzitzis of silk are not common in our countries because tzitzis must be spun for the purpose of tzitzis). If the tzitzis were partially made of silk and partially of wool it is even worse (more questionable) and (tzitzis) should not be made in this manner.

13. A tzitzah from which a string tore from the four strings (that are folded over to form eight strings), and enough remained from it to allow the tying of a bow, that is, four thumb breadths, or if two strings tore but each had four thumb-breadths left and the other two strings remain complete with the prescribed size, it [the tzitzah] is valid.

However, if three of the tzitzis strings tore, even if there remains from each (string) four thumb-breadths and the fourth string is complete, or if the tear was even in only one thread and there did not remain four thumb-breadths, even though the other three threads are complete, it is nevertheless invalid (unless it is an emergency).

Therefore, if one string tears from the eight strings which are hanging, even if it tore completely up to the links it is certainly valid since this one string is only half [of a larger] string, and there is still [enough left] in the other half to tie a bow and even more.

If two strings tore and there did not remain in each one four thumb-breadths, [then] if there is the possibility that these two strings are [really parts of] one string, then the tzitzah is invalid. However, if it is certain that they are from two separate strings, for example, if at the time of tying them he was careful to always tie the four ends on one side with the four ends of the other side, (as I've already mentioned at the end of paragraph five) and now there is a tear in two of the ends located on one side of the knot; in this particular case it is certain that the tears were in two separate strings, and since there still is in each string the amount of four thumb-breadths and even more on the second side of the knot, and the other two strings are complete, the tzitzah is valid.

If one string tears at the point where they hang in the hole the tzitzah is invalid. We mentioned that if one string tears, and there remains a [sufficient] amount to tie a bow, that the tzitzah is valid, this is so only if at the time of making [the tzitzis] all of the strings were the proper length, except that afterwards they tore. However, if at the time of making the tzitzis, there was even only one string that was slightly shorter than the prescribed length the tzitzah is invalid.

Monday • 8 Cheshvan

14. The strings of the tzitzah must be twisted and if any string becomes unravelled from its twistedness then any unravelled part is considered as if it were cut off and as if it does not exist.

15. Please refer to preface to para. 3 where the rule of Ta'aseh velo min he'asui was discussed. Here we find another situation where the problem arises: A large tallis with a seam down the middle whose tzitzis are validly attached is separated at the seam for the purpose of facilitating the handling of the tallis during laundering or mending. We, thus, have "two" taleisim (the Yiddish plural of tallis) with two tzitzis each. We are now faced with a problem—sewing the two halves together again would result in validating the tallis for the mitzvah through an act not done directly to the tzitzis. Thus: Ta'aseh velo min he'asui. The author here proposes a solution to the problem.

This paragraph deals with a tallis that had tzitzis [attached] and was divided into two [halves] as is common with many of our taleisim, that are sewn together from separate sections. Occasionally [the sections] are separated in order to launder it, or to mend it, and then is restitched. Since there is usually enough left in each section to enwrap a person, it is sufficient to remove two of the tzitzis from any section and after restitching the tallis to retie the tzitzis. However, if each section is not large enough to enwrap a person, he must [first] remove all of the tzitzis (because when the sections were separated each part is exempt from the mitzvah of tzitzis, and when they are later reattached and require tzitzis, then, if the original tzitzis remain the tallis is invalid because of Ta'aseh velo min he'asui as [was mentioned] previously in paragraph six).

If in one section there is a sufficient amount [left] to enwrap [a person], and in the other section there is not enough to enwrap [a person], he should [then] remove the tzitzis from the part that does not have enough to enwrap a person.

16. If the corner [of the tallis] was either cut or torn and became completely separated from the tallis, and the area of that piece is less than three thumb-breadths by three thumb-breadths, there are those who maintain that this piece, even after it is resewn properly to the tallis, is invalid for attaching tzitzis to it. [The reason for this is] since there is not [in this piece] three thumb-breadths by three thumb-breadths it is not considered to be a "garment" and even if it is attached to the tallis it is still considered as separated. We should adhere to this strict view. However, if the piece is not separated completely from the tallis, as long as it remains slightly attached, resewing it [to the tallis] is sufficient [for the piece] to be considered a part of the tallis, and the tzitzis that will be attached, after resewing [the piece], are valid.

The custom is to sew a piece of cloth (three by three) on the corners of the tallis because in many garments, even if they are new, there are pieces of cloth attached that are less than three agudlin by three agudlin. We, therefore, sew at the place that we attach the tzitzis, a piece of cloth, three agudlin by three agudlin.

17. Rashi's opinion(Maseches Menachos 41a) is that any thread used in the stitching at the corner of the garment should be of material other than the tzitzis. This is because there is concern that one may leave some of the sewing thread dangling from the corner and then combine it with three other strings for tzitzis. Since his original intent for this thread was for stitching and not for tzitzis, it cannot become part of the tzitzis merely by his decision to consider it so. This constitutes Ta'aseh velo min he'asui.

Some authorities hold: that on the entire area of the corner, which is eligible for attaching the tzitzis, that is, from after the length of the first thumb knuckle, from the edge of the tallis until a length of three thumb-breadths, there should not be any stitches whatsoever with a thread that may be used in the making of tzitzis for this particular tallis; for example, if the tallis, was made of linen, one should

not sew there with linen threads, but [use] only silk threads or the like. [Likewise] if the tallis is silk it should not be sewn with silk threads. If the tallis was made of wool it should not be sewn with woolen threads but with silken threads or the like.

It is preferable to adhere to this strict view also in regard to the hem that is made around the hole to reinforce it (the hole). All of the above, however, applies only to white thread but with colored threadthere is no reason for concern.

18. If you wish to remove the tzitzis from the tallis in order to reattach replacement tzitzis which are more beautiful, or because one of the threads tore and you wish to attach complete ones, although the original tzitzis are still valid, it is nevertheless permissible [to remove them] since you are not nullifying the tallis from the mitzvah of tzitzis. On the contrary, you will be attaching more beautiful tzitzis. [However,] you should be careful not to throw the original [tzitzis] into a disrespectful place.

19. Even tzitzis that have become invalid and were removed from the tallis should not be thrown into the trash because it shows disrespect for the mitzvah. Some people are careful to place them in a holy book and to use them as a bookmark; for since they were used to perform a mitzvah at one time, let them be used for another mitzvah. Likewise, a tallis that has aged and is no longer worn as a mitzvah, should not be used in a disrespectful way.

20. It is important to note that wearing a four-cornered garment without valid tzitzis is not merely a failure to perform a mitzvah but, rather, a transgression, because the Torah prohibits the wearing of a four-cornered garment without tzitzis. If you go to a Synagogue on Shabbos and discover that a tzitzah of your tallis has become invalid and you are unable to borrow another tallis and you are embarrassed to sit without a tallis, then, since it is not possible for you to tie another tzitzah on this day, therefore for the sake of your dignity you are permitted to wear the tallis as is but you should not recite the berachah. This is applicable only if you were unaware before Shabbos that [the tzitzah] became invalid, but if you knew before Shabbos that it became invalid you are forbidden to wear the tallis, since you should have fixed it the day before.

21. If a garment that requires tzitzis is worn without tzitzis, this constitutes transgression of a positive command. We must be careful about certain garments that are made with four corners; one corner must be cut so that it becomes rounded. However, if the corner was merely folded and sewed it so that it appears round it is not sufficient, because as long as it was not cut, it is still considered part of the garment. Great is the punishment for one who negates the mitzvah of tzitzis. One who is scrupulous in this mitzvah will be worthy to behold the Divine Presence.

LAWS OF TEFILLIN · KITZUR 10:1-3

Tuesday • 9 Cheshvan

1. The mitzvah of tefillin is also a very precious mitzvah, for the entire Torah is similar to tefillin, as it is said: "In order that the Torah of Hashem be in your mouth." And someone who does not put on tefillin, is reckoned among the transgressors of Israel who sin with their bodies, [i. e., tefillin are worn on the arm and head]. Similarly one who puts on invalid tefillin, not only fails to perform the mitzvah, but he also recites many berachos in vain, which is a grave sin. Therefore, you should be careful to purchase tefillin from an expert, and God-fearing scribe. Similarly, the tefillin straps should be purchased from a trustworthy person to be sure that the leather was processed for the sake of tefillin, from hides of a kosher animal.

But among our many sins is the temptation to purchase tefillin and tefillin straps from anyone who sells them cheaply, [even though] their tefillin are invalid. Every God-fearing person should consider this: if he is concerned to select proper material for his clothing and utensils, then certainly he should not economize and worry about the cost when buying articles to serve God, blessed is His

Name. You should therefore be careful to purchase [only] those tefillin that are definitely kosher, even though they cost more.

You should take care that they are always in proper order, and that the batim and straps are always black. You should smear the straps with oil regularly to ensure their blackness, (but they should not be smeared with the oil of a fish called "fishtron" because this oil is derived from a non-kosher fish.) If the tefillin were damaged even slightly or if the stitches tore, you should immediately consult a rabbinic expert to determine their validity. You should be especially careful regarding the corners [of the batim] and specifically to the shel rosh because they frequently rub against objects which cause dents making them invalid. And also very frequently when tefillin become old, a separation appears in the upper hide of the shel rosh making it invalid. You should be greatly concerned about all of these matters.

All who are careful [in the observance] of the mitzvah of tefillin and treat them with sanctity, not speaking of trivial or secular matters when wearing them, will have his days lengthened, and is assured of a share in the World to Come, as it is said: "Hashem is upon them (for they carry upon themselves the Name of Hashem in the tefillin) and they shall live; and in all these things will my spirit live, and You will give me health and give me life."

The word, tefillin, means judgement and admonition (and therefore the lamed has a dot in order to compensate for the second lamed which is missing) because the tefillin are testimony and proof that the Divine Presence dwells upon us, as is stated in Scripture: "All the peoples of the earth shall see that the Name of Hashem is called upon you etc." Our Sages, of blessed memory, explain that this refers to the shel rosh upon which is formed the letters shin of Hashem's Name, Shadai. And therefore you should not cover the shel rosh completely with the tallis.

2. The time for putting on the tefillin in the morning [begins from the time] when you are able to see and recognize a neighbor with whom you are slightly familiar at a distance of four amos. The tefillin should be put on after you put on the tallis.

The reason for the precedence of the tzitzis over tefillin is because the mitzvah of tzitzis is performed more frequently, being performed during weekdays as well as Shabbos and Yom Tov, whereas the mitzvah of tefillin is performed only during weekdays. [And] the rule is that in choosing between a regularly performed mitzvah, and one that is not performed [as] regularly, the regularly performed mitzvah takes precedence.

However, if you happen to touch the tefillin first even though they are still inside their bag, you must put them on first and then enwrap yourself with the tallis, because the rule is that a mitzvah must not be passed by as it is written: "You shall watch the matzos," which may also may be read as the mitzvos, [that is, when the opportunity to do] a mitzvah presents itself, do not let it sour by delaying its fulfillment.

3. It is written: "It shall be a sign upon your hand." Since the word Yadecha is written with a [superfluous] hei, our Sages of blessed memory teach: that this means yad keiha or weak hand referring to the left hand which is weaker and feebler. The tefillin should be placed on the elevated part of the muscle as it said: "Place these words of Mine upon your hearts," which means it shall be put opposite the heart, and therefore you should place the tefillin there and incline it slightly toward the body, so that when you bend your arm down, the tefillin will be opposite your heart.

Although regarding the shel rosh it is written: "Between your eyes," our Sages of blessed memory knew from sacred tradition that this does not mean literally "between your eyes" but, rather, [on the head] above the space between your eyes. And the proper place is from where the hair begins to grow, and this place extends to the end of the spot where a baby's scalp is soft. This means that the lower edge of the tefillin should not be lower than the place where hair begins to grow, and the upper edge of the tefillin which is above [on the head], should not be higher than the place where the scalp of a baby is soft.

Great care must be taken that the tefillin should rest on its proper place. If you place the shel rosh [so that] even a small part is on the forehead where hair

does not grow or even if you place the entire shel rosh on the place where hair grows but it is moved to the side and is not between the eyes, the mitzvah is not fulfilled, and the berachah is in vain.

The knot [in the strap] should be placed opposite the tefillin at the back of the head above the nape of the neck, which is the base of the skull where hair grows, which is opposite the face; and it should not incline to either direction.

The strap should be secure on the head. When the bayis and its base are exceedingly wide it is difficult to maintain their tightness, and it is therefore, urgent to be most careful in this matter.

LAWS OF TEFILLIN · KITZUR 10:4-12

Wednesday • 10 Cheshvan

4. The tefillin must be put on while standing. You should not shake the tefillin out of the bag, because this is disrespectful to the mitzvah, but you should take them out with your hand. You first put on the shel yad and before you tighten the knot recite the berachah: lehani'ach tefillin (the letter hay has the vowel kametz and the letter lamed of the word tefillin has a dot in it). You then tighten the knot and wind the strap around your arm seven times, and then immediately put on the shel rosh.

Before tightening it on your head recite the berachah: al mitzvas tefillin (the letter vav has the vowel pasach). You then tighten the shel rosh and say the verse: Blessed [is His] Name, Whose glorious kingdom is forever and ever. The reason it is necessary to say: Blessed [is His] Name, Whose glorious kingdom is forever and ever, is because there is some doubt regarding the [second] berachah, and because there is a doubt regarding this berachah there is consequently also a doubt if one who hears the berachah should answer Amein or not. Therefore, it appears to me that it is preferable to recite this berachah in an undertone. After putting on the shel rosh coil the strap of the shel yad three times around the middle finger, once on the middle section and twice on the lower section.

5. Even if you happen to take the shel rosh from the bag first, you must pass by this mitzvah and put the shel rosh down, cover it with something, and put on the shel yad first. Since the precendence of the tefillin shel yad over the tefillin shel rosh is ordained in the Torah, as it is said: "And you shall bind them for a sign upon your arm and they shall be totafos between your eyes," we are therefore not concerned with passing over a mitzvah in this case.

6. Nothing must intervene between the tefillin and the flesh, whether in regard to the tefillin of the arm [shel yad] or to the tefillin of the head, [shel rosh], but short hair does not constitute a separation, because it is normal to have it. However, people who grow long waves of hair, beside the fact that it is detestable and arrogant, which in itself is a transgression, it also causes a transgression regarding wearing the tefillin, since when the hair is excessively long it is considered an imposition [between the head and the tefillin].

7. Care should be taken that the knot of the shel yad should not be moved away from the bayis (and even when the tefillin are in their bag you should be careful about this) and the letter yud of the knot should always be facing the heart. The base into which the strap is inserted should be above and the bayis itself should be below. In extreme circumstances, for example, a left-handed person who wears tefillin on his right arm, and now has no other tefillin except those borrowed from someone who wears them on his left arm (and similarly the converse) and he is unable to change the knot, then if he wears the tefillin in this manner, with the base upward and the bayis downward, the yud and the knot will face outward. Therefore in these

circumstances he may invert the tefillin and put it on with the base downward and the bayis upward, in order that the yud and the knot face the heart.

8. It is forbidden to talk between putting on the shel yad and the shel rosh. Even gesturing with the eyes or snapping the fingers is forbidden, for it is said: "It shall be for you a sign upon your hand and a remembrance between your eyes." This remembrance requires the instantaneous putting on of the shel rosh after the shel yad, in order that there be one continuum for both of them. Even if you hear Kaddish or Kedushah, you may not interrupt but rather remain silent and concentrate on what the congregation is saying. However, if you hear someone reciting the berachah lehani'ach tefillin you may respond with Amein, since the response of Amein is an affirmation that you believe in the mitzvah of tefillin, and this is considered one continuum. Regarding the tefillin of Rabbeinu Tam it is likewise forbidden to interrupt between putting on the shel rosh and shel yad; but you may interrupt for Kaddish and Kedushah.

9. If by error you interrupted, move the shel yad a bit and repeat the berachah lehani'ach tefillin, and tighten the knot. After that put on the shel rosh, and recite the berachah. If the interruption was necessary to the mitzvah of tefillin you are not required to repeat the berachah over the shel yad.

10. Have in mind when putting on the tefillin, that the Holy One, blessed is He, commanded us to put on tefillin which contain four sections of the Torah in which are written the Oneness of Hashem's Name, blessed is He, and the Exodus from Egypt.

[The tefillin are put] on the arm opposite the heart, and on the head opposite the brain, in order that we remember always the miracles and wonders He did for us, which teach us of His Oneness, and His power and dominion over the heavenly and earthly worlds to do with them as He wills. [It also teaches us] that we must subject to Him the soul which resides in the brain, and also the heart, which is the source of desire and thoughts. By so doing, we will remember the Creator and restrain our indulgences, and fulfill [that which is written:] "And you will not turn aside after your hearts and after your eyes." Therefore, it is written in the tefillin: "Between your eyes."

11. The tefillin of the arm and the head are two separate mitzvos and are not prerequisites for each other. Therefore if you have only one of them or because of a particular situation you are able to put on only one of them, you must put that one on. If you put on the tefillin of the arm you recite only the berachah: lehani'ach tefillin. And if you put on the tefillin of the head you recite over it the berachos: lehani'ach tefillin and also al mitzvas tefillin, and then say: Blessed [is His] Name Whose glorious kingdom is forever and ever.

12. A completely left-handed person, although he became left-handed [only] through habit, nevertheless, must put the tefillin on his right hand which is equivalent to everyone's left. If he performs all activities with his right hand except that he writes with his left hand or vice versa, the hand with which he writes is considered his right hand and he therefore puts the tefillin on the other hand. An ambidexterous person puts the tefillin on his left arm. Similarly, a man not born left-handed at all, but later trained himself to write with his left hand, but performs all other activities with his right hand, must put the tefillin on his left hand.

LAWS OF TEFILLIN · KITZUR 10:13-19

Thursday • 11 Cheshvan

13. The prescribed width of the tefillin straps, whether of the shel rosh or the shel yad, cannot be less than the length of a barley kernel. The prescribed length for the shel rosh, for both right and left straps [is that it be long enough] to reach until the navel or slightly above it. Some authorities maintain that the right strap should extend until the circumcision, (Shimusha Rabbah), and it is

proper to follow the stricter view as the best way to fulfill the mitzvah. The strap of the shel yad must be long enough to tighten the bayis to the muscle, and to make seven coils around the arm and three coils around the middle finger, with enough left to tighten it. If the strap breaks, whether of the shel rosh or the shel yad, you should consult a rabbinic authority.

14. Care should be taken that the black side of the straps face outward. If it happens that the straps become inverted around your head or around the muscle of your arm so that the white side faces outward, you must either fast or redeem yourself by giving charity. Similarly, if the tefillin fall to the ground when they are not in their bag, you must also fast, but if they fall while in their bag, you need not fast but you should give something to charity.

15. If you remove the tefillin because you need to go to the lavatory, when you return and put them on you must again recite the berachos. However, if you are in the middle of the berachos of shema, that is from the berachah of yotseir or and further, you should not interrupt by reciting the berachos over the tefillin, but put them on without reciting the berachos, and following the Shemonah Esrei you should move them a bit and then recite the berachos.

16. As long as you are wearing tefillin your attention must not be diverted from them even for a moment, except while praying the Amidah and while studying Torah. It is forbidden to eat a regular meal while wearing tefillin, but eating a snack [while wearing] tefillin is permissible; but taking even a short nap while wearing tefillin is forbidden.

17. You must touch the tefillin each time you think of them because by doing so you will not have your thoughts diverted from them. You should first touch the shel yad and then the shel rosh. It is a beautiful custom to touch the tefillin when you mention their mitzvah during the reading of Shema. When you say: "You shall bind them for a sign upon your hand," you should touch the shel yad and then kiss [your hand] and when you say "They shall be for totafos between your eyes, you should touch the shel rosh and then kiss [your hand].

18. We may elevate a holy thing to a higher level of sanctity but not diminish its level of sanctity. The tefillin shel rosh is more sacred than the shel yad because the shel rosh is composed of four compartments and also the letter shin; and therefore the strap that was part of the shel rosh, may not be used for the shel yad, but the strap of the shel yad may be used for the shel rosh. Similarly, if the strap of the shel yad tears above the knot and you wish to reverse it and make the knot on the lower end of the strap, it is forbidden; but you must remake the knot on that end of the strap where the tear occurred. The same applies to the strap of the shel rosh. It is forbidden to reverse that which was inside the knotted area and remake it so that it is outside the knotted area.

The same is true of a bag made to hold tefillin and in which tefillin had actually been held; it is subsequently forbidden to use this bag for any secular purpose.

19. The tefillin should not be removed until after the kedushah of uva letzion when we say: "May it be Your will that we keep Your statutes." In communities where it is customary that on the day the Seifer Torah is read, the Seifer Torah is not returned until after the kedusha of uva letzion, the tefillin should not be taken off until the Seifer Torah is returned to the Ark. A mnemonic for this order is: "Their king will pass in front of them and Hashem will be at their head." On a day a circumcision is performed the tefillin should not be removed until after the circumcision. On Rosh Chodesh the tefillin are removed before the Musaf Amidah. On the intermediary days of Sukkos, everyone removes the tefillin before Halleil. On the intermediary days of Pesach the congregation removes them before Halleil and the chazzan after Halleil.

Friday • 12 Cheshvan

20. The tefillin are removed while standing. You should unwind the coils from the middle finger and two or three coils from the arm. The shel rosh is removed first and then the shel yad because it is written "They shall be for totafos between your eyes." Since it says "They shall be" in the plural tense, our Sages of blessed memory, elicit that as long [as the shel rosh] is between your eyes, both tefillin should be on you. Therefore, you put on the tefillin shel yad first and remove the shel rosh first, so that whenever the shel rosh is on you, the shel yad should also be on you.

You should remove the shel rosh with the left hand which is the weaker hand in order to demonstrate that you are reluctant to remove them, because ideally the mitzvah is to wear the tefillin the entire day; but because our bodies are not always clean we remove them immediately after prayers.

You should not remove the tefillin in the presence of the Seifer Torah nor in the presence of your rebbe but you should turn aside [and remove them]. It is a custom ordained by our Sages to kiss the tefillin when putting them on and taking them off.

You should not remove the tallis until after taking off the tefillin.

21. The tefillin should be placed inside their bag in a way that you will be certain the next day to take out the shel yad first. However, you should not place the shel yad on top of the shel rosh because the shel rosh is more sacred than the shel yad, but they should be placed side by side. The tefillin bag should be placed inside the tallis bag, below the tallis. The tallis should be on top in order that the tallis is first at hand.

22. If you have no tefillin [and arrive at the synagogue] when the congregation is already praying, it is preferable to wait until the end of the service and then borrow tefillin from someone, in order to say the Shema and the Shemoneh Esrei while wearing tefillin, rather than pray with the congregation without wearing tefillin.

However, if you are afraid that the time limit for Shema will elapse before you find tefillin, you should recite the Shema without tefillin. If you are afraid the time limit for prayer will also elapse, you should also pray without tefillin; and later when you find tefillin put them on, pronouncing the required berachos, and then recite a Psalm, or put them on for the Mincha service.

However, the night is not the proper time to wear tefillin, and it is forbidden to put them on at night. It is permissible to take someone else's tefillin even without his knowledge [in order] to put them on and recite the berachos over them, (as was mentioned in the previous chapter, paragraph 11, in regard to a tallis).

23. He who wears tefillin must have a clean body, and must be careful not to flatulate while wearing them. A person suffering from diarrhea, although he has no actual pain, is exempt from the mitzvah of tefillin, because he is incapable of keeping himself properly clean. If he feels that he will be able to keep his body clean when reading the Shema and during the Shemoneh Esrei, he may then put on tefillin. Regarding any other sick person, if he suffers pain from his sickness, and his mind is not at ease because of his pain, he is exempt from the mitzvah because it is forbidden to divert his attention from the tefillin; but if he is not in pain he must put them on.

24. When a minor knows how to care for tefillin properly, not to flatulate while wearing them, and not to sleep while wearing them, his father is obligated to purchase tefillin for him to put on. It is now the prevailing custom that a child begins putting on tefillin two or three months prior to his becoming thirteen years old.

25. As regards putting on tefillin on the intermediary days of Yom Tov, there is a dispute among the authorities and there are various customs. Some communities hold like those authorities who maintain not to wear them at all. Other communities hold like those authorities who maintain that they should be worn but without

reciting the berachos over them aloud in the synagogue, as is done on other days of the year. In other communities they have a custom to put them on without reciting the berachos at all.

(And a person should bear in mind that if the intermediary days are not the proper time for tefillin, the tefillin should be considered as ordinary straps.) Even though you do not recite the berachos, nevertheless, it is forbidden to interrupt between putting on the shel yad and the shel rosh. However, you may interrupt for Kaddish and Kedushah.

Care must be taken that among the worshipers in any one synagogue, there should not be some who put on tefillin and some who do not put them on. (This seems to be the correct way because otherwise there would certainly be a problem of Lo Sisgodidu.)

26. Once tefillin are assumed to be kosher, then according to halachah, as long as the bayis itself is in perfect condition, the scrolls inside are also presumed to be kosher and do not require examination. Nevertheless, it is proper to examine them because sometimes they become spoiled because of perspiration. If you wear them only periodically, they require examination two times every seven years, because they may have become moldy. Also, if the bayis tore the scrolls also require examination. This also applies if they were soaked in water. Nevertheless, if there was no [competent person] to examine the scrolls and to resew the tefillin, you may wear them without examination, in order not to negate the mitzvah but should not recite the berachos over them.

LAWS OF MEZUZAH · KITZUR 11:1-11

Shabbat • 13 Cheshvan

1. According to Rambam, a house must have these ten conditions for it to require a mezuzah: It must be at least six square feet, it must have two door-posts, a lintel, a ceiling, doors, an opening with a height of at least ten handbreadths, it must be used for secular purposes only, it must be used as a dwelling for people, it must be for dignified usage and it must be a permanent dwelling.

It is a positive commandment to affix a mezuzah on every doorway. Even if you have several rooms and each room has several entrances that are made for entry and exit, even though you are accustomed to use only one of these doorways, nevertheless, all of the doorways must have a mezuzah. [Also] even if the number of dwellers has diminished and you (the present dweller) now require only one doorway, nevertheless, all the doorways must have a mezuzah.

However, if there is a particular doorway which is designated only as a place of entry for periodic deliveries and there is also an additional doorway which is used for both entry and exit, then the doorway which is used solely for delivery is exempt.

2. Gates opening into courtyards and alleyways and cities and provinces, are required to have mezuzos, as it is said: "In your gateways."

3. The mezuzah should be placed on the right side as you enter. If you affix the mezuzah on the left side the mitzvah is invalid; and you are required to remove the mezuzah and reaffix it on the right side and [again] recite the berachah. There is no distinction in this rule whether one is left-handed or not.

4. If there are two houses and each house has its own doorway which opens to either a public domain or to a courtyard and in the partition between the houses there is also a door, we must now deliberate how to regard this door, regarding the proper side to affix the mezuzah.

We are guided by the location of the hinges, that is: the side where the hinges are attached and toward which the door opens. This is considered the main part of the house, and we place the mezuzah on the right side (of the doorway) which serves as the point of entry.

This rule applies only when the two houses are used equally, but if one of the houses is the main place of utility, we are not guided by the position of the hinges; but should always place the mezuzah on the right side of the entrance to the house which is the main place of utility.

This applies even if the door opens into the second house.

5. The mezuzah must be affixed at the beginning of the upper third of the height of the door-post. If you affix it higher than this, it is also valid providing it is distanced at least one tefach [handbreadth] away from the lintel. If you affixed the mezuzah below the upper third of the doorpost, you must remove the mezuzah and reaffix it in the proper manner and recite the berachah. If you placed the mezuzah within the uppermost tefach, you should also remove it and reaffix it properly, but without reciting the berachah. It is best to affix the mezuzah within the tefach closest to the outside of the door-post, but if you deviate from this rule the basic fulfillment of the mitzvah is unaffected.

6. How do you affix the mezuzah? You roll the parchment from the end to the beginning, that is, from the word echad toward shema, and then place the scroll in a tubular case or any other container, and affix the mezuzah diagonally to the doorpost with nails. The angle of the diagonal should be such that the top of the mezuzah scroll which begins with the word shema, is toward the inside of the house, and the last line of the scroll is toward the outside. If the doorpost is not sufficiently wide, you should affix the mezuzah in a verticle position. This is preferable to affixing it behind the door. If you did not affix the mezuzah but merely hung the mezuzah, the mitzvah is invalid. Similarly, you must be careful to fasten the mezuzah at its top and also at its bottom so that it does not hang.

7. Before affixing the mezuzah recite the berachah: "Who sanctified us with His command and commanded us to affix a mezuzah." If you affix several mezuzos [at one time], one berachah suffices for all of them. If the mezuzah falls off and you reaffix it, you should again recite the berachah. However, if you remove the mezuzah in order to examine it, it is questionable if you are required to recite another berachah.

8. Some gates have a smaller doorway near the large opening of the gate, and through this small opening people usually go out and come in; whereas the main gate is used only occasionally. Since these are two separate doorways having between them a post which has the width of a tefach, two mezuzos are required.

9. In a place where you suspect that people might steal the mezuzah, if possible you should make a groove in the doorpost of the house and place the mezuzah in it; but do not make the groove deeper than a tefach, because there the mezuzah would not be "on the doorposts of your house" but in the doorpost, and would be invalid. You should also be careful that in all circumstances the place of the mezuzah should be distinct. If you cannot possibly cut out part of the doorpost of the house, in this situation you may affix the mezuzah inside the house behind the door, but only on the doorpost itself and not on an inner wall of the house, and the mezuzah should not be distanced more than a tefach from the doorway opening, because then it would be invalid.

10. A house is not required to have a mezuzah unless it has the dimensions of four amos by four amos. If there are no dimensions of four amos by four amos but there is the equivalent area of the square of four amos, for example if the length was greater than the width or if the area was round; some maintain that it requires a mezuzah and others maintain that it does not.

11. A doorway does not require a mezuzah unless it has two doorposts which have the minimal height of ten tefachim and a lintel above them. Even if the doorposts were not of wood or stones, but rather the walls of the structure itself serve as the doorposts and there was a ceiling on top of them, a mezuzah is also required.

If a house had only one doorpost, for instance where on one side a wall extends as a perpendicular from a side wall as illustrated in this diagram: If the extension is from the left side, a mezuzah is not required, but if the extension is from the right side,

there is a question [if a mezuzah is required]; therefore the mezuzah should be put up without reciting a berachah, or put up after affixing another mezuzah on a doorway which definitely requires a mezuzah and the berachah will exempt the doubtful doorway. Similarly, in any case where the requirement of mezuzah is doubtful, this practice should be followed.

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