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The Mishnah had stated that a Sukkah which is not ten tefachim high is invalid. The Gemora asks: From where is this derived from? Rav and Rabbi Chanina and Rabbi Yochanan and Rav Chaviva taught - throughout all Seder Mo'ed, when these pairs are mentioned together [some] substitute the name of Rabbi Yochanan for that of Rabbi Yonasan - The Ark was nine *tefachim*, and its cover was one tefach thick, making the top of the ark ten *tefachim* off the ground. And it is written: And there I will set My meetings with you, and I will speak with you from above the Ark-Cover. And it was taught in a Baraisa: Rabbi Yosi said: The Divine Presence never descended below, and Moshe and Eliyahu never ascended above,¹ as it is written: The heavens are the heavens of God, but the earth has been given to mankind.

And did the Shechinah never descend below? But it is written: God descended upon Mount Sinai.? – That was above ten tefachim. But it is written: And His feet shall stand on that day upon the Mount of Olives.? – that was above ten tefachim.

And did Moshe and Eliyahu not ascend to the Heavens? But it is written: And Moshe ascended to God.? – That was below ten tefachim (from the Heavens). But it is written: And Eliyahu ascended to heaven in the whirlwind.? – That was below ten tefachim.

¹ This indicates that the upper and lower realms are two different domains. Since the Divine Presence rested on the Ark, which was ten *tefachim* off the ground, we see that ten *tefachim*

But it is written: He allows him to grasp the face of His Throne, and He spreads His cloud upon him, and Rabbi Tanchum said: This teaches us that the Almighty spread some of the radiance of his Shechinah and his cloud upon Moshe? — That was below ten tefachim. But in any case is it not written: He allows him to grasp the face of His Throne.? — The Throne was well lowered for his sake until [it reached a level] lower than ten tefachim [from Heaven] and then he seized hold of it. (4b3 – 5a1)

One can well understand that the Ark was nine [tefachim high] since it is written: And they shall make an Ark of acacia wood: two amos and a half shall be its length, and an amah and a half its width, and an amah and a half its height, but from where do we know that the Ark-Cover was a tefach [high]? — From that which Rabbi Chanina learned: All the vessels that Moshe made the Torah gave the measurements of their length and width and height, [while in the case of] the Ark-Cover its length and its width are given, but not its height. Proceed, therefore, to deduce it from the smallest of the vessels, concerning which it is said (regarding the Table): And you shall make unto it a border of a tefach all around. Just as there the height was a tefach so was it there also a tefach.

But why shouldn't our deduction be made from the vessels themselves?² — If one select the greater, one does not select well; if one select the lesser, one selects well.³

is the lower domain, necessitating a barrier of at least ten *tefachim*.

² Which were higher than a tefach.

³ The lesser

But why shouldn't our deduction be made from the tzitz,⁴ as it was taught: The tzitz was in the shape of a plate of gold two finger-breadths wide and stretching from ear to ear, and upon it was written in two lines 'yod hey' above and 'Holy lamed' below. But Rabbi Eliezer son of Rabbi Yosi said: I saw it in the city of Rome, and 'Holy to Hashem' was written in one line.? — We deduce [the measurements of a] vessel from another vessel, but we do not deduce [the measurements of a] vessel from an ornament.

Why then should we not deduce from the crown,⁵ of which a master stated, The crown was on the smallest possible size? — We deduce the size of a vessel from that of another vessel, but not from the accessory of a vessel. If so, [it may be objected] wasn't the border [of the Table] also an accessory of a vessel? — The border was below [the top of] the Table.⁶ This is correct according to the one who holds that the border was below, but according to the one who holds that it was above,⁷ what can one answer seeing that it was only an accessory of a vessel? — The fact is that one adduces the size of a thing some of whose measurements are given by the Torah from another thing whose measurements are given by the Torah, but no deduction can be made from the tzitz or the crown of which the Torah gave no measurements at all. (5a1 – 5a3)

Rav Huna said: [The height of the Ark-Cover may be deduced] from the following verse: Upon the eastern face of the Cover, and a 'face' is not smaller than a tefach. But perhaps it means a face like that of the Bar-yochani?⁸ — If one selects the greater, one does not choose well, if one selects the lesser, one does select well. Might it not be said that the face meant was one like that of a tiny bird which

is included in the greater, but the greater is not included in the lesser. The selection of the lesser is, therefore, the safer course.

⁴ I.e., the golden headplate worn on the Kohen Gadol's forehead.

⁵ The crown of gold round the Ark.

is very small? — Rav Acha bar Yaakov answered: Rav Huna draws an analogy between two expressions of 'face'. It is written here: Upon the face of the Ark-Cover, and it is written elsewhere: From the face of Yitzchak his father. But why shouldn't we deduce from the face of a celestial being, concerning which it is written: As one sees the face of a Divine being, and you were pleased with me? - If one selects the greater, one does not select well; if one selects the lesser, one selects well. Then why shouldn't we deduce from the Cherub,⁹ concerning which it is written: Toward the face of the Ark-Cover shall the faces of the Cherubim be? — Rav Acha bar Yaakov answered: We have a tradition that the face of the Cherubim wasn't less than a tefach, and Rav Huna too made his deduction from this verse. What is the derivation of Cherub? - Rabbi Avahu said, 'Like a child', for in Babylon they call a child 'ravva.' Said Abaye to him: If so, how will you explain the Scriptural text: The first face was the face of the Cherub and the second face the face of a man, seeing that the face of a Cherub is the same as that of a man? — [One has] a large face and the other a small face. (5a3 – 5b1)

But from where do we know that the height of the interior space exclusive of the s'chach, must be ten [tefachim] seeing that it might be said that the covering also is included? — The fact is that the deduction is made from the Eternal House covering of which it is written: And the House which King Solomon built for Hashem, its length was sixty amos, and its width was twenty amos, and its height was thirty amos, and it is written: The height of the one Cherub was ten amos and so was it of the other Cherub, and it was taught: Just as we find in the Eternal House that the Cherubim reached to a third of its height so also in the Tabernacle they reached to a third of its height. Now what was the height of the Tabernacle? Ten

⁶ Since the tabletop rested upon it, it was considered an integral part of the Table.

⁷ And thus served only as an ornament.

⁸ A bird of huge dimensions.

⁹ Which might have been smaller than a tefach.

amos, as it is written: Ten amos shall be the length of each plank. How much is this? Sixty tefachim. How much is a third? Twenty tefachim. Deduct the ten of the Ark and the Ark-Cover and ten tefachim remain; and it is written: And the Cherubim shall spread out their wings above covering the Ark-Cover with their wings. [From which we see that] the Merciful One calls [the wings that were stretched] above a height of ten tefachim a 'covering'.¹⁰ But from where do we know that their wings were above their heads? Is it not possible that they were on a level with their heads. — Rav Acha bar Yaakov answered: It is written: 'above'. But perhaps this means that the wings were raised very high? — Is it then written, 'high above'? (5b1 – 5b2)

This explanation is satisfactory according to Rabbi Meir, who says that all the amos [in the Tabernacle] were medium amos,¹¹ but according to Rabbi Yehudah who says that the amos of the Tabernacle structure were six tefachim, but of the vessels were five, what can be said? For how much [then] were the Ark and Cover? Eight and a half,¹² so that eleven and a half tefachim are left.¹³ Shall we [therefore] say that [according to Rabbi Yehudah] a Sukkah must be [at least] eleven and a half [tefachim high]? — The fact is that according to Rabbi Yehudah the law¹⁴ was learnt as an oral tradition, for Rav Chiya bar Ashi citing Rav stated: The laws concerning measures, interpositions and partitions are [a part of the] halachah that was given to Moshe on Sinai.

INSIGHTS TO THE DAF

Descending and ascending

The Gemora says that the Divine presence never descended below 10 *tefachim*, and no person ever

ascended above 10 *tefachim*. The Maharatz Chiyus explains this allegorically to mean that Hashem grants all people free will. Therefore, He does not intervene in their actions in this world, effectively "remaining" in the upper realm. Even when Moshe and Eliyahu ascended, they didn't lose their human identity. Therefore, the angels asked Hashem what a human being was doing among them, and Eliyahu would appear as a person to the Sages.

Tafasta meruba lo tafasta

In its discussion of the height of the kapores, the Gemora repeatedly rejects larger sizes, saying tafasta meruba lo tafasta, tafasta mu'at tafasta – if you have grabbed more, you haven't grabbed, but if you grab the minimum, you have grabbed. Rashi explains that by choosing the smaller size, we are sure to have not chosen too large, but if we choose the larger size, perhaps we were unjustified in doing so. Tosfos (5b tafasta) quotes those who explain that if we choose the minimum, we have a well-defined value to choose, but if we choose something larger, there is no maximum. We therefore assume that an unknown quantity is something well defined, and therefore choose the minimum. Tosfos rejects this explanation, due to the following challenges:

1. In our Gemora, there is a maximum size (i.e., the size of the mishkan itself), yet the Gemora uses this statement to prove that we choose the smaller size.
2. The Gemora in Rosh Hashana (4b) uses the same statement to prove that we allocate seven days to bring the sacrifices of Shavuot, since we learn from the smaller size of Pesach, and not the larger size of Sukkos, even though there is a defined maximum of 8 days.
3. Toras Kohanim cites a dispute of Tannaim how we know the amount of days which makes a woman a zava. Rabbi Akiva says it is based on this statement, while Rabbi

¹⁰ The same as that of the word used for the covering of a Sukkah.

¹¹ Six tefachim.

¹² One and a half amos of the Ark (five plus two and a half) seven and a half tefachim, and the Ark-Cover one tefach.

¹³ Between the Ark-Cover and the wings of the Cherubim.

¹⁴ Regarding the minimum height of a Sukkah.



Yehuda ben Besaira says it is based on the fact that we choose the defined (minimum) value, and not the unbounded larger value, implying that the two statements are different.

Tosfos therefore explains the statement like Rashi, saying that we can be assured that we are justified in the minimum value, but not necessarily with any more.

Eliyahu's Locker Room

The Gemara states that the Divine Presence has never descended below to within ten *tefachim* of the physical world. Similarly, Moshe and Eliyahu never ascended to the Heavens. The Chasam Sofer explains that this statement that Eliyahu never ascended to the Heavens was only true as long as Eliyahu was encumbered by his physical body. When Eliyahu's soul was freed from his body, he was transformed into an angel and he was no longer bound by physical limitations. The Chasam Sofer posits that when Moshiach arrives, Eliyahu will reassume his physical form and he will reside amongst the great people of that generation. At that time Eliyahu will be allowed to rule on halachic issues, which is something that is normally reserved for humans. The reason for this is because at that time Eliyahu will have reassumed a physical state. Currently, however, Eliyahu retains the status of an angel, and for this reason Eliyahu is not bound by any of the limitations imposed upon men. Given Eliyahu's current status of an angel, we can understand why Eliyahu is permitted to travel throughout the world on Shabbos to attend a circumcision ceremony. Although traveling on Shabbos normally involves walking outside of the techum, the distance of two-thousand amos from one's Shabbos residence which he is permitted to travel on Shabbos, Eliyahu is not confined to this restriction because he has the status of an angel. The Gemara records an incident where an Amora encountered Eliyahu in a graveyard. The Amora queried Eliyahu as to how he was permitted to be in a graveyard if Eliyahu is a Kohen, who is prohibited from defiling himself to a corpse. The Chasam Sofer explains

that Eliyahu must have assumed a physical form at that time, as otherwise Eliyahu would have retained the status of an angel, and the Amora surely would have known that halachos that are relevant to physical beings do not apply to Eliyahu.

No Dates Today

The Gemara states that the source for any measurements, interpositions and partitions are all Halacha LeMoshe MiSinai, oral laws given to Moshe at Sinai that have no Scriptural basis. Rashi cites two examples of measurements, one being the olive-measure for most forbidden foods, and second, the date-measure for eating on Yom Kippur. There is an interesting discussion regarding the definition of the prohibition to eat on Yom Kippur. The question raised is as follows: Is the prohibition defined as eating per se, and the minimum measure that was established was the equivalent of the size of a date because that is what alleviates the hunger, or perhaps the prohibition is that one cannot alleviate his hunger, which is generally accomplished by eating a food that is the size of a date. Although this may seem to be a question of semantics, this query actually has some serious halachic implications. Let us consider the following scenario: What would happen if one ate slightly less than the equivalent of a date right before Yom Kippur and he is still somewhat hungry. After Yom Kippur begins, he eats a little bit more and that eating combines with what he ate before Yom Kippur to alleviate his hunger. This person has alleviated his hunger on Yom Kippur, but he has done so without eating the entire forbidden measurement of food. The Ksav Sofer writes that in such a situation, one has indeed transgressed Yom Kippur. It is clear that the Ksav Sofer maintains that the prohibition is that one cannot alleviate his hunger and the prohibition is not the eating per se. In a similar vein, Rabbi Chaim Ozer Grodzinsky, in his sefer *Achiezer*, discusses intravenous feeding on Yom Kippur. If the prohibition is eating per se, then feeding intravenously would be permitted. If the prohibition is that one cannot

alleviate his hunger, then feeding intravenously may be prohibited as well.

The Wings of the Keruvim – Straight Ahead or at an Angle?

The Gemara cites a source as proof that a Sukkah must be at least ten *tefachim* high. The Keruvim that were on top of the kapores were ten *tefachim* high and regarding the wings of the Keruvim it is said the Cherubim shall be with wings spread above, sheltering the Cover with their wings. The word for spread is *sochechim*, which has the same root word as *s'chach*. Thus we have proof that a valid Sukkah must have an interior space ten *tefachim* high, exclusive of the *s'chach*. Harav Dovid Meyers in his sefer *Melech HaMishkan Vkeilav* notes that it would seem that the universally accepted drawing of the Keruvim's wings as extending from their heads at an upward angle would be inaccurate according to our Gemara. If the wings truly had extended upward on a diagonal, then the area underneath the wings did not have a uniform height. The area that was underneath the tips of the wings was certainly ten *tefachim*, but the area closer to the head was lower. If this is so, why did the Gemara arbitrarily pick the height of ten *tefachim*? HaRav Meyers therefore suggests that it is more likely that the wings extended straight ahead horizontally from their heads to the point where their tips met, and indeed the whole area under the wings was ten *tefachim* high. HaRav Meyers presented his thesis to HaRav Chaim Kanievsky, and HaRav Chaim acknowledged that HaRav Meyers was correct in his assessment.

The Kapores – Solid or Hollow?

HaRav Dovid Meyers, in his sefer *Melech HaMishkan Vkeilav*, wonders if the kapores was actually a solid *tefachim* thick, or was it merely a hollow box. HaRav Meyers notes that the Gemara in Yoma 55a that uses the term "the thickness of the kapores," seems to imply that the kapores was not only a *tefachim* high but also a *tefachim* thick. Rabbeinu Chananel, however, has a

different version of that Gemara in Yoma which reads "the *tefachim* of the kapores," instead of the thickness of the kapores. For further discussion on this matter, see page 74 of sefer *Melech HaMishkan Vkeilav*.

DAILY MASHAL

Flames in Heaven

The Gemara states that Moshe and Eliyahu never ascended to Heaven. Although Scripture seems to indicate that Moshe ascended to Heaven, the Gemara explains that Moshe always remained below ten *tefachim* from the Heavens. There is a halacha regarding lighting Chanukah Menorah that the candles should be within ten *tefachim* of the ground. Rabbi Moshe Shternbuch in his sefer *Moadim Uzmanim* wonders if the flames themselves are required to be within ten *tefachim* of the ground or is it sufficient that the wicks are within the *tefachim* of the ground. Based on our Gemara we can suggest that one has to light the candles within ten *tefachim* of the ground, i.e. within the human domain. The flames, however, which are completely spiritual and are unmarred by any physical element, can be above ten *tefachim*.