

כל השערים שהיו שם לא היה להם מוזה, חוץ משער ניקנור, שלפנים ממנו לשבת פרהדרין.

All the gates that were there on the east side of the Temple courtyard did not have a *mezuzah* except for the Gate of Nicanor,⁸ as in the courtyard just inside the gate was the Chamber of *Parhedrin*, in which there is an obligation to affix a *mezuzah*. Therefore, a *mezuzah* was affixed to the gate as well.

לימא רבנן היא ולא רבי יהודה, דאין רבי יהודה – היא גופה גזירה, ואין ניקום ונגזור גזירה לגזירה? אפילו תימא רבי יהודה, כולה חדא גזירה היא.

Let us say that the *baraita* is in accordance with the opinion of the Rabbis and not in accordance with the opinion of Rabbi Yehuda, as, if it were in accordance with the opinion of Rabbi Yehuda, a difficulty arises. The principle is that decrees are issued only to prevent violation of a Torah prohibition. The fact that a *mezuzah* was affixed to the *Parhedrin* chamber itself is due to a rabbinic decree, and will we then proceed to issue a decree to affix a *mezuzah* on the gate before the chamber in order to prevent violation of the existing decree? The Gemara rejects this reasoning: Even if you say that the *baraita* is in accordance with the opinion of Rabbi Yehuda, it is not difficult, as the entire obligation to affix the *mezuzah* on both the chamber and the gate is the result of a single decree.

תנו רבנן: "בשעריך" – אהד שערי בתים, ואהד שערי חצירות, ואהד שערי מדינות, ואהד שערי עיירות, יש בהן חובת מצוה למקום. משום שנאמר: "וכתבתם על מזוזות ביתך ובשעריך".

S Apropos the *mezuzah* in the High Priest's chamber, the Gemara discusses other *halakhot* of *mezuzah*. The Sages taught with regard to the verse: "And you will write them upon the doorposts of your houses and upon your gates" (Deuteronomy 6:9): With regard to the gates of houses, and the gates of courtyards,ⁿ and the gates of cities,ⁿ and the gates of towns, all of them are obligated in the mitzva of *mezuzah* in that place, due to the fact that it is stated: "And you will write themⁿ upon the doorposts of your houses and upon your gates."^h

אמר ליה אבוי לרב ספרא: הני אבולי דמחוזא מאי טעמא לא עבדו להו רבנן מוזה? אמר ליה: הנהו חזוק לאקרא דכובי הוא דעבידי. אמר ליה: ואקרא דכובי גופה תבעי מוזה, דהא אית בה דירה לשומר בית האסורין? דהא תנא: בית הכנסת שיש בו בית דירה לחזן הכנסת – חייבת במוזה.

Abaye said to Rav Safra: If there is an obligation to affix a *mezuzah* on city gates, with regard to those city gates [*abbulei*]^l of Mehoza,ⁿ a city with a Jewish majority, what is the reason that the Sages did not affix a *mezuzah* on them? Rav Safra said to him: Those gates are not the city gates. They are made as reinforcement to the fort [*akra*]^l of turrets above the gate, and therefore no *mezuzah* is required. Abaye said to him: And shouldn't the fort of turrets itself require a *mezuzah*, since there is a residence for the prison guard in the fort? As, wasn't a similar case taught in a *baraita*: A synagogue in which there is a residence for the synagogue attendant requires a *mezuzah*?^h Although no one lives in the synagogue itself, since the attendant lives in an adjacent room, the synagogue requires a *mezuzah*.

HALAKHA

Gates requiring a *mezuzah* – שערים החייבים במוזה: Gates of houses, courtyards, cities, and townships are obligated in the mitzva of *mezuzah* if Jews live there, but not when only gentiles live there (Rema, based on *Mordekhai* and *Akeida*). A woman's house, a house that is jointly owned, a storehouse for wine or oil, and a cattle barn all require a *mezuzah*. This is in accordance with the opinion of Rav Kahana, since Rav Yehuda's opinion is rejected. That is the ruling of the Rosh and others, contrary to the opinion of the Rambam (Vilna Gaon). In modern times, the

custom is not to affix a *mezuzah* to a barn, perhaps because it is filthy (*Pithei Teshuva*, based on *Yad Ketana; Shulhan Arukh, Yoreh De'a* 286:1).

Obligation of a synagogue in the mitzva of *mezuzah* – חייב בית הכנסת במוזה: A synagogue requires a *mezuzah* if someone lives there. Even if no one lives there, it is customary to affix a *mezuzah* on the doorpost, even though the synagogue is technically exempt (*Shulhan Arukh, Yoreh De'a* 286:3).

BACKGROUND

The Gate of Nicanor – שער ניקנור: This was the eastern entrance to the Temple courtyard, and it differed from the other gates in the Second Temple in that it was made of bronze. Healed lepers would stand at the gate, and it was there that their thumbs were anointed with oil when they were purified.



Gate of Nicanor, at the top of the stairs in the center

NOTES

The gates of courtyards – שערי חצירות: From this statement it appears that all gates require *mezuzot*: Gates of houses, courtyards, or cities. Other sources clarify that the obligation to affix *mezuzot* on courtyard and city gates stems from the fact that they lead to houses (*Tosafot Yeshanim*).

Gates of cities [*medinot*] – שערי מדינות: The author of the *Ma'adanei Melekh* questions Rashi's explanation of the term *medinot* as states, because according to that explanation the sequence of the gates listed in the Gemara is not a logical one.

It is stated: And you will write them – שנאמר וכתבתם: Why is the phrase: Upon your gates, repeated at the end of the *baraita* after it was already cited at the beginning? Perhaps the first citation is from the verse in the first paragraph of *Shema* (see Deuteronomy 6:9), and the second is from the verse in the second paragraph of *Shema* (see Deuteronomy 11:20). The basis for the derivation is in fact the repetition of the term: Your gates, in both paragraphs (*Tosafot Yeshanim; Even Shlomo*).

City gates of Mehoza – אבולי המחוזא: It must be that these gates were not the primary point of entrance and exit of the city. Either it was partially unwallled or it had additional entrances (*Tosefot Rid*).

LANGUAGE

City gates [*abbulei*] – אבולי: Rav Binyamin Mosafya and others explain that this term comes from the Greek *εμβολος*, *embolos*, meaning a portico or a stopper. It is likely, however, that its root is the Syrian *abula*, and it is possibly related to the Hebrew *uval*, meaning stream (see Daniel 8:2).

Fort [*akra*] – אקרא: From the Greek *ἄκρα*, *akra*, meaning fortress.

NOTES

The mezuzah of an individual and the mezuzah of the public – מִזוּזַת יְחִיד וּמִזוּזַת רַבִּים: Rashi explains that the difference between the halakhot is based on a reluctance to inconvenience the public. Others explain that a mezuzah belonging to the public is naturally subject to greater scrutiny, as a large number of people pass by and will notice any problems with it. An individual's mezuzah garners less attention and therefore must be examined more often (Eshkol). Yet others link the leniency with regard to a mezuzah belonging to the public with the danger involved in examining it, as evidenced by the incident related immediately thereafter in the Gemara (Tosafot Yeshanim; Tosafot HaRosh).

The status of places where women adorn themselves is subject to a dispute between tanna'im – מִתְקַשְׁטוֹת תְּנַאי הֵיא: Rav Kahana could have resolved the difficulty just as Rav Yehuda did with regard to bathing. However, since he proves that it is a tanna'itic dispute, there was no need to explain the baraitot in that manner (Tosafot Yeshanim).

HALAKHA

Examination of mezuzot – בְּדִיקַת מִזוּזוֹת: A mezuzah on a private house is examined twice every seven years, whereas a mezuzah belonging to the public, e.g., a mezuzah on city gates, is examined twice every fifty-year Jubilee period (Shulhan Arukh, Yoreh De'a 291:1).

A storehouse for hay...and a storehouse – בֵּית הַתְּבֵן...וּבַיִת: A storehouse for hay, a cattle barn, and a woodshed are obligated in the mitzva of mezuzah. However, if women bathe there, these places are exempt from the mitzva of mezuzah in deference to the sanctity of the mezuzah. This distinction is significant only in these buildings; a residence requires a mezuzah even if a woman lives there (Magen Avraham, citing Maharil). This ruling is in accordance with the opinion of Rav Kahana and is accepted by the Rif, and the Tur based on the Rosh (Shulhan Arukh, Yoreh De'a 286:2).

LANGUAGE

Examiner [artavin] – אֲרָטָבִין: Some read this as atrivin, associated with the Latin tribunus, meaning tribune. Others read it as Artavan, a Persian forename, which was the name of the examiner. A third suggestion is that it is from the Greek ἀρτίων, artion, meaning inspector.

Official [kasdor] – קַסְדוֹר: From the Latin quaestor, meaning a kind of magistrate.



Reenactor of a Roman official

אֵלָא אָמַר אַבְיִי: מִשּׁוּם סַכְנָה. דִּתְנַאי: מִזוּזַת יְחִיד נִבְדָּקַת פְּעָמִים בְּשָׁבוּעַ, וְשֵׁל רַבִּים פְּעָמִים בַּיּוֹבֵל.

וְאָמַר רַבִּי יְהוּדָה: מֵעֵשָׂה בְּאַרְטָבִין אֶחָד שְׁהֵיָה בּוֹדֵק מִזוּזוֹת בְּשׁוּק הָעִלְיוֹן שֶׁל צְפוּרִי, וּמִצְאֵו קַסְדוֹר אֶחָד וְנִטְל מִמֶּנּוּ אֶלֶף זָוָו. וְהָאָמַר רַבִּי אֶלְעָזָר: שְׁלוחֵי מִצְוָה אֵין מְיוֹזְקִין! הֵיכָא דְקָבִיעַ הַיּוֹקָא – שְׂאֲנִי דִכְתִּיב: 'וַיֹּאמֶר שְׁמוּאֵל אֵיךְ אֵלֶיךָ וְשָׁמַע שְׂאוּל וְהִרְגִינִי וַיֹּאמֶר ה' עֲגָלַת בָּקָר תִּקַּח בַּיּוֹדךָ וְאָמַרְתָּ לְבוֹתָ לְה' בְּאֵתִי."

תֵּנִי רַב כְּהֵנָא קָמֵיהּ דְּרַב יְהוּדָה: בֵּית הַתְּבֵן וּבַיִת הַבָּקָר וּבַיִת הָעֵצִים וּבַיִת הָאוֹצְרוֹת – פְּטוּרִים מִן הַמְּיוּזוּהָ, מִפְּנֵי שֶׁהַנְּשִׁים יֹאדוֹתוֹת בְּהֵן. וּמֵאֵי נְאוֹתוֹת – רוֹחְצוֹת. – אָמַר לֵיהּ רַב יְהוּדָה: טַעְמָא – דְּרוֹחְצוֹת, הָא סְתָמָא – חַיִּיבִין? וְהִתְנַאי: רְפַת בָּקָר פְּטוּרָה מִן הַמְּיוּזוּהָ!

אֵלָא, מֵאֵי נְאוֹתוֹת – מִתְקַשְׁטוֹת. וְהָכִי קֵתִינִי: אֵף עַל פִּי שֶׁהַנְּשִׁים מִתְקַשְׁטוֹת בְּהֵן – פְּטוּרִין. אָמַר לֵיהּ רַב כְּהֵנָא: וְשֶׁהַנְּשִׁים מִתְקַשְׁטוֹת בְּהֵן פְּטוּרִין? וְהִתְנַאי: רְפַת בָּקָר פְּטוּרָה מִן הַמְּיוּזוּהָ, וְשֶׁהַנְּשִׁים מִתְקַשְׁטוֹת בְּהָ – חַיִּיבַת בְּמִזוּזָה!

אֵלָא מֵאֵי אֵית לָךְ לְמִימַר – מִתְקַשְׁטוֹת תְּנַאי הֵיא, לְדִידִי נִמִּי סְתָמָא תְּנַאי הֵיא. דִּתְנַאי: 'בֵּיתְךָ' – בֵּיתְךָ הַמִּיּוּחָד לָךְ, פְּרַט לְבַיִת הַתְּבֵן וּלְבַיִת הַבָּקָר וּלְבַיִת הָעֵצִים וּלְבַיִת הָאוֹצְרוֹת, שְׁפְטוּרִין מִן הַמְּיוּזוּהָ, וַיִּשׁ מְחַיִּיבִין.

Rather, Abaye said: The reason that no mezuzah was affixed there was due to the danger involved. The gates of a city populated by Jews certainly require a mezuzah; however, since gentiles live there as well, the danger is that the gentiles would suspect the Jews of witchcraft or espionage, as it was taught in a baraita: The mezuzah belonging to an individual is examined twice every seven years to determine whether it was stolen or became disqualified. And in order to avoid excessive burden on the community, the mezuzah belonging to the public^N is examined twice in a fifty-year Jubilee period.^H

And Rabbi Yehuda said: There was an incident involving an examiner [artavin],^L who was examining mezuzot in the upper marketplace of Tzipori during a period when decrees were issued against the Jewish people, and a Roman official [kasdor]^L found him and collected a fine of one thousand zuz from him. The Gemara raises a difficulty: But didn't Rabbi Elazar say that those on the path to perform a mitzva are not susceptible to harm throughout the process of performing the mitzva? The Gemara responds: In a place where danger is permanent it is different, as one should not rely on a miracle, as it is written with regard to God's command to Samuel to anoint David as king in place of Saul: "And Samuel said: How will I go, and Saul will hear and kill me; and God said: Take in your hand a calf and say: I have come to offer a sacrifice to God" (1 Samuel 16:2). Even when God Himself issues the command, there is concern with regard to a clear and present danger.

Ⓢ Rav Kahana taught a baraita before Rav Yehuda: A storehouse for hay, and a cattle barn, and a woodshed, and a storehouse^H are exempt from the obligation of mezuzah, due to the fact that the women make use of them. And what is the meaning of the term: Make use? It means that the women bathe in them. Since women bathe there unclothed, it is inappropriate to affix a mezuzah there. Rabbi Yehuda said to him: The reason that there is no requirement to affix a mezuzah there is due to the fact that women bathe there; one can learn by inference that standard buildings of this kind, where women do not bathe, are obligated in the mitzva of affixing a mezuzah there. But wasn't it taught in a different baraita: A cattle barn is exempt from the obligation of mezuzah, unrelated to whether or not women bathe there?

Rather, the term should be understood otherwise. What is the meaning of the term: Make use? It means that the women adorn themselves there, and this is what the baraita is teaching: Although these structures are solid and clean to the extent that the women adorn themselves in them, they are exempt from the obligation of mezuzah since they are not residences. Rav Kahana said to him: Are you saying that structures where the women adorn themselves are exempt from the mitzva of mezuzah? But wasn't it taught in a different baraita: A cattle stable is exempt from the obligation of mezuzah, and a barn in which women adorn themselves is obligated in the mitzva of mezuzah?

Rather, what have you to say, that with regard to the requirement of mezuzah the status of places where women adorn themselves is subject to a dispute between tanna'im?^N Just as there are different opinions in that case, in my opinion, the status of standard cattle barns is also subject to a dispute between tanna'im, as it was taught in a baraita that it is written: Upon the doorposts of your house, meaning your house that is designated as a residence, to the exclusion of a storehouse for hay, and a cattle barn, and a woodshed, and a storehouse, which are exempt from the mitzva of mezuzah, and some obligate these structures in the mitzva of mezuzah. Apparently, the Rabbis dispute the requirement of affixing a mezuzah in a standard stable.

Tannery [*burseki*] – בורסקי: Originally from the Greek βυσσική, *bursikè*, meaning one who processes hides. The word *burseki* developed to mean a place where animal hides are tanned, as *bursikos* is the term for matters relating to tanning hides.

BACKGROUND

Tannery – בית הבורסקי: Since tanning by ancient methods emits a foul smell, this trade was relegated to the outskirts of town, amongst the poor. Skins typically arrived at the tannery dried stiff and dirty with soil and blood. First, the tanners would soak the skins in water to clean and soften them. Then they would pound and scour the skin to remove any remaining flesh and fat. Next, the tanner needed to remove the hair fibers from the skin. This was done by soaking the skin in urine, painting it with an alkaline lime mixture, or allowing the skin to putrefy for several months before dipping it in a salt solution. Once the hair fibers were loosened, the tanners would scrape them off with a knife and then bate the material by pounding dung, usually from dogs or pigeons, into the hide. It was this combination of urine, animal feces and decaying flesh that made ancient tanneries so odoriferous.



Old-fashioned leather tanning in Fez, Morocco

Bathroom – בית המרחץ:



Baths of Caracalla in Rome, Italy, one of the largest bathhouses in the Roman Empire

Bathroom of an individual – מרחץ דחיד:



Bath from Herod's palace in Jericho

באמת אמרו: בית הכסא, ובית הבורסקי, ובית המרחץ, ובית הטבילה, ושהנשים נאותות בהן – פטורים מן המוזה. רב כהנא מתרץ לטעמיה, ורב יהודה מתרץ לטעמיה.

רב כהנא מתרץ לטעמיה: 'ביתך' – ביתך המיוחד לך, פרט לבית התבן ולבית הבקר, ולבית העצים, ולבית האוצרות, שפטורים מן המוזה בסתם. ויש שמחייבים בסתם. באמת אמרו: בית הכסא, ובית הבורסקי, ובית המרחץ, ובית הטבילה, ושהנשים נאותות בהן, ומאי נאותות – רוחצות, פטורין מן המוזה.

אי הכי היינו מרחץ! אשמעינן מרחץ דרבנים, ואשמעינן מרחץ דחיד. דסקלא דעתך אמנא: מרחץ דרבנים דנפיש וזהמיה, אבל מרחץ דחיד, דלא נפיש וזהמיה – אימא ליחייב במוזה, קא משמע לן.

ורב יהודה מתרץ לטעמיה; הכי קתני: 'ביתך' – ביתך המיוחד לך, פרט לבית התבן ובית הבקר ובית העצים ובית האוצרות, שפטורין מן המוזה אפילו מתקשטות. ויש מחייבין במתקשטות. אבל סתם – דברי הכל פטור. באמת אמרו: בית הכסא, ובית הבורסקי ובית המרחץ, ובית הטבילה, אף על פי שהנשים מתקשטות בהן – פטורין מן המוזה, משום דנפיש וזהמיה.

ולרב יהודה סתמא דברי הכל פטור? והתניא: "בשערך" – אחד שערי בתים, ואחד שערי חצירות, ואחד שערי מדינות, ואחד שערי עירות, ורפת, ולולין, ומתבן, ואוצרות יין, ואוצרות שמן – חייבין במוזה. יכול שאני מרבה אף

Actually they said: There is a legal tradition that a building housing a bathroom, and a building housing a tannery [*burseki*],^{1B} and a building housing a ritual bath for immersion, and any places of which women make use are exempt from the obligation of *mezuzah*. This *baraita* is inconsistent with the opinions of both Rav Kahana and Rav Yehuda. Therefore, Rav Kahana interprets the *baraita* according to his line of reasoning, and Rav Yehuda interprets it according to his line of reasoning.

Rav Kahana interprets it according to his line of reasoning: Your house means your house that is designated for your residence, to the exclusion of a storehouse for hay, and a cattle barn, and a woodshed, and a storehouse, which are exempt from the mitzva of *mezuzah* in a case where their use is standard and they are not used for bathing or other immodest acts. And some obligate these structures in the mitzva of *mezuzah* in a case where their use is standard. In truth they said^N the following with regard to a bathroom, and a tannery, and a bathhouse, and a ritual bath for immersion, and any places of which women make use; and what is the meaning of the term: Make use? It is that women bathe there. These places are exempt from the obligation of *mezuzah*.

The Gemara challenges this interpretation: If so, that make use in this context means bathe, this is identical to the bathhouse. Why would the *baraita* need to list both a bathhouse and a place where women bathe? The Gemara answers: The *baraita* teaches us the *halakha* with regard to the bathhouse of the public, and it teaches us the *halakha* with regard to the bathhouse of an individual.^B As it could enter your mind to say: A bathhouse of the public, whose filth is extensive, is exempt from *mezuzah*; however, the bathhouse of an individual, whose filth is not extensive, as only women of that house bathe there, I would say it is obligated in the mitzva of affixing a *mezuzah*. Therefore, the *baraita* teaches us that the bathhouse of an individual is also exempt.

And Rav Yehuda interprets the *baraita* according to his line of reasoning, and this is what it is teaching: Your house means your house that is designated for your residence, to the exclusion of a storehouse for hay, and a cattle barn, and a woodshed, and a storehouse, which are exempt from the mitzva of *mezuzah* even in a case where women adorn themselves there. And some obligate these structures in the mitzva of *mezuzah* in a case where women adorn themselves there. However, in a case where use of the building is standard, everyone agrees that these structures are exempt from the mitzva of *mezuzah*. In truth they said that a bathroom, and a tannery, and a bathhouse, and a ritual bath for immersion, even though women adorn themselves there, are exempt from the obligation of *mezuzah*, because its filth is extensive.

The Gemara asks: And according to Rav Yehuda, in cases where use of the building is standard, does everyone agree that a storehouse is exempt from the mitzva of *mezuzah*? But wasn't it taught in a *baraita* that it is written with regard to the mitzva to affix a *mezuzah*: And upon your gates, meaning that with regard to the gates of houses, and the gates of courtyards, and the gates of cities, and the gates of towns, and a barn, and chicken coops, and a hay storehouse, and wine storehouses, and oil storehouses, all of them are obligated in the mitzva of *mezuzah*? I might have thought that I include in the obligation of *mezuzah* even

NOTES

In truth they said – באמת אמרו: The *halakha* is generally ruled in accordance with the statement introduced with this phrase. Some sources suggest that the phrase indicates that it is a *halakha* transmitted to Moses from Sinai.

NOTES

Gatehouse – בית שער: The early commentaries wondered about this ruling, as there are explicit sources that rule that a gatehouse is obligated in the mitzva of *mezuzah* because it leads to an opening that requires a *mezuzah*. Rashi explains that the obligation is by rabbinic law and not by Torah law. The Rif explains that a gatehouse that opens into a regular house requires a *mezuzah*, but a gatehouse that opens into a garden does not. A third opinion links the term gatehouse to the term portico that follows, and explains that the Gemara here is referring to a gatehouse leading to a portico (Rif; Ritva).

LANGUAGE

Portico [*akhsadra*] – אֲכַסְדְּרָה: From the Greek ἐξέδρα, *exedra*, meaning a covered entrance before a house.

BACKGROUND

Portico – אֲכַסְדְּרָה:



Portico in Doubs, France

בית שער אֲכַסְדְּרָה וּמִרְפֶּסֶת – תְּלִמוּד לֹאמַר: "בֵּית", מֵה בֵּית מִיּוֹחֵד לְדִירָה – יֵצְאוּ אֵלָיו שְׂאִין מִיּוֹחֵדִין לְדִירָה.

יְכוּל שְׂאִין מִרְבֵּה אֶף בֵּית הַכֶּסֶא, וּבֵית הַבּוֹרֶסְקִי, וּבֵית הַמְּרַחֵץ, וּבֵית הַטְּבִילָה – תְּלִמוּד לֹאמַר: "בֵּית", מֵה בֵּית הָעֵשׂוּי לְכָבוֹד – אֶף כָּל הָעֵשׂוּי לְכָבוֹד, יֵצְאוּ אֵלָיו שְׂאִין עֲשׂוּיִין לְכָבוֹד.

יְכוּל שְׂאִין מִרְבֵּה אֶף הַר הַבֵּית וְהַלְשָׁכוֹת וְהַעֲזָרוֹת, תְּלִמוּד לֹאמַר: "בֵּית", מֵה בֵּית שֶׁהוּא חוֹל – אֶף כֹּל שֶׁהוּא חוֹל, יֵצְאוּ אֵלָיו שְׂאִין קוֹדֵשׁ! תְּיֻבָּתָא.

תֵּנִי רַב שְׁמוּאֵל בְּרַי יְהוּדָה קָמִיה דְּרַבָּא; שֵׁשׁ שְׁעָרִים פְּטוּרִין מִן הַמְּזוּזָה: בֵּית הַתְּבִין, וּבֵית הַבְּקָר, וּבֵית הָעֵצִים, וּבֵית הָאוֹצְרוֹת, וְשַׁעַר הַמְּדִי, וְשַׁעַר שְׂאִינוּ מְקוּרָה, וְשַׁעַר שְׂאִינוּ גְבוּהָ עֶשְׂרֵה. אָמַר לֵיהּ: פְּתַחַת בְּשֵׁשׁ וְסִלְקַת בְּשִׁבְעָה?

a gatehouse,^N used to guard the entrance to a courtyard, a portico [*akhsadra*],^{LB} an open porch, and a balcony serving as a corridor to several residences.^H Therefore, the verse states: **House; just as a house is a place that is designated for residence and is obligated in the mitzva of *mezuzah*, so too all similar structures are obligated. This is to the exclusion of those structures that are not designated for residence but for other purposes, which are exempt from the mitzva of *mezuzah*.**

I might have thought that I include in the obligation of *mezuzah* even a bathroom, and a tannery, and a bathhouse, and a ritual bath for immersion. Therefore, the verse states: **House; just as a house is a place that is designed to honor people who enter it, so too, all places that are designed to honor those who enter are obligated in the mitzva of *mezuzah*, excluding those structures that are not designed to honor.**^H

I might have thought that I include in the obligation of *mezuzah* even the Temple Mount^H and its chambers and courtyards. Therefore, the verse states: **House; just as a house is a place that is non-sacred, so too any place that is non-sacred is obligated in the mitzva of *mezuzah*, excluding those places that are sacred.** For the purposes of this discussion, the *baraita* teaches that there are Sages who hold that barns and storehouses whose use is standard require a *mezuzah*, contrary to the opinion of Rav Yehuda that everyone agrees that these structures are exempt. Consequently, the *baraita* is a **conclusive refutation** of his opinion and support for the contention of Rav Kahana that this matter is the subject of a tannaitic debate.

S Rav Shmuel bar Yehuda taught a *baraita* before Rava: Six gates are exempt from the mitzva of *mezuzah*: The gate of a storehouse for hay, and of a cattle barn, and a woodshed, and a storehouse, and a Median gate, which is a dome, lacking two doorposts and a lintel, and an unroofed gate,^H and a gate that is not ten handbreadths high. Rava said to him: You began your statement with six gates that do not require a *mezuzah*, and you concluded with seven.

HALAKHA

Gatehouse and balcony with regard to *mezuzah* – בית שער – מִרְפֶּסֶת בְּמוֹזָה: A balcony through which one passes on the way to entering a house and a gatehouse that leads to a garden are exempt from *mezuzah*. If these open directly into a house, a *mezuzah* is required. Some say that a gatehouse requires a *mezuzah* even if it does not lead directly to a house, but that requirement is by rabbinic law (see *Tosafot; Shakh; Shulhan Arukh, Yoreh De'a 286:7*).

Those that are not designed to honor – שְׂאִין עֲשׂוּיִין לְכָבוֹד: A bathroom, a bathhouse, and a tannery are exempt from the mitzva of *mezuzah* because they are not designed to honor those who enter them (*Shulhan Arukh, Yoreh De'a 286:4*).

Temple Mount – הַר הַבֵּית: The chambers and courtyards on the Temple Mount, as well as its synagogues and study halls, are exempt from the mitzva of *mezuzah* if the structures have

no residences, because they are sacred (Rambam *Sefer Ahava, Hilkhos Mezuzah 6:6*).

Unroofed gate – שַׁעַר שְׂאִינוּ מְקוּרָה: A structure without a roof is exempt from the mitzva of *mezuzah* as stated in the Gemara here and in tractate *Menahot*. If it has a partial ceiling that is at least four by four cubits that is adjacent to the doorway, a *mezuzah* must be affixed to the doorway.

Gateway shaped like an arch – שַׁעַר הָעֵשׂוּי כְּכִפָּה – A doorway in the shape of an arch requires a *mezuzah* if its side posts are at least ten handbreadths high. If the sides are less than ten handbreadths no *mezuzah* is required, according to the opinion of the Rabbis (Rema, based on the *Tur*; *Shulhan Arukh*, *Yoreh De'a* 286:2).

A woman's house – בֵּית הָאִשָּׁה – A woman's house and one belonging to partners both require a *mezuzah* (*Shulhan Arukh*, *Yoreh De'a* 286:1).

The way that you enter – דְּרֹךְ בִּיאָתְךָ – The *mezuzah* is placed on the right side of the doorway as one enters a house. Placement of a *mezuzah* on the left side is invalid, whether or not the owner is left-handed (*Mordekhai*; *Shakh*; *Shulhan Arukh*, *Yoreh De'a* 289:2).

BACKGROUND

Gateway of a dome – כִּפָּה: This arched gateway has a dotted line indicating where it would be necessary to carve out the wall to extend the entrance so that its upper portion would be four handbreadths wide.



Gateway shaped like an arch

אָמַר לָהּ: שַׁעַר הַמְדֵי תִנָּאֵי הִיא, דְּתִנָּאֵי: כִּיפָה, רַבִּי מֵאִיר מְחַיֵּב בְּמוֹזָה, וְחֻכְמִים פּוֹטְרִים, וְשׁוּן שָׂאֵם יֵשׁ בְּרִגְלָה עֲשָׂרָה – שְׁחֵיבַת בְּמוֹזָה. אָמַר אַבְי: דְּכֹלֵי עֲלָמָא, גְּבוּהָה עֲשָׂרָה וְאִין בְּרִגְלָה שְׁלֹשָׁה – וְלֹא בְלוּם הִיא. אֵי נְמִי, יֵשׁ בְּרִגְלָה שְׁלֹשָׁה וְאִינָה גְבוּהָה עֲשָׂרָה – וְלֹא בְלוּם הִיא.

Rava said to him: The obligation to affix a *mezuzah* to a Median gate is subject to a dispute between *tanna'im*, as it was taught in a *baraita*: With regard to the gateway of a dome,^H i.e., an arched gateway, Rabbi Meir obligates it in the mitzva of *mezuzah*, and the Rabbis exempt it. And they agree that if, at the foot of the entrance, there are doorposts ten handbreadths high before the arch of the dome begins narrowing the width of the entrance, it is obligated in the mitzva of *mezuzah* since the sides form a usual doorway. Abaye said: However, everyone agrees that if the entire opening is only ten handbreadths high and at the foot of its entrance there are doorposts not even three handbreadths high, it is nothing. It is not considered an entrance and is exempt from the mitzva of *mezuzah*. Alternatively, if at the foot of its entrance there are doorposts three handbreadths high, but the entrance is not ten handbreadths high, it is nothing, as it is not considered a viable entrance.

לֹא נַחֲלָקוּ אֶלָּא בְּגְבוּהָה עֲשָׂרָה, וְיֵשׁ בְּרִגְלָה שְׁלֹשָׁה וְאִין בְּרַחְבָּה אַרְבָּעָה וְיֵשׁ בָּהּ לְחוֹק לְהַשְׁלִימָה לְאַרְבָּעָה. רַבִּי מֵאִיר סָבַר: חֻקְקִין לְהַשְׁלִימִים, וְרַבְּנָן סָבְרִי: אִין חֻקְקִין לְהַשְׁלִימִים.

They disagree only with regard to a case where the entrance is ten handbreadths high, and at the foot of the entrance there are doorposts three handbreadths high, but at no point is the width of the opening four handbreadths. However, the space in the dome alongside the entrance is wide enough to theoretically carve out space to complete a width of four handbreadths. Rabbi Meir holds that in all cases where a certain minimum area is required for a specific *halakha* to take effect and the existing area is smaller, if circumstances would theoretically allow one to carve out and create an area of the requisite size, its legal status is as if one carves out the space to complete it.^N Therefore, the opening is considered wide enough to require a *mezuzah*. And the Rabbis hold: One does not carve out the space to complete it. Since the width of the opening is not actually four handbreadths, it is exempt from the mitzva of *mezuzah*.

תִּנְּו רַבְּנָן: בֵּית הַכְּנֶסֶת וּבֵית הָאִשָּׁה וּבֵית הַשׁוֹתֵפִין – חַיִּיבַת בְּמוֹזָה. פְּשִׁטָּא! מַהוּ דְּתִימָא: "בֵּיתְךָ" – וְלֹא בֵּיתָהּ, "בֵּיתְךָ" – וְלֹא בְּתֵיבָהּ, קַמְשָׁמַע לָן.

§ The Sages taught in a *baraita*: A synagogue, a woman's house,^H and a house jointly owned by partners are all obligated in the mitzva of *mezuzah*. The Gemara asks: That is obvious; why would these structures be exempt? Lest you say that it is written: "Your house," in the masculine, and not her house;^N "Your house," in the singular, and not their house, excluding a jointly owned house. Therefore, the *baraita* teaches us that those houses are obligated in the mitzva of *mezuzah* like all others.

וְאִימָא הֵכִי נִמְ! אָמַר קְרָא: "לְמַעַן יִרְבוּ יְמֵיכֶם וְיְמֵי בְּנֵיכֶם," הֲנִי בָּעוּ חַיִּי וְהֲנִי לֹא בָּעוּ חַיִּי?!

And say it is indeed so that a woman's house and a jointly owned house are exempt. The Gemara rejects this possibility: Immediately following the mitzva of *mezuzah* is the reward for its fulfillment, as the verse states: "So that your days be numerous, as well as the days of your sons" (Deuteronomy 11:21). If these structures were exempt from the mitzva, the question would arise: Do these men and individuals require long life,^N and these, meaning women and partners, do not require long life? The mitzva of *mezuzah* clearly applies to all of them.

אֶלָּא "בֵּיתְךָ" לְמָה לִּי? כְּדַרְבָּא. דְּאָמַר רַבָּא: דְּרֹךְ בִּיאָתְךָ, וְכִי עָקַר אֵינִישׁ – כְּרַעִיָה דִּימִנָּא עָקַר בְּרִישָׁא.

The Gemara then asks: Rather, why do I need the emphasis of the verse: Your house, if every house is obligated in the mitzva of *mezuzah*? The Gemara answers: This could be understood in accordance with the opinion of Rava, as Rava said: Your house is interpreted to mean that the *mezuzah* is placed in the way that you enter^H the house. And when a person lifts his foot to begin walking, he lifts his right foot first. Therefore, the *mezuzah* is affixed on the right side of the doorway.

NOTES

One carves out the space to complete it – חֻקְקִין לְהַשְׁלִימִים: The scope of the dispute whether or not one virtually carves out the space to complete it goes beyond the matter of *mezuzah*. The general question is whether the potential of rendering an area halakhically fit is sufficient to render it fit, or whether that potential must be realized in order to render the area halakhically fit. A similar principle is applied to meal-offerings: With regard to any ingredients that are fit to be blended, failure to blend them does not invalidate the offering.

Your house and not her house – בֵּיתְךָ – וְלֹא בֵּיתָהּ: The obvi-

ous difficulty with this Gemara is that the entire Torah is written in masculine form, as Hebrew convention is to address a group consisting of both men and women in the masculine. Women are certainly not exempt from all mitzvot formulated in the masculine. The reason that the masculine here could be interpreted as exclusive is because the previous verse was formulated in the plural. The fact that this verse was formulated in the masculine singular could indicate exclusivity (*Gevurat Ari*).

Do these require long life – הֲנִי בָּעוּ חַיִּי: This rhetorical question is effective in obligating a woman's house in the mitzva of

mezuzah, but not a jointly owned house (Rabbi Akiva Eiger). In tractate *Hullin*, the Gemara explains that the obligation to affix a *mezuzah* to a jointly owned house is derived from the use of the plural form of the word your in the phrase: "So that your days be numerous" (Rav Shmuel Strashun; *Heshek Shlomo*).

The way that you enter – דְּרֹךְ בִּיאָתְךָ: The Gemara in tractate *Menahot* cites a different verse as the source of this *halakha*: "And he placed it at the right side of the altar as one enters the house of the Lord" (II Kings 12:10), indicating that entry is on the right.

Houses that become impure with the impurity of leprosy – **בבית ארץ אחותכם**: A woman's house or one belonging to partners, and likewise a synagogue or house of study that has a residence, can become impure with the impurity of leprosy (Rambam *Sefer Tahara, Hilkhot Tumat Tzara'at* 14:14).

NOTES

Upon a house in the land you possess – **בבית ארץ אחותכם**: Some explain that this derivation is based on the use of the word house without attribution, indicating that all houses are obligated in the mitzva of *mezuzah*.

One who dedicates his house to himself alone – **שמיחיד לו**: Some manuscripts of the Talmud omit the phrase: Who refuses to lend, etc., and explain that his miserliness is manifest in his reluctance to welcome guests into his home. Ultimately, he will empty his possessions from his house (Rabbeinu Hananel).

Mezuzah and leprosy – **מיוזה ונגעים**: The Gemara sees no difficulty in equating the *halakhot* of *mezuzah* to the *halakhot* of leprosy of the house, although the connection is not obvious. The basis for the analogy is that in both cases there are precise definitions of the concepts of house and privacy. Therefore, any structure classified as a house with regard to *mezuzah* may be similarly classified with regard to leprosy.

תניא אידך: בית הכנסת ובית השותפין ובית האשה – מטמאין בנגעים. פשיטא! מהו דתימא: "ובא אשר לו הבית", "לו" – ולא לה, "לו" – ולא להן, קא משמע לן.

ואימא הכי נמי! אמר קרא: "בבית ארץ אחותכם". אלא "לו" למה לי? מי שמיחיד ביתו לו, שאינו רוצה להשאיל כליו, ואומר שאין לו, הקדוש ברוך הוא מפרסמו, כשמפנה את ביתו, פרט למשאיל כליו לאחרים.

ובית הכנסת מי מטמא בנגעים? והתניא: יכול יהיו בתי כנסיות ובתי מדרשות מטמאין בנגעים – תלמוד לומר: "ובא אשר לו הבית" – מי שמיחיד לו, יצאו אלו שאין מיוחדין לו!

לא קשיא: הא – רבי מאיר, הא רבנן, דתניא: בית הכנסת שיש בה בית דירה לחזן הכנסת – חייב במזוזה, ושאיין בה בית דירה – רבי מאיר מחייב, וחכמים פוטרין.

ואיבעית אימא: הא והא רבנן, ולא קשיא: הא – דאית בה בית דירה, הא – דלית בה בית דירה.

ואי בעית אימא: הא והא דלית בה בית דירה.

§ Apropos the *baraita* just cited, the Gemara cites a related *baraita* that addresses a different topic. It was taught in another *baraita*: A synagogue, a house jointly owned by partners, and a woman's house become impure with the impurity of leprosy of the house, like all other houses.^h The Gemara asks: That is obvious; why wouldn't they become impure? The Gemara explains: **Least you say that it is written with regard to leprosy: "And the one whom the house is his will come"** (Leviticus 14:35), which could be interpreted: **His and not hers; his and not theirs**, to the exclusion of a house owned by a woman or by partners. Therefore, **it teaches us** that these houses are also included in this *halakha*.

And say it is indeed so that a woman's house and a jointly owned house are excluded from the impurity of leprosy. The Gemara responds that **the verse states: "In a house of the land of your possession"** (Leviticus 14:34).ⁿ The word *your* is written in the plural form to teach that all houses in Eretz Yisrael are subject to this impurity. The Gemara asks: **Rather, why do I need the emphasis of the term: His**, if every house is subject to the impurity of leprosy? The Gemara answers that the term does not teach a *halakha* but reveals why a house might be afflicted with leprosy. The house belonging to **one who dedicates his house to himself alone**,ⁿ **who refuses to lend his vessels to others and says that he does not have them**, will be punished. **The Holy One, Blessed be He, publicizes his possessions for all to see when he is forced to empty them from his house due to leprosy. This excludes one who lends his vessels to others; his house is not afflicted with leprosy.**

The Gemara raises another question: **And with regard to a synagogue, does it become impure with the impurity of leprosy? But wasn't it taught in a baraita: One might have thought that synagogues and study halls become impure with the impurity of leprosy. Therefore, the verse states: And the one whom the house is his will come; this is referring to a house that is designated for him, excluding those houses that are not designated for him but are public property.**

The Gemara responds: This is **not difficult**, as it is the subject of a tannaitic dispute. **This baraita**, which states that a synagogue can become impure with the impurity of leprosy, is in accordance with the opinion of **Rabbi Meir**; **that baraita**, which states that a synagogue cannot become impure with the impurity of leprosy, is in accordance with the opinion of **the Rabbis**, as it was taught in a *baraita*: **A synagogue in which there is a residence for the synagogue attendant is obligated in the mitzva of mezuzah**, as it is a dwelling. With regard to a **synagogue in which there is no residence, Rabbi Meir obligates it in the mitzva of mezuzah, and the Rabbis exempt it**. Rabbi Meir deems a synagogue like a residence with regard to both a *mezuzah* and its susceptibility to leprosy.ⁿ

And if you wish, say instead a different resolution to the contradiction between the *baraitot* with regard to the synagogue. Both **this baraita and that baraita** are in accordance with the opinion of **the Rabbis**, and it is **not difficult**. **This baraita**, which states that it can become impure, is referring to a synagogue **in which there is a place of residence**; **that baraita**, which states that it cannot become impure, is referring to a synagogue **in which there is not a place of residence**.

And if you wish, say instead yet a different resolution to the contradiction between the *baraitot*: Both **this baraita and that baraita** are referring to synagogues **in which there is not a place of residence**,