



Switching the Location of a *Mezuzah*

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Question: I noticed that a storage room jointly owned by several residents of our apartment building in Jerusalem does not have a *mezuzah*. I bought a *mezuzah* myself, and because it is nicer than some of those in my home, I thought of taking the new one for myself and moving one of my apartment's *mezuzot* to the storage room. Is there any problem doing that?

Answer: *Yasher koach* for taking care of the *mezuzah*. The responsibilities of multiple people can often be neglected (see Bava Batra 24b). Since you bought the *mezuzah* yourself, unless you had in mind to formally acquire it on behalf the group, you do not need permission from anyone from a monetary perspective.

The issue has to do with the nature of the obligation to have a *mezuzah* in a storage room. In this column (Toldot 5783), we presented a *machloket Rishonim* whether a storage room that is not part of a home's daily activity requires a *mezuzah*. Although the Shulchan Aruch (Yoreh Deah 286:2) rules it is required, we accepted the opinions of several *poskim* (see Yalkut Yosef, YD 285:28) that there is enough doubt to recommend not reciting a *beracha* when attaching a *mezuzah* to a storage room. The

fact that it is jointly owned does not raise additional doubt (Chulin 135b; Shulchan Aruch, YD 286:1), unless there are non-Jewish partners (Rama ad loc.) – of course, we do not know your neighbors.

Moving a *mezuzah* from a location where it is definitely part of a *mitzva* to one in which the obligation/*mitzva* is doubtful could potentially violate the rule of *ma'alin bako-desh v'lo moridin* (=mbkvlm; one is forbidden to lower the status of a sacred object). This concept is derived from *p'sukim* (Menachot 99a) in the context of increasing and not decreasing the honor of holy objects in the *mikdash*, and there are varied opinions on whether this is an authentic Torah law or a Rabbinic *asmachta* (see Be'ur Halacha to Orach Chayim 42:1). Additional Talmudic applications of *mbkvlm* vary greatly (including: a temporary *kohen gadol* not returning to serve as a simple *kohen* (Yoma 73a); increasing the number of candles as Chanuka progresses (Shabbat 21b); not using something from *tefillin shel rosh* for a *shel yad* (Menachot 34b)). It is likely that some applications represent the heart of the *halacha* and others are only related concepts (unpublished shiur by Rav Asher Weiss).

The following, cited by the Mishna Berura (15:1), is the closest case to ours that is discussed by classical *Acharonim*. The Shulchan Aruch (OC 15:1) permits moving

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tzitzit from one garment to another. The Pri Megadim (EA 15:2) is unsure whether it is permitted to move them from a garment with a Torah-level obligation to one with only a Rabbinic one. The Artzot Hachayim (15:5) permits it, whereas he forbids taking them from the garment of an adult to that of a child. (Their short pieces mention the possibility of *bizuy* (disgrace) to the *tzitzit*, not the concept of *mbkvlm*).

It is unclear whether we can extrapolate from these sources to our *mezuzah* question. There is a *machloket* whether *mbkvlm* applies only to matters related to *kedusha* or even non-*kedusha*-related *mitzva* objects (see Beit Yosef, YD 259). *Mezuzah* is in the *kedusha* category, whereas *tzitzit* are not (Megilla 26b). We also have to consider to what extent the change in the *mezuzah*'s location impacts on its sanctity, as one can argue that wherever a *mezuzah* is, it itself has the same *kedusha* irrespective of the *mezuzah*-obligation status of the doorway (see discussion in Kvi'at Mezuzah K'hilchata 14:5).

In any case, (among?) the first to write

about taking a *mezuzah* from a doorway that fully requires a *mezuzah* to one in which it is only a *safek* are contemporary *poskim*. The very influential Rav S.Z. Auerbach (Minchat Shlomo II, 97.24) reasons that it is forbidden because of *mbkvlm*, as does Teshuvot V'hanagot (I:649). In the absence of anyone of such prominence disagreeing with them, it is difficult to allow the move. On the other hand, it is **reasonable to argue** that one should be able to rely on the majority opinion that a storage room's *mezuzah* obligation is definite. ■

Having a dispute?

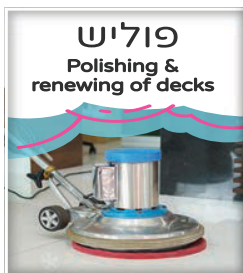


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