

SIMAN 20: THE LAWS OF BUYING AND SELLING A TALLIS

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20.1: If one buys a ready made Tallis (ie with Tzitzis) (1) from a Jew (2) or from a non-Jewish merchant [who claims that he bought it (3) from a trustworthy Jew] [the Tallis] is Kosher. [We can assume that the non-Jewish merchant] is telling the truth based on the presumption that (4) he would not jeopardize his livelihood [by telling a lie and risking being found out]. However, if one buys the Tallis from a non-Jew who is not a merchant, (5) [the Tallis] is invalid.

MB 1: from a Jew - even though he does not know that the vendor is trustworthy he can assume so based on the presumption that an ordinary Jew is trustworthy, and would most definitely have spun, twisted and attached the Tzitzis for the sake [of the Mitzvah], unless he falls into the category of a 'suspect' as defined in Yoreh De'ah Section 119.

MB 2: or from a non-Jewish merchant - even though he is not an established Tallis merchant but is established in another field he is still believed because once he is found to be a liar he would lose his reputation all round.

MB 3: from a trustworthy Jew - Look in the L'vush from whom it is clear that the merchant does not need to say that he bought it from a TRUSTWORTHY Jew but even if he just said that he bought it from a Jew [the Tallis would be] Kosher, just like the case of a Jew who claimed that he bought it from another Jew (even though he doesn't say that the vendor was trustworthy he is still believed). Other Later Authorities seem to agree with this too. It could even be conceivable that this was the intention of the Rama too. The Rama's comment would then read: '[who claims that he bought it from a Jew, then he would be believed]'. The emphasis meant here is that we would only believe the merchant if he actually said it comes from a Jew, because he would not want to be caught out telling a lie, but not otherwise.

MB 4: - he would not jeopardize his livelihood - Look in the Magen Avraham who writes that we rely on this presumption specifically in connection with a ready-made Tallis because it is unusual for a non-Jew to hang Tzitzis onto his garment but [we would not rely on this presumption] in connection with buying the (actual) Tzitzis, even from a merchant, because the spinning or twisting may not have been done for the sake of [the Mitzvah]. Both the Taz and Derech Hachaim rule likewise. However there are those that are lenient. Look in Artzos Hachaim and Yeshuas Yaakov who agree that where the main line of business of the merchant is to buy (actual) Tzitzis from a Jew and sell them on that they are Kosher.

MB 5: *[the Tallis] is invalid - on the chance that he himself attached them. All the more so is it forbidden to buy (actual) Tzitzis from him in case they were not spun for the sake of [the Mitzvah]. It seems obvious that it wouldn't help to untie [the Tzitzis] and then re-attach them. A ready-made Tallis found in the market place is Kosher. It is forbidden to send, even cut and spun Tzitzis through a non-Jew unless they are double sealed.*

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The Laws of Tzitzis (continued). The Laws of Buying and Selling a Tallis.

20:2. We do not sell a tallis with tzitzis attached (6) to a non-Jew (7) lest he [pretend to be a Jew and] accompany a Jew on the road and kill him. Even for a mashken [collateral on a loan], or for the non-Jew to watch, it is osur (forbidden) to give a Tallis with tzitzis to a non-Jew, unless it is (8) for a short time in which case there is no need to be concerned.

MB 6: *To a non-Jew - Even if he's a clothing merchant, because he too is suspected of murder and adultery. That which we said earlier in 20:1, "[One who buys a tallis with tzitzis from a non-Jewish clothing merchant may assume they are Kosher, because] it is assumed that he (the merchant) bought it from a Jew.." that is that a Jew transgressed and sold it to him.*

MB 7: *Perhaps he will accompany - There is another reason mentioned in the Gemara (Talmud), that of zona (a prostitute) - which Rashi explains to mean that he will give it to a prostitute as her payment, and she will say that a Jew gave to her. That being the case, certainly it is forbidden to sell to a non-Jewish woman for this reason. Look in the Chayei Adam who wrote that about the reason of 'lest he accompany..' we do not have to be concerned nowadays, for they (non-Jews) are not suspected of murder [nowadays], however for the reason of prostitution we have to be concerned.*

MB 8: *For a short time - However, if he removed the tzitzis, even though the holes [through which the tzitzis strings were threaded] remained, it is mutar (permitted) even to sell the tallis to a non-Jew.*

21. To know what to do with tzitzis that were cut and with old talleisim (colloq. pl. of tallis).

21:1. (1) Strings of tzitzis (2) that were cut may be thrown into the (3) garbage because in this mitzva, the items themselves are not holy. However, so long as they are (4) set in the tallis it is osur (forbidden) (5) to use them, e.g. to tie anything with them or for any similar use, because of degradation of the commandment. [Some authorities say that even after they were cut off (6) one should not do anything degrading with them [ie.] (7) to throw them in a disgusting place, only [the law tells us that] they do not require geniza (burial). However, there are those who are careful (8) to do geniza, and one who is machmir (stringent) and is careful with the mitzvos (commandments) will have blessing come upon him.]

MB 1: *Strings of tzitzis... - This is the law by all tashmishei mitzva (objects used for fulfilling commandments) for example succah, lulav, shofar, etc. after they were nullified and are no longer ready to be used for their mitzva.*

MB 2: *That were cut - Or he undid them from the tallis. This is also the law before he attached them to the garment, because preparation [the fact that he prepared these strings to be used as tzitzis] does not change their status [from regular strings to holy items that cannot be used for other purposes].*

MB 3: *To the garbage - However it is asur (forbidden) to use them for a disgusting use, because tzitzis are no worse than a tallis [whose laws are mentioned] later in paragraph 2.*

MB 4: *Set in the tallis - Even if he is not wearing the tallis now and even if it is presently night, since it is standing ready to be worn and to be used to fulfill the commandment with these tzitzis. So too with a shofar even after Rosh Hashana and so too an old lulav: if they are still standing ready for their mitzva for the coming year, it is asur (forbidden) to use them because of degradation of the mitzva. Look in the Biur Halacha.*

MB 5: *To use them - With tzitzis, it does not help even to make an explicit condition and to say, "I do not separate myself from them [meaning, from using them for other purposes]," as _does_ work in Siman 638:2 [there, we find the Halacha that anything hung as a decoration in a sukkah becomes dedicated as a decoration - even food or drink, like a jar of honey - and they may not be used for any other purpose. However, if he specifies that "I do not separate myself from it," then he is allowed to use it. -YM]. Here, it is degradation of the mitzva, because tzitzis are automatically dedicated for the purpose of the mitzva, because he is saying the blessing "to enwrap..." upon them.*

MB 6: *One should not do anything [degrading]... And so too with the schach [covering] of a sukkah, and a lulav, and a shofar, after they have been nullified from their mitzvah one should still not throw them into the garbage. And so too all similar cases where it is not appropriate for the honor of the past mitzvah [that he did with this object]. And the Pri Megadim wrote that it is appropriate not to make offensive use even of the walls of the sukkah [which could be regular walls, and are not as directly part of the mitzvah as is the schach].*

MB 7: *To toss them - He means to say [that] directly it is asur (forbidden) to throw them into the garbage but if because he did not put them into geniza (storage) they happened to get thrown out he need not be concerned.*

MB 8: *To put them into geniza - The Maharil wrote that he should put the tzitzis in a sefer (holy book) as a bookmark or do some mitzva with them because since one mitzva was done with them other mitzvos (pl. of mitzva) should be done with them.*

21:2. Talleisim (coloq. pl. of tallis) that were used for the mitzva [of tzitzis] (9) and wore out, a person must separate himself from them (10) and it is not permitted (11) to wipe himself with them nor to set them aside for a (12) disgusting use. Rather he (13) should toss them out, and let them decompose.

MB 9: *That wore out - Look in the Pri Megadim who wrote that [if one has] a tallis used for the mitzva whose tzitzis got cut off, he should not make pants out of it for this is included in the category of degrading uses. Even out of a tallis koton (small tallis) it is osur (forbidden) [to make pants].*

MB 10: *And it is not mutar (permitted).. - This is what it should say. [Artzos Hachaim and so it is mashma (can be derived) from the Gra.] [Apparently, there were errors in previous texts of the Shulchan Aruch. Our text (above) is correct according to the Mishna Brura.]*

MB 11: *To wipe.. - He means to say even to wipe the tar from his feet.*

MB 12: *That is disgusting - However, for [a use] that is not disgusting it may be used. While the tzitzis are still attached, concerning whether he is permitted to use the tallis for a use that is not disgusting the opinion of the Olas Tamid is that it is permitted because only in the case of tzitzis does the mechaber (author [of the Shulchan Aruch]) forbid it in seif 1 (Siman 21:1). However, according to the Taz it is asur (forbidden), and so agreed the Pri Megadim, who wrote that [in the case of] the tallis of tefilla (prayer) which is set aside for that purpose, the tallis has the stricter laws of tzitzis applied to it, but [in the case of] a tallis koton (small tallis) it is clear that it may be used for any use that is not derogatory, even while the tzitzis are attached to it, for it is regular clothing and he is permitted to sleep in it at night as we mention nearby.*

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Siman 21: What to Do with Tzitzis that Tore Off and with Old Talisos (cont.)

21.3: It is permitted to enter (14) the lavatory with tzitzis on. [RAMAH: And all the more so to sleep in them is permitted, but some wrote that their practice is (15) _not_ to sleep with a tallis which has tzitzis nor to give it (16) to a non-Jewish launderer to wash, and this is all so that mitzvos not seem degraded; but the custom is to be lenient (17) to sleep in them.]

MB 14: *The lavatory - And only in the small "arba kanfos" [talis katan], which he wears all day, but one should not enter a lavatory while wearing the "talisos for the mitzvah" [the large talisos], which are reserved for prayers. However, to urinate in them [NOT in a lavatory] is permitted. Also those who go on Yom Kippur to relieve themselves and are dressed in a kittel [special white garment worn by some on Yom Kippur] need to take off the kittel since this garment is reserved for prayer.*

MB 15: *Not to sleep - And in the writings of the Ar"i of blessed memory, it is written based on the secrets [secret meanings of the Torah] that one SHOULD sleep at night in a talis katan.*

MB 16: *To a non-Jewish launderer to wash - I.e., the talis WITH the tzitzis, but rather he should remove the tzitzis and then [give it to the gentile] to wash it.*

MB 17: *To sleep in them - And also to give them to a non-Jewish launderer. However, some are stringent in this matter, and say that one should do as mentioned above.*

21.4: One should be careful when he wears a talis (18) not to let its tzitis drag [on the ground].

MB 18: *Not to let drag - Some say that the reason is abasement of the mitzvah, and in addition the tzitzis are liable to be made invalid [by snapping off, etc.], and so he should lift them up and stick them in his belt.*