

מתני' סוכה שהיא גבוהה למעלה מעשרים אמה – פסולת, ורבי יהודה מכשיר.

ושאינה גבוהה עשרה טפחים, ושאיין לה (שלשה) דפנות, ושחמתה מרובה מצלתה – פסולה.

גמ' תנן התם: מבוי שהוא גבוה מעשרים אמה – ימעט, ורבי יהודה אומר: אינו צריך.

מאי שנא גבי סוכה דתני פסולה, ומאי שנא גבי מבוי דתני תקנתא?

סוכה דארוייתא – תני "פסולה", מבוי דרבנן – תני תקנתא.

MISHNA A *sukka*,^N i.e., its roofing, which is the main and most crucial element of the mitzva, that is more than twenty cubits^B high^{HN} is unfit. Rabbi Yehuda deems it fit.

Similarly, a *sukka* that is not even ten handbreadths high,^H and one that does not have three walls,^H and one whose sunlight that passes through its roofing is greater than its shade^H are unfit.

GEMARA We learned a similar *halakha* in a mishna there, in tractate *Eiruv* (2a): In the case of an alleyway that is higher than twenty cubits,^H i.e., the beam that was placed across the end of an alleyway^N that opens into a public domain in order to permit carrying within the alleyway on Shabbat is higher than twenty cubits, one must diminish^N the height of the beam in order to permit carrying within the alleyway. Rabbi Yehuda says he need not do so, and although the beam lies higher than twenty cubits, the alleyway is qualified to permit carrying within.

Given the seeming similarity between the two cases, that of the *sukka* and that of the alleyway, the Gemara asks: What is different with regard to a *sukka* where the mishna teaches that it is unfit, and what is different with regard to an alleyway where the mishna teaches the method of rectification, that one must diminish the height of the cross beam? Why was a solution not suggested in the case of a *sukka*?

The Gemara answers: With regard to *sukka*, since it is a mitzva by Torah law, the mishna teaches that it is unfit, as, if it is not constructed in the proper manner, no mitzva is fulfilled. However, with regard to an alleyway, where the entire prohibition of carrying is only by rabbinic law, the mishna teaches the method of rectification,^N as the cross beam comes only to rectify a rabbinic prohibition but does not involve a mitzva by Torah law.

BACKGROUND

Cubit [ama] – אמה: Several different lengths are referred to by this name. The physical origin of the measure is the distance from the elbow to the end of the middle finger, which is called *ama* in Hebrew. The common cubit is six handbreadths long, equal to 48 cm according to one opinion and 57.6 cm according to another. However, in the Talmud one also finds mention of a short cubit, which is five handbreadths long. In addition, there were two other cubits that were used in the Temple for special measurements; one was half a fingerbreadth longer and one was a full fingerbreadth longer than the standard cubit.

HALAKHA

A *sukka* that is more than twenty cubits high – סוכה שהיא גבוהה למעלה מעשרים אמה: A *sukka* that is more than twenty cubits high is unfit, in accordance with the opinion of the first *tanna* in the mishna (*Shulhan Arukh, Oraḥ Hayyim* 633:1).

A *sukka* that is not even ten handbreadths high – סוכה שאינה גבוהה עשרה טפחים: A *sukka* that is less than ten handbreadths high is unfit (*Shulhan Arukh, Oraḥ Hayyim* 633:8).

A *sukka* that does not have three walls – סוכה שאין לה שלש דפנות: A *sukka* that does not have three walls as defined by the Sages is unfit (*Shulhan Arukh, Oraḥ Hayyim* 630:2).

Whose sunlight is greater than its shade – שחמתה מרובה מצלתה: A *sukka* through whose roofing more sunlight passes than the shade it provides is unfit (*Shulhan Arukh, Oraḥ Hayyim* 631:1).

An alleyway that is higher than twenty cubits – מבוי שהוא גבוה מעשרים אמה: If the cross beam placed over the entrance to an alleyway to permit carrying in the alleyway on Shabbat is more than twenty cubits off the ground, it is unfit, and one may not carry in the alleyway. This ruling is in accordance with the opinion of the Rabbis (*Shulhan Arukh, Oraḥ Hayyim* 363:26).

NOTES

The placement of the tractate – סדר המסכת: The Rambam explains the placement of tractate *Sukka* in the order of *Moed*. After presenting the *halakhot* of Shabbat, Rabbi Yehuda HaNasi sought to elucidate the *halakhot* of the three pilgrimage Festivals, albeit with certain digressions. He began with the festival of Passover in tractate *Pesahim*. As there is no tractate devoted to the festival of *Shavuot*, he proceeded to tractate *Sukka*, in which the numerous mitzvot tied to the festival of *Sukkot* are discussed. Then he proceeded to tractate *Beitzah*, in which the general *halakhot* common to all of the Festivals are discussed. According to Rav Sherira Gaon in *Sefer Yuhasin*, the order of the tractates is based on the calendar, and therefore tractate *Pesahim* is followed by tractates *Rosh HaShana*, *Yoma*, which deals with Yom Kippur, and only then *Sukka*.
In terms of the sequence of topics within the tractate, although the mitzva of *lulav* and the four species appears in the Torah prior to the mitzva of *sukka*, the *halakhot* of the latter appear first in the tractate because the festival of *Sukkot* is named for that mitzva. Furthermore, one begins to engage in the mitzva of *sukka* by seeing to its construction prior to the Festival, while one begins to engage in the mitzva of *lulav* and the four species only on the first day of the Festival (*Arukh LaNer*).

More than twenty cubits high – גבוהה למעלה מעשרים אמה: Some early commentaries noted a certain redundancy in this phrase, as in the mishna both the term high [*gevoḥa*] and the term above [*lemala*] are used (see *Meleket Shlomo*). They explained that the duplication underscores that the reference is to the height of the roofing, i.e., the distance from the roofing to the floor of the *sukka*, and not to the height of the walls of the *sukka* or the height of the top of the roofing (see Ritva and others).
The beam of an alleyway – קורת מבוי: The Gemara is referring to an alleyway that is surrounded by walls on three sides and open on the fourth side, adjacent to the public domain. Although by Torah law the alleyway is a private domain, since it is utilized by the residents of several courtyards that open into the alleyway, the Sages decreed that one may not carry an object from a courtyard to the alleyway, or vice versa, without first establishing a merging of the alleyways. This is accomplished as follows: First, the residents of the different courtyards unite by placing jointly owned food in one of the courtyards, rendering them partners. Second, the open side of the alleyway is sealed off from the public domain with a symbolic partition.

This sealing is effected either by placing a side post adjacent to one side of the entrance to the alleyway or by placing a crossbeam over the entrance.
Diminish – ימעט: The mishna states that one must diminish the height of the beam and does not state that one must lower the beam, because the objective of diminishing the space between the ground and the beam can be accomplished either by lowering the beam or by raising the ground (Ritva).
Unfit and rectification – פסולה ותקנתא: Rashi and other commentaries explain that the term unfit is used with regard to *halakhot* that are explicitly stated in the Torah, as that case calls for unequivocal, decisive language. See *Tosafot*, who explain that unfit is a harsh expression, and it would have been more appropriate to express the *halakha* in less severe terms. Others explain that the question of the Gemara was not why the mishna did not use the term unfit in the case of the alleyway, as establishing the merging of the alleyways is optional, and the residents of the courtyards may choose not to establish it. However, in the case of the *sukka*, which is an obligation, if it was not constructed properly it is indeed unfit (Rabbi Aharon HaLevi; Ritva).

NOTES

And there shall be a *sukka* for shade, etc. – וְסוּכָה תְהִיָּה לְצֶלַל – וְזָכוּ: This is the meaning of the verse: The *sukka* provides shade, provides shelter from the storm, and shields from the rain (Rabbi Aharon HaLevi; *Tosafot*).

In *sukkot* shall you reside seven days – בְּסוּכּוֹת תִּשְׁבּוּ שִׁבְעַת יָמִים: The proof from this verse is from the fact that the verse begins with the words “in *sukkot* shall you reside.” It means: First build a structure that is a *sukka*, i.e., a structure that is clearly identifiable as a temporary structure (Ritva; see Rabbeinu Yehonatan and *Arukh LaNer*).

BACKGROUND

Ashterot Karnayim – עֲשֶׂתְרוֹת קַרְנַיִם: Many identify this with Ashtarot, a large city east of the Jordan River, whose ruins are approximately 30 km east of the Sea of Galilee. From the description here, it appears that it was located in a valley surrounded by steep mountains to the point that no sunlight reached it at all.

וְאֵיבְעִית אִימָא: בְּדֹאֲרֵייתָא נְמִי תִנִּי תִקְנִיתָא. מִיהוּ סוּכָה (דְּנִפְיֵשׁ מִלְתָּה) – פְּסִיק וְתִנִּי “פְּסוּלָה”, מְבוּי דְלָא נְפִישׁ מִלִּיָּה – תִּנִּי תִקְנִיתָא.

The Gemara suggests an alternative explanation: **And if you wish, say** instead that **even** with regard to matters prohibited by Torah law, it would have been appropriate for the mishna to teach a method of rectification. However, with regard to *sukka*, whose matters are numerous, it categorically teaches that it is unfit. Merely diminishing the height of a *sukka* is insufficient to render it fit; the *sukka* must also satisfy requirements governing its size, its walls, and its roofing. Teaching the remedy for each disqualification would have required lengthy elaboration. With regard to an alleyway, however, whose matters are not numerous, the mishna teaches the method of rectification. Once the height is diminished, it is permitted to carry in the alleyway.

מִנָּא הִנֵּי מִלִּי?

¶ After clarifying its formulation, the Gemara addresses the *halakha* in the mishna and asks: **From where are these matters**, i.e., the *halakha* that a *sukka* may not exceed a height of twenty cubits, derived?

אָמַר רַבָּה, דְּאָמַר קְרָא: “לְמַעַן יֵדְעוּ דוֹרוֹתֵיכֶם כִּי בְּסוּכּוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל,” עַד עֲשָׂרִים אַמָּה – אָדָם יוֹדֵעַ שֶׁהוּא דָר בְּסוּכָה, לְמַעַלָּה מֵעֲשָׂרִים אַמָּה – אֵין אָדָם יוֹדֵעַ שֶׁדָר בְּסוּכָה, מִשּׁוּם דְלָא שְׁלֵטָא בַּה עֵינָא.

Rabba said that it is derived as the verse states: “So that your future generations will know that I caused the children of Israel to reside in *sukkot* when I took them out of the land of Egypt” (Leviticus 23:43). In a *sukka* up to twenty cubits high, even without a concerted effort, a person is aware that he is residing in a *sukka*. His eye catches sight of the roofing, evoking the *sukka* and its associated mitzvot. However, in a *sukka* that is more than twenty cubits high, a person is not aware that he is residing in a *sukka* because his eye does not involuntarily catch sight of the roof, as at that height, without a concerted effort one would not notice the roofing.

רַבִּי זֵירָא אָמַר, מִהֶכָּא: “וְסוּכָה תְהִיָּה לְצֶלַל יוֹמָם מִחוּרָב,” עַד עֲשָׂרִים אַמָּה – אָדָם יוֹשֵׁב בְּצֶל סוּכָה, לְמַעַלָּה מֵעֲשָׂרִים אַמָּה – אֵין אָדָם יוֹשֵׁב בְּצֶל סוּכָה, אֲלָא בְּצֶל דְּפָנוֹת.

Rabbi Zeira said that it is derived from here: The verse states: “And there shall be a *sukka* for shadeⁿ in the daytime from the heat, and for refuge and cover from storm and from rain” (Isaiah 4:6). In a *sukka* up to twenty cubits high, a person is sitting in the shade of the *sukka*, i.e., the shade of the roofing; in a *sukka* that is more than twenty cubits high, a person is not sitting in the shade of the roofing of the *sukka* but rather in the shade of the walls of the *sukka*, as their considerable height provides constant shade, rendering the shade of the roofing irrelevant.

אָמַר לִיה אַבְיִי: אֲלָא מַעַתָּה, הַעוֹשֶׂה סוּכָתוֹ בְּעֲשֶׂתְרוֹת קַרְנַיִם, הֲכֵי נְמִי דְלָא הוּי סוּכָה?!

Abaye said to him: **But if it is so** that one is required to sit in the shade of the roofing of the *sukka*, then in the case of one who makes his *sukka* in Ashterot Karnayim,^b which is located between two mountains that prevent sunlight from reaching there, so too, it is not a fit *sukka*, since he is not sitting in the shade of the roofing.

אָמַר לִיה הָתָם, דְּל עֲשֶׂתְרוֹת קַרְנַיִם – אֵיכָא צֶל סוּכָה, הֲכָא דְל דְּפָנוֹת – לֵיכָא צֶל סוּכָה.

Rabbi Zeira said to him: The two cases are not comparable; there, if one theoretically removes the Ashterot Karnayim mountains that obstruct the sunlight, there is still the shade of the roofing of the *sukka*. In that case, the *sukka* is properly constructed and there are only external factors that affect the sunlight. However, here, in the case of a *sukka* that is more than twenty cubits high, if one theoretically removes the walls of the *sukka*, there is no shade provided by the roofing of the *sukka*, since throughout the day sunlight will enter the *sukka* beneath the roofing from where the walls used to be.

וְרַבָּא אָמַר, מִהֶכָּא: “בְּסוּכּוֹת תִּשְׁבּוּ שִׁבְעַת יָמִים.” אָמְרָה תּוֹרָה: כָּל שִׁבְעַת הַיָּמִים יָצֵא מִדִּירַת קִבְעָה וְיֹשֵׁב בְּדִירַת עֵרָאִי, עַד עֲשָׂרִים אַמָּה – אָדָם עוֹשֶׂה דִירַת דִּירַת עֵרָאִי, לְמַעַלָּה מֵעֲשָׂרִים אַמָּה – אֵין אָדָם עוֹשֶׂה דִירַת דִּירַת עֵרָאִי, אֲלָא דִירַת קִבְעָה.

Rava said that the *halakha* is derived from here: “In *sukkot* shall you reside seven days” (Leviticus 23:42).ⁿ The Torah said: For the entire seven days, emerge from the permanent residence in which you reside year round and reside in a temporary residence, the *sukka*. In constructing a *sukka* up to twenty cubits high, a person can render his residence a temporary residence, as up to that height one can construct a structure that is not sturdy; however, in constructing a *sukka* above twenty cubits high, one cannot render his residence a temporary residence; rather, he must construct a sturdy permanent residence, which is unfit for use as a *sukka*.

אָמַר לִיָּה אֲבִי: אֵלֶּא מֵעַתָּה, עֲשֵׂה מַחֲצוֹת שֶׁל בְּרוֹז וְסִיבֵךְ עַל גִּבּוֹן – הֲבִי נִמְי דְּלָא הוּי סוֹכְהָ?¹

Abaye said to him: But if that is so, then if he constructed a *sukka* with steel partitions and placed roofing over them, so too, there, say that it would not be a fit *sukka*, as any *sukka* constructed as a permanent residence would be unfit. However, there is no opinion that deems a *sukka* of that sort unfit.

אָמַר לִיָּה, הֲכִי קְאָמִינָא לָךְ: עַד עֲשָׂרִים אַמָּה, דְּאָדָם עוֹשֶׂה דִירְתוֹ דִירְתוֹ עֲרָא, כִּי עֲבִיד לִיָּה דִירְת קָבַע – נִמְי נְפִיק. לְמַעְלָה מֵעֲשָׂרִים אַמָּה, דְּאָדָם עוֹשֶׂה דִירְתוֹ דִירְת קָבַע, כִּי עֲבִיד לִיָּה דִירְת עֲרָא – נִמְי לָא נְפִיק.

Rava said to him in response that this is what I am saying to you: In a case where one constructs a *sukka* up to twenty cubits high, a height that a person typically constructs a temporary residence, when he constructs a structure of that height that is sturdy like a permanent residence, he also fulfills his obligation. However, in a case where one constructs a *sukka* more than twenty cubits high, a height that a person typically constructs a permanent residence, even when he constructs it in a less sturdy fashion like a temporary residence, he does not fulfill his obligation.

Perek I

Daf 2 Amud b

בּוֹלְהוּ כְּרַבָּה לָא אָמְרִי – הֵהוּא יְדִיעָה לְדוֹרוֹת הָיָא.

The Gemara explains why each of the Sages cited his own source and did not accept the sources cited by the others. All of them, Rabbi Zeira and Rava, did not say that the fact that a *sukka* more than twenty cubits high is unfit is derived from the verse: “So that your future generations will know that I caused the children of Israel to reside in *sukkot* when I took them out of the land of Egypt” (Leviticus 23:43), as did Rabba, because in their opinion that verse does not mandate one to be aware that he is sitting in a *sukka*; rather, it mandates knowledge for future generations of the exodus from Egypt.

כְּרַבִּי זִירָא נִמְי לָא אָמְרִי – הֵהוּא לִימּוֹת הַמְּשִׁיחַ הוּא דְּכַתִּיב.

Similarly, they, Rabba and Rava, also did not say that it is derived from the verse: “And there shall be a *sukka* for shade in the daytime from the heat” (Isaiah 4:6), as did Rabbi Zeira, because in their opinion it is with regard to the messianic era that this verse is written. It means that God will be a shield and a shelter for the Jewish people; it is not referring to the structure of a *sukka*.

וְרַבִּי זִירָא: אִם כֵּן לִימָא קָרָא “וְחוֹפָה תְּהִיָּה לְצִלַּי יוֹמָם”, וּמֵאִי “וְסוֹכְהָ תְּהִיָּה לְצִלַּי יוֹמָם” – שְׁמַעְתָּ מִינָהּ תִּרְתִּי.

The Gemara asks: And Rabbi Zeira, how would he respond to this objection? The Gemara answers that Rabbi Zeira could say: If it is so that the verse is merely a metaphor, let the verse say: And there shall be a canopy for shade in the daytime from the heat, which is the term used in the previous verse. And what is the meaning of: “And there shall be a *sukka* for shade in the daytime from the heat”? Learn from it two matters: One is the plain meaning of the verse, that God will be a canopy of glory for the Jewish people, and the second is that the essence of a *sukka* is to have the roofing provide shade.

כְּרַבָּא נִמְי לָא אָמְרִי – מִשּׁוּם קוּשְׂיָא דְּאַבְי.

They, Rabba and Rabbi Zeira, also did not say that it is derived from the verse: “In *sukkot* shall you reside seven days” (Leviticus 23:42), as did Rava, due to the difficulty raised by Abaye with regard to a *sukka* with steel partitions. Since there is a weakness in each of the sources, it is understandable why the other Sages did not accept it.

כִּמְאֵן אֲזֵלָא הָא דְּאָמַר רַבִּי יוֹשִׁיָּה אָמַר רַב: מַחְלּוֹקַת בְּשָׂאִין דְּפָנוֹת מַגִּיעוֹת לְסַבְּךְ, אֲבָל דְּפָנוֹת מַגִּיעוֹת לְסַבְּךְ – אֲפִילוּ לְמַעְלָה מֵעֲשָׂרִים אַמָּה כְּשֶׁרָה. כִּמְאֵן?

§ The Gemara asks: In accordance with whose opinion is that which Rabbi Yoshiya said that Rav said: The dispute between Rabbi Yehuda and the Rabbis with regard to the fitness of a *sukka* more than twenty cubits high^h is specifically in a case where the walls of the *sukka* do not reach up to the roofing; however, in a case where the walls of the *sukka* reach up to the roofing, the Rabbis concede that even if the roofing is more than twenty cubits high, it is fit. In accordance with whose opinion is it?

כְּרַבָּה, דְּאָמַר: מִשּׁוּם דְּלָא שְׁלֵטָא בָּהּ עֵינָא, וְכִינּוּן דְּדָפְנוֹת מַגִּיעוֹת לְסַבְּךְ – מִשְׁלֵט שְׁלֵטָא בָּהּ עֵינָא.

It is in accordance with the opinion of Rabba, who says that the reason that a *sukka* that high is unfit is because the eye does not automatically catch sight of the roofing. And since the walls of the *sukka* reach the roofing, the eye catches sight of the roofing,ⁿ as the person will follow the walls all the way up to the roofing despite their considerable height. However, if the roofing is not contiguous with the top of the walls, a person does not notice it without a concerted effort.

HALAKHA

א סוכה למעלה – סוכה למעלה – A *sukka* more than twenty cubits high is unfit, whether it is large or small, whether or not the walls reach the roofing. That is because the *halakha* was ruled in accordance with Rava’s understanding of the mishna. The ruling is in accordance with the opinion of Rava either because the premise throughout rabbinic literature is that a *sukka* is a temporary residence, or because the discussion in the Gemara here appears to be based on his understanding, or because he is the latest *amora* cited in the Gemara and the *halakha* is ruled in accordance with the opinion of the latest *amora* (Rif; Rabbi Zerahya HaLevi; Ra’avad; Rosh; *Shulḥan Arukh, Orah Ḥayyim* 633:1).

NOTES

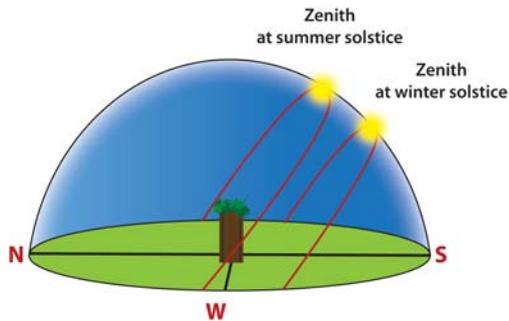
And since the walls of the *sukka* reach the roofing the eye catches sight of the roofing – **כִּינּוּן דְּדָפְנוֹת** – מגיעות לסבך משלט שלטא בה עינא: Many explain that the eye follows the walls of the *sukka* to the top, leading one sitting in the *sukka* to see the roofing and be aware that he is indeed sitting in a *sukka*. Others explain that since the walls reach the roofing, one sitting in the *sukka* cannot see outside the *sukka*. Since his sightline is limited to the interior of the *sukka*, he will take note of the roofing as well (Rav Yehuda ben Rav Binyamin HaRofeh). Rabbi Aharon HaLevi and the Ritva explain that since the walls reach the roofing, one in the *sukka* will sense that he is surrounded on all sides by the walls and the roofing of the *sukka*.

NOTES

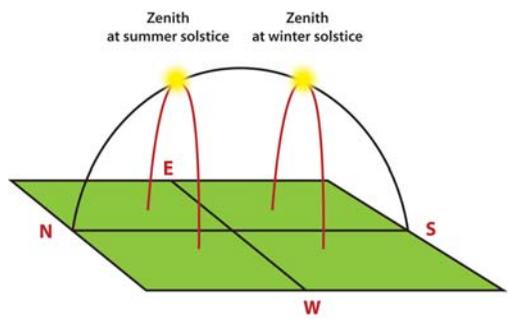
And since the *sukka* is spacious there is shade – וְכִינּוֹן דְּרוּיָתָא אִיכָא צִל: Apparently these measurements are based on the fact that even at noon, the sun in Eretz Yisrael and in Babylonia is not directly overhead but shines at an angle. Based on that angle and the ratio between the width of the *sukka* and the height of the walls, it is possible to calculate whether the shade on the floor of the *sukka* is provided by the roofing.

BACKGROUND

And since the *sukka* is spacious there is shade – וְכִינּוֹן דְּרוּיָתָא אִיכָא צִל: This is a theoretical discussion, as in reality, at the latitude of Eretz Yisrael and certainly that of Babylonia, in a *sukka* four cubits wide and twenty cubits high no sun will reach the floor of the *sukka* from the roofing even at noon on the summer solstice, since the sun will still appear several degrees to the south. Only in areas considerably closer to the equator is the sun ever directly overhead.



Winter and summer solstices as seen from the northern hemisphere



Winter and summer solstices as seen from the equator

כִּמְאֵן אֲוֵלָא הָא דְאָמַר רַב הוּנָא אָמַר רַב: מַחְלֻקָת בְּשָׂאִין בְּהָ אֲלָא אַרְבַּע אַמּוֹת עַל אַרְבַּע אַמּוֹת, אֲבָל יֵשׁ בְּהָ יוֹתֵר מֵאַרְבַּע אַמּוֹת עַל אַרְבַּע אַמּוֹת – אֲפִילוּ לְמַעְלָה מִעֲשָׂרִים אַמָּה כְּשֶׁרָה. כִּמְאֵן?

בְּרַבֵּי זִירָא, דְאָמַר: מְשׁוּם צִל הוּא, וְכִינּוֹן דְּרוּיָתָא – אִיכָא צִל סוּכָה.

כִּמְאֵן אֲוֵלָא הָא דְאָמַר רַב חֲנַן בְּרַבִּי אָמַר רַב: מַחְלֻקָת בְּשָׂאִינָה מַחְזֵקֵת אֲלָא בְּדֵי רֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ, אֲבָל מַחְזֵקֵת יוֹתֵר מִכְּדֵי רֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ – אֲפִילוּ לְמַעְלָה מִעֲשָׂרִים אַמָּה כְּשֶׁרָה. כִּמְאֵן? דְלָא כְּתִיד.

בְּשׁוּלְמָא דְרַבֵּי יֹאשִׁיָּה פְּלִיגָא אַדְרַב הוּנָא וְרַב חֲנַן בְּרַבִּי, דְאִינְהוּ קָא יְהִיבֵי שְׁעוּרָא בְּמִשְׁכָּא, וְאִינְהוּ לָא קָא יְהִיבֵי שְׁעוּרָא בְּמִשְׁכָּא.

אֲלָא רַב הוּנָא וְרַב חֲנַן בְּרַבִּי, נִמְא בְּהַכָּשֵׁר סוּכָה קְמִיפְלִיגִי, דְמַר סָבַר: הַכָּשֵׁר סוּכָה בְּאַרְבַּע אַמּוֹת, וְמַר סָבַר: הַכָּשֵׁר סוּכָה בְּמַחְזֵקֵת רֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ?

לֹא, דְכּוּלֵי עֲלָמָא הַכָּשֵׁר סוּכָה רֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ, וְהָכָא בְּהָא קְמִיפְלִיגִי; דְמַר סָבַר: בְּמַחְזֵקֵת רֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ פְּלִיגִי, אֲבָל יוֹתֵר מִרֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ – דְבְרֵי הַבַּל כְּשֶׁרָה.

וְמַר סָבַר: מִרֵאשׁוֹ וְרוּבּוֹ וְשׁוּלְחָנוֹ עַד אַרְבַּע אַמּוֹת פְּלִיגִי, אֲבָל יוֹתֵר מֵאַרְבַּע אַמּוֹת – דְבְרֵי הַבַּל כְּשֶׁרָה.

The Gemara asks: In accordance with whose opinion is that which Rav Huna said that Rav said: The dispute between Rabbi Yehuda and the Rabbis with regard to the fitness of a *sukka* more than twenty cubits high is specifically in a case where there is not an area of four cubits by four cubits in the *sukka*; however, in a case where there is an area of more than four cubits by four cubits in the *sukka*, the Rabbis concede that even if the roofing is more than twenty cubits high, it is fit. In accordance with whose opinion is it?

It is in accordance with the opinion of Rabbi Zeira, who says that a *sukka* that high is unfit due to the shade that is provided by the walls and not by the roofing; and since the *sukka* in this case is spacious and has a large area, there is shade^{NB} from the roofing of the *sukka* and not only from the walls.

The Gemara asks: In accordance with whose opinion is that which Rav Ḥanan bar Rabba said that Rav said: The dispute between Rabbi Yehuda and the Rabbis with regard to the fitness of a *sukka* more than twenty cubits high is specifically in a case where the *sukka* is only large enough to hold one's head, most of his body, and his table, as, if the *sukka* were smaller, it would not qualify as a *sukka*; however, in a case where it is sufficiently large to hold more than one's head, most of his body, and his table, even if it is more than twenty cubits high, it is fit. In accordance with whose opinion is it? It is not in accordance with the opinion of any one of them. This statement cannot be explained according to any of the rationales for the fact that a *sukka* more than twenty cubits high is unfit.

With regard to the three aforementioned *halakhot*, the Gemara notes: Granted, the statement of Rabbi Yoshiya differs from the statements of Rav Huna and Rav Ḥanan bar Rabba, as they are providing the measure of the extent of the *sukka* while he is not providing a measure. In Rabbi Yoshiya's opinion, the *halakha* is based on whether the top of the walls reach the roofing, which indicates a fundamentally different understanding of the issue of a *sukka* more than twenty cubits high.

However, in terms of Rav Huna and Rav Ḥanan bar Rabba, let us say that it is with regard to the minimum size required for fitness of a *sukka* that they disagree; as one Sage, Rav Huna, holds: The minimum size required for fitness of a *sukka* is four by four cubits, and the other Sage, Rav Ḥanan bar Rabba, holds: The minimum size required for fitness of a *sukka* is one that holds one's head, and most of his body, and his table.

The Gemara rejects this suggestion: No, there is no need to explain their dispute that way, as it could be explained that everyone, i.e., Rav Huna and Rav Ḥanan bar Rabba, agrees that the minimum size required for fitness of a *sukka* is one that holds one's head, and most of his body, and his table. And here, it is with regard to this that they disagree: One Sage, Rav Ḥanan bar Rabba, holds that Rabbi Yehuda and the Rabbis disagree only with regard to a *sukka* more than twenty cubits high in a case where it holds the person's head, and most of his body, and his table. However, in a case where it is larger than one that holds one's head, and most of his body, and his table, everyone agrees that the *sukka* is fit regardless of its height.

And one Sage, Rav Huna, holds that it is with regard to a *sukka* that ranges in size from one that holds one's head, and most of his body, and his table up to one that is four by four cubits that they disagree; however, if the *sukka* is more than four by four cubits, everyone agrees that it is fit.

Forty or fifty cubits high – אַרְבָּעִים וְחֲמִשִּׁים אַמָּה: The commentaries noted that at times, when *amora'im* state a *halakha* with two different measures, they are referring specifically to those precise numbers. In those cases, the Sages will seek to ascertain to understand why those specific numbers were presented. However, at times, as in this case, when the numbers cited are a rhetorical instrument to indicate a large number, and in fact even a *sukka* of one hundred cubits is fit, there is no attempt to ascertain why those particular numbers were chosen (Ritva; see *Tosafot*).

And furthermore she performed all of her actions only in accordance with the directives of the Sages – וְעוֹד כָּל – מַעֲשֵׂיהָ לֹא עָשְׂתָה אֶלָּא עַל פִּי חֲכָמִים: An alternate version of this incident appears in the *Tosefta* and in the Jerusalem Talmud, which renders the Gemara's discussion of the *baraita* moot. The alternate version reads: She had seven sons who were Torah scholars. Therefore, there is no need to prove that the *sukka* that she built was fit.

With regard to the second reason cited: She performed all of her actions only in accordance with the directives of the Sages, some explain that it could be understood that although Queen Helene was a woman, she wished to go beyond the letter of the law and reside in a *sukka*. Since she opted to build the *sukka*, she certainly built it properly and in accordance with the specifications of the Sages (*Sefat Emet*).

A child who no longer needs his mother – קָטָן שְׂאִינוֹ צָרִיךְ לְאִמּוֹ: The early and later commentaries discussed at length whether the obligation of a minor to reside in a *sukka* is based on the general mitzva to train the child in the performance of mitzvot, or whether there is a special rabbinic ordinance obligating children who no longer need their mothers to reside in the *sukka*.

BACKGROUND

Lod – לוֹד: Lod was one of the oldest towns in Judea. It grew in significance toward the end of the Second Temple period, and it served as an important cultural center for many generations after the destruction of the Temple. Some of the greatest *tanna'im* lived there, including Rabbi Eliezer the Great, ben Hyrcanus, Rabbi Tarfon, and others. Several important ordinances were instituted in the upper chamber of the house of Nitza in Lod. After the bar Kokheva revolt the town remained an important Torah center. Among the great *amora'im* who lived there were Rabbi Yehoshua ben Levi, Rabbi Simlai, Rabbi Yitzhak bar Nahmani, Rabbi Shimon ben Pazi, his son Rabbi Yehuda, and Rabbi Aha.

מִיתִיבִי: סוֹכָה שְׁהִיא גְבוּהָה לְמַעַלְהָ מִעֲשָׂרִים אַמָּה – פְּסוּלָה, וְרַבֵּי יְהוּדָה מְכַשֵּׁיר עַד אַרְבָּעִים וְחֲמִשִּׁים אַמָּה.

אָמַר רַבִּי יְהוּדָה: מַעֲשֵׂה בְּהִילְנֵי הַמְּלָכָה בְּלוֹד, שְׁהִיתָה סוֹכְתָה גְבוּהָה מִעֲשָׂרִים אַמָּה, וְהָיוּ זְקֵנִים נִכְנְסִין וְיוֹצְאִין לָשֶׁם, וְלֹא אָמְרוּ לָהּ דְּבַר. אָמְרוּ לוֹ: מִשָּׁם רְאִינָהּ! אִשָּׁה הִיתָה וּפְטוּרָה מִן הַסּוֹכָה. אָמַר לָהּ: וְהִלָּא שְׁבַע בָּנִים הָיוּ לָהּ. וְעוֹד: כָּל מַעֲשֵׂיהָ לֹא עָשְׂתָה אֶלָּא עַל פִּי חֲכָמִים.

לְמַד לִי לְמִיתָנִי "וְעוֹד כָּל מַעֲשֵׂיהָ לֹא עָשְׂתָה אֶלָּא עַל פִּי חֲכָמִים?"

הֵכִי קָאָמַר לָהּ: כִּי תֵאמְרוּ בְּנֵים קְטַנִּים הָיוּ, וְקְטַנִּים פְּטוּרִין מִן הַסּוֹכָה, כִּינן דְּשְׁבַע הָיוּ – אִי אֶפְשָׁר דְּלֹא הָיוּ בְּהוּ תַד שְׂאִינוֹ צָרִיךְ לְאִמּוֹ.

וְכִי תֵאמְרוּ: קָטָן שְׂאִינוֹ צָרִיךְ לְאִמּוֹ – מִדְּרַבָּנָן הוּא דְּמִיתִיבִי, וְאִיֵּהּ בְּדְרַבָּנָן לֹא מִשְׁגָּחָה – תָּא שְׂמַע: וְעוֹד כָּל מַעֲשֵׂיהָ לֹא עָשְׂתָה אֶלָּא עַל פִּי חֲכָמִים.

בְּשִׁלְמָא לְמֵאן דְּאָמַר בְּשָׂאִין דְּפָנוֹת מְגִיעוֹת לְסַכָּךְ מִחִלּוֹקַת – דְּרַבָּה שֶׁל מְלָכָה לִישַׁב בְּסוֹכָה שְׂאִין דְּפָנוֹת מְגִיעוֹת לְסַכָּךְ.

The Gemara raises an objection from a *baraita*: A *sukka* that is more than twenty cubits high is unfit. Rabbi Yehuda deems a *sukka* fit even if it is up to forty or fifty cubits high.^N

Rabbi Yehuda said: There was an incident involving Queen Helene^p in Lod^b where her *sukka* was more than twenty cubits high, and the Elders were entering and exiting the *sukka* and did not say anything to her about the *sukka* not being fit.

The Rabbis said to him: Is there proof from there? She was, after all, a woman and therefore exempt from the mitzva of *sukka*. Consequently, the fact that her *sukka* was not fit did not warrant a comment from the Elders.

Rabbi Yehuda said to them in response: Didn't she have seven sons and therefore require a fit *sukka*? And furthermore, she performed all of her actions only in accordance with the directives of the Sages.^N

Before analyzing the objection being raised from the *baraita*, the Gemara seeks to understand its content. Why do I need Rabbi Yehuda to teach: And furthermore, she performed all of her actions only in accordance with the directives of the Sages? His first contention was sufficient.

The Gemara answers that this is what Rabbi Yehuda is saying to them: If you say that Helene's sons were minor sons and minors are exempt from the mitzva of *sukka*, and that is why the Elders said nothing; since they were seven sons, then it is not possible that there was not at least one among them who no longer needed his mother to look after him. The *halakha* is that a minor who no longer needs his mother has reached the age of training and is required to fulfill the mitzva of *sukka* by rabbinic law. Even if she gave birth to them in consecutive years, the oldest would be seven years old, and at that age a child does not need his mother to constantly look after him.

And if you say that a child who no longer needs his mother^N is obligated in the mitzva of *sukka* only by rabbinic law, and Queen Helene did not observe rabbinic law, come and hear that which Rabbi Yehuda said: And furthermore, she performed all of her actions only in accordance with the directives of the Sages.

The Gemara explores the statements of the *amora'im* who quoted Rav in light of this *baraita*. Granted, according to the one, Rabbi Yoshiya, who said that it is specifically in a case where the walls of the *sukka* do not reach up to the roofing that there is a dispute between Rabbi Yehuda and the Rabbis, the *baraita* can be explained as dealing with a *sukka* of that type, as it is customary for a queen to reside in a *sukka* in which the walls do not reach up to the roofing,

PERSONALITIES

Queen Helene – הִילְנֵי הַמְּלָכָה: Helene, or in Greek Ελένη, was queen of Adiabene, a small country subjugated to the Parthian Empire. Located on the Tigris River, it was situated in what is today northern Syria. More than a generation prior to the destruction of the Second Temple, Helene and her two sons, Munbaz and Izats converted to Judaism, apparently along with much of the local nobility.

Queen Helene and her two sons maintained strong ties to the Jewish community in Eretz Yisrael. They would send substantial gifts to the Temple and enormous sums of money to assist the poor in years of drought. It is plausible that members of the royal family of Adiabene are buried in the magnificent Graves of the Kings in Jerusalem.

As mentioned in the Talmud, Queen Helene was a righteous proselyte who accepted upon herself all elements of *halakha* as taught to her by the Sages.



Sarcophagus of Queen Helene