

OVERVIEW of the Daf

1) Broken utensils (cont.)

The Gemara identifies the context in which R' Chanan in the name of Rabbi originally explained that "sections" refers to the sides of the bed together with the legs.

2) Worn-out clothing

R' Ami bar Tavyomi ruled that worn-out clothing may not be used for סכך.

Abaye explains what the phrase "worn-out clothing" means.

A Baraisa is cited that supports R' Ami bar Tavyomi's ruling.

3) Carving out a pile of hay

R' Huna qualifies the Mishnah's ruling that a pile of hay carved out to be a sukkah is invalid. He submits that if it originally had a space of a tefach it is valid.

A Baraisa is cited that supports this ruling.

4) MISHNAH: The Mishnah records a dispute regarding the minimum size of the wall when making the wall from the top towards the ground or from the bottom towards the סכך.

5) Clarifying the dispute

The Gemara explains that Tanna Kamma and R' Yosi dispute whether a suspended partition is valid.

Another Mishnah is cited in which R' Yehudah rules that a hanging partition is valid, similar to R' Yosi's ruling in our Mishnah.

The Gemara explains that R' Yosi and R' Yehudah do not necessarily agree with each other's position.

An incident is cited which indicates that R' Yosi does, in fact, accept the principle of suspended partitions for use on Shabbos.

The Gemara explains that the Tanna of that incident was R' Yishmael the son of R' Yosi rather than R' Yosi.

6) A partition four tefachim and a bit

R' Chisda in the name of Avimi describes how a valid partition could be made with a mat with a height of four tefachim and a bit.

After the Gemara explains the novelty of this ruling it is unsuccessfully challenged.

R' Ami rules that one can place a partition of a width of four tefachim and a bit and place it within three tefachim of another wall and it constitutes a valid partition.

The novelty of this ruling is that the minimum size of a sukkah is seven tefachim. ■

Distinctive INSIGHT

Bringing a Sefer Torah to be read for a shut-in

פעם אחת שכחו ולא הביאו ספר תורה מערב שבת למחר פרסו ע"ג העמודים והביאו ספר תורה וקראו בו

Shulchan Aruch (O.C. 135) rules that we do not bring a Sefer Torah to read for Jewish prisoners who are incarcerated. We do not even make this dispensation to facilitate reading of the Torah for these shut-ins for Rosh HaShana. The source cited for this halachah is the Mordechai (end of Rosh HaShanah, Ch. 1, from Yerushalmi Yoma Ch. 7): We always require people to go to the reading of the Torah, and we do not bring the Torah to the people.

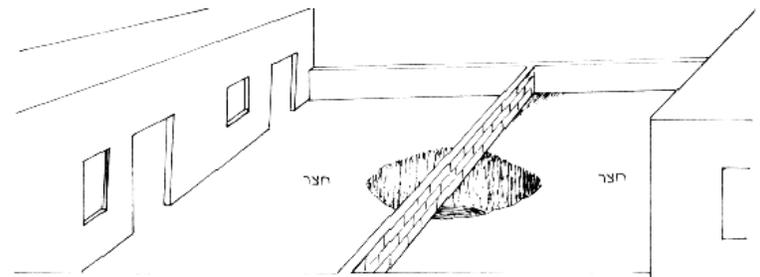
שו"ת נשאל דוד (או"ח סי' ג') questions the ruling of Shulchan Aruch. In our Gemara we find that the custom was that the Sefer Torah was indeed brought to the shul where the people had gathered to hear it read.

Nevertheless, there is a clear difference to be noted. Our Gemara discusses a case where the Sefer Torah was not stored in the shul due to security concerns. The Torah was routinely taken from its secure location when needed, and it was then brought to the shul. This scenario is described in Shulchan Aruch O.C. 148 and 149. However, where the Sefer Torah is kept in an Aron Kodesh in shul, it should not be removed to be brought to shut-ins.

Furthermore, the only prohibition of transporting a Sefer Torah is to bring it out for the sake of someone who is ill or in confinement. If, however, the Torah is being moved for its own sake, and it is being carried by a messenger, it can be used while in transit. ■

Daf DIAGRAM

בור שבין שתי חצירות



Rashi explains that the pit was located halfway between two courtyards. The wall separating the two yards ran past the pit, and was suspended over it. There was no doorway between the two yards. Unless the wall extends into the pit, neither neighbor may draw water from the pit.

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HALACHAH Highlight

Transporting a Sefer Torah

פעם אחת שכחו ולא הביאו ספר תורה מע"ש למחר פירסו סדינין על גבי העמודים והביאו ספר תורה וקראו בו

One time they forgot and did not bring the Sefer Torah on Erev Shabbos. The next day they spread sheets on posts [to enclose the area] and brought the Sefer Torah and read from it.

Rav Yosef Karo¹ rules that it is not permitted to transport a Sefer Torah to prison to read for the prisoners who cannot come to shul even on Rosh HaShanah and Yom Kippur. The reason² is that it is disrespectful to the Sefer Torah for it to be carried around; proper respect dictates that one should go to the Sefer rather than the Sefer coming to him. Rav Moshe Isserles³ qualifies this ruling and writes that if the Sefer Torah was brought to the alternative location a day or two ahead of when it will be used for reading it is permitted. Mishnah Berurah⁴ adds that it is also permitted to move the Sefer Torah on the day it will be read, as long as it will remain there for a day or two after the reading.

Rav Dovid HaLevi⁵ writes that he does not know the source for Rav Isserles' lenient ruling. The Gaon Chida⁶ writes that he never felt comfortable enough to issue a lenient ruling consistent with the ruling of Rav Isserles. Although he would not protest against those who conducted themselves like the lenient opinion, nonetheless, he would not issue such a ruling. Authorities⁷ cite our Gemara as proof to the lenient ruling of Rema. Our Gemara relates that when the residents of Tzippori forgot to bring the Sefer Torah to shul before Shabbos they transported it to shul on

REVIEW and Remember

1. Why is a sukkah formed from a carved out haystack invalid?
2. Why is a sukkah partition more than three tefachim from the ground invalid?
3. How did the residents of Tzippori transport a Sefer Torah to shul on Shabbos?
4. How did R' Ami teach that the minimum size of a sukkah is seven tefachim?

Shabbos. Why were they permitted to transport the Sefer Torah in order to read from it, doesn't this violate the above cited ruling of Shulchan Aruch? It must be that it was permitted because once it was brought to the shul it remained there for a day or two. Thus, the Sefer Torah was not transported for reading, rather it was moved to its "new" location which is permitted. ■

1. שו"ע או"ח סי' קל"ה סע' י"ח
2. מ"ב שם ס"ק מ"ז שכתב, "שזלזול הוא לס"ת להולכה אל אנשים וכו"
3. רמ"א שם
4. מ"ב שם ס"ק מ"ט
5. ט"ז שם ס"ק י"ב
6. שו"ת טוב עין סי' י"ח לס"ת קלה דין יד
7. ע' דעת תורה סי' קל"ה סע' י"ד ד"ה בנ"א החבושים בשם הגהות ציון ירושלים ■

STORIES Off the Daf

The shade of Gan Eden

יש שם חלל טפח במשך שבעה הרי זה סוכה
 To be kosher, סכך must be laid in place for the purpose of providing shade. As we see on today's daf, burrowing a sukkah of any size into a haystack is invalid. Although hay itself is a kosher material, since the walls of the sukkah were generated by burrowing away from the thatch on top, the entire structure is not kosher. There is one way in which such a sukkah could be used, however. If one made sure to leave a cavity one tefach deep by 7x7 tefachim square when the hay was originally laid in the stack, the "ohel" can later be enlarged and made fit for use. One may then bur-

row another three tefachim to complete his sukkah (עי' ביאור הלכה תשל"ה ד"ה אבל).

The Mekor Chaim, zt"l, explains that the סכך represents connection to Gan Eden, where we ultimately dwell under the protective shade of the Shechinah. One who is truly connected to Gan Eden can exude the scent of paradise even in this world. We see this regarding Yaakov Avinu, who bore with him the fragrance of Gan Eden when he approached his father for the blessing. This connection must be laid over a foundation that is at least "a tefach deep"—the minimum dimension of an ohel, which represents a measure of permanence.

Whatever one's level of connection to Gan Eden, the bond needs to be maintained and strengthened throughout one's

lifetime. This is symbolized by the minimum length and width of the ohel—"seven squared"—alluding to the average human lifespan of seventy years. But just as the connection to Gan Eden is built up over a lifetime, when a person makes choices that take him in the opposite direction, ח"ו, they radiate from him in this world as well.

In Kelm there lived a certain elderly man who was infamously ill-tempered. If someone accidentally brushed against him in the street, the man would take offense. He would shout, "How dare you!" and launch into a tirade at the slightest provocation.

The townspeople all knew about him and avoided him because of his terrible middos. In the yeshiva, they would say: "You see what seventy years of bad middos can do to a person!" ■

