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Sukkah Daf 4

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Daf Notes is currently being dedicated to the neshamah of

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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

If a Sukkah is higher than twenty amos and one attempts to reduce its height by placing pillows on the ground, it is not a valid reduction.¹ Even though he [verbally] abandoned them,² since his intention is nullified by that of other people. (3b3 - 4a1)

If, however, he spreads straw on the floor of the Sukkah and verbally abandoned it there for seven days, it is regarded as a valid reduction,³ and certainly if he spread dirt on the Sukkah and verbally abandoned it there.⁴ If one spread straw on the floor of the Sukkah and he does not intend to remove it in the future, or if he spread dirt on the Sukkah floor without any specific intention, there is a dispute between Rabbi Yosi and the Rabbis, for it was taught in a Mishnah: If a house with a corpse was filled up with straw or pebbles, and he [the owner] abandoned them there [by declaring that he will not remove them], they are considered permanent.⁵ This implies that they are nullified if he verbally abandoned them, but if he did not verbally abandon them, they are not nullified. And the following Baraisa was taught regarding that: Rabbi Yosi says that if one placed straw in a house and doesn't plan to remove it, it is like dirt which one didn't say anything about, and is therefore considered part of the house. If he placed dirt and plans to take it out, it is like straw about which one didn't say anything, and therefore isn't considered part of the house. (4a1)

If a Sukkah is higher than twenty amos and some of the leaves from the s'chach hang down into the airspace of the Sukkah within twenty amos of the floor, if the shade from the leaves' tips is greater than their sunlight, the Sukkah is valid, but if their shade is not greater than their sunlight, the Sukkah remains invalid. (4a2)

If the Sukkah is exactly ten tefachim and some of the leaves from the s'chach were dangling within the ten-tefachim airspace, Abaye thought to say that if their sunlight is greater than their shade, the Sukkah is valid. Rava said to him: Why this is a revolting dwelling, and a person does not dwell in a revolting dwelling. (4a2)

If a Sukkah is higher than twenty amos and a platform is built in the Sukkah opposite the middle wall in its entirety (i.e., it abuts all three walls of the Sukkah), and it (i.e., the platform) contains the minimum required area for a Sukkah, the Sukkah is valid.⁶ If the platform is built on the side of the Sukkah, if from the edge of the platform until the opposite wall is a distance of more than four amos, the Sukkah is invalid; if the distance is less than four amos, the Sukkah is valid. What is this ruling teaching us? That we apply the principle of *dofen akumah*, i.e. we say that an invalid covering can be viewed as part of a bent wall. But we have already learned this principle in the following Mishnah: A house [the middle of whose flat roof] is breached and one placed the

¹ The Sukkah is still viewed to be higher than twenty amos. The reason for this ruling is because one will not leave the pillows on the floor of the Sukkah for all seven days of the festival, as they will become ruined.

² For the duration of the festival.

³ And the Sukkah is valid.

⁴ This is considered a valid reduction in the height of the Sukkah.

⁵ And we therefore consider only the space above them when determining if it is a tent or not.

⁶ Since the airspace between the platform and the s'chach does not exceed twenty amos, the Sukkah will be valid.

s'chach upon it, if there are four amos from the [top of the] wall to the s'chach, it is invalid; which [shows that] if the distance was less than this it is valid? — One might have thought that only there [it is valid] since [each side] is suitable [to serve] as a wall; but that here, since it⁷ is unsuitable for a wall, one might say that it is invalid, [therefore] we were taught [that even here the principle is applied]. (4a2 - 4a3)

If [a Sukkah] was higher than twenty amos and one built a platform in the middle of it, if there are four amos on every side between the edge of the platform and the wall, it is invalid; but if the distance is less than four amos, it is valid. What principle does this teach us? That we apply the rule of the 'dofen akumah'? But isn't this principle identical with the former one? - One might have thought that we apply the rule of the 'dofen akumah' on one side only, but not on every side, therefore we were taught [that we apply it to all sides also]. (4a3)

If [a Sukkah] was less than ten tefachim in height and one hollowed out [a hole] in order to bring it to [ten tefachim], — if there was a distance of three tefachim from the brim of the hollow to the wall, it is invalid; if the distance was less than three tefachim it is valid. Why do we say there 'less than four amos', and here 'less than three tefachim'? In the former case where there is a wall,⁸ it is sufficient [if the distance is] 'less than four amos'; in the latter case, however, where a wall has to be made,⁹ [if the distance is] 'less than three tefachim' it is [valid]; otherwise it is not. (4a4 – 4b1)

⁷ The wall opposite the platform - because it is higher than twenty amos and does not abut the platform.

⁸ Since its height was no less than ten tefachim.

⁹ Since one lower than ten tefachim cannot be regarded as a valid wall.

¹⁰ I.e., the sides of the pillar.

¹¹ As far as the ceiling, and that, since the sides are no less than ten tefachim high and the distance between the top of the pillar and the roof is less than twenty amos, the pillar constitutes a valid Sukkah. This is the principle of gud asik, i.e. we extend and raise the partition on each of the pillar's sides to the s'chach above, creating a valid Sukkah on the top of the pillar.

If [a Sukkah] was more than twenty amos high and one erected in it a pillar ten tefachim high, and large enough for a valid Sukkah, [in this case] Abaye thought to say the partitions¹⁰ are deemed to be continued upward,¹¹ [but] Rava said to him: Recognizable partitions are necessary, which these are not. (4b1)

Our Rabbis taught: If a man drove four poles into the ground and put the s'chach on them, Rabbi Yaakov declares it valid and the Sages declare it invalid. Rav Huna stated: The dispute relates only [to poles erected] on the edge of a roof, where Rabbi Yaakov holds that we apply the rule of 'the partition continues upward' (i.e., gud asik)¹² while the Sages hold that we do not apply the rule of 'gud asik'; but [if they were erected] in the middle of the roof, all agree that [the Sukkah is] invalid. Rav Nachman, however, maintained that the dispute relates only [to poles erected] in the middle of the roof.¹³ It was asked: [Does he mean that] the dispute concerns only [poles that were erected] in the middle of the roof, but if such were erected on the edge of the roof all agree that it is valid,¹⁴ or is it possible [that he means that] the dispute concerns both cases? — The question remains unresolved. (4b1 – 4b2)

An objection was raised: If one drove poles in the ground and placed the s'chach over them, Rabbi Yaakov declares [such a Sukkah] valid, and the Sages declare it invalid. Now the earth, surely, is [in respect of partitions] like the middle of a roof¹⁵ and still Rabbi Yaakov regards [the Sukkah] as valid. Is this not, then, a refutation of Rav Huna?¹⁶ — It is indeed a

¹² The walls of the house, may, therefore, be regarded as continuing upward and forming walls for the Sukkah.

¹³ Rabbi Yaakov holding that poles provided the width of each is no less than a tefach, constitute valid walls for a Sukkah, while the Sages hold that a Sukkah must have no less than two valid walls adjacent to each other and a third one of the minimum width of a tefach.

¹⁴ On the account of 'gud asik.'

¹⁵ Since in neither case are there any partitions beneath the poles to which the rule of 'gud asik' could be applied.

¹⁶ Who holds that, where the poles were erected in the middle of a roof, all agree that the Sukkah is invalid.

refutation. Moreover, [presumably] they dispute concerning the middle of the roof, only, but where [poles are put up] on the edge of the roof they all agree that it is valid. Must it then be said that this will refute Rav Huna on two points?¹⁷ – Rav Huna could answer you: They disagree about poles in the middle of the roof, and likewise also about those on the edge, and the reason why the dispute concerns the middle of the roof is in order to show you how far Rabbi Yaakov's view extends viz., that even where the poles were in the middle of the roof he holds [the Sukkah] to be valid. (4b2)

Our Rabbis taught: If a man drove four [round shaped] poles into the ground and covered them with the s'chach, Rabbi Yaakov ruled: We see: If it is found that [the poles are so thick that] if they were hewn [into a square shape] and split,¹⁸ there would remain the width of a tefach on two adjacent sides, they are treated as a double-post, but if not, they cannot be treated as a double-post, for Rabbi Yaakov used to say: The prescribed minimum width of a double-post of a Sukkah is a tefach;¹⁹ but the Sages say: Only if two [of the adjacent walls] are proper [walls], may the width of the third be only a tefach. (4b3)

INSIGHTS TO THE DAF

Less than Ten

The Sfas Emes cites the sefer Beis Yisroel that wonders why the Gemara requires a source in the Torah that is unrelated to Sukkah to teach us that a Sukkah is invalid if it is less than ten tefachim. Should it not be invalid because one cannot dwell comfortably in such a Sukkah? The Sfas Emes answers that the verse is needed for a case where the s'chach is higher than ten tefachim but the walls are not higher than ten tefachim. If not for the verse teaching us otherwise, the Sukkah would be valid when the s'chach is higher than ten tefachim. The Brisker Rav writes in a similar vein that there

¹⁷ His statement (I) that all agree that poles in the middle of a roof constitute no valid Sukkah is refuted by the explicit statement in the Baraisa, while his statement (II) that the dispute concerns poles erected on the edge of the roof is refuted by the inference just made.

are two aspects to this halacha. One requirement is that the walls of the Sukkah must be at least ten tefachim high, and second, that the Sukkah must accommodate that one can dwell in it comfortably. A practical difference between these two reasons would be in a case where one rests his Sukkah on bedposts. The walls of the Sukkah are ten tefachim but it would still be invalid because the bed inside the Sukkah does not allow one to dwell comfortably in the Sukkah.

Sitting or Standing

If the Sukkah is exactly ten tefachim and some of the leaves from the s'chach were dangling within the ten-tefachim airspace and their sunlight is greater than their shade, there is a dispute if the Sukkah is valid or not. Rava maintains that the Sukkah is not valid as it is considered a dirah seruchah, an repulsive dwelling, and one does not dwell in an repulsive dwelling. The Reshah wonders how a Sukkah that is precisely ten tefachim high can be valid if the height of a regular person is eighteen tefachim. One would not be able to stand straight in such a Sukkah and he will be very uncomfortable. Shearim Mitzuyanim B'Halacha answers that this is not a difficulty because the obligation is for one to sit in a Sukkah and not to stand in the Sukkah. Shearim Mitzuyanim B'Halacha cites a proof to this from the Rambam who rules that one should recite the Bracha of leisheiv basukkah while standing and then he should sit down so that the Bracha will be considered recited prior to the performance of the mitzvah. There are Rishonim who disagree with the Rambam and they maintain that one can fulfill the mitzvah by standing as well. Nonetheless, those Rishonim will agree that the primary obligation is to sit as the Torah states explicitly basukkos teishvu, and the word teishvu means to sit.

¹⁸ From the inside, forming a right angle.

¹⁹ Unlike in the case of wells in connection with Shabbos, where the minimum is one amah on each side.

Bent Walls

If a Sukkah is higher than twenty amos and a platform is built that abuts three walls of the Sukkah, since the airspace between the platform and the s'chach does not exceed twenty amos, the Sukkah will be valid. If the platform is built less than four amos away from the walls, the Sukkah will still be kosher because we apply the principle of dofen akumah, i.e. we say that an invalid covering can be viewed as part of a bent wall. The Rishonim offer two explanations regarding the mechanics of dofen akumah. Rashi understands that the s'chach that is higher than twenty amos and not on top of the platform is deemed to be an extension of the wall. According to Rashi, one cannot sit under this portion of the Sukkah and fulfill the mitzvah because he is sitting under a wall and not under the s'chach. Other Rishonim, however, explain that since the wall is less than four amos away from the kosher s'chach and it is normal for a wall to be slanted less than four amos, the principle of dofen akumah teaches us that we view the wall to be touching the platform. According to these Rishonim, one is permitted to sit under the s'chach that is higher than twenty amos, because given the fact that there is a kosher Sukkah, there is another principle that any s'chach protruding out from a valid Sukkah is deemed to be part of the Sukkah. A practical difference between the two explanations would be if the walls of the Sukkah did not touch the s'chach. According to the explanation offered by Rashi, we would not be able to apply the principle of dofen akumah, because given the fact that there is a break in the wall, we cannot say that the s'chach is an extension of the wall. According to the other Rishonim, however, we can apply the principle of dofen akumah, as we are connecting the wall to the platform and it does not concern us that the wall does not reach the s'chach.

DAILY MASHAL

Sukkos and the Holy Ark

The Gemara derives the law that the height of a Sukkah must be higher than ten tefachim from the Holy Ark, which was nine tefachim tall, and the thickness of the kapores, the Ark-cover, was one tefach. The Divine Presence never descended

into the domain of man and Hashem spoke to Moshe from atop the kapores, so it follows that ten tefachim from the ground is a separate domain.

It is noteworthy that the Vilna Gaon writes that when the Jewish People sinned with the Golden Calf, the Clouds of Glory that had been protecting them departed and they only returned after Hashem forgave the Jewish People on Yom Kippur. The clouds actually returned on Sukkos, and it is for this reason that we celebrate Sukkos in the fall season. Following Yom Kippur, the Jewish People were instructed to build the Mishkan, a sign of HaShem's forgiving the Jewish People. It is thus appropriate that we derive a law regarding a Sukkah from the Holy Ark, as the Ramban writes that the ultimate goal of the Mishkan was to contain the Divine Presence that had rested publicly at Sinai. The Divine Presence rested on the Holy Ark, atop the kapores, and Sukkos reflects the Divine Presence that rests in our midst.