

Overview

Siman 38 Seif 10:

One who is reading from the Torah is exempt from putting *tefillin* on all day except during the time for *shema* and *shemoneh esrei*.

- ❖ The exemption applies only to one who is reading שבת תורה but not to one who is reading תורה שבעל פה. (M.B. 32)
- ❖ The exemption means that one is not obligated to interrupt his learning in order to put on *tefillin* but before he begins learning he is obligated to don his *tefillin*. If he wants to interrupt his learning to don his *tefillin* he is permitted to do so. (M.B. 33)
- ❖ Vilna Gaon asserts that this ruling does not apply nowadays. (M.B. 34)

Siman 38 Seif 11:

One should not remove his *tefillin* in the presence of his *rebbe*; rather he should turn aside out of awe of his *rebbe* before removing his *tefillin*.

- ❖ Shulchan Aruch's ruling is limited to one's primary *rebbe* from whom he learned most of his wisdom. (M.B. 35)
- ❖ If one turns to the side and is careful not to uncover his head directly in front of his *rebbe* there is no issue. (M.B. 36)

Siman 38 Seif 12:

If one needs to purchase *tefillin* and *mezuzos* and he doesn't have enough money to purchase them both he should purchase *tefillin* first.

- ❖ *Tefillin* are preferable since the *mitzvah* is with one's body and *tefillin* are more sacred than *mezuzos*. (M.B. 37)
- ❖ Nowadays that we only wear *tefillin* for davening and one could borrow *tefillin*, *mezuzos* take priority. (M.B. 37)

Siman 38 Seif 13:

Someone excommunicated and a *metzora* are prohibited to wear *tefillin*.

- ❖ Other Poskim rule that they are obligated. Pri Megadim rules that they should don *tefillin* but without a *beracha* but Vilna Gaon rules that the *beracha* should be recited. (M.B. 38)

Halacha Highlight

Removing one's tefillin in the presence of his rebbi

Shulchan Aruch Siman 38 Seif 11

לא יחלץ תפילין בפני רבו

One should not remove his tefillin in the presence of his rebbi

The Gemara Sanhedrin (101b) cites the pasuk (Melachim I 11:26) that relates that Yeravam raised his hand against the king. R' Nachman explains that he removed his tefillin in the presence of his rebbi. Shimusha Rabba cited by Rosh (סוף הלי תפילין) derives from this that it is prohibited for a student to remove his tefillin in the presence of his rebbi. Shimusha Rabba clarifies that if the rebbi removed his tefillin first it is acceptable for the student to then remove his tefillin in the presence of his rebbi (עי בב"י בשם המהר"י אבוהב שמבאר הטעם). Rashi (סנהדרין שם) explains that it was improper for Yeravam to stand before the king with his head uncovered which implies that under all circumstances it is prohibited for one to remove his tefillin in the presence of his rebbi. Shulchan Aruch (סעי' י"א) writes that a student may not remove his tefillin in the presence of his rebbi and does not mention that it is permitted if his rebbi removed his tefillin first (עי מ"ב ס"ק ל"ו ושע"ז ס"ק כ"ד). Birkei Yosef suggests that this rationale applied in the past when people wore turbans and it was necessary for a person to uncover his head when he removed his tefillin. Nowadays, that it is possible for one to remove his tefillin without uncovering his head the restriction does not apply.

Sefer Chaye Moshe points out that since the reason given for this restriction is that it is inconsistent with the obligation to demonstrate awe for a rebbi for one to uncover his head it would seem logical that the same restriction would apply for one's father. Aruch HaShulchan (סעי' ט"ז) notes, however, that the custom is that people are not particular about removing their tefillin in the presence of their father. Similarly, it would seem that it should also be prohibited for one to don his tefillin in the presence of his rebbi since that also requires one to uncover his head. Tehila L'Dovid (סק"ה) explains that the reason it is permitted is that while donning one's tefillin he is performing a mitzvah.

this is true it means that one must be careful not to take off his tefillin in the regular manner while with his father."

When this question reached Rav Elyashiv, zt"l, he ruled that although this prohibition should apply to a parent, nowadays it doesn't even apply to a rebbe muvhak. "Since the reason for the prohibition is to show proper reverence, the same halachah should be applicable to one's father. However, nowadays one may take off his tefilin in the regular manner even in front of his rebbe muvhak. This is the regular practice for us today and does not signify a lack of reverence since the rebbe is assumed to be mochel on his kavod in this situation. If such head-bearing would constitute an actual disgrace, mechilah would not help. But since there is no disgrace in what is the usual practice for everyone today, this is permitted."

קונטרס דיני קימיה והידור בפני אביו, אות י', הלכות והליכות ביהדות, בר מצוה, פ"ז, ס' ד'

Stories to Share

Showing Respect

ש"ע ס' ל"ח, י"א: "לא יחלץ תפילין בפני רבו אלא יפנה אחר מפני אימתו..."

There is nothing more natural than taking one's son to shul for shacharis. Many men do this fairly often, without giving it a second thought. When the davening is over they remove their tefillin and go home. But one person wondered whether removing his tefillin in front of his father is permitted. "In Orach Chayim 38 we find that one may not remove his tefillin in front of his rebbe. Baring his head in front of his rebbe shows a lack of proper reverence. Presumably the same is true regarding one's parent, since one must also show reverence for parents as well. If