

SIMAN 17: WHO IS REQUIRED TO WEAR TZITZIS

by Torah.org

17:1. Even though it says in the Torah "and you shall see it," blind men (1) are required to wear Tzitzis, because they are included by the phrase "that which you cover yourself with." The phrase "and you shall see it" is needed to exclude (2) night clothing.

MB 1: *Are required to wear Tzitzis - And obviously they can make a blessing on them. However they should check the Tzitzis first by feel or ask someone else to check them.*

MB 2: *Night clothing - It is logical to include clothing of blind men and to exclude night clothing, because blind men's clothing is still seen by others, but night clothing is not seen by others.*

17:2. Women and slaves are exempt, because Tzitzis is a (3) time dependent positive commandment. [Rema: Nevertheless, if they want to wrap themselves in them (4) and make a blessing they are permitted, like with other time dependent positive commandments, however it seems like arrogance (showing that you are extra observant) and therefore they shouldn't wear Tzitzis at all since (5) it is not a responsibility that applies to people [in other words, the obligation is upon the four-cornered-garment to have tzitzis, but] this means that a person is not required to buy a Tallis in order to be required to wear Tzitzis; as we see later in Siman (section) 19, where it says that _when_ he has a four cornered garment [it must have Tzitzis]. A Tumtum and an androgynous person (6) are required to wear Tzitzis out of doubt, but should put them on (7) without a blessing. [Explanation: a Tumtum is a person who we do not know if it is a male or female and an androgynous person is someone who has both (8) male and female characteristics.] [Rema: And according to our custom that women do make blessings for time dependent positive commandments, they (the Tumtum and the androgynous person) should also make a blessing.]

MB 3: *Time dependent - Since night is not a time for Tzitzis, and women are exempt, even rabbinically, from all positive commandments that are time dependent. This is because all commandments are linked to Tefilin (phylacteries) because it says [there] "in order that G-d's Torah should be in your mouth" - and just like women are exempt from Tefilin, because Tefilin are linked to learning Torah where it says "and you shall teach your sons," and not your daughters, so also, they are exempt from all time dependent positive commandments. And [the case of] slaves is learned from the use of the word "to it" while discussing slaves and women: that every commandment that women are exempt from, so also*

are slaves. (The slaves referred to here are non-Jewish people who were taken as slaves and accepted to act as Jews).

MB 4: *And to make a blessing on it - Because even someone who is not commanded and does the commandment is rewarded, and can say "He commanded us" (part of the blessing on commandments - Blessed is Hashem...and He commanded us to wrap ourselves in Tzitzis"), since men are commanded they (women & slaves) are also rewarded.*

MB 5: *It is not a responsibility that applies to people - This explains why women _do_ take a Lulav (the four species of Sukkos) and make a blessing, which after all is also a time-dependent positive commandment: because Tzitzis is not a responsibility on the person - the Torah does not even obligate a man to buy a garment with four corners, but only when he happens to be wearing a garment with four corners is he required to put on Tzitzis -- but by Lulav there is a requirement for each man to take one. And you should know that we rule that Tzitzis is sometimes considered a responsibility on the man, and sometimes not, and we use both rulings to be lenient. We are lenient and say that it is a responsibility on the man, rather than the garment, and so long as the garment is not being worn it does not need Tzitzis even though it has four corners. We are also lenient and say that it is _not_ considered a responsibility on the man, and that men are not required to buy a four cornered garment in order to be required to wear Tzitzis, but only when he has and is wearing a four cornered garment does he have to put Tzitzis on them - look in section 19.*

MB 6: *Are required to wear Tzitzis out of doubt - Because doubts about Torah laws are decided strictly - so wrote the Beis Yosef. And it seems from this that for what would be a rabbinical requirement, such as when borrowing a Tallis for more than 30 days like earlier in section 14, or a garment which only requires Tzitzis out of doubt, like a garment which is opened halfway as we saw earlier in 10:7, they [the Tumtum or the androgynous person] are permitted to wear them without Tzitzis. Look in the Pri Megadim who wrote similar to this, and that possibly we should be strict in all of these cases because it will leave a bad impression ("Maris Ayin" - people might get confused about whether or not such a garment is required in Tzitzis) as we saw in 10:8.*

MB 7: *without a blessing - Since the main requirement is because of a doubt, and the requirement to make blessings is only rabbinical, we rule leniently. And look later in section 67 in the Mishna Brurah what G-d willing we will write there concerning some general principles. (That section discusses a person who is unsure about whether or not he said Shma.)*

MB 8: *Male and female characteristics - And this also (like the Tumtum) is a person of uncertain gender. And see in the Artzos Hachaim who brings proofs from a number of sources that rule this way (that the androgynous is considered of uncertain gender), unlike the opinion that an androgynous person is a unique form of human.*

17:3. When a child knows how to wrap himself in Tzitzis, his father must (9) buy him Tzitzis (10) to teach him [Rema: Specifically when he knows how to put two Tzitzis in front and two in back, and he knows to hold the Tzitzis in his hand during the recitation of Shma.

MB 9: *Buy him Tzitzis - This means to buy him a garment with four corners and to place Tzitzis on it, to teach his son Mitzvos. And the Pri Megadim write in section 16, and the Derech Chaim wrote as well, that the size of a child's Tallis (the minimum size that a child's garment can be and still be required in Tzitzis) is enough to wrap his head and most of his torso, and we evaluate this by the child wearing the Tzitzis according to his size. And if the garment is large enough then his father must place Tzitzis on it and to make a blessing with him, and if it is smaller than that, then he does not make a blessing.*

MB 10: *To teach him - All this is specifically before he reaches the age of thirteen, but when he reaches thirteen he is required to wear Tzitzis as an adult. And that which it says in the discussions of the Mahari"l, in the laws of marriage, that even young adult men don't wrap themselves (in Tzitzis) until they are married, and they base it on the fact that right next to the phrase "Braided fringes you shall make for yourself" it says "When a man marries a woman" - this is an astonishing [confusing] idea, that until a man gets married he should ignore the Mitzvah of Tzitzis. [The common custom in Russian & Polish Jewry is that an unmarried male wears only the small Tallis - the one that goes under one's shirt. German Jewry begins wearing a large Tallis for prayers from age 13 or even earlier. I think Sephardic Jewry is like Russian/Polish in this regard, but I have forgotten and can be corrected. -- YM]*

Binyamin Rudman

18. The Time [that one can perform the Mitzvah] of Tzitzis.

18:1. Nighttime is not the time of Tzitzis, because it is excluded by the phrase "and you shall see them." (1) According to the Rambam [Maimonides], anything that one wears at night is exempt from Tzitzis, even though it is a garment designated for daytime use, and anything that one wears during the day is required to have Tzitzis, even though it is designated for the night. [On the other hand,] the Rosh rules that anything designated for nighttime use is exempt even if he happens to wear it during the day, and anything designated for daytime [or both daytime] and nighttime is required to have Tzitzis even if he happens to wear it at night. [Rama: Where there is doubt whether a blessing is required, (2) we are lenient (no brocha), and therefore one should not make a blessing except when wearing a garment during the day that is designated (3) also for daytime use. After (4) evening services, even though it is still daytime, one should not make a blessing on Tzitzis. (5) On the eve of Yom Kippur [when the large Tallis is worn at the evening service], one should (6) enwrap himself in his Tallis (7) while it is still daytime and make a blessing upon it.

MB 1: *According to the Rambam etc. - And in any case it is permissible to go out into a public domain*

on the night of the Sabbath with his Tallis on and Tzitzis upon it, and they are not a burden [which it is forbidden to carry in a public domain on the Sabbath] because they beautify and are a decoration for the garment.

MB 2: *We are lenient - This is only in the area of the blessing; however it is forbidden to put on [even] a garment designated for nighttime use in the daytime if it does not have Tzitzis upon it, and so too a daytime garment at night, because of our doubt. And in any case it appears that the leader of the prayers, who puts on a Tallis even at night, is not required to check the Tzitzis [to see if they are Kosher], because in this situation we may certainly rely upon what we knew previously about them [that they were Kosher].*

MB 3: *Also for daytime use - Also for daytime means that even if the garment is also designated for nighttime use, and all the more so a garment reserved exclusively for the day.*

MB 4: *Evening Service - and on a fast day, when the Tallis is worn at Mincha, one should take it off when he reaches the beginning of the Evening Service [the word "Borchu"]. This is because now he is only wearing the Tallis for the Mitzvah of Tzitzis, and if he continues to wear it it would appear that he believes that nighttime is also the time [when one can perform the Mitzvah] of Tzitzis. In any case, if the leader of the prayers is not wearing any special garment, where it would not be fitting for the congregation [for him to just lead the prayers as he is dressed], it is clear that he should not take the Tallis off. [There are various customs concerning the wearing of a Tallis for the evening service - perhaps those that do not have this custom consider a jacket to be the "beged elyon" - lit. high garment - described.]*

MB 5: *On the eve of Yom Kippur - And all who lead the prayers need to wear a Tallis. The Lechem Chamudos wrote that even one who says the Mourner's Kaddish for the congregation should wear a Tallis for the honor of the congregation, but should not make a blessing upon it.*

MB 6: *Enwrap - In order to appear like angels, who are enwrapped in white. Therefore one should not take the Tallis off at night until after the evening service for the night following Yom Kippur.*

MB 7: *While it is still daytime - However, if he was delayed from enwrapping himself until nightfall, he should no longer make a blessing, because perhaps the law is like the Rambam [above, that anything worn at night is exempt from tzitzis]. And it appears from the words of the Magen Avraham in subparagraph 4 that even "ben haShmashos" [between sunset and nightfall] it is permissible, until the stars come out. His reasoning is that when discussing Tzitzis, the Torah did not specify "day", but rather "and you shall see them" - implying any time that they can be seen. So too ruled the writer of the Derech HaChaim, but in the book Mateh Efraim I saw that he is stringent in this. Even so, if he is unsure whether sunset has actually arrived, then certainly he should be able to bless - because even without this, the Tosfos and the Rosh rule that a daytime garment requires tzitzis even at night. And the Gr"a [The Gaon,*

Rabbi Eliyahu of Vilna in his explanations also leans this way - see there.

18:2. Sheets, even though a person [still] sleeps in them in the morning, do not need tzitzis (8) upon them.

MB 8: *Because their main use is at night, and therefore they are called a nighttime garment. However, this would only exempt sheets according to the Rosh; the Rambam says that even a nighttime garment requires tzitzis if worn during the day - and therefore sheets _would_ require tzitzis. There are those who give an additional reason to exempt sheets: the Torah only required tzitzis on something that is worn or wrapped around the body, but not something merely placed on top. And there are those who argue and say that even if what he sleeps _upon_ is a four-cornered garment, it requires tzitzis - and all the more so something that is placed upon _him_. Therefore, the Magen Avrohom says that one should round off one corner, and thereby exempt himself according to all opinions. However, it seems from his words that one should not be stringent here unless the sheet is made of wool, but not with one of linen or another material -- see the reason in the Pri Megadim.*

18:3. The earliest time that one can say the blessing for tzitzis in the morning is (9) when one can recognize the difference between the Techeles [blue] and the white strings [from the days when blue strings were used in tzitzis]. [And if he wears them from first light [which is generally 1/2 hour earlier], there are those who say that he should say a blessing - (10) and such is our custom. And if he wears them even earlier, as for example when arising to say Selichos [in the week(s) before Rosh HaShana], he should not make a blessing - and then when the day becomes lighter he should (11) pick them up and bless over them.]

MB 9: *When one can recognize etc. - This is the time from which one can see a friend who one sees regularly at a distance of four paces, and recognize him - as is mentioned later in section 58 in the discussion of reciting the Shema.*

MB 10: *And such is our custom - Look in the explanations of the Gr"a, who ruled like the Shulchan Aruch [our text above]. And in the Pri Megadim it is written that if he is hurried, we will not chastise the person who puts them on at first light [with a blessing]. In any case, it is certainly most correct to wait until the time he can distinguish between blue and white before making a blessing - and such appears to be the Elya Rabba's opinion. And after the fact, it appears that even if he made the blessing before first light he should not go back and make a blessing later, because perhaps the Halacha is according to the Rosh, who ruled that a daytime garment needs a blessing even when worn at night.*

MB 11: *Pick them up - Meaning, the Tzitzis.*