

6.1.7

9b (ולא שנא כילה) → 11a (משנה ב')

(ז) **בַּסֵּלֶת הַתְּשׁוּבוֹ שֶׁבָּעֵת יָמִים כָּל הָאֲזָרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֵּלֶת: וְיִקְרָא כוּמַב**

- I. **סוכה "covered" משנה ב'**
- a. **סוכה תחת אילן**: a סוכה under a tree is invalid if the tree already provides majority shade
    - i. *And*: if the סכך is separate from tree;
    - ii. *However*: if the tree provides minority shade AND
      1. *And*: the סכך is mixed with the tree (& no נגזירה against a case where they're separate)
      2. *Challenge*: this is already taught in משנה ד'
        - a. *Answer*: 'ד משנה teaches that it is valid *post facto* (בדיעבד),
        - b. *Whereas*: our משנה extends to *pre-facto* validity (לכתחילה)
  - b. **סוכה תחת סוכה**: A סוכה underneath another סוכה is invalid
    - i. *ד' יהודה*: if the upper one has no residents, the lower one is valid
- II. **Analysis of second clause – סוכה תחת סוכה**
- a. *Source*: v. 1 סכת and not a סוכה underneath a סוכה, a tree or the roof
    - i. *Note*: even though it is read סכות, implying several, it is written סכת, implying only 1
  - b. *Note*: With one over another, all four possibilities exist (ר' ירמיה):
    - i. *Both valid*: upper is צל רוב, lower חמה רוב (w/o upper cover) & upper is within 20 אמות
    - ii. *Both invalid*: both are majority shade and upper is above 20 אמות
    - iii. *Only lower valid*: lower is majority shade, upper majority sun and both within 20
    - iv. *Only upper valid*: both are majority shade and upper is within 20
      1. *Note*: entire statement only necessary due to case #3
      2. *Justification*: סד"א make precaution against mixing valid and invalid סכך
  - c. *Question*: how much height differential defines 1 as being "below"?
    - i. *הונא*: טפח 1 ד' (from טומאת אהל re: חציצה בפני טומאה and הבאת טומאה)
    - ii. *חסדא*: טפחים 4 ד' – minimal area considered "significant"
    - iii. *שמואל*: טפחים 10; invalidity follows validity
      1. *Challenge (to שמואל)*: from dispute in משנה ב':
        - a. *ד' יהודה*: validates lower if upper "has no residents"
        - b. *However*: presence of residents cannot determine, rather
        - c. *Habitability*: i.e. 10 high → רבנן disagree and shorter סוכה still is reckoned
        - d. *Answer*: read משנה not as dispute about height suitability, rather stability
          - i. *ד' יהודה*: says that if lower cannot support bedding of upper, upper doesn't invalidate
          - ii. *Challenge*: → רבנן hold that even if floor of upper is weak, upper is considered and lower is invalid.
            1. *Answer*: רבנן allow if it can barely hold the bedding, 'ר יהודה requires bedding to be stable.
- III. **משנה ג' invalidation of improper coverings**
- a. *Covering the סכך*: with a sheet for more shade, or below the סכך to keep out the leaves – invalid
    - i. *But*: for adornment, not invalid, as per ברייתא that allows sheets etc. to be hung
    - ii. *Rejection*: perhaps ברייתא refers to sheets etc. hung on walls, not over/under סכך
  - b. *Canopy*: over the four bedposts is invalid (not sitting under the סכך; the canopy interferes)
  - c. *v-shaped canopy*: over 2 bedposts, slope is so sharp that it's not an אהל → doesn't interfere → valid

IV. Tangential discussion re: adornment (נויי סוכה)

- a. *Adornments*: are not reckoned to minimize over-high סוכה, but do minimize width to make it too tight
- b. *If*: they are more than 4 טפחים below סכך:
  - i. *ד' נחמן*: not considered an interfering אהל, סוכה is valid
  - ii. *ד' חסדא*: considered an interfering אהל, סוכה is invalid
    1. *Story*: ר' נחמן placing ר' חסדא in such a סוכה to sleep – didn't protest, not because he acceded the point, but because, as a שליח מצוה, he was exempt from סוכות סוכה מצוות

V. Sleeping underneath a canopy

- a. *שמואל*: sleeping underneath canopy in a סוכה is valid – as long as the canopy is less than 10 טפחים high
  - i. *Various challenges*: (sleeping underneath canopy, bed or a sheet hung on bedposts is invalid)
  - ii. *שמואל's answer*: to each - if 10 high
  - iii. *Challenge*: *ברייתא* describes *נקליטין*:2 (at head and foot) and *קינופות*:4 (at each corner)
    1. *If*: he hung a sheet over the *נקליטין*, valid; over the *קינופות* – invalid
    2. *Must be*: less than 10, yet sleeping under the *קינופות* is invalid
      - a. *Answer*: *קינופות* are fixed in place, even <10 is considered an אהל
      - b. *Challenge*: *שמואל* said that the upper סוכה must be 10 high to invalidate the lower
      - c. *Answer*: to invalidate a סוכה, we require 10; to create an אהל, need less (if fixed)
  - iv. *Tangent*: re canopy
    1. *If*: you are naked underneath a canopy, you may stick your head outside to say ק"ש
      - a. *Challenge*: *ברייתא* that disallows
      - b. *Answer*: *ברייתא* refers to a 10-high canopy, just like a house (house, even if less than 10, considered an אהל and disallowed)
- b. *Variant version of שמואל*: sleeping underneath a groom's canopy in a סוכה is valid b/c it has no roof ("v")
  - i. *Challenge#1 above* ([a] [i]): answer - invalid if it has a roof
  - ii. *Challenge from ברייתא*: *נקליטין* (above [a] [iii] [1]) – if higher than 10, even without a roof (פסול (נקליטין)
    1. *Answer*: *נקליטין* are fixed on the bed; even without a roof they invalidate
    2. *Challenge*: if so, they should invalidate lower than 10 like *קינופות*
      - a. *Answer*: relative to the *קינופות*, they aren't fixed; relative to the canopy, they are
- c. *דבה בר רב הונא*: permissible to sleep under canopy, even with roof, even if 10 high (=neither version of *שמואל*)
  - i. *Accords with*: ר' יהודה – temporary אהל cannot negate fixed אהל: he allows sleeping under bed in סוכה
    1. *Question*: why not just state – הלכה כר' יהודה
    2. *Answer*: if so, סד"א that only a bed, made for sitting atop, doesn't block out the סוכה; but a canopy, made for resting underneath, may block it out, קמ"ל