

6.1.2

3a → 4b (ולכא) (אמר רב שמואל בר יצחק)

Note #1: there is a long list of הלכות that require – or only apply to – a “house”, either because (if דאורייתא), the textual context is בית, or else because they require a reasonable residence

Note #2: there are three theoretical constructs utilized in הכשר סוכה:

- 1) דופן עקומה – literally “a crooked wall”, which allows us to consider a wall as continuing horizontally up to 4 אמות
- 2) גוד אחית מחיצה – literally “the wall of the מחיצה comes down” – if a proper מחיצה (10 טפחים) doesn't reach the ground, we consider it extending thus
- 3) גוד אסיק מחיצה – literally “the wall of the מחיצה goes up” – inverse of #2

I. Minimal area of סוכה

- a. ראשו רובו ושלחנו must be able to hold ד' שמואל בר יצחק
 - i. Challenge: following בית שמאי? (as below – requiring שלחן)
 1. Challenge: גוד ו"ב"ש ו"ב"ה aren't disagreeing about size, rather placement (as per ברייתא רבנן v. רבי)
 - a. Response: but there is also a disagreement about size
 - b. שלחן דבנן. don't include
 - ii. Answer: גוד ו"ב"ש ו"ב"ה disagree about both; גוד requires שלחן in a גדולה

II. 4*4 for a “house” (even רבנן agree – unlike סוכה, which is definitionally inferior); → if less than 4*4:

- a. Exempt: from מזוזה (בית) and מעקה (בית)
- b. נגעי הבית no גנעי בתים
- c. גזית ערי חומה sale in a walled city is “sealed” after 1 year (בית)
- d. עורכי מלחמה Return from the front if not yet dedicated (בית)
- e. עירובין No עירובי חצרות (not fit for habitation)
- f. מבואות No שיתופי מבואות (not fit for habitation)
- g. תחומין No עירוב תחומין (not fit for habitation)
- h. עיבור Cannot become a “bridge” between 2 cities for תחום (not fit for habitation)
- i. דין חלוקה Doesn't have the “law of divisible property” applied to it

III. Diminishing an invalid סוכה (due to height)

- a. Pillows: never works (generally people don't neutralize them to the ground)
- b. Straw or dirt: that he neutralizes (ביטל) – certainly valid
- c. But straw or dirt: that he hasn't neutralized but doesn't plan on moving (also סתם dirt) – dispute:
 - i. ד' יוסי neutralized (→valid)
 - ii. חכמים not neutralized (→invalid)

IV. uneven סך

- a. Protruding down: If higher than 20 but leaves protrude down, if their shade (alone) > 50%, valid
- b. Below 10: If exactly 10 טפחים but leaves protrude down, invalid (against אב"י's instinct to compare to 1st case)
- c. Above 20: If higher than 20 and he built a pedestal, diminishing the distance to <20,
 - i. If the pedestal: is against the middle wall and is long*wide enough for a סוכה, valid
 - ii. If the pedestal: is against a side wall, must be <4 אמות from the opposite wall
 1. Point: we apply דופן עקומה even here, even though unfit for a wall
 - iii. If the pedestal: is in the middle, must have <4 אמות from all the walls
 1. Point: we apply דופן עקומה even in multiple directions
- d. If סוכה is lower: than 10 טפחים and he dug a hole, must be <3 טפחים from edge of hole to all walls
 - i. Reason for difference: here we are trying to establish a wall; there one already exists
- e. If higher: than 20 and he built a pillar, wide/long enough and 10 טפחים high:
 - i. גוד אסיק מחיצה: should be valid due to מחיצה
 - ii. דבא require recognizable מחיצה