

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses the method of transforming a roof made of wood without plaster into a valid sukkah.

2) Clarifying Beis Shamai's position

The Gemara questions why, according to Beis Shamai, there is a requirement to loosen the boards and take one out. Shouldn't one of those acts be sufficient?

The difficulty is resolved and the Mishnah is reinterpreted in the process.

The previous discussion concludes with R' Yehudah and R' Meir disagreeing whether every other board must be removed. This sounds like an existing dispute between the two regarding the issue of whether Chazal prohibited the use of boards that resemble a roof.

The Gemara explains that the second reference to this dispute records the exchange between R' Yehudah and R' Meir regarding this issue.

The Gemara notes that the above explanation is consistent with Rav's previous understanding of the dispute between R' Yehudah and R' Meir and thus presents a challenge to Shmuel's alternative explanation.

Shmuel is forced to explain that in our Mishnah R' Yehudah and R' Meir dispute whether loosening the boards removes their status as being part of a roof.

3) **MISHNAH:** The Mishnah discusses the use of spits or wood from a bed frame as סכך for the sukkah. The Mishnah rules that a sukkah made by carving out a pile of hay is invalid.

4) Equal amounts of valid and invalid סכך

The Mishnah's implication that equal amounts of valid and invalid סכך is acceptable is a challenge to R' Huna the son of R' Yehoshua who ruled it is invalid.

Two interpretations are offered that do not indicate that the Mishnah refers to a case where the valid and invalid סכך are equal.

5) Broken utensils

The Mishnah implies that broken utensils are not valid for סכך even though they are not susceptible to tumah. This seemingly supports a similar ruling of R' Ami bar Tavyomi.

The Gemara explains that the Mishnah may refer to sides of the bed that still qualify as utensils.

This explanation was originally made by R' Chanan in the name of Rabbi in a different context. The Gemara asks for the context of the original statement. ■

Distinctive INSIGHT

Removal of boards according to Beis Hillel

בשלמא בית הלל טעמייהו משום תעשה ולא מן העשוי, אי מפקפק עביד ליה מעשה, אי נוטל אחת מבינתים עבד בה מעשה

A house covered with boards which are four tefachim wide is פסול as a sukkah. It was constructed as a house, and not as a sukkah. Beis Hillel rules that this house can be corrected and become a kosher sukkah by lifting each board and then placing it back down, having in mind that it is being done for the sake of the mitzvah of sukkah (מפקפק). An alternative solution would be to remove every other board (נוטל אחד מבינתים). Either of these methods would solve the problem of תעשה ולא מן העשוי.

בית חדש (O.C. 637) asks how this second suggestion of removing every other one of the boards can help the entire layer of סכך be considered תעשה—after all, only those boards were removed, and the others all remain as they were before. If they were פסול due to תעשה ולא מן העשוי, they should still be unacceptable. We also know that סכך which is פסול which covers four tefachim invalidates the entire sukkah!

Bach answers that the middle boards are removed, which is a new act of תעשה. The remaining boards were not intrinsically פסולים, but they were invalid due to a situational condition—their having been placed as part of a house. This condition has now been changed, so the problem of תעשה ולא מן העשוי is now solved. Accordingly, the entire sukkah is kosher.

Furthermore, the remaining boards are not a material which is פסול, so the halacha does not disqualify the entire sukkah due to סכך פסול of four tefachim in a sukkah. According to this answer, the area under the boards is still not kosher, but the rest of the sukkah, where the boards were removed is kosher. ■

Daf DIAGRAM

* החוטט בגדיש לעשות לו סוכה אינה סוכה

If someone digs out a cavity in a haystack, the resulting area is not a kosher sukkah, even if it has the proper dimensions of 7x7 area and a height of 10 tefachim. This is due to תעשה ולא מן העשוי.



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HALACHAH Highlight

Kitniyos derivatives

בשלמא בית הלל טעמייהו משום תעשה ולא מן העשוי אי מפקפק עביד ליה מעשה וכו'

It is understandable according to Beis Hillel, their reason is because the Torah instructs us to make and not fulfill the mitzvah with something that was already made, therefore, if he moves a board he has performed an action.

Rabbeinu Yaakov Ba'al HaTurim¹ notes the custom of some to refrain from eating kitniyos on Pesach. Rav Yosef Karo² offers two explanations for the custom. The first reason is that it was common to find kernels of grain intermingled with beans and the second reason is that kitniyos could be used for making bread and to avoid any confusion with bread made from grain, the custom developed to refrain from consuming kitniyos.

Poskim discuss whether kitniyos derivatives are included in the custom to refrain from eating kitniyos. Rav Yitzchok Elchonon Spektor³ ruled that liquid kitniyos by-products are permitted. He explains that although, generally, we are concerned that there may be the kernels of grain mixed in the kitniyos, nonetheless, any presence of chometz found in a liquid mixture would be nullified before the arrival of Pesach and the mixture would remain permitted. Addressing the second concern Rav Spektor writes that there is no room for concern regarding liquids. Our Gemara indicates that once a board is

REVIEW and Remember

1. What is the halachic effect of loosening (מפקפק) one of the boards?
2. Explain the principle of בטולי תקרה.
3. Is a sukkah with equal amounts of valid and invalid סכך valid?
4. Why are worn-out garments invalid for use as סכך?

lifted we are no longer concerned that someone will confuse the board that was lifted with a board that was not lifted. The reason there is no concern is that by performing an action, the person demonstrates knowledge of this halachah and we no longer need to express concern that he will confuse one board with another. Similarly, once the kitniyos were manufactured, by straining out any kernel of grain that may have been present, the person demonstrates knowledge that grain is prohibited and there is no room for concern that one may confuse kitniyos with grain. ■

1. או"ח סי' תנ"ג
2. בית יוסף שם ד"ה ויש אוסרין
3. שו"ת באר יצחק סי' י"א. ■

STORIES Off the Daf

When will my deeds reach those of my fathers?

תעשה ולא מן העשוי

Chazal tell us that everyone is obligated to ask himself: "When will my deeds reach those of my fathers, Avraham, Yitzchak, and Yaakov?" The Devash L'fi, zt"l, learns from this that we must not complacently fulfill the mitzvos by rote, following whatever others do without deep contemplation and true commitment. We must fulfill them as the Avos did, with the vitality that is the fruit of much spiritual toil. Each of the Avos forged his own path in avodas

Hashem and did not merely follow the model set down before him. Although Avraham Avinu was the paragon of serving Hashem through chessed, Yitzchak Avinu was the epitome of holy gevurah. Yaakov Avinu then came and blazed his own path by finding the balance between those two attributes.

Similarly, some people focus more on chessed in their avodas Hashem, others on learning or prayer. Still others fulfill their mission by doing outreach. We, too, must "build our sukkah," our dwelling place for the Divine Presence, for ourselves. "Make it; do not use that which has already been made."

Rav Tzvi Elimelech of Dinov, zt"l, once decided to travel incognito to Kosov to spend a Shabbos with the Ahavas Yisroel, zt"l. Although Rav Tzvi Elimelech attempted to disguise himself

as an unlearned Jew, the Ahavas Yisroel immediately recognized his greatness, and he treated his guest very warmly.

Although the spiritual path of the Ahavas Yisroel did appeal to Rav Tzvi Elimelech to a certain degree, he still did not want to remain in Kosov long. He felt very strongly that since his own way in avodas Hashem was very different from that of the Ahavas Yisroel, staying any longer might sidetrack him.

When it came time for Rav Tzvi Elimelech to take his leave, the Ahavas Yisroel encouraged his guest to remain for another Shabbos.

Rav Tzvi Elimelech demurred. "I suspect that the Rav wants to teach me the aleph beis (meaning, the basics of a different path in avodas Hashem). But the truth is that I have already learned Gemara!" ■