

6.2.3

22b (ולאו אדעתיה) → 23b (משנה ג')

(1) חג הסוכות תעשה לך שבעת ימים באספוד מגורך ומיקבך: דברים טז, יג

I. סוכות unusually located: משנה ג'

- a. *Atop a wagon or boat*: כשר and you may go up to it on י"ט
 - i. *Authorship*: ר"ע
 - ii. *Story*: ר"ע built a סוכה on a boat; ר"ג was there and he was opposed:
 - 1. ר"ע: דירת עראי=סוכה ד"ע, as long as it could stand in a normal wind on land, valid, even if it can't stand on up to a normal sea wind
 - 2. ר"ג: דירת קבע=סוכה ד"ג – must be able to stand up to a normal sea wind
- b. *Atop a tree or a camel*: כשר but you may not go up to it on י"ט
- c. *Combination of: tree and man-made walls*:
 - i. *If*: there are 3 man-made walls, even if a 4th is a tree, you may go up on י"ט
 - ii. *If*: any of the necessary walls are a tree, כשר but you may not go up on י"ט
 - iii. *Rule*: if the tree were taken away you still have a valid סוכה that stands – you may go up on י"ט

II. Analyzing the סוכה atop the animal (camel)

- a. *Validity*: follows ר"מ *contra* יהודה ר"י, who reads v. 1 as requiring a סוכה that is usable for all 7 days
 - i. *Since*: you may not ascend it on י"ט שבת וי"ט שבות) against riding animals on י"ט – not fit for 7
 - ii. ר"מ: מה"ת ד"מ it is fit, but the rabbis made a גזירה
- b. *Related case*: using an animal for a wall
 - i. ר"מ disallows – perhaps it will die (אביי) or run away (זירא);
 - 1. *Split the difference #1*: an elephant that is untied
 - a. אביי: valid; if it dies, still have proper size for a wall
 - b. ד"זירא: if it runs away, it's gone
 - c. *Challenge*: even if dying isn't a problem, אביי should agree that running away is...
 - 2. *Split the difference #2*: another animal tied
 - a. *Only concern*: about dying
 - b. ד"זירא: would allow it – death is not common (i.e. no need to be concerned lest...)
 - c. *Challenge*: what about the space between its legs?
 - i. *Answer*: put reeds and sticks in between
 - d. *Challenge*: what if it jumps down?
 - i. *Answer*: tied up with ropes to keep it up
 - ii. *If so*: even אביי should allow it
 - iii. *Defense*: if it dies, it will shrink and perhaps be lower than כשר סוכה
 - iv. (note: analysis continues...)