



Are Bandages or Hair Implants a *Chatzitza* for Tefillin?

"You shall place the Mitznefes on his head and put the crown of sanctity upon the Mitznefes" (Shemos 29:6)

One of the common sha'alos in Hilchos Tefillin is: if a person has a bandage on his head (due to a medical procedure) is he able to lay Tefillin?

The answer to this question may depend upon a Possuk in this week's Parsha.

The Gemara in *Maseches Arachin* (3b) discusses a similar question, regarding the obligation of the *Kohanim* to wear Tefillin during the *Avodah* in the *Beis Hamikdash*. As the *Bigdey Kehunah* had to be worn directly on the skin¹, they could not lay the *Tefilah Shel Yad*. Nonetheless, were they obligated to wear just the *Tefilah Shel Rosh*, or do the two *Tefillos* always have to be worn together? The Gemara concludes that they were indeed obligated to don just the *Tefila Shel Rosh*.

The Gemara then explains why a Kohen could wear the *Shel Rosh* without interfering with the *Mitznefes* which also had to be worn directly on his head. The Kohen Gadol would leave a gap between the *Mitznefes* and the *Tzitz*², through which some of his hair would be exposed. It was there that he could place the *Shel Rosh*.

This Gemara only discusses the possibility of the *Kohanim* wearing the Tefillin beneath the *Bigdey Kehunah*, (i.e. directly on the skin). Why didn't the Gemara propose that the Tefillin should be worn on top of the *Bigdey Kehuna*?

The answer to this question is disputed by the *Rishonim*:

The *Rashba* (*Megilah 24b*), *Ran* (*ibid. 15b – Dafey Ha'Rif*) and *Rashi*³ hold that there is no concept of *Chatzitza* in Hilchos Tefillin. The reason why the *Kohanim*

¹ This is derived from the Possuk (*Vayikra 6:3*) that states that the *Bigdey Kehunah* must be worn by the Kohen '*Al Besaro*' – '*upon his skin*'.

² Ostensibly, the same amount of hair would not be covered by the *Migba'as* of the Kohen Hedyot

³ As explained by the *Turei Even* (*Megilah ad. loc.*)



could not place their Tefillin on top of the *Bigdey Kehunah* is because the Possuk says that the Tefillin shall be '**Lecha L'Os Al Yadecha**' – 'a sign **for you** upon your arm'. This implies that Tefillin are to act as a sign purely for the one who is wearing them ("*lecha v'lo l'acherim*"). For this reason,⁴ they must sit directly upon his skin⁵. The *Rosh* (*Shu"t* 3:4) disagrees. In his view there is a concept of *Chatzitza* in Hilchos Tefilin and it applies both to the *Shel Yad* and to the *Shel Rosh*. The source for this is none other than the Gemara quoted above. Since the Gemara never entertained the notion of laying the Tefillin on top of the *Bigdey Kehunah*, it must have understood that the *Bigdey Kehunah* would constitute a *Chatzitza*.

Where does it say in the Torah that one may not have a *Chatzitza* beneath the Tefillin? The *Rosh* contends that it is derived from the words '**Al Yadecha**'⁶. These words imply that the *Shel Yad* must sit directly upon the arm with nothing interposed between them. The same can be said of the words '**Bein Einecha**' that are written regarding the *Shel Rosh*

According to the *Rashba* and *Ran* who hold that there is no concept of *Chatzitza* in Hilchos Tefillin, why did the Gemara say that the Kohen Gadol would wear his *Shel Rosh* in the gap between the *Mitznefes* and the *Tzitz*? The *Shel Yad* could not be worn on top of his shirt because of the requirement of '**Lecha L'Oss Al Yadecha**'. This restriction would not apply to the *Shel Rosh*. Why then could the Kohen not wear it on top of his *Mitznefes*?

The *Rashba* and *Ran* each suggest an answer to this question.

The *Rashba* (*Shu"t* 3:282) answers that the reason that the *Shel Rosh* could not be placed on the *Mitznefes* was because the *Mitznefes* itself was a *Cheftza shel Mitzvah* (a Mitzvah article). When a *Cheftza shel Mitzvah* lies between the Tefillin and the body, it is a *Chatzitza* because '*one Mitzvah is considered a Chatzitza before another*'. Placing the Tefillin on top of an ordinary hat, though, would be permitted.

⁴ This reasoning only applies to the *Tefillah Shel Yad* where the words '*Lecha Al Yadcha*' appear.

⁵ This is also the reason why the *Mishnah* in *Megilah* condemns the practice of covering one's Tefillin in a layer of gold. Since they must be an *Oss* for the one who wears them and not for others, they may not be covered with another material of any sort.

⁶ This is a similar *Drashah* to that made by the Gemara regarding the *Bigdey Kehunah* – see footnote 1.



The Ran answers that the reason for not placing the Tefillin on top of the *Mitznefes* is that one may not wear anything *on top* of the *Bigdey Kehunah*. This applies even when performing a Mitzvah such as donning Tefillin.

The *Shulchan Aruch* (O.C. 27:7-8) rules that the Halacha is in accordance with the *Rosh*. One therefore may not have any *Chatzitza* between the Tefillin and his body. If one's head is bandaged and a *Chatzitza* is unavoidable, one should place the *Shel Rosh* on top of the bandage⁷ but not⁸ make a *Brachah* on it⁹.

If a man wears a toupee, how should he lay Tefillin?¹⁰ Rav Moshe Feinstein zt"l (*Igros Moshe*, O.C. 4:40:18) ruled that whilst in Shul such a person should don his *Shel Rosh* without a *Brachah* but when he returns home, he should remove the toupee and put on his Tefillin again, this time with a *Brachah* on the *Shel Rosh*.

Rav Shlomo Zalman Auerbach zt"l (see *Halichos Shlomo, Hilchos Tefilah*, p42 in footnote) advised that he do the opposite. Before leaving for Shul he should put on his Tefillin with a *Brachah* and say *Krias Shema*. He should put them on again in Shul but without a *Brachah*.

Considering the opinions of the *Rishonim* quoted above, Rav Shlomo Zalman's ruling appears to be the most logical. According to the *Rashba* and the *Ran*, if one places the *Shel Rosh* on top of a toupee, he would fulfill his obligation. If one would follow Rav Moshe's opinion, according to those *Rishonim* he would have already fulfilled the Mitzvah while in Shul, without having made a *Brachah*. It is surely preferable to lay Tefillin at home (sans toupee) with a *Brachah* before going to Shul.

If a person had hair implants in the area of his head where he usually lays his *Shel Rosh*, does this constitute a *Chatzitza*?¹¹

⁷ As according to the *Rashba* and the *Ran* one would fulfill one's obligation in this instance.

⁸ If the bandages merely interfere between the straps of the *Shel Rosh* and one's head, one may recite a *Brachah*

⁹ *Sefardim* who generally do not make a separate *Brachah* on the *Shel Rosh* would conduct themselves as they always do

¹⁰ If he doesn't wish to remove it for Davening due to embarrassment

¹¹ During the first few days following a hair implant procedure, bandages cover the affected area of the head. It is therefore not possible to make a *Brachah* on the *Tefilah Shel Rosh* as outlined above. The *Nishmas Avraham* cites Rav Yehoshua Neuwirth zt"l who advised that a person who wishes to undergo this procedure should time it for Erev Sukkos or Pessach. That way he will have a clear week in which, according to many customs (and as is prevalent in Eretz Yisrael), he will not be laying Tefillin regardless. If he lives in a place where the Minhag is to lay Tefillin on Chol Hamoed (as is the case in much of *Chutz Laaretz*), he should only put on his *Shel Yad*. People will see that his bandages



Rav Moshe (ibid.) ruled that implants should not be considered a *Chatzitza*. Hair implants are impossible to remove; this makes them dissimilar to other *Chatzitzos*. Moreover, a person who has undergone such a procedure wouldn't ever want to remove them. For this reason, even if the procedure entailed *attaching foreign hair to his head*, it still would not be considered a *Chatzitza*.

on his head prevent him from putting on his *Shel Rosh* and will not think that he is deviating from the *Minhag Hamakom*.