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R' ZEV BEN R' ASHER ZELIG

תוצב"ה

Hilchos Mezuzah

Shiur 1

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The Mitzvah to Write a Mezuzah

Yoreh De'ah - Siman 285

Siman 285 Se'if 1

1. מצות עשה לכתוב פ' שמע (דברים ו, ד - ט) והיה אם שמוע (דברים יא, יג - כא) ולקבעם על מזוזת הפתח, וצריך ליזהר בה מאד; וכל הזהיר בה, יאריכו ימיו וימי בניו. ואם אינו זהיר בה, יתקצרו. הגה: ומ"מ אם אין ידו משגת לקנות תפילין ומזוזה, יקנה תפילין ולא מזוזה (ירושלמי סוף מגילה ובא"ח סי' ל"ח סי"ב), דמצוה שהיא חובת הגוף עדיפא.

1. IT IS A POSITIVE TORAH COMMAND TO WRITE THE PASSAGE OF *SHEMA* AND *VEHAYAH IM SHOMO'AH* AND TO AFFIX IT TO THE DOORPOST. ONE MUST BE VERY CAREFUL WITH THIS *MITZVAH*. WHOEVER IS CAREFUL WITH IT WILL HAVE HIS LIFE AND THE LIFE OF HIS CHILDREN LENGTHENED. IF [ON THE OTHER HAND] HE'S NOT CAREFUL WITH IT, THEY WILL BE SHORTENED.

Rama: Nevertheless, if he cannot afford to purchase both *Tefillin* and *Mezuzah* he should purchase *Tefillin* and not *Mezuzah* because the *Mitzvah* which is on one's person is greater.

Siman 285 Se'if 2

2. נתינתה בטפח החיצון.

הגה: י"א כשאדם יוצא מן הבית יניח ידו על המזוזה (מהרי"ל שם ומוכח בעבודת כוכבים דף י"א), ויאמר: ד' ישמר צאתי וכו' (במדרש). וכן כשיכנס אדם לבית, יניח ידו על המזוזה.

2. IT SHOULD BE PLACED ON THE *TEFACH* [OF THE DOORPOST] CLOSEST TO THE OUTSIDE. *Rama:* Some say that when a person leaves his house, he should place his hand upon the *Mezuzah* and say "Hashem shall protect me as I go out etc." Likewise, upon entering, he should place his hand upon the *Mezuzah*.

The Positive Command to Write a Mezuzah and Place It On the Doorpost

SOURCE

Gemora:
Chulin 17b

In the Torah it is written, once in the passage of Shema and again in the passage of Vebayah Im Shomo'ah: And you shall inscribe it on the doorposts of your homes and of your city's gates.

Mishnah:
Menachos 28a

The two passages that are in a Mezuzah are both necessary. Even if one is just missing one of the writings, it is not a fulfillment of the Mitzvah.

Rashi explains that the two passages refer to *Shema* and *Vebayah Im Shomo'ah*. Even just a single missing letter disqualifies the *Mezuzah* since the *Pasuk* states וכתבתם, which is a combination of the words "כתיבה תמה", "a perfect inscription."

The *Tur Paskens*: It is a *Mitzvah* to write the passage of *Shema* and *Vebayah Im Shomo'ah* and affix it to the doorposts of one's house and to those of the gates of your cities.

The Great Reward for this Mitzvah and the Punishment for those who Desist

SOURCE

Gemora:
Menachos 43b

Rebbe Eliezer ben Yaakov said: Whoever has T2 on his head, T2 on his hand, Tzitzis on his garment and a Mezuzah on his door is assured he won't sin. Since a Mezuzah has the declaration of Hashem's unity and he constantly is reminded of this as he leaves and returns to his home, without doubt, he will have the fear of Hashem upon him so he won't come to sin. Whoever is careful with this Mitzvah will merit to have his life lengthened as well as the life of his children as stated in the Pasuk "So that your days shall be lengthened and also the life of your children." We can infer from this that one who is not careful with this Mitzvah will have his life shortened. Chazal, our Sages, have said that because of the sin of transgressing the Mitzvah of Mezuzah, a person's sons and daughters will

pass away when they are young. The Pasuk states; The blood of your innocent destitute ... were discovered in tunnels. The BY says that the source for this in the Gemora Shabbos 32b.

The *Tur* adds:

Furthermore, a Mezuzah serves as a protection of the home as it says in the Pasuk: Hashem will protect your goings and your comings.

The *Beis Yosef* notes that this is taken for the Gemora in Menachos 33b. He wonders why the *Tur* chose this Gemora over the previous one which speaks about the reward of lengthening one's life. Isn't that reward greater than the reward of protecting one's property? He explains this in two ways. 1) Living longer is a miracle that isn't as noticeable as the protection of one's property as it's commonplace for those living without a *Mezuzah* on their homes to suffer all kinds of losses and damages. 2) For *Hashem* to protect our home is as if He stands on the outside to protect us, whereas a mortal king is on the inside and his servants stand guard to protect him from the outside.

The *Halacha* here in the first *Se'if* is as follows:

IT IS A POSITIVE TORAH COMMAND TO WRITE THE PASSAGE OF *SHEMA* AND *VEHAYAH IM SHOMO 'AH* AND TO AFFIX IT TO THE DOORPOST. ONE MUST BE VERY CAREFUL WITH THIS *MITZVAH*. WHOEVER IS CAREFUL WITH IT WILL HAVE HIS LIFE AND THE LIFE OF HIS CHILDREN LENGTHENED. IF [ON THE OTHER HAND] HE'S NOT CAREFUL WITH IT, THEY WILL BE SHORTENED.

The *Shach* (1, 2), that we must write these two passages from the Torah since it is stated there explicitly "*And write them on the doorpost of your houses and on those of the gates of your cities.*" Immediately adjacent to this, the *Pasuk* states: "*In order that your days shall be lengthened and the days of your children.*" Thus we see that the reward for this *Mitzvah* is the lengthening of life.

The *Taz* (1), quotes from the *Tur* that the *Mezuzah* protects one's property and adds the explanations of the *Beis Yosef*. The *Taz* explains that the greatness of the *Mitzvah* of *Mezuzah* is that it protects us even when we are asleep, unlike other *Mitzvahs* that protect us only when we are awake and actually performing them.

Coercion to Fulfill the Mitzvah of Mezuzah

The *Pischei Teshuva* (1), writes that *Beis Din* wouldn't force anyone to fulfill the *Mitzvah* of *Mezuzah* as the Gemora states that any *Mitzvah* that has a reward written alongside it, we do not force people to do them.

One Who Notices a Mezuzah is Missing on Shabbos

The *Pischei Teshuva* (1) brings from the *Pri Megadim* that if one notices that a *Mezuzah* is missing from a room on Shabbos or Yom Tov when it's forbidden for him to affix one, he should move to another room if possible. *Pischei Teshuva* adds, that likewise, if this happens during the week and he's unable to procure a *Mezuzah*, he should do the same.

Mezuzah or Tefillin, Which One Takes Precedence?

The *Darbei Moshe* brings from the *Responsa Binyamin Ze'ev* who cites the *Yerushalmi* that if one could only afford either a pair of *Tefillin* or a *Mezuzah*, he should purchase *Tefillin* since this is an obligation on his person.

The *Beis Yosef* (*Orach Chaim Siman* 38:12) brings the Gemora *Yerushalmi* (Megillah 4:12) that Shmuel is of the opinion that he should purchase the *Mezuzah* and Rav Huna holds he should purchase the *Tefillin*. The *Yerushalmi* brings a *Beraissa* that supports the opinion of Shmuel. Still, the *Rosh* (*Hilchos Tefillin Siman* 30) rules like Rav Huna that he should purchase the *Tefillin* because his reasoning is that *Tefillin* is an obligation carried out on one's person and *Mezuzah* is only on one's house. The *Beis Yosef* adds, although the *Yerushalmi* backs Shmuel with a *Beraissa*, that *Beraissa* holds, that if a *Mezuzah* wears out, he may not make *Tefillin* from the parchment because a *Mezuzah* is a higher level *Kedusha* than *Tefillin*. This is actually against the way we *Pasken* the *Halacha* that if a *Mezuzah* wears out, he's allowed to make *Tefillin* from the parchment. Therefore, it stands to reason that according to the way we *Pasken* that *Tefillin* is higher in *Kedusha*, one should purchase *Tefillin* rather than purchase a *Mezuzah*. This is the *Halacha* as the *Shulchan Aruch Paskens* in *Orach Chaim Siman* 38:12.

This is the basis for the ruling given by the *Rama* here in our *Se'if*. He states:

Nevertheless, if he cannot afford to purchase both Tefillin and Mezuzah he should purchase Tefillin and not Mezuzah because the Mitzvah which is on one's person is greater.

Rebbe Akiva Eiger in his notes to this *Rama* explains that a Mitzvah of *Tefillin* is on one's person and he can never remove himself from the obligation, as opposed to the Mitzvah of *Mezuzah* that is on one's house which it is possible to exempt himself from this Mitzvah because he doesn't have to own a home of his own and he doesn't even have to rent a room. It is possible for him to live in a place where he's not obligated to put a *Mezuzah*. He adds that if can only afford either a pair of *Tefillin* or a set of *Arba Minim*, he should buy the *Tefillin* since it is a more common Mitzvah. [This follows the famous rule of תדיר ושאינו תדיר תדיר קודם.]

On the other hand, the *Sefer Beis Hillel* explains the reason that *Tefillin* takes precedence is simply because a Mitzvah that one carries on his person is more *Chashuv* (important, significant) than one that is not on his body. This would also be the reason why *Tefillin* takes precedence over *Arba Minim* as well. *Tefillin* takes precedence over *Tzitzis* because although *Tzitzis* is also a Mitzvah on one's person, it's less *Chashuv* since it's not necessary to wear a four-cornered garment.

The *Pischei Teshuva* (2), brings from the *Magein Avraham* that if one can borrow *Tefillin* and buy a *Mezuzah*, he should do so because this way he can fulfill both Mitzvos.¹ He brings from a *sefer Chomos Yerushalayim* that debates what one should do if he usually would wear *Tefillin* an entire day and he is now faced with a choice of borrowing *Tefillin* for part of the day and thereby saving his funds to buy a *Mezuzah*. The *Pischei Teshuva* also deliberates if one can borrow a pair of *Tefillin* and then use his money to buy *Tzitzis*, what is the right thing to do? If he can borrow *Tefillin* for long term, he should use his money to buy *Tzitzis* for himself. Likewise, he should buy a *Mezuzah* if he can borrow *Tefillin* long term. However, this is only if he owns a house where he has a Torah obligation for a *Mezuzah*. However, if he just rents, then his obligation is only *Mide'Rabanan*, he should spend his money to buy himself a pair of *Tefillin*. If he already has a pair of *Rashi Tefillin* and he wants to purchase a pair of *Rabbeinu Ta'am Tefillin*, he

¹ *Mishnah Berurah* 38:37.

should rather purchase a *Mezuzah* and the same is for *Tzitzis*, since the accepted *Tefillin* is the *Rashi Tefillin*.

SIMAN 285

SE'IF 2

Placement of the Mezuzah at a Tefach Nearest to the Outside

SOURCE

**Gemora:
Menachos 33b**

Rava said: It is a Mitzvah to place the Mezuzah at the Tefach nearest to the outside. What is the Reason? The Rabanan said: So that he will encounter the Mezuzah immediately [as he enters his home]. Rav Chaninah of Sura said: So that it will protect him [and his entire home from damaging forces].

The *Tur* states that a *Mezuzah* serves as a protection as the *Pasuk* states: *Hashem is your guardian*. *Hashem* will protect our home; as if to say, He stands on the outside to protect us, whereas a mortal king is on the inside while his servants stand guard to protect him from the outside. Still, a person should fulfill this Mitzvah because *Hashem* commanded us to do so and not for the sake of seeking protection and security in our homes.

Thus, *Shulchan Aruch Paskens*:

IT SHOULD BE PLACED ON THE *TEFACH* [OF THE DOORPOST] CLOSEST TO THE OUTSIDE.

Placing One's Hands onto the Mezuzah

The *Darhei Moshe* (2) brings from the *Maharil* that when one leaves his home for a journey, he should say: בשמך טל אטלה as טל and כוון have the same *Gematriya* (numerical value of thirty nine).² Each time he passes the *Mezuzah* he should say: ד' שומרי ד' צילי על יד' (Hashem is my protector, Hashem is my cover on my right hand side). In the *Medrash* it says to say: ד' ישמור צאתי ובואי מעתה ועד עולם (Hashem should guard my going and my coming from now and forever). We find in the *Gemora Avodah Zara* 11a, that

² See also *Shach* (4).

when *Onkelos* was being taken by the Roman soldiers, he placed his hand onto the *Mezuzah* as he passed it by.

Based on the above, the *Rama Paskens* here:

Some say that when a person leaves his house, he should place his hand upon the Mezuzah and say "Hashem shall protect me as I go out etc." Likewise, upon entering, he should place his hand upon the Mezuzah.

The *Pischei Teshuva* (4) brings from the *Responsa* of *Rebbe Akiva Eiger* that if the *Mezuzah* is not inside a casement, one shouldn't place his hands onto the parchment as we always refrain from touching Holy Writings (such as a *Sefer Torah*). The only reason we touch our *Tefillin* with our bare hands is because that is unavoidable since that is how the *Mitzvah* is performed.

The *Pischei Teshuva* adds that when does place his hands onto the *Mezuzah*, he should touch it with his hands and if he's wearing gloves, they should first be removed.

A Review of the Main Points of the Shiur

- 1) It is a *Mitzvas Assei* (positive command) to write a *Mezuzah* and affix it to the doorpost of one's home. The *Mezuzah* contains two passages from the Torah; *Shema* and *Vehayah Im Shomo'ah*. Even if just one letter is missing, the *Mezuzah* is *Pasul* [Mishnah, Gemora, *Shulchan Aruch*].
- 2) The reward for fulfilling this Mitzvah as well as the punishment for not fulfilling it is great. It will either lengthen or shorten his life, respectively. *Mezuzah* protects one from sin [Gemora, *Tur*] because it contains the unity of *Hashem*, which he's reminded of whenever he passes the *Mezuzah* [*Tur*].
- 3) Even more so, it will protect his home [*Tur*]. This means 1) that it is a miracle that can go by unnoticed and therefore it is even greater than the reward of long life [*Beis Yosef*]. 2) The fact that *Hashem* protects us from the outside of our homes is noteworthy because by a mortal king, it's the opposite [*Beis Yosef*]. 3) The protection is there even when we are asleep and not actively performing the Mitzvah [*Taz*].
- 4) *Beis Din* wouldn't coerce someone to fulfill this Mitzvah since it's a Mitzvah which has its the reward written in the Torah [*Pischei Teshuva*].
- 5) If on Shabbos or Yom Tov he notices that his *Mezuzah* is missing, he should move out of that room if possible. If he has no place to stay, he may remain in that room. [*Pischei Teshuva* quoting *Pri Megadim*]. Likewise, if this occurs on a weekday and he cannot procure a *Mezuzah* right away, the same *Halacha* applies [*Pischei Teshuva*].
- 6) There's a *Machlokes* in the Gemora Yerushalmi, if a person could only afford one of two Mitzvos, *Tefillin* or *Mezuzah*, which one takes precedence [*Beis Yosef Orach Chaim, Siman 38, Darchei Moshe*]. The *Halacha* is that *Tefillin* takes precedence since it's a Mitzvah on his person [*Rosh, Shulchan Aruch Orach Chaim Siman 38, Rama here*]. One explanation is that one cannot ever remove this duty since it's an obligation on his person [*Rebbe Akiva Eiger*]. *Tefillin* takes precedence over *Arba Minim* since it's more common [*Rebbe Akiva Eiger*]. *Tefillin* takes precedence since it's on his person so it's more *Chashuv* than something not on his body like *Arba*

Minim. It's also more important than *Tzitzis* since it's obligatory while *Tzitzis* is only if he wants to wear a four-cornered garment [*Beis Hillel*].

- 7) If one can borrow *Tefillin* and buy a *Mezuzah*, he should do so [*Pischei Teshuva* quoting *Magein Avraham*, *Mishnah Berurah*]. This is only if he owns his home and he will fulfill the *Mitzvah de'Oraissa* of *Mezuzah* [*Pischei Teshuva*].
- 8) It's not clear what one should do if he's accustomed to wearing his *Tefillin* all day and he can only borrow for a few hours and he also needs to buy a *Mezuzah* [*Pischei Teshuva*].
- 9) If can borrow *Tefillin* and buy *Tzitzis*, he should do so [*Pischei Teshuva*].
- 10) If he has *Rasbi Tefillin* and he wants to buy a *Rabbeinu Ta'am* pair, he must use his money to buy a *Mezuzah* rather than the extra pair of *Tefillin*, since the *Rasbi Tefillin* is the accepted practice [*Pischei Teshuva*].
- 11) The *Mezuzah* is closer to the outside so that as soon as he enters his home, he will encounter it and it will remind him of *Hashem* and not sin. Another reason is because it's protecting his home from the outside [*Gemora*]. Although it's for his protection, he should do the *Mitzvah* solely because *Hashem* commands it [*Tur*, *Shulchan Aruch*, *Taz*].
- 12) If the *Mezuzah* is not wrapped in a casing, he shouldn't touch it with his bare hands [*Pischei Teshuva* quoting *Rebbe Akiva Eiger*].
- 13) If the *Mezuzah* is in a casing, one should remove his gloves when placing them onto the *Mezuzah*.