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MISHNAH: A Sukkah that is *meduvleless*¹ and one whose shade is more than its sun is valid. If [the *s’chach*] is close knit like that of a house, it is valid, even though the stars cannot be seen through it. (22a1)

GEMARA: What is meant by *meduvleless*? — Rav said: It means a meager Sukkah;² and Shmuel says: One whose reeds are not all on the same level.³ Rav taught the [first part of the Mishnah as] one [statement], while Shmuel taught it as two. Rav taught it as one: A Sukkah which is *meduvleless*, what is *meduvleless*? Meagerly, whose shade is more than its sun, is valid; while Shmuel taught it as two: What is *meduvleless*? Disarranged; and [the Mishnah] teaches two [laws,] that a disarranged Sukkah is valid and that a Sukkah whose shade is more than its sun is valid. (22a1)

Abaye stated: This⁴ applies only where there are not three tefachim of distance between one reed and another, but if there are three tefachim between one and another, it is invalid. Rava says: Even if there are three tefachim between one and another we also do not say [that it is invalid] unless the upper reed is not a tefach wide but if the upper reed is a

tefach wide, it is valid, since we apply to it the law of ‘Lower and cast it down’.⁵

Rava said: From where do I say that if the upper reed is a tefach wide we apply to it the law of ‘Lower and cast it down’, and if it is not so wide we do not apply the law of ‘Lower and cast it down’? From what we have learned: If the beams of [the roof of] a house and of its upper story have no plaster-work, and they lie exactly one above the other, and there is tumah under one of them, only the space beneath this one is tamei; if between a lower and an upper [beam], the space between them is tamei; if upon an upper beam, what is above it as far as the sky is tamei. If the upper beams were opposite the gaps between the lower beams, and tumah lay beneath one of the beams, the space beneath them all is tamei;⁶ if it lay above one of the beams, what is above them as far as the sky is tamei. And on this it was taught: When do these apply? When the beams are each a tefach [wide]⁷ and there is [a gap] of a tefach between them,⁸ but if there is not [a gap] of a tefach between them, if there is tumah under one of them, whatever is under that beam is tamei, while the space between them and above them is tahor. Thus it clearly

¹ The Gemara will explain this word.

² One covered with very few reeds, the roof having many holes, except that none of them is three tefachim wide.

³ Lit., one reed going up, and another down, so that the interior of the Sukkah has more sun than shade. The Sukkah is nevertheless valid because the number of reeds is sufficient, had they been laid on the same level, to provide more shade than sun.

⁴ The statement of Shmuel that the Sukkah is valid though one reed is up and another is down.

⁵ A legal fiction whereby a plane is regarded as though it were placed at a lower level. The reed which is raised above the others

is regarded as though it were lying on the same level as the lower ones. The necessity of a tefach of width is explained right away.

⁶ Since by the rule of ‘Lower and cast it down’ the upper and the lower beams are virtually lying at the same level and together make up one continuous roof.

⁷ So that each beam is important enough to be treated as a ‘shelter’ both as regards causing tumah to spread all under it and to form an interposition between a tumah under it and the space above it.

⁸ Sc. the lower beams, so that each upper beam placed opposite the gaps between the lower beams virtually covers a part of the roof of the lower room to all extent of not less than one tefach.

follows that if there is a tefach we apply the law of ‘Lower and cast it down’, but if there isn’t a tefach we do not apply the law of ‘Lower and cast it down’. This is conclusive. (22a1 – 22a3)

Rav Kahana was sitting at his studies and enunciated this statement. Rav Ashi said to Rav Kahana: Do we then not apply the law of ‘Lower and cast it down’ where an object is not a tefach wide? Has it not in fact been taught: If a beam was protruding from one wall, but was not touching the opposite wall, and similarly if two beams, one protruding from one wall and one from the other, were not touching each other, and [the space between them⁹ is] less than three [tefachim]¹⁰ it is unnecessary to supply another beam, but if it was three [tefachim] it is necessary to supply another beam. Rabban Shimon ben Gamliel ruled: If the space was less than four [tefachim]¹¹ it is unnecessary to bring another beam, if not, it is necessary to bring another beam. And so in the case of two parallel beams neither of which can support a half-brick,¹² if they can support a half-brick on their joint width of a tefach,¹³ it is not necessary to bring another beam; if not, it is necessary to bring another beam. Rabban Shimon ben Gamliel said: If they can support a half-brick in its length of three tefachim, it is not necessary to bring another beam; if not, it is necessary to bring another beam. If one was above and the other below, Rabbi Yosi son of Rabbi Yehudah said: We regard the upper one as though it were lower down or the lower one as though it were higher, provided that the upper one is not more than twenty [amos from the ground] nor the lower one less than ten [amos from the ground]. From which it follows that if both of them were within twenty [amos] we do apply the law of ‘Lower and cast it down’ even

⁹ The beam and the wall or the two beams.

¹⁰ So that the law of lavud is applicable.

¹¹ Rabban Shimon ben Gamliel applies the law of lavud to a space of four tefachim also.

¹² The cross-beam at the entrance of a mavoi has to be one tefach wide in order to be capable of holding a half-brick that is one and a half tefachim wide. One smaller than this width is not valid.

¹³ In this case two beams, each less than the required width, were placed next to one another so that the half-brick can be placed in its breadth upon both.

¹⁴ This is a challenge then to Rava.

although none of them is a tefach [wide]¹⁴ — The other replied: Explain as follows: Provided that the upper one is not more than twenty [amos from the ground], but within the twenty [amos], and the lower one is near it within less than three [tefachim]. Or else: Provided that the lower one is not less than ten [amos from the ground] but more than ten, and the upper one is near it within less than three [tefachim], but if they were three [tefachim apart] since [the upper beam] is not a tefach [wide], we do not apply the law of ‘Lower and cast it down’. (22a3 – 22b2)

The Mishnah had stated: Whose shade is more than its sun is valid. But if they are equal it is invalid? But have we not learned in the other chapter, ‘or whose sun is more than its shade, is invalid’, from which it follows that if they are equal it is valid? — There is no difficulty, since the former refers to above¹⁵ and the latter to below.¹⁶ Rav Pappa observed: This bears on what people say, ‘The size of a zuz above becomes the size of an issar¹⁷ below’. (22b2)

The Mishnah had stated: If close together like a house. Our Rabbis have taught: If it is close together like a house, even though the stars cannot be seen through it, it is valid. If the rays of the sun cannot be seen through it, Beis Shammai invalidate it, and Beis Hillel declare it valid. (22b2)

INSIGHTS TO THE DAF

Take a “Chill” out of the Sukkah

The Mishna states that if the s’chach that one placed on his Sukkah is thick like a house and the stars cannot be seen from inside, the Sukkah is still valid.

¹⁵ If they are equal it is invalid.

¹⁶ If in the roof (‘above’) there is as much open, as covered space, then it is invalid, since the sun appears on the floor in broader patches than the shade; if on the floor (‘below’) there is as much sunshine as shade, it is evident that there is more of the roof covered than open. The idea is that the beams of the sun widen from the roof to the floor.

¹⁷ The issar was worth one twenty-fourth of a zuz, but being of copper, whereas the zuz was of silver, it was larger.

Shulchan Aruch Orach Chaim 631 rules that it is preferable that one should place the s'chach in a manner that the stars should be seen.

Mishnah Berurah states that if the stars can be seen in one section of the Sukkah, that is sufficient.

Rabbi Braun in his sefer *Shearim Hametzuyanim B'Halacha* writes that many Gedolim did not construct their Sukkahs in a manner that the stars would be seen from inside. The reason for this was that these Gedolim resided in extremely harsh climates and they preferred to be able to sleep in the Sukkah without having to leave the Sukkah because of the harsh elements. For this reason they covered their Sukkahs with thick s'chach to keep out the cold and precipitation, even though this did not allow them to sleep under the stars.

Keep the Rain Out

The Rishonim debate what the halachah would be if one constructed his Sukkah and placed the s'chach in a manner that rain would not be able to enter the Sukkah.

Rashi is quoted as maintaining that the Sukkah is still valid and Rabbeinu Tam disagrees and maintains that this would be similar to a house and the Sukkah would be invalid.

There is a question that is asked on the opinion of Rashi. Shulchan Aruch Orach Chaim 640:4 rules that one should not use branches from a thornbush for s'chach because if the leaves fall into the Sukkah, one will be distressed and this will cause him to exit the Sukkah. Similarly, one cannot construct his Sukkah in a place that has a fetid smell because this will cause him to be uncomfortable and he will be exempt from his obligation. Following this logic, according to Rashi who maintains that a Sukkah is still valid if the rain cannot enter, it would seem to be preferable that one should place the s'chach in a manner that the rain cannot enter into the Sukkah. Thus, even if it does rain, he will be protected and he will be able to remain in the Sukkah.

The answer to this question can be that there is a distinction between the cases. Using s'chach from a thornbush or positioning a Sukkah in a location where there is no smell is not prohibited, so logic would dictate that one build his Sukkah in a way that will not cause him distress and anguish. It is not preferable to place thick s'chach on a Sukkah, however, because then the Sukkah is similar to a house. Although Rashi validates the Sukkah ex post facto, it is still preferable not to build it in such a manner.

DAILY MASHAL

Chupah Under the Stars

The Mishna and Gemara rule that a Sukkah that is covered as thick as a house, even if the stars cannot be seen from inside the Sukkah, the Sukkah is nonetheless valid.

Why is it preferred that one see the stars while dwelling inside the Sukkah?

There is a custom by Jewish weddings that the chupah take place under the stars, because this symbolizes that the couple should bear children who are as many as the stars of the heavens.

The Vilna Gaon writes that the Clouds of Glory departed after the Jewish People sinned by fashioning the Golden Calf. Hashem forgave the Jewish People on Yom Kippur, and the Clouds of Glory returned on Sukkos. The Giving of the Torah is referred to as the marriage between HaShem and the Jewish People. Perhaps this is the reason why it is preferred that one dwells in a Sukkah beneath the stars. Sukkos symbolizes that HaShem retains His love for the Jewish People, and by dwelling beneath the stars, we are likened to the bride who stands with the groom under the chupah.