

And there shall be a *sukka* for shade, etc. – וְסוּכָה תְהִיָּה לְצֶלַל יוֹכֵחַ: In the Jerusalem Talmud it is taught that both opinions can be derived from this verse. “And there shall be a *sukka* for shade in the daytime from the heat” is one wall; “and for refuge and cover from storm” is a second wall. There is a dispute with regard to the phrase “from storm and from rain”: According to Rabbi Shimon, “from storm” is a third wall and “from rain” is a fourth wall, while according to the Rabbis, “from storm and from rain” together is the source for only one wall, for a total of three.

וְאִיבְעִית אִימָא: דְּכוּלֵי עֲלָמָא כִּי אֲתָאֵי הֲלָכְתָא – לְגַרְעֵי, וְיֵשׁ אִם לְמַסּוּרָת, וְהָכָא בְּדוּרְשֵׁין תְּחִילוֹת קַמְפִּלְגֵי מֵר סָבֵר: דּוּרְשֵׁין תְּחִילוֹת, וְיֵר סָבֵר: אֵין דּוּרְשֵׁין תְּחִילוֹת.

And if you wish, say instead that everyone agrees that when the *halakha* transmitted to Moses comes to teach, it is to reduce the dimension of one of the three walls. And everyone agrees that the tradition of the verses is authoritative, and there are four mentions of *sukka* in the verse. And here it is with regard to whether one derives numbers for halakhic matters from the first mention of a term in the Torah that they disagree. When that total is derived from the number of instances a certain word appears in the Torah, there is a dispute whether the first instance is included in the tally, or whether the first instance is necessary to teach the mitzva itself and the number may be counted only from subsequent mentions. One Sage, Rabbi Shimon, holds that one derives numbers from the first mention and therefore four walls derived from the verses. And one Sage, the Rabbis, holds that one does not derive numbers from the first mention, and therefore only three walls are derived from the verses.

רַב מַטְנָה אָמַר: טַעְמִיה דְּרַבִּי שְׁמַעוֹן מִהָכָא: וְסוּכָה תְהִיָּה לְצֶלַל יוֹכֵחַ מִחוּרָב וְלְמַחְסָה וְלְמַסְתוֹר מְזוּרָם וּמְמִטְרָא.

Rav Mattana said that the rationale for the opinion of Rabbi Shimon is derived from here: “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). A *sukka* without three full-fledged walls does not provide shelter nor serve as refuge.

וְאוֹתוֹ טַפַּח הֵיכֵן מִעֲמִידוֹ? אָמַר רַב: מִעֲמִידוֹ כְּנֶגֶד הַיּוֹצֵא.

§ The Gemara asks: According to the opinion that a *sukka* can be built with two full-fledged walls and a third that is one handbreadth, where does one position that third wall that measures one handbreadth? Rav said: He positions it at the end of one of the standing walls opposite the wall that emerges from the other end of that wall.

אָמְרֵי לֵיהּ רַב כַּהֲנָא וְרַב אֲסִי לְרַב:

Rav Kahana and Rav Asi said to Rav:

The diagonal line formed by the end [*rosh tor*] of the furrows – ראש תור: The early commentaries dispute the meaning of the term *rosh tor*. Some explain that it means to place the handbreadth-wide wall diagonal to one of the two standing walls (Rashi; others). Others maintain that this beam is positioned opposite the standing walls in the empty corner, to serve as a marker to indicate that the walls of the *sukka* extend from the standing walls lengthwise and widthwise to that point (*geonim*; *Me'iri*; others).

Rav was silent – שְׁתִּיק רַב: Similar reactions appear elsewhere in the Talmud, and the meaning behind them is not always the same. At times, a Sage is silent when he does not have a satisfactory answer to the question posed. At other times the Sage remains silent if in his view the question raised is not particularly difficult or is not worthy of discussion at all. Some hold that Rav believes that their suggestion is included in his statement.

Perek I

Daf 7 Amud a

וַיַּעֲמִידוּנוּ כְּנֶגֶד רֹאשׁ תוֹר! שְׁתִּיק רַב.

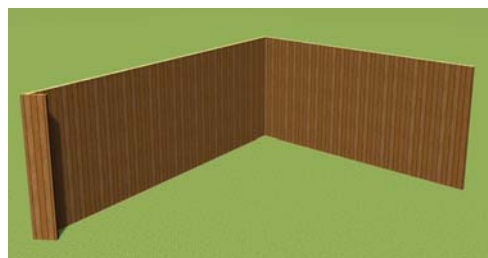
And let him position the wall measuring one handbreadth opposite the wall that emerges like the diagonal line formed by the end of the furrows^{NB} as the field gradually narrows. This third partition would represent the third side of a triangle and would make the *sukka* appear more like a full-fledged structure, as the diagonal would represent closure of both unwalled directions. Rav was silentⁿ and did not respond.

אֵיתָמַר נַמִּי, אָמַר שְׁמוּאֵל בְּשֵׁמִיָּה דְּלוּי: מִעֲמִידוֹ כְּנֶגֶד הַיּוֹצֵא. וְכֵן מוֹרִין בֵּי מִדְרָשָׁא: מִעֲמִידוֹ כְּנֶגֶד הַיּוֹצֵא.

It was also stated that Shmuel said in the name of Levi: He positions it at the end of one of the standing walls opposite the wall that emerges^B from the other end of that wall. And similarly, they rule in the study hall: He positions it at the end of one of the standing walls opposite the wall that emerges from the other end of that wall.

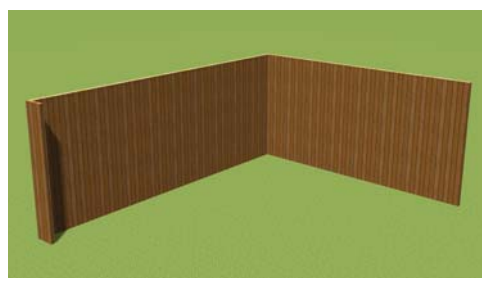
BACKGROUND

Opposite the wall that emerges like the diagonal line formed by the end of the furrows – כְּנֶגֶד רֹאשׁ תוֹר:



Handbreadth-wide wall pointing toward the end of the opposite wall

Opposite the wall that emerges – כְּנֶגֶד הַיּוֹצֵא:



Handbreadth-wide wall parallel to the opposite wall

NOTES

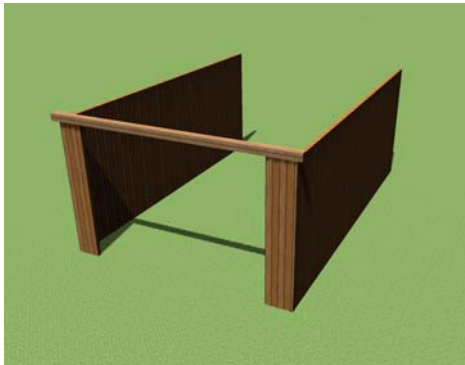
An expansive [sohek] handbreadth – טפח שוחק: The Hebrew term *sohek*, which means laughing or smiling, also means expansive because when one smiles his mouth widens. All measures slightly larger than the standard are referred to in this manner (*Arukh*). Some quantify the addition to the standard handbreadth at half a fingerbreadth, approximately 1–1.5 cm (Rav Yehuda ben Rav Binyamin HaRofeh).

The form of a doorway – צורת הפתח: This mechanism appears in different areas of *halakha* where partitions are required. In essence, a doorway is formed by placing two poles of any width upright and placing a third pole across the top. This type of doorway is deemed a fit partition for halakhic purposes even in cases where other mechanisms for creating halakhic partitions are ineffective.

And it is permitted only in the form of a doorway – ואינה נותרת אלא בצורת הפתח: The explanation cited here is according to Rashi, who combines the two opinions and requires both a handbreadth and the form of a doorway. One takes the beam measuring one handbreadth, divides it into two, positions the two halves separately, and places a crossbeam across them. However, most commentaries reject that understanding outright for different reasons.

BACKGROUND

Handbreadth with the form of a doorway – טפח עם צורת הפתח:



Handbreadth-wide third wall is split, with the form of a doorway bridging the halves.

רבי סימון, ואיתימא רבי יהושע בן לוי אָמַר: עוֹשֶׂה לוֹ טַפַּח שׁוֹחֵק, וּמַעֲמִידוֹ בְּפָחוֹת מִשְׁלֹשָׁה טַפָּחִים סְמוּךְ לְדוֹפָן, וְכָל פָּחוֹת מִשְׁלֹשָׁה סְמוּךְ לְדוֹפָן בְּלָבוֹד דְּמִי.

אָמַר רַב יְהוּדָה: סוֹכֵה הָעֲשׂוּיָה כְּמַבּוּי – בְּשָׂרָה, וְאוֹתוֹ טַפַּח – מַעֲמִידוֹ לְכָל רוּחַ שִׁירְצָה.

רבי סימון, ואיתימא רבי יהושע בן לוי אָמַר: עוֹשֶׂה לוֹ פֶּס אַרְבַּעַה וּמִשְׁהוּ, וּמַעֲמִידוֹ בְּפָחוֹת מִשְׁלֹשָׁה סְמוּךְ לְדוֹפָן, וְכָל פָּחוֹת מִשְׁלֹשָׁה סְמוּךְ לְדוֹפָן בְּלָבוֹד דְּמִי.

ומאי שנא התם דקאמרת סגי טפח שוחק, ומאי שנא הכא דקאמרת בעיא פס ארבעה? התם דאיכא שתי דפנות בהלכתן – סגי ליה בטפח שוחק, הכא דליכא שתי דפנות, אי איכא פס ארבעה – אין, אי לא – לא.

אָמַר רַבָּא: וְאִינְהָ נִתְרַת אֶלָּא בְּצוּרַת הַפֶּתַח.

Rabbi Simon said, and some say it was Rabbi Yehoshua ben Levi who said, that the third wall is positioned differently. He establishes for the third side a wall that measures an expansive handbreadth,^{NH} measured with the fingers spread apart, which is slightly larger than a standard handbreadth. And he then positions it less than three handbreadths from and adjacent to the wall opposite the second wall. And the legal status of any item positioned less than three handbreadths from and adjacent to the wall is like an item joined to that wall. In this way, the handbreadth-wide wall is joined to the adjacent wall, and it is as if it is a wall of four handbreadths, which is the majority of the minimum measure of the wall of a full-fledged *sukka*, seven handbreadths.

Rav Yehuda said: A *sukka* constructed like an alleyway,^H with two parallel full-fledged walls, is fit, and with regard to that third wall that measures one handbreadth, he positions it adjacent to one of the walls in any direction that he chooses, as it is merely a conspicuous marker.

Rabbi Simon said, and some say it was Rabbi Yehoshua ben Levi who said: In the case of a *sukka* built like an alleyway open on two ends, a third wall measuring a single handbreadth is insufficient. Rather, one establishes for the third side a board with a width of four handbreadths and a bit and positions it less than three handbreadths from and adjacent to either wall, as a wall on either of the open ends. And the legal status of any item positioned less than three handbreadths from and adjacent to the wall is like an item joined to that wall. The result is a full-fledged seven-handbreadth *sukka* wall.

The Gemara asks: What is different there, in the case of two attached walls, where you say that a wall with the dimension of an expansive handbreadth suffices to complete the third wall, and what is different here where you say that it requires a board that measures four handbreadths and a bit? The Gemara answers: There, where there are two walls in the standard sense, as they are attached forming a type of structure, it is sufficient to have the third wall measure an expansive handbreadth in order to render the *sukka* fit; however, here, where there are not two walls in the standard sense, as they are not attached, if there is a board that measures four handbreadths as the third wall, yes, it is fit, and if not, no, it is unfit.

Rava said: And the *sukka* consisting of two adjacent walls with a third wall measuring one handbreadth is permitted and fit only if the third wall is in the form of a doorway.^{NB} One can render the *sukka* fit only by splitting the one-handbreadth wall and attaching one half to the standing wall and one half across from the other wall that emerges from the standing wall, and then placing a pole across the two halves.^N By creating the form of a doorway, that third wall becomes like an open gate, which is considered a halakhic partition.

HALAKHA

He establishes for the third side a wall that measures an expansive handbreadth – עוֹשֶׂה לוֹ טַפַּח שׁוֹחֵק: If the *sukka* has two adjacent walls, the third wall may be even just somewhat more than a handbreadth wide. One places it less than three handbreadths from one of the walls. In addition, he must position a pole at least seven handbreadths removed from that adjacent wall and complete the form of a doorway by placing a crossbeam from the top of the wall that is slightly more than a handbreadth to the pole. The *halakha* is ruled in accordance with the opinion of Rabbi Yehoshua ben Levi, as apparently the later *amora'im*, Rava and Rav Kahana, held in accordance with his opinion. The *halakha* was also ruled in accordance with the latter version of Rava's statement and the custom of Rav Kahana that the form of a doorway is also required. Apparently that is a requirement by rabbinic law, as by Torah law a wall

measuring one handbreadth is sufficient (*Bah; Shulhan Arukh, Oraḥ Hayyim 630:2*).

A *sukka* constructed like an alleyway – סוֹכֵה הָעֲשׂוּיָה כְּמַבּוּי: If a *sukka* has two parallel walls, then in order to complete the *sukka* one establishes a wall measuring somewhat more than four handbreadths perpendicular to and less than three handbreadths from the edge of one of the standing walls. In addition, here too one must erect the form of a doorway along that third wall, as Rava's ruling applies to this case as well (*Rif; Rambam; others*). Some hold that the form of a doorway is not required (*Tosefot Rabbeinu Peretz; Rosh*). If the third wall measures a bit more than seven handbreadths and there is no reliance on the principle of *lavud*, the form of a doorway is certainly not required (*Shulhan Arukh, Oraḥ Hayyim 630:3*, and in the comment of the Rema).

איבא דאמרי, אמר רבא: ונתרת נמי בצורת הפתח.

Some say that Rava said: And a *sukka* consisting of two adjacent walls is also permitted and fit if the third wall is in the form of a doorway. In other words, Rava does not reject the remedy of the expansive-handbreadth wall suggested by Rabbi Yehoshua ben Levi; rather, he suggests an alternative.

איבא דאמרי, אמר רבא: ויצריכא נמי צורת הפתח.

Some say a third version of that which Rava said: And a *sukka* consisting of two adjacent walls, even with a third that is an expansive handbreadth wide as suggested by Rabbi Yehoshua ben Levi, also requires the form of a doorway to be fit. In other words, in addition to Rabbi Yehoshua ben Levi's remedy, one must also create the form of a doorway to render the *sukka* fit.

רב אשי אשכחיה לרב כהנא דקא עביד טפח שוחק, וקא עביד צורת הפתח. אמר ליה: לא סבר מר להא דרבא, דאמר רבא: ונתרת נמי בצורת הפתח? אמר ליה: אנא כאידך לישנא דרבא סבירא לי, דאמר רבא: ויצריכא נמי צורת הפתח.

The Gemara relates: Rav Ashi found Rav Kahana establishing his *sukka*, which had two adjacent walls, and establishing a third wall that was an expansive handbreadth wide and establishing the form of a doorway as well. Rav Ashi said to him: And does the Master not hold in accordance with that opinion of Rava, as Rava said: And the *sukka* is also permitted and fit if the third wall is in the form of a doorway? Why are you establishing a wall that is an expansive handbreadth wide as well? Rav Kahana said to him: I hold in accordance with the other version of the opinion of Rava, as Rava said: And the *sukka* also requires the form of a doorway, in addition to the expansive handbreadth, to be fit.

"שתים כהלכתן" כו'. אמר רבא: וכן לשבת. מגו דהויא דופן לענין סוכה – הויא דופן לענין שבת.

It is taught in the *Tosefta* that if the *sukka* has two walls in the standard sense and a third wall that measures one handbreadth, it is fit. Rava said: And likewise with regard to Shabbat that occurs during the festival of *Sukkot*, since it is considered a wall with regard to the *halakhot* of *sukka* it is considered a partition with regard to the *halakhot* of Shabbat. Were one to construct a *sukka* in that manner in a public domain adjacent to the entrance to his house, its legal status would be that of a private domain and one would be permitted to move objects from it to his house and vice versa on Shabbat that occurs during the Festival. However, that structure is not considered a private domain on any other Shabbat.

איתיביה אבוי: ומי אמרינן מגו? והתנא: דופן סוכה כדופן שבת, ובלבד שלא יהא בין קנה לחברו שלשה טפחים.

Abaye raised an objection to Rava's opinion from a *baraita*: And do we say that this principle: Since it is considered, etc., applies in this area of *halakha*? But isn't it taught in a *baraita*: The specifications of the wall of a *sukka* are like those of a partition with regard to the *halakhot* of Shabbat. Just as with regard to the *halakhot* of Shabbat, one forms a partition by establishing adjacent reeds, so too, one forms the wall of a *sukka* in the same manner, provided that the gap from one reed to another will not be as much as three handbreadths. If the gap is three handbreadths or greater, the legal status of the reeds is that they are not considered joined.

ותיריה שבת על סוכה, שהשבת אינה נתרת אלא בעומד מרובה על הפרוץ, מה שאין כן בסוכה.

But the stringency of the *halakha* with regard to Shabbat goes beyond the stringency of the *halakha* with regard to *sukka*, in terms of the criteria for effective partitions, as with regard to Shabbat, carrying is permitted only in a case where the total of the standing segments of the partition, the actual wall, is greater than the total of the breached segments of the partition, the gaps that are less than three handbreadths. That is not so with regard to the *sukka*, where, even if the breached segments total more than the standing segments,^h e.g., a *sukka* consisting of two walls in which there are gaps and a third wall measuring only a single handbreadth, it is still fit.

מאי לאו: ותיריה שבת דסוכה אסוכה, ולא אמרינן מגו!

The Gemara analyzes the *baraita*. What, isn't the *baraita* teaching that the stringency with regard to Shabbat that occurs during the festival of *Sukkot* goes beyond the stringency with regard to the rest of the festival of *Sukkot*? And apparently, we do not say the principle: Since it is considered a fit partition for *sukka* let it also be considered a fit partition for Shabbat. This is difficult according to Rava, in whose opinion that principle is applied in this case.

HALAKHA

The breached segments total more than the standing segments – פרוץ מרובה על העומד: When rendering a *sukka* fit by means of mechanisms like a one-handbreadth wall and the form of a doorway, it is fit even if there are breaches in the two complete walls, provided that no individual breach exceeds ten cubits. This is the ruling even if the total area of the breached segments exceeds the total area of the standing segments (Rashi; others). According to the Rambam, if all of the breaches together exceed ten cubits, then even if they are built in the form of a doorway, they still render the wall and the *sukka* unfit unless the standing segments exceed the breached segments. However, most authorities disagree (*Me'iri*; Rosh). Nowadays, the practice is to use full-fledged walls because not everyone is well versed in the details of the *halakhot* of partitions (*Shulhan Arukh, Orach Hayyim* 630:5, and in the comment of the Rema).

לֹא, יִתְיַרְה שְׁבֵט דְּעֵלְמָא עַל שְׁבֵט
דְּסוּכָה.

Rava rejects that interpretation of the *baraita*. No, the *baraita* is teaching that the stringency with regard to **Shabbat in general** goes **beyond** the stringency with regard to **Shabbat** that occurs **during** the festival of *Sukkot*. On Shabbat during the festival of *Sukkot*, a partition where the total of the breached segments of the partition is greater than the total of the standing segments is effective, as, since it is effective as a wall in a *sukka*, it is effective as a partition for Shabbat as well. That is not the case on Shabbat during the rest of the year, when a partition of that sort is ineffective on Shabbat.

אִי הָכִי לִיתֵינִי נִמְי: יִתְיַרְה סוּכָה
דְּעֵלְמָא אֶסוּכָה דְּשַׁבָּת, דְּאִילוּ
סוּכָה דְּעֵלְמָא – בְּעֵינָא טַפַּח שׁוֹחֵק,
וְאִילוּ סוּכָה דְּשַׁבָּת – לֹא בְּעֵינָא
טַפַּח שׁוֹחֵק, וְסָגִי בְּלָחִי.

Abaye asked: If it is so that the distinction in the *baraita* is not a fundamental distinction between the *halakhot* of *sukka* and the *halakhot* of Shabbat, but is instead a distinction between the *halakhot* of Shabbat in general and the specific case of Shabbat during the festival of *Sukkot*, then let the *baraita* also teach a novel distinction involving Shabbat that occurs during the festival of *Sukkot*. The stringency with regard to *sukka* in general during the rest of *Sukkot* goes beyond the stringency with regard to *sukka* on Shabbat that occurs during the festival of *Sukkot*, as a *sukka* in general consisting of two parallel walls, like an alleyway, requires that its third wall measure an expansive handbreadth, while a *sukka* on Shabbat does not require an expansive handbreadth for this purpose, and it is sufficient for the third wall to be established with a side post ten handbreadths high and any width.

דְּהָא אֵת הוּא דְּאִמְרַתָּ: סִיבַךְ עַל
גְּבִי מְבוּי שְׁיֵשׁ לוֹ לְחֵי – כִּשְׂר!

Since the side post is effective as a partition with regard to the *halakhot* of Shabbat, it should also be effective as a wall with regard to the *halakhot* of *sukka* although it is less than one handbreadth wide, as you are the one who said: If one placed roofing over an alleyway which has a side post on one of the open ends to permit carrying in that alleyway on Shabbat, it is fit as a *sukka* for that same Shabbat, although it would not be fit during the rest of the week of the Festival.^N

הָהוּא לֹא אֶצְטְרִיכָא לֵיהּ, הִשְׁתָּא
מְקִילָתָא לְחַמְיָרְתָּא – אֶמְרִינָן,
מְחַמְיָרְתָּא לְקִילָתָּא – לֹא כָּל
שְׁבִין?!

Rava replied to him: That is indeed my statement; however, the fact is that the *baraita* does not cite that distinction, because it is not necessary to state that there are circumstances in which the general *halakhot* of *sukka* are stricter than its *halakhot* on Shabbat, as there is no novelty in the concept that the *halakhot* of partitions on Shabbat should apply to a *sukka*. Now that we say that *halakhot* may be derived from a leniency to a stringency, as a *halakha* that applies to *sukka*, which is a positive mitzva, is applied to the *halakhot* of Shabbat, which is a stringent prohibition punishable by *karet*; then from a stringency, the *halakhot* of Shabbat, to a leniency, all the more so may *halakhot* be derived. Therefore, there is no reason for the *baraita* to mention that distinction explicitly.

גוּפָא, אֶמַר רַבָּא:

Ⓢ Apropos roofing over an alleyway, the Gemara elaborates about the matter itself. Rava said:

NOTES

Shabbat and *sukka* – שְׁבֵט וְסוּכָה: The relationship between the *halakhot* of Shabbat and *sukka* is evident from the start of the tractate, where the two are compared. They are comparable due to the significance of partitions in both areas of *halakha*. However, despite their similarities, the *halakhot* are not identical. That is due to the fundamental difference be-

tween the function served by the partitions in the different areas. In the *halakhot* of Shabbat, they serve as boundaries between different domains. In the *halakhot* of *sukka*, they serve to establish a structure. This distinction leads to various stringencies and leniencies applicable in each case (see *Hiddushei Rabbi Meir Arak*).

סיבך על גבי מבוי שיש לו לחי –
בשרה.

If one placed roofing over an alleyway^{NH} that has a side post, it is fit for use as a *sukka*.

ואמר רבא: סיבך על גבי פסי ביראות –
בשרה.

And similarly, Rava said: If one placed roofing over upright boards surrounding wells,^{NBH} it is fit for use as a *sukka*. A well is usually at least four handbreadths wide and ten handbreadths deep. Therefore, it is considered a private domain, and it is prohibited to draw water from it on Shabbat, as that would constitute a violation of the prohibition to carry from a private domain into a public one. In order to permit drawing water from the well, the surrounding area must be partitioned off and rendered a private domain. For the benefit of Festival pilgrims, the Sages instituted a special leniency that full-fledged partitions need not be constructed around the well for this purpose. Rather, it is sufficient if there are four double posts at the four corners of the area surrounding the well. Since these symbolic barriers are considered partitions for the *halakhot* of Shabbat, they are considered partitions for the *halakhot* of *sukka* on Shabbat as well.

וצריך, דאי אשמעינן מבוי – משום
דאיכא שתי דפנות מעלייתא, אבל
גבי פסי ביראות דליכא שתי דפנות
מעלייתא – אימא לא.

The Gemara notes: And it is necessary for Rava to state the *halakha* in each of the two similar cases, as if he had taught us only that the *sukka* is fit in the case of the alleyway, one could say that it is due to the fact that there are two full-fledged walls; however, in the case of upright boards surrounding wells, where there are not two full-fledged walls and most of the area is breached, say no, it is not considered a fit *sukka*.

ואי אשמעינן פסי ביראות – משום
דאיכא שם ארבע דפנות, אבל
סיבך על גבי מבוי, דליכא שם ארבע
דפנות – אימא לא.

And if he had taught us only the case of upright boards surrounding wells, one could say that it is due to the fact that in that case it is in the category of a *sukka* with four, albeit virtual, walls; however, in the case where one placed roofing over an alleyway, where it is not in the category of a *sukka* with four walls, say no, it is not considered a fit *sukka*.

ואי אשמעינן הני תרתי – מחמירתא
לקולתא, אבל מקולתא לחמירתא –
אימא לא, צריך.

And if he had taught us only these two cases, to teach that a partition with regard to the *halakhot* of Shabbat is a partition with regard to the *halakhot* of *sukka*, one could say that it is due to the fact that one can derive a *halakha* from a stringency, the *halakhot* of Shabbat, to a leniency,^N the *halakhot* of *sukka*; however, to derive a *halakha* from a leniency to a stringency, say no. Therefore, it is necessary to teach the third *halakha* with regard to a *sukka* consisting of two walls in the standard sense and a third wall measuring a handbreadth: Since the third wall is considered a wall with regard to the *halakhot* of *sukka*, a leniency, it is considered a wall with regard to the *halakhot* of Shabbat, a stringency.

NOTES

One placed roofing over an alleyway – סיבך על גבי מבוי – See Halakha note, where it is noted that the commentaries and the halakhic authorities dispute the matter of this alleyway. Most hold that it refers even to an open-ended alleyway that has a vertical post at one end. Although it is prohibited by rabbinic law to carry in such an alleyway on Shabbat, since by Torah law it is permitted to carry there, it is fit as a *sukka*. Others maintain that this *halakha* is limited to an alleyway that is open to the public domain at one end and closed at the other. The question arises because the roofing was not placed at the closed end of the alleyway where there are three walls, as that is clearly a fit *sukka*. Rather, it was placed at the open end of the alleyway, where there are only two parallel walls and a vertical post on the third side.

Upright boards surrounding wells – פסי ביראות – The ordinance of upright boards surrounding wells was instituted to meet a specific need, to allow the Festival pilgrims to draw water for their animals on Shabbat. This method of partitioning the area surrounding the well was permitted only in Eretz Yisrael and only during the period of the pilgrimages to Jerusalem. Others maintain that this ordinance is also in effect when it facilitates the fulfillment of other mitzvot as well, e.g., for yeshiva students returning to their studies (*Me'iri*).

From a stringency to a leniency – מחמירתא לקולתא – Most authorities hold that it is permissible to use a *sukka* built in an alleyway or from upright boards surrounding a well only on Shabbat. Others maintain that the reasoning: Since they are partitions for the *halakhot* of Shabbat, they are partitions for the *halakhot* of *sukka*, permits their use throughout the Festival (cited by Ran). Others (*Hokhmat Shlomo*; *Be'er Avraham*) ask: According to the first opinion, the *sukka* should be completely unfit, as it is not suitable for use for the entire Festival. Several answers were suggested. The fact that this *sukka* is not fit for use all seven days is not due to a fundamental deficiency; therefore, once incomplete walls are permitted, all the more so, the fact that it may not be used throughout the Festival does not render the *sukka* unfit (see *Arukh LaNer*, *Emek Sukkot*, and others).

BACKGROUND

Upright boards surrounding wells – פסי ביראות –



Upright boards framing a space around the well

HALAKHA

One placed roofing over an alleyway – סיבך על גבי מבוי – If one places roofing over an alleyway with a side post at its entrance, the resulting *sukka* is fit for use on Shabbat during the Festival; since the post is considered a partition with regard to the *halakhot* of Shabbat it is considered a wall with regard to the *halakhot* of *sukka* as well. This is in accordance with the opinion of Rava. There is a dispute about the nature of this alleyway. Some hold that this is the *halakha* even in

the case of an open-ended alleyway (Rashi; Rambam; Rosh), while others maintain that this is the *halakha* only in a case where the alleyway is closed on three sides (*Tosafot*; Ran; *Me'iri*; Rema as explained by the Vilna Gaon; *Shulhan Arukh, Oraḥ Ḥayyim* 630:7).

Roofing over upright boards surrounding wells – סיבך על גבי פסי ביראות – If one places roofing over upright boards or double

posts, since they are considered a partition with regard to the *halakhot* of Shabbat, they are considered a wall with regard to the *halakhot* of *sukka* as well, and one may use the resulting *sukka* on Shabbat. Some restrict the fitness of the *sukka* to circumstances where these walls are effective with regard to the *halakhot* of Shabbat, i.e., only in Eretz Yisrael and for Festival pilgrims (Ran; *Me'iri*; Rema as explained by the Vilna Gaon; *Shulhan Arukh, Oraḥ Ḥayyim* 630:7).

Whose sunlight is greater than its shade – חמתה מרובה מעלתה – A *sukka* whose sunlight exceeds its shade is unfit. This applies only with regard to sunlight that passes through the roofing; however, sunlight that passes through the sides does not render the *sukka* unfit. This ruling is not in accordance with the opinion of Rabbi Yoshiya because his opinion is consistent with the approach of the *tanna'im* that was rejected (*Beit Yosef; Shulhan Arukh, Orah Hayyim* 630:1).

“וְשִׁחְמָתָהּ מְרֻבָּה מְעַלְתָּהּ פְּסוּלָה.”

תנו רבנן: חמתה – מחמת סיכוך, ולא מחמת דפנות. רבי יאשיה אומר: אף מחמת דפנות.

אמר רב יימר בר שלמיה משמיה דאבוי: מאי טעמיה דרבי יאשיה – דכתוב: “וסכות על הארון את הפרוכת.” פרוכת מחיצה, וקא קרייה רחמנא סככה. אלמא: מחיצה כסךך בעינן.

ורבנן: ההוא דניכוף ביה פורתא, דמחזי כסךך.

אמר אבוי: רבי, ורבי יאשיה, ורבי יהודה, ורבי שמעון ורבן גמליאל, ובית שמאי ורבי אליעזר, ואחרים, כולהו סבירא להו: סוכה דירת קבע בעינן.

רבי – דתנאי, רבי אומר: כל סוכה שאין בה ארבע אמות על ארבע אמות – פסולה.

רבי יאשיה – הא דאמרן.

רבי יהודה – דתנן: סוכה שהיא גבוהה למעלה מעשרים אמה – פסולה, רבי יהודה מכשיר.

ורבי שמעון – דתנאי: שתים כהלכתן ושלישית אפילו טפח. רבי שמעון אומר: שלש כהלכתן, ורביעית אפילו טפח.

רבן גמליאל – דתנאי: העושה סוכתו בראש העגלה או בראש הספינה, רבן גמליאל פוסל, ורבי עקיבא מכשיר.

§ The mishna continues: **And a *sukka* whose sunlight**, i.e., the sunlight that passes through the roofing, **is greater than its shade,^h is unfit.**

The Sages taught in a *baraita* that in the statement: **Whose sunlight is greater than its shade**, the reference is to sunlight that passes through **due to sparse roofing, and not to the sunlight entering due to gaps in the walls**. It is possible for a *sukka* to have more sunlight than shade due to sunlight passing through the sides and not the roofing, in which case the *sukka* is fit. **Rabbi Yoshiya says: If the sunlight exceeds the shade the *sukka* is unfit, even if the sunlight is due to gaps in the walls.**

Rav Yeimar bar Shelemya said in the name of Abaye: **What is the rationale for the statement of Rabbi Yoshiya?** It is as it is written: “**And you shall screen [*vesakkota*] the Ark with the curtain**” (Exodus 40:3). **The curtain is a partition and not a covering over the Ark, and nevertheless, the Merciful One calls it roofing [*sekhakha*]. Apparently, we require the purpose of a partition to be similar to the purpose of roofing; just as the roofing must be mostly impermeable by sunlight, so must the partition.**

And how do the Rabbis, who disagree with Rabbi Yoshiya, interpret the term: And you shall screen [*vesakkota*]? **That term teaches that we should bend the top of the curtain a bit so that it appears as roofing over the Ark.**

Abaye said: Rabbi Yehuda HaNasi, and Rabbi Yoshiya, and Rabbi Yehuda, and Rabbi Shimon, and Rabban Gamliel, and Beit Shammai, and Rabbi Eliezer, and *Aherim* all hold^h that **we require the *sukka* to be sturdy and fit for dwelling like a permanent residence.**

Abaye cites the relevant statements of the *tanna'im* listed above. **Rabbi Yehuda HaNasi states this opinion, as it is taught in a *baraita* that Rabbi Yehuda HaNasi says: Any *sukka* that does not have an area of four cubits by four cubits is unfit.** These are the dimensions of a permanent residence.

The fact that **Rabbi Yoshiya** holds that a *sukka* must be a permanent residence can be seen from **that which we stated**, that the walls must also be impermeable by sunlight like the walls of a permanent residence.

Rabbi Yehuda also holds that a *sukka* must be a permanent residence, **as we learned in the mishna: A *sukka* that is more than twenty cubits high is unfit; Rabbi Yehuda deems it fit.** As explained above, in constructing a *sukka* more than twenty cubits high, one cannot render his residence a temporary residence; rather, he must construct a sturdy permanent residence.

Rabbi Shimon agrees, **as it is taught in a *baraita*: The dimensions of a *sukka* are two walls in the standard sense, and a third wall that measures even a handbreadth; Rabbi Shimon says: Three of the walls must be walls in the standard sense, and a fourth wall is required that measures even a handbreadth.** Apparently, a *sukka* must be surrounded on four sides like a permanent residence.

Rabban Gamliel holds that a *sukka* must be a permanent residence, **as it is taught in a *baraita*: In the case of one who establishes his *sukka* atop a wagon or atop a boat, Rabban Gamliel deems it unfit; a mobile structure is not a permanent residence. Rabbi Akiva deems it fit.** Apparently, Rabban Gamliel requires that a *sukka* be a permanent residence.

NOTES

They all hold – כולהו סבירא להו – There is an accepted halakhic principle dating back to the time of the *geonim* that whenever the Gemara presents the opinions of multiple Sages as a single approach, the *halakha* is not in accordance with that approach. The Gemara presents all the opinions as one approach only to teach that despite nuanced differences between them, they all represent an approach that is rejected and not ruled as *halakha*.

בית שמאי – דתנן: מי שהיה ראשו ורובו בסוכה, ושולחנו בתוך הבית, בית שמאי פוסלין ובית הלל מכשירין.

Beit Shammai agree, as we learned in a mishna: In the case of one whose head and most of his body were in the *sukka* and his table was in the house, Beit Shammai deem the *sukka* unfit, since a small *sukka* is unfit for use and one cannot fulfill the mitzva of *sukka* with it. And Beit Hillel deem it fit. Apparently, Beit Shammai require that the *sukka* be similar to a permanent structure.

רבי אליעזר דתנן: העושה סוכתו כמין צריף, או שסמכה לבתול, רבי אליעזר פוסל לפי שאין לה גג, וחכמים מכשירין.

Rabbi Eliezer holds that a *sukka* must be a permanent residence, as we learned in a mishna: In the case of one who establishes his *sukka* like a type of circular hut whose walls slope down from the center and has no roof, or one who rested the *sukka* against the wall, taking long branches and placing one end on the ground and leaning the other end against the wall, establishing a structure with no roof, Rabbi Eliezer deems it unfit because it does not have a roof, and the Rabbis deem it fit. A permanent residence has a roof.

אחרים – דתנא, אחרים אומרים: סוכה העשויה כשוכך – פסולה, לפי שאין לה זוויות.

Aherim agree, as it is taught in a *baraita* that *Aherim* say: A *sukka* built in a circular shape like a dovecote^N is unfit, because it does not have corners, and a permanent residence is one with corners.^H

אמר רבי יוחנן: סוכה העשויה ככבשן, אם יש בהקיפה כדי לישב בה עשרים וארבע בני אדם – כשרה, ואם לאו – פסולה.

§ Rabbi Yoḥanan said: With regard to a *sukka* that is shaped like a furnace^B and is completely round, if its circumference has sufficient space for twenty-four people to sit in it, it is fit, and if not, it is unfit.

כמאן – כרבי, דאמר: כל סוכה שאין בה ארבע אמות על ארבע אמות – פסולה.

The Gemara asks: In accordance with whose opinion did Rabbi Yoḥanan rule that the *sukka* must be so expansive? The Gemara answers: It is undoubtedly in accordance with the opinion of Rabbi Yehuda HaNasi, who said: Any *sukka* that does not have an area of four cubits by four cubits is unfit. Since he requires the *sukka* with the largest minimum dimensions, Rabbi Yoḥanan must hold in accordance with his opinion.

מכדי, גברא באמתא יתיב, כל שיש בהקיפו שלשה טפחים יש בו רוחב טפח, בתריסר סגי!

However, even if he holds in accordance with the opinion of Rabbi Yehuda HaNasi, the question arises: Now, since when a person sits, he occupies one cubit of space, the circumference required by Rabbi Yoḥanan for the *sukka* is twenty-four cubits. However, mathematically, for every three handbreadths circumference in a circle, there is a diameter of approximately one handbreadth. Consequently, rather than requiring a *sukka* that holds twenty-four people, a *sukka* that holds merely twelve people should suffice, since a *sukka* with a circumference of twelve cubits has a diameter of approximately four. In that case, why does Rabbi Yoḥanan require the *sukka* to have double the necessary circumference?

NOTES

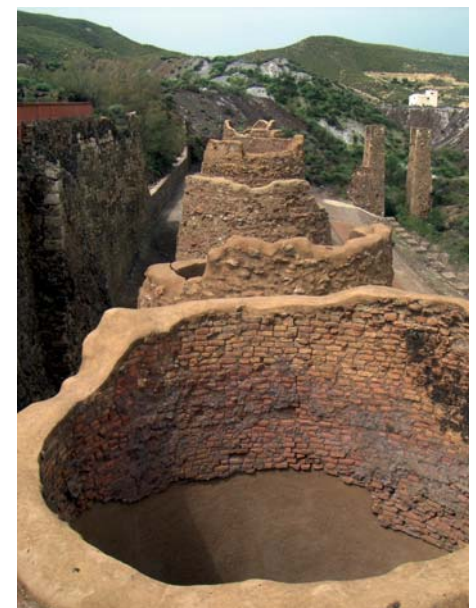
A *sukka* built like a dovecote – סוכה העשויה כשוכך – According to most authorities, Rabbi Yoḥanan disagrees with *Aherim* in this matter (see Rashi). Some explain that a *sukka* built like a dovecote is specifically a small, narrow *sukka*, like an actual dovecote; however, a *sukka* of the requisite area is not deemed unfit due to its shape (see *Arukh LaNer*).



Dovecote

BACKGROUND

Furnace – כבשן:



Ruins of cylindrical furnaces in Almería, Spain, used for melting iron ore

HALAKHA

A circular *sukka* – עגלה: A round *sukka* is fit, in accordance with the opinion of Rabbi Yoḥanan. With regard to the required minimum size of a round *sukka*, since the minimum size of a fit *sukka* is a bit more than seven by

seven handbreadths, the circumference of a round *sukka* must measure approximately thirty handbreadths, in accordance with the conclusion of the Gemara (*Shulḥan Arukh, Orah Ḥayyim* 634:2).