

# VEBDE REBDE

## The Nature of the Fulfillment of the Mitzva of Mezuzah

**Question:** I will be moving into a home that already has mezuzot. If I just leave them there, do I fulfill the mitzva of mezuzah, or must I remove and/or replace them? In general, when/how does one fulfill the mitzva: by affixing them, by having them in the house, by kissing them, or by thinking about them?

**Answer:** Much of the material on this topic concerns a statement by the Magen Avraham (19:1). He wonders why no b'racha is made when one attaches tzitzit to a relevant garment (i.e., because the mitzva is not complete until one wears the garment), and yet there is a b'racha when one attaches a mezuzah to a doorpost (i.e., even though the mitzva is living in such a house). His answer is technical - one normally attaches mezuzot when he starts living there, so that he does fulfill the mitzva at that time, whereas one normally attaches the tzitzit before he wears them. So the Magen Avraham assumes that the mitzva is to live in a house that has mezuzot, not to attach the mezuzot to the doorposts. In fact, he says that if one put up the mezuzot before the obligation began, he would recite a beracha of "... commanded us to live in a house that has a mezuzah" upon entering the house to live.

One of his indications is the idea that mezuzah is "an obligation of the dweller" (P'sachim 4a), in other words that the mitzva is linked not to home ownership but only to living in it, i.e., in a house with mezuzot. R. Akiva Eiger (Shut I:9) apparently agrees, at least mainly, with the Magen Avraham (see Pitchei Teshuva, Yoreh De'ah 291:4). He suggests that one who moves to a place where a previous occupant put a mezuzah would make a b'eracha upon entering, as would one who left his own place for a significant amount of time and then returned to it.

Many (strongly) disagree with the Magen Avraham, but this can be for more than one reason. Some object to the b'racha's wording, arguing that one cannot create a non-standard form of the b'racha that is not mentioned by Chazal (Birkei Yosef, Orach Chayim 19:2). The Beit Shearim (YD 370) points out that the Magen Avraham is aware that one cannot make the regular beracha (... likvo'ah mezuzah), which refers to the action of attaching. He agrees with the Magen Avraham that there is a mitzva fulfillment as long as one lives in the house with a mezuzah but claims that the b'racha was established for the action that begins the process. (There is much discussion, beyond our scope, among the poskim (see Yabia Omer, VIII, YD27) about the stage at which one can and should attach the mezuzah, e.g., as he moves in? when the house is prepared to be lived

in? after he moves in?) However, there is close to a consensus (Rav Kook in Da'at Kohen 182 is a notable exception) that, irrespective of the matter of the b'racha, the ongoing state of living in a house with proper mezuzot is the primary fulfillment of the mitzva.

Therefore, one need not have regrets if he came into a house with pre-existing mezuzot. He has no need to act or make a b'racha, just like he need not be disappointed if his house has relatively few doorposts that require mezuzot. Note that generally one who leaves a house in which he attached mezuzot should leave the mezuzot there (Bava Metzia 101b), and we do not find that this is unfortunate because it deprives the new occupant of an action/b'racha. That being said, the Aruch HaShulchan (YD 291:2) does allow one who comes into a house with mezuzot to remove and have them checked, which according to some/in certain circumstances makes it proper to make a b'racha upon returning them (see *ibid.* and *Living the Halachic Process I, G-5*). Yalkut Yosef (Mezuzah 92) suggests this; his father (Yabia Omer *ibid.*) did so regarding a case where one forgot to make a b'racha when attaching them.

Thinking about the mezuzot, like thinking about any mitzva, is a nice thing. Some people have the practice of kissing the mezuzah to show affection for the mitzva/holy scroll. However, neither of them have

anything to do with the fulfillment of the mitzva.

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