זמן חליצת התפילין

עג. נהגו העולם שלא לחלוץ תפילין עד אחר קדושת ובא לציון. [ש"ע סעיף יג].
ובשיטת המקובלים, יש שכתבו שעל פי הקבלה לא יחלוץ התפילין עד שאמר בהם שלש קדושות וארבעה קדישים, **והיינו: עד אחר קדיש יהא שלמא** (שאז אמר שלש קדושות: קדושה דיוצר, קדושה דחזרה, וקדושה דובא לציון. וארבעה קדישים: חצי קדיש קודם ברכו, חצי קדיש שאחר החזרה, וקדיש תתקבל, וקדיש יהא שלמא).
ויש שהקילו לשיטת המקובלים, וכתבו שלא יחלוץ עד שיאמר בהם שלשה קדישים וארבע קדושות, **והיינו: עד אחר קדיש תתקבל.** (שאז אמר שלשה קדישים האמורים, וארבע קדושות: השלשה האמורות, וקדושה דברכו שלפני יוצר נחשבת גם כן לדבר שבקדושה).

The Proper Time to Take Off the Tefillin

Day 36

After *Kedusha* of *Uva leTziyon*

73) The common custom is to continue wearing tefillin during *shaḥarit* until after reciting the *Kedusha* in the prayer of *Uva leTziyon*. According to some *Poskim*, the Kabbalah demands that one continue wearing tefillin until after one has recited *Kedusha* three times [once before the *Shema*, once during the repetition of the *Amida*, and once during *Uva leTziyon*] and listened to kaddish four times. That includes the half-kaddish recited after *Yishtabaḥ*, the half-kaddish recited after the repetition of the *Amida*, the kaddish of *Titkabal*, and the kaddish of *yehe shelama* recited before the *ketoret*.

Some *Poskim* reversed this, saying that one must not take off the tefillin until after reciting *Kedusha* four times [they count the response of *Barekhu* as the first *Kedusha*] and listening to kaddish three times. This is more lenient, since according to this one may take off the tefillin immediately after the kaddish of *Titkabal*.

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cites the *Arukh Hashulḥan* (11:22) added that if the proprietor is willing to wait patiently as long as it takes until he collects his money one day, it is considered a valid sale despite the purchaser's procrastination.

If the proprietor cannot be located

The *Me'asef Lekhol Hamaḥanot* (25:121) cited a case where someone ordered a pair of tefillin straps from a resident of Yerushalayim, but the straps were delivered without telling him the address of the proprietor, so that the purchaser had no way of paying for them. He asked Harav Eliezer Deutsch what he should do, and the rabbi recorded his responsum in his *Peri Hasade* (Vol. I, #116). His conclusion was that the purchaser may use the straps, but that he should donate the money he owes for them to some public building or public service in the hope that the proprietor would be among those who benefit from his donation. Since it was safe to assume that the proprietor received financial assistance from the general charity fund of his community, the rabbi suggested donating the money to that fund. This advice is based on the halakha regarding a thief who wishes to repent for his sins but who cannot identify the victims of his many thefts to pay them back the money he stole from them. He is supposed to donate to public projects in the hope that his victims will benefit from his donation.

Besides this, the person who ordered the straps should write a letter to the charity's trustees explaining his problem, asking them to try to identify the proprietor. If they succeed, the matter is settled when he pays for the straps. If they do not, then in all likelihood the proprietor or someone in his family will benefit from the donated money.

ובשם האר״י כתבו שלא היה חולץ התפילין עד אחר שסיים ״על כן נקוה לך״. [משנ״ב ס״ק נה, כה״ח ס״ק פח, וע״ע באו״ח חיי שרה ה״י]. וכן נכון לעשות, שלא יחלוץ התפלין דרש״י עד לאחר עלינו לשבח, כמנהג האר״י.

[יבי״א ח״ג סי׳ ד אות ד]

Not until finishing *shaḥarit*

The kabbalists testified that the Arizal would never take off his tefillin until the very end of *shaḥarit*, meaning until he completed the passage of *Al ken nekave*. The *Poskim* recommend following the instructions of the Arizal not to remove one's tefillin ''of Rashi'' until after completing *shaḥarit*.[96]

96. A: until after *Uva leTziyon*

The author of *Itur*, cited in *Hagahot Maimoniyot* (*Hilkhot Tefillin* 4:*Pe*), testified that the great Torah scholars and heads of yeshivot wore their tefillin all day long and did not take them off until they completed the first two paragraphs of the *Shema* during the *arvit* prayer. Maran in the *Bet Yosef* commented that this was applicable in those days when it was common to wear tefillin all day long. In the era of Maran, however, the common custom was to wear tefillin only until after reciting the *Kedusha* of *Uva leTziyon*.

The responsa *Binyamin Ze'ev* (#200) cited the verse (*Mikha* 2:13), '' וַיַּעֲבֹר מַלְכָּם לִפְנֵיהֶם וְה׳ בְּרֹאשָׁם – Their king went in front of them, with God at the head of the procession.'' The king refers to the Torah scroll, while the term God refers to the tefillin, as if this verse reads, ''While the Torah scroll is in front of you, keep the tefillin on your heads.'' This interpretation applies on days when there is a Torah reading. On other days, the term ''their king'' refers to the *Kedusha* of *Uva leTziyon*. This, the author exclaimed, is a wonderful source for the custom mentioned in the *Bet Yosef* to refrain from taking off the tefillin until after the *Kedusha* of *Uva leTziyon*.

Maran also cited this verse, but only as a source for keeping on one's tefillin on days when there is a Torah reading. Apparently, Maran did not consider the *Kedusha*, which is a description of the angels praising God, as something that can be referred to as ''their king.''

B: until after the kaddish of *yehe shelama*

The Rama (25:13) ruled that one should not take off one's tefillin until after listening to the kaddish concluding with *yehe shelama*. In his *Darkhe Moshe*, he cited the *Peta*ḥ *Enayim* (page 7) explaining that one should not take off the tefillin until one has recited the *Kedusha* three times, based on kabbalistic reasons. He added that some recommend waiting until hearing kaddish four times. This is hinted to by the letters *shin* on the *tefillin shel rosh*, having three heads on one side and four heads on the other. The Rama added that he personally observed this practice.

C: until after the kaddish of *Titkabal*

Some *Aḥaronim* maintain that there is an error in our transcript of the *Darkhe Moshe*, and that the correct text is ''three times kaddish and four times *Kedusha*.'' They explained that the *Barekhu* is considered one *Kedusha* since the halakha considered it a *davar shebikdusha*, a prayer requiring sanctity. According to this opinion, it is permissible to take off the tefillin after the kaddish of *Titkabal*. Indeed, this is the version that appears in *Sefer Hamussar* (chapter 4, page 70), which is one of the sources mentioned in the *Darkhe Moshe*.

Harav Shelomo Zalman Auerbach (*Si'a*ḥ *Halakha*, page 336) ruled that if someone was still reciting the *Amida* when the congregation recited *Kedusha*, and he was only able to listen to the cantor but not respond to the *Kedusha* himself, it still counts for him as one of the four times of *Kedusha*. This being the case, such a person can rely on this only if the cantor is knowledgeable enough to have specific intentions to recite the *Kedusha* on behalf of people who cannot respond to it verbally. If he is not, then those listening to him cannot fulfill their own obligation of *Kedusha*, as Maran the Rishon Letziyon explained in *Halikhot Olam* (Vol. I, page 188).

D: the Arizal – until one completes the passage of *Al ken nekave*

In *Sha'ar Hakavanot* (*Tefillin, darush* 5), the Arizal taught that one must recite the entire *shaḥarit* prayer while wearing tefillin, and not take them off until completing the passage of *Al ken nekave*. This is cited by the *Magen Avraham*, the *Eliya Rabba* and other *Aḥaronim*.

Harav HIDA (*Maḥazik Berakha* 25:10) commented that, although his great grandfather Harav Avraham Azulai wrote that according to the Arizal one must not take off the tefillin until after reciting *Alenu leshabe'a*ḥ, this really means after the passage of *Al ken nekave*. To prove this, he cited the *Mekor Ḥayim* Hakohen stating that one must not take off the tefillin until after reciting the verse (*Zekharya* 14:9), ''וְהָיָה ה׳ לְמֶלֶךְ עַל כָּל הָאָרֶץ, בַּיּוֹם הַהוּא יִהְיֶה ה׳ אֶחָד וּשְׁמוֹ אֶחָד – God will reign over the entire world; on that day God will be One and His Name will be One.'' This is the

עד. מה טוב ללמוד עם התפלין כאשר תשיג ידו אחד המרבה ואחד הממעיט. וכמ״ש החיד״א במחזיק ברכה (ס״ס כה) בשם ספר אור צדיקים שאין לחלוץ התפלין עד שילמוד בהם תחילה, כי לא יזכה האדם לקנות ג׳ חלקי הנשמה נר״ן, אלא אם כן ילמוד בתפלין. וביותר אם לומד בתפלין דרבינו תם.

[יבי״א ח״ג סו״ס ד. ועי״ע באו״ח חיי שרה הי״א, כה״ח ס״ק פט]

Torah study after *shaḥarit*

74) The practice of studying Torah while still wearing tefillin after *shaḥarit* is highly praised, even if one studies Torah for just a few minutes. Harav ḤIDA (*Maḥazik Berakha*) cited the *Or Tzaddikim* teaching that it is important to refrain from taking off the tefillin until after one studies Torah, for the three parts of one's soul – *nefesh*, *ru'aḥ*, *neshama* – do not connect with him unless the person studies Torah while wearing tefillin. The affect is even more powerful if he studies Torah while wearing tefillin "of Rabbenu Tam."

consensus of all the *Aḥaronim*, including the *Ben Ish Ḥai* (*parashat Ḥaye Sara* halakha 10), the *Ḥesed La'alafim* (25:13), the *Kaf Haḥayim* Palachi (10:43), and the *Kaf Haḥayim* Sofer 25:88).

The Arizal's instructions are recommended

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. III, #4:4) highly recommended observing the instructions of the Arizal in this matter. Although Maran in the *Shulḥan Arukh* stated that the common custom is not to take off the tefillin until after the *Kedusha* of *Uva leTziyon*, it is always better to follow the instructions of the Arizal regarding our prayers. Furthermore, the *Peṭaḥ Hadevir* deduced from the language of the *Shulḥan Arukh* that Maran agreed that one should keep the tefillin on until the very end of *shaḥarit*. He noted that the *Shulḥan Arukh* did not state, "the common custom is to take off the tefillin after the *Kedusha* of *Uva Letziyon*," but rather, "the common custom is not to take off the tefillin until after...." This implies that it is best to continue wearing the tefillin until some later point.

Harav ḤIDA (*Birke Yosef*) cited his great grandfather saying that even those who have no knowledge of the Kabbalah should also follow the Arizal's instructions, for these actions produce their effect in Heaven even if the person does not understand how they work. Some people in Smyrna during the times of the author of *Peṭaḥ Hadevir* argued that it is best to take off the tefillin as soon as it is permitted so that people will not be guilty of wearing them without thinking of them, and also because people might need to break wind while wearing them. He countered these arguments, explaining that any normal and healthy person does not have to be concerned about flatulence, especially since the period of time from *Uva leTziyon* until after *Alenu* is not more than ten minutes.

The *Peṭaḥ Hadevir* added that it is particularly important for the cantor leading the prayers to continue wearing his tefillin until the end of *shaḥarit*. The cantor has an exalted position in the congregation, comparable to that of the *Kohen Gadol* in the *Bet Hamikdash*. Therefore, he should conduct himself in the optimal manner throughout the prayers, and he certainly should not display that he is in a hurry to leave the synagogue.

Hurrying to work

Many people are forced to hurry out of the synagogue immediately after *shaḥarit* in order to make it on time to work or to take their children to school. Therefore, they regularly take off their tefillin as soon as it is permitted. The problem is that once they adopt this practice they follow it even on days when they are in no hurry at all. The most frustrating thing is to see someone rush to take off his tefillin and tallit and run out of the synagogue, and then to find him twenty minutes later standing outside conversing casually with an acquaintance. When this person will be challenged to explain himself in the Heavenly Court, he will have no valid excuse to offer. Harav Yisrael Meir Kagan explained (*Torat Habayit*, chapter 12) the words of the confession we recite daily: וְסָרְנוּ מִמִּצְוֹתֶיךָ וּמִמִּשְׁפָּטֶיךָ הַטּוֹבִים וְלֹא שָׁוָה לָנוּ – we turned away from Your good mitzvot and statutes, and it was not worth it for us. This means that we confess that we failed to value the eternal goodness of the World to Come as much as we valued the temporary good of this world. Everyone will admit to himself that he is happier when he profits a few dozen rubles than when he performs a mitzvah, and that a loss of money causes him far more anguish than realizing that he has committed a sin. This demonstrates that we care less about our spiritual affairs than our financial affairs.

Harav Ḥayim Palachi (*Kaf Haḥayim* 10:43; cited in the *Kaf Haḥayim* Sofer 25:90) expressed the great pain he felt when he witnessed young Torah scholars hurrying to take off their tefillin while reciting the passages of *ketoret*, ignoring the implicit instructions of the Arizal and his description of the value of following them. He described the

עה. מי שאין לו גוף נקי ומתירא שמא יפיח בהם, יכול לחלוץ אותם קודם לכן, אחר קדושת החזרה של העמידה, או אחר קדושת ובא לציון, או אחר קדיש תתקבל שהוא אחר ובא לציון. והכל לפי מה שהוא אדם. [ראה משנ"ב ס"ק נה, כה"ח ס"ק פז]

עו. ביום שמוציאים ספר תורה, לא יחלוץ התפילין עד שיחזירו הספר תורה ויניחוהו בהיכל [ראה ש"ע סעיף יג], וסמך לזה מדכתיב (מיכה ב, יג) "ויעבור מלכם (הספר תורה) לפניהם, וה' בראשם (התפילין)". [ב"י אות יג].

The earliest point possible

75) If someone is suffering from an upset stomach and it is likely that he will experience flatulence, he may remove his tefillin immediately after the *Kedusha* of the cantor's repetition of the *Amida*. If he feels that he can, he should delay taking them off until after the *Kedusha* of *Uva leTziyon*, or better yet, after the kaddish of *Titkabal*.

After the Torah reading

76) On those days that the Torah scroll is taken from the Ark to read from it, no one may take off his tefillin until the Torah scroll is returned to the Ark. This is alluded to by the verse (*Mikha* 2:13), "וַיַּעֲבֹר מַלְכָּם לִפְנֵיהֶם וַה' בְּרֹאשָׁם" – Their king went in front of them, with God at the head of the procession." The king refers to the Torah scroll, while the term God refers to the tefillin, as if the verse says, "While the Torah scroll is in front of you, keep the tefillin on your heads."

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situation: "Some of the lay homeowners keep on their tallit and tefillin after *shaḥarit* to study *Ḥok leYisrael* or to recite *Ma'amadot* in the synagogue. When they see these young scholars hurrying to take off their tefillin and running out of the synagogue, they shake their heads in disapproval. My colleague, the author of *Petaḥ Hadevir*, has written a strong rebuke about cantors or Torah teachers who act in such a manner. Furthermore, the *Or Hayashar* states that if someone does not study Torah while wearing tefillin he is liable to be excommunicated by Heaven. Harav ḤIDA concurred with this. Moreover, the *Bet Yaakov* (#127) cited the Arizal teaching that when someone studies Torah before leaving the synagogue after *shaḥarit*, the heavenly influences brought about through his prayers are enhanced by his Torah study."

The *Ḥesed La'alafim* (25:13) states: "Since these actions are significant according to the Kabbalah, we should all follow these instructions punctiliously even if we do not understand why they are significant. Every act of a mitzvah makes its mark of influence in Heaven, even if performed without understanding what it is supposed to accomplish. All we need to think is the general thought that we are performing these acts to fulfill God's Will and to please Him. Since our mitzvot are so powerful, who would dare be silly enough to take them lightly and fulfill the mitzvot in the minimally acceptable manner? If someone thinks that way, he demonstrates that he does not care for God's honor, and in the future he will have to pay the consequences. After a person's death, God weighs his every act. He rewards and punishes for every single detail." This little speech is based on the words of Harav Avraham Azulai, cited by Harav ḤIDA (*Birke Yosef* 25:11) and the *Kaf Haḥayim* Sofer (25:95).

The *Torah Lishmah* (#17) likewise taught that even if we do not know how to think the deep meditations of the Kabbalah while we perform the mitzvot and while we pray, God will take our sincere efforts and make them fully effective. For this reason, we preface each mitzvah by reciting the verse of וִיהִי נֹעַם ה' אֱלֹהֵינוּ עָלֵינוּ וּמַעֲשֵׂה יָדֵינוּ כוֹנְנָה עָלֵינוּ וּמַעֲשֵׂה יָדֵינוּ כוֹנְנֵהוּ – May the pleasantness of God's Presence be upon us. Please direct our deeds and make them successful.

Torah study before the prayers

Harav Ḥayim Palachi added that even if someone came to the synagogue well before the prayers are scheduled to begin and he put on his tefillin and studied the *Ḥok leYisrael* before beginning the prayers, he should still keep on his tefillin until he completes the passage of *Al ken nekave* at the end of *shaḥarit*. It is even better if he can remain to study some Torah after the prayers, so that onlookers will not suspect him of hurrying from the synagogue.