

The Value of a Mezuzah

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- I. Introduction. Beginning with this essay we will begin a series of articles to thoroughly analyze the laws of מצוה. While the מצוה of מצוה is one of the most universally observed מצוות in all Jewish circles, there are many details and requirements that the vast majority of Jews are not familiar with. Through this series we will outline and analyze the opinions of the leading פוסקים on all issues pertaining to a מצוה, from the purpose of the מצוה to which rooms require a מצוה to how frequently to check מצוות. Throughout this series, in addition to the שולחן ערוך and its classic commentaries, the unpublished work of Rabbi Avi Lebowitz שליט"א has helped to organize, clarify, and analyze numerous issues. In this week's article we will discuss the basic requirement of having a מצוה and the reasons for that requirement.

- II. The שולחן ערוך (יורה דעה סימן רפה סעיף א') records the basic obligation to write the פרשיות of שמע and אם שמוע on parchment and to place it on the doorpost. The ספר החינוך (מצוה תכג) adds that each moment that one remains in the home generates a new obligation to place a מצוה. Thus, one would be mistaken to think that after delaying for some time to place a מצוה on their doorposts, that they lose nothing by delaying a little bit more.
 - A. While most מצוות present themselves as a single obligation, one who fails to put up a מצוה violates a positive commandment each and every moment that the doorway remains bare. The ר"ן (יומא דף ד: בדפי הרי"ף ד"ה) writes that the prohibition of eating נבילה may be more severe in some respects than the prohibition of שבת מלאכת for a very similar reason. While an איסור סקילה is certainly more severe than an איסור לאו, eating a substantial amount of נבילה involves a new prohibition with each כזית consumed, while violating שבת is usually a single prohibition. This unique constancy to the מצוה of מצוה may have various halachic ramifications:
 1. The מנחת חינוך (שם בסוף) suggests that while we normally observe the Talmudic dictum that one

need not spend more than 20% of his net worth on a given positive commandment (המבזבז אל יבזבז יותר מחומש), it is possible that the מצוה of מזוזה would require one to spend even more.

2. The מנחת חינוך suggests further that one may require a more intense level of תשובה in order to repent for neglecting to place a מזוזה than he would for neglecting other positive commandments.

III. The "benefits" of having a מזוזה. Based on the גמרא, the major פוסקים outline three distinct benefits to observing the מצוה of מזוזה:

A. The רמב"ם (הלכות מזוזה פרק ו' הלכה יג) writes that the מצוה of מזוזה is unique in that it serves as a constant reminder, each time one enters or leaves a room, of God's presence. If one were to temporarily lose perspective, the מזוזה, along with תפילין and ציצית, can serve as a reminder of the value of keeping God at the center of our lives and will protect us from sin. One may suggest that while the רמב"ם mentions the מצוות of ציצית and תפילין along with מזוזה as מצוות that achieve this goal, the מצוה of מזוזה has the greatest value in this area. Whereas the other מצוות mentioned only apply during certain times (תפילין only during the day and only on weekdays, ציצית only during the day), מזוזה is a מצוה that remains with us day and night, both שבת and weekdays.

B. The טור (citing שבת דף לב) writes that one who is careful about the מצוה of מזוזה will merit long life both for himself and for his children. Conversely, the טור suggests, we may deduce that one who neglects this מצוה will have his days and the days of his children shortened.

1. Although the reward of long life is well documented in the גמרא based on פסוקים, the טור's assertion that the opposite is true (i.e. one who neglects מזוזה will have his life shortened) is highly questionable. The בית הלל (על השו"ע) points out that according to the גמרא (קידושין דף סא.) we may

only deduce the negative from the positive when it is stated explicitly in the פסוק. Absent an explicit verse, we may only deduce that if one is not careful with the מצוה, he will receive neither blessing nor any particular curse.

- a. The חומש on הלל does note that רש"י makes a similar assertion to the טור's in commenting on the פסוק: "כבד את אביך ואת אמך למען יאריך ימך". Rashi states that one who observes כיבוד אב ואם will benefit from long life, and we may therefore deduce that one who does not observe the מצוה will have his days shortened. Again, this methodology of exegesis seems to contradict the limitations set forth by the גמרא.
- b. To address this question the ברכי יוסף suggests that we may distinguish between a deal made between two parties (either between men or between man and God) and a statement of reward or punishment by the תורה for a given מצוה. Certainly, when the תורה expresses itself using the language of an agreement (אם בחוקתי) (אם תטיב שאת...), the connotation is that the normal criteria of תנאי must be met. When, however, the תורה informs us of the reward for a מצוה (וכתבתם על מזוזות ביתך ובשעריך למען ירבו מצוה) (ימיכם וימי בניכם), we may make deductions just as we would throughout the תורה. The תורה was written in such a way that we learn many important laws from slight nuance of language, and the case of מזוזה is no different.
- c. Finally, the טור suggests that the greater benefit of the מצוה is that a מזוזה protects the home from harm. The גמרא (מנחות דף לב: ורש"י שם - עיין תוס') strongly implies that there is a specific danger to leaving a home without a מזוזה. The משה (רפוד') seems to imply further that in order to enjoy this protection one must have a מזוזה on each doorpost in his house, and not only on the front door.

1. The טור, based on the גמרא points out that we place the מזוזה on the outer טפח of a thick doorpost so that the entire thickness of the house may be protected by the מזוזה. It should be noted that the גמרא (מנחות דף לג: ועבודה זרה דף יא.) suggests that we also place the מזוזה on the outer part of the door so that we should encounter the מזוזה immediately upon entering the house. Both reasons are cited by the ש"ך (סימן רפט ס"ק ב').
2. In describing the benefit of being protected the wording of the טור is most curious. He writes that this is a "greater reason" than the previous one. The בית יוסף questions why protection from physical harm should be considered a more valuable benefit than the previously mentioned benefit of a long life for a person and his family. A number of answers have been suggested to explain what idea the טור intended to convey by stating that the last benefit is greater than the previous one:
 - a. The בית יוסף suggests that while one certainly values their life over the protection of their home, the protection of the home is the greater miracle. Since it is common for a person to live a long life, this reward is not considered to be an open miracle. When a neighborhood, though, is under attack, and all of the homes are affected, with the exception of those that have a מזוזה, it is a far greater and more evident miracle. After all, who else can absolutely guarantee financial protection if not for God. This is similar to the comment of the גמרא (פסחים דף ח: :) that when one went to be עולה לרגל there was a guarantee that none of his possessions would be damaged or stolen while he was gone. It is precisely this evident a miracle that the טור refers to when he says that the protection of the home is the "greater reason".

- b. The *בית יוסף* suggests a second explanation as well: The *טור* does not mean to suggest that protection of our homes is of greater value to us than our very lives. Rather, he is suggesting that God's willingness to protect our homes with the *מזוזה* on the outer door post is a greater statement of the nature of God, and ultimately a greater *קידוש ה'*, than the long lives that we may merit. A human king requires the protection of his servants, who stand guard outside of his palace. Yet, God stands guard outside each of our homes to protect us. Indeed, this is a reflection on God's love and care for His people to the extent that according to the *גמרא* (עבודה זרה דף יא) it was precisely this point that *הגר* emphasized in converting non-believers to the Jewish religion.
- c. The *ב"ח* suggests that the protection afforded by the *מזוזה* is not a reward for the *מצוה*. The reward for the *מצוה* is *אריכות ימים*, as the *פסוקים* themselves indicate. The fact that one's home is protected is simply a natural outgrowth of the *מצוה*. It is similar to one who very much enjoys the taste of *מצה*. When he eats *מצה* the enjoyment he gets from the food is not the reward for the *מצוה*. It is simply part of the experience of performing that *מצוה*. In this sense, the protection that one receives is "גדולה מזו", as it is a bonus in addition to whatever the normal reward is for *מצוות*.
- d. Finally, the *ט"ז* (סימן רפה ס"ק א') suggests that the greatness of the protection afforded by the *מזוזה* lies in the fact that, unlike the blessing of *אריכות ימים*, one need not do anything to receive this benefit. In order to experience the *אריכות ימים* promised to those who place a *מזוזה* on the doorpost one must use the *מזוזה* as an

impetus to remember God's presence. If one never pays any attention to the מזוזה he will not receive the אריכות ימים. When it comes to the protection afforded by the מזוזה, one may remain fast asleep completely unaware of the presence of the מזוזה and still enjoy the protection that it offers.

3. In what appears to be a statement of the obvious, the טור writes that despite all of the benefits that one can receive by having a מזוזה, one should do the מצוה with the sole intention of fulfilling the word of God. The (לשו"ע יו"ד שם) adds that when one places a מזוזה for the sake of the מצוה, it is permissible to also think of the benefits that he will accrue as a result of this מצוה. However, the מזוזה can pose a danger to one who places a מזוזה solely for the purpose of protection or long life (see also כסף משנה הלכות תפילין ומזוזה וספר תורה פרק ה' הלכה ד').

- a. Considering the reputation the מזוזה enjoys as a מצוה that affords us protection, many people have used the מזוזה as a sort of charm even when the מצוה does not apply. It is not that uncommon to see a מזוזה hanging from a rearview mirror in a taxi, as the driver hopes it will provide him with good luck. Based on the above sources it should seem obvious that absent the actual מצוה of מזוזה, the מזוזה is unable to provide any protection, and may even prove to be dangerous. However, the (חלק ג' סימן פט) שבות יעקב, in response to a complicated question relating to whether a home jointly owned by a Jew and non-Jew requires a מזוזה writes that although from a strictly halachic perspective there is no need for a מזוזה, it is advisable to put one up anyway to protect the house from danger. The implication of the שבות יעקב is that the protective element of the מזוזה is in place even

when the מצוה is not being fulfilled. However, it seems that even the שבות יעקב would agree that hanging a מזוזה on a rearview mirror, or as a charm around one's neck is of no value whatsoever. The context of the שבות יעקב's comment was a case where the majority view maintained that a מזוזה was unnecessary, while a minority view of פוסקים would require a מזוזה. From a strictly halachic perspective we may follow the majority view. However, considering the general principle that we must be very careful in matters involving danger (חמירא) (סכנתא מאיסורא), it is advisable to satisfy the minority view who maintains that the מזוזה is required and it would therefore be dangerous to leave the home without a מזוזה. Certainly in a case where all agree that a מזוזה is not required, it is inadvisable and perhaps prohibited to place a מזוזה.

- IV. מזוזה or תפילין? The (מגילה סוף פרק ד') relates a מחלוקת about a case of one who cannot afford to purchase both תפילין and a מזוזה. Which of these מצוות takes precedence over the other? In the view of שמואל, מזוזה should be purchased because it is used even on שבת and יום טוב whereas תפילין are only used on weekdays. In the view of רב הונא, תפילין should be purchased because a traveler wears תפילין, while a מזוזה is only used when one is home. The ירושלמי cites proof to שמואל's view from a ברייתא that indicates that מזוזה has a higher level of sanctity than תפילין have (if תפילין wear out one may make a מזוזה out of them because it is considered an enhancement of the original sanctity, but if a מזוזה wears out one may not make תפילין out of it because it is a downgrade in the sanctity). The רמ"א (סימן א) rules in accordance with רב הונא that the תפילין should be purchased. However, instead of repeating רב הונא's own reasoning as expressed in the ירושלמי, the רמ"א (citing the רא"ש) states that the תפילין should take precedence because they are a חובת הגוף (an obligation on the person's body) while the מזוזה is not.

A. Analyzing the רמ"א.

1. The Vilna Gaon's analysis. By ruling in accordance with רב הונא for a completely different reason than רב הונא himself had explained, the ביאור הגר"א (ס"ק) writes that the רמ"א was breaking from standard halachic protocol. However, the גר"א writes, the רב הונא is correct in ruling in accordance with רב הונא for a different reason: The ברייתא cited by the ירושלמי to establish that מזוזה has greater sanctity than תפילין is actually cited by the בבלי (שבת דף) with the opposite conclusion. As such, we would rule in accordance with the בבלי and accept רב הונא's ruling that תפילין should take precedence.

2. Rabi Akiva Eiger's analysis. In his commentary to שולחן ערוך, רבי עקיבה איגר suggests that the רמ"א was not offering a different reason for רב הונא than רב הונא himself had suggested in the ירושלמי. The רמ"א had said that תפילין take precedence over מזוזה by virtue of their status as a חובת הגוף. The term "חובת הגוף", though, is somewhat vague, and the precise definition of the term will determine the true intention of the רמ"א and will have halachic ramifications:

a. The שולחן ערוך (commentary to בית הלל) explains that a חובת הגוף is a מצוה that is fulfilled by physically wearing the מצוה on one's body. Thus, תפילין would also take precedence over such מצוות as לולב and סוכה which are not worn on the body. While ציצית are also worn on the body, תפילין would take precedence over ציצית due to its elevated level of sanctity (תשמשי קדושה) relative to ציצית.

b. רבי עקיבה איגר, however, suggests that the term "חובת הגוף" implies a מצוה that one has no choice but to perform regardless of circumstance. For instance, מעקה is not a חובת הגוף because one is only obligated in the מצוה

if he owns a roof. חובת הגוף תפילין are a because one must go out of his way to purchase or borrow תפילין to wear. This is exactly what the ירושלמי had said in explaining חובת הגוף's view that תפילין take precedence over מזוזה because "even one who is traveling far from home is obligated in the מצוה". The רמ"א did not suggest his own reason for this הלכה; he merely echoed the reason suggested in the ירושלמי, albeit in different words. Thus, while תפילין take precedence over מזוזה because of its status as חובת הגוף there is no indication that תפילין would take precedence over לולב and סוכה, which according to this definition are also חובת הגוף. Interestingly though, רבי עקיבה איגר suggests that תפילין would take precedence over other חובות הגוף that are fulfilled less frequently. תפילין would also take precedence over ציצית because with this definition ציצית are not at all a חובת הגוף, as one is only obligated to put ציצית on if he happens to own a garment with four corners. Finally, רע"א suggests, even רב הונא may have agreed that the מצוה performed with greater frequency (תדיר) takes precedence over the מצוה performed with less frequency. The ירושלמי in the מחלוקת בבלי (זבחים דף צא) mirror a מחלוקת in the "תדיר" relating to how to define מצוה. Sometimes a מצוה happens to be performed frequently (i.e. a person washes and bentches three times a day), but there is no imperative to perform this מצוה with such frequency (one need not eat bread, nor bentch, at all besides for שבת and יום טוב). The fact that מזוזה is a constant may not put it in the category of תדיר. After all, one does have the option of traveling a lot and going weeks or months without a מזוזה, while even a traveler must wear תפילין each day. [Any discussion of תדיר in this context is most perplexing. The context for a discussion of תדיר is when one has two obligations in front of

him, and he must decide which to do *first*. The more commonly occurring obligation takes precedence, and is followed by the less common obligation. When, however, one is only able to do one of the two obligations the concept of frequent occurrence is irrelevant – see שו"ת שבט הלוי חלק ב' סימן קנו.]

B. If the מצוה can be performed without purchasing anything.

The פתחי תשובה (ס"ק ב') notes that although the מצוה of תפילין takes precedence over מזוזות, if one can feasibly borrow תפילין every day and is unable to borrow מזוזות he should purchase מזוזות instead of תפילין and perform both מצוות.

1. In a situation where a person is uncertain whether or not he will be able to borrow תפילין, but is certain that he cannot borrow מזוזות, the פתחי תשובה cites a debate amongst the פוסקים. On the one hand the argument can be made that the חובת תפילין is such a strong obligation that one must be sure to secure the מצוה before allocating resources in securing lesser מצוות. On the other hand, one may argue that by purchasing the מזוזות one stands a chance to fulfill both מצוות, while if he were to purchase the תפילין he would have no chance of fulfilling the מצוה of מזוזות.

2. If one were equally able to borrow both items it would seem that he may purchase whichever he would like because both מצוות may be performed with borrowed items (it is in fact fairly common for one to borrow מזוזות from a local סופר immediately after moving into a house before he has a chance to purchase his own מזוזות). However, Rabbi Avi Lebowitz has suggested that given this situation it is better to purchase מזוזות and borrow תפילין. The logic for this ruling is that when one borrows an item he must be prepared for the eventuality that the person he borrowed from will ask for it back (even if just for a short while). If one would have to

return the תפילין he can still borrow תפילין again the next day and never miss out on the מצוה because the הלכה does not require us to wear תפילין constantly. If, however, the owner asks for his מזוזת back, as soon as the מזוזה is removed from the wall one is in violation of neglecting the מצוה of מזוזה (see the comment of ספר החינוך at the beginning of this essay). This argument, of course assumes that the מצוה of תפילין is performed by wearing the תפילין for a brief period of time each day, and that they need not be worn all day long as they were in the times of חז"ל (see באור הלכה סימן who discusses whether one fulfills the biblical obligation of תפילין by wearing them for only a short while).

V. Placing one's hand on the מזוזה. The רמ"א (סימן רפה סעיף ב') records the practice to place a hand on the מזוזה when a person leaves or enters his home. When leaving he should also recite the verse "ה' ישמור צאתי וכו'". Interestingly, the ספר סעריים פתחי (קיג עמוד) reports a story that occurred when the סופר חתם was testing a student for rabbinic ordination. When the סופר חתם noticed that the student did not touch the mezuzah on the way out of the test room, he decided not to ordain the student for fear that he was a משכיל and would not uphold rabbinic traditions.

A. Kissing the מזוזה. The יו"ד סימן רפה אות ד') cites the custom of the אריז"ל to specifically place the middle finger over the letters on the outside of the parchment and to kiss it. This is reminiscent of the custom of the אריז"ל cited by the משנה ברורה (סימן כד ס"ק ד') to kiss the ציצית when reciting the פרשת ציצית שמע in קריאת שמע. It has been reported however that the חזון איש would not kiss the מזוזה on his way in and out of his house (תשובות וכתבים חזון איש). He did frequently look at the מזוזה intently on his way in and out, perhaps focusing on God's presence and protection in the home (as per the מהלכת מזוזה רמב"ם). Perhaps the חזון איש did not feel that kissing the מזוזה is appropriate, just as Rav Henkin (עדות לישראל סימן סג) did not feel it appropriate to kiss a ספר תורה directly, as it

shows too much comfort and familiarity with such a sanctified item.

B. If the מזוזה does not have a protective case, the פתחי תשובה (סי"ק ד') points out that one should not place his hand on the מזוזה without washing his hands first, just as one may not touch a ספר תורה or any other כתבי קודש without first washing his hands or using a cloth to touch it with (שו"ע אורח חיים סימן קמז סעיף א').

C. The קיצור של"ה cites an additional custom to show extra respect to a מזוזה. When sweeping a home, the dirt should be swept in a motion away from the mezuzah rather than toward it. In fact, שערם פתחי ספר writes that in Spain during the times of the inquisition they would test a Jew's loyalty to torah by observing how he would sweep a room. If he would sweep away from the מזוזה they would execute him. [This story is most perplexing. After all, if the Jew had a visible מזוזה it would seem that it would be sufficient proof that he is loyal to a torah lifestyle and would be grounds for execution regardless of the direction that he would sweep the dirt on the floor.]

VI. A מזוזה that falls on שבת. The פתחי תשובה (סימן רפה ס"ק א') cites the פרי מגדים as having ruled that if one notices that his מזוזה fell down on שבת and he has another house (or another room) to stay in, he must leave the house (or room) that does not have a מזוזה. The same would hold true if it didn't fall to the ground but "flipped over" when the nail attaching it to the wall on top came loose. If, however, he has no alternative residence, the person may stay in his home even though it does not have a מזוזה. This may be deduced from the ruling of the שולחן ערוך (אורח חיים סימן יג סעיף ג') that if one's ציצית become untied in a semi-public location on שבת, he may leave the garment on in order to preserve human dignity (כבוד הבריות).

A. As mentioned this ruling of the פרי מגדים is based on a comparison between the מצוה of ציצית and the מצוה of מזוזה. One may, however take issue with this comparison. The פרי מגדים (יורה דעה סימן שפא) notes that the פרי מגדים

was not in possession of the תוספות הרא"ש. The תוספות (יבמות דף צ) writes that the reason we allow a person to keep the בגד on his body after the strings have unraveled is that the obligation to put ציצית on a garment only begins when a person is already wrapped in the garment. The מצוה of מזוזה, on the other hand, may (ראשונים) begin as soon as the house is built, even before the homeowner moves in. Had the מצוה of ציצית began prior to the wearing of the ציצית it would be possible to suggest that the placement of the ציצית is מתיר the wearing of the garment, much like the placement of the מזוזה is מתיר one to live in the home. However, considering that the מצוה of ציצית does not begin until one is already wearing the ציצית we must conclude that the ציצית are not מתיר the wearing of the garment. Rather, it is simply a מצוה to place ציצית on the garment. When it is שבת, though, there can't be a מצוה to tie the ציצית on the garment because it is prohibited to do so. If a מזוזה fell on שבת the house lacks the מתיר to live in it and one would be required to leave. This explains why the timing of the ברכות on the two מצוות is so different. One recites a ברכה when putting up a מזוזה even if he has not yet moved into the house. On the other hand one only recites a ברכה on ציצית while he is wrapping himself in them.

B. One can take issue with the נר אבני נזר's analysis on at least two points:

1. Although the נר אבני נזר assumes that one is obligated to place a מזוזה even before moving in to a home, this is hardly that majority opinion of the ראשונים. The ספר האשכול does maintain that one must affix a מזוזה as soon as the house is built, but תוספות (עבודה זרה דף כא. ד"ה הא) clearly disagree. תוספות write that the obligation of having a מזוזה only applies once a person lives in the home.

- a. It should be noted that even in the view of the (שו"ת Rav Moshe Shternbuch, ספר האשכול) points out that one would only be obligated to place a מזוזה on his

home when the home is suitable to live in (i.e. there is ample furniture to live comfortably). This is why there is no problem of requiring a new ברכה when a person leaves his house vacant for months at a time (i.e. a summer home). On the surface, רבי עקיבא איגר (שו"ת, מהדו"ק סימן ט) points out that the house should be exempt from מזוזה as long as nobody is living there. If that is the case, then upon the person's return to the home he should require a new ברכה. However, according to this analysis of the אשכול we can well understand that even when nobody is living in the house, so long as the house remains ready for living, the obligation of מזוזה remains, and one need not make a new ברכה upon returning.

2. Rabbi Avi Lebowitz (בהערותיו לסימן רפה הערה 12) also questions that analysis of the אבני נזר for the following reason. It is difficult to distinguish between somebody who was already wearing ציצית when the strings unraveled (שבת ט) and one who was already living in a home when the מזוזה fell down (שבת ט). While it may be true that the time the obligation begins is different for the two מצוות, all would agree that once one is wearing the garment or living in the house, the מצוה has already begun. If we permit a person to keep his ציצית on in this situation because there is no active violation of a prohibition (שב ואל תעשה), we should also permit somebody to remain in his house in this situation because it too is שב ואל תעשה.

a. Rabbi Lebowitz's question on the אבני נזר may be addressed as follows: The אבני נזר did not distinguish between passive and active violation of a מצוה. The distinction was between מצוות that serve to be מתיר something, and מצוות that are not מתיר anything. He had suggested that a מזוזה is מתיר

a home for living, while ציצית are not מתיר a בגד for wearing. With this in mind we can understand why somebody wearing ציצית (or even not yet wearing the garment) may wear the garment absent the ציצית on שבת. There is no prohibition to wear the garment, only a מצוה to place ציצית on it, which is inoperable because tying is prohibited on שבת. By מזוזה, on the other hand, there is a prohibition to live in a house without a מזוזה – whether it be שבת or any other day of the week.

- VII. Conclusion. In this essay we have discussed and analyzed the introductory סימן in שולחן ערוך to הלכות מזוזה. We have discussed the reasons for the מצוה, its relative value when compared to other מצוות, the custom of placing a hand on the מזוזה on the way into a room, and what to do in a situation where a מזוזה falls down. In our next essay we will begin the very practically relevant topic of which rooms require a מזוזה altogether.