לעילוי נשמת **יואל אפרים בן אברהם עוזיאל זלצמן ז"ל**

Dealing with a Ripping *Tzitzit*

Question: My *tzitzit* [garment] is starting to rip around the neck, extending downward. Since I bought my *tzitzit* to be the minimum *shiur* required by standard *poskim*, is it now *pasul*? How do I fix it, and is it permitted to wear it before then?

Answer: It is far from clear that the garment is *pasul* now. First, there are many opinions on the *tzitzit* garment's *shiur*, including 1 X 1 *amah*, .75 X .75 *amah*, and different opinions on the size of an *amah* (see Mishna Berura 16:4). So, a small rip of the *tzitzit* you bought may fulfill the *shiur* according to legitimate opinions. Secondly, some add the length of the *tzitzit* on both sides of the head opening to arrive at the *shiur*, which would give you more than enough (the Mishna Berura ibid. is stringent). Finally, a standard rip (minority of the garment; material still present) is analogous to a slit in the fabric beneath the neck line, which some count toward the *shiur* (see Chazon Ish, OC 3:19).

If the *tzitzit* is or may be *pasul*, you can and likely should fix it by sewing it up (see Shulchan Aruch, Orach Chayim 15:4). Admittedly, there is logic to require retying the strings because of the rule of *ta'aseh v'lo min he'asuy* (=*tvlmh*). This means that something, like *tzitzit*, that the Torah says to make, must be turned into a halachic entity by a direct action, not by an indirectly created situation. For example, when one attaches three sets of *tzitzit* to a three-cornered garment (which is not obligated in *tzitzit*) and later form a fourth corner, we view the existing strings as having been turned into "*tzitzit*" indirectly and require them to be retied (Shulchan Aruch, OC 10:5).

However, in a case where the strings were attached properly and



later the garment lost its *tzitzit* obligation, e.g., the garment was severed, with each side maintaining *tzitzit* and enough fabric to be kosher, the Shulchan Aruch (OC 15:3) says that *tvlmh* is not a problem here. The Magen Avraham (15:4) sees that as a broad rule that when at the time of a *mitzva* object's formation (e.g., *tzitzit*, *schach*, *mezuza* – see Yabia Omer, V, OC 55 at length) it was properly formed, when the *mitzva* status lapses (e.g., the garment lost its *tzitzit* obligation) and then returns, there is no problem of *tvlmh*. The Taz (OC 15:3), though, reasons that once the status is lost, *tvlmh* applies and the halachic element (e.g., *tzitzit* strings; *schach*) cannot return to *kashrut* just by the obligation returning to its "base" (e.g., garment, *sukka*). This strict view only accepts as an exception a case where the lost status was minor and/or external (e.g., a sheet was placed over the *schach* and then was removed – see Shut Ktav Sofer, Yoreh Deah 139).

The lenient position is seen as stronger and more practiced here (see Yabia Omer ibid.), but many *poskim* say we should try to conform with the stricter one (ibid.; Mishna Berura 15:7-8), which would seem to require your undoing and retying the strings. However, this is almost definitely not a problem here. First of all, as above, there is a strong possibility that in your case, the *tzitzit* remained kosher the whole time, and in the case of an added reason for leniency, many are not concerned about the Taz's stringency (Yabia Omer ibid.). Furthermore, when the rip does not remove fabric but separates the sides from each other in a minor way, it is very likely that the Taz agrees that there is no *tvlmh* (see Piskei Teshuvot 15:4).

Until you have a chance to fix or replace the *tzitzit*, it could have minimal value to wear the likely invalid *tzitzit* garment with kosher strings. There is no prohibition to wear such a garment with *tzitzit* as long as you do not make a *beracha* on it. Rather, you have it in mind when making the *beracha* on the *tallit* (Mishna Berura 15:4), as is the *minhag* for *tallit* wearers because of our general lack of confidence about our *tzitzit* garments' size (Mishna Berura 8:24). It is theoretically possible, that after mending the garment and returning its *tzitzit* obligation, if *tvlmh* applies (against what we said above), it is forbidden to wear the garment. ■

Having a dispute?

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