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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. The Gemara concludes that Bais Shammai and Beis Hillel disagree in two instances regarding the minimum dimensions that are required for the Sukkah to be valid. Bais Shammai maintains that the Sukkah must be large enough to accommodate one’s head, most of his body and his table. Bais Hillel maintains that it is sufficient even if the Sukkah cannot accommodate the table.

Bais Hillel and Bais Shammai also disagree regarding a large Sukkah that is adjacent to a house and the table is inside the house. Bais Shammai maintains that one does not discharge his obligation in this manner as we are concerned that he will be drawn after his table which is in the house and Bais Hillel disagrees. (3a1-3a3)

2. Rebbe maintains that a Sukkah must be at least four squared amos in order to be valid.

A Baraisa lists many rulings that would not apply to a house that is less than four squared amos. Such a house will be exempt from the obligation of placing a mezuzah on its doorpost. Furthermore, one will not have to erect a protective fence on the roof to prevent others from falling. The rationale for

these rulings is that regarding these cases the Torah states the word *bayis*, a house, and a house that is this small is not deemed to be a house. (3a3-3b1)

3. A house that is less than four squared amos is not required to contribute to an eruv along with all the other houses in the courtyard. Furthermore, the eruv for the courtyard cannot be placed in this house. The reason for this ruling is because a house that is less than four amos squared is not fit for dwelling. (3b1)

4. Although the eruv for the courtyard cannot be placed in a house that is less than four squared amos, the *shituf* (a device that allows carrying between a courtyard and a *mavoi*, which is accomplished by the courtyards mutual contribution of food) for a *mavoi* can be placed in this house. The reason for the distinction between an eruv and a *shituf* is because the purpose of an eruv is to allow all the residents of a courtyard to be legally viewed as dwelling in one house and the house where the eruv is deposited must be fit for dwelling, i.e. one that measures at least four amos squared. A *shituf* for a *mavoi*, however, functions as a merger of all the courtyards of the *mavoi* for their use but not

for dwelling. As long as the *shituf* is placed in a protected area of the courtyard, the *shituf* is valid, so a structure that is less than four squared amos also qualifies for the placement of the *shituf*. [The *Gemora* supports this from a *braisa* which states that if one places an *eiruv* in a gate house, covered open area, balcony, courtyard, or *mavoi*, it is valid. To resolve the contradiction with the *Mishna*, we amend the *braisa* to refer to a *shittuf*, and the last two areas refer to a courtyard *in the mavoi*.] (3b1-3b2)

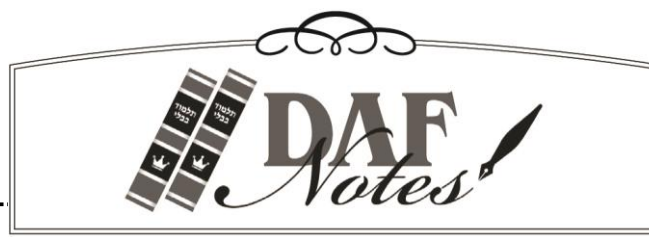
5. Two brothers inherited a courtyard that contained one large house and three small ones, and the brothers divided the houses, with one brother receiving the large house and the other receiving the three small ones. Rav Huna maintains that the brother who received the three houses is entitled to three-quarters of the courtyard while the owner of the large house receives the remaining quarter. His reasoning is that the courtyard functions primarily as a passageway between one's house and the street and as a place where packages can be delivered and unloaded, so any claim to courtyard area is directly related to the amount of houses one owns in the courtyard. Rav Chisda, however, maintains that each brother receives four amos for each and every entrance and the partners divide the remaining section of the courtyard equally. A house that is less than four squared amos is not awarded part of the courtyard because only a house that will endure is awarded part of the courtyard,

whereas this house that is not four squared amos is destined to be destroyed. This renders the house unusable and we do not award it part of the courtyard for its needs. (3b2-3b3)

INSIGHTS TO THE DAF

A Sukkah without a Table

The Gemara concludes that Bais Shammai and Bais Hillel disagree in two cases. They debate the minimum size of a Sukkah, as Bais Shammai maintains that a Sukkah must be large enough to accommodate one's head, most of his body and the table. Bais Hillel, however, maintains that a Sukkah must be able to accommodate one's head and most of his body, even if the table cannot be accommodated. Bais Shammai and Bais Hillel further disagree regarding a large Sukkah that is adjacent to a house and the table is in the house. Bais Shammai maintains that one does not discharge his obligation in this manner for we are concerned that he will be drawn after his table that is in the house and Bais Hillel disagrees. Tosfos concludes that the halacha is in accordance with Bais Shammai regarding a small sukkah and the Sukkah must be able to accommodate the table as well. Regarding a larger Sukkah, however, the halacha is in accordance with Bais Hillel and the table is not required to be in the sukkah. The Rif and the Rambam disagree with Tosfos and they maintain that the halacha in both cases is in accordance with Bais Shammai and the table is required to be in the Sukkah. The *Pri Megadim* in Orach Chaim 634:2



writes that if one ate in a Sukkah and the table was in the house, he does not even discharge his biblical obligation, because once the Chachamim instituted that the table is required to be in the Sukkah, he can no longer discharge his obligation. The *Pri Megadim* concludes that in such a case one would be required to recite another *Shehechyanu* blessing after he brings the table into the sukkah.

Corners of the Sukkah

The *Magen Avraham* in Orach Chaim 634 rules that one does not discharge his obligation when sitting in a corner of a large sukkah that does not have seven squared tefachim. The reason for this is because such a small area cannot accommodate one comfortably. The *Magen Avraham* cites our Gemara as proof to this, for the cubicle where Queen Helena was sitting was not deemed to be part of the large sukkah. The *Biur Halacha* quotes the *Bikkurei Yaakov* who questions this proof, as perhaps our Gemara considers the cubicles to be a separate entity because there is a wall that separates the cubicle from the Sukkah. Regarding a corner of the Sukkah that does not have separations, however, the corner could be considered part of the sukkah? *Rabbi Dovid Goldberg* wonders from where in our Gemara the *Bikkurei Yaakov* knows that there was a dividing wall between the cubicle and the Sukkah.

Is Forty-nine Equal to Seven by Seven?

According to our version of Tosfos, they rule that a Sukkah would be deemed valid if it is longer than seven tefachim, even if it is not seven tefachim wide. It would thus seem that a Sukkah that is more than forty-nine squared tefachim would be valid. There is a version in Tosfos that is brought down on the side

of our Gemara that disagrees with this and maintains that a Sukkah must be seven tefachim in the length and in the width.

Mitzvah of Maakeh

The Gemara states that one is exempt from building a protective fence around the roof of a house that is less than four squared amos because it is not considered a house. The commentators wonder how this can be, because if one does not erect a protective fence around his roof, he is placing others lives in danger. It is said regarding erecting a protective fence *so that you will not place blood in your house*. The Gemara in Bava Kamma 15b derives from these words that one is not even permitted to own a wild dog in his house and one is prohibited from having a rickety ladder in his house. Certainly one should be required to build a protective fence around the roof of his house even if the house is less than four squared amos. The *Chazon Ish* in Yoreh Deah 214 answers that in truth, a roof is not considered to be a dangerous area, and one is not liable for violating the prohibition of placing a stumbling block before his fellow. It is accepted that one who climbs on a roof must be careful. Nonetheless, the Torah mandates that one who builds a house is required to erect a protective fence on the roof and there are halachic parameters regarding this procedure. A house that is less than four squared amos is not deemed to be a house regarding this halacha. The *Eimek Bracha* adds that this explains why one is not allowed to erect a protective fence on *Chol HaMoed*, the intermediate days of Pesach and Sukkos, although one would be permitted to build and repair other items if one is

afraid of a burglary. The reason one cannot erect a protective fence on *Chol HaMoed* is because a lack of a protective fence is not a definite danger. In order to be permitted to build or effect a repair on *Chol HaMoed*, it must be a *davar havud*, a case of substantial financial loss, and since the lack of a protective fence is not considered a *davar havud*, one is prohibited from building a protective fence on *Chol HaMoed*.

Blessing for a Protective Fence

Rabbi Akiva Eiger wonders why one is required to recite a blessing when erecting a protective fence for the roof of his house. Tosfos in Chullin 105a rules that one does not recite a blessing when washing mayim acharonim, the waters before reciting Bircas HaMzaon, because one is required to wash so that he will not be harmed by melach sedomis, waters of Sodom. It would follow that one should not be required to recite a blessing when erecting a protective fence because he is merely doing so to prevent one from being harmed. Rabbi Dovid Goldberg answers that according to the Chazon Ish, a protective fence is not required to prevent one from definite danger. Rather, the Torah requires that one erect a protective fence even if there is a slight possibility that one would be harmed if there was no fence. For this reason there is still a requirement to recite a blessing when erecting a protective fence.

DAILY MASHAL

Four Amos wherever we Go

The Gemara states that regarding a mezuzah, a protective fence around the roof, tzaraas afflictions, houses of walled cities, and regarding returning from the ranks of the warriors, the Torah uses the word *bayis*, and a house that is less than four amos squared is not considered a *bayis*. The Gemara in Brachos states that since the day the Bais HaMikdash was destroyed, Hashem has nothing in this world but the four amos of halacha. Four amos is a significant area with regard to halachic matters. Furthermore, four amos is the space that is allotted for one person. One who is engaged in the study of Torah is deemed to be the resting place of the Divine Presence in exile, and this idea corresponds to the concept that wherever the Jewish People were exiled, the Divine Presence was exiled with them, i.e. in the study halls of the Diaspora. May we merit that HaShem restore the Bais HaMikdash and that the Divine Presence rest again on the Great Sanhedrin in the *Lishkas HaGazis*, the Chamber of Hewn Stone in the Bais HaMikdash.