

# SIMAN 13: THE LAWS OF TZITZIS ON SHABBOS

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**13:1.** Each of the four Tzitzis are (1) indispensable, such that if at any time not all four [Tzitzis] are present [the garment] is not considered [adorned] correctly with Tzitzis and if somebody went out [wearing] it on Shabbos [from a private domain] (2) into a public domain (3) he would be obliged to bring a 'Chatos' [the sacrifice that one is obliged to offer in the Temple in order to atone for having accidentally transgressed any one of the 39 main categories of activity forbidden on Shabbos] [See Siman 301 Seif 38].

**MB 1:** indispensable - For all [four Tzitzis] are considered one Mitzvah such that even if only ONE is missing, it is as if none at all are attached and he has completely failed to perform the Mitzvah of Tzitzis.

**MB 2:** into a public domain - and [to go out wearing this garment] into a 'Karmalis' (an area which neither meets the criteria of a public domain or those of a private domain) is forbidden by ruling of the Rabbis. The same rule applies to all other circumstances rendering the Tzitzis invalid, e.g. if the majority of the garment was closed (sewn up at the side seams) or if the 'Tzitzis' were incorrectly attached, either further than 3 finger widths into the garment or closer than a thumb width from the edge or anything similar, or if the whole garment was smaller than the size specified later in Siman 16, (see there) with all these [garments] it is forbidden to wear them outside even into a 'karmalis' by Rabbinic prohibition. [With regard to] a garment open [on the side seams] precisely half-way see earlier, Siman 10, in MB27.

**MB 3:** he would be obliged to bring a Chatos - because it is considered a 'burden' due to the remaining Tzitzis that are not considered part of the garment - because Tzitzis threads are significant in their own right and are not considered part of the main body of the garment. And even if these [remaining] Tzitzis are invalid, nevertheless as long as there are some that are Kosher, he values them (for their future use as kosher Tzitzis) so that they have significance in their own right and do not become neutralized to the garment, unless all four Tzitzis have snapped to the extent that there is not even enough thread to make a loop - in which case they become neutralized to the garment. Therefore if he became aware of this on Shabbos while he was walking in a public domain he need not remove this garment.

[The point here is that although a 4 cornered garment without Tzitzis may not be worn, nevertheless it is still considered a garment and with reference to the Laws of Shabbos is not considered carrying.]

**13.2: If the garment is adorned with Tzitzis that satisfy all 'halachik' requirements (4) one may go out [wearing] it into a public domain whether it is a 'talis katan' or a 'talis gadol,' even nowadays when we do not have (5) 'tchales' (wool dyed by the blood of a certain sea creature called chalozon) [subject to [the garment] not resting on (6) his shoulders. One can presume that the [a garment] is correctly adorned with Tzitzis and it is not necessary to check it (7) prior to going out [wearing] it [on Shabbos].]**

**MB 4:** *one may go out - even at night when it is out of the prescribed time [for performing the Mitzvah] of Tzitzis, because [the Tzitzis] are considered an embellishment (noi'y) to the garment (and not a 'masuy' a burden). And even with garments made of other materials (not wool or linen) even according to those authorities mentioned earlier in Siman 9 Seif 1 who rule that these garments are only obligated [in Tzitzis] 'midrabonon' [by Rabbinic ordinance], nevertheless it is still an embellishment to the garment, since there is at least a definite requirement [to put Tzitzis on them, even if the requirement is only Rabbinic]. This is not comparable to a garment that is exactly half open and half closed [on the side seams] about which the 'Shulchan Aruch' rules in Section 10 Paragraph 7 that one must NOT go out [wearing it] on Shabbos, for there his obligation [to put Tzitzis on the garment] is doubtful. [A garment more than half open on the side seams is obligated in Tzitzis, and a garment more than half closed is not, whereas this case is in between - as we saw earlier in section 10.]*

**MB 5:** *tchales - for we have established that the omission of either the blue [threads] or the white [threads] does not invalidate the other. This rule is determined from the verse "And you shall see IT" (Bamidbar Chap 15 Verse 39) which refers to each of the fringes individually [and not collectively to all four fringes - which it would have referred to had it written "And you shall see THEM"]*

**MB 6:** *on his shoulders - for then it is not considered an ornament but rather a 'masuy' (burden), for this is not the normal way to wear [this garment] during the week. However, if the majority of his body is covered that is sufficient [for him to be permitted to wear it in this manner on Shabbos]. See later in Section 301 Paragraph 30 regarding this topic.*

**MB 7:** *before he goes out wearing it - Bearing in mind that he checked [his Talis] in the morning when he initially made the B'racha on the [Mitzvah] of wearing [the Talis, and at that stage] they were ok, it is unusual that they snap in such a short time, even if he took it off since then. So writes the Magen Avraham. It is clear from this*

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that one ought to check one's Talis on Shabbos as well, as the Bach says explicitly Section 8. In general, people are not particular regarding this - and look in the Be'ur Halacha.

**13.3: If he became aware (8) on Shabbos (9) while he was [walking] in a 'karmalis' that the Tallis**

**that he was wearing (10) was invalid he should not remove it until he gets home for human dignity is very important. [Rama: Even a 'talis kotton' (11) which [he wears] under his [top] garments he need not remove. The same applies if one of (12) the Tzitzis snapped and he feels uncomfortable to sit without a Tallis (13) he may put it on without a B'racha (14) relying [on the principle of] human dignity (Beis Yosef). (15) But [this applies] only on Shabbos when it is forbidden to make [new] Tzitzis, but on a weekday this sort of thing (16) is forbidden.]**

**MB 8:** *on Shabbos - If he was aware of this in advance (before Shabbos) but forgot to put Tzitzis on, it would appear likewise that we do not penalize him (and forbid him to continue wearing this Tallis). Evidence [to support this argument] comes from Section 355 Paragraph 3, in the Rama, with regard to an individual who forgot to make an Eruv [and the nearest bathroom is situated in an area that requires an Eruv in order to carry there, one may still use this bathroom without an Eruv based on the rule of human dignity] - see there.*

**MB 9:** *while he is walking in a karmalis - This is an area in which carrying is only prohibited midrabonon [by Rabbinic ordinance]. Therefore he need not remove [his Tallis] because human dignity overrides a Rabbinic prohibition. Although the [obligation of Tzitzis] is imposed by the Torah and the principle of human dignity does not override a Torah ordained law (but only a Rabinnic one) nevertheless here [it does override and he] may [continue to wear his Tallis]. [The reason being] that the Torah did not [lay down the law in the form of a] prohibition of wearing a garment without Tzitzis, but merely [in the form of a] Mitzvas Asei [a command for positive action] to hang Tzitzis on [a four cornered garment]. Since he cannot hang them [right now] on Shabbos he has not transgressed the active command (of the Torah), but only the Rabinnic prohibition (not to carry in a karmalis). Therefore it is permitted because of human dignity and he need not remove the Tallis. However, if [he would be in a] public domain, where carrying is a Torah ordained prohibition, he must remove both a Tallis Godol or a Tallis Kotton, even if this would leave him naked - the principle of human dignity cannot override such a Torah ordained prohibition. Later on in the Laws of Shabbos, please G-d, it will become apparent that there is a difference of opinion as to whether today [our streets] have the necessary criteria of a public domain (ie he would be allowed to continue wearing his Tallis according to those authorities). So it would appear that if the 'gidil' [the knotted and tied segment] is complete and the [reason for the] invalidation is because of the 'anaf' [the loose section], one can combine to this the view of the Ri above who permitted [this garment], and one need not remove the garment instantaneously but one can hurry off home [and then remove it there].*

**MB 10:** *was invalid - This means either if the a corner of the Tallis was cut off as well (as the Tzitzis) or if just one of the Tzitzis snapped. Even if it was already invalid when he left home, as long as he was unaware of this when he put it on we do not penalize him because of the importance of human dignity. Even with our Tallis Godol, that we are unaccustomed to wear all day but only at prayer times for the Mitzvah, and there is no embarrassment caused by removing it, nevertheless he need not remove it*

*because the Rabbis did not differentiate ('lo p'lug') between different Talleisim. However, R' Akiva Eiger contests the validity of this ruling.*

**MB 11:** *which [he wears] under his [top] garments - so that it would be undetectable later on whether or not he is wearing a Tallis Koton, nevertheless having to remove it involves extreme embarrassment.*

**MB 12:** *his Tzitzis - this means: whether he came to Shul and wanted to put on his Tallis but before doing so noticed that the Tzitzis were 'psullim' (invalid), and he feels uncomfortable to sit in public without a Tallis, [in which case] he may put it on without a blessing - or whether he noticed while he was already wearing [his Tallis] that one of the Tzitzis had snapped, [in which case] he need not remove it. Look in the later commentators, who agree that it all depends on the individual who is wearing [the Tallis]. If he is embarrassed then he may wear it without a blessing, but if not, the 'heter' (legal permission) of human dignity [to allow him to wear the Tallis] does not apply.*

**MB 13:** *he may wear it - but only if he found out today. But if he knew from before shabbat that the tzitzit were invalid, he is not allowed to wear it on shabbat because he should have fixed it yesterday - but if he forgot we may be lenient (Rabbi Akiva Eiger).*

**MB 14:** *because of kevod habri'ot - but only if he can't obtain a borrowed tallit in shul.*

**MB 15:** *and specifically on shabbat - meaning because on shabbat there is only a rabbinic prohibition as we mentioned before, but during the week, where he is transgressing a torah prohibition every minute - because he can go and make the tzitzit - and a torah prohibition, even only a prohibition of sitting and doing nothing like this, where he is stopping himself from fulfilling a commandment, is not canceled by kevod habri'ot unless it is greatly demeaning. Therefore it is forbidden to wear the tallit gadol if he sees that it doesn't have tzitzit, because to sit without a tallit according to the Rama is only slightly demeaning. And also if he found out when he was in a public area that one of the tzitziot was torn, he should take it off right away - because in our times taking off a tallit gadol in public is also only slightly demeaning. However if in shul he found out after he put on the tallit that one of the tzitziot is invalid, many of the later commentators are lenient [and say] that there is no need to take it off immediately, because they claim that since one is "in public" in shul, taking it off is quite demeaning. Rather, he should hurry home or to a house near shul, and he should take it off there. The Chayei Adam is strict in this matter, and claims that taking off the tallit is only slightly demeaning, since it is normal for people to take off the tallit in public in shul. Afterwards, I found in the Pri Megadim in his preface to Hilchot Tzitzit, where he also rules like the Chayei Adam. Therefore it is best to do like the advice that is written in the book Artzot Hachaim, which is that he should make it "hefker" [i.e., relinquish ownership] because then he does not need to make tzitzit on it, and when he reaches home he should regain ownership over it.*

**MB 16:** *it is forbidden - see the Magen Avraham that concludes that where the Rama is strict during the*

*week, he is not talking about what he wrote in the beginning about the tallit katan, because with a tallit katan if he found out that the tzitzit were invalid it is most demeaning to take it off from under his clothes. Whether he is in shul or in public he doesn't have to take it off, because when it is greatly demeaning kevod habri'ot [human dignity] cancels even a Torah prohibition [if violating the prohibition is only by] sitting and doing nothing. But he must hurry to his home or to a house near shul and take it off there, even though he is in the middle of a mitzva in shul, because it is a Torah prohibition. But on shabbat there is no need to rush out of shul as long as he is doing a mitzva. If one sees that his friend has a torn tzitzit he shouldn't tell him until he gets home, i.e., he should tell him to come home and there he should tell him to take it off. In addition the Magen Avraham writes that if there are no tzitzit in the city, the law during the week is like that of shabbat; and the same is true for a tallit that is obligated only by Rabbinic law - like a borrowed one after thirty days - that it's law during the week is like on shabbat.*

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14. The Laws of Tzitzis (continued): The Laws of Tzitzis that were made by Non-Jews or Women and of a borrowed tallis.

**14:1. Tzitzis (1) that were made by a non-Jew are pasul (unfit for use to fulfill the commandment) for it is written [in the Torah] 'speak to the sons of Israel' - thereby excluding non-Jews. However, a Jewish woman may make them. [Rama: There are those who are stringent (2) to require that men (3) make them (4) and it is proper to do so (5) lechatchila (before making the tzitzis).**

**MB 1:** *That were made by - meaning that he attached them to the garment. It is pasul (unfit) even if a Jew is watching him and teaching him to do it lishma (for the sake of the commandment); whereas if a non-Jew spun or twisted it in this manner [with a Jew watching] it is kosher (fit) according to the Rosh - as was written earlier in Siman 11:2. Only if he (the non-Jew) threaded it into the corner or if he made the first windings or knot [are the tzitzis pasul], however, if the first windings or knot were made by a Jew and the non-Jew finished the rest of the windings and knots which are only there for a mitzva (extra credit, so to speak), it is kosher.*

**MB 2:** *To require that men - Even if he watches them (the women) it does not help, because the fact that the verse says 'the sons of Israel, and they should make' implies the exclusion of daughters of Israel also.*

**MB 3:** *Men make them - Specifically the attaching to the garment, but the spinning and twisting may be done by women.*

**MB 4:** *And it is proper to do.. - So too, it is seemly and correct not to lechatchila (at the start) have a minor (under thirteen years old) attach tzitzis for an adult. However, if the child is thirteen years and a day, even if he does not have two hairs [physical maturity is indicated by the growth of two hairs in the*

groin region], then even lechatchila one should not be machmir (stringent). The Artzos Hachaim is lenient to allow a minor to make tzitzis, even lechatchila (before the fact). All this is only if an adult is watching him and teaching him to do it lishma, but if this is not the case, even if the minor already attached them (the tzitzis strings) to the garment, he must untie them and reattach them.

**MB 5:** Lechatchila - but bedieved it is mutar (permissible). Even if he's not watching her, she is believed if she says that she attached (the tzitzis strings) for the sake of tzitzis.

**14:2. If a Jew put tzitzis onto clothing (6) without kavana (intent [that it should be for the sake of tzitzis]), then if there are no other tzitzis to make the clothing kosher [to be worn], then one may rely (7) on the Rambam who is machshir (pronounces it fit), but (8) he should not make a brocha (blessing) on it.**

**MB 6:** Without kavana - This case is one where he made the upper knot - which is required by Torah law [as opposed to a Rabbinic law or a custom] - without kavana (intent [that it be lishma]), but if he tied the top knot and one winding with kavana, then even though he made the rest of the knots and windings afterwards \_not\_ lishma (meaning, not for the sake of the commandment of tzitzis), then even if there are other tzitzis [that he could wear] one may permit it.

**MB 7:** On the Rambam who is machshir - Even if he did the attaching and also all the knots and windings without kavana. For the Rambam rules that even though we require that the spinning be lishma, the attaching does not have to be lishma. He rules like this because it is written [in the Torah] 'sons of Israel' to exclude non-Jews. We understand from this that a [non-Jew may not make tzitzis, but a] Jew, even without kavana [intent], is kosher. [All of this is in a situation where] you can't tell [him to] untie them from the garment and reaffix them, either because the case is that it is close to Shabbos and there is insufficient time to untie and retie them, or because one of them (the tzitzis strings) was cut off at the head, and if he undoes them it will be osur (prohibited) to reaffix them to the garment as I wrote in Siman 12.

**MB 8:** He should not make a brocha on it - Even if he only did the inserting into the corner not lishma (for the sake of the commandment of tzitzis), and all the more so if he made the top knot not lishma, because Rashi, the Rosh, and Tosfos hold that we require mideoraysoh (according to Torah law) that even the attaching be lishma, and the verse that excluded non-Jews was [excluding a gentile] even if a Jew was watching him and teaching him to do it lishma [meaning that according to them (unlike the Rambam), a gentile making them \_with\_ proper intent is better than a Jew making them \_without\_ intent. So when we exclude a gentile making them, even with intent, then it is obvious that we exclude a Jew who makes them without intent as well.] Therefore, he must be careful lechatchila (preferably) before attaching the tzitzis to the garment, to specify orally that he is attaching all these tzitzis for the purpose of tzitzis, similar to what we wrote earlier in Siman 11 concerning spinning and twisting. Look at

*the Biur Halacha.*

**14:3.** One who borrows a tallis (four cornered garment) from his friend that does not have tzitzis, then he is (9) patur (free from obligation) from attaching tzitzis for the first thirty days, for it says [in the Torah] 'your garment' and not somebody else's. However, after thirty days he is required (10) midrabanan (according to rabbinic law) for it appears as if it is his own. [Rama: If he returned it within thirty days and then went back and borrowed it again, the days do not combine. Rather you need thirty consecutive days.] If he borrowed it (the four cornered garment) with tzitzis [attached] (11) then he can and should make a brocha (blessing) on it (12) immediately **leven within 30 days**].

**MB 9:** Patur - One who attaches tzitzis to it (the four cornered garment) and makes a brocha, does not lose out. This is similar to women who are able to make a brocha on a mitzvas aseil shehazman grama [a positive, time-dependent commandment] even though they are patur (exempt from those commandments). Consequently, he can go out with it (the garment containing tzitzis) on Shabbos to a rshus horabim [public domain - place where it is forbidden to carry on Shabbos] for it is a decoration for the garment [and is considered part of the garment].

**MB 10:** Midrabanan - And he should make a brocha on it. A renter has the same law as a borrower. However, in the Itur I found written 'and renting is a safek (unclear law) for us.'

**MB 11:** He makes a brocha on it - There are those who are machmir (stringent) and hold that he shouldn't make a brocha unless the lender gave it to him explicitly as a "gift on the condition that it be returned" [rather than a normal loan]. However, most of the achronim (later authorities) agree to the ruling of the Shulchan Aruch, the reason being that it was certainly the lender's intent that the borrower should make a brocha on it, and since it is impossible for him to make a brocha unless it belongs to him, it is as though he gave it to him as a "gift on the condition that it be returned." However, lechatchila (given the choice) it is certainly better to ask from the lender that he should give it to him \_as\_ a "gift on the condition that it be returned," but it doesn't hold him back [from making a brocha if he borrowed it without specifying that it be a gift]. This is only if he borrowed from him a tallis that was specifically designed for the mitzva [like the ones we wear], but if it is a garment that is designed to be worn normally, and only because most of it is open are tzitzis attached to it, but they weren't made [primarily] to fulfill the mitzva of tzitzis, and so too if he borrowed a tallis to receive an aliya (reading of a portion of the Torah) or to be the Shliach Tzibbur (lead the prayers) or to perform Birkas Cohanim (the priestly blessing) which are only [required to have the tallis worn] because of honour, then he does not make a brocha on it for perhaps his intention was only to lend it to him as a garment and not to give him ownership of it. However, there are those who disagree with this and hold that in any case we make a brocha. Therefore the Derech Hachaim wrote that it is preferable that he should have in mind in all these cases not to give or accept ownership, in order that he should not have to make a brocha

*according to all authorities, except for the tallis that he borrows at the time of prayers specifically in order to fulfill his obligation. All this involves the tallis of a private individual, but with the talleisim (pl. of tallis) of the congregation - like ours that are found in the Shuls (Synagogues) - one must make a brocha according to all authorities, even if he puts it on only to be Shliach Tzibbur or to receive an aliya to the Torah. This is because the tallis of the congregation was acquired for this purpose originally, so that whoever dons it acquires ownership - as is the case with an esrog (one of the four species required to be taken on Succos, if it is bought by and for a congregation). Look at what I wrote in the Biur Halacha in the name of the Shaarei Ephraim.*

**MB 12:** *Immediately - Look at Siman 658:5 concerning lulav (another of the four species) and at the Pri Megadim there. From this we infer in our case as well that he must return it to the giver in the appropriate time. That is, if today the owner fulfilled his obligation with it, he should return it tomorrow before davening (prayers) at the latest in order that the owner himself should be able to fulfill his obligation. If he didn't return it to him and the giver has no other tallis it seems that the gift is retroactively annulled, and the tallis is not called 'your garment' [meaning that the borrower is retroactively not considered to have owned the tallis, and actually failed to perform his obligation yesterday - and also made a blessing in vain]. [Even though the lender has a tallis koton (tzitis), it is probable that he did not give it to the borrower with the intention that the borrower should keep it the following day.] This is unlike what is written in Siman 58. It is also explained there that after he fulfilled his obligation with it, he has to return it to the owner as a gift [rather than simply returning it as a borrowed object], in order that it belong once again to the owner. This is because the tallis became the borrower's property. It's obvious that the same applies in our case. It seems obvious to me that if the tallis or one of its tzitzis became ruined while in the guardianship of the borrower, and he did not return it in the same condition that he took it, he does not fulfil his mitzva - even if this happened through no fault of his own. Look in Siman 658:4 and in the novella of R' Akiva Eger there.*

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[Remember, Sunday is the fast day! I didn't warn Shmuel far enough in advance, and therefore may not receive his Halacha in time for my departure for the weekend at about 2 p.m. my time (it's now 11:50). My apologies. Halacha-Yomis will return Sunday evening. -YM ]

Siman 14: The Laws of Tzitzis Made by Non-Jews and Women, and of a Borrowed Talis (cont.)

**14:4. One is permitted to take (13) another's talis (14) and to bless on it, on condition (15) that he refold it if he found it folded. [Ramah: And the same holds for tfilin [it is permitted to take another's and to bless on it], but it is forbidden to learn from another's books (16) without his knowledge, as we fear he may tear them during his study.]**

**MB 13:** *Another's talis - I.e., without his knowledge, as a man is [normally] pleased that a mitzvah be done with his property [and he loses nothing by it], but only occasionally; however to do so regularly is*



*forbidden. And only in the same place, but to take the talis from his house to the synagogue or vice-versa is forbidden, as it is possible that the owner is particular about this, and then it would be theft. And see in the Pri Megadim, who wrote that in all such cases, it is proper to be cautious if the owner is around and ask him, and we do not rely on presumption when we can check the matter easily, and all the more so if one knows that the owner is particular about it.*

**MB 14:** *And to bless on it - See in the Magen Avraham, and see in the Derech HaHayim, who wrote that it is better to have intention not to acquire [temporary] "ownership" [when he takes the talis], and NOT to bless on the talis.*

**MB 15:** *That he refold it - The same way it was folded before. And on Shabbos, he should refold it, but NOT like it was refolded before, and the Magen Avraham is lenient about Shabbos, that he does not need to refold it at all. [This law derives from a prohibition on Shabbos to prepare something for another day. Since when he takes off the talis at the end of the prayer service on Shabbos, he does not intend to use the talis again on Shabbos, thus when he folds it, he is arranging it the way he wants it to be during weekdays.]*

**MB 16:** *Without his knowledge - Even only occasionally, as we fear he may read from them so much that they will rip from so much fingering. And everyone is accustomed that when he finds a prayer book or mahzor [special prayer book for festivals or High Holydays] in the synagogue, he takes it to pray from it, and I do not know any legal permission for this, for what is the difference between a prayer book and other books [with respect to this law]?*

**14:5. A (17) jointly-owned talis (18) is obligated in tzitzis, as it is written "... on the corners of THEIR garments" (Num. 15:38).**

**MB 17:** *Jointly-owned - And a talis which is jointly-owned by a Jew and a non-Jew or by a man and a woman IS obligated in tzitzis, but he should not bless on it. [Thus says the] Artzos HaHayyim, not like the Damesek Eliezer, see there.*

**MB 18:** *Is obligated - And this refers to the case where his partner is agreeable that he wear it and it is without tzitzis, then he is required to put tzitzis on it; but if it has tzitzis and one partner is particular that the other not wear it, then even if the talis is big enough that it could be divided in two and each half would have the minimum size required for a talis [and we could think of the big talis as being composed of two small ones], even so, if he wears it against his partner's wishes, it is like theft, and if he blesses on it, he transgresses the commandment of "Thou shalt not take the name of the L-rd thy G-d in vain," because the partner's half of the talis has two tzitzis which are not his, and all the more so if it does not yet have tzitzis [that he may not put on tzitzis and wear the garment and bless on it]. And according to this, a talis which is left as an inheritance from one's father and his brothers are particular about it [that*

*he not wear it], he should be careful not to bless on it until they come to an agreement.*