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Sukkah Daf 8

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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

Rabbi Yochanan says: Regarding a Sukkah that is round like an oven - if the Sukkah has a circumference that can accommodate twenty-four people, it is valid; if not, it is invalid.

With whom does this teaching accord? - The Gemara assumes that this opinion is in accordance with Rebbe who maintains that any Sukkah, which does not have an area of four squared amos, is invalid. This presumption is questioned because a person occupies a space of one amah (and Rabbi Yochanan therefore means that the Sukkah must have a circumference of twenty-four amos). It is known that a circular object with a circumference of three tefachim has a diameter of one tefach; accordingly, it should suffice if the Sukkah is large enough to seat twelve people! - That¹ applies only to a circle, but in the case of a square, a greater perimeter is required.² But consider: By how much is a square greater than its [inscribed] circle? By a quarter. Shouldn't it then suffice if only sixteen [men can be seated around it]?³ - That⁴ is so in the case of a circle inscribed within a square, but if a square is to be inscribed within a circle a greater circumference is required on account of the projection of the

corners.⁵ But consider: If the side of a square is a cubit, its diagonal is approximately one and two fifths cubits. Shouldn't then [a circumference equivalent to] sixteen and four fifths [cubits]⁶ suffice?⁷ - [Rabbi Yochanan] gave only an imprecise figure. But when can you say that an Amora gave an imprecise figure only [where the discrepancy is] small, but could such all assumption be made [where the discrepancy is] great? - Mar Kashisha the son of Rav Chisda said to Rav Ashi: Do you think that a man occupies one cubit? [The fact is that] three men occupy two cubits. How much then does this [amount to for twenty-four men]? Sixteen cubits; and we [really] demand here sixteen and four fifths! - [Because, as has been said, Rabbi Yochanan] was imprecise. But is it not to be maintained that one may be imprecise only when the law results in a stringency, but could such an assumption be made where a law is thereby relaxed? - Rav Assi said to Rav Ashi: In truth, a man occupies a cubit-space, but Rabbi Yochanan does not include the space occupied by the people.⁸ How many [cubits] does this [amount to]? Eighteen; while sixteen and four-fifths suffice. this is where Rabbi Yochanan was imprecise in his measurement, and his imprecision results in a slight stringency.⁹ (7b3 - 8a2)

¹ That the perimeter is three times the width.

² Since the diameter is not equal to the side, but to the diagonal of the square.

³ Being regarded as equivalent to three, a square is one quarter larger than its inscribed circle. If a circle with a diameter of four cubits accommodates four times three is twelve men, a square of four cubits provides seating capacity for four times four is sixteen men. A circumference of sixteen cubits should, therefore, have sufficed.

⁴ That a square exceeds a circle by a quarter, and that a four cubits square contains a perimeter of sixteen, and a circle one of twelve cubits.

⁵ The circumferences of the Sukkah must, therefore, be large enough to contain a square of four cubits.

⁶ According to the calculation that the circumference of a circle is three times its diameter, this yields a circumference of sixteen and four fifths amos for the circular Sukkah. ($5 \frac{3}{5} \times 3 = 16 \frac{4}{5}$).

⁷ I.e., space for no more than sixteen men. Why then did Rabbi Yochanan prescribe a space for twenty-four men?

⁸ Rather, Rabbi Yochanan views the people as sitting outside the Sukkah. By subtracting the one-amah space of each person, we would now have a diameter of six amos.

⁹ Because Rabbi Yochanan teaches that a Sukkah must have a circumference that is six amos in diameter, instead of the more precise five and three fifths amos.

The Sages of Caesarea, or as some say, the Judges of Caesarea, say that a circle that is inscribed in a square has a circumference that is one quarter less than the perimeter of the square surrounding it, while the perimeter of a square which is inscribed within a circle is half the measurement of the circle in which it is inscribed.¹⁰ But this last statement¹¹ is incorrect because it is evident that the circumference of the circumscribing circle is not twice as large as the square inside it.¹² (8a2 - 8b1)

Rabbi Levi said in the name of Rabbi Meir: Two potters' huts, one within the other,¹³ the inside hut is not a valid Sukkah,¹⁴ and is obligated in a Mezuzah. The outside hut, however, is a valid Sukkah, and is exempt from the obligation of affixing a Mezuzah (to its doorpost). But why should this be so? Why shouldn't the outer one be regarded as the gatehouse of the inner one, and therefore be obliged to have a Mezuzah? — Because it is not a permanent structure. (8b1)

The Gemara cites a Baraisa: [Mnemonic,] GaNBaCH. A Sukkah of gentiles, a Sukkah of women, a Sukkah of an animal or a Sukkah of Cutheans and a Sukkah of any kind, is valid,¹⁵ provided that it is covered (with *s'chach*) according to the law. What is meant by 'according to the law'?¹⁶ — Rav Chisda answered: Provided that [the covering] was made [with the intention of providing] the shade for the Sukkah.¹⁷ What does 'a Sukkah of any kind' include? — It includes a Sukkah [whose

mnemonic is] RaKBaSH, as our Rabbis taught: A Sukkah of shepherds, a Sukkah of fig watchers, a Sukkah of city guards, and a Sukkah of produce watchers, and a Sukkah of any kind, is valid, provided that it is covered according to the law. What is meant by 'according to the law'? — Rav Chisda answered: Provided [the covering] was made [with the intention of providing] the shade for the Sukkah. What does 'a Sukkah of any kind' include? — It includes a Sukkah [whose mnemonic] is GaNBaCH.

The Tanna of GaNBaCH regards the Sukkahs of GaNBaCH as possessing greater validity because they are permanent, and therefore he used the expression, 'a Sukkah of any kind' to include RaKBaSH which are not permanent,¹⁸ while the Tanna of RaKBaSH regards the Sukkahs of RaKBaSH as possessing greater validity since they belong to those who are bound [by the commandment of Sukkah] and therefore he used the expression, 'a Sukkah of any kind' to include the GaNBaCH Sukkahs which belong to those who are not bound [by the commandment of Sukkah]. (8b1 - 8b2)

INSIGHTS TO THE DAF

Rain or Shade

The *Kintzker Rav* in *Chelkas Yoav* (Siman 28) rules that a Sukkah does not have to be made with the intention of providing shade. The Sukkah merely has to have the correct amount of *s'chach* that can provide shade.

¹⁰ Thus if a circumference is twenty-four cubits (the figure given by Rabbi Yochanan) the circumscribed square has a perimeter of $24 + 24/3 = 32$ cubits, while the inscribed square has a perimeter of approximately: $32/2 = 16$ cubits.

¹¹ That the perimeter of the circumscribed square is twice the perimeter of the inscribed square and that the circumference of the circle is, therefore, bigger than the latter by a half of its perimeter.

¹² Rather, the diameter of a circle is the same as the diagonal of the inscribed square, which in our case would be five and three fifths amos; accordingly, the circumference of the circle would be three times this amount, e.g., sixteen and four fifths amos.

¹³ It was common for a potter to have a hut inside another one.

¹⁴ Since the potter lives there all year, it is not discernable that he is dwelling in the hut for the sake of fulfilling the mitzvah.

¹⁵ A Sukkah does not have to be built for the sake of the mitzvah, and for this reason a gentile, a woman or animal (a Sukkah built to provide shade for an animal) can construct a Sukkah. The Sukkah will be valid as long as one intended that the Sukkah be used for shade.

¹⁶ It cannot simply refer to rules like those enunciated in our Mishnah, which are applicable to all Sukkahs, since this would be self-evident.

¹⁷ Not merely for privacy. While it is not essential for a Sukkah to be made expressly in connection with the festival, it cannot be valid unless it was originally made to serve as a protection from the sun.

¹⁸ Since they are moved from place to place.

The *Chelkas Yoav* cites various Gemaras and Halachic authorities to prove this point. (One proof is from a Rashi in the beginning of the Masechet, but it is unclear as to which Rashi he is referring to).

Our Gemara states that the reason that a gentile, a woman or animal can make a Sukkah is because a Sukkah does not have to be built for the sake of the mitzvah. The Sukkah is valid as long as the intention was that the Sukkah will be used for shade.

This idea appears to contradict the thesis of the *Chelkas Yoav*. The *Chelkas Yoav* explains that one only is required to make the Sukkah with the intention of providing shade if the Sukkah was not being made for the sake of the mitzvah. If, however, the Sukkah was made for the sake of fulfilling the mitzvah of Sukkah, then the Sukkah is not required to be made with the intention of providing shade.

This thesis can also be used to answer another question. The Gemara on Daf 2 cited an example of a Sukkah that was made in a valley and is deemed to be valid. One must wonder how such a Sukkah can be valid, as there is no shade coming from the *s'chach*. (There is a proof from Gemara 22 that shade that theoretically exists is sufficient.) According to the *Chelkas Yoav* we can answer that the Sukkah was made for the sake of the mitzvah and this is sufficient.

Rabbi Dovid Goldberg offers an alternative answer to the aforementioned question based on the words of the *Rosh* who seems to state that providing shade is not the only intention one could have to validate a Sukkah. If one were to place *s'chach* on a Sukkah to protect him from the elements, such as rain, such an intention would also validate the Sukkah.

Four Amos is Equal to Five and Three-Fifths Anywhere

The *Pnei Yehoshua* quotes *Rabbeinu Tam* in Eruvin who maintains that whenever the Gemara states the

measurement of four amos, it refers to the diagonal of four squared amos, which is five and three fifths amos.

According to the thesis of *Rabbeinu Tam*, the *Pnei Yehoshua* raises a difficulty with the question of our Gemara on the statement of Rabbi Yochanan. Rabbi Yochanan rules that a Sukkah that is round is valid as long as the Sukkah has a circumference that can accommodate twenty-four people. The Gemara assumes that this opinion is in accordance with Rebbe who maintains that for a Sukkah to be valid it must be four squared amos. This presumption is questioned because a person occupies a space of one amah and Rabbi Yochanan means that the Sukkah must have a circumference of twenty-four amos. It is known that a circular object with a circumference of three tefachim has a diameter of one tefach, and this implies that Rabbi Yochanan requires that the Sukkah be a diameter of eight amos. This is substantially larger than a Sukkah according to the opinion of Rebbe who maintains that to yield a width of four amos, it is sufficient to have a circumference of twelve amos.

The *Pnei Yehoshua* asks that Rebbe maintains that a Sukkah must be four squared amos. Yet, according to the opinion of *Rabbeinu Tam*, the Sukkah should be five and three fifths squared amos. Thus, it would be necessary to have a circumference of twenty-four amos within a circle to contain a square of five and three fifths amos inside the circle and this would be the explanation for Rabbi Yochanan.

The *Aruch LaNer* answers that *Rabbeinu Tam* was only referring to measurements regarding Shabbos, whereas by Sukkah when the Gemara states that the requirement is four amos, it means four amos literally and not five and three fifths amos.

The *Pnei Yehoshua* himself offered this resolution but he rejected it with certain proofs. One of the proofs the *Pnei Yehoshua* cites is from a Taz who rules that a house that is three amos by eight amos is exempt from affixing a mezuzah. We have learned previously that a house must be four

squared amos in order to require a mezuzah. The same halacha is true regarding Sukkah.

One must wonder what the logic is regarding this ruling. The house that is three amos by eight amos is twenty-four squared amos, which is more than four squared amos.

The *Pnei Yehoshua* answers that the logic must be that we derive from the verse that states *a man shall not leave his place* that a person occupies a space of four amos. It would follow then that a house does not occupy a space less than four amos. If the place of a person is four squared amos, his house or Sukkah must also be four squared amos.

The *Pnei Yehoshua* extends this analogy and he states that *Rabbeinu Tam* maintains that just like regarding Shabbos four amos means five and three fifths amos, the same would be true regarding Sukkah.

Who Places the S'chach?

A Sukkah does not have to be built for the sake of the mitzvah, and for this reason a gentile, a woman or animal can construct a Sukkah. The Sukkah is valid as long as the intention in making it was that it will be used for shade.

The *Bikkurei Yaakov* rules that this is only *b'dieved*, *ex post facto*. It is preferable, however, that a gentile, a woman or a minor should not be the one placing the *s'chach* on the Sukkah.

The *Bikkurei Yaakov* bases his ruling on the words of the *Magen Avraham* to Orach Chaim 649:8 who rules that it is preferable that a gentile should not tie the Lulav together. The halacha is that a Lulav is not required to be tied, but nonetheless, since the tying of the Lulav beautifies the mitzvah, it should not be performed by one who is not obligated in the mitzvah.

Shearim Mitzuyanim B'Halacha differs and he states that there is a distinction between Lulav and *s'chach*. When one ties the Lulav, he is beautifying the mitzvah. This

beautification is an essential component of the mitzvah and for this reason, the tying of the Lulav should not be performed by a gentile. The placing of the *s'chach*, however, does not even have to be done for the sake of the mitzvah. Rather, one can place the *s'chach* merely with the intention of providing shade, and this perhaps can be done by a gentile even from the outset.

The *Teshuvos Ksav Sofer* in Orach Chaim (Siman 9) discusses the permissibility of a minor placing the *s'chach* on the Sukkah. The first premise that the *Ksav Sofer* establishes is that there is no obligation to place the *s'chach* with the intention of providing shade. Such a requirement would certainly exclude a minor because a minor may not have such an intention. Rather, it is critical that the *s'chach* should not be placed on the Sukkah with other intentions, such as placing it for the purposes of storage or dwelling. For this reason a minor would be allowed to place the *s'chach*. Furthermore, the *Ksav Sofer* writes that it is possible that the intention of the Sukkah owner that the *s'chach* should provide shade would be sufficient. It is possible, though, that the owner of the Sukkah be required to place the *s'chach* himself, as there is mitzvah for one to perform a mitzvah by himself rather than to appoint someone else to perform the mitzvah on his behalf.

DAILY MASHAL

Holiness of the Sukkah

The Gemara states that a Sukkah made by a gentile is valid. The Shach in his commentary on the Torah writes that one should not bring a gentile into the Sukkah, as the coarseness of the gentile invalidates the Sukkah from its sanctity. There is a halacha that one should not bring the pots that he cooks with inside the Sukkah. The Sukkah is a vehicle of holiness and one should take care not to desecrate the holiness of the Sukkah in any form. One should also apply this principle to his house, as one's house is meant to be a vehicle to the Divine Presence, and one should not violate this Holiness by bringing into the house items that are foreign to the true Jewish tradition.

