

# HALOCHOSCOPE <sup>TOI</sup>

The seam along the back of a jacket has split. The opening between its two sides is now more than half the length of the jacket. The lining inside is still sewn more than half the length. Does this now require *Tzitzis*, and must he remove it immediately? Would temporarily closing it using safety pins permit wearing it? What about using safety pins or metal staples as a permanent measure?

The issues:

- (A) The Mitzvah of *Tzitzis*; removing a garment when in violation
- (B) Which garments are included in the requirement? When a slit is more than half the length of a garment
- (C) Sewing with safety pins or staples
- (A) *Tzitzis*

This Mitzvah is unusual in the sense that it is not compulsory. One could avoid the Mitzvah entirely, by wearing clothing that does not require *Tzitzis*. The Talmud cites a Talmudic sage who wore clothing that were exempt from *Tzitzis*. An angel accosted him with the admonition that the entire Mitzvah would be lost. The sage replied, "can one be punished for not fulfilling a voluntary Mitzvah?" The angel answered, "indeed, Hashem exacts punishment for such neglect at times when he has already been aroused by other failings!"

This Mitzvah does not take much time, and will not detract from other Mitzvos. The rewards for this Mitzvah are great, and its meaning makes it equal to all the Mitzvos of the Torah added together. Its purpose, as stated by the Torah itself (which is also unusual) is to give the wearer a visual aid to keeping all the other Mitzvos. By wearing the symbol on one's garment one is assured that he will be helped in overcoming his temptations, and will remember the rest of the Torah. Therefore, the practice is to wear a garment that does require *Tzitzis* at all times. All other garments that one wears during the day are constructed such that they do not require *Tzitzis*.

Thus, the practice to wear a *Tzitzis* garment constantly is to fulfil a voluntary obligation. Even this practice is simply to be wearing the garment when walking about. One may walk less than four *Amos* (about seven to eight feet) without such a garment on. However, wearing a garment that requires *Tzitzis* without

attaching them is a violation of the Mitzvah. Therefore, if one wearing such a garment is unaware of the necessity to attach Tzitzis, then is alerted to the need for them, he must remove it immediately. He may not even remain standing in his place wearing it. This has nothing to do with the institution not to walk four cubits without a Tzitzis garment. Since at every moment that he wears this garment he violates the positive Mitzvah to attach Tzitzis to it, he must fulfil this right away. The same is true if one thinks that the garment he is wearing has kosher Tzitzis attached, and is made aware that they are not kosher. Even if one of the Tzitzis is invalid, it is as though the garment does not have Tzitzis attached. As soon as he becomes aware of the invalidity, he must take the garment off.

Exceptions to this rule apply when the Mitzvah is not considered Scriptural, and when removing the garment will incur a major embarrassment. Removing an item of clothing is embarrassing, the degree of which varies, depending on the size of the garment, how it is worn, and the audience. For example, one finds out that the *Talis* he is wearing on Shabbos has an invalid Tzitzis string. If he is in a public domain, he may not wear the Talis. The violation of the Mitzvah of Tzitzis is due to the obligation to attach Tzitzis, which is forbidden on Shabbos. Therefore, he is not held liable for this. However, since the Tzitzis are invalid, they are no longer considered a necessary appurtenance to the garment. Therefore, they are considered a *Masa*, burden, and wearing the Talis in this way violates the Scriptural Melacha of *Hotza'ah*, carrying. In a *Karmelis*, quasi-public-private domain, this is reduced to a Rabbinical violation. The presence of minor embarrassment is sufficient to mitigate the circumstances, and the *Kavod Habriyos*, concern for human dignity, permits the person to continue wearing it until he reaches home.

If he is sitting in shul, the Poskim debate whether he must remove it immediately, or whether the embarrassment is sufficient to allow him to wear it until he has privacy to remove it. If the embarrassment is considered major, it can override even a positive Scriptural Mitzvah. Thus, on a weekday, when attaching the Tzitzis is permissible, continuing to wear it is a violation of this positive Mitzvah. However, if the embarrassment is major, he may keep it on until such time as he will no longer be embarrassed to remove it. Furthermore, let us assume the material is not wool or linen, meaning that some consider it only Rabbinically requiring Tzitzis. Though one should follow the stringent view, since there is a debate on the matter, *Kavod Habriyos* plays a greater role. In our case, the wearer was aware of the rip, and did not feel uncomfortable wearing it this way. Depending on his level of embarrassment, he might be allowed to keep it on for the time being. [See Menachos

37b 41a, Poskim. Tur Sh. Ar. O.C. 13:3 24:1, commentaries.]

### **(B) Garments requiring Tzitzis; slits more than half the length**

The garments that require Tzitzis must have four corners, be made to cover the main part of one's body, and be made of wool or linen, or other woven materials. Leather garments do not require Tzitzis. The Poskim debate, based on a Talmudic debate on the subject, whether the obligation on materials other than wool or linen is Scriptural or Rabbinical. A garment made of a mixture of materials is treated the same as the majority of its material. Some Poskim maintain that man made fibres are not included even in the Rabbinical obligation, while others maintain that on any woven material there is an obligation.

The four (or more) corners must be square. If one is rounded, so that only three square corners remain, the garment is exempt. The four corners must be at the four most remote parts of the garment from each other. If a garment has more than four corners, the four that are furthest apart are used for the attachment of the Tzitzis. We are used to using a square garment as a Talis. However, any garment that is actually worn can have corners. It might have sleeves, but is not sewn up below the sleeves. The corners on the sides qualify for Tzitzis.

Some garments have two corners at the front on the sides of the opening, and at the back, because it is not stitched down, leaving a slit. To require Tzitzis the slit must be more than half the length of the garment. If it is not the correct size, it is exempt. Putting Tzitzis on creates a problem on Shabbos, because it is forbidden to "carry" them. Furthermore, one may not recite a Brocha on Tzitzis on such a garment. On the other hand, if it is the right length, one may not wear the garment without Tzitzis. Assuming it is a long enough slit, one must either attach Tzitzis, round off a corner (commonly done to a frock, or tail coat) or stitch up the slit.

In our case, the lining is an additional factor. This is part of the garment, and seems to limit the length of the slit. Firstly, one must decide whether the lining is as important as the main shell of the garment. For example, is the majority of material in the lining, and it is not of the type Scripturally requiring Tzitzis? Or is the shell material mostly wool, but the lining shifts the balance of the total of the material to a non-Scriptural requirement? The Poskim discuss a Talis made of leather with a woolen lining or vice-versa. In either case the lining is considered secondary to the shell. Thus the leather (or fur) lined woolen garment requires Tzitzis, and the leather Talis lined with wool is exempt. Accordingly, the fact that the lining is not split should have little bearing on the shell. However, another factor comes into

play. To reconnect the slit, one must sew it permanently. Nonetheless, the stitches need not be close together, but may be far apart and may be loose. In our case, if the lining is still closed more than half way down it connects the two sides of the slit, at least as well as a loose stitch. [See Menachos 39b 40b 41a 43b, Poskim. Tur Sh. Ar. O.C. 9:1 10:1 4 7 8, commentaries.]

### *(C) Safety pins and staples*

The Poskim discuss sides of an opening that are closed by hooking a metal hook into a loop. What if, for example, one had a Talis that closed in this way, and the hooks became squashed in way that they could only be opened by prying them apart? This garment no longer requires Tzitzis. The connection of such hooks is sufficient to be considered permanent stitching. Accordingly, one could use hooks in the same way to close up a slit that had ripped more than half way up the length. Alternatively, the Poskim permit attaching an ornamental string or cord, which is sometimes used as a buttoning device, but making the knot permanent. Metal staples would have the same status as the hooks. Though they are often used temporarily, they require a specific act to be removed, in the same way that hooks that had been meant as a “button” but got squashed shut do.

The question is whether safety pins are in the same category as staples or squashed hooks. Safety pins require a simple squeeze to open them. Moreover, they are made to be opened and shut with this motion. They would appear to have the status of buttons. However, while buttons are truly used in places where they can easily be opened and closed, the pins in our case are used for convenience, but in a place where the intention is to leave them closed. They are certainly more permanent than hooks that have not yet become squashed. Such hooks, called by the German-Yiddish “kneupfel”, were apparently the forerunners of our modern buttons. The Poskim also say that if the loop is so small that the hook is firmly wedged into it, it may be considered attached. This bears some similarity to the safety pins. However, safety pins are easily opened with one’s fingers, and even with one hand. This makes them even easier than buttons, and they seem to be too temporary to qualify as a connection. [See Terumas Hadeshen 296 Maharik 149. Tur Sh. Ar O.C. 10:7-8, commentaries.]

In conclusion, while staples may certainly be used to close the slit to less than half the length, safety pins should not be used.