

5.1.9

11a (כדשנין מעיקרא) → 12a (תנו רבנן בשעריך)

Note: today's session is focused on the parameters of the מצוה of מזוזה – specifically, which type of houses bear the obligation. This is a tangent from the previous discussion about the מצוה on פרהדרין. A significant tangent, however, takes us into the area of נגעי בית. The תורה commands us that, once we reach ארץ ישראל, if ה' causes a נגע to be seen in a home, an elaborate ritual must take place to purify the house (see ויקרא יד-לג-נג). The definition of "house" plays out here, as well, in defining the level of ownership required in order to consider a particular house to be subject to the laws of נגעי בית.

(1)	וּכְתַבְתֶּם עַל מְזוֹזוֹת בַּיְתָדָי וּבְשַׁעְרֵיכֶם: דְּבָרִים י, ט
(2)	וַיֹּאמֶר שְׂמוּאֵל אֵיךְ אֵלֶיךָ וְשָׁמַע שְׂאוּל וְהִרְגָנִי וַיֹּאמֶר ה' עֲגַלְתָּ בְּקֶר תַּקַּח בְּיָדְךָ וְאִמְרַתְּ לְזַבַּח לַה' בְּאֵתִי: שְׂמוּאֵל א טז, ב
(3)	וַבָּא אֲשֶׁר לוֹ הַבַּיִת וְהִגִּיד לַפָּהַן לֵאמֹר כְּנָגַע נִרְאָה לִי בַּבַּיִת: וַיִּקְרָא יד, לה
(4)	כִּי תָבֹאוּ אֶל אֶרֶץ כְּנָעַן אֲשֶׁר אָנֹכִי נֹתֵן לָכֶם לְאֶחָזָה וְנִתְתִּי נֹגַע צָרַעַת בְּבַיִת אֶרֶץ אֶחָזָה: וַיִּקְרָא יד, לד
(5)	לְבַנְיָמִן אָמַר יְדִיד ה' יִשְׁכֵן לְבֵטַח עָלָיו חֲפָף עָלָיו כָּל הַיּוֹם וּבֵין כְּתָפָיו יִשְׁכֵן: דְּבָרִים לג, יב

- I. ברייתא – all gates (cities, courtyards and homes) require a מזוזה, following v. 1
- a. **אב"י**: why aren't the gates of מחוזא (an overwhelmingly Jewish town) adorned with מזוזה
 - b. **Answer1**: they only support the house above
 - i. **Challenge**: if so – why doesn't that house have a מזוזה – it guards the prison!
 - c. **Answer2**: dangerous (local sovereign will suspect us of witchcraft) – as per story in צפורי
 - i. **Challenge**: involvement in a מצוה should protect from danger
 - ii. **Defense**: if the danger is overt, even involvement in a מצוה doesn't protect, as per v. 2
- II. כהנא v. ר' יהודה re: obligation of מזוזה on storage sheds e.g.
- a. sheds etc. are exempt because נאותות there (=bathe)
 - i. **Challenge**: → otherwise, they are obligated? **ברייתא**: barns are exempt (w/o qualification)
 - b. נאותות=adorn themselves; to wit: **although** they adorn themselves there, still exempt
 - i. **Challenge**: **ברייתא**: barns are exempt **unless** women adorn themselves there
 - c. **Conclusion** (ר' כהנא): "adorning" is subject to dispute; similarly, unqualified sheds is in dispute
 - d. **Support** (**ברייתא**): ביתך excludes sheds – others obligate
 - i. הלכה: privies, bathhouses etc. and where נאותות are exempt
 - a. ביתך excludes unqualified sheds – other obligate
 - i. **Women**: נאותות=bathe, extending exemption to "private bath"
 - b. ביתך excludes sheds even if women adorn there – others obligate (if they adorn there)
 - i. **Women**: נאותות=adorn, yet, due to impropriety of place (bathhouse), all agree to exemption
 - e. **Challenge**: to - and refutation of - ר' יהודה which extends obligation of בשעריך to gates of:
 - i. **Homes**: courtyards, cities, barns, coops, food sheds, but excludes:
 - ii. **Porticos**: (must be made for some sort of residence a la ביתך)
 - iii. **Privies** (etc.): (must be made for "dignified use" a la ביתך)
 - iv. **מקדש** -related structures (must be made for personal use a la ביתך)
- III. 6/7 exempted doorways
- a. **List**: wheat store-house, cattle-pen, woodshed, storehouse, arched doorway
 - i. **Arched doorway**: subject of dispute between מאיר ר' חכמים
 1. **Only if**: at 10 high, opening is less than 4 טפחים wide but could be carved out to 4
 - a. **ד"מ**: we imagine it carved out → חייב
 - b. **חכמים**: we don't imagine it carved out → פטור
 - b. **And**: uncovered doorway, doorway less than 10 טפחים high.

IV. Status of בית הכנסת

- a. *Along with*: woman's house and jointly owned house, obligated (in spite of ביתך, all of these "need life")
- i. ביתך → should be placed on right from perspective of entering (דרך ביאתך)
- b. *Tangential discussion*: re נגעי בית
- i. בית הכנסת: woman's house and jointly owned house are subject to נגעי בית, in spite of "לר" (v. 3)
1. לו → someone who claims poverty so as not to lend is publicized via נגעי בית
 2. *Challenge*: בריתא states that these 3 are **not** subject to נגעי בית (following לו)
 - a. *Answer1*: 1st בריתא is authored by ר"מ who obligates a בית כנסת even w/o a manse in מזוזה,
 - i. 2nd בריתא: is authored by חכמים, who exempt (unless there's a manse)
 - b. *Answer2*: both רבנן - 1st בריתא with residence in בית הכנסת; 2nd בריתא without residence
 - c. *Answer3*: both רבנן, both without manse
 - i. בריתא#1: (subject) - בית כנסת of villages (owned by all members)
 - ii. בריתא#2: (inapplicable) בית כנסת of cities, belong to all
 1. *Challenge*: urban בתי כנסת are subject to נגעי בית as per יהודה ר' (only מקדש is "out")
 - a. *Answer*: בתי כנסת ר' יהודה meant מקודש - i.e. בית כנסת
 - iii. *Challenge*: village בתי כנסת are **not** subject to נגעי בית as per בריתא on לאחזה
 - iv. *Conclusion*: 1st answer (ר"מ v. חכמים) is correct (or having residence vs. not having one)
- V. *Tangential discussion*: dispute between יהודה/חכמים re: houses in ירושלים being subject to נגעי בית
- a. *Basis for dispute*: status of ירושלים vis-à-vis tribal territory:
 - ii. חכמים: ירושלים was not allotted to any tribe
 1. *Following*: בריתא that homeowners in ירושלים are not allowed to rent rooms
 - a. דאב"ש: extends prohibition to beds
 2. יהודה: ירושלים was divided between יהודה ובנימין, per Aggadic interpretation of v. 5