ולדעת האר״י יש להקפיד גם כן שלא להסיר את הטלית עד אחר גמר עלינו לשבח [תורה לשמה סי׳ קמח], וכמו שכתבנו לעיל בסימן כ״ד הלכה י״ד.

זמן חליצת תפילין בראש חדש

פא. ביום ראש חודש, חולצים התפילין קודם תפלת מוסף. [ש״ע סי׳ כה ס״ג]. והיינו אחר ה״חצי קדיש״ שקודם תפלת מוסף, וכן דעת האר״י. [באו״ח ש״ב פ׳ ויקרא הי״ז, כה״ח ס״ק צד]. אולם מנהג מרן הראשון לציון זצ״ל היה לחלוץ התפילין קודם חצי קדיש. [חזו״ע חנוכה עמ׳ שא]

It is highly commendable to study Torah while wearing tefillin "of Rabbenu Tam," even if one is capable of spending only a couple of minutes in study. A person cannot acquire the three parts of his soul – *nefesh*, *ru'ah*, and *neshama* – unless he studies Torah while wearing tefillin. The affect is even stronger if he is wearing tefillin "of Rabbenu Tam," as explained above in the previous halakha. The merit gained by studying the daily *Hok leYisrael* while wearing tefillin "of Rabbenu Tam" is immeasurable.

Day 41

Taking off tefillin on Rosh Hodesh

Taking off tefillin for *musaf* of *Rosh Hodesh*

81) On *Rosh Hodesh*, we take off our tefillin before we begin the *Amida* of *musaf*. According to the Arizal, we must not take off the tefillin until after the cantor completes the half-kaddish that immediately precedes the *Amida* of *musaf*. The personal practice of Maran the Rishon Letziyon, however, was to take off his tefillin at some point before the half-kaddish.[105]

reason for this according to the Kabbalah, while the *Yalkut Yosef Tzitzit English Edition* (footnote to 24:14) cited another reason offered by Harav HIDA. He cited Rav Hai Ga'on who instructed us to cover our heads with the tallit while reciting the *Alenu Leshabe'ah* prayer, due to its exalted status. He declared that there is no greater praise to offer to our Creator.

105. The *Shulhan Arukh* (25:13) ruled that we must take off our tefillin before reciting the *musaf* prayer on *Rosh Hodesh*. The reasons for this are: a) The *Bet Yosef* stated that since we say the *Kedusha* of *Keter* (=Crown) during *musaf* and praise God for wearing His exalted Crown, it is not right for us to be wearing our own crown of tefillin at that time. This is similar to the explanation given in the *Zohar Hadash* (8a) for us not wearing tefillin during *Hol Hamo'ed*. The *Amida* and its repetition, including the *Kedusha*, are considered one entity, and therefore we take off the tefillin before beginning the silent *Amida*.

The Rama commented that this applies only to those communities that say the *Kedusha* of *Keter* during *musaf*. In those communities where the *Kedusha* of *Nakdishekha* is recited (this is the custom of many Ashkenazic communities), it is not necessary to remove the tefillin before *musaf*. Even so, the universal custom is to take off the tefillin. The *Ture Zahav* (25:15; cited in the *Mishna Berura* 25:62) insisted, however, that since the custom is not to say the *Kedusha* of *Keter*, we cannot complain against anyone who prays *musaf* of *Rosh Hodesh* while wearing his tefillin. Nevertheless, no one should conduct himself publicly in a manner different than the congregation with whom he prays.

b) The *Levush* (423:4) explained that the purpose of wearing tefillin is to demonstrate the intimate relationship between God and the people of Yisrael. Tefillin are an *ot*, a symbol of this connection. The *musaf* prayer corresponds to the *musaf* sacrifices offered in the *Bet Hamikdash*. The time of one's offering a sacrifice is considered to be a *Yom Tov*. *Yom Tov*, like Shabbat, is considered an *ot* as well, and it replaces the need for tefillin. Just as we do not wear tefillin on Shabbat and *Yom Tov*, we ought not to wear tefillin

during the time of *musaf* of *Rosh Hodesh*. This being the reason, the *Levush's* opinion is that we should take off our tefillin before we reach the passage describing the *musaf* sacrifices during the Torah reading of *Rosh Hodesh*. The *Magen Avraham* (25:30) refuted the reasoning of the *Levush*, arguing that the practice of taking off the tefillin before *musaf* is a custom and not a halakhic obligation.

c) The Arizal (*Sha'ar Hakavanot Darush Rosh Hodesh*, cited by the *Kaf Hahayim* Sofer 25:94) taught that we must take off our tefillin before beginning the *Amida* of *musaf*, but only after the Torah scroll is returned to the Ark and the cantor recites the half-kaddish. According to the Kabbalah, once we begin *musaf* the concepts of tefillin are no longer applicable in Heaven, whether or not we recite the *Kedusha* of *Keter*. This reason is cited by Harav HIDA, the *Shalme Tzibbur*, the *Hesed La'alafim*, the *Ben Ish Hai*, and other *Aharonim*.

The *Ta'ame Haminhagim* (page 56b) cited the *Zohar* (*parashat Pinehas*) declaring that if someone wears tefillin during the *musaf* prayers, he incurs the death penalty. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. III, #5:3) challenged this, claiming that there is no such passage in the *Zohar*, and that it runs counter to the *Poskim*. He suggested that the author confused this halakha with that of *Hol Hamo'ed*, about which the *Zohar* does state that anyone who wears tefillin on those days incurs the death penalty. If the author of *Ta'ame Haminhagim* thought that the same applies to *Rosh Hodesh*, he was mistaken. See more about this in *Hazon Ovadya* (*Hanukka*, page 302).

Before the half-kaddish

The Arizal's instructions are very specific – one must take off the tefillin on *Rosh Hodesh* after the half-kaddish that precedes the *Amida* of *musaf*, before beginning the *Amida*. This is how he is cited by Harav HIDA (*Keshar Godal* 3:30), the *Shalme Tzibbur* (41c), the *Ben Ish Hai* (Year II, *parashat Vayikra* halakha 17), and the *Kaf Hahayim* Sofer (25:94).

Harav HIDA (*Mahazik Berakha* 25:15) pointed out that his great-grandfather, Harav Avraham Azulai, apparently contradicted himself on this issue. In his glosses he cites the Arizal teaching that, according to the Kabbalah, it is imperative that no one will take off his tefillin until after the kaddish of *Titkabal* [after Hallel and before taking the Torah scroll from the Ark], whereas in *Kenaf Renanim* (unpublished manuscript) he wrote that the Arizal's custom was not to take off his tefillin until after the half-kaddish [before *musaf*]. Harav HIDA then reconciled the two passages, explaining that the first passage teaches us the bare minimum that the Kabbalah demands, whereas in *Kenaf Renanim* he taught us the ideal practice – to wait until after the half-kaddish.

On the other hand, there are several arguments to say that one may take off the tefillin before the half-kaddish: a) The responsa *Hesed le'Avraham* Alkalai (page 64b) states that although the Kabbalah teaches that one must not take off the tefillin until after the half-kaddish, according to the halakha it does not matter at all whether one takes them off before the kaddish or after it. If one will be better able to concentrate on his prayers if he takes them off before the kaddish, he may do so.

b) The *Eliya Rabba* (25:25, cited in the *Peri Megadim*, *Eshel Avraham* 25:30) claimed that it is preferable to take the tefillin off before the half-kaddish. If he takes them off after the kaddish when he is just about to begin the *Amida*, it can be compared to taking off the tefillin while facing one's Torah mentor. [The half-kaddish is considered an introduction to the *Amida*, and while reciting the *Amida* a person must imagine himself facing God directly.] Harav Menahem Azarya of Fano wrote (responsa #108) that it is incorrect to take off the tefillin after the kaddish since the prayer of *Uva leTziyon* is already the beginning of the *musaf* prayer. It is much worse than taking off one's tefillin while facing one's Torah mentor, and worse than the act of Yarov'am ben Nevat taking off his tefillin while facing the king. That was a mortal king, and in this case we are facing the King of kings.

c) The *Mishna Berura* (25:59) wrote that one should not wait until after the half-kaddish since it is wrong to interrupt between the kaddish and the *Amida*. Maran the Rishon Letziyon (*Hazon Ovadya Hanukka* page 301) cited the various opinions, including that of Harav Avraham Azulai that the Kabbalah demands only that one wait until after the kaddish of *Titkabal*, which is long before the half-kaddish preceding the *Amida* of *musaf*. He then concluded that this is his personal practice. After that he cited the *Mahazik Berakha* instructing us to wait until after the half-kaddish, adding that this is the preferred option according to Harav Avraham Azulai as well.

In practice, our custom is to follow the instructions of the Arizal regarding the prayers. This is especially so in this case, since so many *Aharonim* agreed that one should not take off the tefillin until after the half-kaddish, including Harav HIDA, the *Ben Ish Hai*, and the *Kaf Hahayim* Sofer. Apparently, the Arizal was not bothered by the arguments of those who opposed his practice. Although Harav Avraham Alkalai was concerned by the fact that people would be forced to rush into the *Amida*, that was a problem that existed in his particular community at that time. Nowadays the entire congregation waits long enough to be able to take off the tefillin (about half a minute) and begins the *Amida* together.

The Arizal felt that the act of taking off the tefillin after the half-kaddish is not comparable to taking them off while facing the King of kings. We are not taking them off in order to dishonor Him, but rather because it is improper to be wearing tefillin during the *musaf* prayer of *Rosh Hodesh*. When taking them off for the sake of doing a mitzvah properly, it is not a dishonorable act. We can compare this to baring one's head in front of the Torah scroll while putting on one's tefillin, which is permissible.

Furthermore, the act of taking off the tefillin is not considered an interruption between the kaddish and the *Amida* as long as people do not speak. This is because the

פב. אחר שחלץ התפילין קודם מוסף דראש חדש, יש להחמיר שלא להניחם שוב אחר מוסף. [ראה יבי"א ח"ג סי' ה]. ולכן לא יחזור להניח התפילין בו ביום כדי ללמוד תורה בתפילין, מפני שה"רשימו" נשאר כל היום. אולם בתפלת מנחה יכול להניח התפילין. [באי"ח ש"ב ויקרא הי"ח, כה"ח ס"ק צו]

Day 42

Putting on tefillin after *musaf*

82) Once we take off our tefillin in order to recite the *musaf* prayer on *Rosh Hodesh*, it is best not to put them on again after *musaf*.[106] Although on other days it is important to study Torah while wearing tefillin, on *Rosh Hodesh* we forgo this aspect of the mitzvah, since the sanctity of *Rosh Hodesh* remains on our souls throughout the day. Nevertheless, it is permissible to put on tefillin to recite the *minha* prayer.[107]

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act of taking off the tefillin is a necessary step in preparation for *musaf*. Therefore, it is permissible.

According to *Orhot Maran* (page 74), all his life Maran the Rishon Letziyon did not take off his tefillin until after the half-kaddish. In his final years, however, he changed his practice, explaining that he did not wish to interrupt between the kaddish and the *Amida*. The more common practice is to follow the Arizal's instructions, as explained above, and as explained in the *Yalkut Yosef* (page 435). The *Yalkut Yosef* did not cite the *Hazon Ovadya Hanukka*.

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo, Hilkhot Rosh Hodesh*, page 9, footnote 54) used to take off his tefillin just before the *Amida*. He inserted the tefillin into their protective plastic cases, but he did not wind up the straps until after *musaf*. Perhaps he felt that winding them up would constitute an unnecessary interruption.

106. After *musaf*

According to Harav Menahem Azarya of Fano (responsa #108, cited by Harav HIDA in *Mahazik Berakha* 25:13), the sanctity of *Rosh Hodesh* increases at the time of the *musaf* prayer and then it subsides later in the morning. Therefore, it is proper to wear tefillin for the *minha* prayer, or even earlier if someone wishes to wear tefillin during the day. Harav HIDA testified that many great kabbalists who followed the Arizal's instructions punctiliously practiced accordingly and put on tefillin for *minha* on *Rosh Hodesh*. However, Harav Meir Poppers wrote in his *Or Tzaddikim* that Harav Hayim Vital did not put on his tefillin after *shaharit* of *Rosh Hodesh* until the *shaharit* of the following day. Harav HIDA (*Mahazik Berakha*) remarked that a typographical error crept into the *Or Tzaddikim*, and this testimony is not about Harav Hayim Vital but about Harav Hayim Hakohen [an Ashkenazic kabbalist]. Furthermore, he concluded that in practice it is permissible to wear tefillin during *minha* of *Rosh Hodesh*. He repeated this ruling in *More Ba'etzba* (6:181), stating that it is permissible to wear tefillin after *musaf*. Moreover, the *Mishna Berura* (25:60) followed the *Peri Megadim's* ruling that it is permissible to put on tefillin "of Rabbenu Tam" after *musaf* on *Rosh Hodesh*.

The *Ben Ish Hai* (Year II, *parashat Vayikra* halakha 18) ruled that one must not put on tefillin after *musaf*, but that one may put on tefillin for the *minha* prayer. He explained in the name of Harav Shalom Mizrahi Sharabi (*Nehar Shalom*) that the exalted sanctity of *Rosh Hodesh* that descends to the world during *musaf* remains with us for the rest of the day [until it is time for *minha*]. He commented that, although Harav HIDA ruled that it is permissible to put on tefillin later in the morning, that is because he was unaware of the ruling of the *Nehar Shalom*. The *Kaf Hahayim* Sofer (25:96) likewise commented that if Harav HIDA had known of the *Nehar Shalom's* ruling he would not have ruled that it is permissible to put on tefillin during the morning hours after *musaf*.

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. 3, #5:2) demonstrated that in several instances Harav HIDA disagreed with Harav Shalom Sharabi even though he was aware of his opinion. Nevertheless, Maran the Rishon Letziyon agreed with the *Ben Ish Hai* that one should not put on tefillin "of Rabbenu Tam" after *musaf*. Instead, one should switch to the tefillin "of Rabbenu Tam" at some point before *musaf*. If someone cannot find such an opportunity during the prayers, however, one may put them on after *musaf*.

We can deduce from this that one should not put tefillin "of Rashi" on again to study Torah after *musaf*. One may put on tefillin "of Rabbenu Tam," but only if one was not able to do so before *musaf*.

107. During *minha* on *Rosh Hodesh*

Harav Meir Poppers (*Or Tzaddikim*) testified that a great kabbalist had the custom of not wearing tefillin at any time on *Rosh Hodesh* after *shaharit*. Harav HIDA disagreed with this and permitted wearing tefillin after *musaf*. The *Ben Ish Hai* and the *Kaf Hahayim* Sofer cited Harav Shalom Sharabi that it is forbidden until *minha* and ruled