

## OVERVIEW of the Daf

### 1) Mezuzah (cont.)

The Gemara responds to the challenge against the position that a mezuzah should have closed paragraphs.

The Gemara digresses to discuss the space at the top and bottom of a mezuzah.

Abaye proves that Rav's ruling in accordance with R' Shimon ben Elazar was only in reference to the space at the top and bottom and not with regards to the manner in which the paragraphs are formed.

R' Nachman bar Yitzchok asserts that the paragraphs should be made closed but if they are open it is still acceptable.

A proof to this explanation is suggested but rejected.

### 2) Making tefillin into a mezuzah

The suggestion that it would be possible to transform tefillin into a mezuzah is unsuccessfully challenged.

Another challenge to the possibility of making tefillin into a mezuzah is presented.

The Gemara answers that this issue is subject to a dispute between Tannaim.

Final rulings about a number of the matters discussed are recorded.

### 3) Honoring a Sefer Torah

R' Chelbo describes how R' Huna honored a Sefer Torah.

R' Huna's behavior is explained.

### 4) Mezuzah rulings

R' Yehudah in the name of Shmuel presents three rulings concerning a mezuzah.

Support for the second ruling is presented and the novelty of the third ruling is explained. ■

## REVIEW and Remember

1. What is the rationale that the paragraphs in a mezuzah should be made open?  
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2. What is the impediment that prevents the use of parshiyos from one's tefillin for a mezuzah?  
.....
3. Is it necessary for the parchment of a mezuzah to be scored?  
.....
4. What happens if one hangs his mezuzah by putting it in a rod?  
.....

## Distinctive INSIGHT

*Writing a mezuzah with an open or closed paragraph style*

ספר תורה שבלה ותפילין שבלו אין עושין מהן מזוזה

A mezuzah has two paragraphs. The first is the Shema (Devarim 6:4-9), and the second is **והיה אם שמוע** (Devarim 11:13-21). On 31b, Rav Chelbo reported that Rav Huna, who was a student of Rav, wrote the paragraphs of his mezuzos with closed paragraphs (סתומות). This means that when he finished writing the first paragraph, he left blank space of nine letters in that same line, and he began the second paragraph on that same line instead of leaving the rest of the line blank and beginning the second paragraph on the next line.

The Gemara presents a Baraisa where Rabban Shimon ben Gamliel tells us, among other details regarding mezuzos, that R' Meir wrote his mezuzos with an open paragraph, where after finishing the first paragraph he left the rest of the line blank and began writing the second paragraph on a new line. Rav ruled that the halacha is in accordance with Rabban Shimon ben Gamliel. The Gemara asks that if Rav ruled that a mezuzah should be written with an open paragraph, how could Rav Huna, the student of Rav, write his mezuzos with a closed paragraph? The Gemara answers that Rav's ruling was only in reference to the other details which R' Meir mentioned, but not in regard to the need to write with an open paragraph.

Rav Nachman explains that the mitzvah is that a mezuzah should be written with a closed paragraph, but if it is written with an open paragraph it is kosher. This explains the conduct of Rav Huna, who wrote his mezuzos properly. The ruling of Rav was that a mezuzah may be written with an open paragraph, but not that it must be that way.

A Baraisa is cited to show that Rav Nachman's approach is accurate. The rule is that we may only ascend in holiness and not descend, so the Baraisa says that one may not take a fragment from a worn-out parchment of a sefer Torah or tefillin to use for a mezuzah. Had it not been for the rule that we may not descend in holiness, the Baraisa considers that the paragraphs as written in a sefer Torah might have been appropriate for a mezuzah, and we know

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## HALACHAH Highlight

### *Sitting on a bench that has a sefer on it*

מותר לישוב על גבי מיטה שספר תורה מונח עליה

*It is permitted to sit on a bed that has a Sefer Torah resting upon it*

The Gemara records a dispute whether one may sit on a bed that contains a Sefer Torah. This dispute continues into the time of the Rishonim where we find a disagreement whether halacha follows the lenient opinion or the stringent opinion. The more practical question that is related to this topic is whether one is permitted to sit on a bench or chair that contains a sefer. Radvaz<sup>1</sup> writes that he personally is stringent about this matter and gives extra honor to the Torah by avoiding to sit on a bench that has a volume of the Talmud or the Poskim but technically it is allowed according to halacha. He adds that it would be a proper custom for a person to avoid sitting on a bench that contains a sefer unless that sefer is raised more than a tefach off of the bench. Beis Yosef<sup>2</sup> cites an opinion that also maintains that it is technically permitted but one should be stringent about the matter except during times of learning. During a time of learning space in the Beis HaMidrash is limited and thus stringency about this matter could lead to lost time from Torah study.

Teshuvos Be'er Sheva<sup>3</sup> also writes that technically the practice should be permitted but it is appropriate for one to be stringent and make sure that the sefer is raised at least something off of the bench before sitting. He then adds that commonly people are more stringent when it comes to

*(Insight...continued from page 1)*

that the paragraph of "והיה" is a closed paragraph. This indicates that a mezuzah may be written as a closed paragraph.

The Gemara refutes this proof, because the Baraisa might be allowing lines or sentences to be taken and sewn into a mezuzah, but the closed paragraph style might not be acceptable.

The suggestion to use the paragraphs of a sefer Torah for a mezuzah must be explained, as the necessary paragraphs in a sefer Torah are not adjacent to each other to be able to be removed as is and used for a mezuzah. Rashi in Shabbos (79b) explains that the Gemara's assumption is that the entire panel of a sefer Torah from Devarim 6-11 would be used, although it contains much more than the two basic paragraphs needed. ■

printed volumes of the Torah than they are for other sefarim. He suggests that the basis for this practice is the perception that a printed Chumash has sanctity akin to a Sefer Torah since they both contain the same words. Nevertheless, Poskim write that there is no difference for this matter between a printed Chumash and other sefarim. Teshuvos Mishnah Halachos<sup>4</sup> rules that one should not sit on a bench that contains a sefer unless it is raised somewhat off of the surface but in a Beis HaMidrash one may sit on a bench with a sefer if there is limited space for sitting. ■

1. שו"ת הרדב"ז ח"ג ס"י תקט"ו.
2. בית יוסף יו"ד ס"י רפ"ב.
3. שו"ת באר שבע ס"י ל"ח.
4. שו"ת משנה הלכות ח"ה ס"י קצ"ב. ■

## STORIES Off the Daf

### *Even Eliyahu...*

"אין שומעין לו..."

The Satmar Rav, zt"l, teaches a powerful lesson from a surprising statement on today's daf. "In Menachos 32 we find that if Eliyahu were to come and say that we may not use a soft shoe to do chalitzah we would not heed him since the custom is to use a soft shoe. This seems very difficult to understand. We would not listen to Eliyahu since our custom of many centuries should

not be changed, and it would be wrong for him to come and try to change it. Yet if it should not be changed, why would Eliyahu say that we should change it? Surely he would refrain from telling us to do anything incorrect. So what is the point of this statement? Surely not merely to record a scenario that could never happen?

"The answer is that the Gemara also knew that Eliyahu would never tell us such a thing. But it also understood that even a gadol hador could err and believe that the custom is in error. Of course the entire Jewish world would likely follow this gadol, even if he is

mistaken. It is to avoid such an error that the Gemara writes that we would not even believe Eliyahu if he told us to change an old custom that was established by the consensus of gedolei Yisrael.

"For this reason the Gemara puts it unequivocally that we would believe no one, not even Eliyahu. This way even a gadol hador who errs won't mislead people who have learned this lesson. If one considers this he will understand much that cannot be written explicitly..."<sup>1</sup> ■

1. אגדות מהרי"ט, ח"ד, ע"י קלייב. ■