

חוץ מן התפילין שנאמר בהן פאר –

Except for תפילין; regarding which it states, פאר

OVERVIEW

פסוק since the תפילין is obligated in all the מצות except for פאר (splendor). תוספות discusses how this explains that an אבל is exempt from donning תפילין.

ואמרינן בפרק בתרא דמועד קטן (דף טו,א) מדאמר ליה רחמנא ליחזקאל¹ פארך חבוש עליך -
And the merciful One said to חזקאל 'put on your splendor' (meaning your תפילין) -
מכלל דלעלמא אסור² -

It is inferred from this that for everyone else it is forbidden –

תוספות cites a seemingly differing opinion:

ובקונטרס דפירש שנאמר בהן פאר ואבל מעולל בעפר קרנו וראשו³ -
אבל as תפילין פאר, an אבל should not wear them since the radiance and the head of an אבל is dirtied with dust; seemingly indicating that the reason an אבל does not wear תפילין is because it is not appropriate to expose the פאר of תפילין to the עפר on his head (but not that we derive it from the פסוק of חבוש עליך). תוספות responds that indeed (even) רש"י agrees with explanation that we derive the איסור from the פסוק of חבוש עליך and the reason רש"י mentions that ואבל - מעולל בעפר קרנו וראשו

היינו ליתן טעם דלא נילף שאר מצות מתפילין -

Is to give a reason why we do not derive other מצות from תפילין and say just as the תפילין is unique since it is a פאר and therefore inappropriate to have it on an אבל, therefore רש"י explains that רש"י is also פטור from other מצות, therefore רש"י explains that תפילין is unique since it is a פאר and therefore inappropriate to have it on an אבל.

תוספות asks:

ואם תאמר ומאי שנא לגבי תפילין אמרינן דדוקא ליחזקאל נאמר ולא לשאר אבליים -

¹ יחזקאל כד, יז. The נביא is relating that ה' told יחזקאל that he is taking away from him במגפה (meaning his wife), but nevertheless יחזקאל should not mourn. [This was a symbolic prophesy that there will come a time where there will be so many deaths that there will not be a chance to mourn for all of them.] Among the things he was told was פארך חבוש עליך, the term פאר refers to תפילין, and since ה' told him (that a part of his not mourning is) to wear his תפילין, this indicates that a 'regular' mourner is not to wear תפילין (for if every mourner can wear תפילין, why the need to instruct יחזקאל that he should wear תפילין).

² According to תוספות we derive the prohibition for an אבל to wear תפילין from the פסוק of חבוש עליך (but not from the mere fact that תפילין is referred to as פאר). See 'Thinking it over'.

³ See טז, טז.

And if you will say; and why is there this difference; that regarding תפילין we assume that the statement of פארוך חבוש עליך was said only to יחזקאל and not to other mourners (for they are forbidden to wear תפילין) -

וגבי תלמוד תורה ילפינן שאר אבליס מיחזקאל -

And regarding the (prohibition of) studying the תורה, we do derive other אבליס from יחזקאל that the other אבליס are the same as יחזקאל -

דאמרינן (שם) אבל אסור בתלמוד תורה מדאמר ליה רחמנא ליחזקאל האנק⁴ דום⁵ -

For the גמרא states there, 'an אבל is forbidden to study תורה since the merciful One said to יחזקאל, 'refrain (be silent) from sighing'.

answers: תוספות

ויש לומר דלאסור גמרינן דמדאסר רחמנא ליחזקאל לכולי עלמא נמי אסור -

And one can say that regarding a prohibition we derive from יחזקאל, that since the merciful One forbade יחזקאל from ת"ת, it is also forbidden for everyone else - אבל⁶ להתיר לא גמרינן דליה לחודיה למשרי אתא:

However to permit wearing תפילין we cannot derive from יחזקאל, for the verse comes to permit יחזקאל exclusively to wear תפילין, but not anyone else.

SUMMARY

פאר are called תפילין and a mourner is forbidden from wearing them (but is obligated in all other מצות), since ה' told יחזקאל not to mourn and wear his פאר. However a mourner is בת"ת אסור just as יחזקאל was also forbidden בת"ת.

THINKING IT OVER

פסוק פארוך חבוש אבל from the תפילין of איסור insists that we derive the פסוק פארוך חבוש אבל from the תפילין of איסור (and interprets רש"י to agree with this as well).⁷ However our גמרא merely states that an אבל is אסור בתפילין because they are called פאר (without mentioning the פסוק in יחזקאל). How can we reconcile פ' התוס' with our גמרא here?!⁸

⁴ In our text in מו"ק the word האנק is omitted. (It is mentioned previously in regard to the ruling that an אבל is אסור (בשאלת שלום).

⁵ יחזקאל כד,כו. We derive from the word דום – to be silent – that he may not engage in the study of תורה which requires speech.

⁶ The general thrust of this נבואה was that יחזקאל should not mourn (like a regular mourner, see footnote # 1), therefore when ה' instructs him not to mourn by wearing תפילין, it is understood that this refers only to יחזקאל (but other mourners are forbidden from wearing תפילין); however when the תורה forbids him to study תורה (as part of mourning; meaning that יחזקאל must keep this rule of mourning) it (certainly) applies to all other mourners as well.

⁷ See footnote # 2.

⁸ See סוכ"ד אות סו and בית יעקב, מירא דכיא.