ב. מותר לשנות תפילין של יד לעשותן תפילין של ראש. [ש"ע סי' מב ס"א]. והיינו באופן שיעשה לו ארבעה בתים, ויכניס כל פרשה בבית שלה. [משנ"ב ס"ק ה, קול יעקב ס"ק ג]. והוא הדין שמותר ליקח פרשיות ורצועות מתפילין של יד לתפילין של ראש. [משנ"ב שם]

ג. אם היו התפילין חדשים שעדיין לא הניחם, מותר לשנות אפילו משל ראש לשל יד. ובאופן שתולה עליהם מכסה עור אחד, ונראים כבית אחד. [ש"ע שם]. ואף שכבר זימן והכין התפילין לצורך של ראש, אין כאן אלא הזמנה, והזמנה לאו מילתא היא. [משנ"ב ס"ק ו, קול יעקב ס"ק ד]
וכן הרצועות אפילו קשרן בשל ראש ועשאן בקשרי של שם שדי, כל זמן שלא לבשן עליו למצוה לא מקרי אלא הזמנה, ומותר לשנותן לתפילין של יד. [קול יעקב שם]

Day 94

Changing *tefillin shel yad* to *tefillin shel rosh*

2) It is permissible to change *tefillin shel yad* into *tefillin shel rosh*. That is, he can fashion the *bayit* into four separate compartments and then place each of the four passages written on the parchment into its designated compartment.[357] Likewise, it is permissible to take a tefillin parchment that had been used in *tefillin shel yad*[358] and use it for *tefillin shel rosh*, and to take a strap that had been used for *tefillin shel yad* and use it for *tefillin shel rosh*.

Changing a brand-new *tefillin shel rosh*

3) If someone has a brand-new *tefillin shel rosh* that has not been used yet for the mitzvah, it is permissible to change it into *tefillin shel yad*. This is done by wrapping a sheet of leather over the *bayit* so that it appears to have only one compartment.[359] Even though it was originally designated specifically to be *tefillin shel rosh*, the act of designating the item does not determine its status until it is actually used.

Likewise, even though the strap has been knotted in the form of the letter *dalet* for use as *tefillin shel rosh*, as long as it has not yet been used for the mitzvah it is considered only to have been designated. Therefore, it still may be changed and used for *tefillin shel yad*.

someone is missing a strap for *tefillin shel yad* and he has an extra strap that had been used for *tefillin shel rosh*, it would be permissible for him to use that strap for his *tefillin shel yad*. It should be permissible to override the prohibition of lowering the strap's sanctity so that it will be possible to fulfill the Torah mitzvah of *tefillin shel yad*.

Nevertheless, it appears that Harav Zalman forbids this. The *Yalkut Yosef* cited both opinions without issuing a definite ruling.

357. The *bayit* of *tefillin shel rosh* must be separated into four compartments; otherwise it is not kosher at all. See the *Kol Yaakov* (42:3), the *Shulhan Arukh* (32:38), and the *Mishna Berura* (32:172).

358. The single parchment placed in *tefillin shel yad* has all four passages written on it. To use it for *tefillin shel rosh*, one must cut the parchment into four parts and place each part into the appropriate compartment.

359. The *Mishna Berura* (42:7) explained that although there are still four separate compartments inside with four separate parchments, it is still kosher as *tefillin shel yad* since it appears to be a single compartment from the outside.

ולמעשה אין לסמוך על זה לשנות תפילין חדשים של ראש לשל יד, רק כשאין לו תפילין של יד ויש לו שתי תפילין של ראש, אבל אם יש לו תפילין של יד אחרות, אין לו לשנות תפילין של ראש לעשותן של יד, אף בחדשים. [ראה ביאור הלכה ד"ה ואם היו, קול יעקב ס"ק ה]

ד. מי שיש לו פרשיות מהודרות, בתוך בתים שאין מהודרים כל כך, ורוצה להעבירם לבתים אחרים נאים ומהודרים, פשט המנהג להקל להעבירם, אף שהיו הבתים הישנים כשרים. [הלכה ברורה עמ' רצה, פסקי תשובות אות ב]

ה. אם נפסקה הרצועה של יד סמוך לקשר, מותר להפוך הקצה של הרצועה שלמטה ולעשות בה קשר

In practice, however, one should not rely on this method unless one has no *tefillin shel yad* available at all and one has an extra *tefillin shel rosh* that had never yet been used. If *tefillin shel yad* is available, one must not ever change *tefillin shel rosh* into *tefillin shel yad* even if it had never yet been used for the mitzvah.[360]

Switching parchments into new *battim*

4) It has become common practice for someone who owns tefillin parchments of superb quality, which have been inserted into ordinary kosher *battim*, to transfer those parchments to higher quality *battim*.[361] —

***Tefillin shel yad* strap that snaps into two**

5) If someone's *tefillin shel yad* strap snaps into two near the knot, it is permissible to use the remainder of the strap, and even to make the new knot on the other end of the strap. In fact, it is better to do this than to replace the

360. The *Peri Megadim* commented that it appears from the language used in the *Shulhan Arukh* and the *Magen Avraham* that there is no problem with changing *tefillin shel rosh* into *tefillin shel yad* if it had never yet been used for the mitzvah. The *Levush* and *Derisha*, however, stated clearly that it is permitted only when the person has no other *tefillin shel yad* available and he has an extra *tefillin shel rosh* that has never yet been used. The *Kol Yaakov* (42:4) ruled that in practice one should avoid using this leniency if at all possible.

The *Mishna Berura* (*Bi'ur Halakha*) followed the ruling of the *Levush*. In fact, he deduced that this is the true interpretation of the *Shulhan Arukh* as well. The *Halakha Berura* (page 295) cited the *Or Zaruwa* ruling that this change of *tefillin shel rosh* into *tefillin shel yad* is permitted only when there is no other choice. Likewise, the *Mishnat Sofer* deduced this stringent ruling from the author of *Ma'or Hagadol* and the *Haye Adam*. Therefore, although the *Halakha Berura* (page 294) cited the stringent opinion as a subordinate one, it is better to consider it the mainstream ruling.

361. This is the testimony of the *Halakha Berura* (page 295). The *Piske Teshuvot* (42:2) concurred that the common practice in our time is that people transfer tefillin parchments from a set of kosher *battim* to better quality *battim*, and that people exchange kosher sets of parchments for a better set or for one written by a scribe with an outstanding reputation for his fear of Heaven, and that they discard kosher tefillin straps in favor of better quality straps. He added, however, that some *Poskim* frowned upon this practice [explaining that it is disrespectful to discontinue using the lesser quality items as long as they are definitely kosher]. Therefore, he concluded that anyone who can afford to should purchase an entire new set of tefillin and leave the older set as it is, ready for use. Then he can sell the older set, or make it available for people to borrow when they need to.

It is clear from this that one must not transfer tefillin parchments from one set of *battim* to another without good reason. This is so whether one plans to use *tefillin shel yad* parchments from now on as *tefillin shel yad* or as *tefillin shel rosh* in different *battim*, or *tefillin shel rosh* parchments from now on as *tefillin shel yad* or as *tefillin shel rosh* in different *battim*.

של יו״ד, ויניחה למעלה, והרצועה שלמעלה שהיה בה הקשר של יו״ד תהיה למטה. דנכון להפוך הרצועה ולעשות בה קדושה קלה, מאשר לגונזה. [ראה יבי״א ח״ח סי׳ יט אות יא, ילקו״י עמ׳ תרצ. וע״ע הלכה ברורה עמ׳ רצו]

ו. אם התנה על התפילין מתחילה (משעת עשיית התפילין של ראש) שאם ירצה ישנה את התפילין של ראש לעשותן תפילין של יד, יכול לשנותן, אפילו לבשן אדם כבר. [ראה ש״ע סי׳ מב ס״ב]. וכל שכן אם הוא אומר שאינו עושה תפילין של ראש אלא לפי שעה, שמועיל. [משנ״ב ס״ק ח, קול יעקב ס״ק י]. והמחמיר שלא לסמוך על תנאי, תבוא עליו ברכה. [כה״ח ס״ק ט, עוד יוסף חי פ׳ וירא ה״ח]

strap and discard the used strap, since the used strap is still kosher. Although the end where the first knot was tied has a higher degree of sanctity than the other end, it is better to lower the level of sanctity of that end of the strap and still use it, rather than retire it from use altogether.[362]

Stipulating to change *shel rosh* into *shel yad*

6) If someone stipulated, before he began using his new set of tefillin, that he should be permitted to change the *tefillin shel rosh* into *tefillin shel yad* if he so chooses at any point, it is permissible to change it although it has been long used as *tefillin shel rosh*. Likewise, if he declared that he definitely intends to use it as *tefillin shel rosh* for a limited time and then change it to *tefillin shel yad*, it is permitted. Nevertheless, if in the end he does not change the tefillin despite his declarations, he will receive a special blessing from Heaven.[363]

362. The *Magen Avraham* (cited in the *Mishna Berura* 42:3, the *Kol Yaakov* 42:6, and the *Od Yosef Ḥai*, *parashat Vayera* halakha 8) ruled that it is forbidden to turn over the strap and tie a new knot on the other end, since this lowers the level of sanctity in the torn end. If the torn end of the strap is too worn and weak to be used for making a new knot, the entire strap should be retired from use. The *Sha'are Teshuva* added, however, that if the person has no other tefillin straps available he may tie a new knot on the other end of the torn strap. The *Halakha Berura* (page 296) concurred with this. In contrast, Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VIII, #19:11) ruled according to the *Magen Gibborim* that it is always better to continue using the same strap by tying the knot on its other end than to discontinue using it altogether. This is the ruling of the *Yalkut Yosef* as well (page 690).

The strap of *tefillin shel rosh*

The *Mishna Berura*, *Kol Yaakov*, and *Halakha Berura* added that the rules are similar regarding the strap of *tefillin shel rosh*. If the strap snaps along the loop that is placed on a person's head, and the person wishes to continue using the remainder of the strap by making the loop further down its length, it is permissible only if there are no other tefillin straps available. According to Maran the Rishon Letziyon, even if there are other straps available it is better to continue using the torn strap, assuming it is still long enough for use, than to retire it from use altogether.

363. The *Shulḥan Arukh* (42:2) ruled that such a stipulation is effective, and the *Kaf Haḥayim* Sofer (42:9) added that the *Aḥaronim* concurred with this ruling, unlike the stringent opinion cited by the *Melekhet Shamayim* (42:2). The *Od Yosef Ḥai* (*parashat Vayera* halakha 8) likewise ruled that it is permissible to rely on such a stipulation, but he added that it is best not to make any such stipulation or to act upon such a stipulation. Based on this, the *Kaf Haḥayim* concluded that if someone follows this stringency he will receive a special blessing from Heaven.