כה. המספר שערות ראשו ומחמת התספורת נשארו מעט שערות חתוכות על ראשו, נכון שיחפוף ראשו במים יפה יפה קודם שיניח תפילין כדי להסיר השערות החתוכות. (תמונה ל'). וכן מי שיש לו נשירה בשערות ראשו, ומחמת כן ישנם כמה שערות תלושות על ראשו, או שיש לו חתיכות של קליפת עור על

the hair to be a *hatzitza*. Also, if someone combs the hair from a side of his head over the middle and positions his *tefillin shel rosh* on top of that hair, the hair might constitute a *hatzitza*. It is important that he push his hair out of the way so that only the hair growing from the middle of his head is under the tefillin while he fulfills the mitzvah.[146]

Loose hairs

25) After someone has his hair cut, it is likely that many severed hairs are mixed in with the hair on his head. It is recommended that he wash his hair well to remove the severed hairs before the next time he puts on tefillin. (Illustration № 30)

Hakhamim proved that this is the case since the Talmud states (*Bava Kama* 82a) that those who serve as liaisons with non-Jewish government officials are permitted to adopt non-Jewish hairstyles in order to make a favorable impression on their contacts. This is likewise the ruling of Rambam (*Hilkhot Avoda Zara* 11:3). The *Kesef Mishne* explained that the Torah did not specify which hairstyles are forbidden, but rather left it to our Sages' discretion to determine what is permissible and what is not. Our Sages chose to permit those people who need to maintain friendly and influential relationships with foreign officials to present themselves in a manner that the non-Jews would consider dignified. If long forelocks preclude the fulfillment of the mitzvah of *tefillin shel rosh*, how could it have been permitted? The *Aharonim* rejected the opinion of the *Mahatzit Hashekel* based on this argument. This is likewise the opinion of Harav Ben Tziyon Lichtman (See HaKeter Institute's edition of responsa *Bene Tziyon* Lichtman, in the footnote to #1).

146. Although the *Mahatzit Hashekel* ruled that if someone grows long forelocks the hair constitutes a *hatzitza*, the *Arukh Hashulhan* (27:14) rejected his ruling, arguing that it makes no sense. "How long is 'too long'?" he countered, since it is impossible to determine at what length it would become a problem. His position is that a person's hair, no matter how long it is, is simply part of the person's head, and therefore it cannot constitute a *hatzitza*. He suggested, however, that if someone would comb the hair that grows on the side of his head over the front of his head and position the tefillin on that hair, that probably would constitute a *hatzitza* [since that hair does not belong on that part of the head]. The hair that grows naturally on the place where the tefillin are positioned, however, can never be considered a *hatzitza*.

One might take issue with this ruling and claim that none of the hair on a person's head should be considered a *hatzitza* since it is still part of his head. This can be combined with the fact that according to the Rashb"a there is never an issue of *hatzitza* regarding the *tefillin shel rosh*. Despite all these arguments in favor of long hair, it is incorrect to be lenient in this matter.

Trimming hair during the days when we count the *omer* or during *Ben Hametzarim*

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo Tefilla*, page 41) ruled that if someone has hair so long that it interferes with his ability to fulfill the mitzvah of tefillin correctly, he may trim the interfering hair even during the Three Weeks [when Ashkenazic Jews have the custom of refraining from cutting their hair] and even during *Hol Hamo'ed* it is permitted for those who have the custom of wearing tefillin during *Hol Hamo'ed*. It seems from his words, however, that it is permissible to trim only the hair that interferes with the mitzvah. That would leave the person with quite an embarrassing head of hair. It should be permissible, for the sake of the person's dignity, for him to have his hair trimmed evenly.

This discussion is about someone with hair so long that it actually interferes with his fulfillment of the mitzvah. Someone with averagely long forelocks can fulfill the mitzvah just like anyone else, since the hair does not constitute a *hatzitza*. Although the *Mahatzit Hashekel* ruled that it is a *hatzitza*, all the *Aharonim* rejected that ruling. Therefore, it would not be permissible to trim one's hair during *Hol Hamo'ed* because the person wishes to follow that stringent opinion. There might be room for leniency, however, for him to trim his hair during the Three Weeks or during the days of the *omer*. This matter needs more research.

ראשו (קשקשים), נכון שיסרק ראשו במסרק קודם שיניח תפילין, כדי להסיר השערות התלושות או קליפת העור. ומכל מקום אם אינו יכול לחפוף או לסרק שערות ראשו, יש לו על מה שיסמוך להניח תפילין בלא זה. [ראה יבי"א ח"ה סי' ה אות ח, הלכה ברורה עמ' צט, וילקו"י עמ' תכ]

ויש להזהיר את הרבים, שנותנים ג'ל על שערות ראשם, שבמשך הזמן נעשה בתיתורא התחתונה כמין שכבה שומנית, ונחשב חציצה, וכמו שכתבנו לעיל בהלכה כ'. (תמונה כ"ג)

If someone has a condition that causes his hair to be constantly shedding, or if he has a considerable amount of dandruff, it is recommended that he comb his hair well to remove the loose hairs and dandruff flakes from his head before he puts on tefillin. In both these cases, however, if the person does not wash or comb his hair, he can feel confident that he still fulfills the mitzvah.[147]

Although bits of loose hair do not constitute a *hatzitza*, there is a halakhic issue for those who apply gel to their hair. Before long, there is bound to be a layer of gel and stray hairs glued to the bottom *titura* of their *tefillin shel rosh*. This constitutes a *hatzitza* that might prevent the wearer from fulfilling the mitzvah, as explained above in halakha 20. (Illustration № 23)

147. The responsa *Torah Lishmah* (#12) discussed this issue and demonstrated that according to Rashi's comment to *Zevahim* 19a the loose hairs would possibly constitute a *hatzitza* even though they are still entangled with the hair growing on the person's head. Therefore, he ruled that this person must comb out all the loose hairs before he puts on tefillin each day. Harav Shelomo Kluger (responsa *Tuv Ta'am Vada'at* (#245) concurred with this ruling, explaining that tefillin must come into direct contact with the person's skin and therefore even his own loose hairs constitute a *hatzitza*.

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. V, #5:8) found proof that several *Poskim* ruled that a person's loose hair would not constitute a *hatzitza*, since the loose hair and the attached hair are both the exact same material. The *Tehilla leDavid* (27:2) concurred with this concept, explaining that although the uniform worn by a *kohen* while offering *korbanot* must be in direct contact with his skin and no undergarments are permitted, this is because the Torah emphasizes that the garments be "on his flesh." Regarding tefillin we can assume that loose hairs would not constitute a *hatzitza* since a person normally places the tefillin on his own hair unless he is bald. If this would not be true, it would be necessary for everyone to shampoo his hair a number of times to clean off all the loose hairs whenever he has his hair trimmed before he could put on his tefillin. Furthermore, according to the Rashb"a there is no issue at all of *hatzitza* regarding *tefillin shel rosh*, and so there is a *safek sefeka* to permit ignoring the loose hairs.

Nevertheless, the *Halakha Berura* (page 99) recommended being stringent about this whenever possible. In a situation where someone does not have an opportunity to comb out the loose hairs, however, he may rely on the lenient opinion and put on his tefillin. The *Yalkut Yosef* (page 420) likewise ruled that loose hairs are technically not a *hatzitza*, but that one should brush any loose hairs from his head if possible. The *Piske Teshuvot* (*Siman* 27, footnote 52) advised washing one's hair after a haircut to remove the bits of loose hair, but if this is difficult one may rely on the opinion that the loose hair does not constitute a *hatzitza*.

Hair on the back of the neck

The *Magen Avraham* (27:4) cited the *Roke'ah* ruling that one must shave the hair from the back of the neck so that it will not be a *hatzitza*, but added that no one follows that ruling.

כו. יש להוכיח אותם המניחים התפילין על גבי פאה נכרית, שאפילו אם רק הרצועה מונח על הפאה נכרית, יש להחמיר. [משנ"ב ס"ק טז]

אולם אם מתבייש להסיר הפאה נכרית שעל ראשו, יניח תפילין בצינעא בביתו קודם שילך לבית הכנסת, על ראשו ממש בלי הפאה, ויקרא בהם קריאת שמע, ואחר כך ילך לבית הכנסת, ויחזור ויניח התפילין על הפאה. [ילקו"י עמ' תיט, הלכה ברורה עמ' קו]

כז. אם נשאר חלק מהתפילין של ראש המונח על ראשו, תלוי באויר קצת, וכמו שמצוי כן בתפילין גדולים, (תמונה ל"א), יוצא ידי חובת המצוה. כיון שאין דבר החוצץ ממש בין הראש לתפילין. [ראה יבי"א

Toupees

26) Men who wear toupees must be warned that they may not position the *tefillin shel rosh* or any part of the loop of strap that is tightened around the head on the toupee. If someone who wears a toupee feels that taking it off in front of others is too embarrassing, he should put on his tefillin at home while not wearing the toupee before the prayers, and recite the *Shema*. After that he can go to the synagogue and wear his tefillin on top of his toupee while praying.[148]

Flat tefillin on a round head

27) If a bit of the *bayit* of the *tefillin shel rosh* extends into the air because of the curve of the person's head, which often is the case if the *bayit* is large, (Illustration № 31) he still fulfills the mitzvah since there is nothing blocking the tefillin from contact with his skin.[149] The entire *bayit* must be positioned in the proper place designated

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148. No blessing recited for tefillin worn on a toupee

The responsa *Igrot Moshe* (Vol. IV, #40:18) ruled that if an Ashkenazic Jew wears tefillin on top of a toupee, he must not recite the blessing on it. After returning home from the synagogue, he should take off the toupee and put on his tefillin again, and this time he recites the blessing. This ruling is applicable for those who normally recite a second blessing when putting on the *tefillin shel rosh*. Sefardic Jews, of course, do not normally recite a blessing when putting on *tefillin shel rosh*. If a Sefardic Jew mistakenly spoke after putting on his *tefillin shel yad*, he must then recite a second blessing when putting on his *tefillin shel rosh*, as explained above in *Siman* 25:42. Likewise, if he has no *tefillin shel yad* he must recite a blessing when putting on his *tefillin shel rosh*, as explained above in *Siman* 26:1. If he happens to be wearing a toupee, however, he must not recite that blessing.

There is a basis to argue that one may fulfill the mitzvah of tefillin even if one positions the *tefillin shel rosh* on a toupee. Nevertheless, since it remains questionable one must not recite the blessing, based on the principle of *safek berakhot lehakel*.

Partial toupee

If an Ashkenazic Jew wears a toupee only on the crown of his head which has gone bald, but not in the front where he positions his tefillin, he may recite the blessing when putting on *tefillin shel rosh* even while wearing the toupee. Although he will place the strap on top of the toupee, it is still permitted as explained below in halakha 32. Even so, it is recommended to wear the *tefillin shel rosh* at some point each day without the toupee and to recite the *Shema*. Above, the *Mishna Berura* is cited ruling that it is forbidden to wear a toupee underneath the strap as well. That is true whenever it is possible. When it is not, one may be lenient and even recite the blessing to wear the tefillin strap on the toupee.

Hair implants

The responsa *Igrot Moshe* (Vol. IV, #40:18) ruled that if someone has hair attached to his head as a permanent cover for his baldness, that hair does not constitute a *hatzitza* regarding the mitzvah of tefillin. Apparently, he may even recite the blessing on the tefillin in this case. This is likewise the ruling of the *Piske Teshuvot* (*Siman* 27, footnote 96) and the *Halakha Berura* (page 106).

149. The *Tehilla leDavid* (27:2) asserted that it is impossible for the entire bottom surface of the *bayit* to actually be in contact with the person's head; some of it will inevitably be suspended in the air. This does not present