YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Contemporary Halakha**

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**Shiur #05: Removing the *Tefillin***

In this final segment of our mini-series on the laws of *tefillin*, we will discuss removal of the *tefillin*.

**Does One Recite a Blessing Upon Removing the *Tefillin*?**

The Talmud (*Nida* 51b) mentions that the rabbis in the west, i.e., in the land of Israel, would say a blessing upon removing their *tefillin*.

And according to the residents of the West, who recite the following blessing after they remove their phylacteries: “Who sanctified us with His *mitzvot* and commanded us to keep His laws...”[[1]](#footnote-1)

This practice is mentioned elsewhere in the Talmud Bavli (*Berakhot* 44b) and recorded explicitly in the Talmud Yerushalmi (*Berakhot* 2:3):

How does one make the benedictions on them? Rebbi Zerikan in the name of Rebbi Jacob ben Rebbi Idi: When he puts *tefillin* on his arm, what does he say? “…Who sanctified us by His commandments and commanded us about the obligation of *tefillin*.” When he puts them on his head, what does he say? “…Who sanctified us by His commandments and commanded us about the obligation of putting on *tefillin*.” When he takes them off, what does he say? “…Who sanctified us by His commandments and commanded us to obey His laws.” That follows the opinion that the verse speaks about the law of *tefillin*.However, according to those who say that the verse speaks about the law of Passover, that does not apply.

This passage implies that whether or not one recites this blessing depends on whether the verse (*Shemot* 13:10), “You shall keep this law in its time,” refers to *tefillin* [indicating that the mitzva of *tefillin* is limited to a particular time – i.e., the daytime – so that removing the *tefillin* before night is part of the mitzva] or to Pesach [in which case there is no clear verse limiting *tefillin* to daytime]. See Targum Yerushalmi on this verse.

 The *Rishonim* disagree regarding the nature of this blessing, and whether it should be said nowadays.

 *Tosafot* (*Berakhot* 44b, *s.v. ve-li’vnei ma’arava*) assumes that the blessing is meant to be said upon removing the *tefillin* at the end of the day. He therefore suggests two reasons this blessing should not be said nowadays.

First, he notes that we no longer wear *tefillin* for the entire day, and therefore we do not really remove them at the conclusion of the mitzva. Second, we follow the opinion which maintains that nighttime is “*z’man tefillin*,” i.e., *tefillin* may be worn at night, and therefore the verse cited above is understood to be referring to Pesach, not to *tefillin*. (In practice, however, we do not wear *tefillin* at night, lest one fall asleep while wearing them; see *Shulchan Arukh* OC 30:2.)

Elsewhere (*Tosafot* on *Nida* 51b, s*.v. ve-li’vnei ma’arava*), Rabbeinu Tam sharpens this point, adding that the Rabbis of the land of Israel maintained that it was prohibited to wear *tefillin* at night, and therefore, removing the *tefillin* before dark was a fulfillment of the commandment of “and you shall keep this law in its time.” However, the blessing is not said when removing the *tefillin* before Shabbat, even according to our practice, because it is not prohibited to wear *tefillin* on Shabbat; rather, they are simply unnecessary, as Shabbat is also an “*ot*” (sign) of the covenant between God and the Jewish people.

R. Soloveitchik (*Reshimot Shi’urim*, *Berakhot* 44b) explained that according to *Tosafot*, the Rabbis of the land of Israel perceived removing one’s *tefillin* before nightfall as an act (*ma’aseh*) of concluding the mitzva, at the last moment that one can fulfill the mitzva. Interestingly, the Ramban (*Nida* 51b) maintained that *tefillin* is simply an example; this blessing should be said at the conclusion of any mitzva after it can no longer be fulfilled that day.

Some *Acharonim* raise a difficulty with the opinion of Rabbeinu Tam. Rabbeinu Tam appears to believe that the blessing is recited upon one’s attempt to avoid violating a biblical prohibition. This raising an interesting question: Does one recite a blessing upon avoiding a prohibition? The *Rishonim* discuss this question in relation to the blessings said over *shechita* and over marriage. See Rosh (*Ketubot* 1:12) and *Taz* (YD 1:17).

R. Soloveitchik offers a novel and important explanation of Rabbeinu Tam’s opinion. He suggests that Rabbeinu Tam maintains that the blessing is made upon the positive mitzva of protecting one’s *tefillin* (*shmirat ha-tefillin*), as it is prohibited to wear one’s *tefillin* at night.

Although some *Rishonim* (see, for example, Ra’avan 35) mention the practice of saying this blessing, most *Rishonim* (including *Tosafot* cited above), most *Geonim* (see *Teshuvot HaGeonim Ha-Chadashot* 31), the Ramban (*Nida* 51b), Rashba (ibid.), and Ritva (ibid.), the Rosh (*Halakhot Ketanot*, *Hilkhot Tefillin*), the Rambam (*Hilkhot Tefillin* 4:10-11), rule that we do not recite this blessing. (Though see R. Hai Gaon, *Otzar Ha-Geonim Berakhot* p. 31, who rules that one may say this blessing if he wishes. See also Ra’avya, v.2 p. 398, who mentions that some recite the blessing whenever they touch their *tefillin*.)

This is the ruling of the *Shulchan Arukh* (OC 29) as well.

**When Does One Remove the *Tefillin*?**

 At what point in the *Shacharit* service may one remove his *tefillin*? The *Shulchan Arukh* (OC 25:13) writes:

The custom is to refrain from removing *tefillin* until the recital of *U'va Le’Tzion*. On a day when there is the reading of the *Sefer Torah*, we are accustomed to remove them after the *Sefer Torah* is returned.

The *Shulchan Arukh* rules that one may remove his *tefillin* after *U’va Le’Tzion*, or when there is Torah reading, after the *Sefer Torah* is returned to the *aron* (according to the practice of reciting *Ashrei* and *U’va Le’Tzion* before returning the Torah). The *Kitzur Shulchan Arukh* (10:19) writes that “one should not remove his *tefillin* until after the *kedusha* of *U’va Le’Tzion*, during which one says: "It should be His will that we keep his statutes” – clearly referring to the similar language of the blessing discussed above.

The Rema adds:

There are some who wrote, based on the *Kabbala*, not to remove the *tefillin* until he has said with them the three *kedushot* and the four *kaddishim*, which is after *Kaddish Yatom*, and this is the practice of those who are strict [in their performance of *mitzvot*].

The Rema maintains that one should not remove his *tefillin* until after the *kaddish* which is said after *U’va Le’Tzion*, before *Aleinu*. (The Rema refers to this *kaddish* as *Kaddish* *Yatom*, i.e., the *kaddish* of the mourner, as the mourner who serves as the *shaliach* *tzibur* recites this *kaddish*.)

 The *Mishna Berura* (ibid. *s.k*. 55) cites the Ariz”l, who rules that one should wait until after saying *Aleinu* before removing his *tefillin*. Although this is the preferred practice, the *Mishna Berura* says that one who has difficulty maintaining a “clean body” may remove his *tefillin* immediately after the *kedusha* of *chazarat ha-shatz*. However, he also notes (*s.k.* 56) that one should not remove his *tefillin* during the *kaddish* itself, in order to properly focus while answering “*amen yehei shmei rabba*.”

 The *Shulchan Arukh* (ibid.) writes that on Rosh Chodesh, the *tefillin* should be removed before *Mussaf*. The Rema notes that although he is referring specifically to a congregation that says the *kedusha* of “*keter*” (i.e., “A crown should be given to You,” which should not be said while wearing the *tefillin* *shel rosh*), it is customary to always remove the *tefillin* before *Mussaf*. The *Levush* (423) explains that as *Mussaf* reflects the Yom Tov aspect of Rosh Chodesh, i.e., the *korban mussaf*, there is no need for an additional “*ot*” (a sign of the covenant between God and the Jewish people) during this prayer.

 When exactly should the *tefillin* be removed? The *Mishna Berura* (25:59; see also 423:10) cites a number of customs. Some remove their *tefillin* before *Mussaf*. In this case, the *tefillin* are often not returned to their case immediately but are left uncovered until after *Mussaf*. Some (see *Nefesh Ha-Rav* p. 116) object to this practice, noting that this may not be appropriate treatment of the *tefillin*. These authorities instruct the *shaliach tzibur* not to begin the *kaddish* before *Mussaf* until the *tefillin* are returned to their case. If necessary, an individual may even begin his silent *Mussaf* prayer a bit late (after the rest of the congregation) in order to properly wrap his *tefillin*. Others remove their *tefillin* during *U’va Le’Tzion*, before saying “It should be His will...” (see above), and some begin to remove the wrappings before saying “It should be His will…” and finish before *Mussaf*.

Regarding *Chol Ha-Moed*, for those accustomed to wear *tefillin* then, the Rema (ibid.) rules that the *tefillin* should be removed before *Mussaf*. The *Magen Avraham* (25:31) cites the Rama Mi-Fano (see also *Mishna Berura* 31:7), who writes that it is proper to remove the *tefillin* on *Chol Ha-Moed* before reciting *Hallel*, while the *shaliach* *tzibur* removes them after *Hallel*. On the first day of *Chol Ha-Moed Pesach*, some have the custom of removing the *tefillin* after Torah reading because we read the *parasha* of *Kadesh* *li*, which mentions *tefillin*.

**The Order of Removing One’s *Tefillin***

 The Talmud (*Menachot* 36a) teaches:

When one dons [*tefillin*], he first dons [the *tefillin*] of the arm and afterward dons [the *tefillin*] of the head. And when he removes [his *tefillin*], he first removes [the *tefillin*] of the head and afterward removes [the *tefillin*] of the arm… From where do we derive that when he removes [his *tefillin*], he first removes [the *tefillin*] of the head and afterward he removes [the *tefillin*] of the arm? Rabba said in explanation: Rav Huna explained to me that the verse states: “And they shall be for frontlets (*totafot*) between your eyes” – As long as [the *tefillin* of the head] are between your eyes, [the number of *tefillin* you are wearing] shall be two.

Although the *tefillin shel rosh* are removed first, it is customary to first undo the three wraps around one’s finger (*Mishna Berura* 28:5).

 The *Shulchan Arukh* (28:2) rules that the *tefillin shel rosh* are removed while standing. Ashkenazim remove the *tefillin shel yad* while standing as well (*Mishna Berura* ibid. *s.k.* 6), while Sephardim generally sit.

 We will resume our halakha *shiurim* later this year with a study of the laws of *Chol Ha-Moed*.

1. Explanatory translations of Talmudic passages in this *shiur* are primarily from the William Davidson edition at sefaria.org, with minor edits. [↑](#footnote-ref-1)