

Overview

Siman 40 Seif 3:

Even if *tefillin* are in two utensils they may not be placed under one's feet or under his head with his head leaning on them even if his wife is not with him. If his head is not leaning on them and his wife is not there it is permitted but if he wife is there it must be in two utensils.

- ❖ Leaning one's head on his *tefillin* is also disrespectful. (M.B. 9)
- ❖ One should place them in a utensil and then under a pillow or under two pillows. (M.B. 11)

Siman 40 Seif 4:

If one's wife is with him in bed and he does not intend to have relations it is considered as though his wife is not there.

- ❖ Taz prohibits one to have his *tefillin* in bed when his wife is there unless it is in two utensils. (M.B. 12)

Siman 40 Seif 5:

Putting *tefillin* by one's side is the same as putting them under his feet.

- ❖ There is a concern that one will turn over onto the *tefillin*. (M.B. 13)
- ❖ There is a debate whether one may sit on a bench that has *tefillin* stored in a compartment beneath the bench but if there is a space of a *tefach* between the *tefillin* and the bench it is permitted. A *ba'al nefesh* will be stringent even in such a case. (M.B. 13)

Siman 40 Seif 6:

If one mistakenly had relations while wearing *tefillin* he should not take them [to remove them] by the *bayis* or the *retzuah* until he washes his hands since his hands may have touched an area that is unclean.

Siman 40 Seif 7:

If one slept wearing *tefillin* and had a seminal emission he should not take hold of the *bayis*, instead he should grab the *retzuah* to remove them. He must wipe off the emission and wash his hands [before putting his *tefillin* back on.]

Siman 40 Seif 8:

Someone who sits down for a meal should remove his *tefillin* and place them on the table until he is ready for *birkas hamazon* and then he should put them back on. It is not necessary to remove one's *tefillin* for a snack.

- ❖ *Tefillin* must be removed for a meal out of concern that he will become intoxicated. (M.B. 17)
- ❖ Shulchan Shlomo wonders whether Shulchan Aruch's ruling regarding a snack was limited to circumstances when people wore their *tefillin* an entire day but not for those who wear them only for *davening*. (M.B. 19)

Halacha Highlight

A double cover for *tefillin* and *sefarim*

Shulchan Aruch Siman 40 Seif 6
ואם אשתו עמו צריך כלי בתוך כלי

And if his wife is with him it must be in a utensil that is within a utensil

Shulchan Aruch (סעי' ב') ruled that a couple may not have relations if there are *tefillin* in the room unless the *tefillin* are contained in a utensil within a utensil. Mishnah Berurah (סק"י) writes that it is not necessary for the *tefillin* to literally be in a utensil that is contained within a utensil; it is sufficient for the *tefillin* to be covered with two coverings. Shulchan Aruch adds an important stipulation to this *halacha*. He writes that when determining whether something is properly contained or covered one has to be certain that the second utensil was not designated for use specifically for the *tefillin*. Mishnah Berurah (סק"י) explains that Shulchan Aruch did not mean specifically the second utensil for even if it is the inside utensil that was not designated for use for the *tefillin* it is sufficient. The same guidelines must be followed if one wants to take his *tefillin* into the bathroom. Mishnah Berurah (סק"ד) also writes that these same *halachos* apply with regards to a *siddur* or other *sefarim*, even printed ones.

Mishnah Berurah (סק"י) cites a lenient ruling of Chochmas Adam. Chochmas Adam rules that if one designated two utensils to serve as the utensil within a utensil so that one's *tefillin* or *sefer* should be considered covered it is effective. The example he gives is one who wraps his *mezuzah* in paper and then puts the *mezuzah* in its case. Since his intent was that these coverings should serve as a utensil within a utensil it is effective. Other Poskim (עי' פסקי תשובות אות ה' והעי' 48) disagree and contend that if one designated these items to serve as a cover for the sacred items they count as only a single utensil or cover and an additional non-designated utensil or cover is necessary.

true regarding seforim. A certain person enjoyed learning through certain seforim in his bedroom before he retired. Of course it is sometimes imperative for a bedroom to be without seforim. This man wondered if he was obligated to either remove or double wrap any seforim in the room. Perhaps he could just put them in the closet? Although presumably a closet constitutes only one cover, he thought that perhaps he could rely on the opinion that one covering is sufficient.

עי' מ"ב סי' מ"ג, ס"ק כ"ה

When this question was brought to Rav Yosef Shalom Elyashiv, zt"l, he ruled that at least two coverings are required. Yet certain closets do indeed count like two coverings. "When it comes to putting seforim in a closet, it depends on the closet's size. If it is ten tefachim high by four tefachim wide and it has doors, it is a mechitzah which counts like two coverings. Even if the closet has sliding doors that can be left open or closed at will, it still counts like a mechitzah since when it is closed it is not moved by a wind of middling strength. But if the doors are transparent glass or plastic, another covering is required."

שו"ת אבני ישפה, ח"ד, סי' ל"ח

Stories to Share

A Proper Covering

ש"ע, מ"ג, ג' "צריך כלי בתוך כלי..."

We find on today's amud that certain actions may not be done unless one's *tefillin* is in a vessel within a vessel. And the same is