

Overview

Siman 13 Seif 3:

If one realizes on Shabbos while standing in a *karmelis* that his *tzitzis* are invalid, he may wait until he reaches his house to remove the garment because maintaining human dignity is an important principle. One would not even be required to remove his *talis koton* from beneath his garment. Similarly, one would be permitted to put on a *talis* that is invalid without reciting the beracha to sit in shul based on the principle of human dignity. This allowance is limited to Shabbos since one is not permitted to tie new *tzitzis*, but during the week this leniency does not apply.

- ❖ Shulchan Aruch's leniency is limited to a *karmelis* but in a public domain one would be required to remove the garment immediately since human dignity does not allow one to violate a Biblical prohibition. (M.B. 9)
- ❖ There is a disagreement whether one is obligated to remove an invalid *talis gadol* in a *karmelis*. (M.B. 10)
- ❖ The definition of human dignity is subjective based on the individual involved. (M.B. 12)
- ❖ If the *talis* could have been repaired before Shabbos, one may not rely upon Rema's leniency but if he forgot to fix it he may rely upon Rema's leniency. (M.B. 13)
- ❖ Rema's leniency assumes that one cannot borrow a valid *talis* in shul. (M.B. 14)
- ❖ One may not violate a Biblical command even passively for the sake of human dignity unless the disgrace is very great. Different applications of this principle are discussed and regarding one who is sitting in shul Mishnah Berurah advises following Artzos HaChaim's recommendation that one should declare the *talis* ownerless thereby exempting is from *tzitzis* and then retake ownership of it upon one's return to his house. (M.B. 15)
- ❖ Magen Avrohom maintains that even during the week one could be lenient to not remove his *talis koton* immediately since it would involve a significant disgrace to publicly remove it and one could rush to his house to remove it there. (M.B. 16)
- ❖ If one sees that his friend's *tzitzis* ripped he should not tell him immediately, rather he should call him to his house and inform him there. (M.B. 16)

Stories to Share

Uncommon Courtesy

ש"ע ס' י"ג, סעי' ג' "דגדול כבוד הבריות..."

On today's amud we see the greatness of human dignity, which can sometimes even override a rabbinic ordinance.

Rav Shlomo Zalman Auerbach, zt"l, was known for his amazing care for every human being. Until he was older, he never took a cab and did his best to avoid using a private driver, despite numerous offers. His first regular driver, Rav Yosef Buxbaum, zt"l, eventually became the head of Machon Yerushalayim. Their first drive together was to a wedding outside Yerushalayim. Since it was called for five-thirty, the two agreed that the young Rav Yosef would meet Rav Shlomo Zalman at his home at four P.M.

Although the rav was ready at four on the dot, Rav Yosef was

Halacha Highlights

Wearing *tzitzis* that are invalid *b'dieved*

Shulchan Aruch Siman 13 Seif 3

ומתביש לישב בלא טלית דיוכל ללבשו בלא ברכה מנח כבוד הבריות

And he is embarrassed to sit without a *talis*, he is permitted to put it on without reciting the beracha due to the consideration for human dignity

Sefer Leket HaKemach HaChadash סי' י"ג אות כ"ד (לקט הקמח החדש סי' י"ג אות כ"ד) relates that someone once ripped one of the strings while folding his *talis* after Shabbos, rendering the *tzitzis* invalid. He intended to fix it during the week but he forgot. On Shabbos he realized that the only *talis* that was available was his Shabbos *talis*, that was invalid. The question was whether he should stay home and daven in order to not have to wear the *talis* with invalid *tzitzis* or is he permitted to walk to shul and then after he arrives due to the embarrassment that would result from sitting without a *talis* he would be permitted to put on the *talis* even though the *tzitzis* are invalid.

He cited Imrei Binah (ש"י"ת אמרי בינה סי' א') who wrote that in such a circumstance it is permitted for the person to walk to shul to daven since walking to shul in and of itself does not involve violating a prohibition. When he reaches shul and realizes that it would be embarrassing to sit in shul without a *talis* he is permitted to put on the *talis* with invalid *tzitzis*. He then mentions that Rav Akiva Eiger (הגהות רעק"א להג"ג ד"ה ומתבייש לישב) was uncertain about the correct course of action in this case but if the circumstance was that this fellow was needed to make the minyan it would be permitted. Imrei Binah expresses surprise that Rav Akiva Eiger did not follow the ruling of Taz that even without taking into consideration the issue of human dignity it should be permitted for him to wear the *talis*. Since the positive command is to tie *tzitzis* onto a four cornered garment and on Shabbos that command cannot be fulfilled it is not prohibited to wear a four cornered garment on Shabbos without *tzitzis*. Especially, since attending shul affords one with the opportunity to sanctify Hashem's name it does not seem reasonable that one should stay home rather than go to shul. Other Poskim (עי' ספר ציצית: הלכה פסוקה – מקורות הלכה פסוקה 62) disagree with Imrei Binah's conclusion and prohibit one from going to shul in order to create a circumstance in which he will be forced to put on a *talis* with invalid *tzitzis*.

not there at the appointed hour. At exactly four-thirty, Rav Yosef pulled up, excited to transport the rav for the first time. To his surprise the rav was waiting downstairs, obviously distressed. "Where have you been?" he asked.

Rav Yosef explained that since weddings in Israel don't usually begin on time he had factored in another half-hour to ensure that the rav would not come too early. "After all, it is not fitting for the rav to sit around waiting for things to begin..."

The rav rejected this reasoning summarily. "A chosson has so many things on his mind. To compound his countless worries, he must fast. One of his troubles is that the mesader kedushin should come on time. I cannot bear to be another cause of anxiety for the chosson!"

That was the last time Rav Yosef came late.

"And From Jerusalem His Word" p. 170-171