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]

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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]

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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"

ז. יש נוהגים לקשור שני ציציות שבשני הכנפים זה עם זה כשנכנסים לבית הקברות, ולא הועילו כלום בתקנתן. [ש"ע סי' כג ס"ב]

ח. מנהג ארץ ישראל שלא לקבור את המת עם הטלית שעליו, אלא רק מכסים אותו בטלית בשעת ההלויה, עד שעת הקבורה, וקודם סתימת הגולל מסירים הטלית מעליו.
ובחוצה לארץ מנהג כמה קהלות לקבור את המת מכוסה בטלית. ויש נוהגים קודם הקבורה לפסול הציציות או לקשור אחת הכנפות, באופן שיהיה הבגד פטור מן הציצית. [הלכה ברורה עמ' שלח, ועמ' תיג. וע"ע בס' ציצית הלכה פסוקה עמ' רצו-רצח]

Tying two tassels together

7) Some people have the custom of tying one tzitzit tassel to another when entering a cemetery, instead of tucking them out of view. This is not at all a valid substitute for tucking them in one's clothes.[285]

Burying people without a tallit

8) In the Land of Yisrael, the custom is not to bury people with the tallit used to cover the body during the funeral. After lowering the body into the grave and just before covering it, the tallit is pulled away. In a number of communities outside the Land of Yisrael, the custom is to bury the person with the tallit. Among those communities, some have the custom to damage the tzitzit and invalidate them just before the burial, or to round out one of the corners so that the tallit is no longer obligated to have tzitzit attached.[286]

applies to him. The source for this ruling is the *Eliya Rabba* and the *Peri Megadim* (*Eshel Avraham* 23:2). The latter added that it is not necessary to hide one's tzitzit from a woman's grave since women are exempt from this mitzvah, and it is unlikely that a man's soul was reincarnated into her body. The *Petah Hadevir*, however, disagreed and demonstrated that the ultimate source for this halakha is the writings of Harav Yom Tov Tzahlon, who stated clearly that the concept of "mocking the poor" applies to a woman's grave as well. See the *Kaf Hahayim* Sofer (23:3).

285. Maran wrote in the *Bet Yosef*: "I have witnessed a number of Torah scholars who, when visiting a cemetery, tie two of their tzitzit tassels together. They claim that once they are tied in this manner, the person wearing the tallit no longer fulfills the mitzvah. In my opinion, however, this strategy accomplishes nothing at all. Even worse, according to their words they are guilty of wearing a four-cornered garment without kosher tzitzit." The *Mishna Berura* (23:4) explained that since they intend to untie the knot connecting the two tassels after they leave the cemetery, the knot does not count at all and the tzitzit are kosher even while they are tied together.

286. Covering a body with a tallit vs. "mocking the poor"

Maran wrote in the *Shulhan Arukh* (23:4) that in some places the custom is to remove the tzitzit tassels from the tallit while the body is still at rest before the funeral procesion. In that case, the pallbearers must not wear tzitzit. If they do, they will be guilty of "mocking the poor," since the deceased has no tzitzit while they do. We can deduce from this that in places where the tzitzit are left attached to the tallit, the pallbearers may also wear tzitzit and they will not be guilty of "mocking the poor."

The *Magen Avraham* (23:2) challenged this, since Maran ruled (*Y.D.* 351) that we attach tzitzit to the tallit covering a body. If so, there is no basis to claim that people are guilty of "mocking the poor" by wearing tzitzit. The *Kaf Hahayim* Sofer (23:6) resolved this contradiction citing the *Petah Hadevir*, explaining that even if a person is buried in a tallit with tzitzit, it is likely that the tallit will disintegrate after a number of years. Therefore, we must not display tzitzit in a cemetery. When attending a funeral [before entering the cemetery] and the deceased is covered with a tallit with tzitzit, there is no issue of "mocking the poor."

ט. הקורע על אביו ואמו שחובה לקרוע כל בגדיו, אינו קורע הטלית קטן. (וכן המעיל העליון והגופיה אינו קורע). [יביע"א ח"ו חיו"ד סו"ס לב]

י. אונן פטור ממצות ציצית, כשם שפטור מכל המצוות. ונתבאר לעיל בסימן י"ז הלכה ו'.

Rending garments upon a parent's death

9) When someone's father or mother passes away, he must rend his garments in mourning. This mitzvah applies to one's shirts, but not to one's *tallit katan*,[287] nor does it apply to one's jacket or undershirt.

Onen

10) An *onen* is exempt from the mitzvah of tzitzit, just as he is exempt from all other mitzvot. This was explained above in *Siman* 17:6.

The *Mishna Berura* (23:7) stated that the consensus of the *Aharonim* is that the issue of "mocking the poor" applies even in places where the custom is to bury people with kosher tzitzit. This is because living people actually fulfill the mitzvah while the dead people are exempt and incapable of fulfilling the mitzvah. Apparently, however, Maran did not agree with this interpretation.

Why bury people with tzitzit?

The *Kaf Hahayim* Sofer (23:7) stated that it is a commendable practice to attach tzitzit to burial shrouds. Since the deceased had fulfilled the mitzvah of tzitzit during his lifetime, the tzitzit on his shrouds advertise to the Heavenly Court that he has the merit of this mitzvah. This practice is alluded to in the Torah, since just before the passage about the mitzvah of tzitzit, the Torah relates how someone was executed by *bet din* in the wilderness. This suggests that even after death people are obligated to wear tzitzit.

The *Solet Belula*, cited in the *Kaf Hahayim*, explained that we dress the deceased with kosher tzitzit to demonstrate our belief that the dead will be resurrected wearing the clothes in which they were buried. This is alluded to in the verse (*Shemuel I* 28:14), "A man arose wrapped in a cloak." When people will be resurrected, it will be important that their clothes have tzitzit attached to them.

287. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VI, *Y.D.* #32) explained that tha *Aharonim* debated this issue. Harav Naftali Tzevi Yehuda Berlin (responsa *Meshiv Davar* Vol. II, page 89c) stated that it is unnecessary to rend one's *tallit katan* since we wear this garment specifically for the purpose of fulfilling the mitzvah of tzitzit. In this way, it is equal to a garment worn only for the purpose of absorbing one's perspiration, which is exempt from being rent by a mourner. The *Gesher Hahayim* and *Har Tzevi* concurred with this. On the other hand, the *Kerem Shelomo* Haas (*Y.D.* #340) cited the *Binyan Shelomo* ruling that the mourner must rend his *tallit katan*. This is likewise the ruling of Harav Shalom Mordekhai Schwadron, cited by the *Mishmeret Shalom*, and the responsa *Tzitz Eliezer* (Vol. V, Unit *Ramat Rahel* #37). In practice, Maran the Rishon Letziyon ruled that it is unnecessary to rend the *tallit katan* even when mourning a deceased parent.