



Rabbi Akiva's Sukkah



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According to the Gemara the Rabbanan maintain that a sukkah is a **דירת עראי**. There are many contextual indications to this fact within Masechet Sukkah. However, one of the most pointed statements regarding this is in Yoma 10b where it directly states: **ורבנן אמרו: סוכה דירת עראי בעינן לטעמייה, דאמרא: סוכה גבואה למעלה מעשרים**. This being the case, how did the Rabbanan maintain their opinion that a sukkah is a **דירת עראי** in opposition to Rabbi Yehuda, when Rabbi Yehuda brings a **מעשה** on Sukkah 2b regarding Queen Helene's sukkah that was over 20 amos high and the Elders were silent, as the Baraisa states: **סוכה שהיא גבואה למעלה מעשרים אמרה — פסולה ורבי יהודה מכשיר עד ארבעים וחמשים אמרה. אמר רבי יהודה: מעשה בהילני המלכה בלבד אמרה — והוא זקנים נכנסין ויוצאים לשם ולא אמרו לה דבר שהיתה סוכתה גבואה מעשרים אמרה,**.

Therefore, if the Rabbanan who hold that a sukkah is a **דירת עראי** are assumed to be the opinion of Tanna Kamma of Masechet Sukkah, Mishna 2a, which states that a sukkah above 20 amos is invalid, what logical defense did they employ to avoid refutation by Rabbi Yehuda's Baraisa regarding Queen Helene's sukkah that was over 20 amos high and the Elders were silent?

This d'var Torah attempts to provide an answer to the above question by:

- Illustrating Rabbi Yehuda's opinion of **קבע** in Mishna 2a and on daf 7b, as meaning that a sukkah can be higher than 20 amos in height **or** greater than 4x4 amos in length and width in accordance with the Meiri.
- Explaining how the three dictums in the name of Rav on 2b regarding the dispute between the Tanna Kamma and Rabbi Yehuda in a sukkah above 20 amos are not contradictions but represent multiple opinions of Tannaim which were accurately transmitted by Rav to R' Yoshiyah, Rav Huna, and Rav Chanan bar Rabbah.
- Explaining the source and reason behind Rav Chanan bar Rabbah's dictum in the name of Rav on 2b, that states that the dispute with Rabbi Yehuda in a sukkah above 20 amos is at **ראשו ורובו ושולחנו**.
- Explaining how the seemingly abrupt transition from the Baraisa of Queen Helene's sukkah to Rav Shmuel bar Yitzchak stating the halacha for a minimum size sukkah are not separate topics but related.
- Redefining the concept of a **דירת עראי**.
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The Gemara

Chapter 1

Questions and Answers on

Masechet Sukkah

What is the overall structural approach of the Gemara in seeking to understand the individual statements of Masechet Sukkah, Mishna 2a?

The Gemara begins examining Mishna 2a by comparing the **ר' ישא** of our Mishna to the **ר' ישא** of the Mishna in Eruvin 2a. As such, a continuous thread of logical thought unfolds from Sukkah 2a through 6b to methodically proceed through all the factors that affect the limitations and calculations of the height of s'chach from the floor of a sukkah.



(End.)

What is the purpose of the Gemara when it begins by asking what is unique about a sukkah whose s'chach is higher than 20 amos compared to a mavoi whose korah is higher than 20 amos?

In quoting **only the רישא** of the Mishna in Eruvin 2a, the Gemara asks two different questions on Sukkah 2a: **מאי שנא גבי סוכה דתני פסולה.** Why is one question insufficient that the Gemara needed to ask both of these questions?

In response to the first question the Gemara states that the uniqueness of a סוכה whose s'chach is higher than 20 amos is that it violates a Torah law and makes the entire sukkah structure invalid. Rashi explains regarding a **מבי** whose korah is higher than 20 amos, that it would be improper to use the language of **פסולה** because while it violates a Rabbinic requirement it does not invalidate the entire mavoi structure. Therefore, a סוכה is unique because **דאורייתא פסולה** because it is a **סוכה**.

After accepting the uniqueness of a sukkah which allows us to state פסולה, the Gemara then proceeds to address the second question regarding the uniqueness of a מבוי that allows us to exclusively state a תקנתא. The Gemara does this by way of first suggesting that perhaps a מבוי is not unique because a person could state a תקנתא for a דאוריתא and say in regard to a sukkah if the sukkah's s'chach is higher than 20 amos, as the Gemara states: **איבעית ימעט אימא בדאוריתא נמי תני תקנתא**.

However, the Gemara explains that even though in general a תקנתא could be given for a דאוריתא, in the specific case of a sukkah whose s'chach is higher than 20 amos, there are numerous details regarding the lowering of the s'chach of a sukkah that prevents a person from simply stating ימעט as a remedy. Therefore, the answer to the second question is that a mavoi is unique from a sukkah in that it can exclusively state a תקנתא regarding its korah which is over 20 amos, because the details involved are not numerous, מבוי דלא נפיש מיליה. Consequently, the korah simply needs to be lowered, ימעט. **This cannot be stated by a sukkah because the details for lowering s'chach are numerous.**

In order to explain how and why the details for lowering s'chach are numerous, the Gemara proceeds with providing the necessary context by first listing the three opinions of the Amoraim regarding the possible sources for 20 amos height limitation of a sukkah. Then it highlights multiple associated dicta in the name of Rav on 2b, each of which would consequently impact the requirements for lowering s'chach in different ways. For instance, R' Yoshiyah said in the name of Rav, that the dispute between the Tanna Kamma and Rabbi Yehuda is where the walls do not reach the s'chach. Therefore, according to this opinion a sukkah above twenty amos whose walls reach the s'chach is not פסול and it need not be lowered at all. Whereas a sukkah whose walls do not reach the s'chach must be lowered to 20 amos or below. However, according to Rav Huna in the name of Rav, the dispute is at exactly 4×4 amos, which establishes a required shade ratio of 1:5 (length to height). Therefore, if the sukkah is 5×5 amos and the s'chach is at 26 amos in height, it needs to be lowered only 1 amah and not necessarily to 20 amos. In addition, according to this opinion a sukkah of 3×3 amos that is over 20 amos in height, even if it were lowered to 16 amos it would still be פסול. Next, according to Rav Chanan bar Rabbah the dispute is at ראשו ורוכבו ושולחןנו. And as it shall be explained further below, if the sukkah is exactly ראשו ורוכבו ושולחןנו then the sukkah must be lowered to 20 amos or below. However, if the sukkah were larger than ראשו ורוכבו ושולחןנו, depending on its length and width it may or may not need to be lowered.

In addition to understanding the structure and logical flow of the Gemara in this straightforward manner, a proof for this approach to the Gemara can be found in the words of Chazal who stated on 2a, דנפיש מיליה. Do not read מיליה. Chazal precisely indicated the intent of their words by using the masculine form to ensure that the reader understood that the entire conversation was specifically regarding the numerous

laws for lowering the s'chach (סכך) of a sukkah and not about the entire sukkah (סוכה) structure in general. Therefore, the Gemara is only analyzing the א"ר of Mishna 2a for the singular purpose of understanding the limitations and calculations of the height of s'chach from the floor of a sukkah.

סוכה פרק ראשון סוכה

סוכה - וכי יודע מכך - הנrule מפרק טעם
גנומית טמלה. גנומל מפרק טעם
כח גנומל ילק לאל: ואחת מה מרכז מלחמה
בירוב וגדי טול כמי שולט ועל טעם סCKER קרייה ט-
קעטן נגעה. מביו טהו סחוט מלחט טהורה גאג

סמלות
השרא

סוכה

שׁׁהַיָּה נִבְוָה לְמַעַלָּה מַעֲשָׂרִים אֲמָה פְּסָלָה וּרְבִי יְהוָה מִכְשָׁר וְשָׁאָנָה יְגַנְּהָה עִשְׂרָה מְפָרָס יוֹשָׁן לְהָ (שְׁלָשָׁה) דְּפָנִית וּשְׁוֹמְרָתָה מְרוּבָה מַצְלָחָה פְּסָלָה גָּמְלָן תְּרָחָם כְּבָבִי שְׁרוֹאָה גְּבָתָה מַעֲשָׂרִים אֲמָה מַעֲשָׂרִים רַבִּי יְהוָה אָמֵר אַנְּזִיר כָּא שְׁנָא מַעֲשָׂרִים כְּבָבִי סְכָה דְּרָנִי פְּסָלָה וּמְאַשְׁנָא גָּבִי כְּבָבִי רְתָחָנִי הַקְּנָתָא סְכָה דָּאוּרִיהָ תְּנִי פְּסָלָה מְבָבִי דְּרָבָנִי תְּנִי תְּקָנָה וְאַבְעָיו אִימָא בְּדָאוּרִיהָ נִמְיָה תְּנִי תְּקָנָה מִיחָו סְכָה (דָּנְפִישׁ טְלָחָה) פְּסִיק וְתְּנִי פְּסָלָה מְבָבִי לְאָלָא נְפִישׁ מִילָה תְּנִי תְּקָנָה מִנְהָגָם אִמְרָה בְּבָה דָּאֵמֶר קָרָא לְמַעַן דְּעַוְתָה כְּבָבִים כִּי

[תזכות
פיננסית]

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[ג'זען ככ]
סילוואן

1200

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(End.)

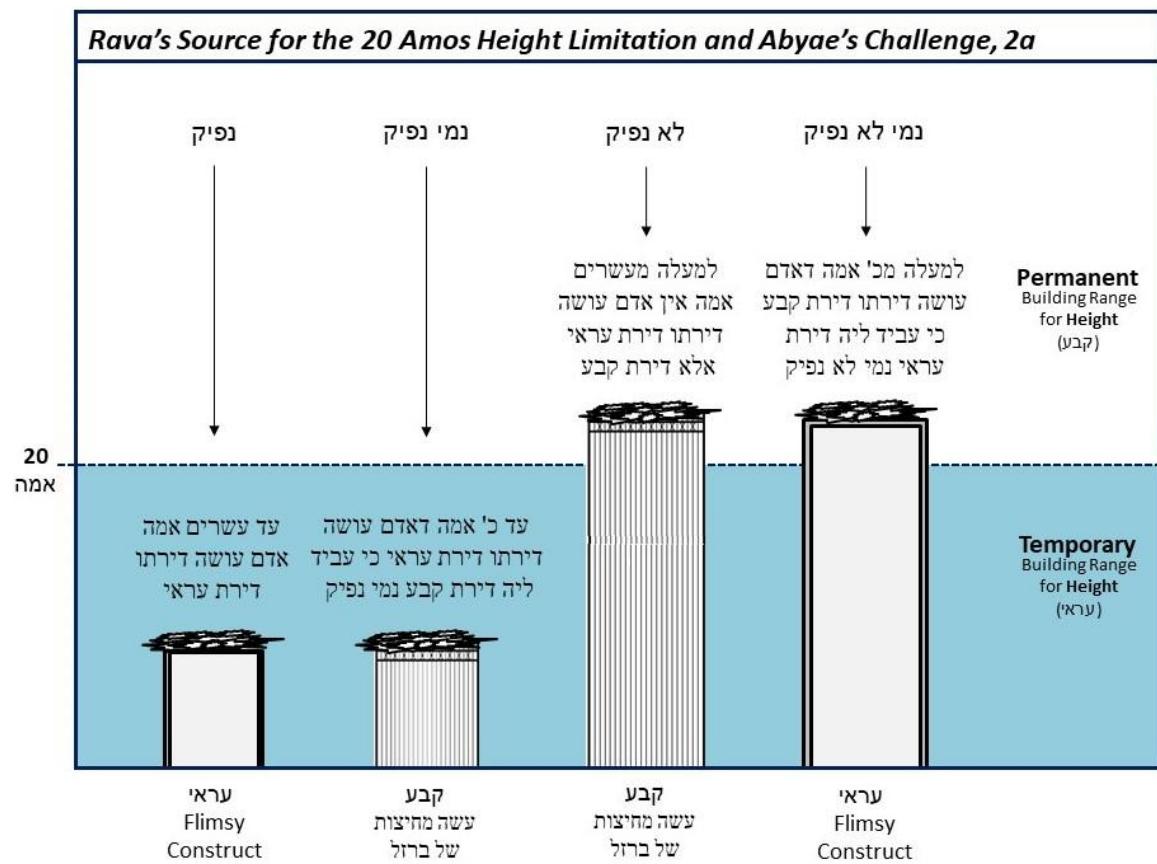
What is the definition of a דירה עראי?

Rava states that temporariness is not determined by the materials used to construct a sukkah. Rather, temporariness is determined by an abstract dimensional range. Any sukkah constructed up to 20 amos in height is a **סוכה עראי**.

And, even if a person builds his sukkah out of temporary materials or in a temporary fashion above 20 amos he does not fulfill his obligation because his sukkah would occupy a dimension of **קבע**, as Rava restates and clarifies this point to Abaye on 2a: **הכי קאמינא לך עד כ' אמה לדוד עושה דירתו דירת עראי כי עביד כי עביד ליה דירת קבע נמי נפיק למעלה מכ' אמה דוד עושה דירתו דירת קבע כי עביד ליה דירת עראי נמי לא נפיק.**

The literal meaning of Rava's words are that a person could build a materially weak or poorly fastened "seven-day" sukkah above 20 amos that would prove to only last temporarily (see the Bach §633). As such, Rava informs us that a sukkah's material

makeup or lack of sturdiness in construction does not matter at all. If a דירת קבע occupies the abstract dimension of above 20 amos, it would actually be a דירת קבע and not as Abaye would have thought, a דירת עראי. Therefore, a materially weak or loosely constructed sukkah above 20 amos is invalid. Just as conversely a sukkah made with ברכל that occupies the dimensional space of 20 amos or less.



And even though Rashi deviates from the simple meaning of Rava's words and understands differently than the Bach in stating that it is impossible to build a דירת עראי above 20 amos due to a connection to its material construct, he still concludes in his commentary on Gemara 2b that Rabbah and Rabbi Zeira did not agree with Rava's source for the 20 amos height limitation of a sukkah because they did not want to learn out from the words **שבעת ימים** an abstract measurement regarding the concept of temporariness and permanence. Instead, they felt that if the words **שבעת ימים** could be interpreted to mean that a sukkah should be built in some sort of temporary fashion, it would have to be understood as Abaye did in the terms of the material construct of the sukkah.

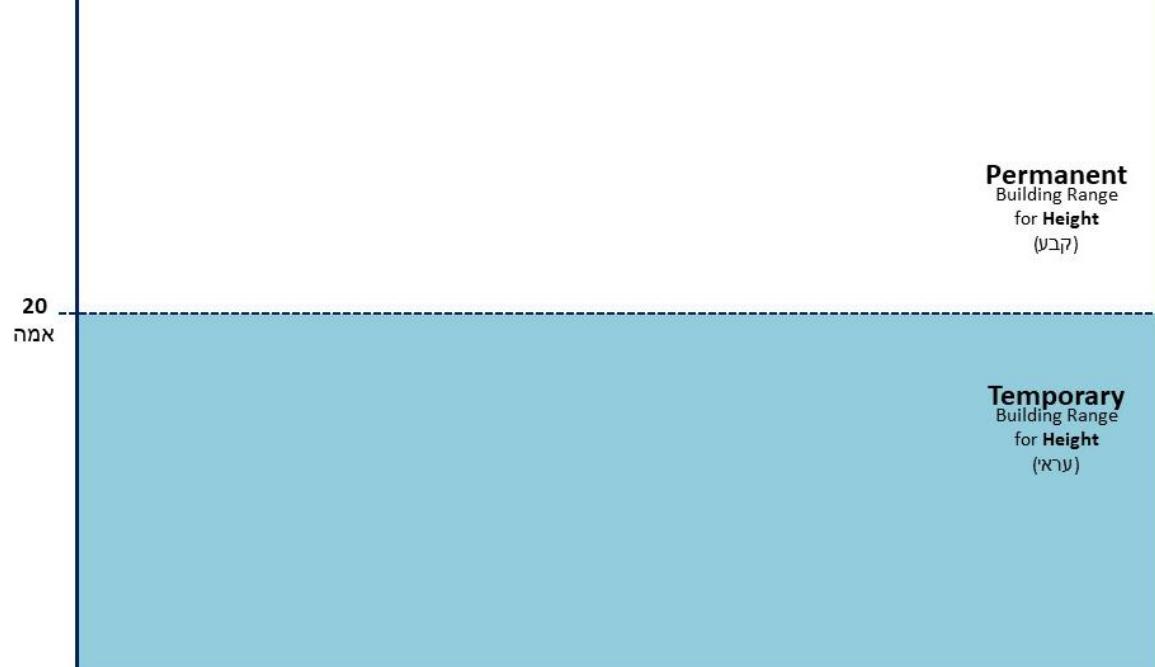
סוכה פרק ראשון סוכה

- **הנמה - רולף מלמן יוז:** סטטוס
- **הנמה - ג'ון גולדן:** מדיניות ותרבות כהן-הטביה: ליטות אנטיתון - הומואומוטו
- **הנמה - מילן לולס:** נסיך טוטם טוטם של גולן ואבנישס נסיך דאסיטן נסיך דאסיטן נסיך דאסיטן
- **הנמה - קבוצת מילן לולס:** מיטון קסאל ולבוי

ברבי אויל גל אמרה. אל רול
דילקרון אויל גל מוקט דרכו
וכוין ודעתנו מונחים נסכך מילסט
לגד טהרה וקורטה מוט דלון
לנטשי אקאריה מל גבוי קמליס להאטס
קיורס פקח גל פלט כבוי נטון כט
בומכלה מילס פולון: **ויש** כה
וילר מילקעט יהויש הפלט מונמא
מנעליטס כט כוילס. **לטסף** מוקין דרכ
הוילס פלען זויה מה' יהויש כהרא
וילס וויל בתקומב מוקט זילר
ל' יהויש פלען זויה מה' יהויש כהרא
וילס וויל בתקומב מוקט זילר
מו' יהויש לאו יהויש גוטה מונעליטס

Another proof that the definition of a **דירת עראי** is not determined by the materials used but is an abstract range determined as 20 amos or less can be learned from Gemara 7b where Rabbi Yehuda is listed as one of eight Tannaim that hold that a sukkah is a **דירת קבע** on the basis that he validates a sukkah above 20 amos in height. From this we find a proof for Rava's understanding that a sukkah which is built at 20 amos or lower in height is in the dimensional range of what is considered a **דירת עראי**.

Rava's Source for the 20 Amos Height Limitation of a Sukkah, 2a

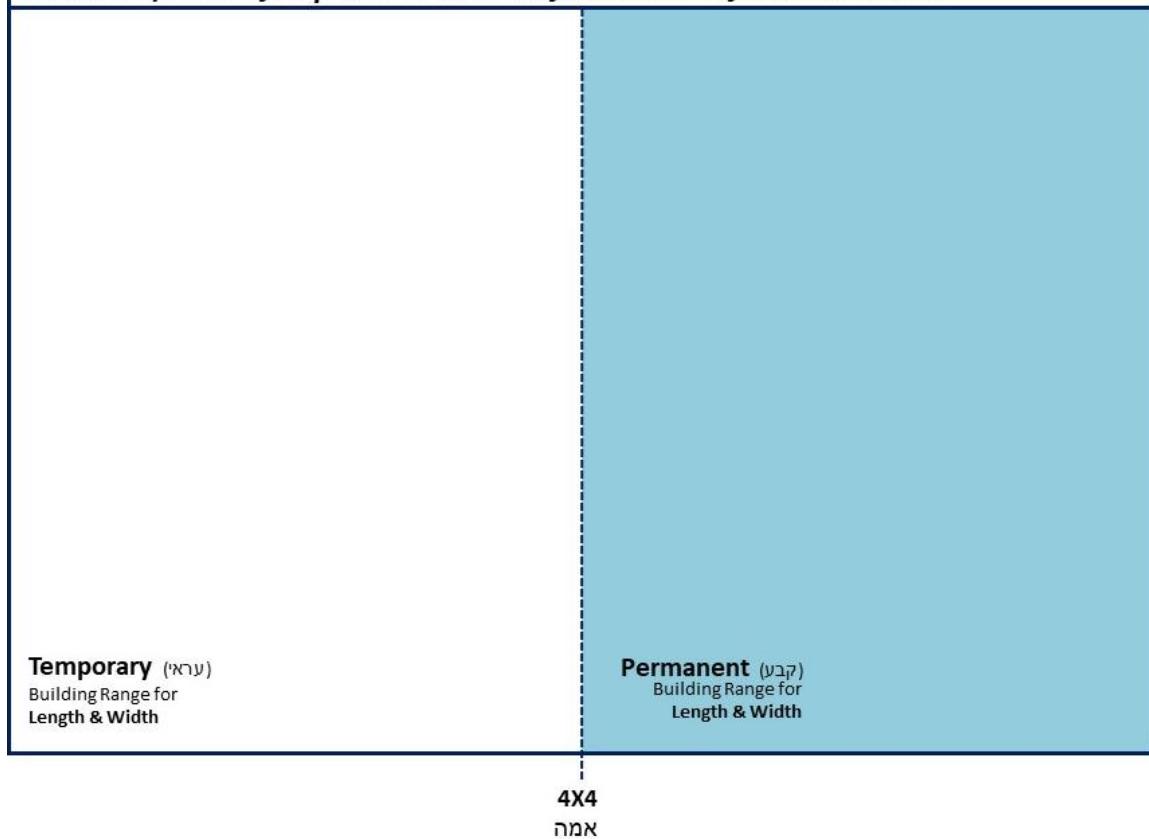


פרק ראשון סוכה

רובי אליעזר ואחרות מלוחו סביר לא לה סכח
דריך קבע עניין. רבי דתניה ז"ר אמר כל
סכמה שאין בה ארבע אמות על ר' אמרות
פסוליה. רבי אשתה הוא ואמרן ר' יודה
ורדרגן. סכמה שולג בגבורה לעמלה McB אמונה
פסוליה רבי יודה מבהיר ר' שמעון דתניה
ז"ב כהלבון ונ' אפילו טפה רבי שמעון אומר
נ' כהלבון ו' אףלו טפה רבן גמליאל
ודתניה העושה סכמו בראש העגלה או

Additionally, this understanding of an abstract measurement verses a material concept of קבע and עראי is further observed in the same Gemara on 7b in referencing Rebbe's opinion that the קבע of a sukkah is established as one that is 4×4 amos or greater, **regardless of its material construction**. And conversely, Rebbe maintains that a sukkah that is built at less than 4×4 amos is a **דירת עראי**.

Rebbe's Opinion of קב"ע and on עראי from תשבו 7b referenced on 28b



Furthermore, we find that on the basis of an abstract measurement of 4×4 amos, the Baraisa on 3b regarding the laws of houses determines whether a house is a or a **דירה עראי**.

(End.)

Does Rabbi Yehuda allow a sukkah to be built at 20 amos or less in height?

Yes, as he agrees with Mishna 2a that states: **וְשַׁאֲנָה גָּבוֹהָ עֶשֶׂרֶת טְפָחִים**. Therefore, a sukkah higher than 10 tefachim is valid.

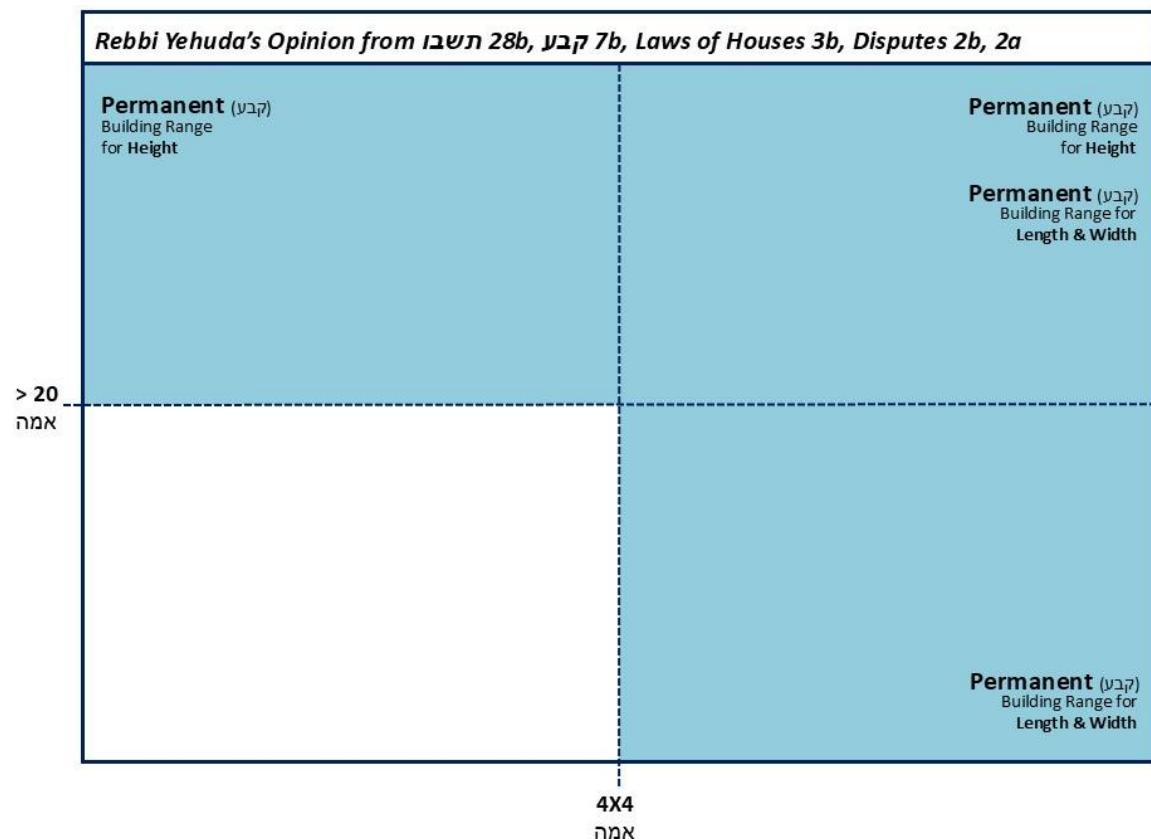


Also, another proof is where Gemara 23a cites a Baraisa that states: **עֲשָׂה לְבָהָמָה דָּופֵן לְסֻכָּה** meaning that one should not cover an animal with a sukkah. Regarding this Baraisa, Abaye understands that R' Meir invalidates the use of an animal as a sukkah wall out of concern that it might die, whereas Rabbi Yehuda validates it. The Gemara explains their dispute as where the animal is of average size and its top is within 3 tefachim from the s'chach, which qualifies the sukkah as having the required minimum 10 tefachim in height for a valid sukkah. From here we see that the Gemara understands that Rabbi Yehuda permits a sukkah to be built at 20 amos or lower in height.

Rebbi Yehuda allows a sukkah to be higher than 20 amos because he holds that a sukkah is a **קבע, but what is his requirement without which a sukkah would be invalid if he at the same time holds that a sukkah can also be built 20 amos or lower in height?**

The Gemara on 7b states: אמר אבי רבי יASHIA ורבי יהודה ורבי שמואן ורבי גמליאל ובית שמאי: **דירת קבע** Each one of the Tannaim listed holds that a sukkah needs a particular aspect of **קבע** in order for a sukkah to be valid. However, if Rebbi Yehuda simply allows a sukkah to be either above 20 amos in height, where it would be a **קבע**, or 20 amos or lower where it would be **דירת עראי**, he would not belong on this list of Tannaim that maintain that a sukkah must be a **קבע**.

Therefore, in accordance with the Meiri commenting on Gemara 2a, Rebbi Yehuda maintains that the **קבע** requirement of a sukkah can be satisfied either on the basis of the dimension of height **or** on the basis of the dimension of length and width.



And this approach would be consistent with the Baraisa on 3b that a dwelling is considered to be a **דירת קבע** if it is 4×4 amos or greater in length and width. Likewise, this is similar to Rebbe's opinion on 7b which defines the **קבע** of a sukkah solely in the terms of length and width at 4×4 amos or greater. Therefore, the difference between the two Tannaim is that Rabbi Yehuda utilizes height **or length and width** in defining a **דירת קבע**.

In an attempt to answer this same question, some may assert an alternative understanding of Rabbi Yehuda's opinion by stating that perhaps Rabbi Yehuda could accept the **קבע** requirements of the other Tannaim. However, this approach would not be consistent with how the Ritva and Ran understand the Gemara's use of the term **הוא**, which they understand to mean that each disputant is in disagreement with his fellow in some aspect of the halacha.

This conclusion is further supported by the fact that Rabbi Yehuda can be seen to dispute R' Shimon's requirement for a fourth wall in that he is in agreement with Mishna 2a that states: **פסולה שלשה דפנות ... ושאין לה שלשה דפנות**. Therefore, a sukkah that has three walls is valid.

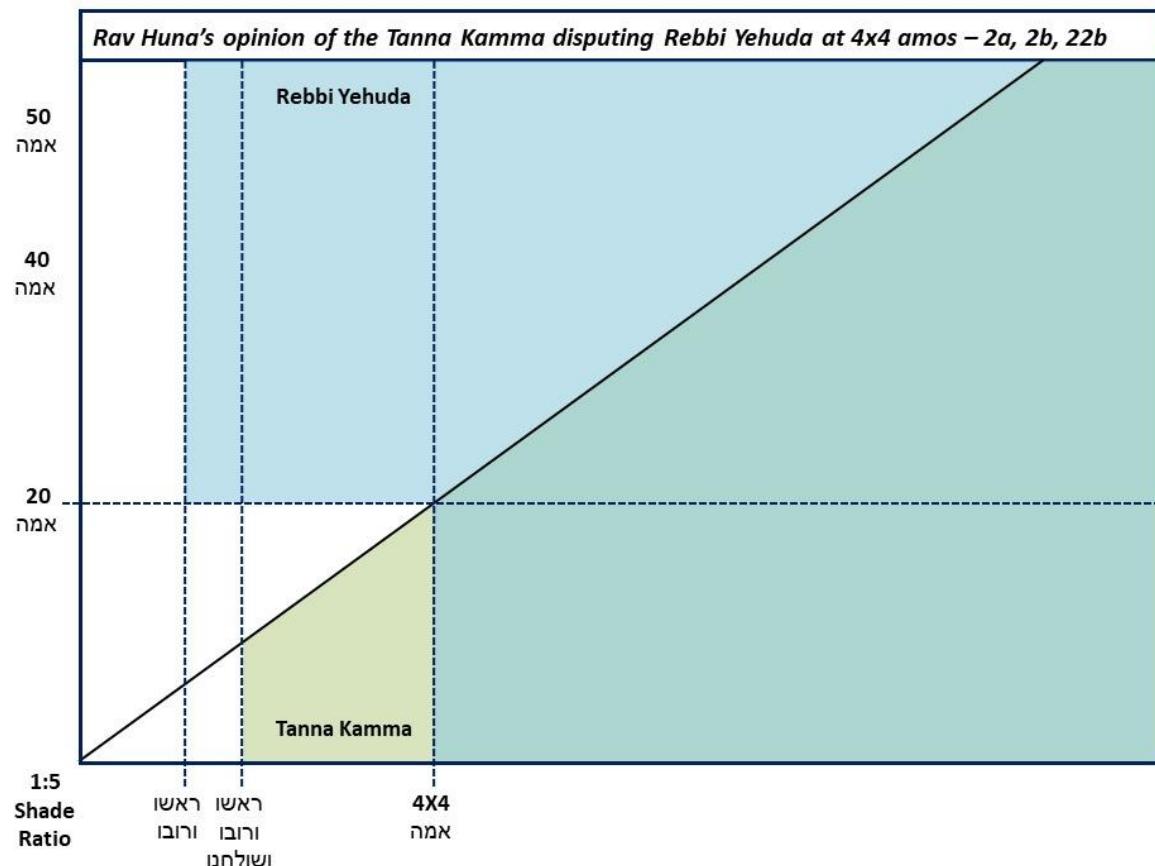
Likewise, Rabbi Yehuda can be shown to oppose Rabban Gamliel's understanding of the **קבע** requirement of a sukkah in that it cannot be a mobile sukkah, such as one that sits atop a wagon. This is observed in Gemara 23a which states that Rabbi Yehuda's reason for invalidating a sukkah built on the back of an animal is on the basis of the verse that states: **הַסּוּכָּה תַּעֲשֶׂה לְךָ שְׁבַע יְמִים**, the festival of Succos you shall make for seven days. Rabbi Yehuda does not invalidate the sukkah because it is a mobile sukkah, rather because a sukkah atop an animal is rabbinically forbidden to be used in such a manner on the day of Yom Tov and consequently cannot be utilized for all seven days. The implication is that the Gemara understands that had it not been for the one day of Yom Tov, Rabbi Yehuda would allow a sukkah to be built on the back of an animal. Therefore, Rabbi Yehuda would permit a sukkah to be built on top of a wagon since its use would not be forbidden on Yom Tov and could be used for all seven days.

Furthermore, while Rabbi Yehuda allows a sukkah to be built at 4×4 amos or greater in length to qualify as a **דירת קבע**, in accordance with the understanding of the Ritvah and Ran, Rabbi Yehuda disputes Rebbe's absolute minimum requirement of 4×4 amos when he validates a sukkah of less than that measurement. This is clearly seen on 2b where in the name of Rav, Rav Huna and Rav Chanan bar Rabbah state that the argument between the Tanna Kamma and Rabbi Yehuda is in a sukkah above 20 amos in height which is less than 4×4 amos in length and width.

(End.)

Why does Rav Huna in the name of Rav state that the dispute between the Tanna Kamma and Rabbi Yehuda in a sukkah above 20 amos is at exactly 4x4 amos rather than 4x4 amos and less?

The reason for this is that a shade ratio of 1:5 (length to height) is a diagonal line reaching 20 amos in height at exactly 4×4 amos. This means that if the dispute between the Tanna Kamma and Rabbi Yehuda was stated as being at 4×4 amos **and less** the reader would have thought that if the sukkah was merely 20 amos in height or lower it would be valid according to the opinions of the Tanna Kamma and Rabbi Yehuda. But this is not the case for either of their opinions.

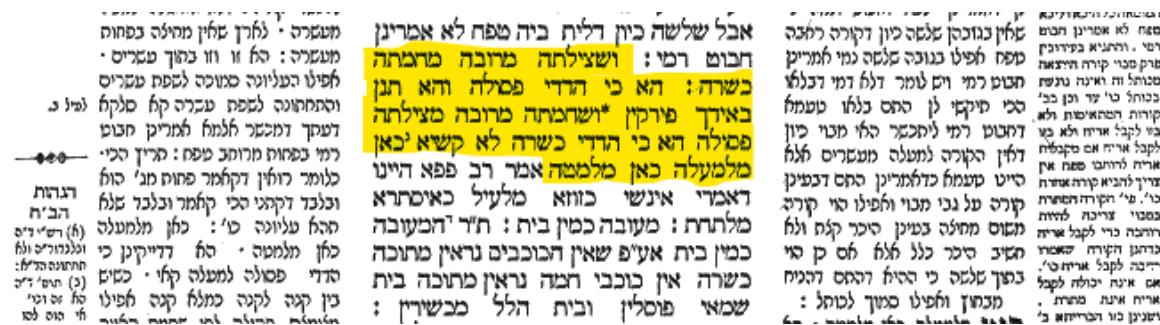


In regard to the Tanna Kamma's opinion, examples can be found of how a sukkah such as one that is 2×2 amos can be no higher than 10 amos in height and one of 3×3 amos can be no higher than 15 amos in height. And in regard to Rabbi Yehuda's opinion of the **עבך** of a sukkah, Rabbi Yehuda invalidates a temporary sukkah which is built less than 4×4 amos in length and which is at the same time 20 amos or lower in height. Therefore, the dispute must be described as being at **exactly** 4×4 amos. However, both the Tanna Kamma and Rabbi Yehuda permit a sukkah which is built less than 4×4 amos.

(End.)

In the name of Rav, Rav Huna and Rav Chanan bar Rabbah argue over a matter of length on 2b, but what is the source of their dispute?

The Gemara on 22b states that when Mishna 2a says וְשַׁחַםְתָּה מְרוּבָה מַצְלָתָה פְּסוֹלָה it means that equal or greater shade of the s'chach must be present at the ground level where a person dwells, otherwise the sukkah is invalid. This is the opinion of all regarding the **סיפה** of Mishna 2a and not a unique requirement of Rabbi Zeira on 2a or Rav Huna on 2b.



Therefore, we can deduce that an additional factor involved in the disputes between Rabbi Yehuda and the Tanna Kamma according to Rav Huna and Rav Chanan bar Rabbah, is not that the s'chach must be capable of producing shade at the floor of the sukkah where a person dwells (regarding this everyone agrees), but more specifically regarding the amount of time that the s'chach (and not the walls) must provide protection from the daytime heat in order for the sukkah to be valid, as the Torah states: **וְסֻכָּה תָּהֵה לְצֵל יוֹם מַחְורָב**.

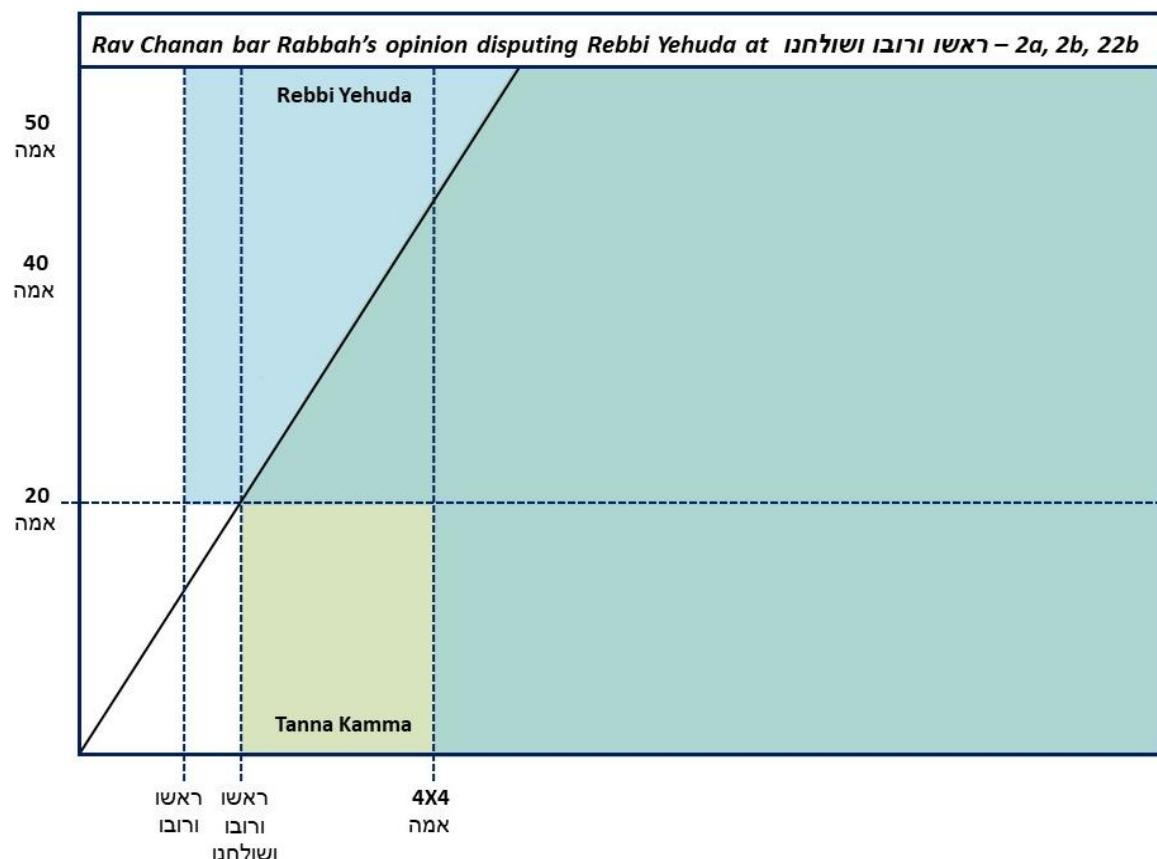
Imagine a person in a very hot desert. He needs protection from the daytime heat. Would a structure with a length to height ratio that provides only 5 minutes of shade at the **חצאות** be called a sukkah? Perhaps a legal sukkah must provide one or more hours of shade at the floor of the sukkah where a person dwells to be valid.

The Gemara on 2b explains that the Tanna Kamma of Rav Huna in the name of Rav understands that the source of the 20 amos height limitation of a sukkah is derived **directly** from the requirement that a sukkah must provide a certain amount of protective shade during the daytime heat, which according to him is minimally accomplished with a length to height ratio of 1:5, as the Gemara states: **כְּמַן כֶּרֶב יִרְאֵי דָמָר מִשּׁוּם צָל הָוָא וְכַיּוֹן דָרוּיָה אַיְכָא צָל סֻכָּה**.

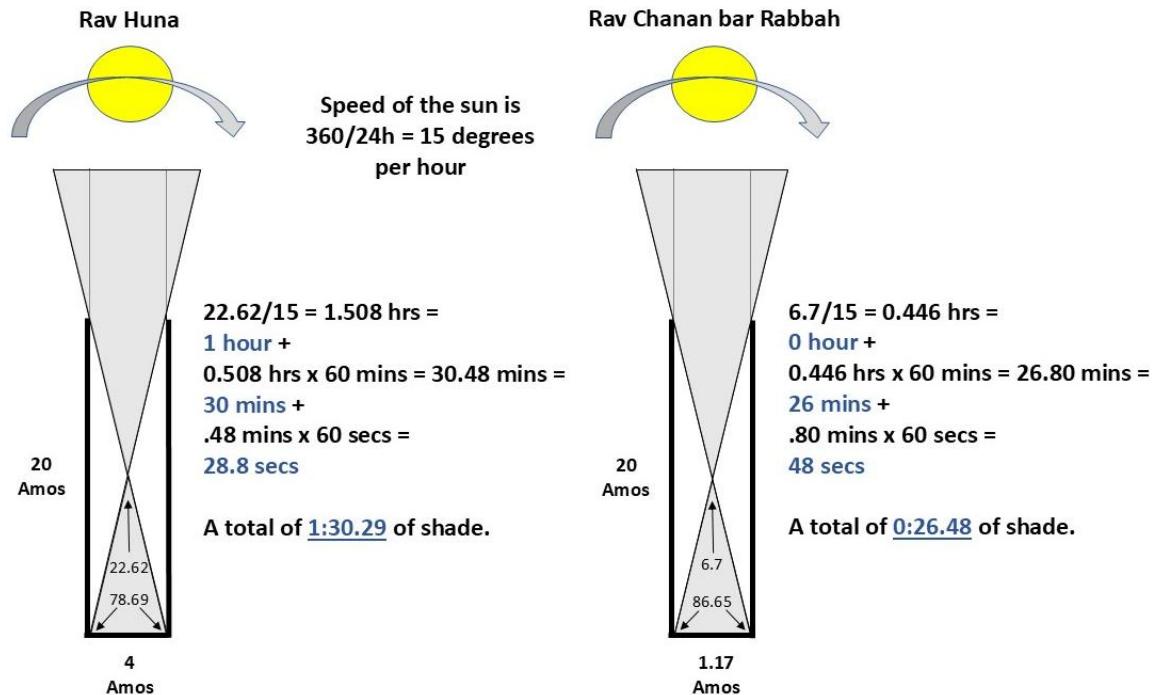
However, Rav Chanan bar Rabbah's opinion also holds that a valid sukkah must provide equal or more shade at the ground level where a person dwells as described in Gemara 22b

and Mishna 2a, but he does not hold that the 20 amos height limitation of a sukkah is derived from the requirement of shade, as does Rav Huna. Rather, the 20 amos height limitation of a sukkah is derived from the law of noticeability (*למען ידע*), like Rabbah stated on 2a.

Consequently, this opinion of the Tanna Kamma did not have an answer for what the minimum amount of time is that a sukkah had to provide shade from the daytime heat. Therefore, the Tanna Kamma of Rav Chanan bar Rabbah's opinion utilized the principle of *תפשת מרובה לא תפשת מועט* and determined the shade ratio from their understanding of the minimum size sukkah. And since this opinion of the Tanna Kamma holds that a sukkah is valid until 20 amos in height on the basis of *למען ידע* and Beis Shammai's opinion that a sukkah is a *דירת קבוע*, which requires a minimum size sukkah of *ראשו ורוכבו ושולחנה* in regards to its length, it used these factors to define its opinion of what the minimum amount of time is that a legal sukkah must provide shade during the daytime heat.



Therefore, Rav Huna maintained that a valid sukkah required 1 hour and 31 minutes of shade from the s'chach at the floor of the sukkah, while Rav Chanan bar Rabbah maintained that the minimum amount of shade from the s'chach is 27 minutes.



Pythagorean Theorem:

$$a^2 + b^2 = c^2$$

$$20^2 + 4^2 = c^2$$

$$400 + 16 = c^2$$

$$\sqrt{416} = c$$

$$20.396078054371 = c$$

Arccsin Formula:

$$\text{angle} = \arcsin\left(\frac{a}{c}\right)$$

$$\arcsin\left(\frac{20}{20.396078054371}\right)$$

$$\arcsin(0.98058067569092)$$

$$= 1.3734 \text{ rad} = 78.69^\circ$$

Angles of a Triangle:

$$a + b + c = 180^\circ$$

$$78.69^\circ + 78.69^\circ + c = 180^\circ$$

$$157.38^\circ + c = 180^\circ$$

$$c = 180^\circ - 157.38^\circ$$

$$c = 22.62^\circ$$

(End.)

Why does the Gemara state on 2b that Rav Chanan bar Rabbah's opinion in the name of Rav is not like one of the three Amoraim?

Rav Chanan bar Rabbah's opinion **is not like the three Amoraim** (Rabbah, Rabbi Zeira, and Rava) who attempt to explain the 20 amos height limitation of a sukkah as discussed in the רישא of Mishna 2a that states: **סוכה שהיא גבוהה מעשרה אמה פסולה**. His use of **תפשת מרובה לא תפשת מועט** is coming to establish the Tanna Kamma's opinion regarding the minimum amount of time that a sukkah must provide equal or more shade from the s'chach at the floor of the sukkah where a person dwells in accordance with the סיפה of Mishna 2a that states: **ושחמתה מרובה מצלחה פסולה**. And, through deduction it can be determined that Rav Chanan bar Rabbah's opinion regarding the 20 amos height limitation of a sukkah is in accord with Rabbah, **למען ידעו**. In fact, from the perspective of Rav Chanan bar Rabbah's opinion, Rabbi Yoshiyah's dictum regarding the 20 amos height limitation of a sukkah and his dictum regarding the minimum amount of time that a sukkah must provide equal or more shade from the s'chach, represents a single opinion of the Tanna Kamma. Therefore, Rav Chanan bar Rabbah's dictum is entirely dependent on Rabbi Yoshiyah's dictum being correct.

And the simplest reason why **למען ידעו** is the only logical option as Rav Chanan bar Rabbah's source for the 20 amos height limitation, is that he disputes Rav Huna at 4×4 amos, who is in accord with Rabbi Zeira, and Rava's opinion of temporariness in regard to the dimension of height does not permit a sukkah to be over 20 amos. However, a more nuanced and complicated answer at this stage is that since Rav Chanan bar Rabbah's opinion is based on Beis Shammai's understanding that a sukkah is a **קבע** requiring **דירת עראי ורוכו ושולחןנו**, he cannot at the same time hold that a sukkah is a **ראשי** like Rava who will be found later to be in accord with Beis Hillel.

The proof that this is the correct understanding of the Gemara is that after Rabbi Yehuda's Baraisa regarding Queen Helene sukkah refutes Rabbi Yoshiyah's dictum regarding the requirement that the walls must reach the s'chach, Rav Chanan bar Rabbah's opinion is no longer addressed by the Gemara afterward. This is because the Gemara understands that Rav Chanan bar Rabbah's opinion is dependent on Rabbi Yoshiyah's source of **למען ידעו** being correct.

(End.)

If Rav Chanan bar Rabbah agrees with R' Yoshiyah that the source for the 20 amos height limitation of sukkah is, למן ידע, why does the Gemara on 2b state that R' Yoshiyah argues with Rav Chanan bar Rabbah because he gives a measurement of length?

This is because there is more than one factor that effects the height of a sukkah, as the Gemara on 2a previously stated: **מיهو סוכה דנפיישין מליה**. While Rav Chanan bar Rabbah and R' Yoshiyah agree that the source for the 20 amos height limitation of sukkah is, **למן ידע**, R' Yoshiyah still argues with Rav Chanan bar Rabbah over the nature of the **קבע** needed for a valid sukkah, the definition of which also impacts the height of a sukkah. Rav Chanan bar Rabbah's measurement of length represents his opinion that the **קבע** of a sukkah is in accordance with Beis Shammai, **ראשו ורוכבו ושולחנו**. This becomes the basis upon which he determines the minimum amount of time that the s'chach of the roof must be capable of producing shade at the floor of the sukkah, as the Gemara on 22b explains regarding the **סיפה** of Mishna 2a that states: **ושחמתה מרובה מצלתה פסולה**. Therefore, Rav Chanan bar Rabbah establishes a minimum shade ratio using the principle of **תפשת** based on the 20 amos height limitation of **למן ידע** and Beis Shammai's opinion that a sukkah is a **דירת קבע**, which requires a minimum size sukkah of **רשו ורוכבו ושולחנו** in length in order to accommodate a person's table, 7b.

Whereas R' Yoshiyah maintains that the **קבע** of a sukkah is that in addition to the roof, the sukkah's walls must also provide shade when the sun is at diagonal to the sukkah. Because of this he understands that there is no minimum amount of time that the s'chach must provide shade at the floor of the sukkah, as the Baraisa on 7b states: **ושחמתה מרובה מצלתה פסולה חנו רבנן חמאת מחמת סיכון, ולא חמאת דיןנות**. Rabbi Yishya Avomr: **אף חמאת דיןנות**. Therefore, R' Yoshiyah argues with Rav Chanan bar Rabbah (and Rav Huna) in maintaining that a sukkah must provide shade the entire day and not just for a certain amount of time during the daytime heat of the afternoon. Consequently, he holds that there is no height-limiting shade ratio based on length and therefore so long as the walls reach the s'chach the sukkah can extend far above 20 amos unimpeded.

Other than R' Yoshiyah, how do any of the opinions accomplish equal or greater shade at the floor of the sukkah in accordance with Gemara 22b and Mishna 2a in a sukkah above 20 amos in height?

Given that the mitzvah of dwelling in a sukkah applies around the world, in both the Northern and Southern hemispheres at the same time during Yom Tov of Sukkot, the Tanna Kamma understood that the physical dimensions of a sukkah were determined on the basis of the sun passing over the sukkah at a perpendicular angle of 90-degrees. This would account for locations where a person is dwelling in exile, and the sunlight and heat of the day is the most direct and intense. The fact that this shade ratio and its resulting physical dimensions will produce less to even no shade time of the s'chach at the floor level in other locations of the world (such as Israel, Russia, or Australia) is not a concern.

Therefore, just as we are not concerned about the angle of the sun and the lack of shade of the s'chach produced at sunrise or at nighttime, so too the Torah is not concerned that this sukkah with its physical dimensions may be placed in locations of the world that do not experience the sun at a direct 90-degree angle and produce the same amount of shade from the s'chach.

(End.)

What is Rabbi Yehuda's opinion regarding the minimum amount of shade time when he allows a sukkah to be as high as 40 or 50 amos?

As previously stated, the Ritva and Ran cite a tradition of the Geonim that the phrase **כולחו סבירא להו**, as used in Gemara 7b, indicates that the Tannaim disagree as to the nature of the **כבע** of a sukkah. Therefore, Rabbi Yehuda disputes Beis Shammai's opinion that the **כבע** of a sukkah requires a person to bring his physical table inside the sukkah, which drives a minimum size sukkah of **ר'אשו ורוכו ושולחנו ר'אשו ורוכו**. Consequently, since Rabbi Yehuda does not require a table, he holds that the minimum size sukkah is **ר'אשו**. And since Rabbi Yehuda's opinion is that a sukkah is a **דירתה כבע** on the basis of an abstract dimension without limit above 20 amos, he does not and cannot utilize the principle of **הפשטה מוגעת הפשטה** to determine the proper amount of shade time. Rather, he holds that a sukkah needs only to provide proper shade at **הצות** for a singular moment when the sun is at a 90-degree angle to the sukkah.

And Rabbi Yehuda informs us that this is the correct understanding of his opinion by stating in his Baraisa regarding Queen Helene's sukkah in 2b, **סוכה שהיא גבוהה למעלה מעשרים וחמשים אמה עד ארבעים וחמשים אמה**. He states **עד ארבעים וחמשים אמה** to indicate that even at **(ראשו ורוכבו** one amah in length for the measurement of a person, 8a), a sukkah could be **חמשים or ארבעים amos** in height, which indicates that he does not hold by a ratio at all. Otherwise, he could not state either or.

Furthermore, he provided a רמז to his opinion that there is no shade ratio **and** that the minimum size sukkah is ראשו ורוב with the use of the numbers 40 and 50. Because the numerical value of 1 amah (ראשו ורוב), 40 amos, and 50 amos is 91, the gematria of סוכה.

(End.)

Why is there no transition from Rabbi Yehuda's Baraisa of Queen Helene's sukkah on 3a to Rav Shmuel bar Yitzchak stating the halacha of a minimum size sukkah?

Rav Shmuel bar Yitzchak essentially said, Rabbi Yehuda's Baraisa regarding Queen Helene's sukkah has defeated Rabbi Yoshiyah and Rav Chanan bar Rabbah's dictum in the name of Rav. Therefore, if you are going to maintain that the Rabbanan still dispute Rabbi Yehuda holding the opinion of Rav Huna, that the source for the 20 amos height limitation of a sukkah is that it requires a 1:5 shade ratio, then the consequence is that: **הלבא צריכה שתהא מזוקת ראשו ורונו ושולחנו**.

Rebbi Abba said to Rav Shmuel bar Yitzchak: **כמאן כב"ש**. According to whom are you ruling? According to Beis Shammai? But we poskin like Beis Hillel.

Rav Shmuel bar Yitzchak responded to Rabbi Abba, **אלא כמיאן**, but according to whom could the halacha be, except Beis Shammai? For since, Rav Huna's opinion maintains that the 20 amos height limitation of a sukkah is due to a 1:5 shade ratio, which allows a sukkah to be higher than 20 amos when beyond 4×4 amos, therefore the Rabbanan can no longer poskin that the minimum size sukkah is **ראשו ורובו** in accordance with Beis Hillel who holds that a sukkah is a **דירת עראי**, which requires this sukkah to be 20 amos or lower in height. This is because Beis Hillel's understanding that a sukkah is a **דירת עראי** is concerned with the dimension of height as it relates to the s'chach of a sukkah, which consequently

enables a sukkah as small as ראשו ורוכבו in length because he does not require the קבע of a table. Whereas Beis Shammai's opinion that a sukkah is a דירת קבע on basis of a requirement that a table must be inside the sukkah, establishes the minimum length and width of a sukkah as ראשו ורוכבו ושולחנו.

Furthermore, since Rav Huna's opinion maintains that a sukkah can be built at less than 4×4 amos, the Rabbanan can no longer poskin like Rebbe who maintains that a sukkah is a **דירת קבוע**, which requires a minimum size sukkah of 4×4 amos. As a consequence, the halacha for the minimum size sukkah must be decided in accordance with Beis Shammai that a sukkah is a **דירת קבוע** which requires a person to bring his table into his sukkah in order to dwell in the manner that he normally does in his house all year long, 28b and 7b.

Finally, in regards to Rav Shmuel bar Yitzchak's understanding of the dispute between Beis Shammai and Beis Hillel, which he understood in the terms of a דאורייתא requirement that a sukkah must be either a **עראי** or **DIRA**, the Gemara adds that it was said by some that the exchange continued with R' Abba asking, "who is it that told you" that Beis Shammai and Beis Hillel argue over a דאורייתא as to whether a sukkah is a **עראי** or **DIRA**? And Rav Shmuel bar Yitzchak responded to Rabbi Abba, "it is Beis Shammai" that told me.

לא מלה גלו ליקטניום
נכ' ר' רבי זה מל'ה
ונכמיה מפחים לו פירל'ה
ר' מה' נכמ' מפחים

משום אוירא אללא למאן ראמר במקה קטנה
טהලקי' וכי דרכה של מלכה לישב במקה
קמג'ה אמר ר' רבה בר רב אודא לא נזרכה אלא
ל'סבה העשיה קשניות קשניות ווי
דרוכה של מלכה לישב במקה העשיה
קשניות קשניות אמר רב אש לא נזרכה
אללא לקשניות שכבה רבנן סבר בניה במקה
מעללא הו יתבי ואוד' תבה בקשניות
משום גזיעותה ומושם כי לא אמר לה
דרכך ור' יוזה סבר בניה גביה הו יתבי
יאמ'ה לא אמר לה דבר אמר רב שמואל
בר' יצחק הלכה צדקה שתהא מחוקת
בדראש וזהו ושולתו אל רבי אבא ככאן
ביבש אל לא אלא במאן איכא ראמר אמר
ר' רבי אבא אמר לך מני אל ביש ריא לא
תחו בינה מתקוף לה רב נהמן בר יצחק
סמכאי רב' ביש בית הילל במקה פלי'ה
דילמא במקה גודלה פלי'ה וכן ר' דתיב

מאות אלף. רוח שאותן אלפי נס צה
פלני. אבל בוגהלה לא יכול רצק מזו
געגועותיהם ומתקוויהם מוכבדים מטה :
לכى מטבחם וקומיותם קבלה נחמה
ווחיל. וכאן שטחם פלן אף לא היפכת נ-
טומורה מן הפלטה : והוא אוורה אמר
ט' . ווילט נרכז מן דוחק שלגוניה
במלה-הה מוחיק לאילן כדי לרוץ ורוץ
ונולעת מכם כוון וכן נבניא נטה דוחה
לע רבי דבון והולע פה קבוץ ומול רלה
סמכה אגדול טהורה וכוניא מעל
הפלחות זו טבון רחמן ורוכן ואילן
כמאנצון נן וולן מתקפען ווי נילען
וחיל נרכז מן קבוץ ווילן מירחן
ולכז והוא אונל תולן נון טיך דטשר
רלהן ווילט לאילן לאקון דטול ואילן
בכונגה טהרות : כבבם ווילן כבב
אל כבב אונל דודקון מרכק יין
(ט' כט) : ווילט מים גידסן ווילט
כמיה דודקון מגולע פלני ואויל ווילט
אל פטח מטבחו ווילט ווילט מונכט להולס
וילטולע פנוי גונט נונטן מילקון .
ונכ פלטנעל מ- קבב נון ווילט
בדבוניה-ה דבוניה : ווילט ווילט .

And the proof that Rav Shmuel bar Yitzchak's statement is a continuation of the Gemara's conversation regarding the dispute between the Tanna Kamma and Rabbi Yehuda in the Baraisa of Queen Helene's sukkah, and not simply an introduction to a completely new topic where Rav Shmuel bar Yitzchak makes a halachic statement that was already universally accepted, is that Rav Nachman bar Yitzchak understands Rav Shmuel bar Yitzchak's conversation with Rabbi Abba as concerning the case of Queen Helene's sukkah hinging on the assumption that Beis Shammai and Beis Hillel are arguing in a small sukkah over a **דורייתא** as to whether a sukkah is a **דירת קבע** or **דירת עראי**. Therefore, he asked on 3a: **ממאי דב"ש ובית הלל בסוכה קטנה פלייגי**, from what evidence do you presume that Beis Shammai and Beis Hillel's argument is over the halacha of a minimum size sukkah which is derived from a **דורייתא**? Perhaps their argument is over a **דרבן** regarding the manner in which person eats.

סוכה פרק ראשון סוכה ג עין מנצח ג נר שבעה

And, if Rav Shmuel bar Yitzchak's statement was merely a halachic statement of fact Rav Nachman bar Yitzchak's question would make no sense outside of the case of Queen Helene's sukkah, because no other case has been presented in which the opinions of Beis Shammai and Beis Hillel are opposing each other. Therefore, Rav Shmuel bar Yitzchak and Rav Nachman bar Yitzchak are discussing the halachic difficulty that Rabbi Yehuda's Baraisa creates for the Rabbanan.

(End.)

What is the meaning and significance of Rav Nachman bar Yitzchak's challenge to Rav Shmuel bar Yitzchak?

ברב יוזק דילכתה צדקה שתהא מוחקota דראש ווובו ושולתו אל רבי אבא ככאנ' בבבש' אל לאלא כמן איכא ראמר אמר רבי אבא אמר לך מני אל ביש הרוא לא לא רחزو מיננה מתקוף לה רב נחמן בר יצחק סמא רביש ובית היל בסוכה קתנה פלני דלטמא בסוכה נדולה פלני וכען דיתיב אפומא דטמלוא ושולטו בתרח היכית רכנית שמא סבר נורין שמוא משך אדר אלחנו וניתה היל סבר ליא נורין ודייא נמי דקענו *מי שוה ראש ווובו בסוכה שולטו בתרח היכית ביש פטול' ווית היל מבושר' ואמ אורה מוחקota ואינה מוחקota

ונכונה טהרות : כב"ט . ולו כב"ט
 אל כב"ט אולעט דמלעט מלך רצ'ן
 (ה' כת') : וזריך מני גדרון ווילך
 מני דמלעט מגולט פלני ואוילך
 אל הפלג מוחזק ווילך מוחזק למולח
 ואולעט פלי נויל נויל : מלתקין .
 נכ' פלנגן מני קב'ה וגון היין
 נכ' שורול דטוטט : וויל' לחין
 דטוטשROL דטוטט מלען לאי טולין
 גתתוקין לר'וות וויל' וויל' כטולין
 וויל' גתתוקה אל'ן : כדי ר'ה'ו וויל'
 דט' כת' טטולין : ט' : מה' מיר עטולין
 דידי כת' טטולין : כט' גדרון ווילך
 וויל' גדרון ומבדיןו מל' כט' גדרון
 וויל' גדרון : ט' : מה' גדרון וויל' גדרון

Rav Nachman bar Yitzchak is challenging Rav Shmuel bar Yitzchak's understanding that the argument between Beis Shammai and Beis Hillel over the minimum size of a sukkah, is originating from a **דאוריתא** requirement. As such, a perspective of the argument represents a Torah requirement by Beis Shammai that a sukkah must be large enough to accommodate a person's table and by Beis Hillel that a sukkah cannot be above 20 amos in height. And since Beis Hillel's understanding of a **דirthat urei** is in the terms of the height of a sukkah, which does not involve a table, they can validate a minimum size sukkah regarding the dimension of length as small as **ראשו ורוכבו**. Therefore, they argue in a small sukkah over a **דאוריתא** as to whether a sukkah is a **דirthat urei** or a **דirthat kbeu**.

Rav Nachman bar Yitzchak's assertion that their argument could possibly be over the manner in which one eats, which could even take place in a large sukkah, is an attempt to establish the argument as regarding a **רבנן**. This would mean that the argument in the sukkah is not defined in terms of a **לאריריתא** requirement, that a sukkah must either be a **דירת קבע** or **דירת עראי** with their resulting minimum size sukkahs. In doing so, Rav Nachman bar Yitzchak is stating that the Rabbanan who argue with Rabbi Yehuda in Queen Helene's sukkah, in accordance with Rav Huna's opinion which permits a sukkah to be higher than 20 amos when larger than 4×4 amos on the basis of a 1:5 shade ratio, would not have to poskin in accordance with Beis Shammai that the minimum size sukkah is **ראשו ורוכבו** and **ושולחנו**. Rather, if the argument between Beis Shammai and Beis Hillel is over a **רבנן** regarding the manner in which a person eats from a table (whether in a large or small sukkah) that would mean that the Rabbanan can still poskin according to Beis Hillel in regards to a minimum size sukkah of **ראשו ורוכבו** because it wouldn't matter anymore that Rav Huna permits a sukkah higher than 20 amos in height when beyond 4×4 amos in length.

(End.)

How do we know that the Gemara concluded that Beis Shammai and Beis Hillel are in fact arguing in a small sukkah over a requirement as to whether a sukkah is a קבע or a דירתי?

ותניא אמר רבי יודה אמר כל סוכה שאין בה ארבע אמות על ארבע אמות פסולה וחכ"א אףלו אינה מוחזקת אלא ראשו ורובו כשרה ואילו שולחנו לא קתני קשיין ההדרי אלא לאו ש"מ הא ב"ש הא ב"ה

מכבש על ובסופה קטנה לא פלני התנאים מוחוקת ראש הרבו ושולחנו לארכדי אומר עד שדהה בה ארבע אמות על ארבע אמות ורבניה אידך דברי אמר צל מוכנה שאין בה ארבע אמות על ארבע אמות פסלה ורביה אבל אין מוחוקת אלא ראש ורבבו כשרה ואילו שולחן לא קרן קשין אחדי אלא לאו שם רוא ביש דא בה אמר מוד ושרא מתרחנן נמי דרא מוקטני ביש פסליין וביה מבשרין ואמ אורה בשיא לא יצא וביה ואילרין צא מיבוע ליב לאלא כבשא נז

The proof that the Gemara rejected Rav Nachman bar Yitzchak's challenge that Beis Shammai and Beis Hillel are arguing in a small sukkah over a **דרבנן** regarding the manner in which a person eats, is that after stating the Baraisa on 3a: **רבי אומר כל סוכה שאין בה ארבע**, the Gemara concludes with the statement: **אמות על ארבע אמות פסולה וחכ"א אפילו אינה מוחקota אלא ראשו ורוכבו כשרה** **ואילו שולחנו לא כתני**. Meaning, that since the Gemara finds Beis Hillel arguing over the minimum size sukkah of **ראשו ורוכבו** with Rebbe who holds that the minimum size sukkah is 4×4 amos, and it is clearly not over the manner in which one eats from a table, the Gemara deduces that Beis Hillel does in fact maintain that the minimum size sukkah originates from a **דירת עראי** requirement that a sukkah is a **ראי**, just as shall be learned from the Baraisa on 3b regarding the laws of houses, that the Rabbanan can build a sukkah at less than Rebbe's 4×4 amos because they also hold that a sukkah is a **דירת עראי** in accordance with Beis Hillel.

כג ולמג קרכּוּ לְהָזָן מוכטלת אַתָּה קְרִיּוּ לְהָטָה וְלְטָה
 נְמַנּוּ קְנָעִים לְמַהְוּ פְּרִישָׁת לְקָדְמָה
 נְמַסּוּ לְתוּ כִּים כְּמִבּוּ לְןָן כְּמָה
 שְׁנִינָה אַכְלִיסָה בְּלָטָה וּמְמַלְתָה
 לְסִנְתָה אַפְתָה כְּלָחָה לְגַן כְּחָמָה
 קְשָׁוּתָה קְמָנָה לְכָדָה לְהָטָה וְלְטָה
 הַלְּפִיטָה וְהַשְׁׁוֹבָה וְלְאָסָה יְמָה
 פְּתָמָה וְהָלָטָה וְהָטָה וְהָטָה
 וְלְוָן סְלָהָן לְכְטָבָה וְלְמַלְלָה
 קְסָבָה סְמָלָה נְלָזָן יְסָלָן לְכָבָה
 וְהָלָטָה וְהָטָה וְהָטָה וְהָטָה
 אַנְגָשָׁה ; אַגְבָּה גָּדָה פְּנָזָה מְגָבָה וְמְגָבָה
 אַנְגָשָׁה ; אַגְבָּה גָּדָה פְּנָזָה מְגָבָה וְמְגָבָה
 גַּעַת אַמְתָה

The Gemara then brings an additional proof with Mar Zutra who states that if the proper understanding of the argument was as Rav Nachman bar Yitzchak suggests, that Beis Shammai and Beis Hillel are arguing over a **דרבן** regarding the manner in which a person eats, the Mishna should have concluded that Beis Shammai holds that a person does not discharge his obligation and Beis Hillel holds he does discharge, **בש"א לא יצא ובב"ה אומרים אין**.

ארבע אמות על ארבע אמות פסלה ותב' אבן מוחוקת אלא ראש וודבו כשרה ואילו שולחנו לא קתני קשין אהרדי אלא לאו שיט רוא ביש הא ב"ה אמר מ"ר ומ"ר מותניין נמי דרייך מוקריין ביש פולין וביה מבשוריין ואם איתא בש"א לא ינא וביה אמרים צא מא מביע ליה ולאל קשין ט' שהוה לעלם בתורת פלוני פלוני במכה קומתת ופלוני בסוכה גודלה והסוד מוחדר

Instead, the Mishna states ב"ש פולין וב"ה מכשירין which indicates that Beis Shammai holds that the sukkah itself is invalid according to the Torah, while Beis Hillel maintains that it is valid. Therefore, since they do argue over the structural validity of a minimum size sukkah, they are arguing over a **דורייתא** requirement. And, as such the Gemara rejects Rav Nachman bar Yitzchak's challenge that the argument is over a **דרבן** and cannot escape the halachic difficulty that Rav Shmuel bar Yitzchak has highlighted.

מֵאַי שָׁנָא גַּבֵּי סֻכָּה דְתַנִּי פְּסֻולָה, וּמֵאַי שָׁנָא פְּסֻולָה taught there only becomes relevant here on 3a in order for the reader to understand the language of in our Mishna that states: מֵי שָׁהִי רָאשׁוּ וּרוֹבָו בְּסֻכָּה וּשְׁוֹלָחָנוּ בְּתוּךְ הַבַּיִת, בֵּית שְׁמָאי פְּסֻלִין וּבֵית הַלְּמַשְׁרִין: This sequence of thought was purposefully orchestrated to indicate here that the matter in dispute between Beis Shammai and Beis Hillel is regarding a **דְאֹרִיִּתָא**, and not a **דְרָבָנִין**.

(End.)

What is the source of the dispute between Beis Shammai and Beis Hillel regarding the minimum size of a sukkah?

Mishna 28b states: **כל שבעת הימים אדם עושה סוכתו קבוע וביתו עראי**. The Rabbanan further taught the Baraisa on 28b that states: **ה'ר כל שבעת הימים אדם עושה סוכתו קבוע וביתו עראי כיצד**. This is to say that according to the Rabbanan on 3b and Beis Hillel on 3a to make one's sukkah固定 and to transform his house into a **סוכה**, he needs only to have **אוכל ושותה** because in the end a person may not have elegant dishes or fine linens. And, this requirement corresponds to Beis Hillel's minimum size sukkah of **ראשו ורוכבו**, that a person must be able to literally fit his head and most of his body inside the sukkah in order to be able to fulfill the requirement to have **אוכל ושותה** in the **סוכה**.

However, Beis Shammai's opinion adds to the common denominator of in concluding that a person must literally pull his table out of his house, making his house and place the table inside his sukkah (ראשו ורוכבו ושולחנו) in order for him to be able to dwell in his house all year long. And the proof that Beis Shammai requires the table to be removed from his house is that Mishna 3a states: מי יהיה ראשו ורוכבו בסוכה ושולחנו בתוך הבית ב"ש פוסלין ובית היל מכך ראי. Why does the Mishna state: ושולחנו בתוך הבית? Let the Mishna simply state that the table is outside the sukkah.

רכבת שמי סבר גורין שכוא ימיש אדר
שלחנובית היל סבר לא גורין ודיקא נמי
דוקני טי שהז ראש ורוכ בוכה
ושלען ברכ היבת ביש פולין ובית היל
מכשין ואמ איזא מוחוק ואנה מוחוק
טיבע לה וכוכה קפנה לא פלוני והתניא
מוחוק ראש ורוכ ושלען כשרדרבי אמר

Regarding the requirement to make one's sukkah קבע, what are the rationales of the Tannaim? In 28b, all hold that the Torah requires us to "השׁבו" (dwell) in a permanent manner in a sukkah. Therefore, a sukkah must be a "dwelling" and not like other structures, such as a hut to merely sleep in or a watchtower from which to stand guard. Rebbe holds that a sukkah needs to be a permanent dwelling like a house, which if built less than 4×4 amos will lose its ability to be a dwelling, similar to the Baraisa on 3b which explains regarding houses: **דא אית ביה ד' אמות על ד' אמות דירוי ביה איןשי ויא לא דירוי ביה איןשי.** Whereas Beis Shammai holds that the unique feature of a dwelling is that a person eats meals at a table, otherwise it is not a dwelling but more like a hut, watchtower or some other type of structure. However, Beis Hillel holds that if a person simply sat in the sukkah and ate their meals without a table it is enough to make it a valid dwelling, even without a physical aspect of קבע that would make it a dwelling structurally in a physical sense, as is found by the opinions of the Tannaim on 7b.

Therefore, the argument between Rebbe, Rabbi Yehuda, Beis Shammai and Beis Hillel is regarding the nature of קבע that constitutes a dwelling within which one can fulfill the commandment to "השׁבו". Beis Hillel uniquely makes his sukkah קבע through simply eating his meals in the sukkah as opposed to his house, while at the same time maintaining that the physical structure of a sukkah requires a **דירת עראי** based on the words, like Rava transmits to us on 2a.

(End.)

Since the Gemara proves that Beis Shammai and Beis Hillel do argue in a small sukkah over a **דָּוֹרִיַּתָּא**, and not like Rav Nachman bar Yitzchak suggested over a **דָּרְבָּנָן**, what then is the driving essence of Beis Shammai and Beis Hillel's argument in a large sukkah at the conclusion of the Gemara's discussion on 3a?

עלולם בתרתי פלגי פלגי בסוכה קתנה ופלגי בסוכה גדולה וחסורי מיחסרא והכי קתני מי שהיה ראשו ורוכבו בסוכה ושולחנו בתוך הבית ב"ש אומרים לא יצא וב"ה אומרים יצא ושאינה מחזקת אלא כדי ראשו ורוכבו בלבד ב"ש פוסלין ובית הילל מכשירין

מהותו אין נמי דיקא מתקני ב"ש פוטlein וביה
מבשרין ואם אתה בש"א לא יצא וביה
אמורים יצא מבני ליה ואלא קשא טי
שהיה לעלם בתרור פלני פלני בסוכה
קמגנה ופלני בסוכה גROLAH והסוד מיחסרא
והכבי קרני כי שחו ראש ורוכב בסוכה
דישלחנו בחרך' הבית ב"ש אומרים לא יצא
בב"ה אמורים יצא ושאיינה מוחיק אלא בחר
דראש ורוכב בלבד ב"ש פוטlein ובית היל
מכבשין מאן חנא להא דהנו רבנן בית
שאנן בו ארבע אמות על ארבע אמות
פנורן הפטוחה יונן המערה יאנן מטמא

דרכם פולר לסתות רכבים מילוי מלאל
לכטנות פולן ואנכים לול חד מוזען
לכטנוויל ומונז'ה חכםן לון מולוין
הרכבתו לנטות כלום רכבות לחם
כל אנטזיות פלטזוט רכבות לחם
ויקט ליטן כל ניט וויכם קנטאלר
טפ וטטן כלם מהן ומילון הול
בלודן קון נטחים וניטס סולס מהל
דרין קולוין ניט וויל אנטזיט דילא
לחוט ואנטזיטן אסן וויכת קון זט
ל' טל' ד' לון פולר ליטן לה טאַפַּה
וילן מנטהפען זט . אנטיקט חכםן
טט כל מילר אנטזיטן לממיינ' דדרן

The main issue of dispute in both a small and large sukkah is concerning whether a literal table is required inside the sukkah to qualify as a valid dwelling. Consequently, regarding a small sukkah of ראשו ורוכו the issue is not that the sukkah is approximately 6×6 tefachim, but that a sukkah of 6×6 tefachim necessarily does not permit Beis Shammai's required table inside the sukkah from which a person must be able to eat. Therefore, a sukkah that is too small is structurally invalid on a דאורייתא level according to Beis Shammai, therefore ב"ש פוסלן. Whereas, regarding the dispute in a large sukkah the issue is not that the table cannot physically fit inside the sukkah. In this case, the sukkah itself is structurally valid according to the Torah, but since the table is not inside the sukkah from which one must eat their meals, the person does not discharge his obligation to dwell (תשׁבּו) in a permanent manner, therefore ב"ש אומרים לא יצא to dwell in a sukkah.

Therefore, the Gemara is always referring to Beis Shammai's requirement as an actual table which is required to be inside of the sukkah to be qualified as a dwelling when one eats his meals, which tangentially reveals a minimum size for a sukkah as ראשו ורובו ושולחנו on a ⁷דורייתא level. The difference being not just semantics, but critical to the essence of the argument. For, if a person always dwelt in a small sukkah (ראשו ורובו) without a table, Beis Shammai would say to them as they did to R' Yochanan ben HaChoranus on 28a: "In all

your days you have never fulfilled the mitzvah of sukkah". They did not state that he was dwelling in an invalid sukkah that was too small, but that they found him dwelling **without a table**.

מתני' מי שהיה ראשו ורוכבו בסוכה ושולחנו בתוך הבית — בית שמא פולסין ובית היל מיכשירין. אמרו להם בית היל לבית שמא: לא כך היה מעשה שהלכו זקנין בית שמא זוקני בית היל לבקר את רבי יוחנן בן החורונית ומצחאהו היה יושב ראשו ורוכבו בסוכה ושולחנו בתוך הבית, ולא אמרו לו דבר. אמרו להם בית שמא: שם ראייה?! אף הם אמרו לו: אם כן היה נהוג, לא קיימת מצות סוכה מימין.

שਬכளן על אותה כמוה וכמה אמור עלי' על יונתן בן עוזיאל בשעה שישב
 עסוק בתורה כל עופ שפה רוח עלי' מוד נשרף: **חונני*** מי שהו ראיין
 רומו נסונה ושלגנו בדור הכות יכיש פסלון ובית מכשין אמור
 להם ביה לבש לא קד רוח מעשה שלתוכו וקוי כי' ווקני ביה לבקר
 את רבי יוחנן בן הורוניות ומזאווחה שהוה יושב ראש ורוכב בסוכה
 שלולגנו בתרך הכות ולא אמור לו דבר אמור לום כי' **משם** ראה
 אודם אונדרה שיחת מולין לא אונדרה שיחת מולין לא אונדרה רוכב שלולגנו
 אף דם אמור לו אם בן היה נוגג לא קיימת מזות סוכה מזון
 שיטרין וטירין וטירין וטירין וטירין וטירין וטירין וטירין וטירין
 גישם ועכרים וקטנים פטוריין מן הסוכה* **קעטן** שאינו צירק לאינו דרייך
 עטירין וטירין וטירין וטירין וטירין וטירין וטירין וטירין וטירין וטירין
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 וכוסוכה מעשה **זילדה** כלורו של שמאי הוכן ופיה את המועבה וסיק

And this is the answer to the confusion recorded in Mishna 28a between the students of Beis Hillel and the students of Beis Shamai. The students of Beis Hillel viewed the dispute only in terms of the size of the sukkah and found a proof in the fact that the Elders of Beis Shamai did not say a word to R' Yochanan ben HaChoranus about the small size of the sukkah which was ר'אשו ורוכו. And Beis Shamai said, a proof from that! But, the elders of Beis Shamai said to him that if you have always eaten without your table inside the sukkah, you have never fulfilled the mitzvah of sukkah.

Restated in other words, since Beis Hillel holds that a sukkah is a **דירת עראי**, which limits the height of a sukkah in accordance with **שבעת ימים** to 20 amos, it allows a sukkah as small as **ראשו ורוכו** in regard to length. Therefore, the students of Beis Hillel viewed the dispute between **ראשו ורוכו** and **שולחןנו ראשו ורוכו** in terms of a measurement of length. And therefore, they found a proof that a sukkah is a **דירת עראי** from the fact that Elders of Beis Shammai did not say anything to R' Yochanan ben HaChoranic regarding the smallness of his sukkah. Beis Shammai then discounted their proof and supported their own opinion that a sukkah is a **דירת קבוע** in pointing out that while the Elders of Beis Shammai did not speak about the small size of R' Yochanan ben HaChoranic's sukkah they strongly objected to his eating without a table. Therefore, the Elders did object to the small size of R' Yochanan ben HaChoranic's sukkah at the same time that they were rebuking him for not eating from his table.

(End.)

After discussing the dispute between Beis Shammai and Beis Hillel, why does the Gemara ask the reader on 3a to identify the author of the Baraisa on 3b regarding a house that is less than 4×4 amos?

מן תנא להא דתנו רבנן כיון שאין בו ארבע אמות על ארבע אמות פטור מן המזווה ומן המקה ואין מטהא בגיגים ואין נחלט בbatis עיר חומה ואין חזרין עליו מערבי הילחמה ואין מערבין בו ואין משתחפיין בו ואין מניהין בו עירוביאין עושים אותו עיבור בין שתי עיירות ואין האחין והשותפיין חולקין בו ל'ימה רבי היא ולא רבנן אפילו תימא רבנן עד כאן לא קאמרי רבנן הטעם אלא לעניין סוכה דידירת עראי היא אבל לגבי בית דידירת קבע הוא אפי' רבנן מודו דאי אית בה ד' אמות על ד' אמות דידיiri בה אינשי ואי לא לא דידיiri בה אינשי:

בג' אמירים יצא ואשאינה מחוקת אלא כר
ראשו והרבו בלבד ב"ש פומלן ובית היל
מכשין מאן חנא לה רהו רבנן בית
שאן בו ארבע אמות על ארבע אמות
פpterן מן המוחה יומן המעה יאנן מטה
טכל כל מלך גביהה למשדי מדין
טתקו טריך לנטוי פאלר טיא
טאגן ציטוף וווך ניטן קון ו
טפהו נאלט טמיטו וווך ניט
האר פטח להן מטהטן ט
הן ניטס ליטן ציטוף : וווך
מיטין ט פירוב . קאלר נאלט

סוכה פרק ראשון סוכה

Since Beis Shammai and Beis Hillel were proven by the Gemara to be arguing in a small and large sukkah over a **דאוריתא**, Rav Shmuel bar Yitzchak's logical argument remains

standing that the halacha of a minimum size sukkah must be according to Beis Shammai, ראשו ורובו ושולחנה.

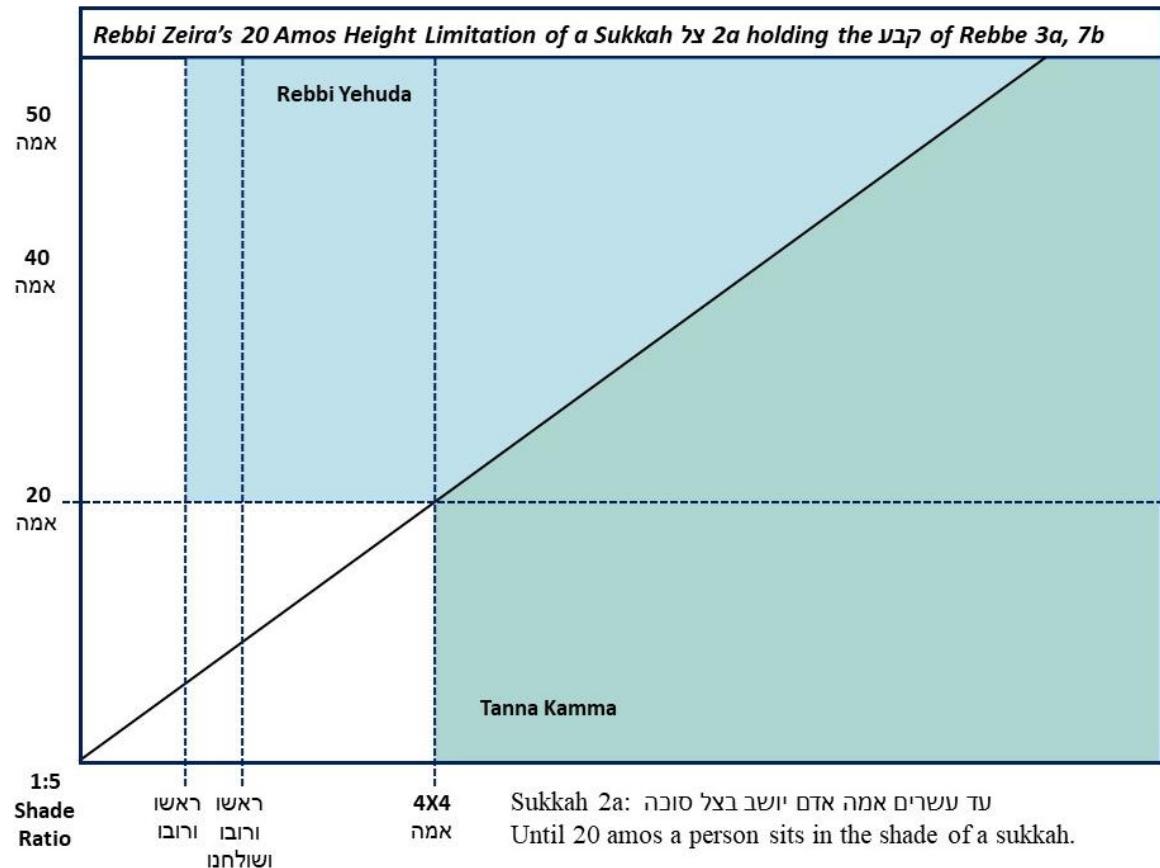
Therefore, as an alternative to Beis Shammai's opinion the Gemara now suggests that perhaps Rebbe is the author of the Baraisa on 3b regarding a house that is less than 4×4 amos, and not the Rabbanan. In doing so, the Gemara is stating that if the Rabbanan are teaching Rebbe's Baraisa about houses perhaps they should also follow his opinion regarding sukkahs. Consequently, the Gemara is suggesting to reject Rav Huna's **opinion of קבע**, which is Beis Shammai's requirement of ראשו ורוכו ושולחנו and instead adopt Rabbi Zeira's understanding of the dispute between the Tanna Kamma and Rabbi Yehuda on 2a and who holds according to Rebbe's minimum size sukkah of 4×4 amos.

What is the practical difference and how do we know Rabbi Zeira held according to Rebbe's opinion in regard to the **כַּבֵּעַ** of a sukkah? Both Rabbi Zeira and Rav Huna hold that the 20 amos height limitation of a sukkah has its source in a 1:5 shade ratio, as the Gemara on 2b states that the two opinions are similar in that they both identify the source of the 20 amos height limitation of a sukkah as originating from this shade ratio. However, in regard to the **כַּבֵּעַ** of a sukkah Rav Huna maintains that a sukkah can be less than 4×4 amos and even as small as **רָאשׁוֹ וַרוּבוֹ וְשׁוֹלָחָנוּ**, like Beis Shammai. Whereas Rabbi Zeira maintains that a person sits in the shade of a sukkah until 20 amos. How is this possible with a 1:5 shade ratio, since a person can see that a sukkah of 2×2 amos can only be as high as 10 amos and one of 3×3 amos can only be as high as 15 amos in height. In truth it is not possible. Rather, a person is able to sit in the shade of the sukkah until 20 amos because Rabbi Zeira holds in accordance with Rebbe's understanding of **כַּבֵּעַ** and maintains that a valid sukkah requires a minimum of 4×4 amos.

במעשרות אמה אין אדם יוציא שדר בסוכה
בממשום שלא שלט באה עינה רבי וירא אמר
מההaca יוסכה תרוה לאל יוכם מחרוב עד
יעשרים אמה אדם יושב בצל סוכה למעלה
במעשרות אמה אין אדם יושב בצל סוכה
אלא בצל דפנות אל אבי אלא מעהה

הו מילוט בדולחין חום נמי – סיכון ממשי
התקהנו: מוכה דנטיטי מילוט – והן
הו מין נתקהנוין ו לא ואיך לא מעת
הכלן בכל אקרה והתקה מון נתקהנוין
ימיטט ונטולו נתקה נתקה גיטס וטולו
לא כל נתקה ונטטה יטקה לה וטומחה
הורובין יוסט סנק לאך פסק ומי

רבי זира אמר מהכא: "וּסְכָה תְהִי לְצֵל יוֹמָם מַחְוּרָב", עד עשרים אמה אדם יושב בצל סוכה, לעמלה מעשרים אמה — אין אדם יושב בצל סוכה אלא בצל דפנות.



However, at this point the Gemara continues with adding another alternative to Beis Shamai by stating the opinion of the Rabbanan in context of Baraisa 3b: **אפיקו תימא רבנן** **עד כאן לא קאמר רבן הtam אלא לענין סוכה דDIRAH עראי**. In doing so the Gemara conspicuously leaves the question regarding the identity of the unknown author of the Baraisa on 3b unanswered and in front of the reader. This has also led the reader to understand that the Rabbanan actually hold that a sukkah is a **DIRAH עראי** in accordance with Beis Hillel and consequently that they hold that the minimum size sukkah is **ראשו ורוכבו**. This is understood from the Gemara previously stating that Beis Hillel validates a sukkah at less than Rebbe's 4×4 amos on 3a.

עד שידא בה ארבע אמות על ארבע אמות רהנניין איך רבי אמר ^{כ' סוכה} שאין באה ארבע אמות על ארבע אמות מוחקת אלא ראש ורבו ואפי' לאנה מוחקת אלא ראש ורבו כשרה איאיל שלחנו לא קרבן קשין אהידי אלא לאלו שיש הוא ביש הא ביה אמר מרד ושרה מבתוין נמי דיקא מרכזני ביש פסולין וביה

וְהַלְּמָדָן אֵלֶיךָ שָׁוֹרָן
וְהַלְּמָדָן אֵלֶיךָ שָׁוֹרָן
בְּלֹא נְנָן: מְשֻׁרֵי אַלְמָמָה - וְ
אַלְמָמָה הַאֲרָבָה כְּבָשׂוֹן
(דִּילִישׁ ט:) אֵלֶיךָ מְרַבְּרַן ט. דִּילִישׁ
בְּנֵסֶת טְלֵזֶם פְּרוֹפְּרָוְן גְּלָאָר אַכְּבָה
כְּתִיסָּה פְּרוֹפְּרָוְן הַאֲרָבָה וְגַן יוֹסֵף
הַרְמָה מְלָאָה אַלְמָמָה וְגַן יוֹסֵף

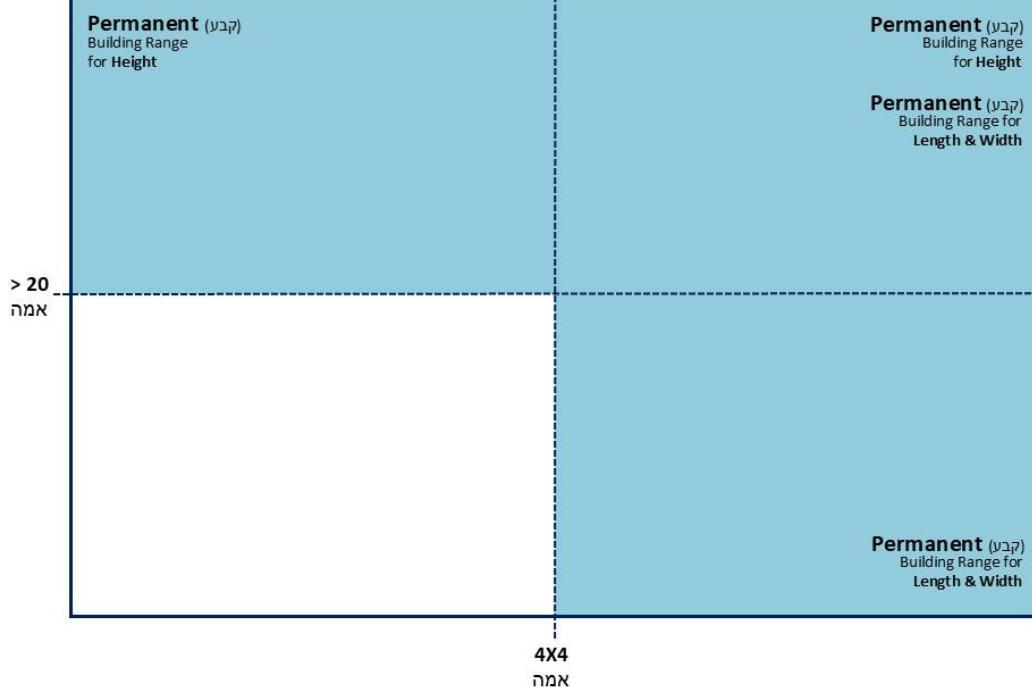
(End.)

What are the logical consequences of the Gemara revealing on 3b that the Rabbanan maintain that a sukkah is a **דירת עראי** in accordance with Beis Hillel as described on 3a, when the Gemara interprets the Baraisa regarding a house that is less than 4×4 amos according to the Rabbanan's perspective?

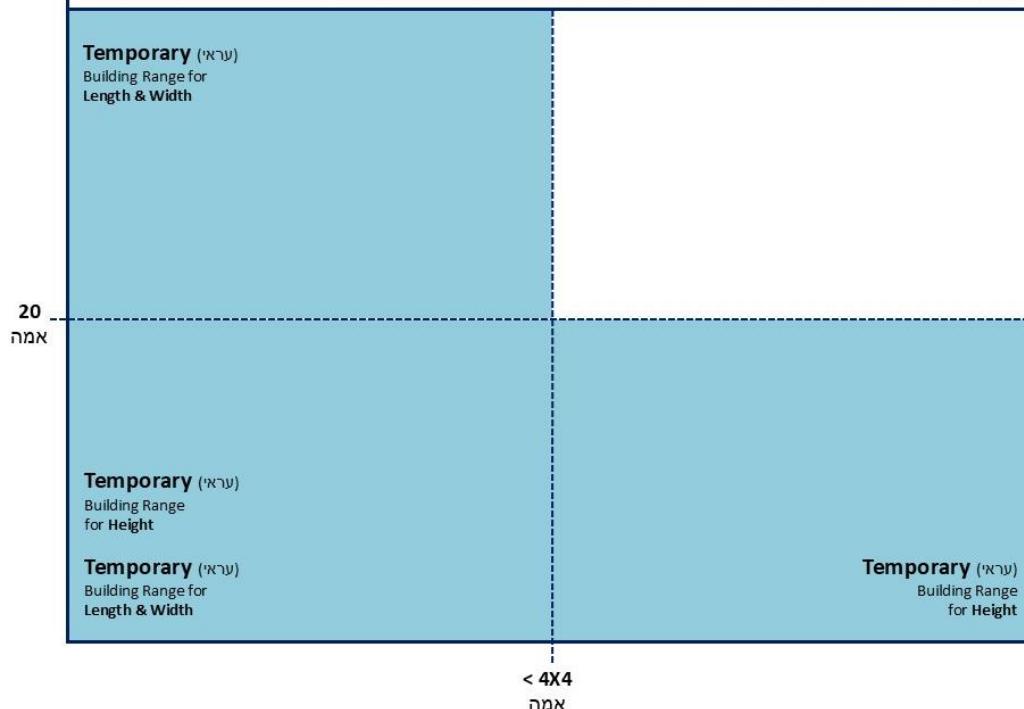
Until here the reader only understood a **דירה עראי** in terms of **the height** of a sukkah in accordance with a simplistic explanation of Rava on 2a. However, the Gemara explained on 3b that the reason it cannot ascribe with certainty the authorship of the Baraisa regarding a house that is less than 4×4 amos to Rebbe, is because the Rabbanan could also have authored the Baraisa since they maintain that a sukkah built in an area which is less than 4×4 amos in regards to **the dimensions of length and width** is also considered a **דירה עראי**.

Therefore, just as Rabbi Yehuda holds that a sukkah is a **דירת קבע** which can be satisfied by being either higher than 20 amos in height or 4×4 amos or greater in length and width, the Rabbanan hold to the opposite that a sukkah is a **דירת עראי** which can be satisfied by being either 20 amos or lower in height or less than 4×4 amos in length and width, **regardless of its height**. Therefore, it can be concluded that Rabbi Yehuda and the Rabbanan both agree to the dimensions of קבע and **עראי** but only disagreed as to whether a sukkah is a **דירת קבע** or a **דירת עראי** from the words **תשבו** and **שבועת ימים** in the verse. And this further reinforces the explanation of the Gemara's statement on 2a, **מייהו סוכה דנפישין**, that the details for lowering the s'chach (סכך) of a sukkah are numerous therefore one cannot simply state **ימעת**.

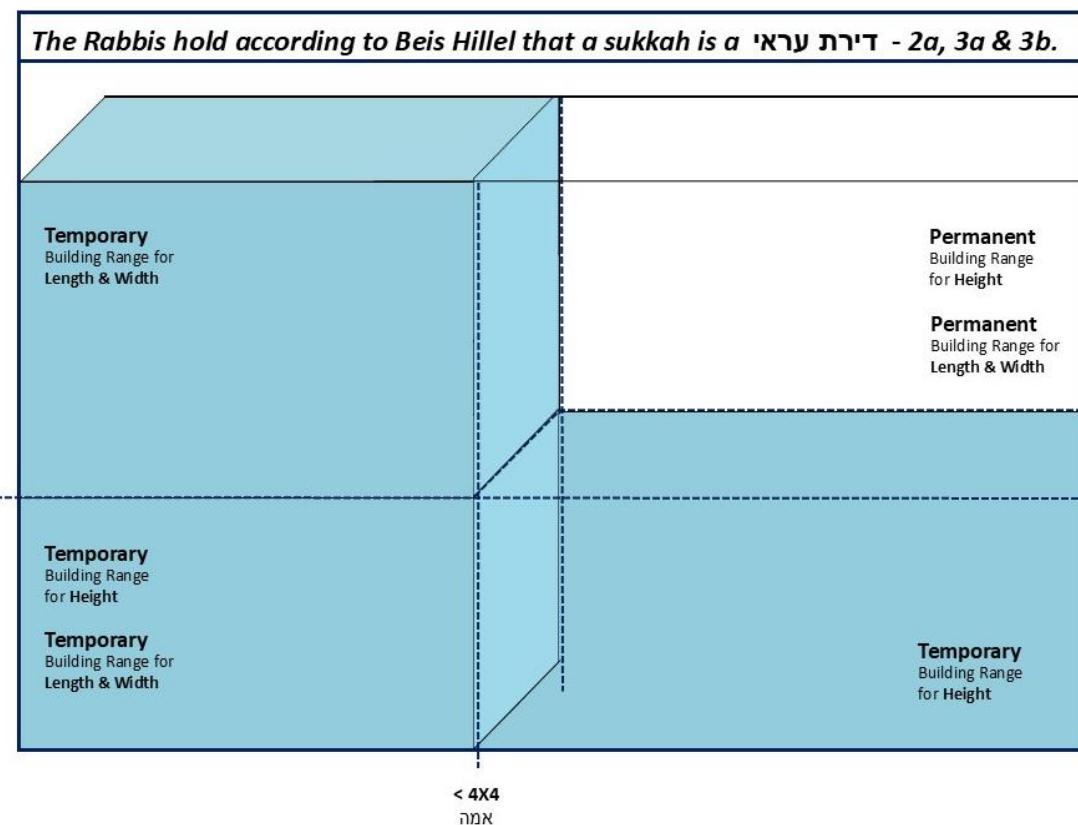
Rebbi Yehuda's Opinion from תשבז 28b, קבבז 7b, Laws of Houses 3b, Disputes 2b, 2a



The Rabbis hold דירת עראי in accordance with Beis Hillel 3a and unknown author's Baraisa 3b



And, the proof that Rabbanan hold that a sukkah is a **דירת עראי** on the basis of height **or length and width**, is that there is no way that they can maintain the concept of a sukkah according to a simplistic understanding of Rava's opinion on Sukkah 2a and not be refuted by Rabbi Yehuda's Baraisa regarding Queen Helene's sukkah which was over 20 amos in height while the Elders were silent. Rather, it should be understood on 2a that Rava was only coming to explain the Mishna's statement regarding the limitation of a sukkah in regards to the dimension of height specifically, but his explanation of a **דירת עראי** in regards to the dimension of length and width would be different and also in accord with Beis Hillel on 3a.



מוחוקת לראש וחבו ושלחנו כשרחרבי אומר עד שידא בה ארבע אמות על ארבע אמות ורביא איזיך רבוי אמרו כל סוכה שאין בה ארבע אמות על ארבע אמות פסלה ורביא אפילו אינה מוחוקת אלא ראש וחבו כשרה ואילו שלחנו לא קרבן קשין אהורי אלא לאו ש"ס רא ביש הא ביה אמר מרד ומשרא מתרונחן נמי דראך מוקחני ביש פסלים וביה ביברנום אמר אנטא ביברנא לא נא ביברנא

ונמשם כהנני פלני : פסוי מ-
כהנוהו . סולג מרכז טמולו נקון :
הרט נמלט . אקי נטודו נמלט
וילו נטודו בזונג אל גל נמלט כהנני קרכך
תלון נון : מושרלי הכלבאנט . ו-
הרט נמלט נסא כהנני דוק וגוי
(דריסט כ) : אולן מעריבן ט . וריך
כטולס לאות אטוחון גמל ואסלא
ביחס פוחוטס להאל האת ווון ווילון
וילן אקי גל-סוט אכטס כהנני האל

Therefore, it must be concluded that the opinion of Rav Huna in the name of Rav, in which the Tanna Kamma disputes Rabbi Yehuda at exactly 4×4 amos, is the opinion of Beis Shammai, as the Gemara 3a states: **איכא דאמר רבי אבא דאמר לך מני אין ביש היא ולא חזוז מינה**. This is because beyond 4×4 amos and over 20 amos in height is a completely permanent dimension where the Rabbanan could not hold that a sukkah is a **דירתה עראי** in either height or length and width in accordance with Beis Hillel. And, since Rav Huna's opinion also allows a sukkah to be less than 20 amos in height and as small as **ראשו ורוכבו ושולחנו**, it is in a completely temporary dimension in regard to the dimensions of height and length and width, which Rebbe and Rabbi Yehuda dispute. Therefore, Rav Huna's dictum in the name of Rav is transmitting Beis Shammai's understanding of the 20 amos height limitation of a sukkah in accordance with **כל** and that the **קבוע** of a sukkah requires one's table.

Furthermore, the Gemara taught us to understand the proper questions to ask and how to extrapolate the complete understanding of the Gemara. Given Rabbi Yehuda's Baraisa regarding Queen Helene's sukkah on 2b, and the understanding that the Rabbanan hold in accordance with the opinion of Beis Hillel, that a sukkah is a **דירתה עראי** on the basis of either height **or** length and width (meaning that a sukkah can only be above 20 amos in height when it is built less than 4×4 amos in length), the reader should ask: "Is it the way of a queen to dwell in a small sukkah?" The Gemara has already taught us the answer: **אמר רב: אשי לא נצרכה אלא לקייטוניות שבה**. Therefore, as opposed to Beis Shammai who disputes Rabbi Yehuda and maintains that her sons were sitting in the large sukkah which was over 20 amos high, the Rabbanan hold to the opposite according to Beis Hillel that a sukkah is a **דירתה עראי** and maintain that Queen Helene was sitting in the small sukkah of less than 4×4 amos for privacy and her sons were sitting with her. Therefore, the Elders did not say a word to her about her sukkah being over 20 amos in height.

Furthermore, the opinion of Rav Huna in the name of Rav (which represents Beis Shammai's opinion), the opinion of the Rabbanan (which represents the opinion of Beis Hillel), and the opinion of Rabbi Zeira (which represents the opinion of Rebbe), all argue with Rabbi Yehuda from different points of the dispute. And a **רמז** that the Gemara would come to prove that there were multiple opinions of dispute after having properly defined a **רבען סכרי בניה בסוכה מעלייה** is that the Gemara on 3a stated: **דירתה קבע דירתה עראי**. It should have stated **בסוכה גדולה** to reflect Rav Huna's dictum in the name of Rav. However, since Beis Shammai, Beis Hillel, and Rebbe's opinions all argued with Rabbi Yehuda the Gemara states **בסוכה מעלייה** to accommodate all of the disputes.

Therefore, in conclusion since Queen Helene's sukkah's walls did not reach the **s'chach** and the Elders did not say a word to her, it disproves R' Yoshiyah's dictum in the name of Rav which is in accord with Rabbah who states **למן ירע** is the source for the 20 amos height limitation of a sukkah. In addition, since Rav Chanan bar Rabbah's dictum in the

name of Rav is based on **למען ידע** being correct, his calculation for a required shade ratio on the basis of the principle of the principle of **תפשת מרובה לא תפשת תפשת מועט** is also refuted.

However, according to Rabbi Zeira who maintains that a sukkah requires a 1:5 shade ratio and is a **דירת קבע** in accordance with Rabbi's opinion, he held that her sons were sitting in the large sukkah that was greater than 4×4 amos and over 20 amos in height. Therefore, the Elders did not say a word to her. While Rabbi Yehuda maintained that her sons sitting in her private sukkah which was 4×4 amos while over 20 amos in height.

But regarding Rav Huna in name the of Rav, who maintains that a sukkah requires a 1:5 shade ratio and is a **דירת קבע** in accordance with Beis Shammai's opinion, the Gemara states that the Rabbanan held that her sons were sitting in the large sukkah that was greater than 4×4 amos and over 20 amos in height. Therefore, the Elders did not say a word to her about her sukkah being over 20 amos. While Rabbi Yehuda maintained that her sons were sitting in the small sukkah which was 4×4 amos or less while above 20 amos in height.

Finally, according to the Rabbanan who maintain that a sukkah is a **דירת עראי** in accordance Beis Hillel, they held that Queen Helene was sitting inside a small sukkah of less than 4×4 amos which was higher than 20 amos in height and her sons were sitting with her. Therefore, the Elders did not say a word to her. And according to them, Rabbi Yehuda maintained that her sons were sitting in the large sukkah which was 4×4 amos or greater while above 20 amos in height.

(End.)

A Preemptive Reply

Why not employ the solution offered by the Tosafot ר' י"ד and who suggest conceptualizing Queen Helene's sukkah as being comprised of two sections with differing heights in order to explain how the Rabbanan maintained their opinion that a sukkah is a **דירת עראי?**

After explaining Rabbi Yehuda's Baraisa of Queen Helene's sukkah which was higher than 20 amos, the Gemara on 2b describes his disputes with R' Yoshiyah, Rav Huna, and Rav Chanan bar Rabbah, but seemingly makes no effort to describe the dispute with Rava who holds that a sukkah is a **דירת עראי**.

This becomes even more intriguing because unlike the other three opinions the halacha seems to agree with Rava that a sukkah is a **דירת עראי** and yet the Gemara never directly describes his dispute with Rabbi Yehuda outside of the Mishna. Furthermore, this dispute should be of particular interest to the Gemara since its description and details would reveal the context in which the polar-opposite opinions of Rabbi Yehuda (a sukkah is a **דירת קבע**) and Rava (a sukkah is a **דירת עראי**) are pitted against each other. However, the Gemara did not do this. Why?

Some may reference the **תוספות ר' י"ד** and **ריטבא**, who address this glaring omission by suggesting that for Rava we can modify the understanding of Rabbi Yehuda's Baraisa and say that Queen Helene's sukkah had two rooms, one room was 20 amos or lower and the other room was higher than 20 amos. And even though the queen was sitting in the invalid room with the higher s'chach, the elders did not say a word to her because her sons were sitting in the valid room which was 20 amos or lower. And while this approach provides a logical framework within which a defense for Rava's opinion can be sustained, the broader context and subsequent discussion brought by the Gemara indicates a reason for the omission and reveals a different understanding of the nature of the dispute between Rabbi Yehuda and Rava – between **עראי קבע** and **עראי**. This is observed when the Gemara informs us through a series of deductions that Rava's opinion that a sukkah is a **דירת עראי** is derived from Beis Hillel and that Beis Hillel's understanding of a **דירת עראי** includes the dimension of length and width, not just the dimension height. The Gemara achieves this in several crucial steps.

First, it utilized Rabbi Yehuda's stalemated dispute with Rav Huna's 1:5 shade ratio in Queen Helene's sukkah as context to define the functional difference between Beis Shammai's opinion that a sukkah **דירת קבע**, requiring a table inside the sukkah, and Beis Hillel's opinion that a sukkah is a **דירת עראי**, which limits the height of a sukkah to 20 amos. The outcome of which impacts the minimum size of a sukkah. However, the Gemara's deductive reasoning also effectively connects Rava and Beis Hillel's opinions that a sukkah is a **דירת עראי** at the same time. This is because if Rav Huna's sukkah, which is based on a

1:5 shade ratio that allows the sukkah to be higher than 20 amos when beyond 4x4 amos in length, is accepted as the reason for the 20 amos height limitation of a sukkah in Mishna 2a it would invalidate their common understanding of a **דירת עראי**. And as explained previously this is the meaning and significance behind Rav Shmuel bar Yitzchak's extrapolation that: **הלהנה צריכה שתהא מחזקת ראשו ורוכבו ושולחנו**.

Next, the Gemara continues with proving that Beis Shammai and Beis Hillel are not arguing in a large or small sukkah over a **דרבנן** regarding the manner in which a person eats, as Rav Nachman bar Yitzchak challenges. Rather their argument is found to be over a **דורייתא** as to whether a sukkah is a **דירת קבע** or **דירת עראי**. In the process the Gemara further defines Beis Hillel's concept of a **דירת עראי** as one that includes more than just the dimension of height. Beis Hillel's concept of **עראי** is understood to also include the dimension of length and width when he argues with Rebbe over the minimum length and width of a sukkah. This is clearly seen on 3a when the Gemara states:

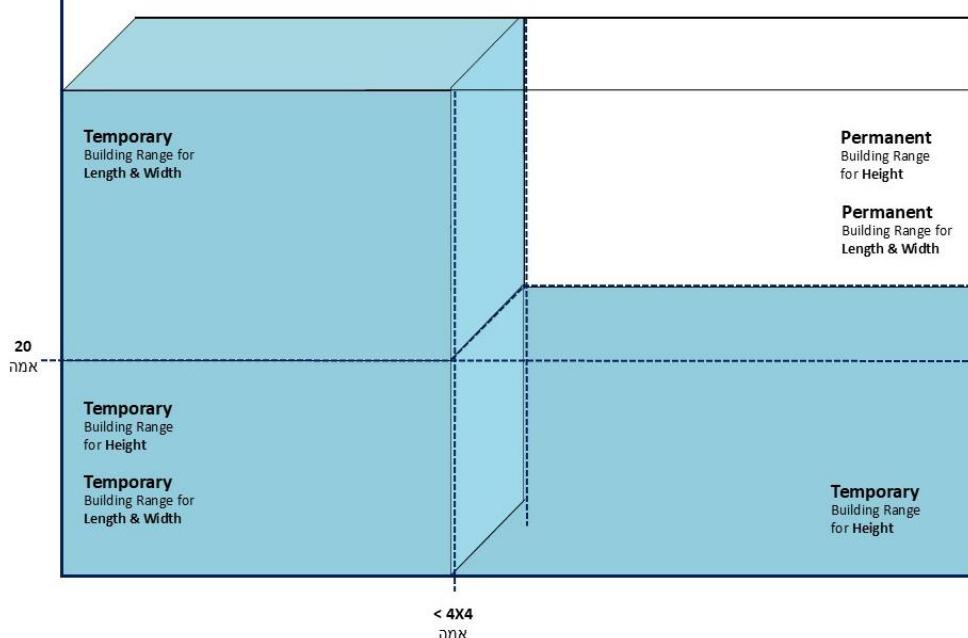
ותניא אמר רבי אידך כל סוכה שאין בה ארבע אמות על ארבע אמות פסולה וחכ"א אףלו אינה מוחזקת אלא ראשו ורוכבו כשרה ואילו שולחנו לא קתני קשיין אהדי אלא לאו ש"מ הא בא"ש הא בא"ה

Finally, the Gemara associates the Rabbanan, Beis Hillel, and Rava together as one opinion using the Baraisa on 3b regarding the laws of houses when it states that the Rabbanan could also have authored the Baraisa because they can build a sukkah at less than Rebbe's 4×4 amos because they hold that a sukkah is a **דירת עראי** in accordance with Beis Hillel on 3a and Rava on 2a. Therefore, Beis Hillel holds that a sukkah can also acquire the quality of **עראי** by being built less than 4×4 amos in length and width as opposed to having to be built at 20 amos or less in height.

The proof that this is the correct understanding of the Gemara is that the Gemara on 3b states: **עד כאן לא קאמר רבען החם אלא לעניין סוכה — דירית עראי היא**. But prior to this point in the Gemara on 3b, where did the Rabbanan ever speak about a sukkah being a **דירית עראי**, except that it must be on 3a where Beis Hillel argues with Beis Shammai over a **דאוריתא** involving the dimension of height in the case of Queen Helene's sukkah and where Beis Hillel argues with Rebbe over the dimension of length and width.

After the Gemara establishes that Rava's opinion that a sukkah is a **דירה עראי** is derived from Beis Hillel and that Beis Hillel's understanding of a **דירה עראי** includes the dimension of length and width, the reader can infer how Beis Hillel (and Rava) avoid refutation by Rabbi Yehuda's Baraisa regarding Queen Helene's sukkah that was over 20 amos high while the Elders were silent.

The Rabbis hold according to Beis Hillel that a sukkah is a - דירת עראי - 2a, 3a & 3b.



Therefore, based on the context of the Gemara which developed an understanding of Beis Hillel's opinion, the Rabbanan who maintain that a sukkah is a *דירת עראי* held that Queen Helene was sitting inside a small sukkah of less than 4×4 amos which was higher than 20 amos in height and her sons were sitting with her. Therefore, the Elders did not say a word to her. And according to Rabbi Yehuda, he maintained that her sons were sitting in the larger invalid sukkah which was 4×4 amos or greater while over 20 amos in height. Thus, the greater context of the Gemara indicates that it conceptualized Rabbi Yehuda's argument with the Rabbanan as in a sukkah that was entirely over 20 amos.

(End.)

If the Rabbanan who hold that a sukkah is a **דירת עראי** allow a sukkah to be above 20 amos why does the Gemara on 3b discuss the need to reduce its size with various materials implying that a sukkah above 20 amos is invalid?

Analyzing this Gemara from the viewpoint of Beis Hillel's opinion, when does such a case like this occur? This is a case in which the sukkah was built 4×4 amos or larger and over 20 amos in height, making it a **דירת קבע עראי**. Therefore, the Rabbanan who maintain that a sukkah is a **דירת עראי** in accordance with Beis Hillel, state that if one came **to reduce its height, as opposed to its length**, it must be done with the right materials and intentions. The purpose of this Gemara is to address how to make a correction to the floor of a sukkah when such a case occurs.

מ"ש פרות ט"ז: סקי מיריות ראות קין טיל וכימ אונר טיר פאדר טן הלוך לנכט דימעט עריל נקיי לנכט המאות ומן רטוקה כי הוי לא בהירא נחוב קשי עיריות דסאל לחייל נר לב בוט קיא בית טחטה ולמר קיטף להוד לנטיקן מל כלהן שאנאר ותרכטן לא לע נקיי דנק סקי מיריות דווק פשאות ביריך סנק אונר יי הונגה בון דסוט אונר טיל וכימ וע"י טכניין דיש ווישת טבקה למונלעיס פוןק קכמיס להה וויליס פוןק קלומת פוןק שטן מנטהן וויז לן קלומת טון קליט הנטהן לנטהן קה: מ' ואעג

(End.)

If the Rabbanan who hold that a sukkah is a **דירת עראי** permit a sukkah to be built above 20 amos, why does the Gemara state on 4a that a sukkah whose s'chach provides shade from above 20 amos is invalid?

This is also a case in which the sukkah is 4×4 amos or larger. Therefore, if the portion of the s'chach that produces enough shade is above 20 amos in height, the sukkah cannot be considered a valid **דירת עראי**. Therefore, the purpose of this Gemara is to address how to make a correction to the ceiling of a sukkah when such a case occurs.

(End.)

If so, what is the dispute between the Tanna Kamma and Rabbi Yehuda according to the Babylonian Sages regarding a sukkah atop another sukkah in Mishna 9b?

סוכה על גבי סוכה העליונה כשרה והתחתונה פסולה ר' יהודה אומר אם אין דיירין – בעליונה התחתונה כשרה Mishna 9b states: **ר' יהודה אומר אם אין דיירין** – A sukkah atop another sukkah, the upper one is valid and the lower one is invalid. Rabbi Yehuda says: If there are no tenants in the upper one, the lower one is valid.

The Gemara then details on 10a the understanding of the Rabbanan in the West according to Rav Dimi, which explains the dispute as one regarding a flimsy roof that can barely support tenants in the upper sukkah. And, on the basis of the materially weak roof they understood that Rabbi Yehuda's opinion holds that the upper sukkah is **פסול**, while the lower is one valid. While the Tanna Kamma which holds that a sukkah is a **דירת עראי**, maintains that the upper sukkah which is made of flimsy materials is valid, making the lower one invalid. **This is the opinion of the West and not the Babylonian Sages.**

The Babylonian Sages understood Mishna 9b on the basis of the previously concluded opinion of the Gemara on 3b, that the dispute between the Rabbanan and Rabbi Yehuda is a case where the upper sukkah is smaller than 4×4 amos in length and 20 amos or lower in height. And since Rabbi Yehuda requires a sukkah to be a **דירת קבע** on the basis of its dimensions, if the upper sukkah is smaller than 4×4 amos and 20 amos or less in height it is not fit for tenancy and is **פסול**, while the Rabbanan who holds that a sukkah is a **דירת עראי** on the basis of its dimensions, maintain that the upper sukkah is valid and the lower one is **פסול**. As such, the Rabbanan and Rabbi Yehuda, according to the Babylonian Sages, hold that a sukkah is defined as a **דירת קבע** or a **דירת עראי** on the basis of abstract dimensions, as Rava clearly restated his opinion to clarify this to Abaye who challenged him in asking **אלא מעתה עשה מחלוקת של ברזל**.

To which Rava replied:

הכי קאמינא לך עד כי אמה דאדם עושה דירתו דירת עראי כי עביד ליה דירת קבע נמי נפיק למעלה מכ' אמה דאדם עושה דירתו דירת קבע כי עביד ליה דירת עראי נמי לא נפיק

In conclusion, to adopt Rav Dimi's opinion from the West is to reject Rava's understanding of a **דירת עראי** on 2a and the Gemara's explanation of Beis Hillel's opinion on 3a and 3b that a **דירת קבע** and **דירת עראי** is defined by its dimensions as opposed to the strength of the materials used to construct a sukkah. And, if one mistakenly interprets the Gemara to mean that a **דירת עראי** is defined by its material construct rather than its abstract dimensions, then they will be defeated by Rabbi Yehuda's Baraisa of Queen Helene's sukkah, which was over 20 amos in height while the Elders were silent. Consequently, they will have no basis for their understanding as to how the Tanna Kamma of Masechet Sukkah, Mishna 2a maintained that a sukkah is a **דירת עראי**.

(פשת)