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We have learned in our Mishnah: Similarly, in the case of a courtyard which is surrounded with a porch.<sup>1</sup> But why? Shouldn't it rather be assumed that the edge of the roof descends and fills in [the space]? — Rava explained according to Abaye that this is a case where one made the beams level.<sup>2</sup>

In Sura they taught these statements in the above form. In Pumbedisa they taught [them as follows]: If a man placed a *s'chach* over a porch which has no columns, it is invalid according to all.<sup>3</sup> If it has columns,<sup>4</sup> Abaye declares it valid, while Rava declares it invalid. - Abaye declares it valid, since we apply the law of *lavud*,<sup>5</sup> Rava declares it invalid, since we do not apply the law of *lavud*,<sup>6</sup> but the law is according to the former version.<sup>7</sup> (19a1)

Rav Ashi found Rav Kahana placing *s'chach* over a porch which had no columns.<sup>8</sup> He said to him: Doesn't the Master hold the opinion which Rava stated, that if it has columns it is valid, but if it has no columns it is invalid? — He showed him [that a column] was visible within though level on the outside, or visible from outside, though level from within,<sup>9</sup> for it has been stated: If it<sup>10</sup> is visible from outside and level

from within,<sup>11</sup> it is regarded as a valid lechi, and a lechi is in this respect like columns. (19a1 – 19a2)

A Tanna taught: *Pesal* (*s'chach*) projecting from a Sukkah are regarded as the Sukkah. What is meant by '*pesal* projecting from a Sukkah'? — Ulla replied: Sticks projecting beyond the back<sup>12</sup> of the Sukkah. But do we not need three walls? — [This refers to a case] where there were [three walls]. But do we not need the size<sup>13</sup> prescribed as a minimum for the validity of a Sukkah? — [This refers to a case] where there was [the size prescribed as a minimum for the validity of a Sukkah]. But do we not need that the shade should exceed the sun? — [This refers to] where there was [more shade than sun]. If so, what need was there to state it? — One might have said that since they<sup>14</sup> were made for the inside but not for the outside it is not [valid], therefore he informs us [that it is valid].

Rabbah and Rav Yosef both stated: This refers to sticks projecting in front of a Sukkah<sup>15</sup> one wall of which continues with them. As one might have said that it does not contain

<sup>1</sup> If the roof of the porch is four amos wide, so that the walls of the houses cannot be regarded as the Sukkah walls, the Sukkah is invalid.

<sup>2</sup> The beams of the *s'chach* were not placed over the porch roof, so that the edge of the latter was visible within the Sukkah, but on a level with it.

<sup>3</sup> Even according to Abaye. Since the roof was made for the porch and not for the outside space its edge cannot be regarded as forming a wall for that space.

<sup>4</sup> And the distance between any two of them is less than three tefachim.

<sup>5</sup> As the wall is consequently a proper one it may serve for both the porch and the Sukkah.

<sup>6</sup> The rule of *lavud* is applied only to a wall that was made to serve the space it encloses but not to one that is to serve an outside space also.

<sup>7</sup> Of Rava's ruling, viz., that *lavud* is applied even where a wall is to serve an outside space, while an edge of a roof is assumed to descend downwards only when it is to serve its inner space.

<sup>8</sup> Only two walls were made to the Sukkah, the porch edge forming the third, and the fourth side was open lacking even the minimum of a tefach to constitute a fictitious wall.

<sup>9</sup> The porch had a column no less than a tefach wide which commenced at the corner of the Sukkah and extended outside the Sukkah, being visible only from outside.

<sup>10</sup> A lechi - side-post, that must be fixed to the edge of a mavoi to enable the carrying of objects within it on the Shabbos.

<sup>11</sup> Sc. if the side-post is level with one of the walls but extending beyond it, so that it is visible only from outside.

<sup>12</sup> Sc. the middle wall of the three prescribed as the minimum number of walls for a valid Sukkah.

<sup>13</sup> Seven tefachim square.

<sup>14</sup> The walls.

<sup>15</sup> Which has only three walls, the fourth side being entirely open.

the prescribed minimum for the validity of a Sukkah,<sup>16</sup> therefore he informs us [that it is valid].<sup>17</sup>

Rabbah bar Bar Chanah said in the name of Rabbi Yochanan: This is necessary only in the case of a Sukkah, most of which has more shade than sun, while a minor part of it has more sun than shade. As one might have said that this small portion invalidates it, therefore he informs us [that it does not]. What then is meant by 'going out'? [It means] going out from the validity of a Sukkah.

Rabbi Oshaya said: This is necessary only in the case of a small Sukkah<sup>18</sup> which has invalid *s'chach* to an extent of less than three [tefachim]; and what is meant by 'going out'? Going out from the laws applicable to a Sukkah. Rav Hoshaya demurred: Let it be regarded as no better than air space, does then air space of less than three [tefachim] invalidate a small Sukkah?<sup>19</sup> — Rabbi Abba answered him: [The difference is that] in the former case it combines [with the rest of the Sukkah] and it is permitted to sleep under it; in the latter case it<sup>20</sup> does not combine and it is forbidden to sleep under it. But is there anything which itself is invalid and yet combines [with another thing to become valid]? — Rabbi Yitzchak the son of Elyashiv answered: Yes! Pourable mud proves it; since it combines<sup>21</sup> to make up forty se'ah,<sup>22</sup> yet he who immerses in it has not undergone a proper immersion.<sup>23</sup> (19a2 – 19b1)

MISHNAH: If one makes his Sukkah like a cone-shaped hut<sup>24</sup> or leaned it against a wall, Rabbi Eliezer invalidates it since it has no [proper] roof, while the Sages declare it valid. (19b1)

GEMARA: It has been taught: Rabbi Eliezer agrees that if he raised it one tefach from the ground,<sup>25</sup> or if he separated it one tefach from the wall,<sup>26</sup> it is valid. What is the reason of the Rabbis? — That the incline of a tent is like the tent itself. (19b1)

Abaye found Rav Yosef sleeping on a bridal bed<sup>27</sup> in a Sukkah. He said to him: According to whom [do you act]?<sup>28</sup> [Presumably] according to Rabbi Eliezer?<sup>29</sup> Do you then forsake the Rabbis and act according to Rabbi Eliezer? — He answered him: In the Baraisa this is taught in the reverse, order, viz., that Rabbi Eliezer declares it valid and the Sages declare it invalid. [Abaye then asked]: Do you forsake a Mishnah and act according to a Baraisa? — He answered him: The Mishnah represents an individual opinion, as it has been taught: If he makes his Sukkah like a cone-shaped hut, or leaned it against a wall Rabbi Nassan says that Rabbi Eliezer invalidates it because it has no roof while the Sages declare it valid. (19b1 – 19b2)

MISHNAH: A large reed mat<sup>30</sup> if made for reclining upon is susceptible to tumah<sup>31</sup> and is invalid as *s'chach*.<sup>32</sup> If made for a covering,<sup>33</sup> it may be used for a *s'chach* and is not susceptible to tumah. Rabbi Eliezer ruled: Whether small or large, if it was made for reclining upon, it is susceptible to tumah and is invalid as a *s'chach*; if made for a covering, it is valid as *s'chach* and is not susceptible to tumah. (19b2)

GEMARA: [Isn't our Mishnah] self-contradictory? It says: If it was made for reclining upon, it is susceptible to tumah and is invalid as a *s'chach*. The reason then is because it was made specifically for reclining upon, but if it was made without

<sup>16</sup> And the opposite wall does not reach beyond the Sukkah proper.

<sup>17</sup> Because it is regarded as part of the Sukkah having as it does two complete walls and a portion of a third one which need not be longer than one tefach.

<sup>18</sup> Measuring only seven tefachim.

<sup>19</sup> Of course it doesn't; much less then would an invalid covering do it; what need then was there to state the obvious?

<sup>20</sup> The air space.

<sup>21</sup> With water.

<sup>22</sup> The minimum prescribed for a mikvah.

<sup>23</sup> Immersion in pourable mud is invalid, yet if there is not the minimum forty se'ah in a mikvah, the pourable mud makes up the necessary amount.

<sup>24</sup> This is a structure used by bird hunters; it is shaped like a beehive, where one cannot distinguish where the walls end and the roof begins.

<sup>25</sup> The intervening air space is regarded as a wall, by applying the law of *lavud*, and the rest as the roof.

<sup>26</sup> The intervening air space is regarded as a roof, stretching horizontally to the wall.

<sup>27</sup> A bed which has no covering on top of the width of a tefach, but the curtains rise to a point.

<sup>28</sup> In using a bed that is covered with a curtain that intervenes between it and the *s'chach*.

<sup>29</sup> Who ruled that a sloping or cone-shaped tent is not a valid tent.

<sup>30</sup> Which is hard and inconvenient for lying or reclining upon.

<sup>31</sup> Since it was expressly made for the purpose it is regarded as a finished article.

<sup>32</sup> On account of its susceptibility to tumah.

<sup>33</sup> So that it is not a finished article.

specific purpose, [it would be assumed that it was] for a covering. And then it is taught: If made for a covering, it is valid as *s'chach* and is not susceptible to tumah. The reason then is because it was made specifically for a covering, but if it was made without specific purpose [it would be assumed that it was] made for reclining upon? — This is no difficulty. The former case refers to a large [mat], the latter to a small one. This is well according to the Rabbis, but according to Rabbi Eliezer it still presents a difficulty, for we have learnt: Rabbi Eliezer ruled: Whether small or large, if it was made for reclining upon, it is susceptible to tumah and is invalid as a *s'chach*. The reason then is that it was made specifically for reclining upon, but if made with no specific purpose, [it would be assumed that it was intended] for a *s'chach*. But read the latter portion [of the Mishnah]: If made for a covering, it is valid as *s'chach* and is not susceptible to tumah. The reason then is that it was made specifically for *s'chach*, but if made without specific purpose, [it would be assumed that it was] for reclining upon? — Rather said Rava: In the case of a large [mat] all agree that if made without specific purpose [it is assumed to be intended] for a covering. They only differ in the case of a small [mat]. The first Tanna is of the opinion that ordinarily a small one is for reclining upon, and Rabbi Eliezer is of the opinion that ordinarily a small one is for a covering as well; and it is this that was meant: If a large mat of reeds is made specifically for reclining upon, it is susceptible to tumah and is invalid as *s'chach*. The reason is that it was made specifically for reclining upon, but ordinarily it is regarded as though it was made for a covering, and is valid as *s'chach*. A small [mat], if made for a covering, is valid as *s'chach*. The reason is that it was made specifically for covering, but ordinarily it is regarded as though made for reclining upon, and is invalid for a *s'chach*. [This is the view of the first Tanna] and Rabbi Eliezer comes to say that

whether it is small, or large, if made without specific purpose, it is valid as *s'chach*. Abaye said to him: If so,<sup>34</sup> [instead of] Rabbi Eliezer says: Whether it is small or large, it ought to read: Whether it is large or small?<sup>35</sup> Furthermore, is it not in fact with regard to a large mat that they are in dispute, and it is Rabbi Eliezer who takes the stricter view, for it was taught: A large mat of reeds is valid for *s'chach*. Rabbi Eliezer says: If it is not susceptible to tumah, it is valid for *s'chach*?<sup>36</sup> Rather said Rav Pappa: With regard to a small [mat], all agree that ordinarily it is intended for reclining upon. In what do they dispute? In the case of a large one. The first Tanna is of the opinion that ordinarily a large one is intended for a covering, while Rabbi Eliezer is of the opinion that ordinarily a large one is intended for reclining upon also. And what is meant by: If it was made for reclining upon?<sup>37</sup> It is this that was meant: Ordinarily also its manufacture is assumed to be for the purpose of reclining upon unless one made it specifically for a covering.<sup>38</sup> (19b2 – 20a1)

#### INSIGHTS TO THE DAF

The Gemora cites a dispute between Rav Acha and Ravina if we apply the principle of lavud in the middle of a sukkah. If there is an area of open space less than three tefachim running across the entire length of the sukkah, we would need to attach the two sides together to close the gap in order for the sukkah to be valid. They agree that lavud can apply at the side of the sukkah. If there is an open space wider than three tefachim, it must be filled up with *s'chach* to ensure that the gap is less than three tefachim.

The Ran rules that the *s'chach* must be placed adjacent to the *s'chach* and not on the side of the wall. If placed by the wall, the sukkah will still be disqualified because we would need to rely on two *halachos* *l'moshe misinai* principles, firstly -

<sup>34</sup> That Rabbi Eliezer's point is that a small mat is subject to the same law as a large one.

<sup>35</sup> The point of Rabbi Eliezer being that a small mat has the same law as a large one, on which the first Tanna agrees. The order should be: Whether large, as you say, or small.

<sup>36</sup> From which it follows that if a large mat was made without specific purpose it is regarded as made for a covering according to the first Tanna, while according to Rabbi Eliezer it is regarded as made for lying upon.

<sup>37</sup> Seeing that ordinarily also it is regarded as intended for the same purpose.

<sup>38</sup> The statement of the first Tanna is thus explained as before viz., that the first clause refers to a large mat (as was explicitly stated) while the latter clause refers to a small mat, the meaning being that if the mat was a small one, that was made specifically for a covering it may be used as *s'chach* while ordinarily it is assumed to be intended for lying upon. To this Rabbi Eliezer objected: A large mat also is subject to the same law as a small one viz., that if made for no specific purpose it is deemed to have been made for lying upon, is susceptible to tumah and may not be used as *s'chach*, but if it was expressly made to serve as a covering it may be used as *s'chach* and is not susceptible to tumah.

dofan akumah accomplishing that the s'chach which is next to the wall is deemed to be part of the wall and secondly - *lavud* will subsequently close the open gap and attach the s'chach to the new wall. Two halachos cannot be applied at the same time, thus the sukkah will be disqualified. This is parallel to another of the Ran's rulings regarding more than four tefachim of ineligible s'chach adjacent to the wall and the wall of the sukkah does not reach the s'chach. To validate the sukkah, we must apply two *halachos* *l'moshe misinai* principles and that cannot be done. We must extend the walls to reach the s'chach with the principle of *gud asik* and then apply the concept of *dofan akumah* for otherwise the ineligible s'chach will disqualify the sukkah.

Reb Akiva Eiger explains that the Ran does not simply mean that two halachos cannot be applied in one instance, rather if one halachah is dependent on another *halachah l'moshe misinai*, they cannot be applied. Each of the halachos is required to stand on its own merit. In the latter case of the Ran, we cannot apply the principle of *dofan akumah* until we rectify the wall to remove the air space. (*Dofan Akumah* cannot be applied when open space is present.) *Gud asik* must be applied first to extend the walls and then we can contemplate *dofan akumah*. The Ran maintains that this is not allowed.

#### LAVUD

The Chacham Tzvi (59) rules that we cannot apply the principle of *lavud* when there is something in between. The source for this seems to be a Tosfos on our daf that states regarding ineligible s'chach less than three tefachim, that we cannot utilize *lavud* to consider the ineligible s'chach as if it would be valid s'chach (this would be beneficial to sleep under this area) because there presently is ineligible s'chach there.

A question is asked on this concept from a Gemora on daf 4. It is learned that if a sukkah is less than ten tefachim high and one dug a pit seven tefachim squared 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. The reason why this sukkah is valid is because there is less than three tefachim from the pit to where the walls of this sukkah are situated. According to Tosfos and the Chacham Tzvi, how can we apply *lavud* there, when there is the ground (ledge) between the pit and the wall?

The Avnei Neizer O"C 309b resolves this question by explaining the concept of *lavud*. *Lavud* can function by creating something from nothing or it can make nothing from something. When there is open space less than three tefachim, the gap gets filled up and closed by its surroundings. This is evident from Rashi in Eruvin 9a that translates *lavud* as an extender. Likewise, when there is something separating a pit from the wall, *lavud* can extend the pit and transpose the ground to be considered open space.

The explanation in our Tosfos is that when there is ineligible s'chach less than three tefachim surrounded by valid s'chach, we cannot transpose the ineligible s'chach to nothing because there is valid s'chach surrounding it. We cannot consider this space as valid s'chach either because there is ineligible s'chach there presently.

#### DAILY MASHAL

##### Question from my 11 year old son

We learned that open space is stricter than ineligible s'chach. If there are three tefachim of air space on a sukkah, the sukkah is disqualified, yet four tefachim (or four amos according to one opinion) of ineligible s'chach is necessary to invalidate a sukkah.

Yet, we learned in halachah that a shofar with a hole in it (open space) is valid (there are some conditions to this), yet if one would close it up with material dissimilar to that of a shofar, it would disqualify the shofar. Here we see that ineligible material is stricter than open space (the hole)!!?