



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

Tzvi Gershon ben Yoel (Harvey Felsen) o”h

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Staircases and Doorposts

It was stated: Regarding a staircase which leads from the ground floor to an upper floor, Rav Huna says that if it has but one entrance, it requires one *mezuzah* only, but if it has two entrances (*one on the ground floor – to prevent the people from the upper floor to enter without permission, and one on the upper floor – to prevent the people from the ground floor to enter without permission*), it requires two *mezuzos*.

Rav Pappa said: One can derive from Rav Huna’s teaching that a large room that has four gateways requires four *mezuzos*.

The *Gemora* asks: Is not this obvious?

The *Gemora* answers: It was necessary to be stated even though one entrance was used much more than others.

Ameimar said: A door which is in the corner (*of two sides*) requires a *mezuzah*.

Rav Ashi asked him: But there are no posts (*for the walls from both sides merely stop by the entrance*)!?

He replied: Here (*where the walls end*) are its posts.

Rav Pappa once came to Mar Shmuel’s house and saw that there was a door which had only one doorpost on the left side, and a *mezuzah* was affixed to it. He said: Apparently this is in accordance with Rabbi Meir, but didn’t Rabbi Meir say

like so only when the post was on the right side, but not when it was on the left side? For it was taught in a *braisa*: *Upon the doorposts of your house*. This means that it should be placed upon the right side as you enter. But perhaps it is not the right side, but rather, the left side? The verse therefore says: *your house*. Rabbah explained this as follows: “The way you enter” implies the right side, for when a man begins to walk, he starts with his right foot first.

Rav Shmuel bar Acha explained this from the following verse in the presence of Rav Pappa in the name of Rava bar Ulla: *And Yehoyada the Kohen took a chest, and bored a hole in the lid of it, and placed it beside the altar on the right side as one enters into the house of Hashem; and the Kohanim that oversaw the threshold put there all the money that was brought into the house of Hashem. [We can derive from here that whatever is to be placed at the entrance of a house must be placed on the right side.]*

The *Gemora* cites a *braisa* which teaches the viewpoint of Rabbi Meir: Regarding a house that has only one doorpost, Rabbi Meir requires a *mezuzah*, but the Sages exempt it. The Sages derive it from the word “doorposts” (*written in plural form*). Rabbi Meir learns as follows: It is written: *doorposts*; and I know that the minimum of doorposts is two. Since, however, in the second passage, the verse also says the doorposts, which is unnecessary to state, we have then an amplification following another amplification, and whenever an amplification follows another amplification, its effect is to restrict. The Torah has restricted the law to one doorpost; these are the words of Rabbi Yishmael. Rabbi Akiva says: This is unnecessary; for it is written (*by the blood of the pesach*



offering in Mitzrayim): Upon the lintel and on the two doorposts. Now there was no need for the Torah to say 'two.' Its purpose must be to lay down the principle that whenever the Torah mentions doorposts, only one is meant unless the verse explicitly says 'two.' [Accordingly, one doorpost will require a mezuzah.]

The Gemora cites a braisa: It is written: *And you shall write them (on the doorposts of your house)*. It is possible to think that this means that one should write the passages directly upon the stones of the house; therefore, it uses the term 'writing' here and the term 'writing' there (regarding a bill of divorce). Just as a bill of divorce needs to be written upon a scroll, so too here it means upon a scroll. Or perhaps you can argue this way: It uses the term 'writing' here and the term 'writing' there (regarding the commandment upon entering Eretz Yisroel to write the Torah upon stones). Just as there it means upon the stones, so too here it means upon the stones. Let us see to which of the two is *mezuzah* more similar. We may derive the 'writing' (by *mezuzah*) which is applicable for all times from the 'writing' (by a bill of divorce) which is applicable for all times, but we may not 'writing' (by *mezuzah*) which is applicable for all times from the 'writing' (the writing of the Torah on the stones) which is not applicable for all times. And we derive that they (*mezuzos* and a bill of divorce) must be written with black ink.

Rav Acha the son of Rava said to Rav Ashi: But the Torah says upon the doorposts (which simply means that it must be written directly upon the doorposts), and you say that we derive the 'writing' here from the 'writing' there (that it should be written on a scroll)!?

He replied: The verse says: *And you shall write them*, which implies that it shall be a complete writing (which can only be accomplished if it is written on a scroll) and then place it upon the doorposts.

The Gemora asks: So why is the *gezeirah shavah* (one of the thirteen principles of Biblical hermeneutics; it links two

similar words from dissimilar verses in the Torah; in this case – 'writing' from 'writing') needed?

The Gemora answers: Without the *gezeirah shavah*, I would have said that one may etch it upon a stone (which would be a complete writing) and then affix it onto the doorpost; it therefore teaches us otherwise (that it must be written on a scroll). (34a)

Hides and Compartments for Tefillin

The Gemora cites a braisa: *Letotafos* (tefillin placed on the head) occurs three times in the Torah, twice without a "vav" and once with a "vav," - four in all. This teaches us that four compartments are to be inserted in the (head) tefillin. This is the opinion of Rabbi Yishmael. Rabbi Akiva, however, maintains that there is no need for that explanation, for the word *totafos* itself implies four, since it is composed of the word *tot* which means two in Caspi, and *fos* which means two in Afriki!

The Gemora cites a braisa: I might have said that one should write the Scriptural passages (for the head tefillin) upon four pieces of hide and put them in four compartments made out of four pieces of hide; the verse therefore states: *And for a remembrance between your eyes*. One remembrance I have told you, but not two or three remembrances. How should it be done? One should write them upon four pieces of hide and put them in four compartments made out of one hide.

If, however, the braisa continues, one wrote them upon one hide and put them in the four compartments (standing up; they would be connected on the bottom but sliced on the top; it would appear like a hand with four fingers extending upwards), he has fulfilled his obligation. There must be a blank space between each compartment (since it was written on one hide); these are the words of Rebbe, but the Sages say: This is not necessary. They agree, however, that there must be a thread or a string between each compartment (in this case; this is done to separate them). And if the groove

(between the compartments) were not recognizable (from the outside), they are invalid.

The *Gemora* cites a *braisa*: How does one write the passages for *tefillin*? The portions for the arm *tefillin* are written upon one hide; if they were written upon four hides and placed in one compartment, it is still valid. They must, however, be bonded together (before being inserted into the compartment), for it is written: *And it shall be for you as a sign upon your arm*. Just as outside, there is but one sign (for since there are no grooves, it is recognizable that there is only one compartment), so too inside, there must be one sign; these are the words of Rabbi Yehudah. Rabbi Yosi says: This is not necessary.

Rabbi Yosi said: Rabbi Yehudah, the wise one, concedes to me that if a man does not have an arm *tefillin* but he does have two head *tefillins*, he may cover up one of them with a hide (so it appears as if it is but one compartment) and place it on his arm (although, in fact, there are four compartments).

The *Gemora* asks: Why does he say, “concede”? This is the very issue between them!?

Rava answered: It may be gleaned from Rabbi Yosi’s statement that Rabbi Yehudah retracted from his opinion (and holds that the four passages do not need to be bonded together).

The *Gemora* asks: But can it be (that the head *tefillin* can be used for arm *tefillin*)? But Rav Chananyah sent the following ruling in the name of Rabbi Yochanan: Hand *tefillin* may be converted to be used as head *tefillin*, but head *tefillin* may not be converted to be used as arm *tefillin*, for one may not lower that which is of a higher sanctity to a lower sanctity!?

The *Gemora* answers: This is no difficulty, for Rabbi Yochanan was referring to an old one (and that cannot be converted), and Rabbi Yosi was referring to a new one (that was not yet used as head *tefillin*).

The *Gemora* notes that according to the one who maintains that the mere designation (of something for a certain purpose) is of legal consequence, we must say that the owner had made a condition with regard to it from the very outset (that he may convert them if he so chooses).

The *Gemora* cites a *braisa*: The arrangement of the four Scriptural passages in the head *tefillin* are as follows: “Sanctify to Me” (*kadesh li*) and “And it shall come to pass when Hashem shall bring you” (*v’hayah ki yeviacha*) are on the right, while “Hear” (*shema*) and “And it will be if you shall listen” (*v’hayah ki shamo’a*) are on the left.

The *Gemora* asks: But a *braisa* has been taught in the exact opposite arrangement!?

Abaye said, This is no contradiction, for the first *braisa* is referring to the right side of someone reading the passages (someone facing the person wearing the *tefillin*; he is called the “reader”); whereas the other *braisa* is referring to the right of the one who is wearing them. And the passages are read (according to both *braisos*) according to their order (mentioned in the Torah). [See *Insights for the Rishonim’s viewpoints on the precise order of the passages.*]

INSIGHTS TO THE DAF

Gluing between the Four Compartments of the Tefillin



In this article we shall address an apparently simple question: Is it allowed to smear glue between the partitions of the head *tefillin*? The *halachic* authorities disagreed. Some ruled that the glue cancels the required separation between the compartments (*batim*) and some held that each *bayis* is considered separate despite the glue, as the glue is foreign matter and is not be considered as connecting the *batim*. It is interesting to trace a few *halachic* issues that lead to our question.

Let's start with the basic facts. The head *tefillin* comprises four hard-leather *batim* for the four *parshiyos*. Each *bayis* is closed on three sides and open underneath. A leather covering called the *titura*, which serves as the base of the *tefillin*, seals the open sides, and the soft leather straps pass through a fold of hard leather called the *ma'avarta*.

How many partitions does the head *tefillin* need? The *poskim* disagreed as to if it suffices to separate the four *batim* internally or if they also need external separation. In other words, we can make the head *tefillin* such that each *bayis* has its own sides and we then have four *batim* with eight sides, or we can make the four *batim* with only five sides while the three middle sides serve as partitions between two adjacent *batim* (see *Zichron Eliyahu* on *Hilchos Tefillin*, Ch. 4, which cites the opinions and their sources).

Hence our question as to whether it is allowed to glue the space between the *batim* has been narrowed, as it is not pertinent according to those who hold that there is no need for an external separation between the *batim*. It is obvious, in their opinion, that if such a separation has been made, one may glue it. Our question is according to the *poskim* who maintain that there is a need for external and internal separation: does gluing cancel the required external separation between the *batim*.

Four *batim* with separate hide: Another disagreement about *tefillin* apparently pertains to this question. Our *Gemora* says: "...and he puts them in four *batim* in one hide". Some *poskim*

interpreted our *Gemora* as meaning that the four *batim* should be made of one hide. As for the *halachah*, however, the *poskim* adopted the opinion (*Magen Avraham*, 32, S.K. 52; *Mishnah Berurah*, S.K. 172) that one can make the four *batim* from separate hides and it suffices to sew or even glue them together to observe the *Gemora's* statement that they should be of one hide.

Now, if we try to estimate the opinion of those *poskim* about our question, we conclude that they would reject gluing entirely. After all, they believe that gluing a few hides causes them to be considered one hide and if so, one must not glue the space between the *batim* as our question is based on the assumption that there must be an external separation between the *batim*.

Therefore our question stands alone. Those who maintain that there is no need for external separation don't understand the issue at all. On the other hand, if there is need for external separation, those who hold that *tefillin* are considered as made from one hide also by gluing a few hides clearly negate gluing between the *batim* as, in their opinion, gluing means complete unity. If so, the whole matter pertains to those who believe that there is a need for external separation and that one mustn't make *tefillin* from a number of hides glued together.

The problem is that in former generations many would use *tefillin* glued from a number of hides **and** they would glue the spaces between the *batim*. Some Torah luminaries took the trouble to defend the practice and suggested the following distinctions.

HaGaon Rav Shlomo Zalman Auerbach zt"l suggests a possible solution (in the manuscript of *Halichos Shlomo, Tefillah, Miluim*, Ch. 3) based on a supposition that we should not regard glue as a completely uniting factor but it suffices nonetheless to glue the hides of the *batim* together. It could be, he explains, that the *halachah* – "...and he puts them in four *batim* in one hide" – should be understood negatively. In

other words, it is forbidden to make them utterly separate from each other. [There is no *derashah* that they should be “of one hide” but “one *zikaron*” (remembrance) and as long as the *batim* are not entirely separated, they are considered “one *zikaron*”. Therefore, it suffices to glue a few hides together to make *tefillin* since, as such, they are not considered entirely separate.] Still, since glued hides do not become one body, it is allowed to glue the space between *batim* and the separation between is not cancelled thereby (see *ibid* for another explanation even if we adopt the opinion that glue unites). People therefore had the practice to glue the space between the *batim*.

The difference between glues: We conclude with an idea from the Maharsham’s *beis midrash (Da’as Torah, 32:40, according to Responsa Maharam Mintz)*. In his opinion, glue made from the same material as the objects connected thereby causes complete unity between them. On the other hand, gluing two objects with glue made of foreign matter does not cause their unity. Therefore, he writes, the hide of the *tefillin* had better be glued with glue made from hides and thus the *tefillin* will be considered as made from one hide. On the other hand, the space between the *batim* should be glued with glue made from foreign matter and thus the required separation between the *batim* will be observed (see *ibid*, that people questioned his opinion from *Keilim, Ch. 3*).

As for the *halachah*, as a first preference one should behave according to *Shulchan ‘Aruch (O.C. 32:40)*: “The space between the *batim* **must reach down to where it is sewn** and if not, it is kosher.” *Beur Halachah* writes that if one does glue one should take care not to glue the edges of the square but only its interior (see *ibid* that it might be recommendable to put a little glue in the lower part of the spaces to preserve the square shape of the four *batim* together and see *Zichron Eliyahu, ibid*).

Rabbeinu Tam’s Tefillin: the Disagreement, Proofs and Rejections

Many have the practice to put on *Rabbeinu Tam’s tefillin* after *Rashi’s* (see *Shulchan ‘Aruch, O.C. 34*) and the custom is especially prevalent among *Sephardim* and *Chassidim*. On the other hand, it is related in the *Vilna Gaon’s* name that there are 64 opinions about *tefillin* and if someone wants to conform to all the opinions, he should put on 64 pairs of *tefillin* each day! (*Measef Lechol HaMachanos, 34, S.K. 2*, and see *Keser Rosh in Siddur HaGera, os 14*, for a reckoning of the 64 opinions). The disagreement of *Rashi* and his grandson, *Rabbeinu Tam*, focuses on the explanation of our *Gemora*, which addresses the order of the four *parshiyos* to be put in the head *tefillin*, as follows.

The head *tefillin* is divided into four compartments, each containing a parchment with one of the four *parshiyos*: *Kadesh li* (*Shemos 13:1-10*), *Vehayah ki yeviacha* (*Shemos 13:11-17*), *Shema’ Yisrael* (*Devarim 6:4-9*) and *Vehayah im shamo’* (*Devarim 11:13-21*). Our *Gemora* says “*Kadesh li* and *Vehayah ki yeviacha* **to the right**; *Shema’* and *Vehayah im shamo’* **to the left**”. *Rashi* states that they should be arranged according to the order mentioned in the *Gemora*, from right to left, and this is *Rambam’s* opinion (*Hilchos Tefillin, 3:5*). However, *Rabbeinu Tam* holds that the *Gemora* divides the *parshiyos* into two groups and just as when it says “*Kadesh* and *Vehayah ki yeviacha* to the right”, we understand that *Kadesh* is the *parashah* most to the right, in the same way when the *Gemora* says “*Shema’* and *Vehayah im shamo’* to the left”, *Shema’* is the *parashah* most to the left.

This disagreement engaged our sages throughout the generations. They examined every particle of historical information to help them decide regarding this important and basic disagreement. *Beis Yosef (O.C. 34)* writes in the name of the *Mordechai* and the *Sma”g* about a letter from *Eretz Yisroel* telling how the ancient podium over the tomb of *Yechezkel* broke and people discovered very old *tefillin* under it and the *parshiyos* were arranged according to *Rashi* and *Rambam*. Some rejected this proof, claiming that, on the contrary, they had been buried because their *parshiyos* were

not in the proper order. However, the *Bach* (ibid) refutes this rejection, claiming that there was no need to bury the *tefillin* as their *parshiyos* could have been arranged anew. On the other hand, *Piskei Tosfos* recounts that two pairs of *tefillin* were discovered in Nehardea and Yerushalayim, one arranged according to Rashi and the other according to Rabbeinu Tam and conflicting accounts were told about Rav Hai Gaon's practice.

The obvious question arising from this disagreement is how it happened that one day Rabbeinu Tam decided to change the accepted practice. Indeed, HaGaon Rav Reuven Margaliyos zt"l (in his remarks on *Sheeilos Uteshuvos Min HaShamayim*, *sheilah* 3) offers several proofs that the disagreement is ancient. The disagreement goes back to the era after the destruction of the Temple when we were scattered all over the world, and it erupted many years before Rabbeinu Tam's time. Rabbeinu Tam thus did not innovate the opinion but investigated the matter and concluded that one opinion should be followed. As he promoted this opinion, it was considered his.

We should mention that there are many disagreements among the Rishonim about the topic. Rema of Pano (Responso, 107) devotes a lengthy discussion to the diverse opinions about the order of the *parshiyos*. He cites the opinion of the *Shimusha Raba*, an ancient commentator mentioned by Tosfos and the Rosh, who holds like Rashi regarding the order of the *parshiyos* but in reverse, from left to right. In other words, according to Rashi one should arrange the *parshiyos* from right to left – *Kadesh, Vehayah ki yeviacha, Shema', Vehayah im shamo'* – but according to the *Shimusha Raba*, one should start the right side with *Vehayah im shamo'*. Raavad accepts Rabbeinu Tam's opinion regarding the order but also claims that the order should be from left to right.

Something straight when reversed: Why, indeed, don't those who heed Rabbeinu Tam's opinion take care to put on at least four pairs of *tefillin*: Rashi's, Rabbeinu Tam's, *Shimusha Raba*

and Raavad's? HaGaon Rav Chayim of Brisk zt"l (cited in his name in stencil, in *Chiddushi HaGriz* and in *'Eimek Berachah, Tefillin*, 3) explained the matter wonderfully. A person who put on his head *tefillin* back-to-front, with the *ma'avarta* closest to his forehead, fulfilled the mitzvah - though by doing so, he changed the order of the *parshiyos* from right to left (see *Beis Yosef, O.C. 27*). Consequently, someone who puts on Rashi's *tefillin* has fulfilled the *mitzvah* after the fact (*bdi'eved*) also according to *Shimusha Raba* as he is no worse than someone who puts on *tefillin* back-to-front, and someone who put on Rabbeinu Tam's *tefillin* fulfilled the mitzvah *bdi'eved* according to Raavad. (Members of our *beis midrash* remarked that the matter is not simple: *Terumas HaDeshen* [49, which is the source for *Beis Yosef*] distinguishes between head and arm *tefillin*, allowing to turn around only *shel yad*, as our *Gemora* explains that concerning the head *tefillin*, there are particular *parshiyos* to the right and to the left. See *ibid* and one should clarify this statement handed down in the name of HaGaon Rav Chayim).

The Chafetz Chayim put on Rabbeinu Tam's tefillin: In his later years the Chafetz Chayim zt"l began to put on Rabbeinu Tam's *tefillin* because of a certain event. At that time a person with great aptitude and broad knowledge claimed that he had discovered an amazing find: a Talmud Yerushalmi on Seder Kodshim that had never been seen. In the discovered version of Menachos the arrangement of the *parshiyos* was stated explicitly according to Rabbeinu Tam! The Chafetz Chayim saw the version and immediately began to put them on. After a while it became clear that the affair was a hoax and that the discoverer forged the whole text. The Chafetz Chayim heard of this but didn't stop putting on Rabbeinu Tam's *tefillin* (*Toledos HeChafetz Chayim* by his son, p. 27).