סימן כג

דין ציצית בבית הקברות

א. אסור להכנס לבית הקברות כשהוא לבוש טלית-גדול של מצוה כשהציציות מגולות, אפילו שאין הציציות נגררות על הקברות. וטעם האיסור, משום שהוא נראה כמחרף את המתים ולועג להם שאינם יכולים לקיים את המצוות, ונאמר במשלי (יז, ה): לֹעֵג לָרָשׁ חֵרֵף עֹשֵׂהוּ שָׂמֵחַ לְאֵיד לֹא יִנָּקֶה. [ראה ש"ע סי' כג ס"א, חזו"ע אבלות ח"א עמ' תלג]

Siman 23

In a Cemetery

Day 95

***Tallit gadol* in a cemetery**

1) It is forbidden to enter a cemetery while wearing a *tallit gadol* with the tzitzit tassels in view, even if one is careful not to allow the tassels to drag over the graves. If someone would display his tzitzit, it would appear that he is mocking the dead people buried there, showing them that he can perform mitzvot while they cannot. King Shelomo taught (*Mishle* 17:5), "לֹעֵג לָרָשׁ חֵרֵף עֹשֵׂהוּ - He who mocks the poor disparages their Maker."[280]

blessing is fulfilling the mitzvah at this time for himself as well as for the others. In that case, as the *Halakha Berura* (page 157) pointed out, he definitely may recite the blessing of *shehe<u>h</u>eyanu* for the others.

280. The Talmud (*Berakhot* 18a) teaches: It is forbidden to walk about in a cemetery while wearing tefillin on one's head or holding a *sefer Torah* in one's hands and reading it. Anyone who does these things is guilty of "He who mocks the poor disparages their Maker." One time Ribbi <u>H</u>iya and Ribbi Yonatan were walking through a cemetery and Ribbi Yonatan's tzitzit were hanging down. Ribbi <u>H</u>iya said to him, "Pull them up so that they will not say, 'Soon they will be joining us, but now they are belittling us.'" The Talmud continues with a discussion dealing with the question whether or not dead people are aware of what goes on in this world.

Then and now

The disciples of Rabbenu Yona (11a) deduced from this passage that this prohibition is limited to dragging one's tzitzit on the graves, but as long as the wearer lifts them above the graves he may go about in the cemetery with his tzitzit showing. Although the Talmud states clearly that it is forbidden to wear tefillin in a cemetery, this is because anyone can remove his tefillin before entering the cemetery. People cannot be expected to take off their clothes just because there are tzitzit attached to them. In the era of the Talmud, people wore tzitzit on their everyday garments. Nowadays, people wear a four-cornered garment specifically in order to fulfill the mitzvah of tzitzit, and therefore they must not wear that garment in a cemetery since it mocks the deceased.

Maran in the *Bet Yosef* (23) cited Rabbenu Asher (*Berakhot* 5) concurring with this ruling of Rabbenu Yona. As will be explained in the following halakha, it is permissible to wear a tallit in a cemetery as long as the tzitzit are hidden from view.

The *Shul<u>h</u>an Arukh*

Maran ruled (23:1) that it is permissible to enter a cemetery wearing tzitzit as long as they are not dragged on the graves. He then specified that this was the rule in the era of the Talmud when people attached tzitzit to their everyday garments. Nowadays, however, it is forbidden even if the tzitzit are not dragged on the graves since the tallit is worn specifically for the purpose of fulfilling the mitzvah of tzitzit. It is prohibited only if the tzitzit are showing; if they are hidden inside one's garments it is permissible.

Based on this, those who follow the custom of Sefardic Jews to keep the tzitzit of the *tallit katan* hidden underneath their clothes are not restricted at all when visiting a cemetery. Those who have the practice of displaying the tzitzit tassels over their pants, however, must make sure to tuck them inside their pants when visiting a cemetery.

ב. מותר להכנס לבית הקברות בטלית קטן שאנו לובשים תחת הבגדים, ואף הציציות מכוסות, וכפי מנהגינו (וכפי שנתבאר לעיל בסימן ח' הכ"ט). **אולם** הנוהגים להוציא הציציות מחוץ למכנסים (ראה לעיל שם הלכות ל"א-ל"ג), אסורים להכנס לבית הקברות משום "לועג לרש", ולכן צריכים להכניס הציציות קודם שיכנסו לבית הקברות. [ראה ש"ע שם ואחרו']

ג. איסור הכניסה לבית קברות בציציות מגולות, אם הוא במקום שיש סביבו קברים, אסור, אפילו שהוא רחוק ד' אמות מן הקברים.
אולם אם הוא נמצא בקצה של שטח בית הקברות שאין שם קברים, רק שהוקצה הקרקע ששם לקברים, אין להחמיר מן הדין, ובתנאי שהוא רחוק ד' אמות מהקברים. ונכון להחמיר שלא

***Tallit katan* in a cemetery**

2) It is permissible to enter a cemetery wearing a *tallit katan* underneath one's garments so that the tzitzit tassels are hidden from view. The custom of Sefardic Jews is always to wear the *tallit katan* in this manner, as explained above in *Siman* 8:29. Those people who have the custom of displaying their tzitzit tassels hanging outside their pants must make sure not to do so when visiting a cemetery. They must tuck in the tzitzit before entering.[281]

Far from the graves

3) Even if the person is more than four cubits away from the graves, it is still forbidden to display one's tzitzit if there are graves on all sides. If someone is at the edge of a cemetery, however, it is technically permissible for him to display his tzitzit as long as he remains at least four cubits away from all the graves. Nevertheless, it is best that he hide away the tzitzit before entering the cemetery compound, lest he forget and walk over to the graves with his tzitzit showing.[282] It is permissible for him to

---

281. With tzitzit tucked in

Maran discussed the issue of visiting a cemetery while wearing a *tallit katan* and he concluded that as long as the tzitzit are hidden from view one cannot be accused of mocking the deceased. The Talmud seems to suggest this, since it forbids wearing tefillin *on one's head*, but it does not forbid wearing tefillin on one's arm. It seems from this that as long as the mitzvah item is not in view it is permitted. Maran cited the Rashba (commentary to *Berakhot*) making the same distinction. Although the *Hagahot Maimoniyot* (*Hilkhot Tzitzit*) ruled that one must remove the *tallit katan* before entering the cemetery, and he did not suffice with hiding the tzitzit, Maran decided that we may practice this leniency with confidence. This is the basis of his ruling in the *Shulḥan Arukh*.

If the tallit is showing but not the tzitzit

The *Peri Megadim* (*Eshel Avraham* 23:2) ruled that it is forbidden to enter a cemetery while wearing a *tallit gadol* even if the tallit is covered and hidden from view, since the tallit itself is used specifically for the mitzvah of praying. Based on the same concept, the *Mishna Berura* (21:14) ruled that one may not enter a restroom while wearing a *tallit gadol*. Nevertheless, the *Mishna Berura* (23:3) pointed out that the *Bet Yosef* does not seem to agree with this stringency. The *Derekh Haḥayim* likewise ruled leniently as long as the tzitzit are hidden from view, and this is the ruling of the responsa *Igrot Moshe* (Vol. IV, #6). This ruling is pertinent for those who have the custom of wearing a *tallit katan* over their shirts. If they will tuck the tzitzit inside their clothes, they may enter the cemetery although the *tallit katan* is exposed.

282. The *Mishna Berura* (*Bi'ur Halakha Siman* 45:1) explained that there are three schools of thought among the *Aḥaronim* regarding this halakha: a) The *Bayit Ḥadash* ruled that it is forbidden to walk within four cubits of a grave while one's tzitzit are in view. As long as one remains at least four cubits away from any grave, it is permissible to have one's tzitzit displayed even if one is in the center of a cemetery and surrounded by graves on all sides; b) The *Ture Zahav* concluded that according to the *Arba'a Turim*, it is commendable to avoid displaying one's tzitzit anywhere

להכנס כלל לפנים ממחיצת בית הקברות, שמא יתקרב בתוך ד' אמות של איזה קבר בלי דעת. [משנ"ב סי' מה סק"א עפ"ד הביאור הלכה שם]

ואם הוא מחוץ למחיצת בית הקברות, אין צריך להכניס הציציות, אפילו שהוא סמוך תוך ד' אמות לקבר. [ש"ע יו"ד סי' שסז ס"ו]

ד. הנכנס לתוך ד' אמות של מת, או של קבר, דינו כנכנס לבית הקברות. [ש"ע סי' כג ס"ג]

ה. הנכנס לחדר שיש בו מת, יש אומרים שכל החדר נחשב כד' אמות של מת, ויש חולקים שאף בזה אין המת תופס אלא ד' אמות. [משנ"ב סי' מה ס"ק ב]

ו. יש להחמיר לכסות הציציות, אף בקבר של קטן או של אשה. [ראה משנ"ב ס"ק ה, כה"ח סופר ס"ק ג]

---

display his tzitzit if there is a fence separating him from the graves, even if he stands within four cubits of the graves.

Day 96

Next to a dead person

4) The rules for someone standing within four cubits of a dead person or of a single grave are identical to the rules for someone visiting a cemetery.

Dead person in a room

5) Some *Poskim* ruled that if there is a dead person in a room, the entire room has the status of "within four cubits of the body," and one must not enter the room while displaying one's tzitzit. Others argued that even when in the same room as a dead body, this restriction applies only to someone within four cubits of it.[283]

Woman's or child's grave

6) The rule requiring people to hide away their tzitzit in the presence of a grave applies to the grave of a woman or child as well.[284]

---

within the confines of a cemetery even if there are no graves within four cubits' distance; c) The *Magen Avraham* (as understood by the *Maḥatzit Hashekel* and Harav Eliyahu of Vilna) ruled that it is forbidden to display one's tzitzit anywhere within the confines of a cemetery even if there are no graves within four cubits' distance.

The *Bi'ur Halakha* and the *Peri Megadim* challenged the *Magen Avraham's* stringent ruling, since both the *Olat Tamid* and the *Bayit Ḥadash* ruled that it is permissible as long as there is no grave within four cubits' distance. The *Nehar Shalom* rejected the *Magen Avraham's* ruling as overly stringent, arguing that if we would follow it, the halakha would forbid displaying tzitzit in the entire area designated for the cemetery even if one is quite a distance from the section already occupied by graves. He agreed, however, that if one is in an area surrounded by graves on all sides one should not display one's tzitzit even though there are no graves within four cubits' distance.

Based on the *Nehar Shalom*, the *Mishna Berura* (45:1) ruled that one should be stringent in an area of the cemetery surrounded by graves, but that it is not necessary to be stringent while in a section of the cemetery designated for graves but as yet unoccupied. Nevertheless, the *Mishna Berura* recommended being stringent in this case as well, lest one absentmindedly wander into a section where there are graves. The *Aḥaronim* concurred with this ruling.

As long as one is outside the cemetery's confines, it is permissible to display one's tzitzit, even within one cubit of the cemetery, as long as one is at least four cubits from the graves.

283. The first opinion is that of the *Ateret Zekenim*, while the second is that of the *Magen Gibborim*. Both opinions are cited by the *Mishna Berura* (45:2), but the *Kaf Haḥayim* Sofer (45:3) cited the first opinion only. In contrast, the *Ḥazon Ish* (*O.Ḥ.* 15:2) ruled leniently, according to the second opinion.

284. The *Mishna Berura* (23:5) ruled that one should not display one's tzitzit even at the grave of a child. Although the child never was obligated to perform the mitzvot, he might have been the reincarnated soul of a great person, and therefore the concept of "mocking the poor"