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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

1. 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, and 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. If, however, he spreads straw on the floor of the Sukkah and verbally abandoned it there for seven days, or if he spread dirt on the Sukkah and verbally abandoned it there, this is considered a valid reduction in the height of the Sukkah. (3b3-4a1)
2. 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 Tanaic debate. When the straw and dirt are verbally abandoned, the Tanna of the Mishnah and Rabbi Yose agree that they are nullified vis-à-vis their location. When there is no verbal indication, yet, the owner has no need for them, and regarding dirt where we are not aware of the owner’s needs, according to Rabbi Yose the straw and dirt are nullified, whereas the Tanna of the Mishnah maintains that they are not nullified. Regarding straw where there is no verbal indication and we are unaware of the owner’s needs and regarding dirt or straw where we know that the owner has an immediate need for them, everyone agrees that the straw and the dirt are not nullified. (4a1)
3. 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)
4. 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. (4a2)
5. If a sukkah is higher than twenty amos and a platform is built in the Sukkah that abuts

all 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 on the side of the Sukkah, if from the edge of the platform until the opposite wall is a distance of less than four amos, the Sukkah is valid. The reason for this ruling is 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 novelty of this ruling is that even though the third wall cannot be used as a wall of the Sukkah because it is higher than twenty amos and does not abut the platform, we still apply the principle of *dofen akumah* and even the third wall qualifies as a valid Sukkah wall. The principle of *dofen akumah* applies even when the platform does not abut any walls but the distance from the edge of the platform until the wall is less than four amos. (4a2-4a3)

6. If a Sukkah is less than ten tefachim high and one dug a pit in the middle of the floor so that the Sukkah is completed to a depth of ten tefachim, the Sukkah will be valid if there is less than three tefachim between the edge of the pit and the Sukkah wall. (4a4-4b1)
7. If a Sukkah is higher than twenty amos and one builds in the middle of the Sukkah a pillar that is ten tefachim tall and wider than seven squared tefachim, Abaye maintains

that the Sukkah is valid because we apply 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. Rava disagrees because he maintains that we need the walls of the Sukkah to be recognizable, and here there are no recognizable walls. (4b1)

8. If one built a Sukkah by driving four poles into the roof of a house and he placed s'chach across the poles, there is a debate if the Sukkah is valid or not. (4b1-4b2)
9. There are various sources cited for the Halacha that a Sukkah which is not ten tefachim high is invalid. One of the sources is learned from the Aron, the Holy Ark. The Aron was nine tefachim high and the kapores, the Ark-cover, was one tefach thick. Hashem spoke to Moshe from on top of the kapores and we have learned that the Divine Presence never descended below into the human domain. It is thus evident that ten tefachim from the ground is considered a separate domain. It follows, then, that the Sukkah must be at least ten tefachim high. (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 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 Reshash 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.

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.