דין החולץ תפילין וחוזר להניחם

ס. מי שחלץ תפיליו על דעת לחזור ולהניחם, אם הוא בתוך חצי שעה, אינו צריך לברך עליהם כשחוזר להניחם. ואפילו אם חלץ תפיליו בסתם, ולא חשב אז אם יחזור ויניחם או לא, לא יחזור לברך עליהם. וספק ברכות להקל. [ראה יביע"א ח"ח סי' ב סוף אות ח]. ואם עבר חצי שעה, בכל אופן יש לו לברך על

Taking Off Tefillin and Putting Them On Again

Taking off tefillin intending to put them on again

60) If someone takes off his tefillin intending to put them on again soon afterward, he does not need to recite the blessing when he puts them on again, as long the interruption was under half an hour.[82] If he was undecided when he took them off whether he would put them on again, he likewise should not recite the blessing if he chooses to put them on again within half an hour, based on the principle of *safek berakhot lehakel*.[83] In every case, if half an hour has passed since he took

82. This halakha is identical to the rules for taking off a tallit and putting it back on. In that case, Maran ruled (*Shulhan Arukh* 8:14) that one must always repeat the blessing, but we practice otherwise based on the principle of *safek berakhot lehakel*. This was explained in *Yalkut Yosef Tzitzit English Edition* (*Siman* 8:47). In the same way, although Maran ruled (*Shulhan Arukh* 25:12) that even if someone takes off his tefillin for one moment he must repeat the blessing when putting them on again, we practice otherwise since the Rama and other *Aharonim* ruled that it is not necessary to repeat the blessing. Since the matter is disputed, we follow the principle of *safek berakhot lehakel*, as Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VIII, #2) ruled.

All the *Poskim* agree, however, that if half an hour has passed before the person puts his tallit or tefillin back on, he must repeat the blessing.

To avoid the dispute

According to the *Shulhan Arukh*, if someone takes off his tefillin, even for a minute, he must repeat the blessing when putting them on again. We do not follow this ruling since other *Poskim* disagreed with it and we follow the principle of *safek berakhot lehakel*. Nevertheless, it is advisable to avoid placing oneself in the situation of putting the tefillin back on without a blessing, since this runs counter to the ruling of Maran. Therefore, Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VIII, #2) advised that when someone needs to take off his tefillin temporarily, it is best that he involve himself in some other activity so that he no longer is thinking about the mitzvah of tefillin, and afterward come back to put on the tefillin while reciting the blessing again. Alternatively, one should wait until half an hour has passed, and then he definitely must repeat the blessing when putting the tefillin on again. This does not create a situation of reciting an unnecessary blessing, since this tactic is used in order to avoid acting against the ruling of Maran. See the *Yalkut Yosef Tzitzit English Edition* (footnote to 8:50) and *Yalkut Yosef Berakhot English Edition* (Vol. III, 215:21).

If someone took off his tefillin near the end of *shaharit*

The *Or Letziyon* (cited in *Yalkut Yosef Tzitzit English Edition* 8:51) ruled that if someone takes off his tallit near the end of *shaharit*, or if his tallit falls off, it is best that he not put it back on since the *Poskim* debated whether or not he would need to repeat the blessing. He testified that this was the practice of the Rosh Yeshivah, Harav Ezra Attiya. It seems that the same principle should be applied to the mitzvah of tefillin. If someone takes them off near the end of *shaharit*, it should be advisable that he not put them back on. However, there is a difference between the mitzvah of tzitzit and that of tefillin. According to the Kabbalah, it is important to continue wearing tefillin until the very end of *shaharit*, and preferably one should study Torah after *shaharit* while wearing tefillin in order to rectify the elements of his soul, as explained below in halakha 73. Therefore, one may certainly put on the tefillin for these purposes even though he will not repeat the blessing. In a case where there is no such pressing need, however, one should wait until it will be possible to safely repeat the blessing according to all *Poskim*.

83. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VIII, #2:5) discussed the issue of someone who took off his tallit without deciding whether or not he wishes to put it back on shortly afterward. He cited some *Poskim* who ruled that if he is still wearing a *tallit katan*, it is not necessary to

הנחתם, דהוי ליה הפסק והיסח הדעת. [ראה יביע"א שם]. וכן נתבאר לענין מי שפשט טליתו על דעת לחזור ולהתעטף, ראה ילקו"י אנגלית (סי' ח הלכה מ"ז).

סא. חלץ תפיליו על דעת שלא לחזור ולהניחם, ושוב נמלך בדעתו ורוצה להניחם, אפילו שחוזר להניחם מיד וסמוך לחליצתם, יש לו לברך עליהם שנית, מאחר שתיכף שחלץ התפילין אזדא לה המצוה. [משנ"ב ס"ק מז ואחרון]. והוא הדין אם רק התחיל לחלוץ התפילין של ראש על דעת שלא להניח, ושוב נמלך להניח, אף שעדיין התפילין של יד עליו, יש לו לברך על התפילין של ראש "על מצות תפילין".

off the tefillin, he definitely must repeat the blessing when putting them on again. A half-hour break is definitely an interruption [regardless of one's intentions].

These rules are identical to the rules of someone who takes off his tallit and puts it back on. See the *Yalkut Yosef Tzitzit English Edition* (*Siman* 8:47).

With no intention to put them on again

61) If someone took off his tefillin intending to put them away for the day, and then he changed his mind and decided to put them on again immediately afterward, he must repeat the blessing. In this case, as soon as he took off the tefillin, the mitzvah and the influence of its blessing ended.[84]

If someone decided to take off his tefillin, but after taking off his *tefillin shel rosh* he changed his mind, he must now recite the blessing of *al mitzvat tefillin* when putting the *tefillin shel rosh* back on, even though he never took off his *tefillin shel yad*.[85]

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repeat the blessing. If he is not wearing one, he will have to repeat the blessing. Maran the Rishon Letziyon concluded by concurring with the ruling of the *Arukh Hashulhan* (8:21) that in either case it is unnecessary to repeat the blessing. He also testified that this is the common custom and therefore it is best to refrain from repeating the blessing. This halakha appears in *Yalkut Yosef Tzitzit English Edition* (*Siman* 8:47), with a footnote adding that it is best for someone in this situation to find someone else who is about to recite a blessing for his own tallit and to ask him to recite it on his behalf as well. If that is not possible, he should at least think the words of the blessing before he puts it back on.

The *Mishna Berura* (*Bi'ur Halakha* 25:12) cited the *Artzot Hahayim* ruling that the halakha is identical regarding tefillin. That is, if the person is undecided whether or not he will put his tefillin back on, if he is still wearing his *tefillin shel yad* or his *tefillin shel rosh* he will not need to repeat the blessing. Following the principle of *safek berakhot lehakel*, however, in practice we rule that he does not repeat the blessing even if he had taken off both parts of his set.

Moreover, the *Artzot Hahayim* ruled that if someone takes off his tefillin during the *Shaharit* prayers, we always assume that he plans to put them on again when he resumes praying. In practice, we rule that even if it is not during the prayers, as long as the person has not made a definite decision not to put the tefillin on again, he must not repeat the blessing if he puts them on. This is likewise the ruling of the *Halakha Berura* (25:46).

84. The *Mishna Berura* (25:47) explained that all the *Poskim* agreed in this case that it is necessary to repeat the blessing. See the *Yalkut Yosef Tzitzit English Edition* (*Siman* 8:49).

85. Even though he has not yet taken off his *tefillin shel yad*, he has already decided that he no longer wishes to wear his *tefillin shel rosh*. Therefore, he must now recite the blessing of *al mitzvat tefillin*, which is the rule for someone who puts on *tefillin shel rosh* alone. Ashkenazic Jews will have to recite two blessings in this case. This is the ruling of responsa *Shevet Hakehati* (Vol. I, #20) and the *Piske Teshuvot* (#22:1).

וכן החולץ תפיליו וקיפלם ונתנם בתוך כיס התפילין, הוה ליה כאילו חשב בפירוש שהוא חולצם על דעת שלא לחזור ולהניחם, והסיח דעתו מהם, וכשחוזר להניחם יש לו לחזור ולברך עליהם. [ראה יבי"א ח"ח סו"ס ב, ע"פ משנ"ב סי' ח סוף ס"ק לח]

סב. מי שחלץ התפילין מחמת שהיה צריך להכנס לבית הכסא, אפילו היתה דעתו לחזור ולהניחן תיכף ומיד כשיצא מבית הכסא, צריך לחזור ולברך על הנחתם, שמכיון שאין בית הכסא מקום הראוי להיות בו עם התפילין, נחשב הדבר להפסק, ואפילו בזמן מועט. ואפילו היה בית הכסא קרוב אליו, צריך לברך על התפלין. [הליכו"ע ח"א עמ' כ, יבי"א ח"ח סי' ב בהערה]

If someone takes off his tefillin, winds them up and places them in the *kuracha*, he has demonstrated that he does not intend to put them back on, even if he did not consciously make that decision. If he then decides to put them on again, he must repeat the blessing.[86]

Day 32

To go to the restroom

62) If someone takes off his tefillin in order to go to a restroom, he must repeat the blessing when putting the tefillin on again. This is so even if he had every intention of putting them on again as soon as he finished using the restroom. This is because it is forbidden to wear tefillin while in the restroom, and therefore going to the restroom is considered an interruption of the mitzvah. This is the rule even if the restroom is only a few steps away, and even if he spent only a minute in the restroom. In any case, he must repeat the blessing to put his tefillin on again.[87]

86. The *Mishna Berura* (8:38) ruled that if someone takes off his tallit and folds it up, he has demonstrated that he does not intend to put it back on. If he then decides to put it back on, he must repeat the blessing. Maran the Rishon Letziyon cited this ruling in responsa *Yabia Omer* (Vol. VIII, #2). It can be assumed that the same rules apply to tefillin as well – if someone takes them off, winds them up, and puts them away, he has demonstrated that he no longer wishes to put them on. Therefore, even if he changes his mind a moment later and puts them on, he must repeat the blessing.

87. Regarding a tallit, the halakha is that if someone takes it off to go to a restroom it is unnecessary to repeat the blessing when putting it back on, unless half an hour or more has passed since he took it off. See the *Yalkut Yosef Tzitzit English Edition* (8:47). Regarding tefillin, however, the halakha is different. In this case, almost all the *Aharonim* concurred with Maran that it is necessary to repeat the blessing when putting the tefillin back on. In fact, even the Rama (*Darkhe Moshe*, *Siman* 8) concurred with this since it is forbidden to go into the restroom while wearing tefillin. Since he must take them off to go to the restroom, he must repeat the blessing when putting the tefillin on again. [It is technically permissible to go into a restroom while wearing a tallit, although the common custom is to take it off. Therefore, going to the restroom is not considered an interruption for the mitzvah of tzitzit.]

Today's restrooms

The *Magen Avraham* (25:22) suggested that it could be that the prohibition against wearing tefillin in a restroom applied only to the restrooms of ancient times, which were located outside the town to maintain sanitary conditions in people's homes and yards. Therefore, taking off one's tefillin and going out of town to the restroom was considered an interruption. In the times of the *Magen Avraham*, the restrooms were quite close to the homes and synagogues. The short time required to go to a restroom in his time, therefore, might not be considered an interruption to necessitate repeating the blessing. This is likewise the ruling of responsa *Mili de'Avot* (#1).

The *Artzot Hahayim* and the *Sheyare Hakorban* (commentary on the Talmud Yerushalmi) refuted this distinction, citing the Talmud Yerushalmi (*Yoma* 3:2) stating that this halakha applies even if the restroom is quite close, and that even if someone spent a very short time in the restroom it is already a full-fledged interruption. Many *Aharonim* (including the *Ginat Veradim*, Harav