

SIMAN 30: THE TIME FOR LAYING T'FILLIN

by Torah.org

30:1. The time for (1) laying T'fillin (i.e., placing them upon one's arm and head) in the morning is from the time that one can see a (2) casual acquaintance at a distance of 4 cubits (between 6 and 8 feet) and recognize him.

[This is about an hour before sunrise, but it varies between summer and winter, so one needs a time table.]

MB 1: *Laying T'fillin - That is, the time for laying them begins from the time one can recognize a casual acquaintance at 4 cubits, and the Mitzvah applies throughout the day as mentioned later on in Siman 37 - see there. The reason the time doesn't begin earlier is that up until this time, we are afraid that a person will sleep with the T'fillin on, and it is therefore considered nighttime with regard to T'fillin. [As we see below, wearing T'fillin at night is only a Rabbinic decree - because one might sleep in them if he wears them at night.]*

MB 2: *Casual - Because if he knows the acquaintance well he will be able to recognize him even far away, and if he doesn't know him at all he won't recognize him even from very close up.*

30:2. It is prohibited to put on T'fillin (3) at night, because one may forget about them and (4) fall asleep wearing them. If one puts them on (5) before sunset and it becomes dark, even if he remains wearing them (6) the whole night (7) it is permissible, (8) but we do not publicize this. However, if he did not remove his T'fillin after sunset because he had no place to store them safely, (9) and he continues to wear them for the purpose of guarding them, this is permissible and we do publicize this.

MB 3: *At night - Between sundown and the appearance of 3 stars ["Bein haShamashos," the interval when we are not sure whether it is day or night], the Magen Avraham implies that it is entirely permissible to lay T'fillin, but the Pri Megadim is in doubt about this if one has already fulfilled the Mitzvah of T'fillin that day. However, if one has not already fulfilled the Mitzvah he should certainly put them on during Bein haShamashos. [The Biur Halacha at the end of this section implies, however, that he should not make a blessing if he puts on tefillin during this time.]*

MB 4: *Fall asleep wearing them - And we are afraid that he may pass wind in his sleep; but according to*

the Torah it is permissible to lay them at night, since night is (also) the time for T'fillin.

MB 5: *Before etc. - That is, the Rabbis only prohibited laying them initially at night. However, since they were (in our case) already on him while it was day, they (the Rabbis) did not require him to remove them.*

MB 6: *The whole night - This means so long as he does not remove them, for if he removes them he may not put them back on.*

MB 7: *It is permissible. That is, until the time that he wishes to sleep, for then he must remove them, since it is forbidden to sleep a regular sleep (as opposed to a nap) while wearing them, as seen later on in Siman 44. And it is possible that at night, since that is the normal time for sleeping, even a nap is forbidden while wearing T'fillin.*

MB 8: *But we don't publicize this - As a practical law to others, since they might come to put them on initially at night, which we just learned is forbidden. Therefore one should only do this privately, but not out in public, since that is also like ruling publicly [that this is permissible], and therefore one should not pray the evening service in them publicly on a public fast day.*

[This would apply for Ashkenazim on Tisha b'Av, since T'fillin are worn at the afternoon service; one should be sure to remove one's T'fillin before the evening service. From the MB's commentary to 30.5 we see this would apply even if the evening service were held before sundown. -- LC Lawton asked about wearing T'fillin on other fast day afternoons - I do not believe there is such a custom. However, our custom is not to eat a full meal while wearing T'fillin, and I wonder if this is mentioned later in the MB. -- YM]

MB 9: *And they are found on him - We are lenient only if one is already wearing them, and we publicize the fact that one may continue wearing them for the purpose of guarding them even the entire night, provided that he does not sleep. To initially put them on, however, is forbidden even for the purpose of guarding them - and some are lenient about this (Olas Tamid, Vilna Gaon).*

30:3. One who wishes (10) to set out on a journey (11) very early in the morning (while it is still dark) (12) lays T'fillin, (13) and when their time arrives (i.e. that of seeing a casual acquaintance at 4 cubits), he should move them on his arm and make the blessing(s), since we are not concerned that one who rose early (14) and set out on a journey will come to sleep in them. MB 10: To set out on a journey - And it is difficult for him to lay them afterwards because of the cold and other such reasons.

MB 11: *Very early in the morning - Even before dawn (i.e., the first light).*

MB 12: *Lays them - Before his departure. And he may have in mind that he lays them for the purpose of the Mitzvah, since according to the Torah one can perform the Mitzvah at night - and even if he had a place to guard them it is permissible to lay them, since there is not a concern that he may fall sleep in them and as explained further on.*

MB 13: *And when their time arrives - Since even though our Sages permitted laying them while it is still night in a situation where there is no concern about sleeping in them, according to the strict letter of the law they did not wish to allow the blessing (at night), so that one would say "and has commanded us" prior to the time (when the Mitzvah applies Rabbinically). But in any case, if he went ahead and made the blessing at night when he put them on, there is no need to make another blessing in the morning.*

MB 14: *And went out on his journey - And this is specifically when he journeys by foot or by riding on an animal; one who sits in a carriage is forbidden to lay T'fillin prior to his journey, lest he fall asleep with them - see the Biur Halacha. [The Biur Halacha explains that some authorities permit laying T'fillin prior to a journey in a carriage (which presumably would apply to our usual modes of transportation), and the Chofetz Chaim's opinion is that if he wears the T'fillin to guard them it should certainly be permissible.]*

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Please again think of Nechemia Ben Devorah Leah when you learn today. Thank you!

Siman 30 - The Time of Placement (of Tefillin) (continued).

30:4. If one was traveling with his tefillin on, (15) and the sun went down, or he was sitting in the house of learning (a Beis Hamidrash) wearing his tefillin (16) and the the sun went down on the eve of Shabbos, he should place his hand over them until he arrives home. If there is a house near a wall that would protect the tefillin, he should remove them and place them there (in the wall).

MB 15: *And the sun went down - The first case above speaking about a regular weekday, where the traveller is afraid that the tefillin will drop from his hands if he carries them. The Rabbis permitted him to place his hand on them and to cover them (while he is walking). Even though in paragraph 2 we said that since he is already wearing them, he does not need to remove the tefillin, here the case is different, because one who meets him may err and say that it is permissible to put Tefillin on at night - while in that case we were speaking about someone sitting in his house. In this case, when we refer to the sun going down, we mean at the end of sunset, meaning when the stars come out - because during sunset there is no need to remove them in any situation. That is according to the law itself; however the Ari of blessed memory was careful to remove his tefillin when the sun began to set.*

MB 16: *And the sun went down on the eve of Shabbos - Meaning that the sun began to set. And in this case it is impossible for him to carry his tefillin home in his hand, because of the holiness of the Shabbos. It is similarly impossible for him to leave his tefillin behind, because their houses of study were in the fields, in a place unguarded to thieves. Therefore, the sages permitted a person to wear them home normally - but he must cover them in order that no one should see him wearing tefillin on Shabbos.*

30:5. There are those who say that if one prays the evening service (17) while it is still day, he may not put on tefillin afterwards even if he has not worn them that day.

MB 17: *While it is still day - Even if there is much daylight left before sundown, because he has already deemed this time "night" and "the time for lying down," by saying the Shma & the silent prayer (Shmona Esrei) for the evening. If he were to put on tefillin now, he would be going back and making it daytime - which would be making two statements that contradict each other. The Achronim, however, agree that the law is that he is obligated to put on the tefillin without a blessing as long as it is before 3 medium size stars can be seen. If he didn't pray the evening services, even though the community did pray already, this is not a problem at all, and he should put them on with a blessing if it is still day, since he himself has not made those 2 statements which contradict each other. This is if he did not put tefillin on at all that day, but if he already put on tefillin, and now he wants to put them on again, it is not fitting for him to put them on if the community has already prayed the evening services.*