

OVERVIEW of the Daf

1) A round sukkah (cont.)

The Gemara continues to analyze R' Yochanan's ruling that a round sukkah must be able to seat twenty-four people around the perimeter.

Two explanations are given to elucidate R' Yochanan's ruling.

2) Potters' huts

R' Levi in the name of R' Meir issues a ruling concerning two potter's huts one within the other. The rulings relate to their status vis-à-vis the mitzvah of sukkah and the mitzvah of mezuzah.

The Gemara explains why the outer hut is exempt from the mitzvah of mezuzah.

3) סוכת גנב"ך ורקב"ש

A Baraisa rules that the four inferior sukkahs of גנב"ך (non-Jews, women, animals and Cutheans) are valid as long as they were originally constructed for the purpose of providing shade.

A second Baraisa issues a similar ruling concerning the four inferior sukkahs of רִקְב"ש (shepherds, fig watchers, watchmen and produce watchers).

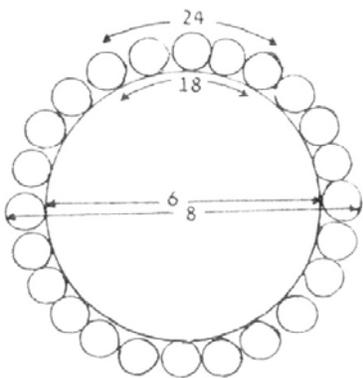
The Gemara explains that the author of the first Baraisa holds that the גנב"ך sukkos are superior because they are permanent whereas the author of the second Baraisa maintains that the רִקְב"ש sukkos are superior because they are used by people who are obligated in the mitzvah. ■

Daf DIAGRAM

ורבי יוחנן מקום גברי לא קחשיב

A square of 4 x 4 amos has a diagonal of 5.6 amos. This square can be inscribed within a circle with a circumference of 16.8 amos. Rabbi Yochanan said that this circle is one around which 24 people can sit.

The Gemara concludes that Rabbi Yochanan was not referring to the outer limit of where the people sit, which has a diameter of 8 amos, but rather to the inner circle, not counting the place where they sit, which has a diameter of 6 amos. ■



Distinctive INSIGHT

The inner sukkah of the artisan

שתי סוכות של יוצרים זו לפנים מזו. הפנימית אינה סוכה וחיבת במזוזה.

The Gemara discusses a case where we have one sukkah located behind another sukkah. The case is where we have a storefront, facing the street, and within it, in the back, is another sukkah where the proprietor lives all year long. The inner sukkah is not kosher to be used as a sukkah. According to Rashi, the reason is that the owner lives in this room all year long, and it is not obvious to an observer that he is residing in it for the sake of a mitzvah. Technically, this dwelling is actually a kosher sukkah, and we hold according to Beis Hillel that it is not necessary to build a sukkah for the sake of the holiday. Nevertheless, this is disqualified מדרבנן because it is lacking the appearance of a mitzvah observance.

Ritva and Ran explain that dwelling in the inner sukkah is invalid מדאורייתא, and the reason is that it is considered חג הסוכות. They understand that the verse תעשה ולא מן העשה teaches that a sukkah is only kosher if it is made for shade (a temporary dwelling), and that one that is made as a house or a granary is invalid.

The Bach (O.C. 635) explains that the reason Rashi only disqualifies this sukkah from a rabbinic standpoint is that Rashi understands that any type of construction of a sukkah is acceptable, even if it was originally made to be for a house. Magen Avraham explains that Rashi agrees that a room that is built to be a house is unacceptable מדאורייתא, but that Rashi here holds that the inner sukkah in our Gemara was not made to be a house or permanent dwelling. Because it was merely made for shade, it is technically kosher from a Torah perspective. Yet it is disqualified rabbinically due to מראית עין. People see that this worker stays in this room all year long, so they do not realize that the room was built for shade. They think that it was built as a permanent dwelling, and when they see him live in it over Sukkos they will mistakenly think that a sukkah built as a house is kosher, when the truth is that it is disqualified. ■

Today's Daf Digest is dedicated by Mr. and Mrs. Harlan Loeb
In loving memory of their father
ר' אליעזר בן ר' חיים ע"ה

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HALACHAH Highlight

May a non-Jew build a sukkah

תנו רבנן גנב"ך סוכת גויים וכו' כשרה ובלבד שתהא מסוככת כהלכתה
 The Rabbis taught: GaNBaCH, A sukkah built by a non-Jew etc. is valid as long as the סכך was arranged according to halachah.

Although the validity of a sukkah built by a non-Jew is not qualified in the Gemara, the Poskim note a number of important issues related to the topic. One issue is a dispute whether it is necessary to add something to a sukkah that was built by a non-Jew. In the opinion of some Poskim¹, a sukkah built by a non-Jew is no worse than an old sukkah, built more than thirty days before Sukkos. Therefore, just as concerning an old sukkah Shulchan Aruch rules² that one must add something to the סכך, so too, regarding a sukkah one must add something to the סכך built by a non-Jew. Others³, however, question this extension and write that perhaps the requirement to add to the סכך applies only for an old sukkah, where it is not recognizable that the sukkah was made for Sukkos, but it may be more apparent that a sukkah constructed by a non-Jew was built for the mitzvah. According to others⁴, the issue regarding adding something to the sukkah built by a non-Jew applies only when the sukkah was built more than thirty days before Sukkos. If, however, it was built within thirty days of Sukkos, so that it is recognizable that it was built for the mitzvah, all opinions would agree that there is no reason to add something to the סכך.

A second issue is one discussed by Rav Avrohom Aveli

REVIEW and Remember

1. What is the ration of the side of a square to its diagonal?

2. When is a tanna allowed to be less than precise?

3. What is implied when the Baraisa rules that a sukkah must be covered according to halachah?

4. In what way is ש"קב"ש better than גנב"ך?

Gombiner⁵ and Rav Yaakov Ettlinger⁶. They write that although the Gemara rules that a sukkah built by a non-Jew is valid, nonetheless, לכתחילה one should not commission a non-Jew to build a sukkah. The reason is that one who is not obligated in a mitzvah should not perform that mitzvah. Mishnah Berurah⁷ cites the opinion of Rav Gombiner and writes that although halachically there is no requirement to be careful regarding this matter, nonetheless, one should be cautious when possible. ■

1. ע' שו"ת יחווה דעת ח"ו סי' מ"א שמביא כן בשם הט"ז סי' תרל"ו סק"ג והפרישה ריש סי' תרל"ה ועוד
2. אור"ח סי' תרל"ה סע' א' וע' במג"א סק"א וט"ז סק"ג ומ"ב סק"ד דהיינו רק לכתחלה ולמצוה בעלמא
3. שו"ת בנין שלמה סע' מ"ג
4. שו"ת הרדב"ז ח"ה סי' ב' אלפים נ"ז
5. מג"א סי' תרמ"ט סק"ח
6. ביכורי יעקב סי' תרל"ה סק"ב
7. מ"ב סי' תרמ"ט סק"י"ד ■

STORIES Off the Daf

Not all workers are equal

תנו רבנן גנב"ך...סוכה מכל מקום כשרה

Minchas Elazar, ז"ל, explains how each of the four flawed sukkos mentioned on our daf symbolize different possible flaws in a Jew's relationship with Hashem. There is the "sukkah of the non-Jew", the avodah of a Jew who has become like a gentile in some respect and has not yet repented. The "sukkah of women" is built by a person whose relationship with Hashem is defined by taking, an act associated with femininity in kabbalah. He may repent, but only to avoid punishment or to receive reward – not to do Hashem's will. The "sukkah of the beast," represents

the person who does not even have enough human understanding to repent. Finally, the deeply flawed "sukkah of the Cuthite" symbolizes the person who will only fulfill the mitzvos with which he is familiar, but is unconcerned with the details of the Oral Torah. Such a person does not even feel that he has done any wrong at all. The sukkah represents Hashem's Presence, like a devoted mother who never abandons her children no matter how far they have fallen. They may all be kosher, but their flaws mean that they are not all equal.

Someone once asked the Chofetz Chaim, ז"ל, "If every Jew has a portion in the World-to-Come, why do we have to work so hard to keep all the details of the Torah?"

The Chofetz Chaim answered, "In Kiev lives a wealthy Jew named Brodsky

who owns many businesses employing hundreds of different types of workers with different sets of skills and levels of expertise. Each is paid accordingly. Brodsky is a charitable man and also supports a number of poor relations, all of whom appear on the payroll. At times, Brodsky visits one of his factories or offices and speaks with his workers in front of the others, asking detailed questions about what they do and how much they are paid.

"Once, a worker answered his questions with a simple statement: 'I receive a salary.' All the others burst out laughing. How could the man not even feel enough shame to hide the fact that he was being paid for doing nothing at all?

"This is your answer: We all have a portion in the World-to-Come, but isn't it shameful not to have worked for it?" ■

