

I. In previous essays we have discussed which rooms require a מזוזה on account of the way in which they are used, and what constitutes proper Jewish ownership to warrant a מזוזה. In this essay we will shift our attention to the structural requirements that a room must meet in order to require a מזוזה.

II. **Rooms smaller than four by four אמות**. The גמרא (סוכה דף ג.) and the שולחן ערוך (סעיף יג.) rule explicitly that any room smaller than four אמות wide by four אמות long is exempt from having a מזוזה.

A. **Rectangular rooms.**

1. The רמב"ם (פרק ו') rules that even if the room is rectangular but "there is enough space to square it off into a four by four אמות room" it would require a מזוזה. The connotation of the רמב"ם is that even if the width of the room is less than four אמות, so long as the square footage of the room matches or exceeds sixteen square אמות, it would be permissible. The ט"ז (או"ח סימן תרלד ס"ק ב'), however, reads this רמב"ם differently. In his view, the רמב"ם would not require a מזוזה on a room with either dimension being less than four אמות, regardless of its square footage. The ט"ז proves his point from the fact that almost all טפחים seem to agree that a סוכה that is only six טפחים wide (it is supposed to be seven by seven טפחים) is פסול regardless of its length. It therefore stands to reason that the same should be true of the requirements for a מזוזה.

a. **Rejecting the proof of the ט"ז**. The חתם סופר (שו"ת יו"ד סימן רפ) writes that the reason we are more willing to obligate a room in a מזוזה than we are to certify a סוכה as being kosher is that the reason for the מצוה of מזוזה is to remind us of God's presence as we enter and leave any

room. For this reason we are more strict with the laws of מזוזה than we are with the laws of מעקה (as we have discussed in previous essays). This also explains why when it comes to qualifying an area as a רשות for שבת, it must actually be both four טפחים wide and deep, but for מזוזה, we are interested in the square אמות rather than the individual dimensions. The חזון איש strongly rejects this distinction of the סופר חתם. The חזון איש argues that the גמרא lists the requirement of מזוזה along with other הלכות (סוכה ומעקה ועוד). Therefore, we cannot distinguish between the parameters of these obligations without conclusive Talmudic proof. The argument that מזוזה is there to remind us of God constantly and should therefore be required even with the rectangular dimensions, is far from compelling considering that the תורה limited this obligation in many other ways (only in homes, not in temporary structures, only if there is a צורת הפתח etc.)

2. **The בית יוסף**. The בית יוסף cites the opinion of the רא"ש that rooms that do not have a width of at least four אמות it is exempt from having a מזוזה.
3. **הלכה**. Although, the שולחן ערוך clearly rules that a room that is sixteen square אמות requires a מזוזה even if its width is less than four אמות, considering the debate on this topic, and especially considering that the רמב"ם himself may hold that a מזוזה is not required (as the ט"ז suggests), it seems reasonable to place a מזוזה without a ברכה in such a room. Indeed, this is the ruling of the ש"ך (ס"ק כג).

B. **If it is part of a larger house – walk in closets.**

1. רע"א (חידושים לשר"ע) writes that even a room smaller than four by four אמות would require a מזוזה in the doorway on the right side leading from that room into the larger house. After all, רע"א argues, the

doorway should be no different than a doorway from outdoors that leads you into the larger room. Rav Moshe Feinstein (שו"ת אגרו"מ יו"ד א:קפא בסוף התשובה), however, disagrees and points out that there is a significant difference between the entrance from the smaller room and an entrance from outdoors. Generally, one does not have to enter the house in order to get outdoors. However, there is no way to get into the small walk in closet unless one has already walked through the house. Thus, Rav Feinstein argues that if the room is less than 16 square אמות it should not require a מזוזה.

2. The פתחי תשובה (ס"ק יא בשם חמודי דניאל) writes that the entire requirement of four by four אמות is only in a house. Other rooms and structures that can be used for their primary purpose even when less than sixteen square אמות need not meet the criteria of four by four אמות. The רש"ש (סוכה דף ג:) marshals support for this novel approach of the חמודי דניאל from a comment in the גמרא. The גמרא tells us that a house that measure less than four by four אמות cannot serve to "connect" two cities for the purpose of תחום שבת because "it is not usable for its primary function". The implication is that if it were usable for its primary function, even if it were less than four by four אמות it would be considered a legitimate home. Similarly, the חמודי דניאל argues, a closet that is perfectly functional for its designated purpose should require a מזוזה.
3. It should be noted that when measuring a room to see if it is indeed four by four אמות, any built in furniture that takes away from the size of the usable portion of the room is excluded from the measurements. This factor will frequently determine whether or not a closet is indeed sixteen square אמות.
4. הלכה. The פוסקים have not come to any sort of consensus regarding how to treat a walk in closet.

A case can be made in most cases (where the closet is not four by four אמות) for putting up a מזוזה on either side of the closet (the right side going in if you hold like the חמודי דניאל and the right side going out if you hold like רע"א), or for not putting up a מזוזה at all (if one does not subscribe to either the חידוש of the חמודי דניאל or the חידוש of רע"א).

III. **Structure of the Room.**

A. **Ceiling.** The גמרא (יומא דף יא:) lists six doorways that are exempt from having a מזוזה. One of the doorways listed is the שער שאינו מקורה, a doorway to a room that does not have a ceiling. The (יורה דעה סימן רפו) בית יוסף points out that the גמרא requires a מזוזה on a gateway into a city or a yard, although these are obviously locations that do not have a roof. The ראשונים differ in terms of how to explain this discrepancy. The רבינו מנוח (הו"ד בבית יוסף) explains that the gateways to yards are not obligated in a מזוזה because of the yard itself, but because roofed homes open up into the yards and these gateways are therefore considered to be gateways into the homes. The רא"ש (סימן יא) explains that even if the gateways require a מזוזה on account of the yard into which they open, the reason the unroofed yard will require a מזוזה, while an unroofed home would not require a מזוזה is simply that a yard's primary usage is meant to function without a roof. A home, on the other hand, is only useful in a meaningful way when it has a roof. Similarly, the פתחי תשובה (ס"ק יג) points out that this is one of the reasons that a home with a retractable roof for סוכות requires a מזוזה even when the roof is removed, as that is the way in which this room was constructed for use.

1. **Halacha.** The שולחן ערוך (סימן רפו סעיף טו) rules that a room with a partial roof requires a מזוזה, provided that the roof covers the side of the room closer to the door, and that the roof covers an area of four אמות by four אמות.

B. **Door.** The (מנחות דף לג.) גמרא reports that after building his house, the ריש גלותא asked רב נחמן to put a מזוזה on the house. רב נחמן responded that he cannot put up the מזוזה until the דשא is attached.

1. **The ראשונים debate the precise definition of the term דשא in this context:**

- a. רש"י explains that the term דשא refers to the actual doorpost. Simply stated, it is impossible to fulfill the מצוה of מזוזה before the obligation to have a מזוזה has been created. Only once the doorposts are hung is there an obligation to affix the מזוזה to the doorpost. Prematurely affixing the מזוזה may pose a problem of תעשה ולא מן העשוי.
- b. תוספות disagree with רש"י's understanding on the grounds that "דשא" is normally translated to mean "door", not "doorpost". The specific case discussed in the גמרא of the house of the ריש גלותא involves a doorway between two adjacent rooms. Thus, ר' נחמן was saying that he cannot place a מזוזה until he sees the door because one of the factors that determines which side of the door requires a מזוזה, is the factor of which way the door opens up (the מזוזה is placed on the right side going into the room which the door swings open to).
- c. The רמב"ם (פרק ו' הלכה א') lists ten requirements that a room must meet in order to become obligated to have a מזוזה. Amongst the requirements, the רמב"ם lists the obligation to have a door on the doorway which receives the מזוזה. Thus, the רמב"ם understands the word דשא to mean "door". Unlike תוספות, though, the רמב"ם does not understand the need for a door as a symbol of which side the door goes into, but as a basic structural requirement for a מזוזה. In fact, the רמב"ם in a response to the (ה"ד) חכמי לונגיל

(explains that the obligation is to place a mezuzah scroll on the "שער" (בשעריך), and not merely on a "פתח". By definition a שער means a doorway with a door. Even the ריש who asked רב נחמן to put up the מזוזה was aware of the fact that the doorway should not receive a מזוזה unless it also has a door. His mistake was only in thinking that the door can be hung after the מזוזה. In reality, though, affixing a מזוזה before hanging a door presents a problem of תעשה ולא מן העשוי. [It should be noted, though, that even according to the רמב"ם if one affixed a מזוזה after the door was hanging, and the door was subsequently removed and reattached, there is not problem of תעשה ולא מן העשוי - פתחי תשובה סימן רפו ס"ק יד - העשוי]

2. **Halacha.** The שולחן ערוך (רפ"ט) cites both the opinion of the רמב"ם and the other ראשונים, but clearly rules in accordance with רש"י and תוספות that a room requires a מזוזה even if it does not have a door. In deference to the opinion of the רמב"ם, the ש"ך (שם ס"ק כה) writes that one should not recite a ברכה when putting a מזוזה on a doorpost that does not have a door.
 - a. The ספר מקדש מעט ס"ק מו writes that the רמב"ם only requires a door because a house is not fully functional without a door. However, this is only true of a doorway between the outside and the home. When, however, the room in question is an inner room of the house that has no outlet to the outside, it is considered fully functional even without a door, and even the רמב"ם would agree that it would receive a מזוזה even if it does not have a door. Following this logic, Rav Avi Lebowitz points out, according to the מקדש מעט's understanding of the רמב"ם a bedroom should only require a מזוזה if it has a door, because a bedroom is typically useful only if it has a door.

C. **Multiple doors.** The גמרא (מנחות דף לד.) states that a room with multiple entrances requires a מזוזה on each entrance. The גמרא stresses that this is true even if one of the doorways is used more frequently than the other. רש"י explains that although the גמרא on the previous דף had said that a private entrance to a בית המדרש does not require a מזוזה, that is only when the doorway was used by only a single person. A doorway that is used by multiple people, even if infrequently, does require a מזוזה.

1. **What takes away the status of a door?** If a room has multiple doorways, and one wants to remove one of the doorways in order to exempt that particular doorway from a מזוזה, the פוסקים debate what must be done to remove the obligation entirely:

a. The ערוך השולחן (רפולח) writes that permanently sealing a door closed is not sufficient to remove the obligation of the מזוזה. In order to exempt the doorpost, the entire post must be removed.

b. Rav Moshe Feinstein (שו"ת אגרו"מ יו"ד ח"א סימן קעז) writes that the requirement to completely remove the entire doorpost is only necessary when the door in question is the only entrance into the room. When, however, the room has another door that one can use, permanently sealing a door would suffice to exempt the doorway from having a מזוזה.

2. **Emergency exits.** Rav Shlomo Zalman Auerbach (שו"ת מנחת שלמה ח"ב סימן צו אות כב) writes that an emergency exit that remains closed, except for the unfortunate event of an emergency evacuation, does not require a מזוזה because it is not used for entering and exiting the house.

3. **Split doors.** The שולחן ערוך (סעיף כא) rules that a split doorpost that has a single door to close it off

requires only a single מזוזה. If there are two separate doors for the two sides of the doorway, the שולחן ערוך rules that two מזוזות are necessary. However, the שולחן ערוך (סעיף מה) points out that a second מזוזה is only necessary if the post that splits the doorway is at least one טפה wide.

IV. **Structure of the doorway.** The שולחן ערוך (סימן רפז סעיף א') writes that a room does not require a מזוזה unless it's doorway has two doorposts and a lintel.

A. **Can the ceiling count as the lintel?** From the simple reading of the שו"ע the impression one gets is that a legitimate lintel is necessary for the doorway to require a מזוזה. If the ceiling starts above the doorposts, but there is no recognizable lintel, the doorway should not require a מזוזה. In fact, the חזון איש (הלכות מזוזה סימן קעב אות ג') מגן cites the מנחת מנחת who rules that a ceiling cannot serve as a lintel in a halachically valid צורת הפתח. However, the חזון איש disagrees with this ruling of the מנחת מנחת and suggests that the ceiling can complete the צורת הפתח in the absence of a lintel. The מנחת מנחת proves this point from the ruling of the שולחן ערוך (סימן רפז סעיף ו') that a gazebo (that has three walls and a ceiling) does not require a מזוזה even if the open side has two posts, because the posts are not meant to be used as doorposts, but as beams to hold up the ceiling. If it in fact were true that the ceiling cannot serve as a lintel, then the gazebo should not require a מזוזה even if the posts were meant to serve as doorposts, because the gazebo entrance has no lintel. We must therefore conclude, argues the מנחת מנחת, that a ceiling can serve in place of a lintel.

B. **What if there is only one doorway?** The גמרא מנחות (דף לד.) records a dispute between רבי מאיר and the חכמים when the entrance to the room has only a single doorway. The גמרא points out that even רבי מאיר who requires a מזוזה in this case, would only require a מזוזה if the lone doorway were on the right side going into the room.

1. **The הלכה.** The (סימן רפז סעיף א') clearly rules in accordance with the חכמים who require two doorposts, but the (שם ס"ק א') cites many authorities who rule in accordance with רבי מאיר that even a single doorpost can warrant a מזוזה, provided that the doorpost is on the right side. As such, the ש"ך suggests that we follow the general guidelines of cases of doubt and affix a מזוזה without reciting a ברכה.

C. **Wall endings serving as doorposts.** The (מנחות דף לד.) גמרא rules that a corner entrance to a room requires a מזוזה. רב seeks to clarify why this should be so considering that the room does not have legitimate doorposts. The גמרא cryptically concludes with the phrase "עדי פצימי" – "here are the side posts". The ראשונים debate how to explain this גמרא:

1. רש"י writes that the thickness of the wall endings can serve as doorposts for the purposes of מזוזה even though there is no separate doorpost protruding from the wall. The (יורה דעה קעב:ב) חזון איש explains that a doorway in the middle of the wall would certainly require a מזוזה even if there were no separate doorposts framing the entrance, because the thickness of the wall on either side constitutes a doorpost. The חידוש of the גמרא is simply that even when the door is located in the corner and the walls do not point toward each other, the wall endings are still considered legitimate מזוזות.

2. The (סימן רפז סעיף ז') ערוך השולחן points out that the רמב"ם understood that there were actual doorposts in the case of the גמרא. The חידוש of the גמרא is that even though these doorposts are unique in that they don't directly face each other, they still require a מזוזה. It follows, according to the רמב"ם, that if there are no doorposts at all, the wall endings cannot constitute doorposts for the purpose of מזוזה.

D. **Arched doorways.** The (יומא דף יא:) גמרא records a dispute between ר"מ and the חכמים relating to arched doorways. ה'

requires the placement of a מזוזה on arched doorways, while the חכמים exempt such doorways from having a מזוזה. Both ר' מאיר and the חכמים agree though, that if "יש ברגליה עשרה" there is a requirement to affix a מזוזה to the arched doorway. The precise definition of the term "יש ברגליה עשרה" is unclear and subject to a dispute amongst the ראשונים which significantly impacts the הלכה.

1. The dispute amongst the ראשונים.

- a. רש"י in his commentary to יומא explains that even if the entire doorway is on an arch, if the width of the doorway is at least four טפחים at ten טפחים of height off the ground, the doorway will require a מזוזה according to both ר"מ and the חכמים. In other words, so long as a doorway of ten טפחים in height and four טפחים in width were able to fit into the arch, a מזוזה must be affixed.
- b. The רמב"ם (הלכות תפילין ומזוזה וספר תורה פרק ו' הלכה ד') disputes רש"י's understanding of the גמרא. In the רמב"ם's view, a doorway that is completely arched is exempt from having a מזוזה because it lacks a proper lintel. Only if there are two side posts that stand erect, can the arched overhead be considered a proper lintel. Thus, the רמב"ם rules that if the two sides of the doorway are at least ten טפחים in height before curving into an arch, the doorway requires a מזוזה. If the entire doorway is arched starting from a lower point than ten טפחים, there is no need to affix a מזוזה.

2. הלכה.

- a. **When is a מזוזה required?** The שולחן ערוך (יו"ד סימן) rules explicitly in accordance with the view of the רמב"ם. Thus, any doorway that does not have two erect side posts that stand at least ten טפחים high does not require a מזוזה. The רש"י (שם ס"ק ב'), however, cites the view of רש"י,

perhaps implying that we should be concerned with this view and put a מזוזה up without reciting a ברכה.

- b. **Where should the מזוזה be placed?** If one were to rule in accordance with the רמב"ם and the שולחן ערוך it would seem that the proper placement of a מזוזה on an arched doorway is in the top third of the straight part of the doorpost. The arched section should not be taken into account when measuring the top third of the doorway because the entire arch has the status of a lintel, and not the doorpost. If one were to rule in accordance with רש"י, though, the מזוזה should be hung in the top third of the doorway, measuring the height from the floor to the point that the sides come to within four טפחים of each other. It would be possible according to רש"י to have the מזוזה placed on the arch itself. There seems to be no way to satisfy both opinions in many cases. If the מזוזה is placed on the arch itself, the רמב"ם would view it as the equivalent of hanging a מזוזה on a lintel rather than a doorpost. If the מזוזה is hung on the lowest part of the upper third of the straight part of the doorpost, רש"י would view it as if it were in the lower two thirds of the doorpost and therefore invalid. The ט"ז (סימן רפ"ז ס"ק ב') however, suggests that even the רמב"ם would allow placing a מזוזה on the arched section of the doorway. He claims that although the arched section is considered the משקוף, once there exist two doorposts that are ten טפחים high, the arched section is also included in the area requiring a מזוזה. The ט"ז's חידוש is difficult to understand, as it would seem that the רמב"ם considers the entire arched section to be a משקוף. It is therefore advisable to simply follow the ruling of the רמב"ם and שולחן ערוך by affixing the מזוזה to the straight

doorposts, and not to affix it to the curved archway.