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

פג. המניחים בכל יום תפילין דרבינו תם, בראש חדש יניחום ב"אשרי" או קודם קריאת התורה. ולכתחילה אין להקל להניחם אחר מוסף, הואיל ואפשר להניחן קודם מוסף. [ביה"א ח"ג סי' ה ובתוכן הענינים] **אמנם** בדיעבד, ששכח או שלא הספיק להניחם קודם מוסף, יניחם אחר מוסף. וכן שליח צבור שאינו יכול לשהות בהנחת תפלין דר"ת קודם מוסף מפני טורח צבור, וכן מי שהוא כבד פה ויפסיד בגלל זאת תפלה בצבור, יניחו תפלין דרבינו תם אחר תפלת מוסף. וטוב שילמדו גם כן בהם, מלבד קריאת שמע שאומרים עמהם. [ביה"א ח"ג סו"ס ה]

פד. אם בשעה שעדיין נמצא בתפילת שחרית ולובש התפילין, שמע אז קדושת "כתר" ממנין אחר שמתפללין מוסף, יסלק התפילין מעליו עד שיענה עמהם קדושת "כתר", ויניחם אחר כך. ואם פתאום שמע מן החזן שאומר קדושת "כתר" ואין לו שהות לחלצם, ככה יעשה, של ראש - יזיזם

Tefillin "of Rabbenu Tam" on *Rosh Hodesh*

83) On *Rosh Hodesh*, those people who wear tefillin "of Rabbenu Tam" each day should put them on before the Torah reading. If at all possible, one should not wait to put them on after *musaf*. If someone forgot to put them on before *musaf*, or if he had no opportunity to switch to tefillin "of Rabbenu Tam" beforehand (either because the congregation needs to rush through the prayers or because he reads somewhat slower than most people) he may put on his tefillin "of Rabbenu Tam" after *musaf*. In such an instance, he should study Torah while wearing them, besides reciting the *Shema*.[108]

***Kedusha* of *Keter* with tefillin**

84) If someone was praying *shaharit* of *Rosh Hodesh* while wearing tefillin and he heard another congregation beginning the *Kedusha* of *Keter* in their repetition of *musaf*, he must not respond to the *Kedusha* while wearing his tefillin. He should quickly take them off so that he will be able to respond to the *Kedusha*. If he realizes that he will not have time to take them off, he should move his *tefillin shel rosh* to the side of his head. Then he should insert part of his shirt or his tallit underneath

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accordingly, as explained in the previous footnote. Maran the Rishon Letziyon ruled that one should follow this ruling if possible, but when necessary one may be lenient and put on tefillin after *musaf*.

At any rate, we can certainly put on tefillin for the *minha* prayer, since all the *Poskim* except for the *Or Tzaddikim* agreed that this is permissible. Although the *Halakha Berura* (page 73) stated that one must not put on tefillin at all for the rest of the day, this is incorrect. Even those *Poskim* who ruled that it is forbidden to put on tefillin after *musaf* agreed that it is permissible to put them on for *minha*. In fact, this is likewise the ruling of the *Halakha Berura* himself on page 76. It must be, therefore, that the ruling on page 73 is written incorrectly.

108. As explained in the footnote to the previous halakha, Maran the Rishon Letziyon ruled that it is best to switch to tefillin "of Rabbenu Tam" before beginning *musaf* and thereby avoid the dispute of the kabbalists whether or not it is permissible to wear tefillin after *musaf*. If it is impossible to do that, however, one may put on "of Rabbenu Tam" after *musaf*, relying on the opinions of Harav Menahem Azarya of Fano and Harav HIDA.

One might suggest that, instead of wearing the tefillin "of Rabbenu Tam" after *musaf*, one should wait and put them on for *minha*, when almost all *Poskim* permit it. This is not appropriate, however, because the proper time for wearing tefillin "of Rabbenu Tam" is in the morning when it is time to recite the *Shema*. Furthermore, if one does not put them on in the morning, one might forget to put them on for *minha*. Therefore, one should avoid these problems by putting them on immediately after *musaf*.

ממקומן לצד אחר. ושל יד - יכניס ראש הטלית או הכתונת בין הקציצה ובין בשרו ויענה קדושה. [באו"ח ש"ב ויקרא הי"ז]. ומכל מקום בכל אופן שאין שהות אף לזה, יאמר קדושת "כתר" עם התפלין. [שלמי צבור מא סוע"ד, הובא בחזו"ע חנוכה עמ' שג בהערה]

פה. מי ששכח והתחיל תפלת מוסף עם התפילין שבראשו ובזרועו, הואיל ויש דעות שלבישת תפילין במוסף הוא דבר חמור ביותר, אם כן יש צורך גדול בהסרתן, ולא הוי הפסק. [ראה חזו"ע חנוכה עמ' שב] **ומיהו** מי ששכח התפילין בראשו וסיים כל תפלת מוסף עמהם, אף שבודאי עשה שלא כהוגן, בדיעבד **יצא.** [ראה כה"ח סופר ס"ק צח, חזו"ע שם]

his *tefillin shel yad* so that it is not touching his skin. In this way, he is no longer fulfilling the mitzvah of tefillin and he can respond to the *Kedusha*.[109] If it is not possible for him to this, he should respond to the *Kedusha* even though he is wearing tefillin.

Day 43

Began *musaf* with tefillin

85) If someone forgot to take off his tefillin and began to recite the *Amida* of *musaf*, he should stop and take them off. This is because some *Poskim* considered it to be a terrible offense to wear tefillin while reciting *musaf* of *Rosh Hodesh*. Since it is imperative to take them off, it is not considered an interruption of the *Amida*.[110] If someone forgot that he was wearing tefillin and recited the entire *Amida* of *musaf* while wearing them, he has fulfilled his obligation of *musaf* despite his error.

109. This is the ruling of the *Ben Ish Hai* (Year II, *parashat Vayikra* halakha 17), based on Harav HIDA in *Mahazik Berakha* (25:14). The *Peri Hadash* (*Siman* 423) ruled that it is not necessary to take off one's tefillin to respond to the *Kedusha* of *Keter*, but Harav HIDA ruled that one must take them off. It could be, however, that the *Peri Hadash* agrees with Harav HIDA, since the case he ruled on was about someone who had already recited the *musaf* prayer and had now put his tefillin on again and then heard the *Kedusha* from a later group. Since he has already recited *musaf* with its *Kedusha*, he has already accomplished the sublime effects of the *Kedusha* of *Keter*. Now, he can simply respond to the other congregation's *Kedusha* with or without tefillin.

In a case where someone is caught off guard while he was praying *shaharit* and cannot remove his tefillin on time, Harav HIDA agreed that he should respond to the *Kedusha* even though he is wearing tefillin. Maran the Rishon Letziyon (*Hazon Ovadya Hanukka* page 303) added that he should at least move his *tefillin shel rosh* to the side, since that takes no time at all.

110. The *Mishna Berura* (25:61) ruled that if someone begins the *Amida* of *musaf* and then realizes that he is still wearing tefillin, he should not take them off. After all, he explained, the practice of taking off the tefillin to recite *musaf* is a custom, not a halakhic obligation. The *Halakha Berura* (page 76), however, demonstrated that the kabbalists consider it to be a grave offense to recite *musaf* while wearing tefillin. One should at least move the tefillin from their place. He concluded that the matter needs more research.

Maran the Rishon Letziyon (*Hazon Ovadya Hanukka* page 302) discussed this issue and pointed out that the *Bet Yosef* stated that it is improper to be wearing tefillin while reciting the *Kedusha* of *Keter*. According to this, if someone began the silent *Amida* of *musaf* and realized that he was still wearing his tefillin, it should not be necessary to interrupt his prayers to take them off. This can be compared to someone whose tallit fell off while he was reciting the *Amida* – the *Shulhan Arukh* (97:4) ruled that he should not stop and pick it up to put it on again, for that is an interrupting activity. Moreover, the *Ture Zahav* ruled that if someone has the regular practice of keeping on his tefillin while reciting *musaf* of *Rosh Hodesh*, he has a basis for his practice and should not be chastised for it.

Maran the Rishon Letziyon then cited the *Bayit Hadash*, the *Ateret Zekenim*, and Harav Shelomo Luria, who all cited the *Zohar* declaring that if someone wears tefillin during *musaf* of *Rosh Hodesh* he incurs the death penalty. (Actually there is no such passage in the *Zohar*, but they compared this to someone who wears tefillin on *Hol*