

## Talmud - Mas. Sukkah 2a

### CHAPTER I

MISHNAH. A SUKKAH<sup>1</sup> WHICH<sup>2</sup> IS MORE THAN TWENTY CUBITS HIGH IS NOT VALID, R. JUDAH, HOWEVER, DECLARES IT VALID. ONE WHICH IS NOT TEN HAND BREADTHS HIGH, OR WHICH HAS NOT THREE WALLS, OR WHICH HAS MORE SUN THAN SHADE, IS NOT VALID.

GEMARA. We have learnt elsewhere<sup>3</sup> : If the [cross-beam above an] alley-entry<sup>4</sup> is more than twenty cubits high, it must be lowered. R. Judah says this is unnecessary. Now wherein lies the difference [between the two cases that] with regard to the Sukkah it is declared NOT VALID, while with regard to [the cross-beam over] the alley-entry, a remedy is indicated? — With regard to the Sukkah, since it is a Pentateuchal<sup>5</sup> ordinance, it [was proper categorically to] state, NOT VALID;<sup>6</sup> with regard to [the cross-beam over] an alley-entry, however, since the injunction is only Rabbinical,<sup>7</sup> a remedy is given.<sup>8</sup> And, if you wish, you may say that even with a Pentateuchal command a remedy may be given, but with regard to the Sukkah, as the ordinances relating thereto are many it was briefly stated, NOT VALID<sup>9</sup> [while in the case of a cross-beam over] an alley-entry, since the regulations thereof<sup>10</sup> are not many, a remedy is indicated.

Whence do we know this?<sup>11</sup> — Rabbah answered: Scripture says, That your generations may know<sup>12</sup> that I made the children of Israel to dwell in booths,<sup>13</sup> [with a booth] up to twenty cubits [high] a man 'knows' that he is dwelling in a booth, but with one higher than twenty cubits he does not 'know' that he is dwelling in a booth, since his eye does not descry it.<sup>14</sup> R. Zera replied: From the following verse, And there shall be a booth for a shadow in the daytime from the heat.<sup>15</sup> [With a booth] up to twenty cubits [high] a man sits in the shade of the booth;<sup>16</sup> but with one higher than twenty cubits he sits, not in the shade of the booth<sup>16</sup> but in the shade of its walls.<sup>17</sup> Said Abaye to him,<sup>18</sup> But if so, if a man made his Sukkah in Ashteroth Karnayim<sup>19</sup> would it also be no valid Sukkah? — He answered him: In that case, remove the 'Ashteroth Karnayim' and there will remain the shade of the Sukkah, but here, remove the walls, and you have no shade of a Sukkah.<sup>20</sup>

Raba replied: [It is derived] from the following verse, Ye shall dwell in booths seven days,<sup>21</sup> the Torah declared, For the whole seven days leave thy permanent abode and dwell in a temporary abode. [With a booth] up to twenty cubits [high] a man makes his abode a temporary one; [in one] higher than twenty cubits, a man does not make his abode temporary, but permanent.<sup>22</sup> Said Abaye to him, But if so, if he made walls of iron and placed the [proper] covering<sup>23</sup> over them, would it also<sup>24</sup> be no valid Sukkah. The other answered him, it is this that I mean to tell you: [In a booth] up to twenty cubits, which a man makes his temporary abode, even if he makes it permanent, he has fulfilled his obligation; [but in one] higher than twenty cubits, such as a man makes his permanent abode, even if he makes it temporary, he has not fulfilled his obligation.

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(1) The booth set up at the Feast of Tabernacles in fulfilment of Lev. XXIII, 42.

(2) In its interior.

(3) 'Er. I, 1.

(4) If an alleyway has courtyards opening into it, while on one side it is open to a public domain, a cross-beam placed over the entrance imparts to it some of the characteristics of a private domain within which freedom of movement on the Sabbath is permitted.

(5) V. Supra n. 1.

(6) The suggestion of a remedy might have been misunderstood as being mere advice the neglect of which did not vitally affect the performance of the precept, and so it would be concluded that ex post facto the Sukkah may be deemed fit. (V. Tosaf. 'Er. 2a s.v. סוכה contra Rashi).

(7) According to the Pentateuchal ordinance three walls suffice to make an enclosure private.

- (8) There is no need for so much precaution in the case of a Rabbinical, as in that of a Pentateuchal law.
- (9) Thus presenting a succinct ruling covering all disqualifications. Were remedies for each disqualification to be indicated the ruling would have extended to undue lengths, contrary to the principle of brevity in teaching (v. Pes. 3b).
- (10) Given in the cited Mishnah 'Er. I, 1.
- (11) That the prescribed height of a Sukkah is Pentateuchal.
- (12) Emphasis on 'know'.
- (13) Lev. XXIII, 43.
- (14) The roof covering סכך Which is the essential feature of the Sukkah.
- (15) Isa. IV, 6.
- (16) Sc. the roof (cf. supra n. 5).
- (17) Whose shadows completely fill the interior and render that of the roof superfluous.
- (18) R. Zera.
- (19) A glen between two high mountains where the sun cannot penetrate. Lit., 'Ashteroth of the two horns', v. Gen. XLV, 5.
- (20) Since the high roof would not suffice to exclude the sunshine that comes streaming in from the sides.
- (21) Lev. XXIII, 42.
- (22) Such a high structure requires firm foundations and walls and these give it the characteristics of a permanent abode.
- (23) סכך, 'to cover' refers especially to the valid covering of a Sukkah,
- (24) Since it is a permanent structure.

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All<sup>1</sup> do not agree with [the deduction of] Rabbah, since that [verse]<sup>2</sup> refers to the knowledge of [future] generations. Nor do they agree with R. Zera, since that verse<sup>3</sup> refers to the Messianic age.<sup>4</sup> [What, however, does] R. Zera [answer to this objection]?- [he could answer], If so, the verse could read 'And there shall be a covering for a shadow in the daytime'. Why then was it stated, 'And there shall be a booth for a shadow in the daytime'? Hence you must infer therefrom both points.<sup>5</sup>

Nor do they<sup>6</sup> agree with Raba, on account of the objection of Abaye.<sup>7</sup>

Whose authority is followed in the statement made by R. Josiah in the name of Rab, that the difference of opinion<sup>8</sup> is where the walls do not reach the covering, but where the walls do reach the covering the sukkah is valid, even if it is higher than twenty cubits?

'Whose authority is followed' [you ask]? it is in accordance with Rabbah whose reason<sup>9</sup> is that the eye does not descry it, but where the walls reach the covering, the eye<sup>10</sup> does descry it.

Whose authority is followed in the statement made by R. Huna in the name of Rab, that the difference of opinion<sup>8</sup> is where the area of the sukkah was only four cubits square but where it was more than four cubits square [both agree] that even if it is higher than twenty cubits it is valid? — In agreement with whom [you ask]? In agreement with R. Zera who gives as the reason<sup>11</sup> the [character of the] shade, and, since it<sup>12</sup> is spacious- there is the shade of a Sukkah.<sup>13</sup>

Whose authority is followed in the statement made by R. Hanan b. Rabbah in the name of Rab, that the difference of opinion<sup>14</sup> is only where [the Sukkah] can contain [only] a person's head, the greater part of his body, and his table,<sup>15</sup> but where it is larger than this [both agree] that even if it is higher than twenty cubits it is valid? — In agreement with whom [you ask]? In agreement with none.<sup>16</sup>

It is understandable that R. Josiah disagrees with R. Huna and with R. Hanan b. Rabbah, since they lay down a [minimum] measurement in the extent [of the Sukkah] while he does not lay down a minimum measurement as to the extent [thereof]; but [as regards] R. Huna and R. Hanan b. Rabbah,

can we say that they differ on [what minimum of extent constitutes] the validity of the Sukkah, the former<sup>17</sup> holding the opinion that the validity of the sukkah [depends upon its being a minimum of] four cubits [square] while the latter<sup>18</sup> holds that the validity of the sukkah [depends, upon its capacity of] containing his head, the greater part of his body, and his table?— No! Both may agree that the validity of the Sukkah [depends upon its capacity of] containing his head, the greater part of his body, and his table, but here they differ on the following principle: One master<sup>18</sup> holds the opinion that they<sup>19</sup> differ where the Sukkah [can] contain [only] his head, the greater part of his body, and his table, but if it is larger than this both agree that it is valid,<sup>20</sup> while the other master<sup>17</sup> holds the opinion that they differ [about a Sukkah whose size is] between [one capable of] containing his head, the greater part of his body and his table, and one four cubits square, but if it is more than four cubits square, both agree that it is valid.<sup>21</sup>

It was objected:<sup>22</sup> A Sukkah which is higher than twenty cubits is not valid, but R. Judah declared it valid up to a height of forty or fifty cubits. R. Judah stated, ‘It happened with Queen Helena<sup>23</sup> in Lydda<sup>24</sup> that her Sukkah was higher than twenty cubits, and the elders nevertheless were going in and out of it and spoke not a word to her [in disagreement]’. They said to him, ‘Is<sup>25</sup> this a proof? She was a woman and [therefore] free from the obligation of the Sukkah’.<sup>26</sup> He answered them, ‘Did she not have seven sons? And besides, she did nothing except in accordance with the command of the Sages’. Why does he have to add ‘and besides, she did nothing except in accordance with the command of the Sages’? Thus he said to them: If you will answer [with regard to her seven sons] that her sons were minors<sup>27</sup> and minors are free from [the obligation of] the sukkah, since [however] she had seven, there must have been at least one<sup>28</sup> who was [old enough] not to be dependent on his mother; and if you will object that [the duty of educating] a child who is not dependent on his mother is merely a Rabbinical injunction, and she took no heed of a Rabbinical injunction, I<sup>29</sup> add ‘and besides, she did nothing except in accordance with the command of the Sages’. Now this [Baraita] is well according to the authority who says that their<sup>30</sup> difference of opinion was in the case where the walls did not reach the covering;<sup>31</sup> since it is the custom of a queen to sit in a sukkah whose walls do not reach the roof

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- (1) The Amoras, supra 2a, who dealt with the question, whence is it derived that the prescribed height of a Sukkah is Pentateuchal.
  - (2) Lev. XXIII, 43.
  - (3) Isa. IV, 6.
  - (4) When there shall be booths for shelter against heat etc.
  - (5) That (a) there will be a Sukkah in the Messianic age and (b) only one whose roof provides the necessary shadow is valid.
  - (6) V. supra n. 3.
  - (7) Supra 2a ad fin.
  - (8) In our Mishnah, between the first anonymous authority and R. Judah.
  - (9) For the ruling of the first Tanna.
  - (10) Travelling up the walls.
  - (11) For the ruling of the first Tanna.
  - (12) The Sukkah.
  - (13) Sc. the roof covering.
  - (14) V. p. 3, n. 10.
  - (15) They used to eat reclining on a couch by the table.
  - (16) Since even when the Sukkah can contain more than his head, greater part of his body and table, all the reasons given by the above authorities for disqualifying a Sukkah higher than twenty cubits still apply.
  - (17) R. Huna.
  - (18) R. Hanan b. Rabbah.
  - (19) The anonymous authority in our Mishnah and R. Judah.
  - (20) Even when higher than twenty cubits.

- (21) I.e., according to R. Zera, since on account of its spaciousness there is the shade of a Sukkah in it.
- (22) Against the Amoras who laid down supra the principles on which the authorities in our Mishnah differ.
- (23) A famous royal convert to Judaism, about the year thirty C.E. She was Queen Adiabene, wife of Monobaz I, and mother of Monobaz II. She visited Palestine about forty-three C.E. and presented a golden portal to the Temple (Yoma 37a). She was buried in Jerusalem.
- (24) A town in Palestine, west of Jerusalem, noted as a seat of scholarship after the destruction.
- (25) Lit., 'from there'.
- (26) Since it is a commandment dependent upon a specified time for its performance from which women are exempt.
- (27) Under thirteen years of age.
- (28) Who, although still a minor, must be educated in the observance of the commandments of the Torah.
- (29) Lit., 'come and hear'.
- (30) That of R. Judah and the first Tanna in our Mishnah.
- (31) Of the Sukkah.

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because of ventilation; but according to the authority who states that they differed only in the case of a small' Sukkah,<sup>1</sup> is it then customary for a queen to sit in a diminutive sukkah?<sup>2</sup> — Rabbah b. Adda answered, The ruling was necessary only in the case of a Sukkah constructed with many recesses.<sup>3</sup> Is it then customary for a queen to sit in a sukkah with many recesses? — R. Ashi answered: [The ruling] was necessary only in the case of the recesses in it.<sup>4</sup> The Rabbis hold the opinion that her sons sat in the proper Sukkah, while she sat in one of the recesses for reasons of modesty, and hence they<sup>5</sup> made no remark,<sup>6</sup> while R. Judah was of the opinion that her sons sat with her,<sup>7</sup> and still they<sup>5</sup> made no remark.

R. Samuel b. Isaac<sup>8</sup> stated, The halachah is that [the Sukkah] must be able to contain his head, the greater part of his body, and his table. R. Abba said to him, In agreement with whom is this ruling? Is it in agreement with Beth Shammai?<sup>9</sup> -The other answered him,, According to whom else? Another version: R. Abba said to him, Who holds this opinion?-He answered, 'Beth Shammai, and<sup>10</sup> do not budge from it'.

R. Nahman b. Isaac demurred: Whence do we know that Beth Shammai and Beth Hillel are in dispute concerning a small Sukkah? Perhaps their dispute concerns a large Sukkah, as for instance, where a man sat at the entrance of the Sukkah with his table inside the house,<sup>11</sup> Beth Shammai holding the opinion that we prohibit it lest he be drawn after the table, while Beth Hillel hold that we do not prohibit it? This, furthermore, may be deduced also [from the wording], for it was stated, 'If his head and the greater part of his body were within the Sukkah but his table was within the house, Beth Shammai declare it invalid, and Beth Hillel declare it valid;'<sup>12</sup> but if it is [as you say]<sup>13</sup> it ought to read, [If the Sukkah can] contain, or cannot contain [his head etc.].<sup>14</sup>

But do they not dispute concerning a small Sukkah? Has it not in fact been taught: [If a Sukkah can] contain his head, the greater part of his body and his table, it is valid. Rabbi says, It must be four cubits square. While in another [Baraita] it has been taught: Rabbi says, Any Sukkah which is not four cubits square is invalid, while the Sages say, Even if it can contain only his head, and the greater part of his body it is valid. Whereas of 'his table' there is no mention. Does not thus<sup>15</sup> a contradiction arise between the two [Baraitas]? We must consequently infer therefrom that one is [according to] Beth Shammai, and the other according to Beth Hillel!<sup>16</sup>

Mar Zutra observed, The wording of this Mishnah<sup>12</sup> also proves it,<sup>13</sup> since it says: 'Beth Shammai declare it invalid, and Beth Hillel declare it valid', and if it were [as you say]<sup>17</sup> it ought to read: Beth Shammai say', He has not fulfilled his obligation while Beth Hillel say that he has.<sup>18</sup> But do not the words, 'He [whose head etc.] were'<sup>19</sup> present a difficulty? — The fact is that they differ on two

[points], on a small Sukkah and a large one, but the text is defective and is to be read thus: 'He whose head and the greater part of his body were within the sukkah and his table within the house,'<sup>20</sup> Beth Shammai say, He has not fulfilled his obligation and Beth Hillel say, He has; and if it is [able to] contain only his head and the major part of his body alone,<sup>21</sup> Beth Shammai declare it invalid and Beth Hillel valid.' Who is the authority for that which our Rabbis taught: 'A house which is not four cubits square is free from the obligations of Mezuzah<sup>22</sup>, and parapet,<sup>23</sup> does not contract levitical uncleanness from leprosy,<sup>24</sup> is not irredeemable among the dwelling houses of a walled city,<sup>25</sup> nor does one return on its account from the array of war,<sup>26</sup> nor need an 'Erub<sup>27</sup> be prepared for it, nor Shittuf,<sup>27</sup> nor does one place therein an 'Erub<sup>28</sup>

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- (1) But agreed where it was a large one.
  - (2) Obviously not. Why then did the Rabbis in this case differ from R. Judah?
  - (3) Since each recess was small the Rabbis may well have regarded it as invalid.
  - (4) Sc. It was a large Sukkah with recesses in it.
  - (5) The elders.
  - (6) Since a woman is exempt from Sukkah.
  - (7) In the recesses.
  - (8) Var. lec., R. Huna.
  - (9) It cannot be in agreement with Beth Hillel who (infra 28a) do not require a Sukkah to be capable of containing also one's table.
  - (10) Although the halachah is usually according to Beth Hillel.
  - (11) I.e., the Sukkah was built on to the house
  - (12) Mishnah infra 28a.
  - (13) That the point at issue is a small Sukkah.
  - (14) It may, therefore, be concluded that the point at issue is a Sukkah that was large.
  - (15) Since the former does, and the latter does not mention 'his table'.
  - (16) Which proves that Beth Shammai and Beth Hillel dispute concerning a small Sukkah.
  - (17) That the dispute related to a large Sukkah.
  - (18) Since the Sukkah itself is valid.
  - (19) As has been pointed out supra in support of R. Nahman b. Isaac's demur.
  - (20) Referring to a large Sukkah.
  - (21) Referring to a small Sukkah.
  - (22) V. Deut. VI, 9 and Glos.
  - (23) V. Ibid. XXII, 8.
  - (24) V. Lev. XIV, 34ff
  - (25) V. Ibid. XXV, 29, 30. Houses in walled cities, if sold, were irredeemable after twelve months, and remained in perpetuity the buyers', v. Lev. XXV, 30. A structure less than four cubits square is not regarded as a 'house', and none of the above-mentioned laws are applicable to it. It may be redeemed at any time, and if it was not redeemed it returns to the seller in the jubilee year.
  - (26) V. Deut. XX, 5.
  - (27) V. Glos,
  - (28) I.e., this structure cannot be regarded as one of the houses wherein the 'Erub of the courtyard may be placed.

### **Talmud - Mas. Sukkah 3b**

nor make of it an extension<sup>1</sup> between two cities, nor can brothers or partners divide it '2 Must we say that it agrees with Rabbi,<sup>3</sup> and not with the Rabbis?<sup>4</sup> — No! One can even say that it agrees with the Rabbis. The Rabbis say it<sup>5</sup> only with regard to a Sukkah which is a temporary abode, but with regard to a house which is a permanent abode, even the Rabbis admit that if it has an area of four cubits square, people dwell therein,<sup>6</sup> otherwise, they do not dwell therein.

The Master said, 'It is free from the obligations of Mezuzah, and parapet, does not contract

levitical uncleanness from leprosy, is not irredeemable among the houses of a walled city, nor does one return on its account from the array of war'. What is the reason? — Because the term 'house' occurs in all [these commandments].<sup>7</sup>

'Nor need an 'Erub be prepared for it, nor Shittuf, nor does one place therein an 'Erub'. What is the reason?—Since it is unsuitable as a dwelling.<sup>8</sup> Now the 'Erub of courtyards is not placed therein, but a Shittuf<sup>9</sup> may be placed therein. What is the reason? — Since it is no worse than a courtyard within an alleyway as we have learnt, 'The 'Erub of courtyards [are placed] in a courtyard, and the shittuf of an alley in the alley',<sup>10</sup> and the point was raised, [How can it be said that], 'The 'Erubs of courtyards [are placed] in a courtyard'? Have we not in fact learnt,<sup>11</sup> If a man placed his 'Erub in a gatehouse<sup>12</sup> or in an exedra, or in a gallery, it is no valid 'Erub,<sup>13</sup> and he who dwells therein cannot be a cause of prohibition?<sup>14</sup> — Say rather, 'Erubs of courtyards [are placed] in a house of the courtyard, and the Shittufs of alleys in a courtyard of the alley; and this<sup>15</sup> is no worse than a courtyard in an alley.

'Nor make of it an extension between two cities'. Since it is not regarded even as an outpost.<sup>16</sup> What is the reason?— Outposts are suitable for their purpose,<sup>17</sup> but this is unsuitable for anything.<sup>18</sup>

'Nor can brothers or partners divide it'. The reason apparently is that it is not four cubits square, but if it were four cubits square, [presumably] they could divide it.<sup>19</sup> But have we not learnt, A courtyard should not be divided unless there be four cubits to each [of the parties]?<sup>20</sup> — Say rather, The law of division<sup>21</sup> does not apply to it, as [it does in the case of] a courtyard. For R. Huna ruled, 'A courtyard is divided according to the number of its doors',<sup>22</sup> and R. Hisda said, 'Four cubits are allowed for each door and the remainder is divided equally', but this<sup>23</sup> applies only to a house which is intended to stand, [and therefore] we allow it a [share in the] courtyard; but as to this [a hovel] which is intended to be demolished, we do not allow it [a share in the] courtyard.

If [a Sukkah] was more than twenty cubits high and he diminished its [height] with bolsters and cushions it is not a [valid] diminution,

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(1) A legal fiction whereby a house between two cities' (situated at a distance of a hundred and forty-one and a third cubits from each other) 'extends' the boundaries of each if it was equidistant from both. The two cities are then treated as one, and walking from one to the other and along distances of two thousand cubits from each city in all directions is permitted on the Sabbath.

(2) If it fell to brothers as an inheritance, or if it belonged to partners who wish to dissolve their partnership. V. Mishnah B.B., I, 6.

(3) Who regards a Sukkah less than four cubits square as invalid.

(4) Is it likely, however, that an anonymous Baraita represents the view of an individual against that of the majority?

(5) That a structure less than four cubits is valid.

(6) And it can, therefore, be regarded as a 'house'.

(7) V. Deut. VI, 9; XXII, 8; Lev. XIV, 35; XXV, 29; Deut. XX, 5.

(8) And consequently unfit for an 'erub whose function is to combine all the residents into one group that virtually dwells in the house where it is deposited. For the same reason only the resident of a house that is suitable as a dwelling imposes restrictions on his neighbours unless he joined in the 'Erub. One that is 'unsuitable may be regarded as non-existent (cf. 'Er. 49a).

(9) Whose function is not the combination of dwellings but that of courtyards.

(10) 'Er. 85b.

(11) Mishnah 'Er. VIII, 4.

(12) A porter's lodge.

(13) Cf. supra n. 2 mut. mut.

(14) To the other inmates as regards carrying in the courtyard. How then could it be said that an 'Erub deposited in an open courtyard is valid?

- (15) A house less than four cubits square.  
 (16) בורגני Gr. \*\* an isolated turret outside a city.  
 (17) A night's lodging.  
 (18) Lit., 'for its purpose', to serve as a dwelling for which purpose a house is built.  
 (19) I.e., presumably they could compel each other to divide.  
 (20) B.B. 11a.  
 (21) As explained presently by R. Huna and R. Hisda.  
 (22) V. B.B., Sonc. ed., p. 54, n. 5.  
 (23) That house owners are entitled to certain shares in their common courtyard.

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even though he abandoned them<sup>1</sup> since his intention is canceled by that of other men;<sup>2</sup> if [he spread] straw [in order to diminish the height] and abandoned it, it is a [valid] diminution, and much more so is this the case with earth which he abandoned. [If he spread] straw which he had no intention of removing<sup>3</sup> or earth concerning which his intention is unknown — this is a matter of dispute between R. Jose and the Rabbis. For we have learnt, If a house was filled with straw or gravel and the owner announced his intention to abandon it, it is duly abandoned.<sup>4</sup> [Thus only if] he expressly abandoned it,<sup>5</sup> is it not regarded as abandoned, but if he did not expressly do so, it is not so regarded; and with regard to this we have learnt, R. Jose ruled: Straw which he has no intention of removing is like ordinary earth<sup>6</sup> and is deemed to be abandoned; earth which he intends to remove [later] is like ordinary straw<sup>6</sup> and is not deemed to be abandoned.<sup>7</sup> [If a Sukkah] was more than twenty cubits high but palm-leaves<sup>8</sup> hung down within the twenty cubits, if the shade<sup>9</sup> is more than the sun,<sup>10</sup> it is valid, otherwise it is invalid. If [the sukkah] was ten handbreadths high<sup>11</sup> and palm-leaves hung down within the ten cubits, Abaye<sup>12</sup> intended to say that if the sun [that penetrates through them] is more than their shade, it is valid,<sup>13</sup> [but] Raba said to him, This is a house [whose roof] hangs low down, and no man lives in such a dwelling. If it was higher than twenty cubits and he built a ledge at the middle wall<sup>14</sup> along its whole length<sup>15</sup> and it<sup>16</sup> has the minimum size of a valid Sukkah,<sup>17</sup> it<sup>18</sup> is valid.<sup>19</sup> If [he built the ledge] on a side [wall], — if from the edge of the ledge to the wall [opposite] there are four cubits,<sup>20</sup> it<sup>21</sup> is invalid; but if the distance was less than four cubits, it<sup>18</sup> is valid.<sup>22</sup> What principle does he teach us by this ruling? That we apply the rule of the 'curved wall'?<sup>23</sup> But have we not [already] learnt it: A house [the middle of whose flat roof] is missing and one placed the valid covering of a Sukkah upon it,<sup>24</sup> if there are four cubits from the [top of the] wall to the covering, it<sup>25</sup> is invalid;<sup>26</sup> which [shows that] if the distance was less than this it is valid?<sup>27</sup> — One might have thought that only there<sup>28</sup> [it is valid] since [each side] is suitable [to serve] as a wall;<sup>29</sup> but that here<sup>30</sup> since it<sup>31</sup> is unsuitable for a wall, one might say that it is invalid, [therefore] we were taught [that even here the principle<sup>32</sup> is applied].

If [a sukkah] was higher than twenty cubits and one built a platform in the middle of it, if there are four cubits on every side between the edge of the platform and the wall, it<sup>33</sup> is invalid; but if the distance is less than four cubits, it is valid. What principle does this teach us? That we apply the rule of the 'curved wall'?<sup>34</sup> But is not this principle identical with the former one?—One might have thought that we apply the rule of the 'curved wall' on one side only, but not on every side, therefore we were taught [that we apply it to all sides also].

If [a Sukkah] was less than ten handbreadths in height and one hollowed out<sup>35</sup> [a hole]<sup>36</sup> in order to bring it to [ten handbreadths], — if there was a distance of three handbreadths from the brim of the hollow to the wall, it is invalid;

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- (1) I.e., he declared them to be null and void and as part of the ground for the duration of the Festival. ‘  
 (2) Who would still regard them as cushions.  
 (3) During the Festival; but he did not actually pronounce the formula of annulment.

- (4) And the house is regarded as filled in respect of the laws of ohel, v. 'Er., Sonc. ed., fol. 78b, notes.
- (5) I.e., pronounced the formula of annulment.
- (6) Concerning which the owner's intention is unknown.
- (7) It has thus been shown that all agree that straw or earth that had been explicitly abandoned is deemed to be duly abandoned, and that straw about which the owner's intention is not known and earth which he intends to remove is not regarded as abandoned, while as regards straw or earth which the owner does not intend to remove and earth about which the owner's intention is not known there is a divergence of view between R. Jose, who deems it to be abandoned, and the Rabbis.
- (8) Which form the roof covering.
- (9) Of the palm-leaves that hang down.
- (10) Since the palm-leaves may be regarded as a valid covering within the twenty cubits.
- (11) The minimum height.
- (12) On the analogy of the previous ruling.
- (13) Since their presence adds no substantial shade.
- (14) A Sukkah generally has only three walls, the fourth side being the door. The 'middle wall' is the one between the two side walls.
- (15) So that it reached the side walls.
- (16) The ledge.
- (17) Seven handbreadths and a fraction square.
- (18) The entire Sukkah, even the area between the ledge and the door.
- (19) The area of the ledge being regarded as a small valid Sukkah with three walls, while the remainder is treated as an extension of it (cf. infra 19a).
- (20) Since in this case the ledge had no more than two walls.
- (21) The entire Sukkah.
- (22) Because the roof, (cf. infra 6b) above the area between the ledge and the opposite wall is regarded as a continuation of that wall which thus serves as a third wall for the ledge.
- (23) Sc., that a part of a ceiling may be regarded as the curved extension of a wall that adjoined it.
- (24) The hole.
- (25) The entire house.
- (26) As a Sukkah.
- (27) Infra 17a. Why then should the same principle be taught twice?
- (28) In the case of the broken roof.
- (29) I.e., it is not higher than the permitted maximum
- (30) In the case of the ledge, where the wall opposite is higher than the permitted size.
- (31) The wall opposite the ledge.
- (32) Of 'curved wall'.
- (33) The entire Sukkah, even on the platform.
- (34) Sc. that a part of a ceiling may be regarded as the curved extension of a wall that adjoined it.
- (35) In the floor.
- (36) Extending over an area of the prescribed minimum size of a Sukkah (Rashi).

## **Talmud - Mas. Sukkah 4b**

if the distance was less than three handbreadths<sup>1</sup> it is valid. Why do we say there<sup>2</sup> 'less than four cubits', and here 'less than three handbreadths'? In the former case where there is a wall,<sup>3</sup> it is sufficient [if the distance is] 'less than four cubits'; in the latter case, however, where a wall has to be made,<sup>4</sup> [if the distance is] 'less than three handbreadths' it is [valid]; otherwise it is not.

If [a sukkah] was more than twenty cubits high and one erected in it<sup>5</sup> a pillar ten handbreadths high, and large enough for a valid sukkah,<sup>6</sup> [in this case] Abaye intended to say the partitions<sup>7</sup> are deemed to be continued upward,<sup>8</sup> [but] Raba said to him: Recognizable partitions are necessary, which these are not.



Our Rabbis taught: If a man drove four poles into the ground and put the sukkah-covering on them, R. Jacob declares it valid and the Sages declare it invalid. R. Huna stated: The dispute relates only [to poles erected] on the edge of a roof, where R. Jacob holds that we apply the rule of 'the partition continues upward'<sup>9</sup> while the Sages hold that we do not apply the rule of 'the partition continues upward'; but [if they were erected] in the middle of the roof,<sup>10</sup> all agree that [the Sukkah is] invalid.<sup>11</sup> R. Nahman, however, maintained that the dispute relates only [to poles erected] in the middle of the roof.<sup>12</sup> It was asked: [Does he mean that] the dispute concerns only [poles that were erected] in the middle of the roof, but if such were erected on the edge of the roof all agree that it is valid,<sup>13</sup> or is it possible [that he means that] the dispute concerns both cases? — The question remains undecided.<sup>14</sup>

An objection was raised: If one drove poles in the ground and placed the Sukkah-covering over them, R. Jacob declares [such a sukkah] valid, and the Sages declare it invalid. Now the earth, surely, is [in respect of partitions] like the middle of a roof<sup>15</sup> and still R. Jacob regards [the Sukkah] as valid. Is this not, then, a refutation of R. Huna?<sup>16</sup> — It is indeed a refutation. Moreover, [presumably] they dispute<sup>17</sup> concerning the middle of the roof, only, but where [poles are put up] on the edge of the roof they all agree that it is valid. Must it then be said that this will refute R. Huna on two points?<sup>18</sup> -R. Huna could answer you: They disagree about poles in the middle of the roof, and likewise also about those on the edge, and the reason why the dispute concerns the middle of the roof is in order to show you how far R. Jacob's view extends viz., that even where the poles were in the middle of the roof he holds [the Sukkah] to be valid.

Our Rabbis taught: If a man drove four [round shaped] poles into the ground and covered them with the Sukkah-covering, R. Jacob ruled, We see: If it is found that on being planed and smoothed<sup>19</sup> there would remain the width of a handbreadth on two adjacent sides,<sup>20</sup> they<sup>21</sup> are treated as deymoads,<sup>22</sup> but if not, they cannot be treated as deymoads for R. Jacob used to say, The prescribed minimum width of the deymoads of a Sukkah is a handbreadth;<sup>23</sup> but the Sages say, Only if two [of the adjacent walls] are proper [walls], may the width of the third be only a handbreadth.

ONE OF WHICH IS NOT TEN HANDBREADTHS HIGH. Whence do we know this?- It was stated, Rab, R. Hanina, R. Johanan and R. Habiba learnt: (throughout all Seder Mo'ed<sup>24</sup> when these pairs are mentioned together [some] substitute the name of R. Jonathan for that of R. Johanan), the ark [of the covenant] was nine handbreadths high,<sup>25</sup> and the ark cover one handbreadth,<sup>26</sup> making a total of ten handbreadths, and it is written, And there I will meet with thee, and I will speak with thee from above the ark-cover;<sup>27</sup>

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(1) So that the rule of labud (v. Glos.) can be applied.

(2) In the case of the ledge.

(3) Since its height was no less than ten handbreadths.

(4) Since one lower than ten hand breadths cannot be regarded as a valid wall.

(5) Far away from the walls.

(6) I.e., its top had an area of no less than seven handbreadths and a fraction square.

(7) Sc. the side of the pillar.

(8) As far as the ceiling, and that, since the sides are no less than ten handbreadths high and the distance between the top of the pillar and the roof is less than twenty cubits, the pillar constitutes a valid Sukkah.

(9) The walls of the house, may, therefore, be regarded as continuing upward and forming walls for the Sukkah.

(10) So that the house walls are removed front the poles.

(11) The poles alone being insufficient to constitute valid walls.

(12) R. Jacob holding that poles provided the width of each is no less than a handbreadth, constitute valid walls for a Sukkah, while the Sages hold that a Sukkah must have no less than two valid walls adjacent to each other and a third one of the minimum width of a handbreadth.

- (13) On the principle of upward extension.
- (14) Teku (v. Glos.).
- (15) Since in neither case are there any partitions beneath the poles to which the rule of ‘partitions continue upward’ could be applied.
- (16) Who holds that, where the poles were erected in the middle of a roof, all agree that the Sukkah is invalid.
- (17) R. Jacob and the Rabbis, in the Baraitha just cited.
- (18) His statement (a) that all agree that poles in the middle of a roof constitute no valid Sukkah is refuted by the explicit statement in the Baraitha, while his statement (b) that the dispute concerns poles erected on the edge of the roof is refuted by the inference just made.
- (19) I.e., cut into a rectangular shape and a portion of the inside removed.
- (20) Of each pole.
- (21) Each of the corner-pieces.
- (22) **דִּיּוֹמָד** a rectangular corner-piece. The word is of uncertain derivation. Probably a hybrid, \*\*+עמוד, ‘two columns’ (Levy).
- (23) Unlike in the case of wells in connection with Sabbath, where the minimum is one cubit on each side, v, ‘Er. 17b.
- (24) The Order to which this tractate belongs.
- (25) A cubit and a half. V. Ex. XXV, 10. One cubit is equivalent to six handbreadths.
- (26) V. infra for the proof of this statement.
- (27) Ex. XXV, 22.

## Talmud - Mas. Sukkah 5a

and it has been taught, R. Jose stated, Neither did the Shechinah<sup>1</sup> ever descend to earth, nor did Moses or Elijah ever ascend to Heaven,<sup>2</sup> as it is written, ‘The heavens are the heavens of the Lord, but the earth hath He given to the sons of men’.<sup>3</sup> But did not the Shechinah descend to earth? Is it not in fact written, And the Lord came down upon Mount Sinai?<sup>4</sup> — That was above ten handbreadths [from the summit]. But is it not written, And His feet shall stand in that day upon the Mount of Olives?<sup>5</sup> — That will be above ten handbreadths. But did not Moses and Elijah ascend to Heaven? Is it not in fact written, And Moses went up unto God?<sup>6</sup> — [That was] to a level lower than ten [handbreadths from heaven]. But is it not written, And Elijah went up by a whirlwind into heaven?<sup>7</sup> — [That was] to a level lower than ten handbreadths. But is it not written, He<sup>8</sup> seizeth hold of the face of His throne, and He spreadeth His cloud upon him,<sup>9</sup> and R. Tanhum said: This teaches that the Almighty spread some of the radiance of<sup>10</sup> his Shechinah and his cloud upon him?<sup>11</sup> — That was at a level lower than ten handbreadths. But in any case is it not written, ‘He seizeth hold of the face of His throne’?<sup>12</sup> — The throne was well lowered for his sake until [it reached a level] lower than ten handbreadths [from Heaven] and then he<sup>11</sup> seized hold of it.

One can well understand that the ark was nine [handbreadths high] since it is written, And they shall make an ark of acacia wood: two cubits and a half shall be the length thereof, and a cubit and a half the breadth thereof, and a cubit and a half<sup>13</sup> the height thereof,<sup>14</sup> but whence do we know that the ark-cover was a handbreadth [high]? — From that which R. Hanina learned: As for all the vessels which Moses made, the Torah gave the measurements of their length and breadth and height, [while in the case of] the ark-cover its length and its breadth are given,<sup>15</sup> but not its height.<sup>16</sup> Proceed, therefore, to deduce it from the smallest of the vessels, concerning which it is said, And thou shalt make unto it a border of a handbreadth round about.<sup>17</sup> Just as there the height was a handbreadth so was it there also a handbreadth. But why should not our deduction be made from the vessels themselves?<sup>18</sup> — If one select the greater, one does not select well; if one select the lesser, one selects well.<sup>19</sup> But why should not our deduction be made from the plate of gold,<sup>20</sup> as it was taught: ‘The ziz<sup>21</sup> was in the shape of a plate of gold two finger-breadths broad and stretching from ear to ear, and upon it were engraved two lines, Yod and He<sup>22</sup> above, and Kodesh<sup>23</sup> [followed by a] Lamed<sup>24</sup> below,<sup>25</sup> and R. Eliezer son of R. Jose said, I saw it in Rome<sup>26</sup> and it had Kodesh Ladonai<sup>27</sup> on one line? — We deduce [the measurements of a] vessel from another vessel, but we do not

deduce [the measurements of a] vessel from an ornament. Why then should we not deduce from the crown,<sup>28</sup> of which a master stated, The crown was on the smallest possible size?<sup>29</sup> — We deduce the size of a vessel from that of another vessel, but not from the appurtenances of a vessel. If so, [it may be objected] was not the border also an appurtenance of a vessel?<sup>30</sup> — The border was below [the top of] the table.<sup>31</sup> This is correct according to the authority who holds that the border was below, but according to the authority who holds that it was above<sup>32</sup> what can one answer<sup>33</sup> seeing that it<sup>34</sup> was only an appurtenance of a vessel? — The fact is that one adduces the size of a thing some of whose measurements are given by the Torah from another thing whose measurements are given by the Torah, but no deduction can be made from the plate of gold or the crown of which the Torah gave no measurements at all.

R. Huna said: [The height of the ark-cover may be deduced] from the following verse, Upon the face of the ark-cover' on the east,<sup>35</sup> and a 'face' is not smaller than a handbreadth. But perhaps it means a face like that

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(1) V. Glos.

(2) This is no doubt a polemic against the doctrine of the Ascension.

(3) Ps. CXV, 16. Now since the Shechinah descended as low as the ark-cover it may be concluded that the boundary of the earth is at that level, viz., ten handbreadths from, the ground. Consequently a wall whose height is less than ten handbreadths cannot be regarded as a valid wall.

(4) Ex. XIX, 20.

(5) Zech. XIV, 4.

(6) Ex. XIX, 3.

(7) II Kings II, 11.

(8) Moses.

(9) Job XXVI, 9. (E.V., 'it').

(10) R. Tanhum explains the word פֶּרְשׁוּ Parshez as a notarikon, an abbreviation for Paras SHaddai Ziw, 'The Almighty spread the radiance of'.

(11) Moses.

(12) The throne, surely, is in heaven.

(13) I.e., nine handbreadths (a cubit equals six handbreadths).

(14) Ex. XXV, 10.

(15) Ex. XXV, 17.

(16) I.e., its thickness.

(17) Ibid. v. 25.

(18) Which were higher than a handbreadth.

(19) Proverb. Lit., 'If thou hast seized much, thou hast not seized; if thou hast seized little, thou hast seized.' The lesser is included in the greater, but the greater is not included in the lesser. The selection of the lesser is, therefore, the safer course.

(20) Ex. XXVIII, 36; which was smaller than a handbreadth.

(21) E.V., 'plate of gold'. It was worn by the High priest on his forehead.

(22) One of the divine names.

(23) 'Holy'.

(24) 'To'.

(25) Sc. the divine name Yod He appeared on the left in the first line while 'Holy to' appeared on the right in the second line, so that by reading from right to left (as Semitic languages are to be read) one obtained the phrase 'holy to the Lord' (cf. Tosaf. s.v. קֹדֶשׁ a.l.).

(26) R. Eliezer accompanied R. Simeon b. Yohai to Rome, and saw there the vessels of the Temple which Titus had carried off after the destruction of the Temple in 70 C.E. V. Bacher, Agg. Tann, Heb. ed. Part II, vol. II, p. 100.

(27) 'Holy to the Lord'.

(28) Ex. XXV, II. The crown of gold round the ark.

(29) Lit., 'anything'.

- (30) How then could deduction be made from it?  
 (31) Joining its legs together and forming part of the structure.  
 (32) And thus served only as an ornament.  
 (33) To the objection, why should deduction be made from it and not from the crown.  
 (34) Like the crown.  
 (35) Lev. XVI, 14.

## Talmud - Mas. Sukkah 5b

of the Bar-Yokani?<sup>1</sup> — If one select the greater, one does not choose well, if one select the lesser, one does select well. Might it not be said that the face meant was one like that of a zipartha<sup>2</sup> which is very small? — R. Aha b. Jacob answered, R. Huna draws an analogy between two expressions of 'face'.<sup>3</sup> It is written here, '[Upon the face of the ark-cover]', and it is written elsewhere,<sup>4</sup> From the face of Isaac his father.<sup>5</sup> But why should we not deduce from the 'face' Above, concerning which it is written, As one seeth the face of God, and thou wast pleased with me?<sup>6</sup> -If one selects the greater, one does not select well; if one select the lesser, one selects well. Then why should we not deduce from the cherub,<sup>7</sup> concerning which it is written, Toward the face of the ark-cover shall the faces of the cherubim be?<sup>8</sup> — R. Aha b. Jacob answered, We have a tradition that the face of the cherubim was not less than a handbreadth, and R. Huna too made his deduction from this verse.<sup>9</sup> What is the derivation of cherub?— R. Abbahu said, 'Like a child', for in Babylon they call a child Rabia.<sup>10</sup> Said Abaye to him: If so,<sup>11</sup> how will you explain the Scriptural text, The first face was the face of the cherub and the second face the face of a man,<sup>12</sup> seeing that the face of a cherub is the same as that of a man?<sup>13</sup> — [One<sup>14</sup> has] a large face and the other a small face.<sup>15</sup>

But whence do we know that the height of the interior space<sup>16</sup> exclusive of the covering, must be ten [handbreadths] seeing that it might be said that the covering<sup>17</sup> also is included? — The fact is that the deduction<sup>18</sup> is made from the Temple covering of which it is written, And the house which King Solomon built for the Lord, the length thereof was threescore cubits, and the breadth thereof twenty cubits, and the height thereof thirty cubits,<sup>19</sup> and it is written, The height of the one cherub was ten cubits and so was it of the other cherub,<sup>20</sup> and it was taught, Just as we find in the Temple that the cherubim<sup>21</sup> reached to a third of the height thereof<sup>22</sup> so also in the Tabernacle<sup>23</sup> they reached to a third of its height.<sup>24</sup> Now what was the height of the Tabernacle? Ten cubits, as it is written, Ten cubits shall be the length of a board.<sup>25</sup> How much is this? Sixty handbreadths. How much is a third? Twenty handbreadths. Deduct the ten of the ark and the ark-cover,<sup>26</sup> and ten handbreadths remain; and it is written, And the cherubim shall spread out their wings on high, covering the ark-cover with their wings.<sup>9</sup> [From which we see that] the Divine Law calls [the wings that were stretched] above a height of ten handbreadths<sup>27</sup> a 'covering'.<sup>28</sup> But whence do we know that their wings were above their heads? Is it not possible that they were on a level with their heads.<sup>29</sup> — R. Aha b. Jacob answered, It is written 'On high'. But perhaps this means that the wings were raised very high?<sup>30</sup> — Is it then written, 'On high, on high'?

This explanation is satisfactory according to R. Meir, who says that all the cubits [in the Sanctuary] were normal cubits,<sup>31</sup> but according to R. Judah who says that the cubits of the edifice were six handbreadths, but of the vessels were five, what can be said? For how much [then] were the ark and cover?<sup>32</sup> Eight and a half,<sup>33</sup> so that eleven and a half handbreadths are left.<sup>34</sup> Shall we [therefore] say that [according to R. Judah] a Sukkah must be [at least] eleven and a half [handbreadths high]? — The fact is that according to R. Judah the law<sup>35</sup> was learnt as a tradition, for R. Hiyya b. Ashi citing Rab stated: The laws concerning [minima],<sup>36</sup> standards, interpositions<sup>37</sup> and partitions<sup>38</sup> are [a part of the] halachah that was given to Moses on Sinai. But are not the laws relating to minima Pentateuchal, since it is written, A land of wheat and barley, and vines and fig-trees and pomegranates, a land of olive-trees and honey,<sup>39</sup> and R. Hanin stated that all this verse was said in allusion to the prescribed minima. 'Wheat' is an allusion to the leprous house as we have

learnt: He who enters a leprous house with his clothes on his shoulders, and his sandals and rings in his hand, both he and they become instantaneously unclean;<sup>40</sup> [

- (1) A legendary bird of huge dimensions. Cf. Bek. 57b. Kohut (11 p. 178) connects it with Varaghna (Bactrian), an ostrich.
- (2) The smallest known bird. Probably a humming bird.
- (3) Which does not occur in connection with the zipartha.
- (4) Gen. XXVII, 30.
- (5) As in the latter case the reference is to a human face so it is also in the former.
- (6) Gen. XXXIII, 10.
- (7) Which might have been smaller than a handbreadth.
- (8) Ex. XXV, 20.
- (9) Ex. XXV, 20.
- (10) The first letter of the word כְּרוּב is regarded by him as the caph of comparison. R. Abbahu was a Palestinian.
- (11) That the size of the face of a cherub is no less than a handbreadth.
- (12) Ezek. X, 14.
- (13) If their sizes are identical why were they mentioned separately?
- (14) A human being.
- (15) But the size of neither is less than a handbreadth.
- (16) Of a Sukkah.
- (17) As in the case of the ark and ark-cover.
- (18) That the height of the interior of a Sukkah must be no less than ten handbreadths.
- (19) I Kings VI, 2.
- (20) Ibid. 26.
- (21) Standing on the floor.
- (22) Ten (the height of a cherub) is a third of thirty (the height of a house).
- (23) Standing on the ark (inclusive of the ark and ark-cover).
- (24) Of the Tabernacle.
- (25) Ex. XXVI, 16.
- (26) To arrive at the height of the cherubim.
- (27) From the ark-cover.
- (28) Rt. סִכָּךְ, the same as that of the word used for the covering of a Sukkah.
- (29) In which case, the hollow space between the wings and the ark-cover was only ten handbreadths minus the thickness of the wings.
- (30) Sc. above the height of ten handbreadths.
- (31) Six handbreadths.
- (32) Which are 'vessels'.
- (33) One and a half cubits of the ark (five plus two and a half) seven and a half handbreadths, and the ark-cover one handbreadth.
- (34) Between the ark-cover and the wings of the cherubim.
- (35) On the minimum height of a Sukkah.
- (36) The minimum quantities for forbidden things etc.
- (37) The amount of foreign matter which in ritual cleansing constitutes a bar between one's body and the water.
- (38) For purposes of Sabbath, Sukkah etc.
- (39) Deut. VIII, 8.
- (40) Since the clothes, sandals and rings were only carried by the man but not worn, they, like himself come under the Pentateuchal law of 'He that goeth into the house... shall be unclean' (Lev. XIV, 46).

## Talmud - Mas. Sukkah 6a

if however he was dressed in his garments, and his sandals were on his feet, and his rings on his fingers, he becomes instantaneously unclean, but they<sup>1</sup> remain clean<sup>2</sup> unless he carries there long

enough to eat half a loaf of wheaten bread but not of barley bread,<sup>3</sup> while in a reclining position and eating with condiment.<sup>4</sup> ‘Barley’? As we have learnt, A barley-corn's bulk of a bone<sup>5</sup> defiles by contact and by carrying, but not by ‘overshadowing’.<sup>6</sup> ‘Vines’ are an allusion to the fourth part [of a log of wine which is the minimum prohibited] to a Nazirite.<sup>7</sup> ‘Fig-trees’ allude to the size of a dry fig [which is the minimum measurement for transgressing the law against] the carrying out<sup>8</sup> of [food] on the Sabbath. ‘Pomegranates’? As we have learnt: All [defiled wooden] vessels belonging to householders<sup>9</sup> [become clean if the breaches in them] are as large as pomegranates.<sup>10</sup> ‘A land of olive-trees’ [is an allusion to the] land all of whose [minima] standards [for permitted and forbidden things] is the bulk of an olive. How can it possibly mean ‘all whose [minima] standards’? Are there not those which we have just mentioned? — Say rather, ‘The majority of whose [minima] standards are the bulk of an olive’. ‘Honey’ alludes to the size of a large date,<sup>11</sup> [which is the minimum size forbidden] on the Day of Atonement. Does it not then clearly follow that the [minima] standards are Pentateuchal?<sup>12</sup> — Do you then imagine that the [minima] standards were actually prescribed in the Pentateuch? [The fact is that] they are but traditional laws while the Scriptural verse is merely a support.

But are not [the laws of] interposition Pentateuchal, as it is written, And he shall wash his flesh in water<sup>13</sup> [which implies] that nothing should interpose between him and the water? The traditional law comes [to teach] concerning one's hair, in agreement with a statement of Rabbah b. Bar Hana, for Rabbah b. Bar Hana stated: One knotted hair constitutes an interposition;<sup>14</sup> three hairs do not, but I do not know [the law in the case of] two. But is not the law relating to one's hair also Pentateuchal, since it was written, And he shall wash [eth] his flesh in water<sup>13</sup> and [the word] ‘eth’ includes that which is joined to his body, i.e., his hair?<sup>15</sup> — The traditional law comes to teach with reference to [the ruling reported by] R. Isaac; for R. Isaac said:

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(1) Since they were worn in the usual manner.

(2) They are included in the category of ‘clothes’ which are only to be washed (cf. Lev. XIV, 47).

(3) Wheaten bread is the more easily eaten.

(4) Neg. XIII, 9.

(5) Of a corpse.

(6) Ohal. II, 3. ‘Overshadowing’ or ohel is the technical term, based on Num. XIX, 14 for the defilement conveyed by a dead body to everything within the same house or under the same roof or cover. Only a backbone, a skull or the greater part of the limbs of the body cause the defilement of a person in such circumstances.

(7) Num. VI, 3.

(8) From a private into a public domain and vice-versa.

(9) As opposed to those of craftsmen.

(10) Kel. XVII, 1. If wooden vessels which are unclean become broken, they revert to their cleanliness if the breach is so large, since no householder would continue the use of utensils broken to such an extent, and by losing the status of a utensil, an object becomes levitically clean. In the case of a craftsman's utensils, even holes as small as an olive, are sufficient to deprive them of the legal status of utensils, since they cause the utensils to be unfit for sale, and they consequently become clean.

(11) ‘Honey’ in the Bible is regarded as referring to dates’ honey.

(12) How then could Rab maintain supra 5b that they formed part of the traditional code given orally to Moses at Sinai?

(13) Lev. XIV, 9.

(14) Because it is possible to tie it so closely that no water could penetrate.

(15) The **נס** of the object is interpreted as including something not specifically mentioned.

## Talmud - Mas. Sukkah 6b

According to the word of the Torah<sup>1</sup> if most [of one's hair is covered]<sup>2</sup> and one minds it, an interposition is constituted,<sup>3</sup> and if one does not mind it, no interposition is constituted. [The Rabbis] however enacted a prohibition against [a covering of] most of one's hair, even if one does not mind

it, as a preventive measure [against the possibility of allowing an interposition on] most of one's hair where one does mind it, and that [a covering over] the minor part of one's hair where one minds it [shall constitute an interposition] on account [of the possibility of allowing an interposition over] most of one's hair where one minds it. Then why should not a prohibition be enacted against an interposition over the lesser part of one's hair where one does not mind it as a preventive measure against [the possibility of allowing an interposition over] the lesser part where one does mind it or the major part which one does not mind? — This ruling<sup>4</sup> itself is only a restrictive enactment; shall we come and institute a restrictive enactment against the possibility of infringing another restrictive enactment?<sup>5</sup>

[As for the laws of] partitions, these are those referred to above.<sup>6</sup> That is satisfactory according to R. Judah,<sup>7</sup> but according to R. Meir<sup>8</sup> what can one say?<sup>9</sup> — That the tradition refers to [the legal fiction] of extension,<sup>10</sup> junction<sup>11</sup> and the curved wall.<sup>12</sup>

OR WHICH HAS NOT THREE WALLS. Our Rabbis taught: Two [walls] must be of the prescribed dimensions, and the third [may be] even one handbreadth.<sup>13</sup> R. Simeon says: Three walls must be of the prescribed dimensions, and the fourth [may be] even one handbreadth.<sup>13</sup> On what principle do they differ? — The Rabbis hold that the traditional Scriptural text<sup>14</sup> is authoritative, while R. Simeon holds that the traditional reading<sup>15</sup> is authoritative. 'The Rabbis hold that the traditional Scriptural text is authoritative', and the word Sukkoth occurs twice defectively and once plene, making four references.<sup>16</sup> Deduct one<sup>17</sup> for the law itself,<sup>18</sup> and three remain; two [walls at least] must be of the prescribed dimensions, and tradition came and diminished [the prescribed minimum of] the third, reducing it to only one handbreadth. 'R. Simeon holds that the traditional reading is authoritative'. The word Sukkoth<sup>19</sup> is read thrice, which<sup>20</sup> equals six [references]. Deduct one Scriptural reference<sup>21</sup> for the law itself and four remain; three walls at least of prescribed dimensions, and tradition came and diminished the [prescribed minimum of the] fourth and reduced it to a handbreadth. And if you wish, you can say that they<sup>22</sup> are unanimous that the traditional reading is authoritative<sup>23</sup> but they differ in this; that one Master<sup>24</sup> holds that the covering heeds a Scriptural reference,<sup>25</sup> while the other Master<sup>26</sup> holds that it does not.<sup>27</sup> And if you wish you can say that they are unanimous that the traditional Scriptural text is authoritative,<sup>28</sup> but they differ on this principle; that one Master<sup>24</sup> holds that the tradition comes to diminish [the implications of Scripture]<sup>29</sup> while the other<sup>26</sup> holds that tradition comes and adds to it.<sup>30</sup>

And if you wish you can say that both agree that tradition comes to diminish and that the traditional Scriptural text is authoritative, but they differ as to whether one uses first [references] for exegesis. One Master<sup>26</sup> holds that we employ first references for exegesis, and the other Master<sup>31</sup> holds that we do not.

R. Mattenah said: The reason of R. Simeon is a derivation from the following verse: And there shall be a Sukkah for a shadow in the day-time from the heat, and for a refuge and for a covert from storm and from rain.<sup>32</sup> Where is this handbreadth [of a wall]<sup>33</sup> placed? — Rab said: It is placed at right angles to one of the projecting [walls].<sup>34</sup> R. Kahana and R. Assi said to Rab:

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(1) 'Torah' here means the halachah received by Moses on Sinai (Rashi).

(2) With mud; or each hair was knotted singly.

(3) So far in virtue of the halachah given to Moses on Sinai.

(4) That an interposition (a) over a minor part which one minds or (b) over a major part which one does not mind.

(5) Of course not. Hence the permissibility of an interposition over a minor portion which one does not mind.

(6) The height of a Sukkah.

(7) Who does not derive these laws from a Scriptural text.

(8) Who deduced the height of ten handbreadths from Scriptural verses.

(9) Sc. how could such laws which are Pentateuchal be described as merely traditional?

- (10) גוד a partition that does not reach (a) the ground or (b) the ceiling may in certain conditions be deemed to touch the ground and the ceiling respectively.
- (11) דבור small interstices, of less than three handbreadths, are disregarded, and the wall is deemed to be a solid whole.
- (12) דופן עקומה if a portion of the roof of a Sukkah consists of materials that are legally unfit for the purpose the Sukkah may nevertheless be valid if that portion is adjacent to any of its walls and terminates within a distance of four cubits from that wall. That portion of the roof together with the wall it adjoins are regarded as one curved wall; and the space under the remainder of the roof, consisting of suitable materials, may be used as a proper Sukkah.
- (13) In width.
- (14) The letters without the vowels, Sanh., Sonc. ed., p. 10, n. 4.
- (15) Irrespective of the spelling.
- (16) When the word סכת is written defectively it is regarded as singular, each word counting as one, and when it is plene it is regarded as a plural counting as two
- (17) Of the words denoting Sukkoth.
- (18) I.e., the law of Sukkah in general, that a Sukkah has to be made.
- (19) In the plural.
- (20) Since each plural form denotes two.
- (21) I.e., one word Sukkoth in the plural which denotes two.
- (22) The Rabbis as well as R. Simeon.
- (23) And there are therefore four references free for interpretation.
- (24) Sc. the Rabbis.
- (25) So that one of the four references is required for the roof and only three remain for the walls.
- (26) R. Simeon.
- (27) And four free references for the walls remain.
- (28) The number of free references is consequently three.
- (29) Thus reducing the third wall to one handbreadth.
- (30) I.e., Scripture teaches us the necessity of three walls and tradition adds a fourth.
- (31) Sc. the Rabbis.
- (32) Isa. IV, 6; unless there are four walls, the Sukkah is no refuge from storms.
- (33) Of the third wall according to the Rabbis and of the fourth according to R. Simeon.
- (34) Sc. if, for instance, (according to the Rabbis) there are only two walls running respectively from north to south along the east and from east to west along the south, meeting each other at south east, the small handbreadth wall is to be placed either at the northern end of the eastern wall or at the western end of the southern wall.

## Talmud - Mas. Sukkah 7a

Why not place it in a slanting position?<sup>1</sup> Rab remained silent. It was also stated: Samuel said in the name of Levi: It is placed at right angles to one of the projecting [walls], and so it is ruled in the Beth Hamidrash that it is placed at right angles to one of the projecting [walls]. R. Simon (or, as some say, R. Joshua b. Levi) ruled: One makes [the additional wall of the width of] a loose<sup>2</sup> handbreadth and places it within three handbreaths of the wall, since whatever is less than three handbreadths from the wall is regarded as joined to the wall.<sup>3</sup>

Rab Judah said, A Sukkah made like an [open] alley-way<sup>4</sup> is valid, and this handbreadth [wall] is placed in whatever side one pleases.<sup>5</sup> R. Simon (or, as some say, R. Joshua b. Levi) says, He makes a strip of slightly more than four [handbreadths]<sup>6</sup> and places it within three handbreadths of the wall, since whatever is less than three handbreadths from the wall is regarded as joined to the wall. But why did you say in the previous case<sup>7</sup> that one loose handbreadth suffices while here you say that there must be a strip of four handbreadths? — In the previous instance where there are two valid walls,<sup>8</sup> a loose handbreadth suffices, but here, where there are no two valid walls,<sup>9</sup> if there is a strip of four handbreadths it is valid, otherwise, it is not [valid]. Raba ruled, It<sup>10</sup> is only permitted if it has the form of a doorway.<sup>11</sup> Another version is that Raba said, And it<sup>10</sup> is also valid if it has the form of



a doorway.<sup>12</sup> Another version is that Raba said: And in addition,<sup>13</sup> the form of a doorway [to the intervening part] is necessary.<sup>14</sup> R. Ashi found R. Kahana making [the third wall of a Sukkah] a loose handbreadth wide<sup>15</sup> and constructing also the form of a doorway. He said to him: Does not the Master hold the opinion of Raba who said that it is also valid with the form of a doorway?<sup>16</sup> — He answered: I accept the other reading of [the statement of] Raba viz., that in addition [to a board of the size of a handbreadth] the form of a doorway is also necessary.

‘Two walls must be of the prescribed dimensions etc.’<sup>17</sup> Raba<sup>18</sup> said, And similarly with regard to the Sabbath.<sup>19</sup> Since [the handbreadth] is regarded as valid wall of the Sukkah it is also regarded as a valid wall in respect of the Sabbath.<sup>20</sup> Abaye raised an objection against him: Do we then apply the rule of ‘since’?<sup>21</sup> Was it not in fact taught: ‘[The rules relating to the structure of] the wall of a Sukkah are the same as those relating to that of the Sabbath,<sup>22</sup> provided only that there is no gap of three handbreadths between any two reeds.<sup>23</sup> And the [law relating to the] Sabbath is more [stringent] than that of Sukkah, in that the [wall for purposes of] the Sabbath is valid only if its standing portion is more than that which is broken,<sup>24</sup> which is not the case with the Sukkah’. Now this means, does it not, that the law relating to the Sabbath of the Sukkah<sup>25</sup> is more [stringent] than that relating to the Sukkah itself,<sup>26</sup> and that we do not apply the rule of ‘since’?<sup>27</sup> — No, [it means that the law relating to] the ordinary Sabbath is more [stringent in its requirements with regard to a valid wall] than [the law relating to] the Sabbath of the Sukkah.<sup>28</sup> But if this is so,<sup>29</sup> why was it not also stated: [The law relating to] the ordinary Sukkah<sup>30</sup> is more [stringent] than [that of] the Sukkah of Sabbath,<sup>31</sup> since [the validity of] the ordinary Sukkah demands a width of a loose handbreadth [for the third wall] while [the validity of] the Sukkah of Sabbath does not require the width of a loose handbreadth [for a wall] but a side-post alone is sufficient,<sup>32</sup> for it is you who ruled<sup>33</sup> that if one placed Sukkah-covering over an alleyway which has a side-post it is valid?<sup>34</sup> — There was no need to mention this,<sup>35</sup> [since it is obvious<sup>36</sup> that] if we apply [the rule of ‘since’] from the less stringent<sup>37</sup> to the more stringent,<sup>38</sup> we certainly apply it From the more stringent to the less stringent.<sup>39</sup> [Reverting to] the main subject; ‘Rab ruled:

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- (1) So that it would be facing two walls and the Sukkah would seem to have four walls. Lit., ‘as the head of an ox’, so
  - (2) A handbreadth is four fingerbreadths and the ‘loose handbreadth’ is measured by holding the fingers loosely, not pressed against one another.
  - (3) The total width now being four handbreadths and the prescribed minimum size of a Sukkah wall being seven handbreadths, the wall constitutes the greater part of a valid Sukkah wall.
  - (4) The two walls facing one another.
  - (5) Since either wall at either end is a projecting wall.
  - (6) The width of one handbreadth not being enough in this case.
  - (7) Where the walls were at right angles to one another.
  - (8) Cf. previous note.
  - (9) Since each stands isolated from the other.
  - (10) A Sukkah that has one wall less than the required number of walls.
  - (11) I.e., it is not enough to attach one board of the width of four handbreadths to one of the walls, but two posts each half a handbreadth in width must be attached to each opposite wall with a cross-beam joining them (cf. ‘Er. 11b).
  - (12) Instead of a board of the width of a handbreadth; sc. either the one or the other contrivance renders the Sukkah valid.
  - (13) To a board of the width of a handbreadth.
  - (14) Sc. one of the posts on which the cross-beam lies (cf. supra n. 2) must be a full handbreadth wide.
  - (15) In agreement with the ruling of R. Simon supra.
  - (16) Without the addition of a board of the full width of a handbreadth.
  - (17) Supra 6b.
  - (18) Var. lec. Rabbah.
  - (19) Sc. though at least three walls are necessary to constitute a private domain to permit carrying therein on the Sabbath, on the Sabbath of Tabernacles the Sukkah is regarded as a private domain even though it has only two normal walls and

one of the width of a handbreadth, and if he set up such a Sukkah next to his entrance of this house adjoining the street, he may carry in and out of it into his house.

(20) As the third narrow wall is on such a Sabbath, as on any other day, deemed valid as a wall for the Sukkah it is ipso facto deemed valid as a wall in respect of enclosing a private domain, and if such a Sukkah is set up at the entrance of a house opening out into the street, one may carry out of the house into the Sukkah and vice versa.

(21) 'Since (the handbreadth wall) is regarded etc.'

(22) Sc. the same relaxation of the law (cf. 'Er. 16b) is applicable in both cases.

(23) That make up the fence.

(24) A technical term meaning that the space of wall must exceed the interstices.

(25) Sc. the Sabbath in the week of Tabernacles.

(26) Sc. that though the Sukkah is valid as a Sukkah, it is not valid to carry therein on the Sabbath unless the wall space is more than the interstices.

(27) Since the walls are valid in respect of the Sukkah they are also valid in respect of the Sabbath.

(28) For on the Sabbath of the Festival the rule of 'since' (cf. n. 6) is well applied.

(29) That the comparison is only between the Sabbath generally and the Sabbath of the festival.

(30) Of the festival weekdays.

(31) Cf. supra n. 4.

(32) Since we compare the wall of Sabbath to the wall of Sukkah, two opposite walls and a side-post should suffice in the case of the latter as in that of the former.

(33) By 'applying the rule of 'since etc.'.

(34) On the Sabbath.

(35) That the law relating to a Sukkah generally is more restrictive than that relating to a Sukkah on the Sabbath.

(36) By an inference from the ruling in the earlier clause.

(37) Sukkah.

(38) Sabbath.

(39) Viz., that a sidepost that effects validity in respect of the Sabbath also effects it in respect of Sukkah.

## **Talmud - Mas. Sukkah 7b**

If one placed Sukkah-covering over an alley-way which has a side-post it is valid'. Rab further ruled: If one placed Sukkah-covering over the [upright] boards around wells<sup>1</sup> it is valid [as a Sukkah]. And the enunciation of [all the three laws<sup>2</sup> was] necessary. For if he had mentioned only [the law relating to] the alley-way one would have assumed [that there the Sukkah is valid]<sup>3</sup> because it had two proper walls, but that in the case of partitions of wells, which have not two proper walls, the Sukkah is not valid. And if we had been informed of the boards around wells only, one would have assumed [that there the sukka is valid] because there are four walls, but that if one placed sukka-covering over an alleyway, where there are no walls, it is not [valid]. And if we had been informed of both those laws [but not of the third,] one would have assumed that from the more stringent to the less stringent [we apply the rule of 'since'] but not from the less stringent to the more. [Therefore all the three enunciations were] necessary.

### **OR WHICH HAS MORE SUN THAN SHADE IS NOT VALID.**

Our Rabbis taught: [This<sup>4</sup> applies only where] the sunshine is due to the scanty covering, but not where it is due to [interstices in] the walls, while R. Josiah says,<sup>4</sup> Even where it is due to [interstices in] the walls. R. Yemar b. Shelemiah said in the name of Abaye, What is the reason of R. Josiah?<sup>5</sup> — Because it is written: And thou shalt cover the ark with the veil.<sup>6</sup> Now since the 'veil' was a partition<sup>7</sup> and the Divine Law nevertheless called it a 'covering' it is evident that a wall must be as [close] as the covering. And [how do] the Rabbis [explain this verse]? — It<sup>8</sup> means that the veil should bend over a little [at the top] so that it might look like a covering.

Abaye said: Rabbi, R. Josiah, R. Judah, R. Simeon, R. Gamaliel, Beth Shammai, R. Eliezer and

‘Others’<sup>9</sup> -all hold the opinion that the Sukkah must be constructed like a permanent abode. ‘Rabbi’? — As it has been taught: Rabbi said, A sukkah which is not four cubits square<sup>10</sup> is invalid.<sup>11</sup> ‘R. Josiah’? — As we have [just] stated. ‘R. Judah’? — As we have learnt: A SUKKAH WHICH IS MORE THAN TWENTY CUBITS HIGH IS NOT VALID, R. JUDAH, HOWEVER, DECLARES IT VALID.<sup>12</sup> ‘R. Simeon’? — As it has been taught: Two [walls] must be of the prescribed dimensions and the third [may be] even one handbreadth.<sup>13</sup> ‘R. Gamaliel’? — As it has been taught: If a man erects his Sukkah on the top of a waggon or on the deck of a ship, R. Gamaliel declares it invalid and R. Akiba declares it valid.<sup>14</sup> ‘Beth Shammai’? — As we have learnt: If his head and the greater part of his body were within the Sukkah and his table was within the house, Beth Shammai declare it invalid, and Beth Hillel declare it valid.<sup>15</sup> ‘R. Eliezer’?—As we have learnt: If a man makes his sukkah like a cone-shaped hut<sup>16</sup> or if he propped it up against a wall,<sup>17</sup> R. Eliezer declares it invalid, since it has no roof’, and the Sages declare it valid.<sup>18</sup> The ‘Others’? As it has been taught: Others Say: A Sukkah made like a dovecote<sup>19</sup> is invalid, since it has no corners.

R. Johanan said: If a sukkah was [round shaped] like a furnace,<sup>20</sup> provided twenty-four men can sit around its circumference,<sup>21</sup> it is valid, otherwise it is invalid. According to whom [is this<sup>22</sup> statement made]? Obviously<sup>23</sup> according to Rabbi who says that a sukkah which is not four cubits square is invalid. But consider: A man occupies the space of a cubit, and where the circumference [of a circle] is three handbreadths, its diameter is one handbreadth,<sup>24</sup> should it not then<sup>25</sup> suffice<sup>26</sup> if only twelve men<sup>27</sup> [can sit around it]?<sup>28</sup>

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(1) For the convenience of Pilgrims on the Festivals it was enacted that four corner-pieces placed round a well in a public domain impart to the enclosure the status of a private domain where cattle could be watered on the Sabbath. v. ‘Er. 17b.

(2) Laid down by Rab; viz., those relating to a Sukkah on Sabbath, the alley-way, and the boards around wells.

(3) By the application of the rule of ‘since etc.’.

(4) That the Sukkah is invalid.

(5) For requiring the walls to be as close as the covering.

(6) Ex. XL, 3.

(7) Cf. Ex. XXVI, 33.

(8) The expression ‘Thou shalt cover’.

(9) R. Meir. When Hakam under the presidency of R. Simeon b. Gamaliel II, he together with R. Nathan was involved in a conflict with R. Simeon and was expelled from the Sanhedrin. He was later re-admitted, but henceforth his statements were recorded under the anonymous authorship of ‘Others’. Bacher, Ag. Tann. II, 2, J.E. VIII, 434.

(10) The minimum area of a house.

(11) Supra 3a.

(12) Supra 2a.

(13) Supra 6b.

(14) ‘Infra 23a.

(15) Infra 28a.

(16) I.e., its walls slope to a point and there is no roof; like a bell-tent.

(17) Sc. it was not provided with a roof but its wall sloped from the ground to an adjoining wall.

(18) Infra 19b.

(19) Round shaped.

(20) R. Johanan disagrees with the ‘others’ supra.

(21) Each man is assumed to occupy one cubit space.

(22) Which requires such a large size for a round shaped Sukkah.

(23) Since no other authority required so large a size.

(24) Among the Babylonians  $\pi = 3$  (V. Feldman, Rabbinical Mathematics and Astronomy, 1931, p. 22).

(25) Since the circumference is three times the diameter.

(26) According to Rabbi who prescribes the size of four cubits square.

(27) Three times four (cf. supra n. 3).

(28) Why then did R. Johanan speak of twenty-four men?

## Talmud - Mas. Sukkah 8a

— That<sup>1</sup> applies only to a circle, but in the case of a square, a greater perimeter is required.<sup>2</sup> But consider: By how much is a square greater than its [inscribed] circle? By a quarter. Should it then not suffice if only sixteen [men can be seated around it]?<sup>3</sup> -That<sup>4</sup> is so in the case of a circle inscribed within a square, but if a square is to be inscribed within a circle a greater circumference is required on account of the projection of the corners.<sup>5</sup> But consider: If the side of a square is a cubit, its diagonal is approximately one and two fifths cubits.<sup>6</sup> Should not then [a circumference equivalent to] sixteen and four fifths [cubits]<sup>7</sup> suffice?<sup>8</sup> — [R. Johanan] gave only an approximate figure. But is it not to be maintained that one may be assumed to give all approximate figure only [where the discrepancy is] small, but could such all assumption be made [where the discrepancy is] big? — Mar Kashisha the son of R. Hisda said to R. Ashi: Do you think that a man occupies one cubit? [The fact is that] three men occupy two cubits. How much then does this [amount to for twenty-four men]? Sixteen cubits; and we [really] demand here sixteen and four fifths,<sup>9</sup> [because, as has been said, R. Johanan] gave only an approximate figure. But is it not to be maintained that one may be assumed to give approximate figures only when the law is thereby restricted, but could such an assumption be made where a law is thereby relaxed? -R. Assi answered R. Ashi: In truth, a man occupies a cubit-space, but R. Johanan does not include the space occupied by the men.<sup>10</sup> How many [cubits] does this<sup>11</sup> [amount to]? Eighteen;<sup>12</sup> while sixteen and four-fifths suffice. That is [then] what was meant [when it was stated] that he only gave an approximate figure; and in this case it is in the direction of stringency.<sup>13</sup>

The Rabbis of Caesarea<sup>14</sup> (and some say, The judges of Caesarea) maintain, The circumference of a circle inscribed in a square is a quarter;<sup>15</sup>

(1) That the perimeter is approx. only three times the diameter.

(2) Since the diameter is not equal to the side, but to the diagonal of the square.

(3) \*\* being regarded as equivalent to three, a square is one quarter larger than its inscribed circle. If a circle with a diameter of four cubits accommodates four times three is twelve men, a square of four cubits provides seating capacity for four times four is sixteen men. A circumference of sixteen cubits should, therefore, have sufficed.

(4) That a square exceeds a circle by a quarter, and that a four cubits square contains a perimeter of sixteen, and a circle one of twelve cubits.

(5) The circumferences of the Sukkah must, therefore, be large enough to contain a square of four cubits.

(6) Actually it is 1.4142.

(7) Lit., 'seventeen less a fifth'. The diagonal of the square being equal to  $(4+4 \times \frac{2}{5}) = 5 \frac{3}{5}$  cubits, and \*\* being approximately equivalent to three, a circumference of  $3 \times 5 \frac{3}{5}$  cubits  $16 \frac{4}{5}$  cubits ought to suffice. (For this whole discussion of Feldman, op. cit., pp. 28-30). Cf. also 'Er., Sonc. ed., p. 531ff, notes.

(8) I.e., space for no more than sixteen men. Why then did R. Johanan prescribe a space for twenty-four men?

(9) V. p. 29, n. 13.

(10) The men are considered as sitting round the circumference of the Sukkah they themselves forming a circumference of twenty-four cubits (equivalent to the space occupied by twenty-four men) with a diameter of eight cubits. But the inner circumference formed by the Sukkah is smaller since its diameter is eight minus two (the space occupied lengthways by the legs of two men, one sitting at each end) is six cubits.

(11) For the circumference of the Sukkah.

(12) Since a diameter of six cubits has a circumference of eighteen cubits.

(13) Instead of a circumference of  $16 \frac{4}{5}$  one of eighteen cubits is prescribed while the difference in the diameter ( $6 - 5 \frac{3}{5} = \frac{2}{5}$ ) is even less

(14) Caesarea Maritima, a famous seat of learning in the second and third century, the seat of R. Abbahu. The 'rabbis of Caesarea' are often quoted. V. Bacher, Die Gelehrten von Caesarea in MGWJ. XLV, p. 298.

(15) I.e., a quarter less than the perimeter of the square.

## Talmud - Mas. Sukkah 8b

but the square inscribed within that circle is a half.<sup>1</sup> But this<sup>2</sup> is not correct, for we see that these are not so much bigger. R. Levi said in the name of R. Meir: If the two booths of the potters are one within the other,<sup>3</sup> the inner one<sup>4</sup> is not valid as a Sukkah,<sup>5</sup> and is obliged to have a Mezuzah<sup>6</sup> while the outer one<sup>7</sup> is valid as a Sukkah,<sup>8</sup> and is free from the obligation of a Mezuzah.<sup>9</sup> But why should this be so? Why should not the outer one be regarded as the gate-house of the inner one, and<sup>10</sup> therefore be obliged to have a Mezuzah? — Because neither [booth] is of a permanent nature.<sup>11</sup>

Our Rabbis taught: [Mnemonic,] Ganbak.<sup>12</sup> A booth of Gentiles,<sup>13</sup> women, cattle or Samaritans and any booth whatever<sup>14</sup> is valid, provided that it is covered according to the rule. What is meant by 'according to the rule'?<sup>15</sup> — R. Hisda answered: Provided that [the covering] was made [with the intention of providing] the shade for the Sukkah.<sup>16</sup> What does 'any booth whatever' include? — It includes the booths [whose mnemonic is] Rakbash,<sup>17</sup> as our Rabbis taught: The booth of shepherds, the booth of field-watchers, the booth of city guards, and the booth of orchard-keepers,<sup>18</sup> and any booth whatever<sup>19</sup> is valid, provided that it is covered according to the rule. What is meant by 'according to the rule'?<sup>20</sup> — R. Hisda answered: Provided [the covering] was made [with the intention of providing] the shade for the Sukkah. What does 'any booth whatever' include? — It includes the booths [whose mnemonic] is Ganbak.<sup>21</sup> The Tanna of Ganbak<sup>22</sup> regards these booths as possessing greater validity<sup>23</sup> because they are permanent, and therefore he used the expression, any booth whatever' to include Rakbash which are not permanent,<sup>24</sup> while the Tanna of Rakbash regards the latter as possessing greater validity since they belong to those who are bound [by the commandment of Sukkah]<sup>25</sup> and therefore he used the expression, 'any booth whatever' to include the Ganbak booths which belong to those who are not bound [by the commandment of Sukkah].

(1) Of the circumscribed square. Thus if a circumference is twenty-four cubits (the figure given by R. Johanan) the circumscribed square has a perimeter of  $24 + 24/3 = 32$  cubits, while the inscribed square has a perimeter of approximately:  $32/2 = 16$  cubits (the measurements prescribed by Rabbi).

(2) That the perimeter of the circumscribed square is twice the perimeter of the inscribed square and that the circumference of the circle is, therefore, bigger than the latter by a half of its perimeter. V. 'Er., Sonc. ed., p. 533, n. 6.

(3) A potter worked and lived in his inner booth and displayed his wares in the outer one.

(4) Since he works and lives in it throughout the year.

(5) Because his dwelling in it during the festival would in no way indicate that he is performing the commandment of Sukkah,

(6) As any other dwelling.

(7) In which he lives only during the festival.

(8) It being obvious to all that he is performing the commandment.

(9) Being only a temporary dwelling, it is free from the obligation of Mezuzah, even during the festival. Throughout the year it is free from the obligation since it is not used as a dwelling.

(10) In accordance with the ruling in Men. 33b.

(11) Sc. even the inner one cannot be regarded as important enough to have a gate-house.

(12) The word **גַּנְבָּךְ** consists of the initial letters of **תְּבַהֲמָה תְּנַשִּׁים תְּגוּיִם** and **כוֹתִיִּם** Gentiles, women, cattle and Samaritans, whose booths are discussed in what follows.

(13) Used only as a summerhouse.

(14) This will be explained infra.

(15) It cannot simply refer to rules like those enunciated in our Mishnah, which are applicable to all Sukkahs, since this would be self-evident.

(16) Not merely for privacy. While it is not essential for a Sukkah to be made expressly in connection with the festival, it cannot be valid unless it was originally made to serve as a protection from the sun.

(17) **שׁוֹמְרֵי פִירוֹת** and **בוֹרְגַנֵּי קִיּוּצֵי תְרוּעוֹת** initials of **שׁוֹמְרֵי פִירוֹת** — shepherds, fieldwatchers, city guards and orchard-keepers.

(18) All these are male Israelites who are subject to the commandment of Sukkah; but their booths are not made for the festival.

(19) This will be explained infra.

(20) V. p. 31, n. 13.

(21) V. p. 31, n. 10.

(22) Who classes the Rabbash booths under 'any booth whatever'.

(23) Than the Rabbash booths.

(24) Since they are moved from place to place.

(25) Cf. supra n. 1.

## Talmud - Mas. Sukkah 9a

[MISHNAH. BETH SHAMMAI DECLARE AN OLD SUKKAH<sup>1</sup> INVALID,<sup>2</sup> BUT BETH HILLEL PRONOUNCE IT VALID. WHAT IS AN OLD SUKKAH? ONE MADE THIRTY DAYS BEFORE THE FESTIVAL; BUT IF ONE MADE IT FOR THE PURPOSE OF THE FESTIVAL, EVEN AT THE BEGINNING OF THE YEAR, IT IS VALID.

GEMARA. What is Beth Shammai's reason?<sup>3</sup> -Scripture says, The festival of Sukkoth, for seven days unto the Lord,<sup>4</sup> [implying therefore] a Sukkah made expressly for the sake of the Festival. And Beth Hillel?<sup>5</sup> - They need that [verse] for the same deduction as that of R. Shesheth, R. Shesheth having said in the name of R. Akiba, Whence do we know that the wood of the Sukkah is forbidden<sup>6</sup> all the seven [days of the Festival]? From Scripture which states, 'The Festival of Sukkoth, seven days to the Lord'; and it was taught, R. Judah b. Bathyra says: Just as the Name of Heaven rests upon the Festival offering,<sup>7</sup> so does it rest upon the Sukkah, since it is said, 'The Festival of Sukkoth, seven days to the Lord': just as the Festival [offering] is 'to the Lord', so is the sukkah also 'to the Lord'. And Beth Shammai also, do not they need the verse for this deduction?-Yes, indeed. What then is Beth Shammai's reason?<sup>8</sup> -There is another Scriptural verse. Thou shalt make<sup>9</sup> the Festival of Sukkoth for seven days.<sup>10</sup> This implies a sukkah made expressly for the sake of the Festival. And Beth Hillel?<sup>11</sup> -They need this [verse for the deduction] that a sukkah may be made in the intermediate days of the Festival.<sup>12</sup> And Beth Shammai? — They hold the same opinion as R. Eliezer, who laid down that no sukkah may be made in the intermediate days of the Festival.<sup>13</sup>

Do not Beth Hillel, however, agree with the statement Rab Judah cited in the name of Rab: If a man made [zizith]<sup>14</sup> from the hanging web or woof,<sup>15</sup> or sewing threads,<sup>16</sup> they are invalid;<sup>17</sup> but if he made them from a tuft [sewn to a garment]<sup>18</sup> they are valid.<sup>19</sup> When I repeated this in the presence of Samuel,<sup>20</sup> he said to me, Even if made from a tuft [sewn to a garment] they are also not valid, because<sup>21</sup> it is necessary that the weaving<sup>22</sup> shall be done specifically for its purpose?<sup>23</sup> Here too then we should require a Sukkah<sup>24</sup> to be made specifically for its purpose?<sup>25</sup> — [Zizith are] different, since Scripture says, Thou shalt make to thee twisted cords:<sup>26</sup> 'to thee' [means] for the specific purpose of thy obligation. But here also [Scripture says], 'The Festival of Sukkoth thou shalt make to thee', 'to thee' meaning for the specific purpose of thy obligation? That [phrase]<sup>27</sup> is needed to exclude a stolen [Sukkah].<sup>28</sup> But in the other case too it<sup>27</sup> is needed to exclude stolen [zizith]? — In that case there is another verse, [that serves the purpose], And they shall make to them,<sup>29</sup> i.e., of their own.

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(1) This is explained anon.

(2) The reason is given in the Gemara infra.

(3) For their ruling in our Mishnah.

(4) Lev. XXIII, 34. Emphasis on 'Sukkah. . . for the Lord'.

(5) How, in view of this text, can they maintain their view?

(6) To be used for secular purposes.

(7) To render it forbidden before its prescribed portions have been burnt on the altar.

- (8) For their ruling in our Mishnah.
- (9) J.T. 'keep', A. V., 'observe'.
- (10) Deut. XVI, 13; emphasis on 'make'.
- (11) How, in view of the text, can they maintain their view?
- (12) If one did not make it prior to the Festival.
- (13) Infra 27b.
- (14) v. Glos. and cf. Num. XVI, 38.
- (15) Sc. he twisted into zizith threads hanging over from a woven garment.
- (16) That were used in the sewing of a garment and ends of which were hanging from that garment.
- (17) Since they were not attached to the garment as zizith, but merely formed a part of the web etc.
- (18) Sc. a tuft of wool was sewn to the garment and then was cut into strips and twisted into zizith.
- (19) Since their attachment to the garment was made for the purpose of the zizith.
- (20) whose school Rab Judah attended for a time after Rab's death.
- (21) Cur. edd. insert in parenthesis 'thus it is seen clearly'.
- (22) Not merely the attachment of the zizith.
- (23) I.e., that of zizith.
- (24) According to Beth Hillel,
- (25) An objection against Beth Hillel who ruled that the Sukkah need not be made specifically for the purpose of Sukkoth.
- (26) Deut. XXII, 12.
- (27) 'To thee'.
- (28) Sc. with a stolen Sukkah the commandment cannot be fulfilled.
- (29) Num. XV, 38. **וְהָיוּ** 'for themselves'.

## Talmud - Mas. Sukkah 9b

MISHNAH. IF ONE MADE HIS SUKKAH UNDER A TREE, IT IS AS IF HE MADE IT WITHIN THE HOUSE.<sup>1</sup> IF ONE SUKKAH IS ERECTED ABOVE ANOTHER, THE UPPER ONE IS VALID BUT THE LOWER IS INVALID.<sup>2</sup> R. JUDAH SAID, IF THERE ARE NO OCCUPANTS IN THE UPPER ONE, THE LOWER ONE IS VALID.

GEMARA. Raba said, [Our Mishnah] was taught only in respect of a tree whose shade is greater than the sun [shining through its branches] but if the sun is more than its shade, it is valid. Whence [do we know this]? Since it states, IT IS AS IF HE MADE IT WITHIN THE HOUSE. Now for what purpose does it state IT IS AS IF HE MADE IT WITHIN THE HOUSE? Let it simply state 'it is invalid'? But the fact is that he taught us this, that the tree<sup>3</sup> [referred to is] like a house, just as in a house the shade is more than the sunshine, so the tree has more shade than sunshine.

But even where the sun is more than the shade, what is the advantage, seeing that all invalid covering is joined to a valid one?<sup>4</sup> — R. Papa answered: [This<sup>5</sup> is a case] where [the branches of the tree] were interwoven.<sup>6</sup> If the branches were interwoven,<sup>6</sup> why<sup>7</sup> mention the case at all? — One might have thought that it should be prohibited where it is interwoven as a preventive measure against the possibility of regarding it as valid even where it was not interwoven,<sup>8</sup> [therefore the Mishnah] informs us that no such preventive measure has been enacted. Have we not learnt this also: If a man trained upon it [a sukkah] vine, or a gourd, or ivy, and he covered [it with a valid covering], it is invalid.<sup>9</sup> But if the valid covering exceeded these in quantity, or if one cut them,<sup>10</sup> it is valid.<sup>11</sup> Now to what case does this<sup>12</sup> refer? Shall I say where he did not interweave them,<sup>13</sup> then obviously the invalid covering is joined to<sup>14</sup> the valid one?<sup>15</sup> Must it not then<sup>16</sup> refer to a case where one did interweave them,<sup>13</sup> and hence it may be inferred that no preventive measure was in such a case deemed necessary?<sup>17</sup> — One might have presumed that [this<sup>18</sup> is permissible] only ex post facto but not ab initio, hence we were informed [that<sup>19</sup> even ab initio it is permissible]. IF ONE SUKKAH IS ERECTED ABOVE ANOTHER. Our Rabbis taught, Ye shall dwell in Sukkoth,<sup>20</sup> but not in a

sukkah under another sukkah, nor in a Sukkah under a tree, nor in a Sukkah within the house. On the contrary! Does not the word Sukkah<sup>21</sup> imply two? — R. Nahman b. Isaac answered, The word is written defectively.<sup>22</sup> R. Jeremiah said: Sometimes both<sup>23</sup> are valid, sometimes both invalid; sometimes the lower one is valid and the upper invalid, and sometimes the lower one is invalid and the upper one valid. ‘Sometimes both are valid’. In what circumstances? When in the lower one the sun is more than the shade,<sup>24</sup> and in the upper the shade is more than the sun, and the upper one is within twenty [cubits from the ground].<sup>25</sup> ‘Sometimes both are invalid’. In what circumstances? When in both of them the shade is more than the sun, and the upper one is more than twenty cubits [high].<sup>26</sup> ‘Sometimes the lower one is valid and the upper invalid’.

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- (1) I.e., it is as though there are two roofs, and it is, therefore, invalid
  - (2) The reason is given in the Gemara infra.
  - (3) Which renders a Sukkah under it invalid.
  - (4) The covering of a Sukkah must be made of plants that are detached from the ground. Growing ones are invalid. The presence of the invalid covering of the tree should, therefore, invalidate the Sukkah.
  - (5) The ruling in our Mishnah.
  - (6) Lit., ‘he pressed them down’. The branches of the tree were pressed down and interwoven with the valid covering, and, since the former are less in quantity than the latter, the Sukkah is valid (cf. infra 11a).
  - (7) Since the ruling is so obvious why did the Mishnah have to state ‘AS IF HE MADE IT IN THE HOUSE’; and what need of Raba's ruling?
  - (8) Invalid materials that are not interwoven with valid ones render a Sukkah invalid.
  - (9) On account of the invalid covering which remained isolated from the valid one.
  - (10) And thus detached them from the growing tree.
  - (11) Infra 11a.
  - (12) The Mishnah just cited.
  - (13) The invalid with the valid material.
  - (14) But not interwoven with.
  - (15) And the Sukkah therefore would be invalid.
  - (16) Since the Sukkah was stated to be valid.
  - (17) And the question re-arises: Why should the same law be repeated here?
  - (18) The joining of the two materials.
  - (19) Provided the two materials were interwoven.
  - (20) Lev. XXIII, 42.
  - (21) The plural form of Sukkah.
  - (22) V. supra. Traditional spelling is סִכָּה a singular form.
  - (23) Sukkoth that were put up on the top of one another.
  - (24) Its covering can, therefore, be disregarded.
  - (25) The covering of the upper one is thus valid for both, since they are regarded as one Sukkah.
  - (26) I.e., from the roof of the lower one. The lower one is invalid since it is a Sukkah under a Sukkah, and the upper one is similarly invalid since it is more than twenty cubits high.

## Talmud - Mas. Sukkah 10a

In what circumstances? When the lower one has more shade than sun, and the upper one more sun than shade,<sup>1</sup> and both are within twenty cubits [from the ground].<sup>2</sup> ‘And sometimes the upper one is valid and the lower invalid’. In what circumstances? When in both of them the shade is more than the sun, and the upper one is within twenty cubits.<sup>3</sup> [But is not all this] self-evident? — The statement of the case of the ‘lower one valid and the upper one invalid’ was necessary. As it might have been thought that [the lower sukkah] would be prohibited as a preventive measure lest one also joins<sup>4</sup> an invalid covering<sup>5</sup> to a valid covering,<sup>6</sup> therefore it teaches us [that it is valid].<sup>7</sup>

How much [space] should there be between [the roof of] one sukkah and that of the other to



invalidate the lower one?<sup>8</sup> R. Huna replied, A handbreadth,<sup>9</sup> since we find a handbreadth [prescribed as the minimum size] with regard to overshadowing in cases<sup>10</sup> of uncleanness, as we have learnt.<sup>11</sup> [A space of] one handbreadth square and one handbreadth high<sup>12</sup> acts as a carrier of uncleanness and as an interposition to it,<sup>13</sup> but if it is less than one handbreadth high it neither conveys nor interposes.<sup>14</sup> R. Hisda and Rabbah son of R. Huna [however,] say, Four [handbreadths], since we do not find a place of any [legal] importance<sup>15</sup> to be less than four [handbreadths];<sup>16</sup> while Samuel says, Ten [handbreadths]. What is the reason of Samuel? — As its validity, so is its invalidity. Just as its validity [is effected by a height of] ten handbreadths,<sup>17</sup> so is its invalidity [effected by] ten handbreadths.<sup>18</sup>

We have learnt: R. JUDAH SAID, IF THERE ARE NO OCCUPANTS IN THE UPPER ONE, THE LOWER ONE IS VALID. Now what is the meaning of 'THERE ARE NO OCCUPANTS'? If we say, actual occupants, are then occupants [it could be objected] a determining factor?<sup>19</sup> Must [we then] not [say] that 'THERE ARE NO OCCUPANTS' means that the Sukkah is unsuitable for occupation? And how is this possible? Where it is less than ten handbreadths high. May we not, therefore, infer that the first Tanna<sup>20</sup> holds the opinion that even if it is unsuitable for occupation it is still invalid?<sup>21</sup> — When R. Dimi, came,<sup>22</sup> he said, In the West<sup>23</sup> they say,<sup>24</sup> if the lower one cannot bear the weight of<sup>25</sup> the bolsters and the cushions of the upper one, the lower one is valid.<sup>26</sup> This implies [does it not] that the first Tanna<sup>27</sup> holds the opinion that even if the lower one is not able to bear their weight, it is still invalid?<sup>28</sup> -The difference between them<sup>29</sup> is<sup>30</sup> where it can bear the weight with difficulty.<sup>31</sup>

MISHNAH. IF ONE SPREAD A SHEET<sup>32</sup> OVER IT<sup>33</sup> BECAUSE OF THE SUN OR BENEATH IT BECAUSE OF FALLING [LEAVES], OR IF HE SPREAD [A SHEET] OVER THE FRAME OF A FOURPOST BED,<sup>34</sup> [THE SUKKAH] IS INVALID.<sup>35</sup> ONE MAY SPREAD IT, HOWEVER, OVER THE FRAME OF A TWO-POST BED.<sup>36</sup>

GEMARA. R. Hisda stated, [Our Mishnah] speaks only [of a sheet spread] BECAUSE OF FALLING [LEAVES],<sup>37</sup> but if [it was spread] in order to beautify [the Sukkah], it is valid.<sup>38</sup> But is not this obvious! For have we not learnt, BECAUSE OF FALLING [LEAVES]? One might have said that the law is the same even [where the sheet served the purpose] of beautifying [the Sukkah] and that the reason why it was stated, BECAUSE OF FALLING [LEAVES], is that he mentions what is the common practice, therefore he informs us this.<sup>39</sup>

Can we say that the following supports [R. Hisda's view]: If he covered it<sup>40</sup> according to the rule, and adorned it with embroidered hangings and sheets, and hung therein nuts, almonds, peaches, pomegranates, bunches of grapes, wreaths of ears of corn, [phials of] wine, oil or fine flour, it is forbidden to make use of them<sup>41</sup>

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(1) And thus its covering which is an invalid one cannot invalidate the lower Sukkah.

(2) If the roof of the upper Sukkah, however, was above twenty cubits from the ground its invalid material (since all Sukkah roofs above twenty cubits height are invalid) would be deemed to be joined to the roof of the lower Sukkah and to render it invalid in consequence.

(3) Of the roof of the lower one. Being a valid Sukkah it invalidates the lower one on the ground of the latter's being a Sukkah under a Sukkah.

(4) I.e., regards the roof of the upper, and of the lower Sukkah as one.

(5) Sc. the covering of the upper Sukkah where it is higher than twenty cubits.

(6) And thus use an invalid Sukkah.

(7) Thus indicating that no preventive measure was deemed necessary.

(8) As a Sukkah under a Sukkah.

(9) I.e., if it is less than this, the two roofs are regarded as one.

(10) Lit., 'tents'.

- (11) V. marg. glos. Cur. edd. in parenthesis, 'for it was taught'.
- (12) I.e., a cubic handbreadth between the level on which the contaminating object lies and the object that forms the 'roof' or 'tent' above it.
- (13) It acts as a carrier in that whatever is under the same 'roof' as the unclean object is unclean, and as an interposition in that whatever lies above the 'roof' is not defiled.
- (14) Ohal. III, 7. Cf. prev. n. mut. mut.
- (15) A private domain, for instance.
- (16) V. Shab. 7a. A space between the upper and lower roof that was less than four handbreadths cannot, therefore, be regarded as forming an upper Sukkah above the lower one.
- (17) The roof of a Sukkah must be at least ten handbreadths high to render the Sukkah valid.
- (18) If the roof of the Sukkah above it is, however, lower than ten handbreadths, the lower Sukkah remains valid.
- (19) Of course not.
- (20) The authority of the anonymous first part of the Mishnah who differs from R. Judah.
- (21) Which is refutation of Samuel.
- (22) From Palestine to Babylon.
- (23) Palestine.
- (24) In explanation of R. Judah's ruling, IF THERE ARE NO OCCUPANTS'.
- (25) Lit., receive .
- (26) Since the upper one is not strong enough to be regarded as a Sukkah. As a Sukkah cannot be valid unless its floor can bear the prescribed weight so also, on the principle, 'As its validity so is its invalidity' laid down by Samuel, it cannot cause the invalidity of the lower Sukkah unless the latter's roof which is its floor can bear the prescribed weight. Where the upper one, however, is less than ten handbreadths high even the first Tanna agrees that it cannot affect the validity of the lower one, in agreement with Samuel.
- (27) Who differs from R. Judah.
- (28) Apparently we may. Now, since in this respect the first Tanna does not uphold Samuel's principle, and since the question of height depends on the same principle, may it not be contended that he differs from Samuel as regards the height also?
- (29) The first Tanna and R. Judah.
- (30) Not the complete ability or inability to bear the weight mentioned.
- (31) According to the first Tanna this invalidates the lower one; according to R. Judah, it does not. Where, however, it cannot bear the weight at all, the first Tanna on Samuel's principle, agrees with R. Judah.
- (32) A sheet (cf. infra 11a) is subject to ritual defilement and is, therefore, invalid as a Sukkah-covering.
- (33) The roof of a Sukkah.
- (34) And thus made a tent within the Sukkah. קינות Gr. \*\*, four poles over which a covering is placed.
- (35) In the former case, because of the unsuitability of the covering, and in the latter case because of the intervention of a tent.
- (36) A bed frame with only two poles, one on each side, the top of which being less than a handbreadth in width it cannot be regarded as a valid tent (v. Gemara infra).
- (37) In which case it is regarded as a part of the roof and therefore causes the invalidity of the Sukkah.
- (38) Since the sheet does not serve the purpose of a roof covering.
- (39) That the Sukkah is valid if a sheet was intended to beautify it.
- (40) The Sukkah.
- (41) To eat, for instance, any of the fruit.

## Talmud - Mas. Sukkah 10b

until the conclusion of the last day of the Festival, but if<sup>1</sup> he expressed a condition about them,<sup>2</sup> all depends on [the terms of] his condition?<sup>3</sup> — No! It is possible [that the statement was made with reference to sheets] at the side [of the Sukkah].<sup>4</sup> It was stated: The adornments of a Sukkah do not diminish [the height of] the Sukkah.<sup>5</sup> R. Ashi said, But at the side, they do diminish [the size of a Sukkah].<sup>6</sup>

Minyamin, the servant of R. Ashi, had his shirt soaked in water, and he spread it out on their Sukkah. R. Ashi said to him, 'Remove it, lest they say that it is permissible to use as a covering something which is susceptible to defilement'. 'But [the other asked] can they not see that it is wet?'<sup>7</sup> 'I mean [the first answered] when it is dry'.<sup>8</sup>

It was stated: The adornments of a Sukkah<sup>9</sup> which are removed four [handbreadths from the roof] R. Nahman declared valid,<sup>10</sup> and R. Hisda and Rabbah son of R. Huna declare invalid.<sup>11</sup> R. Hisda and Rabbah son of R. Huna once came to the house of the exilarch, and R. Nahman<sup>12</sup> sheltered them in a Sukkah whose adornments were separated four handbreadths [from the roof]. They were silent and said not a word to him. Said he to them, 'Have our Rabbis<sup>13</sup> retracted their teaching?'<sup>14</sup> -"We", they answered him, are on a religious errand,<sup>15</sup> and [therefore] free from the obligation of the Sukkah'.<sup>16</sup>

Rab Judah said in the name of Samuel, It is permissible to sleep in a canopied bed in a Sukkah, even though it has a flat roof, provided it is not ten [handbreadths] high.<sup>17</sup>

Come and hear: He who sleeps in a canopied bed in a Sukkah has not fulfilled his obligation?<sup>18</sup> - Here we are dealing with a case of one that was ten [handbreadths] high. It was objected: He who sleeps under the bed in a Sukkah has not fulfilled his obligation?<sup>19</sup> — But, surely, Samuel has explained that [this refers to] a bed ten [handbreadths] high. Come and hear: OR IF HE SPREAD [A SHEET] OVER THE FRAME OF A FOUR-POST BED, [THE SUKKAH] IS INVALID? — There also it is a case where they are ten [handbreadths] high. But surely, it was not taught thus, for it has been taught, naklitin [means a frame with] two [poles], and kinofoth [means a frame with] four [poles]; if one spread a sheet over the frame of kinofoth it is invalid, if over naklitin, it is valid, provided that the naklitin are not ten [handbreadths] high above the bed. This implies that kinofoth [are invalid] even if they are less than ten [handbreadths high]? — Kinofoth are different, since they are permanent.<sup>20</sup> But, behold the case of one Sukkah above another, which is also permanent; and Samuel nevertheless said, 'As its validity so is its invalidity'?<sup>21</sup> — I will explain: In the latter case, [when it is a question] of invalidating a Sukkah,<sup>22</sup> [the upper one must be ten [handbreadths] high,<sup>23</sup> but here, [where it is a question] of making a tent,<sup>24</sup> even less than ten [handbreadths suffices] also to constitute a tent.<sup>25</sup>

R. Tahlifa b. Abimi said in the name of Samuel, He who sleeps naked in a canopied bed, may put his head out of the canopied bed and read the Shema'.<sup>26</sup> It was objected: He who sleeps in a canopied bed naked may not put his head out of it and read the Shema'? — The latter refers to a case where [the canopy] was ten [handbreadths] high.<sup>27</sup> This stands to reason also, since it was stated in the final clause: To what can it be compared? To a man standing naked in a house, in which case he may not put his head out of the window and read the Shema'. This is conclusive.

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(1) Prior to the Festival.

(2) I.e., he made a declaration that he desired to retain full possession 'during the twilight of the first day' of the Festival of any of the objects mentioned. Unless the declaration is made at the proper time and in this form the objects assume the sanctity of the Sukkah and no subsequent declaration can remove it.

(3) Bezaḥ 30b, which shows that ornamental sheets do not invalidate a Sukkah. Does not this then provide support to R. Hisda's view?

(4) One, however, hung under the roof may well invalidate a Sukkah, even if its purpose was ornamental.

(5) If it was higher than twenty cubits and the sheet hung lower, it is still invalid, since a sheet is unsuitable as a Sukkah-covering.

(6) If the presence of the adornments caused it to be less than the minimum of seven handbreadths square.

(7) And that it was spread out for the purpose of drying only.

(8) Only then is it necessary to remove it from the Sukkah.

(9) Sheets spread under the Sukkah roof as decorations (Rashi).

- (10) Because their identity is merged in that of the roof.
- (11) Since they form a 'tent' that intervenes between the roof and the habitable part of the Sukkah.
- (12) R. Nahman was chief in authority at the exilarch's house.
- (13) Sc. R. Hisda and Rabbah b. R. Huna.
- (14) Cited supra.
- (15) It was regarded as a religious duty to visit one's master, or the exilarch, on the Festivals.
- (16) A person engaged on a religious errand is free from other religious duties (cf. infra 25a).
- (17) Above the bed. It cannot be regarded as a valid tent unless it is ten handbreadths high.
- (18) An objection against Samuel's ruling just cited.
- (19) infra 20b.
- (20) Hence they may be regarded as a proper tent. The poles of a canopied bed, however, are not permanent, and cannot be regarded as a valid tent unless they are ten handbreadths high.
- (21) Supra 10a; which shows that even a permanent structure cannot be valid unless it is ten handbreadths high.
- (22) On the ground that one Sukkah is above another.
- (23) Otherwise it cannot invalidate the lower Sukkah.
- (24) Under which it should be forbidden to sleep but the rest of the Sukkah remaining valid.
- (25) If it is to be permanent.
- (26) The Scriptural reading Deut. VI, 4f, which had to be read twice daily; otherwise it is forbidden to read while naked. V. Ber. 24b and 25b.
- (27) Which has, therefore, the legal status of a room. As a naked person is forbidden to read the Shema' even if he puts his head out of a window (because the greater part of his body is still in the room) so it is forbidden to read the Shema' while the greater part of one's body remained in the canopied bed. A canopy that is lower than ten handbreadths is regarded as a covering or cloak.

## Talmud - Mas. Sukkah 11a

But as to a house, even though it is not ten [handbreadths] high, since it is permanent it constitutes a valid tent,<sup>1</sup> for it is no worse than the frame of a four-post bed.

Another version is that Rab Judah said in the name of Samuel, It is permitted to sleep in a bridal-bed in a Sukkah, since it has no roof,<sup>2</sup> even though it be ten [handbreadths] high. It was objected: He who sleeps in a canopied bed in a Sukkah has not fulfilled his obligations? — Here we are dealing with the case of one which has a roof'. Come and hear: Naklithin [means a frame with] two [poles]; kinofoth [means a frame with] four [poles], if he spread a canopy over the frame of kinofoth it is invalid,<sup>3</sup> over that of naklithin it is valid, provided that the naklithin are not ten [handbreadths] high above the bed. But if they are ten [handbreadths] high above the bed, it is invalid, [is it not] even though it has no roof?—Naklithin are different, since they are permanent. If they are permanent, why are they not [subject to the same law as] kinofoth?<sup>4</sup> — As compared to kinofoth they are not [considered] permanent,<sup>5</sup> but compared to the bridal-bed they are [considered] permanent.<sup>6</sup>

Rabbah son of R. Huna expounded, It is permitted to sleep in a canopied bed [in a Sukkah] even though it has a roof and even though it is ten [handbreadths] high. According to whom [is this opinion expressed]?—According to R. Judah who said that a temporary tent<sup>7</sup> cannot nullify a permanent one,<sup>8</sup> as we have learnt: R. Judah said, We were accustomed to sleep under a bed<sup>9</sup> in the presence of the Elders.<sup>10</sup> Why then does he not say, The halachah is as R. Judah?—If he had said, The halachah is as R. Judah, I might have presumed that this applies only to a bed which is made [to be slept] upon,<sup>11</sup> but not to a canopied bed which, is made [to be slept] within,<sup>12</sup> hence he informs us that the reason of R. Judah is<sup>13</sup> that a temporary tent cannot nullify a permanent one, no matter whether it be an ordinary bed<sup>14</sup> or a canopied bed.<sup>15</sup>

MISHNAH. IF HE TRAINED A VINE OR A GOURD OR IVY OVER [THE SUKKAH] AND

COVERED IT WITH THE COVERING OF A SUKKAH, IT IS NOT VALID.<sup>16</sup> IF [HOWEVER] THE SUKKAH-COVERING EXCEEDS THEM IN QUANTITY, OF IF HE CUT THEM,<sup>17</sup> IT IS VALID. THIS IS THE GENERAL RULE. WHATEVER IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS AND DOES NOT GROW FROM THE SOIL MAY NOT BE USED FOR SUKKAH-COVERING, BUT WHATEVER IS NOT SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS AND GROWS FROM THE SOIL MAY BE USED FOR SUKKAH-COVERING.

GEMARA. R. Joseph sai<sup>18</sup> before R. Huna, and in the course of the session he stated, [with reference to the ruling] OR IF HE CUT THEM, IT IS VALID, Rab said, But he must shake them.<sup>19</sup> Said R. Huna to him, This has been said by Samuel! R. Joseph turned away his face [in annoyance] and retorted, Did I then tell you that Samuel did not say it? Rab said it and Samuel also said it. It is this that I say, said R. Huna to him, As to that, Samuel said it, and not Rab, since Rab declares it valid [without shaking],<sup>20</sup> as in the case of R. Amram the Pious who attached fringes to the aprons of the women of his house.<sup>21</sup> He hung them<sup>22</sup> but did not cut off the ends of the threads.<sup>23</sup> When he came before R. Hiyya b. Ashi<sup>24</sup> the latter said to him, Thus said Rab, [In such a case the threads] may be cut and they are valid. Thus it is obvious that their cutting is their [valid] preparation, so here also,<sup>25</sup> their cutting is their [valid] preparation. But does Samuel hold the opinion that we do not say that their cutting is their [valid] preparation? Did not Samuel in fact teach in the name of R. Hiyya, If one attached [zizith] to two corners in one<sup>26</sup> and then cut the ends of these threads, the zizith are valid. Does not this mean that he first knotted them and then cut them?<sup>27</sup> -No, he cut them first<sup>28</sup> and afterwards knotted them. If he cut them first and then knotted them, why mention it?<sup>29</sup> -One would have thought

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(1) And therefore if a person is naked he cannot put his head out and read the Shema'.

(2) The cover was sloping from above the bed around it.

(3) Sc. one may not use it within a Sukkah.

(4) And thus render their use in a Sukkah forbidden.

(5) Hence they cause no invalidity where they are lower than ten handbreadths.

(6) They cause, therefore, invalidity where they are ten handbreadths high even if they have no roof, while a canopied bed that has no roof causes no invalidity even where it is ten handbreadths high.

(7) The canopied bed.

(8) The Sukkah which in comparison with it may be regarded as permanent.

(9) In a Sukkah. The movable bed being regarded as temporary and the Sukkah as permanent.

(10) Infra 20b.

(11) And not under it. As the bed was never intended to serve as a 'tent' a person's occasional use of it for the purpose of sleeping under it cannot confer upon it the status of a valid tent.

(12) And the roof thereof might, therefore, be regarded as constituting a valid tent.

(13) Not the one just suggested.

(14) Under which one sleeps.

(15) Within which one sleeps.

(16) Since a growing plant may not be used as a Sukkah-covering.

(17) From the ground, after he had trained them on the Sukkah.

(18) In the college.

(19) After they had been cut. Sc. each branch must be raised and put back in position so that the covering is made from valid materials. If no moving or shifting takes place after the plants had been cut the Sukkah remains invalid since it was made from invalid materials. The mere cutting of them from the ground does not alter the fact that the covering was made from invalid materials.

(20) The cutting alone is regarded as the 'making' of the covering.

(21) R. Amram was of the opinion, not generally held, that women are bound to wear fringes.

(22) On the four corners of the garments.

(23) He folded one thread four times, and attached it to the garment. By subsequently cutting it he made of it the eight

requisite threads.

(24) To inquire whether the mere cutting of the long thread constitutes the 'making' of the fringes.

(25) In the case of the Sukkah where the branches were only cut and not shifted.

(26) Long threads folded in four were passed through the two corners, and then separated by being cut in the middle.

(27) In agreement with Rab.

(28) Immediately after insertion before he wound the prescribed number of coils and made the necessary knots.

(29) It is obvious that it is valid.

## Talmud - Mas. Sukkah 11b

that it was necessary to insert the threads in one corner at a time, which was not the case here, therefore he informed us [that it was not so].

It was objected: If he hung them<sup>1</sup> and did not cut their ends, they are invalid. Does not this mean invalid for ever,<sup>2</sup> and is thus a refutation of Rab?-[No!] Rab can answer: What is the meaning of 'invalid'? Invalid until they are cut. Samuel, however, says, [It means] invalid for ever. And so said Levi, They are invalid for ever. And so said R. Mattenah in the name of Samuel: They are invalid for ever. Another version is that R. Mattenah said, A [similar] incident happened to me, and when I came before Samuel he told me, They are invalid for ever.

It was objected: If he inserted them<sup>3</sup> and then cut their ends, they are invalid; and it was also taught concerning a Sukkah: Thou shalt make<sup>4</sup> [implies] but not from that which is already made, hence they<sup>5</sup> inferred, If one trained a vine or a gourd or ivy [over the walls of a Sukkah] and then covered them with the Sukkah-covering it is invalid. Now, how is this to be understood? If you say that it is a case where one did not cut them,<sup>6</sup> why then give the reason because of "'Thou shalt make" [implies] but not from that which is already made'? Let him rather give the reason that they are joined to the ground? Consequently it must be a case where he cut them,<sup>6</sup> and yet it is taught that it is invalid. Deduce then, therefrom that we do not say that their cutting<sup>6</sup> is their [valid] preparation. And is not this then a refutation of Rab? Rab can answer that there we are dealing with a case where he pulled them [from the trunk]<sup>7</sup> so that their 'making' is not apparent. At all events, [does not the case where] 'he inserted them and then cut their ends'<sup>8</sup> present a difficulty against Rab?<sup>9</sup> — It is a difficulty.

Can we say that [their dispute<sup>10</sup> accords with a dispute of] Tannas? [As we have learnt], If one transgressed and<sup>11</sup> plucked them,<sup>12</sup> [the myrtle is still] invalid, so R. Simeon b. Jehozadak, while the Sages declare it valid. Now they<sup>13</sup> were of the opinion that everyone<sup>14</sup> agrees that [the components of] a lulab<sup>15</sup> must be tied together, and that we deduce [the law of] lulab from that of Sukkah, concerning which it is written 'thou shalt make', [which implies]'but not from what which is made'. Do they [then] not dispute on this principle, that the one who declared it<sup>16</sup> valid is of the opinion that with regard to the Sukkah we say that 'their cutting is their [valid] preparation', and [therefore] with regard to lulab also we say that their plucking is their [valid] preparation; while the one who declares it invalid is of the opinion that with regard to the Sukkah we do not say that 'their cutting is their valid preparation', and [therefore] with regard to lulab also we do not say that their plucking is their [valid] preparation?<sup>17</sup> — No! Everyone may agree that with regard to the Sukkah we do not say that their cutting is their [valid] preparation, but here they differ on the principle whether we deduce the law of lulab from that of Sukkah. The one who declares it<sup>16</sup> valid is of the opinion that we do not deduce lulab from Sukkah, while the one who declares it invalid says that we do deduce lulab from sukkah. And if you wish you may say that if we were of the opinion that<sup>18</sup> the [components of the] lulab must be tied together,<sup>19</sup> [we must admit that] all agree that we do deduce the law of lulab from that of Sukkah,<sup>20</sup> but here they dispute on the following: One Master<sup>21</sup> holds the opinion that it<sup>22</sup> must be tied together<sup>23</sup> while the other holds that it need not be tied together; and their dispute is analogous to that of the following Tannas of whom it has been taught: A lulab, whether [its

components] be tied together or not, is valid, while R. Judah says, If tied together it is valid, if not, it is invalid.<sup>24</sup> What is the reason of R. Judah?—He deduces the word ‘take’<sup>25</sup> from the word ‘take’ mentioned in connection with the bundle of hyssop. It is written there, And ye shall take a bundle of hyssop,<sup>26</sup> and it is written here, And ye shall take you on the first day etc.<sup>27</sup> Just as there it was taken in a ‘bundle,’<sup>28</sup> so here also it must be taken in a bundle.<sup>28</sup> And the Rabbis?<sup>29</sup> — They do not deduce ‘take’ from ‘take’.<sup>30</sup>

According to whom is that which has been taught, It is a religious duty to tie [the components of] the lulab together, but if one did not tie them, it is [still] valid? If it is according to R. Judah, why is it valid if one does not tie them, and if it is according to the Sages, why is it ‘a religious duty’?<sup>31</sup> -It is in fact according to the Rabbis, but [it is a religious duty]<sup>31</sup> since it is written, This is my God and I will glorify him<sup>32</sup> [which implies] glorification<sup>33</sup> before Him in [the due performance of] religious duties.

THIS IS THE GENERAL RULE: WHATEVER IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS etc. Whence do we know this? Resh Lakish said: Scripture says, But there went up a mist from the earth;<sup>34</sup> just as a mist is a thing that is not susceptible to [ritual] uncleanness and originates from the soil, so must [the covering of] the Sukkah<sup>35</sup> [consist of] a thing that is not susceptible to [ritual] uncleanness, and grow from the soil. That is satisfactory according to the authority who says that [the booths of the wilderness were] clouds of glory, but according to the authority who says [the Israelites] made for themselves real booths, what can one say?<sup>36</sup> For it has been taught: For I made the children of Israel to dwell in booths,<sup>37</sup> These<sup>38</sup> were clouds of glory, so R. Eliezer. R. Akiba says, They made for themselves real booths. Now this<sup>39</sup> is satisfactory according to R. Eliezer, but according to R. Akiba, what can one say?<sup>36</sup> — When R. Dimi came,<sup>40</sup> he explained in the name of R. Johanan, Scripture says, The Festival [hag] of Sukkoth thou shalt keep.<sup>41</sup> The Sukkah is thus<sup>42</sup> compared to the Festival [offering].<sup>43</sup> Just as the Festival offering is a thing which is not susceptible to [ritual] uncleanness and grows from the soil,<sup>44</sup> so the Sukkah must be unsusceptible to [ritual] uncleanness and grow from the soil.

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- (1) The threads of the zizith.
  - (2) Even though they were subsequently cut.
  - (3) The threads of the zizith.
  - (4) Sc. the Sukkah, Deut. XVI, 13.
  - (5) The Rabbis.
  - (6) From the ground.
  - (7) I.e., he pulled the branches from the vine etc., until they broke, but the bark was still attached (cf. Tosaf. a.l.).
  - (8) Cited supra.
  - (9) According to whom they should be valid, whereas the Baraitha declares them invalid.
  - (10) On the question whether ‘their cutting is their valid preparation’.
  - (11) On the festival day.
  - (12) The berries of a myrtle that is to be attached to the festive wreath. Such a myrtle must have more leaves than berries; but it is forbidden in the Festival to remove any of the berries though this may well be done on a weekday.
  - (13) The Rabbis at the college who raised the argument.
  - (14) Sc. both the Tannas mentioned.
  - (15) The palm-branch used on the Festival of Tabernacles. V. infra. To it are tied the myrtle and willow and the tying together of the plants is regarded as analogous to the preparation of a Sukkah.
  - (16) The myrtle.
  - (17) Cf. supra p 45, n. 9.
  - (18) According to the Tannas mentioned.
  - (19) So that the term of ‘making’ or ‘preparation’ might be applied.
  - (20) Sc. as in the case of Sukkah ‘cutting’ is not regarded as ‘making’ so in the case of the lulab also ‘plucking’ is not regarded as ‘making and the myrtle is invalid.

- (21) R. Simeon.
- (22) The festive wreath.
- (23) Hence the term of 'making' may well be applied to it. As the binding is done prior to the festival the plucking of the berries during the festival is of no avail since at that time the wreath is already made.
- (24) *Infra* 33a.
- (25) Mentioned in connection with the festive wreath.
- (26) Ex. XII, 22.
- (27) Lev. XXIII, 40.
- (28) Or 'tied together'.
- (29) How, in view of this deduction, can they maintain their view.
- (30) Sc. they did not receive this analogy from their teachers; and no Gezerah shawah (v. Glos.) analogy is valid unless it can be traced through a chain of uninterrupted tradition from Moses.
- (31) 'To tie (the components of) the lulab together'.
- (32) E.V., 'I will praise him'. Ex. XV, 2.
- (33) Lit., 'be glorified'.
- (34) Gen. II, 6.
- (35) Since the Sukkah is commemorative of the clouds (v. *infra*).
- (36) In explanation of the ruling of our Mishnah.
- (37) Lev. XXIII, 43.
- (38) Booths.
- (39) The explanation of Resh Lakish.
- (40) From Palestine to Babylon.
- (41) Deut. XVI, 13.
- (42) Since it appears in juxtaposition with hag.
- (43) Hagigah, from the same rt. as hag.
- (44) Since animals are fed on that which grows from the ground. R. Johanan regards them also as growing from the ground.

## Talmud - Mas. Sukkah 12a

And if [you will suggest]: Just as the Festival offering was a live animal so the Sukkah must be [of something which is] alive, [it may be replied that] when Rabin came, he said in the name of R. Johanan, Scripture says, After that thou hast gathered in from thy threshing-floor and thy winepress. The verse thus speaks of the leavings of the threshing-floor and the lees of the wine-press.<sup>1</sup> But perhaps it means the actual threshing-floor and the actual wine-press?<sup>2</sup> - Zera answered, It is written winepress', and<sup>3</sup> it is impossible to cover the Sukkah with this!<sup>3</sup> R. Jeremiah demurred: But perhaps it means the solidified wine that comes from Senir, which resembles fig-cakes?<sup>4</sup> R. Zera observed, We had something in our hands, and R. Jeremiah came and cast an axe at it.<sup>5</sup> R. Ashi replied, 'From thy threshing-floor',<sup>6</sup> [implies] but not the threshing-floor itself,<sup>7</sup> from thy wine-press',<sup>6</sup> [implies] but not the wine-press itself.<sup>8</sup> R. Hisda replied,<sup>9</sup> The deduction is made from this verse, Go forth unto the mount and fetch olive-branches, and branches of wild olive, and myrtle-branches and palm-branches, and branches of thick trees.<sup>10</sup> Are not myrtle-branches, the same as branches of thick trees?<sup>11</sup> — R. Hisda answered: The wild myrtle<sup>12</sup> [were to be fetched] for the Sukkah, while the branches of thick trees,<sup>13</sup> for the lulab.

MISHNAH. BUNDLES OF STRAW, BUNDLES OF WOOD, AND BUNDLES OF BRUSHWOOD MAY NOT SERVE AS SUKKAH-COVERING, BUT ALL OF THEM,<sup>14</sup> IF THEY ARE UNTIED, ARE VALID. ALL MATERIALS, HOWEVER,<sup>15</sup> ARE VALID FOR THE WALLS.

GEMARA. R. Jacob said, I heard from R. Johanan [the explanation of] two things,<sup>16</sup> this one,<sup>17</sup> and the following:<sup>18</sup> If one hollows out a haystack to make of it a Sukkah, [the hollow] is no [valid]



Sukkah.<sup>19</sup> The reason for one of them he attributed to a Rabbinical enactment lest [a man use his] store-house as a Sukkah,<sup>20</sup> and as a reason for the other he gave, because 'thou shalt make', [implies] but not from that which is made; but I do not remember which of them is on account of a 'store-house', and which on account of "'thou shalt make" but not from that which is made'. R. Jeremiah said, Let us see:<sup>21</sup> R. Hiyya b. Abba said in the name of R. Johanan, Why did they say that bundles of straw, bundles of wood, and bundles of brushwood may not serve as sukkah-covering? Because it may happen<sup>22</sup> that a man returns in the evening from the field with his bundle on his shoulder, and raising it up he places it on his hut to dry it,<sup>23</sup> and then<sup>24</sup> he might decide to leave it there as a sukkah-covering, but the Torah said, 'Thou shalt make', [which implies], but not from that which is made.<sup>25</sup> Now since this is forbidden as a restrictive measure against the possibility of the use of a store-house<sup>26</sup> [as a Sukkah]<sup>27</sup> the other<sup>28</sup> must have been forbidden on the ground of 'thou shalt make' [which implies], but not from that which is made.<sup>29</sup> And R. Jacob?<sup>30</sup> -He had not heard that [statement] of R. Hiyya b. Abba. R. Ashi said:<sup>31</sup> Are then bundles of straw, bundles of wood and bundles of brushwood forbidden only because of the possible use of a store-house<sup>32</sup> and not because of the injunction 'thou shalt make' [which implies], but not from that which is made,<sup>33</sup> and is the hollowing out of a haystack forbidden only because of the injunction 'thou shalt make' which implies but not from that which is made, and not because of the possible use of a store-house?<sup>34</sup> And R. Johanan?<sup>35</sup> — He can answer you that here where it states, MAY NOT SERVE AS A SUKKAH-COVERING, it means that only at the outset

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- (1) Which grow from the ground and are unsusceptible to ritual uncleanness.
  - (2) Which includes the grain and the grapes both of which are susceptible to ritual uncleanness.
  - (3) Since it contains only a liquid.
  - (4) And is, therefore, suitable as a roof covering.
  - (5) I.e., R. Jeremiah has destroyed what the former thought was a satisfactory explanation of the ruling in our Mishnah.
  - (6) Emphasis on 'from'.
  - (7) Hence the deduction that the text 'speaks of the leavings of the threshing-floor' etc.
  - (8) V. p. 48, n. 16.
  - (9) In reply to the question, Whence does our Mishnah deduce that WHATEVER IS SUSCEPTIBLE TO RITUAL UNCLEANLINESS etc.
  - (10) Neh. VIII, 15. All the varieties enumerated are unsusceptible to ritual uncleanness and grow from the ground.
  - (11) 'Branches of thick trees' in Lev. XXIII, 40 is regarded (v. infra 32b) as referring to myrtle. Why then should the same thing be mentioned twice?
  - (12) This is the species referred to in 'myrtle branches', which has only one or two leaves in each row and is, therefore, invalid for the lulab. V. infra 32b.
  - (13) Having three leaves in each row.
  - (14) Straw, wood and brushwood.
  - (15) Though invalid for the Sukkah roof.
  - (16) Sc. rulings in the Mishnah.
  - (17) The ruling in our Mishnah on the invalidity of bundles.
  - (18) Lit., 'and the other'.
  - (19) Infra 15a.
  - (20) A restrictive enactment of the Rabbis lest a man regard also his 'store-house', i.e., a room not used throughout the year, as a valid Sukkah.
  - (21) Whether another statement of R. Johanan might throw light on R. Jacob's uncertainty.
  - (22) Any time in the year.
  - (23) Sc. with no intention to use it for shelter from the sun.
  - (24) On the approach of the festival of Tabernacles.
  - (25) As in the latter case a Pentateuchal prohibition is involved, since the bundle was never intended to serve as a Sukkah, a Rabbinical prohibition was imposed even in the case where bundles were used expressly for the festival Sukkah.
  - (26) Sc. bundles 'stored' on a hut during the summer for the winter.

- (27) I.e., merely as a Rabbinical prohibition.
- (28) 'If one hollows out a haystack' etc.
- (29) I.e., the prohibition must be Pentateuchal.
- (30) Why, in view of the last cited statement of R. Johanan, was he uncertain as to what applied to which?
- (31) In objection to R. Jacob.
- (32) I.e., a Rabbinical prohibition.
- (33) A Pentateuchal prohibition.
- (34) Sc. since our Mishnah might refer not only to bundles that were laid on the walls for the purposes of serving as a Sukkah (forbidden only Rabbinically as a preventive measure) but also to such as were stored there during the year (forbidden Pentateuchally), and since the Mishnah cited might refer not only to the usual haystack (forbidden Pentateuchally) but also to one whose sheaves that are to serve as the Sukkah roof were duly shaken and shifted with the specific intention of using them as a roof for the Festival Sukkah (forbidden only Rabbinically as a preventive measure), how could R. Jacob maintain in the name of R. Johanan that only a Pentateuchal, or only a Rabbinical prohibition applied to either Mishnah?
- (35) How, in view of R. Ashi's contention, can he assign only one reason for each.

## Talmud - Mas. Sukkah 12b

it is invalid, because of the possible use of a store-house;<sup>1</sup> according to the Biblical law, however, it is valid; while in the other case where it is stated categorically that it is no Sukkah, implying even when he has made it, it is no Sukkah even Pentateuchally. Rab Judah said in the name of Rab, If one covered a Sukkah with plain<sup>2</sup> arrow-shafts, it is valid; with bored<sup>3</sup> shafts, it is invalid. 'With plain arrow-shafts it is valid'; but is not this obvious? I might have said that these should be forbidden on account of bored ones, therefore he informs us [that they are not forbidden]. 'With<sup>4</sup> bored shafts, it is invalid', is not this obvious? — I might have thought that a receptacle which is made to be [permanently] filled up is not regarded as a receptacle, therefore he informs us [that it is].

Rabbah b. Bar Hana said in the name of R. Johanan, 'If one covered a Sukkah with flax-stalks that had been soaked and baked, it is invalid;<sup>5</sup> with flax stalks in their natural state it is valid; with flax-stalks in an intermediate stage of preparation, I do not know [whether it is valid or not]'. But as to what constitutes an intermediate stage,<sup>6</sup> I<sup>7</sup> do not know whether if it has been pounded and not corded it is regarded as in an intermediate stage,<sup>8</sup> but if it has been soaked and not pounded it is regarded as being in its natural state,<sup>9</sup> or perhaps, even if it has been soaked but not pounded, it is also regarded as being in an intermediate stage.<sup>10</sup>

Rab Judah ruled, One may use licorice-wood or wormwood as a Sukkah-covering. Abaye ruled, Licorice-wood may be employed, but not wormwood. What is the reason?- Since

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- (1) Ex post facto, however, it is obviously permitted. The prohibition, therefore, can only be Rabbinical.
- (2) Lit., 'male shafts'. The shaft, being plain and inserted into the arrow head, is regarded as a piece of unprepared wood, which is unsusceptible to ritual uncleanness
- (3) Lit., 'female shafts'. Having a hole bored at one of its ends into which the arrow-head is inserted, the shaft is regarded as a valid receptacle which is susceptible to ritual uncleanness.
- (4) Cur. edd. in parenthesis 'The Master said'.
- (5) Since such stalks are susceptible to ritual uncleanness (cf. Shab. 27b).
- (6) In the view of R. Johanan.
- (7) The speaker, Rabbah b. Bar Hana.
- (8) And its validity is, therefore, a matter of doubt.
- (9) And is consequently valid.
- (10) And its validity is, therefore, a matter of doubt.

## Talmud - Mas. Sukkah 13a

## Talmud - Mas. Sukkah 13a

they give an unpleasant odour, one might leave [the Sukkah]<sup>1</sup> and depart.

R. Hanan b. Raba said, Izma and hegeh<sup>2</sup> may be employed as a Sukkah-covering; [while] Abaye said, Izma may be used, but not hegeh. What is the reason?—Since their leaves fall off, one might leave the Sukkah and depart. R. Giddal said in the name of Rab, The forked portion of a palm tree<sup>3</sup> may be used as a Sukkah-covering, even although [the branches] are joined together,<sup>4</sup> [since] a natural joining<sup>5</sup> is not considered a joining; and even although one later joined them<sup>6</sup> [the covering is valid, since] joining of one thing [to itself] is not considered a joining.

R. Hisda said in the name of Rabina b. Shila, One may cover the Sukkah with forked reeds, even though they are joined,<sup>4</sup> [since] a natural joining is not considered a joining; and even though one later joins them,<sup>6</sup> the joining of one thing [to itself] not considered as a proper joining.

So it was also taught: Reeds and forked reeds may be used as a Sukkah covering. As to reeds, this is obvious?<sup>7</sup> — Read: Reeds of the forked variety<sup>8</sup> may be used as a Sukkah-covering.

R. Hisda [further] stated in the name of Rabina b. Shila, A man fulfils his obligation<sup>9</sup> on Passover with bitter herbs of the marsh,<sup>10</sup> It was objected: Hyssop but not Greek hyssop, or stibium-hyssop, or wild hyssop, or Roman hyssop or any kind of hyssop which has a special<sup>11</sup> name?<sup>12</sup> — Abaye answered: Whatever had different names prior to the Giving of the Law, and yet the Torah makes specific mention of the general name only obviously [the intention is to exclude such of the species which] have special names;<sup>13</sup> but the former<sup>14</sup> did not have different names before the Giving of the Law at all.<sup>15</sup>

Raba answered: Their ordinary name is really 'bitter herbs',<sup>16</sup> but they are called 'bitter herbs of the marsh', because they are found in marshes.

R. Hisda said, The joining of one thing [to itself] is not considered a proper joining;<sup>17</sup> of three things, it is considered a joining; of two, there is a dispute between R. Jose and the Rabbis, as we have learnt, The commandment [to take a bunch] of hyssop [requires the taking of] three stalks having three buds.<sup>18</sup> R. Jose says, Three buds,<sup>19</sup> and its remnants<sup>20</sup> [continue valid] if two [stalks remained] and if there is aught [of each] of the stumps.<sup>21</sup> Now it was assumed that since<sup>22</sup> its remnants [are valid] with two, at the outset also two are valid, and that the reason he teaches three is to indicate what is the most proper observance of the commandment;<sup>23</sup> consequently since R. Jose requires three only for the most proper observance of the commandment according to the Rabbis<sup>24</sup> three are indispensable.<sup>25</sup> But has it not been taught, R. Jose says, If at the outset a bunch of hyssop has only two stalks<sup>26</sup> or if its remnants<sup>27</sup> consist of one, it is invalid, since a bunch is not valid unless at the outset it contains three and its remnants are no less than two? — Reverse [the assumption]:<sup>28</sup> According to R. Jose three are indispensable, according to the Rabbis three are required only for the proper observance of the commandment. So it has also been taught: If<sup>29</sup> a bunch of hyssop contains two stalks at the outset or if its remnant consists of one it is valid, since it is not invalid unless at the outset or when it is a remnant it consists of one. But is a remnant of one invalid? Have you not [just] said that a remnant of one is valid?

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(1) Cf. Bah.

(2) Species of thorns and prickly shrubs.

(3) Either (a) where the ramification starts or (b) its upper portion.

(4) And thus have the appearance of a bundle which is invalid for a Sukkah-covering.

(5) Lit., 'a binding by the hands of heaven.'

(6) At their upper ends.

(7) Why then should they at all be mentioned?

- (8) Sc. the waw in וְדוֹקְרָנִין is not to be rendered ‘and’ but ‘of’, ‘that are’.
- (9) Of eating bitter herbs (cf. Ex. XII, 8).
- (10) Probably succory (Jast.).
- (11) Lit., ‘accompanying’.
- (12) Since hyssop in the Bible means ordinary hyssop only, so should ‘bitter herbs’ presumably mean only ordinary bitter herbs, but not that of the marsh.
- (13) [Lit., ‘it is known that it has a special name’ (to be excluded). The text is not clear. MS.M.: ‘such has (a species of) a special name (to be excluded)].
- (14) Bitter herbs.
- (15) All its varieties, therefore, are admissible.
- (16) Hence they are admissible like the ordinary bitter herbs.
- (17) Either in respect of the designation of ‘bundle’ which is invalid for a Sukkah roof or in that of ‘bunch’ in the case of hyssop.
- (18) One bud on each stalk.
- (19) This will be discussed infra.
- (20) Sc. if one stalk has become broken by use.
- (21) Parah XI, 9.
- (22) According to R. Jose.
- (23) Sc. the commandment is best observed with three, though it is considered fulfilled if only two are taken.
- (24) Who differ from him.
- (25) Thus we see that according to R. Jose, two can constitute a ‘bunch’ or ‘joining’, whereas according to the Rabbis three are required.
- (26) Instead of three.
- (27) The bunch having originally contained three stalks.
- (28) Made supra in connection with R. Hisda's statement.
- (29) According to the Rabbis. V. next note.

## Talmud - Mas. Sukkah 13b

— Say rather, Unless at the outset, [it contains] no more than the permitted number for its remnant, viz., one.<sup>1</sup>

Meremar expounded, The bundles of Sura<sup>2</sup> are valid as a Sukkah-covering.<sup>3</sup> Although [the seller] binds them together he does so merely to facilitate their counting.<sup>4</sup> R. Abba said, As for cone-shaped bundles of bulrushes, as soon as the top-knots are untied they are valid [as a Sukkah-covering]. But are they not still tied at the bottom?<sup>5</sup> — R. Papa answered, [This is a case] where he loosens them.<sup>6</sup> R. Huna the son of R. Joshua said, one can even ‘say that [it is valid though] he does not loosen them, since a binding which is not made to facilitate transport<sup>7</sup> is not considered a binding. R. Abba said in the name of Samuel, Herbs concerning which the Sages said that a man fulfils with them his obligation on Passover,<sup>8</sup> carry<sup>9</sup> ritual defilement,<sup>10</sup> do not<sup>11</sup> act as an interposition to ritual defilement<sup>12</sup> and cause invalidity in a Sukkah-covering in the same manner as an air space.<sup>13</sup> What is the reason? — Since when they wither they crumble and fall, they are regarded as though they were not there.

R. Abba further said in the name of R. Huna, He who cuts grapes for the vat, does not render their ‘handles’ [stalks] susceptible to [ritual] uncleanness;<sup>14</sup> while R. Menashia b. Gada said in the name of R. Huna, He who cuts [ears of corn] for a Sukkah-covering<sup>15</sup> does not render their handles susceptible to uncleanness. He who holds this opinion with regard to the cutting [of ears], certainly holds it with regard to the cutting of grapes,<sup>16</sup> since one does not desire [any stalks] lest they suck up one's wine; he who holds the opinion that the cutting of grapes<sup>16</sup> does not render their stalks susceptible to the uncleanness, holds that the cutting [of ears]<sup>15</sup> does render them susceptible since one is pleased to use [the ears] for the Sukkah-covering in order that [the grains] be not scattered.<sup>17</sup>

Must we say that the [ruling of] R. Menashia b. Gada<sup>18</sup> is a point at issue between Tannas? For it has been taught, Boughs of fig-trees on which there are figs, branches of vines on which there are grapes, or straws on which there are ears of corn or palm-branches on which there are dates, all these, if the inedible part is greater than the edible are valid [for a Sukkah-covering], otherwise, they are invalid. ‘Others’<sup>19</sup> say, [They are not valid] unless the straw<sup>20</sup> is more than both the ‘handle’<sup>21</sup> and the food. Now do they not differ on this principle, that one Master<sup>22</sup> holds the opinion they<sup>23</sup> render the handles<sup>24</sup> susceptible to uncleanness,<sup>25</sup> while the other Master holds the opinion that they do not render the ‘handles’ susceptible to uncleanness? — According to R. Abba,<sup>26</sup> there is certainly<sup>27</sup> a dispute of the Tannas,<sup>28</sup> but according to R. Menashia b. Gada,<sup>29</sup> must we say that [his ruling is] in agreement only with one of the Tannas?<sup>30</sup> — R. Menashia can answer you, All<sup>31</sup> agree that he who cuts ears for a Sukkah-covering does not render the ‘handles’ susceptible to uncleanness, but here we are dealing with a particular case where he cuts them for food,<sup>32</sup> and then changed his mind [and used them] for a Sukkah-covering. But if he cut them for food, what is the reason [for the view] of the Rabbis?<sup>33</sup> And if you will answer that the Rabbis<sup>34</sup> are of the opinion that since he changed his mind about them [to use them] for a Sukkah-covering, his original intention<sup>35</sup> becomes annulled, [it may be objected], does then one's intention become annulled in such a case?<sup>36</sup> Have we not learnt:<sup>37</sup> All vessels

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(1) Thus it has been shown that the number of three stalks mentioned supra in the name of the Rabbis refers only to what is expected for the most proper observance of the commandment. If the number is to be insisted upon as indispensable this last cited Baraitha, could agree neither with R. Jose nor with the Rabbis.

(2) Reeds tied into bundles which were on sale at Sura.

(3) Sc. they are not to be classed with ordinary bundles which are invalid for the purpose.

(4) He has no intention of keeping them together for storage. Any one buying them usually unbinds them before putting them out to dry. Hence their validity for the Sukkah even before they are unbound.

(5) Since the reeds are also woven together at the bottom.

(6) Sc. undid the ends of the cord that hold them together. The woven part may still remain.

(7) If they are carried about they fall apart.

(8) As, for instance, bitter herbs, lettuce or endives prescribed for the first Passover evening meal.

(9) While they are still fresh.

(10) Sc. they serve as ohel (v. Glos.).

(11) If they form a horizontal partition between a clean and an unclean object.

(12) This is a Rabbinical restriction. Pentateuchally they act as an interposition until they become dry.

(13) The space they occupy is regarded as air space, and just as an air space of three handbreadths in the roof of the Sukkah invalidates it, so does a covering of these herbs.

(14) Lit., ‘they have no handles’, since the stalks serve no useful purpose in the case of grapes for a vat. Handles of vessels or stalks of fruit are susceptible to ritual uncleanness only where they are needed for the purpose of lifting the object with their aid.

(15) And produce is attached to them.

(16) For a vat.

(17) In the absence of the stalks the grains could not be used at all as a roof covering.

(18) That ‘he who cuts ... does not render their stalks susceptible etc.’

(19) V. supra 7b.

(20) I.e., the inedible portion of the branch or stalk.

(21) Sc. the part of the stalk near the fruit whereby the latter can be lifted.

(22) The ‘Others’.

(23) I.e., both he who cuts grapes and he who cuts ears of corn for Sukkah-covering.

(24) V. supra n. 10.

(25) And, therefore, they are regarded in the same light as the fruit and are unfit for the Sukkah roof unless the inedible portion exceeds both them and the edible portion.

(26) Who ruled that only in the case of grapes are handles not susceptible but in the case of ears the handles are

susceptible.

(27) Since the first Tanna holds that in either case the 'handles' are not susceptible.

(28) R. Abba holding the same view as the 'Others' who hold that 'handles' are susceptible.

(29) Who holds that if one cuts ears for a Sukkah-covering it does not render the 'handles' susceptible to ritual uncleanness.

(30) The first Tanna. Sc. must it be admitted that the 'others' always maintain that the handles in the case of 'ears of corn' are rendered susceptible to uncleanness, in complete contradiction of it. Menashia's ruling, or is it possible to explain the view of the 'others' as applying to a particular case only?

(31) Even the 'others'.

(32) When they are rendered susceptible to uncleanness.

(33) The first Tanna, who ruled that the 'handles' are not rendered susceptible to uncleanness.

(34) Sc. the first Tanna.

(35) Of using them for food.

(36) That of susceptibility to ritual uncleanness.

(37) Kelim XXV, 9.

## Talmud - Mas. Sukkah 14a

can be rendered susceptible to uncleanness by intention,<sup>1</sup> but cannot be rendered insusceptible except by an act of change,<sup>2</sup> since<sup>3</sup> an act can disannul a [prior] act or intention, while an intention cannot disannul either a [previous] act or a [previous] intention? And if you will say that this<sup>4</sup> refers only to vessels which are of importance but that 'handles' which are needed only as aids for the eating of the food,<sup>5</sup> are made [susceptible to uncleanness] by intention and are also unmade by intention [it may be objected], Have we not learnt: The stalks of all foodstuffs that are threshed<sup>6</sup> in the threshing-floor<sup>7</sup> are insusceptible to ritual uncleanness,<sup>8</sup> and R. Jose declares them susceptible?<sup>9</sup> It is explicable according to the authority who says that 'threshing' here means loosening [the sheaves],<sup>10</sup> but according to the authority who says that 'threshing' here really means 'threshing',<sup>11</sup> what can one answer?<sup>12</sup> — That in the previous case also,<sup>13</sup> he actually threshed them.<sup>14</sup> If so,<sup>15</sup> what is the reason of the 'others'?<sup>16</sup> They hold the same opinion as R. Jose, as we have learnt, R. Jose declares them susceptible to uncleanness. How can you compare them?<sup>17</sup> One can understand there<sup>18</sup> the reason of R. Jose, that [the stalks] have a use according to R. Simeon b. Lakish, as R. Simeon b. Lakish said, Since one can [the more easily] turn them<sup>19</sup> with the pitchfork,<sup>20</sup> but in this case,<sup>21</sup> what use have they?<sup>22</sup> --To seize hold of them by their haulms when he takes it<sup>23</sup> to pieces.

[Reverting to] the main text, 'The stalks of all foodstuffs that are threshed in the threshing-floor are unsusceptible to uncleanness, and R. Jose declares them susceptible'. What is the meaning of 'threshed' here? — R. Johanan says, Actual threshing. R. Eleazar<sup>24</sup> says, Untying the bundle. One can understand according to R. Eleazar,<sup>24</sup> who says that 'threshing' means untying the bundle, that this<sup>25</sup> is the reason why R. Jose declares them susceptible to uncleanness, but according to R. Johanan who says that 'threshing' means actual threshing, why<sup>26</sup> does R. Jose declare them susceptible to uncleanness? — R. Simeon b. Lakish answered, Since he can [the more easily] turn them with a pitch fork.

R. Eleazar<sup>24</sup> said, Why are the prayers of the righteous likened to a pitchfork?<sup>27</sup> To teach thee that just as the pitchfork turns the corn from place to place in the barn, so the prayers of the righteous turn the mind of the Holy One, blessed be He, from the attribute of harshness to that of mercy.

MISHNAH. PLANKS MAY BE USED FOR THE SUKKAH-COVERING. THESE ARE THE WORDS OF R. JUDAH. R. MEIR FORBIDS THEM. IF ONE PLACES OVER IT<sup>28</sup> A PLANK FOUR HANDBREADTHS WIDE, IT IS VALID PROVIDED THAT HE DOES NOT SLEEP UNDER IT.<sup>29</sup>

GEMARA. Rab said, The dispute<sup>30</sup> concerns planks which are four [handbreadths wide],<sup>31</sup> in which case R. Meir holds the preventive measure against [the possible use of] an ordinary roofing,<sup>32</sup> while R. Judah disregards this preventive measure against [the use of] an ordinary roofing, but in the case of planks which are less than four handbreadths wide all agree that the Sukkah is valid.<sup>33</sup> Samuel however says that the dispute<sup>34</sup> concerns planks which are less than four [handbreadths wide],<sup>35</sup> but if they are four [handbreadths wide], they are invalid according to all.<sup>36</sup> If they are 'less than four' [you say, does this then imply,] even less than three? But [in this case] are they not mere sticks?<sup>37</sup> — R. Papa answered, He<sup>38</sup> means thus, If they are four [handbreadths wide] the Sukkah is invalid according to all,<sup>36</sup> if they are less than three, it is valid according to all.<sup>39</sup> What is the reason? Since they are mere sticks. In what do they<sup>40</sup> dispute? In [planks that are] from three to four [handbreadths wide]. One Master<sup>41</sup> holds the opinion that since there is not in them the minimum extent of a 'place'<sup>42</sup> we do not make a restrictive enactment,<sup>43</sup> and the other Master<sup>44</sup> holds the opinion that since the law of labud<sup>45</sup> can no longer apply to them<sup>46</sup> we make a restrictive enactment.

We learned: IF ONE PLACES OVER IT A PLANK WHICH IS FOUR HANDBREADTHS WIDE, IT IS VALID, PROVIDED THAT HE DOES NOT SLEEP UNDER IT. Now it is well according to Samuel who says that the dispute is where there are not four [handbreadths] but where there are four, all agree that it is invalid; for this reason he must NOT SLEEP UNDER IT. But according to Rab who says that the dispute is where there are four [handbreadths] but where there are less than four all agree that it is valid, why, according to R. Judah, may he NOT SLEEP UNDER IT? — Do you then think that this statement<sup>47</sup> is according to all? The concluding statement agrees in fact with R. Meir [only]. Come and hear: Two sheets combine,<sup>48</sup>

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- (1) Sc. if the owner intended them to be used in their present state as finished products for a purpose for which they are fully suitable. The fact that for any other purposes they could not be regarded as finished products cannot affect the owner's intention.
  - (2) In the shape or structure of the vessel.
  - (3) V. Bah.
  - (4) That an intention cannot be annulled by an intention.
  - (5) One only holds the fruit by its stalk when eating it.
  - (6) Lit., 'trampled'.
  - (7) This is explained infra.
  - (8) Because by the threshing the owner has indicated that he has no use for the stalks.
  - (9) 'Ukzin I, 5. Cur. edd. enclose 'and R. Jose. . . susceptible' in parenthesis.
  - (10) The loosening of the sheaves is regarded as an intention to thresh and, therefore, the stalks are unnecessary, and this intention disannuls their previous susceptibility to uncleanness.
  - (11) An actual act.
  - (12) To the objection, How can it be maintained (supra 3b ad fin.) that an intention alone can annul an intention?
  - (13) Lit., 'here also' in the dispute of the first Tanna and the 'others'.
  - (14) I.e., after having decided to use them as Sukkah-covering.
  - (15) That an act was performed.
  - (16) Who still regard them as susceptible to uncleanness.
  - (17) The case in dispute between the first Tanna and the 'others' and that between the first Tanna and R. Jose here.
  - (18) In the case of the threshing.
  - (19) The ears.
  - (20) Even after threshing, the stalks are useful, that the pitchfork may hold the corn, and therefore they are susceptible to uncleanness.
  - (21) Where he cuts the ears for the purpose of the Sukkah.
  - (22) Apparently none. Why then should they be susceptible to uncleanness?
  - (23) The Sukkah roof.
  - (24) V. marg. glos. Cur. edd. in parenthesis 'Eliezer'.

- (25) Since it is only a very slight act and this does not affect their status as handles.
- (26) In view of the fact that an important act had been performed.
- (27) The verb עָתַר 'to entreat' in Gen. XXV, 21, is homiletically connected with עֵתָר 'a pitchfork'.
- (28) A Sukkah.
- (29) The plank.
- (30) Between R. Judah and R. Meir in our Mishnah.
- (31) Such planks are used in the usual construction of house roofs.
- (32) Lit., 'beams'. Since roofs were made of planks of this size, if such planks were permitted on a Sukkah, one would regard an ordinary roof also as valid for the purpose.
- (33) Since no one is likely to draw an analogy between such narrow boards and the wide ones of an ordinary roof
- (34) Between R. Judah and R. Meir in our Mishnah.
- (35) Only in this case does R. Judah permit their use (cf. prev. note).
- (36) Sc. even R. Judah.
- (37) How then could R. Meir disallow their use.
- (38) Samuel.
- (39) Sc. even according to R. Meir.
- (40) R. Judah and R. Meir.
- (41) R. Judah.
- (42) A structure smaller than four handbreadths is not considered a 'place' (v. supra).
- (43) V. supra n. 2.
- (44) R. Meir.
- (45) V. supra 6b and Glos.
- (46) Even if each plank were to be regarded as a mere air space. It applies only to an air space of less than three handbreadths in width.
- (47) Just cited from our Mishnah.
- (48) To form four handbreadths, to render the Sukkah-covering invalid.

## Talmud - Mas. Sukkah 14b

two boards do not combine. R. Meir says, Boards also are like sheets.<sup>1</sup> It is well according to Samuel who says that the dispute is where there are not four [handbreadths], but where there are four handbreadths all agree that it is invalid, [since it may be explained:] What does 'combine' mean? That they combine to make four [handbreadths]. But according to Rab, who says that their dispute is where there are four [handbreadths], but where there are not four handbreadths all agree that it is valid, how is it<sup>2</sup> to be explained? If there are four [handbreadths]<sup>3</sup> why need they combine; if there are not, why [is it invalid]? Are they not mere sticks? — Indeed [it is a case] where there are four handbreadths, and what [is meant by] combine is that they combine to form four cubits<sup>4</sup> at the side.<sup>5</sup>

Another version: It is well according to Samuel, who says that the dispute is where there are not four [handbreadths], but where there are four, all agree that it is invalid, [since it may be explained:] What is meant by 'combine'? That they combine to form four cubits at the side. But according to Rab, it is well according to R. Meir, since what is meant by 'combine' may be that they combine to form four cubits at the side, but according to R. Judah, who says that even if there are four [handbreadths] the Sukkah is valid, what could be the meaning of 'they do not combine'? Are they not like mere sticks?<sup>6</sup> — Since R. Meir said 'they combine', R. Judah said 'they do not combine'. It has been taught in agreement with Rab, and it has been taught in agreement with Samuel. 'It has been taught in agreement with Rab', If he covered the Sukkah with planks of cedar which are not four [handbreadths wide], it is valid according to all. If they have four [handbreadths], R. Meir declares it<sup>7</sup> invalid and R. Judah valid. R. Judah said, It happened in a time of peril<sup>8</sup> that we brought planks which were four [handbreadths wide]<sup>9</sup> and we laid them over a balcony and sat under them. They<sup>10</sup> said to him, Is this a proof? A time of peril is no proof.



'It has been taught in agreement with Samuel', If one covered the Sukkah with planks of cedar which are four [handbreadths wide] it<sup>7</sup> is invalid according to all; if they have not four [handbreadths] R. Meir declares it<sup>7</sup> invalid and R. Judah valid. But R. Meir admits that if there is a space of one plank between every two planks,<sup>11</sup> a man may place laths<sup>12</sup> between them and the Sukkah is valid,<sup>13</sup> and R. Judah agrees that if he placed on it a plank four handbreadths wide, [although] the Sukkah is valid, a man may not sleep under it,<sup>14</sup> and if he sleeps beneath it he has not fulfilled his obligation.<sup>15</sup>

It was stated: If he placed the planks<sup>16</sup> on their sides,<sup>17</sup> R. Huna declared it<sup>7</sup> invalid,<sup>18</sup> and R. Hisda and Rabbah son of R. Huna declared it valid.<sup>19</sup> R. Nahman once came to Sura and R. Hisda and Rabbah son of R. Huna came in to him and asked, If he placed them on their sides, what is the law?<sup>20</sup> He said to them, It is invalid, since they are regarded as metal spits.<sup>21</sup> R. Huna said to them, Did I not tell you, Say as I do? They answered him, Did then the Master give us a reason when he did not accept his ruling? He said to them, Did you ask me for a reason and I would not give you?

Can we say that the following provides support for his view:<sup>22</sup> If [the Sukkah] cannot contain his head, the major part of his body and his table, or if a breach has been made in it<sup>23</sup> large enough for a kid to jump in headlong,<sup>24</sup> or if he placed on it a plank four handbreadths wide, even if only three handbreadths of it enter within, it<sup>25</sup> is invalid. How is this [last sentence]<sup>26</sup> meant? Surely that he placed them<sup>27</sup> on their sides?<sup>28</sup> — No! Here we are dealing with a case where he placed it<sup>29</sup> above the entrance of the booth,<sup>30</sup> with three [of the four handbreadths] within and one protruding outside, in which case it is considered as a lath protruding from the Sukkah, and every lath protruding from a Sukkah is regarded as [part of the] Sukkah.<sup>31</sup>

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(1) Infra 17b.

(2) The ruling of R. Meir just cited.

(3) In the width of each board.

(4) Not in the middle of the roof where invalid material of the width of four handbreadths is sufficient to invalidate the Sukkah.

(5) Of the Sukkah, where invalid covering does not invalidate the Sukkah unless it covers four cubits of space.

(6) Which, obviously, do not combine to invalidate a Sukkah.

(7) The Sukkah.

(8) When the performance of religious rites was forbidden.

(9) Which the heathens did not suspect to serve any ritual purpose.

(10) The Rabbis who differed from his view.

(11) Irrespective of the size of the latter.

(12) Lit., 'refuse', sc. of the threshing-floor etc.

(13) This is explained infra 18a.

(14) The plank.

(15) Of living in a Sukkah.

(16) That were four handbreadths wide.

(17) Which were less than three handbreadths in width.

(18) For the reason given by R. Nahman infra.

(19) Since no house roof is constructed in such a manner there was no need to enact a preventive measure as in the case of flat-lying planks.

(20) They thought he might agree with their view.

(21) I.e., since a plank of four handbreadths is invalid, as is any metal object, in whatever position it is placed, it is still invalid.

(22) R. Nahman's.

(23) In one of the Sukkah walls near the ground.

(24) Without forcing its way in, i.e., one of three handbreadths.

(25) The Sukkah.

(26) That a plank of four handbreadths should cover only three.

(27) The planks.

(28) And covered all the Sukkah with them.

(29) One plank only.

(30) Sc. the side where there was no wall and to which the principle of 'curved wall' (v. supra 4a) does not apply.

(31) V. infra, 19a. Hence it is that the one handbreadth without is deemed to be added to the three within to constitute an invalid covering.

## Talmud - Mas. Sukkah 15a

MISHNAH. IF A ROOF [OF TIMBER]<sup>1</sup> HAS NO PLASTERING, R. JUDAH SAYS THAT BETH SHAMMAI RULED THAT<sup>2</sup> HE SHOULD LOOSEN [ALL THE PLANKS] AND REMOVE ONE FROM BETWEEN EACH TWO,<sup>3</sup> WHILE BETH HILLEL RULED HE SHOULD EITHER LOOSEN [THE PLANKS] OR REMOVE ONE FROM BETWEEN TWO. R. MEIR RULED, HE SHOULD REMOVE ONE FROM BETWEEN TWO, BUT NOT LOOSEN.<sup>4</sup>

GEMARA. It is well according to Beth Hillel; their reason is that 'Thou shalt make', [implies] but not from that which is [already] made,<sup>5</sup> so that if he loosens [the planks] he performs an action,<sup>6</sup> and if he removes one from between two he performs an action;<sup>6</sup> but what is the reason of Beth Shammai? If it is that 'Thou shalt make' [implies] but not from that which is [already] made, one act only<sup>7</sup> should be sufficient; if it is because of a restriction on account [of the possible use]<sup>8</sup> of all ordinary roofing,<sup>9</sup> it should suffice if he removes one from between two?<sup>10</sup> — Indeed it is because of a restriction on account [of the possible use] of an ordinary roofing, but they mean thus: Even although he loosens them, if he removes one from between two,<sup>11</sup> it is [valid], otherwise it is not. If so, read the concluding [part:] R. MEIR RULED, HE SHOULD REMOVE ONE FROM BETWEEN TWO, BUT NOT LOOSEN. Is not R. Meir's view thus identical with that of Beth Shammai? — He<sup>12</sup> means thus: Beth Shammai and Beth Hillel did not dispute on this point.<sup>13</sup> What [then] does [the Mishnah] teach us?<sup>14</sup> That R. Meir holds that a preventive measure [has been enacted] against the possible use<sup>8</sup> of an ordinary roofing, while R. Judah disregards the preventive measure against [the use of] an ordinary roofing? But have they not already disputed on this point, seeing that we have learnt, Planks may be used for the Sukkah covering, these are the words of R. Judah; R. Meir forbids them?<sup>15</sup> — R. Hiyya b. Abba answered in the name of R. Johanan, The former Mishnah deals with planed boards<sup>16</sup> and they forbade them as a preventive measure against [the possible use<sup>8</sup> of] vessels.<sup>17</sup> But according to Rab Judah who citing Rab said,<sup>18</sup> 'If he covered the Sukkah with plain arrowshafts, it is valid; with bored arrow-shafts, it is invalid',<sup>18</sup> and he does not restrict plain shafts on account of [the possible use of] bored ones; here also we should not restrict planed boards on account of [the possible use of] vessels? You are consequently obliged to say that the dispute in the former [Mishnah] is on the question whether a preventive measure against the possible use of an ordinary roofing has been enacted and that the dispute in the latter Mishnah is also on the same question; but why should they dispute the same question twice? — The latter [Mishnah] is what R. Judah said to R. Meir: 'Why [he said in effect] do you forbid planks?'<sup>19</sup> As a preventive measure against [the possible use of] an ordinary roofing? But it is Beth Shammai only who hold this opinion while Beth Hillel do not enact any preventive measure'.<sup>20</sup> To this R. Meir answers that Beth Shammai and Beth Hillel do not dispute this point at all. This is correct according to Rab who says that the dispute<sup>21</sup> is where the planks are four [handbreadths wide], since in such a case R. Meir holds that a preventive measure [has been enacted] against [the possible use of] an ordinary roofing while R. Judah disregards the preventive measure against all ordinary roofing; but according to Samuel, who says that the dispute<sup>21</sup> is where the planks are not four [handbreadths wide], but that where they are four handbreadths wide all agree that it<sup>22</sup> is invalid, on what principle do they dispute in the latter [Mishnah]?<sup>23</sup> They dispute on [the question of] the annulment of a roof.<sup>24</sup> One Master<sup>25</sup> holds the opinion that<sup>26</sup> by this means it becomes annulled,<sup>27</sup> while the other Master<sup>28</sup> holds the opinion that by this means it does not become annulled.<sup>29</sup>

MISHNAH. IF ONE ROOFS HIS SUKKAH WITH IRON SPITS OR THE LONG BOARDS OF A BED,<sup>30</sup> AND THE SPACE BETWEEN THEM<sup>31</sup> EQUALS THEM,<sup>32</sup> IT<sup>33</sup> IS VALID. IF HE HOLLOWS OUT A HAYSTACK TO MAKE FOR HIMSELF A SUKKAH, IT IS NO VALID SUKKAH.

GEMARA. Can we say that this<sup>34</sup> is a refutation of R. Huna, the son of R. Joshua, since it was stated, If the breach is equal to that which is standing,<sup>35</sup> R. Papa says it is permitted,<sup>36</sup> and R. Huna the son of R. Joshua says it is forbidden?<sup>37</sup> — R. Huna the son of R. Joshua can answer, ‘What is meant by EQUALS THEM? That it can easily pass through them.’<sup>38</sup>

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- (1) The planks of such a roof were usually no less than four handbreadths wide.
  - (2) If it is desired to use the room as a Sukkah.
  - (3) Being replaced by suitable material.
  - (4) Loosening being of no avail at all.
  - (5) Sc. from invalid materials or as a house and not as a Sukkah.
  - (6) For the express purpose of the Sukkah.
  - (7) Loosen or remove.
  - (8) As a Sukkah.
  - (9) V. supra 12a.
  - (10) By which the solidity of the roof is broken up.
  - (11) So that (a) he performs an act for the express purpose of the Sukkah and (b) he breaks up the solidity of the roof and there is no need to provide against the possible use of a solid roof for a Sukkah.
  - (12) R. Meir.
  - (13) Both agreeing as to the necessity for removing one from between two.
  - (14) By giving the views of R. Judah and R. Meir.
  - (15) Mishnah supra 14a.
  - (16) Less than four handbreadths in width, so that no preventive measure against the possible use of all ordinary roofing was necessary.
  - (17) Vessels are susceptible to ritual contamination and are, therefore, invalid for a Sukkah-covering. Planed boards are not proper ‘vessels’ and are not susceptible to ritual uncleanness, but, as they can be used for certain purposes, they are forbidden as a Sukkah-covering lest one regard proper vessels also as permitted.
  - (18) Supra 12b.
  - (19) In the Mishnah supra 14a.
  - (20) An objection thus arises against R. Meir: Why does he adopt the view of Beth Shammai against the more authoritative one of Beth Hillel?
  - (21) Between R. Meir and R. Judah.
  - (22) The Sukkah.
  - (23) Sc. since the planks in an ordinary roof are usually no less than four handbreadths wide why does R. Judah maintain that according to Beth Hillel the Sukkah is nevertheless valid?
  - (24) Sc. whether what was once a roof can be annulled by removing planks, or by the performance of any other act which indicates that the man is aware that a Sukkah is valid only if it was made for the purpose.
  - (25) R. Judah.
  - (26) According to Beth Hillel.
  - (27) No preventive measure being deemed necessary.
  - (28) R. Meir.
  - (29) Even according to Beth Hillel, a preventive measure having been enacted.
  - (30) Iron spits, since they are metal, and side pieces of a bed since they are ‘vessels’ are invalid for a Sukkah since they are susceptible to ritual uncleanness.
  - (31) Which is filled in with a valid Sukkah-covering.
  - (32) I.e., their thickness.
  - (33) The Sukkah.

(34) The first ruling in our Mishnah.

(35) This deals with a barrier for the purpose of establishing a private enclosure to carry within it on the Sabbath.

(36) To carry objects within the enclosure.

(37) 'Er. 15b. Now since in the circumstances mentioned a partition is invalid in the case of the Sabbath why is the roof valid in that of Sukkah?

(38) Sc. between the spits or boards, so that the space between, which will be covered with suitable materials, is slightly wider.

## Talmud - Mas. Sukkah 15b

But is it not possible to measure them exactly'?<sup>1</sup> — R. Ammi answered, This is a case where he makes it larger.<sup>2</sup> Raba said, one can even say that he does not make it larger, but if they<sup>3</sup> were placed as the web, he places [the valid covering] as the woof; if as the woof, he places them as the web.<sup>4</sup> OR THE LONG BOARDS OF A BED. Can we say that this<sup>5</sup> confirms [a statement of] R. Ammi b. Tabyomi, for R. Ammi b. Tabyomi said, If he covered the Sukkah with discarded<sup>6</sup> vessels it is invalid? — [No,] as R. Hanan said elsewhere in the name of Rabbi, 'With the long board and two legs, or with the short board<sup>7</sup> and two legs',<sup>8</sup> so here also it may refer to the long board and two legs, or the short board and two legs.<sup>9</sup> Where was this statement of R. Hanan in the name of Rabbi stated? — In connection with what we have learnt:

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(1) The questioner assumed that the previous answer meant that the phrase EQUALS THEM denotes a space between boards and the like which is usually larger than the objects between which it intervenes.

(2) I.e., the Mishnah actually referred only to a case where one did make it larger.

(3) The boards or the spits.

(4) I.e., the valid covering is placed crosswise to the invalid, and, therefore, always exceeds it in volume.

(5) The prohibition to use boards that can no longer be regarded as 'vessels' on account of having once formed a part of a 'vessel'.

(6) Lit., 'worn out'.

(7) The short boards are at the head and foot of the bed, the long at the sides. V. Kelim XVIII, 5.

(8) It will be explained infra why these may be regarded as vessels and what purpose they can serve.

(9) Which may be regarded as a proper vessel.

## Talmud - Mas. Sukkah 16a

A bed can become unclean [only] when it is assembled<sup>1</sup> and be rendered clean only when it is assembled, these are the words of R. Eliezer, but the Sages say, it can become unclean when it is in parts and become clean when in parts.<sup>2</sup> What are [these parts]? — R. Hanan said in the name of Rabbi, The long board and two legs or the short board and two legs. For what is it<sup>3</sup> fit?<sup>4</sup> — For placing against a wall and sitting upon it, and for tying it with ropes.<sup>5</sup>

[Reverting to] the main text: 'R. Ammi b. Tabyomi said, If he covered with discarded vessels it is invalid'. What are discarded vessels? — Abaye said, Small strips of cloth less than three [handbreadths] square which are unfit to be used either by rich or by poor. It has been taught in agreement with R. Ammi b. Tabyomi: In the case of a matting of rushes or straw, the remnants thereof, even if diminished,<sup>6</sup> may not be used for a Sukkah-covering;<sup>7</sup> in that of a mat of reeds, a large one<sup>8</sup> may be used for a Sukkah-covering, a small one<sup>9</sup> may not be used for a Sukkah-covering.<sup>10</sup> R. Eliezer said, The former also is susceptible to [ritual] uncleanness<sup>11</sup> and may not be used as a Sukkah-covering.<sup>12</sup>

IF HE HOLLOWS OUT A HAYSTACK. R. Huna said, This only refers to where there is not a hollow of one handbreadth [in height] extending to seven [handbreadths square],<sup>13</sup> but if there is a hollow of one handbreadth extending to seven, it is a [valid]<sup>14</sup> Sukkah. So it has also been taught; If

he hollows out a haystack to make for himself a Sukkah, it is a [valid] Sukkah. But have we not learnt, IT IS NO SUKKAH? Deduce, therefore, therefrom [that the explanation is] according to R. Huna. This is conclusive.

Some put it<sup>15</sup> in the form of a contradiction. We have learnt: IF HE HOLLOWS OUT A HAYSTACK TO MAKE FOR HIMSELF A SUKKAH, IT IS NO SUKKAH. But has it not been taught that it is [a valid] Sukkah? — R. Huna answered, There is no difficulty. The latter refers to where there is a hollow of a handbreadth extending to seven [handbreadths]<sup>13</sup> while the former refers to where there is no hollow of a handbreadth extending to seven [handbreadths].

MISHNAH. IF ONE SUSPENDS THE WALLS<sup>16</sup> FROM ABOVE DOWNWARDS,<sup>17</sup> IF THEY<sup>18</sup> ARE HIGHER THAN THREE HANDBREADTHS FROM THE GROUND, IT IS INVALID. IF HE RAISES THEM FROM THE BOTTOM UPWARDS, IF THEY BE TEN HANDBREADTHS HIGH, IT IS VALID.<sup>19</sup> R. JOSE SAYS, JUST AS FROM THE BOTTOM UPWARDS A HEIGHT OF TEN HANDBREADTHS SUFFICES SO FROM THE TOP DOWNWARDS DOES A HEIGHT OF TEN HANDBREADTHS [SUFFICE].

GEMARA. On what principle do they<sup>20</sup> differ? — One Master<sup>21</sup> holds the opinion that a hanging partition<sup>22</sup> renders [the Sukkah] valid, and the other Master<sup>23</sup> holds the opinion that a hanging partition does not render it valid.<sup>24</sup>

We have learnt elsewhere, If there be a cistern between two courtyards,<sup>25</sup> they<sup>26</sup> may not take water therefrom on the Sabbath,<sup>27</sup> unless a partition ten handbreadths high be made either from above, or from below,<sup>28</sup> within<sup>29</sup> its rim.<sup>30</sup> R. Simeon b. Gamaliel says,

- (1) When all its parts are joined together.
- (2) Kelim XVIII, 9.
- (3) The long or short board with the legs.
- (4) That it should in consequence have the status of a 'vessel'.
- (5) To form a couch (v. Rashi). [Aliter: and to sit upon it for twisting ropes. Cf. Aruch; MS.M. omits 'and sitting upon it', which Rashi also did not seem to read.]
- (6) From the minimum required to make them susceptible to uncleanness, i.e., six handbreadths square, v. Kel. XXVII, 2.
- (7) Since in origin they constituted a vessel.
- (8) Which cannot be regarded as a 'vessel' since it is usually used as a covering.
- (9) Which may be regarded as a vessel.
- (10) On account of its susceptibility to ritual uncleanness.
- (11) In his opinion a large one also is used as a rule for sitting purposes and must, therefore, be regarded as a vessel.
- (12) V. infra Mishnah I, 11.
- (13) The minimum size of a Sukkah.
- (14) [The reason for invalidating a Sukkah which has been hollowed out of the haystack is as stated supra 12a "thou shalt make" which implies but not from that which has been made'. This reservation it is to be noted applies only to the Sukkah-covering but not to the walls. Now, if in piling up the haystack there was left a space below of the mentioned dimensions, the top of the haystack can be said to have been constructed in the very first instance to provide a covering (for the space below) and as such is valid for the Sukkah which has been hollowed out. Where, however, there was no such space left in the first instance, the covering which the top of the haystack provides comes into existence only as the automatic result of the hollowing out and consequently is invalid for the Sukkah; so Rashi. For another interpretation v. R. Han.]
- (15) R. Huna's explanation.
- (16) Of a Sukkah.
- (17) This refers, of course, to walls woven from reeds, branches or textile.
- (18) Sc. their lower ends.

- (19) Even though they do not reach the roof.
- (20) R. Jose and the first Tanna in our Mishnah.
- (21) R. Jose.
- (22) If it is ten handbreadths high.
- (23) The first Tanna.
- (24) When its lower end, however, is within three handbreadths from the ground it is no longer regarded as a hanging partition but as one resting on the ground.
- (25) Between which there was no 'erub (v. Glos.), and one half of the cistern was in one courtyard while the other half was in the other courtyard, and the partition between the courtyards was suspended above the cistern.
- (26) The tenants of either courtyard.
- (27) Since each group of tenants would thereby be carrying the water of the other group from the latter's domain into their own.
- (28) Near the water.
- (29) Cf. Rashi. Lit., 'or within', referring to 'from above'.
- (30) This is a special relaxation of the law of partitions in the case of water. Where the suspended partition, however, is without the rim, as is the case with the wall between the courtyards, since it was not especially made for the water, it cannot be regarded as valid.

## Talmud - Mas. Sukkah 16b

Beth Shammai say, [The partition may be suspended] from above, and Beth Hillel say, Only from below. R. Judah said, A partition<sup>1</sup> should not be [subjected to] greater [restrictions] than the wall between them.<sup>2</sup> Rabbah b. Bar Hana said in the name of R. Johanan, R. Judah spoke according to the view of R. Jose<sup>3</sup> who said that a hanging partition validates. But in fact it is not so! Neither does R. Judah hold the opinion of R. Jose,<sup>4</sup> nor does R. Jose hold the opinion of R. Judah.<sup>5</sup> 'R. Judah does not hold the opinion of R. Jose', for R. Judah speaks only there with regard to the 'erub of courtyards,<sup>6</sup> which is a Rabbinical injunction, but here, with regard to the Sukkah which is a Pentateuchal commandment, he does not [say so]. 'Nor does R. Jose hold the opinion of R. Judah,' for R. Jose speaks only here with regard to the Sukkah which is merely a positive commandment<sup>7</sup> but with regard to the Sabbath, the interdiction of which involves stoning, he does not say so.<sup>8</sup> And if you will retort<sup>9</sup> with regard to the incident which occurred at Sepphoris,<sup>10</sup> on whose authority was it done?<sup>11</sup> Not on the authority of R. Jose,<sup>12</sup> but on that of R. Ishmael son of R. Jose.<sup>13</sup> What was this incident? — [That concerning which] when R. Dimi came<sup>14</sup> he related that on a certain occasion they forgot to bring a Scroll of the Law<sup>15</sup> on the eve of the Sabbath. On the morrow, they stretched sheets over the pillars<sup>16</sup> and<sup>17</sup> brought the Scroll of the Law and read therein. Can it mean that they [really] spread them out? Whence then did they bring them on the Sabbath?<sup>18</sup> — Rather they found sheets [already] spread over the pillars, and therefore they brought the Scroll of the Law and read therein. R. Hisda stated in the name of Abimi, A matting slightly more than four handbreadths [wide] is permitted as a Sukkah wall.<sup>19</sup> How does one place it? — One suspends it in the middle less than three [handbreadths] from the ground and less than three from the top,<sup>20</sup> and whatever [space] is less than three handbreadths is treated as labud.<sup>21</sup> But is not this obvious? — One might have said that we apply the law of labud once, but we do not apply labud twice [to the same wall], therefore he informed us of this. It was objected: A matting slightly more than seven [handbreadths] is permitted as a Sukkah wall!<sup>22</sup> — With reference to what was this taught? With reference to a large Sukkah,<sup>23</sup> and what does it inform us?<sup>24</sup> That walls may be suspended from above downwards in agreement with R. Jose.<sup>25</sup>

R. Ammi said, A board which is slightly more than four [handbreadths] wide<sup>26</sup> is<sup>27</sup> permitted for a Sukkah wall when he places it less than three [handbreadths] from the termination of the adjacent wall, since a space less than three [handbreadths] is<sup>28</sup> treated as labud.<sup>29</sup> What does he inform us? — He informs us this: That the minimum extent of a small Sukkah is seven [handbreadths].

- (1) Within the cistern.
- (2) The two courtyards, 'Er. 86b. I.e. the wall alone, though suspended above the cistern, is a valid partition in respect of the movement of objects on the Sabbath.
- (3) Of our Mishnah.
- (4) That a suspended partition is valid in a Sukkah.
- (5) That a suspended partition is valid on the Sabbath in the case of the cistern.
- (6) V. supra 3b.
- (7) The punishment for which transgression is comparatively mild.
- (8) Even in the case of a Rabbinical injunction.
- (9) Since R. Jose does not agree with R. Judah in the case of Sabbath.
- (10) V. infra, where a suspended partition was treated as valid in the case of Sabbath.
- (11) Seeing that R. Jose who was the rector of the academy of Sepphoris (v. Sanh. 32b) did not agree with such a view.
- (12) Who at that time was no longer alive.
- (13) His son.
- (14) From Palestine to Babylon.
- (15) The Scroll was in one of the houses of the courtyard where stood the Synagogue. As there was no 'erub prepared it was forbidden to carry from the house to the Synagogue on the Sabbath, and they, therefore, adopted the following device.
- (16) That were situated between the house and the Synagogue.
- (17) Having thus formed a sort of private domain.
- (18) When the carrying of objects is forbidden.
- (19) If it is as long as the required wall.
- (20) The Sukkah referred to is one that is exactly ten handbreadths high, and the placing of a matting slightly more than four in the middle leaves a space of less than three on either side.
- (21) V. supra 6b, and Glos.
- (22) Since it prescribes the minimum of seven handbreadths, it follows that only one labud is permitted.
- (23) I.e., one more than ten handbreadths in height which precludes the assumption of more than one labud. All that can be done is to suspend the mat at a distance of less than three handbreadths from the roof so that its size (being slightly more than seven handbreadths) combines with the space between it and the roof (which is somewhat less than three handbreadths) to constitute (by the rule of labud) a suspended wall of ten handbreadths in height.
- (24) Sc. is it not obvious that a ten handbreadths high wall is valid?
- (25) Supra.
- (26) And is ten handbreadths high.
- (27) Placed vertically.
- (28) By the rule of labud.
- (29) And thus a wall of the prescribed minimum length of seven handbreadths is obtained.

## Talmud - Mas. Sukkah 17a

MISHNAH. IF ONE REMOVED THE SUKKAH-COVERING THREE HANDBREADTHS<sup>1</sup> FROM THE WALLS, IT IS INVALID.<sup>2</sup> IF [THE ROOF OF] A HOUSE IS BREACHED,<sup>3</sup> AND HE PLACED A SUKKAH-COVERING OVER IT, IF THERE IS A DISTANCE OF FOUR CUBITS FROM THE WALL TO THE COVERING, IT IS INVALID.<sup>4</sup> SIMILARLY IN THE CASE OF A COURTYARD WHICH IS SURROUNDED BY AN EXEDRA.<sup>5</sup> IF [THE COVERING OF] A LARGE SUKKAH WAS SURROUNDED WITH A MATERIAL WHICH IS INVALID FOR A SUKKAH-COVERING, IF THERE IS A SPACE OF FOUR CUBITS<sup>6</sup> BENEATH IT, IT IS INVALID.<sup>7</sup>

GEMARA. Why are all these [rulings]<sup>8</sup> needed? — It is necessary [to state them all]. For if he<sup>9</sup> had only informed us of [the roof of] a house which is breached, [one would have said that the validity<sup>10</sup> applied to this case only] because the partitions are made for the house,<sup>11</sup> but in the case of a courtyard which is surrounded by an exedra, where the partitions are not made for the exedra it does not apply;<sup>12</sup> and if he had informed us of those two,<sup>13</sup> [one would have said that the validity<sup>10</sup> applied to these cases only] because their covering might be a valid covering,<sup>14</sup> but in the case of a large Sukkah which is surrounded with a material which is invalid for a Sukkah-covering, since the very material of the covering is invalid, it does not apply, [therefore it is] necessary [to mention all].

Rabbah stated, I found the Rabbis of the College of Rab sitting and saying,<sup>15</sup> ‘An air space invalidates<sup>16</sup> if it is three [handbreadths wide]; an invalid covering invalidates<sup>16</sup> if it is four [handbreadths wide]’, and I said to them, Whence do you know that an air space of three [handbreadths] invalidates? [Presumably] because we learned: IF THE SUKKAH-COVERING IS THREE HANDBREADTHS DISTANT FROM THE WALLS, IT IS INVALID. [But if so,] invalid Sukkah-covering too should not invalidate<sup>16</sup> unless it extends to four cubits, since we have learnt: IF [THE ROOF OF] A HOUSE IS BREACHED AND HE PLACED A SUKKAH-COVERING OVER IT, IF THERE IS A DISTANCE OF FOUR CUBITS FROM THE WALL TO THE COVERING, IT IS INVALID. And they said to me, This is no evidence<sup>17</sup> since Rab and Samuel both say that<sup>18</sup> the reason of its validity is because [the roof is regarded as the continuation] of a ‘curved wall’;<sup>19</sup> and I said to them, What [would the law be] if the invalid Sukkah-covering were less than four [handbreadths], with an air space<sup>20</sup> of less than three [handbreadths]? [Surely] it would be valid.<sup>21</sup> And what if he filled in this space with spits?<sup>22</sup> [Surely] it would be invalid.<sup>23</sup> Now should not an air-space which invalidates with three [handbreadths]<sup>24</sup> be treated like invalid covering which only invalidates with four?’<sup>25</sup> And they answered me, ‘If so, then even according to you, who say that invalid covering invalidates only if there are four cubits, how [would it be] if there was invalid covering of less than four cubits, and [next to it] an air space of less than three handbreadths? [Surely] it would be valid. And if he filled in this space with spits? [Surely] it would be invalid. Now [can it not similarly be argued] should not an air space which invalidates with three [handbreadths] be like the Sukkah-covering which invalidates [only] if there are four cubits?’ And I answered them, ‘How can you compare the two cases? It is well according to me who say four cubits,

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(1) Horizontally.

(2) Since the mere air cannot be regarded as a valid part of either the roof or the walls.

(3) In the centre at some distance from the walls.

(4) Since the portion of the roof that intervenes between the walls and the valid covering constitutes a break. If the distance, however, is less than four cubits each wall and the portion of the roof adjacent to it is regarded as one ‘curved wall’ reaching from the ground to the valid covering (v. supra 4a). It is forbidden to use the portion of the Sukkah under the solid roof but the centre of the house is regarded as a valid Sukkah.

(5) A peristyle. A roof projects from the sides of the courtyard in front of the houses that surround it while the centre of the courtyard is exposed. If this centre has been covered with the proper materials the courtyard is subject to the same laws as the house spoken of in the previous clause.



- (6) Between the walls and the valid covering.
- (7) Cf. supra n. 3 mut. mut.
- (8) All of which are based on the principle of the inadmissibility of a 'crooked wall' where the invalid part of the roof is no less than four cubits in width.
- (9) The author of our Mishnah.
- (10) Where the distance is less than four cubits.
- (11) And the house becoming a Sukkah, the 'partitions', i.e., the walls, are, on the principle of the 'curved wall', regarded as the valid walls of the Sukkah also.
- (12) But for the houses, in consequence of which they cannot be regarded as the walls of the Sukkah either.
- (13) House and courtyard.
- (14) Its inadmissibility being due entirely to the fact that it was not originally intended as a Sukkah-covering.
- (15) In the name of Rab.
- (16) An entire Sukkah.
- (17) Lit., 'with the exception of this'.
- (18) In our Mishnah.
- (19) Lit., 'crooked wall', while they spoke of invalid covering that was far removed from the walls and that could not consequently be treated as a continuation of these walls.
- (20) Next to it.
- (21) Since the invalid covering is less than the prescribed minimum.
- (22) Which owing to their susceptibility to ritual uncleanness are invalid for a Sukkah-covering.
- (23) Since there are now more than four handbreadths of invalid covering, whereas hitherto whilst it was air space the Sukkah was not invalidated.
- (24) And which is, therefore, more serious.
- (25) And consequently the Sukkah under discussion would be invalidated by the air space though it is less than three handbreadths.

## Talmud - Mas. Sukkah 17b

because [in this case the validity of the Sukkah depends on] whether there is the standard size<sup>1</sup> or not, and here<sup>2</sup> there is not the standard size, for since their standard sizes<sup>3</sup> are unequal, they do not combine; but according to you, who say that the size is solely dependent on the principle of division<sup>4</sup> what does it matter whether the division is made through invalid covering, or through invalid covering and space?' Abaye said to him, And according to the Master also, admitted that their standards are unequal in a large Sukkah, but in a small Sukkah are they not equal?<sup>5</sup> — He answered, The reason there<sup>6</sup> is not because the standards are equal, but because there is not the [minimum] size of a Sukkah remaining.<sup>7</sup>

Do we not then combine standards when they are unequal? Have we not in fact learnt: A garment that is three [handbreadths] square, sacking four handbreadths square, leather five handbreadths square and matting six handbreadths square<sup>8</sup> [are susceptible to uncleanness]. And it has been taught concerning this: Garments and sacking, sacking and leather, leather and matting combine with one another?<sup>9</sup> — In that case the reason has been given, as R. Simeon said, 'What is the reason?<sup>10</sup> Since they<sup>11</sup> are susceptible to uncleanness<sup>12</sup> if [a man with running issue] sits on them, as we have learnt: If he cuts from any one of them<sup>13</sup> a piece one handbreadth square, it is susceptible to uncleanness'.<sup>14</sup> To what use can a piece one handbreadth square be put? — R. Simeon b. Lakish in the name of R. Jannai replied, It can be used as a patch<sup>15</sup> for [the saddle of] an ass.<sup>16</sup>

In Sur:<sup>17</sup> they taught this decision<sup>18</sup> in the above words;<sup>19</sup> in Nehardea<sup>20</sup> they taught [as follows]:<sup>21</sup> Rab Judah said in the name of Samuel, Invalid covering in the middle [of the Sukkah] invalidates<sup>22</sup> if it is four [handbreadths wide]; at the side only if it is four cubits wide; while Rab says, Whether in the middle or at the sides, [it invalidates] only if it is four cubits wide.

We have learnt: If he placed over it<sup>22</sup> a plank four hand breadths wide,<sup>23</sup> it is valid.<sup>24</sup> It is well according to Rab who says that whether in the middle or at the sides [the invalid covering must be no less than] four cubits [to invalidate it]; for this reason it is [here] valid; but according to Samuel who says that at the middle a width of four [handbreadths invalidates], why is it here valid? — Here it is a case where [the plank was placed at] the side. Come and hear: Two sheets combine,<sup>25</sup> two boards do not combine.<sup>26</sup> R. Meir says, Boards are like sheets.<sup>27</sup> It is well according to that version which says that Rab says that ‘whether in the middle or at the sides [it invalidates only] if it is four cubits wide;’ for thus by ‘combine’ was meant, Combine to make four cubits; but, according to the version which says that Rab says that, in the middle [even, only] four handbreadths [width of invalid covering] invalidates, what kind of boards are we to imagine? If they are each four handbreadths wide, why need they combine? And if they are each less than four handbreadths wide, they are mere sticks!<sup>28</sup> — This is indeed a case where they are each four handbreadths wide; and what does ‘combine’ mean? That they combine to make up four cubits at the side.<sup>29</sup>

Come and hear: If he covered the Sukkah with planks of cedarwood which are four [handbreadths wide], according to all it is invalid; if they have not four handbreadths in their width, R. Meir declares it<sup>30</sup> invalid and R. Judah declares it valid,

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- (1) To invalidate a Sukkah; the standard being received as Sinaitic tradition.
  - (2) In the case of the Sukkah under consideration.
  - (3) For invalid covering and for air space.
  - (4) The standard of four handbreadths in connection with invalid covering has no basis in tradition, it not being mentioned even in the Mishnah; it has been fixed merely on the principle that four handbreadths represent a ‘division, i.e., the minimum size of a separate place, breaking up the unity of the Sukkah.
  - (5) A Sukkah of minimum size, i.e., of seven handbreadths square, is invalid if there are either three handbreadths of invalid covering or of air space; why then should not the two combine?
  - (6) In the case of a small Sukkah where three handbreadths of air space or invalid covering equally invalidate.
  - (7) As the standards are still different they cannot be combined.
  - (8) By reason of a man with an impure issue sitting or treading on it. Kel. XXVII, 2.
  - (9) To form the prescribed larger size.
  - (10) That the various materials enumerated may be combined.
  - (11) Separately.
  - (12) The same standard of size applying to each material.
  - (13) The materials just mentioned.
  - (14) Kel. XXVII, 4.
  - (15) So Aruch. V. marg. glos. Cur. edd. in parenthesis ‘to take it’,
  - (16) Upon which a man is able to sit.
  - (17) The seat of the College of Rab.
  - (18) Of Rab, that invalid covering to the extent of four handbreadths causes the invalidity of a Sukkah.
  - (19) That Rabbah found the Rabbis of the College of Rab etc. (supra 17a).
  - (20) The seat of the College of Samuel.
  - (21) Viz., that Rab did not make the statement but that the question was a point at issue between Rab and Samuel.
  - (22) A Sukkah.
  - (23) Presumably even where the plank was placed in the middle of the roof.
  - (24) Supra 14a.
  - (25) To constitute the prescribed minimum to invalidate the Sukkah on account of their susceptibility to ritual uncleanness.
  - (26) To form the prescribed minimum, to invalidate a Sukkah as a preventive measure against the possible use of boards all along the roof.
  - (27) Supra 14a and b.
  - (28) Which are surely a valid Sukkah-covering.
  - (29) Of the Sukkah.

## Talmud - Mas. Sukkah 18a

but R. Meir admits that if there is the space of one plank between every two planks that one may place laths between them and it is valid.<sup>1</sup> It is well according to him who says that whether in the middle or at the sides it needs four cubits [of invalid covering to invalidate a Sukkah], for this reason it is here valid;<sup>2</sup> but according to him who says that in the middle four [handbreadths of invalid covering invalidate] why is it valid?<sup>3</sup> — R. Huna the son of R. Joshua answered, We are dealing here with a Sukkah which measures no more than a bare eight [cubits], and he places [alternately] plank and lath, plank and lath, plank and lath on one side and [similarly] plank and lath, plank and lath, plank and lath on the other side, so that there are two laths in the middle, and thus a valid Sukkah is formed in the middle.<sup>4</sup>

Abaye ruled, An air space of three handbreadths in a large Sukkah which is diminished with either sticks or spits<sup>5</sup> is a [valid] diminution;<sup>6</sup> in a small Sukkah,<sup>7</sup> with sticks it is a [valid] diminution,<sup>8</sup> with spits an invalid one.<sup>9</sup> This<sup>10</sup> applies only to the side,<sup>11</sup> but as regards the middle, R. Aha and Rabina differ. One says, The rule of labud<sup>12</sup> applies in the middle,<sup>11</sup> while the other says, The rule of labud does not apply in the middle.

What is the reason of him who says that the rule of labud applies in the middle? — Because it has been taught, If a beam protrudes from one wall but does not touch the opposite wall, and similarly in the case of two beams, one protruding from one wall and one from the other and not touching each other, if [the space between<sup>13</sup> is] less than three [handbreadths] it is unnecessary to provide another beam;<sup>14</sup> if it is three [handbreadths] it is necessary to provide another beam.<sup>15</sup> And [what does] the other<sup>16</sup> [answer to this]? — Beams<sup>17</sup> are different [from a Sukkah]<sup>18</sup> since [their erection is merely] a Rabbinical measure.<sup>19</sup>

What is the reason of him who says that the rule of labud is not applied in the middle? — Because we learned: If a skylight in [the roof of] a house was of one handbreadth square, and there was an object of uncleanness in the house, all the house is unclean, but what is directly below the skylight is clean.<sup>20</sup> If the unclean object is directly below the skylight, the whole house is clean. If the skylight was less than a handbreadth square, and there was an unclean object in the house, what is directly below the skylight is clean; if the unclean object is directly below the skylight, the whole house is clean.<sup>21</sup> And [what does] the other<sup>22</sup> [say]?<sup>23</sup> — The laws of uncleanness differ [from those of Sukkah] since there is a tradition to that effect.<sup>24</sup>

R. Judah b. Ila'i expounded, If [the roof of] a house is breached, and he placed a Sukkah-covering over it, it<sup>25</sup> is valid.<sup>26</sup> R. Ishmael son of R. Jose said to him, Master, explain [thy words]. Thus my father<sup>27</sup> explained it: If there are four cubits<sup>28</sup> it<sup>25</sup> is invalid,<sup>26</sup> if less than four cubits, it is valid.

R. Judah b. Ila'i expounded, Abruma<sup>29</sup> is permitted. R. Ishmael son of R. Jose said to him, Master, explain [thy words]. Thus said my father, Those from such and such a place are forbidden,<sup>30</sup> and from such and such a place are permitted.<sup>31</sup> This is analogous to that which Abaye said; the zahantha<sup>32</sup> of Bab Nahara<sup>33</sup> are permitted. What is the reason? If you will say that it is because there is a swift current there, and an unclean fish, since it has no spinal cord, cannot exist therein, [it could be retorted that] we see that they do exist [in rivers with rapid currents]. Will you then say that it is because it has salt water, and 'an unclean fish, since it has no scales, cannot exist [in salt water, it could be retorted that] we see that they do exist? — The reason in fact is that the muddy nature of this river does not allow unclean fish to breed in it. Rabina said, But at the present time that the River Ethan<sup>34</sup> and the River Gamda flow therein, they<sup>35</sup> are forbidden.<sup>36</sup>

It was stated, If a man placed a Sukkah-covering over an exedra<sup>37</sup> which has door-frames,<sup>38</sup> it is valid;<sup>39</sup> if it has no door-frames, Abaye declares it<sup>40</sup> valid and Raba declares it invalid. Abaye declares it valid [since]

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- (1) Supra 14b.
  - (2) Since each board is less than four cubits in width.
  - (3) Is not each single board sufficient to cause invalidity?
  - (4) Eight cubits equal forty-eight handbreadths which are duly covered by the six planks (six times four is twenty-four handbreadths) and the latter which also total six times four is twenty-four handbreadths, but the alternation of planks and laths is as follows (P is plank, L is lath) PLPLPLLPLPLP. The eight handbreadths in the middle represented by LL constitute a valid Sukkah, the next being regarded as continuations of the walls, since on any side they are less than four cubits in extent.
  - (5) Sticks are a valid, spits an invalid covering.
  - (6) And the Sukkah is valid, since there is now neither the minimum of air space nor the minimum of invalid covering to cause invalidity.
  - (7) Sc. one of minimum size.
  - (8) Since by the rule of labud the air space is deemed to be non-existent.
  - (9) Because the air space and the spits, which together extend along three handbreadths cannot be regarded as a valid part of the roof and the Sukkah (being of the minimum size) is thus reduced to less than the prescribed minimum.
  - (10) That an air space less than three handbreadths causes no invalidity.
  - (11) Of the Sukkah.
  - (12) V. supra 6b.
  - (13) The beam and the wall or the two beams.
  - (14) To make the necessary enclosure in connection with the movement of objects in an alley on the Sabbath.
  - (15) 'Er. 14a. As the rule of labud is applied to the air space between the two beams so it is applied to an air space in the middle of a Sukkah.
  - (16) Who does not apply the rule of labud to an air space in the middle.
  - (17) To make the necessary enclosure in connection with the movement of objects in an alley on the Sabbath.
  - (18) Which is a Pentateuchal ordinance.
  - (19) Pentateuchally the movement of objects is permitted even in the absence of a beam.
  - (20) From which it follows that the space of the skylight is not regarded as labud making the whole roof one and everything within the room unclean.
  - (21) Ohal. X, 1.
  - (22) Who applies the rule of labud in the middle.
  - (23) Sc. how can he maintain his ruling in view of the Mishnah just cited?
  - (24) As the tradition was received in connection with the former it cannot be applied to the latter.
  - (25) The house.
  - (26) As a Sukkah.
  - (27) R. Ila'i.
  - (28) Of solid roof between the walls and the valid covering.
  - (29) A species of very small fish (Rashi), brine of a certain fish (Jast.).
  - (30) Since in that place very small insects abound in the water and it is difficult to remove them from the fish (Rashi).
  - (31) Since no insects live in that water.
  - (32) A species of small fish.
  - (33) The river Bab. A tributary of the Euphrates.
  - (34) In A.Z. 39a: Goza.
  - (35) The zahantha.
  - (36) Either because the unclean insects of those rivers flow into it, or because their streams purify the waters of the Bab and turn them into a suitable breeding ground for the unclean insects. V. A.Z., Sonc. ed., p. 191 notes.
  - (37) V. note on our Mishnah. The edge of the exedra was removed from the inner wall of the courtyard more than four cubits.
  - (38) The exedra being separated from the courtyard by a sort of colonnade each column in which is less than three

handbreadths distant from the other.

(39) Since the space between the door-frames is less than three handbreadths we apply the law of labud whereby they are regarded as one solid wall. In the absence of the colonnade the Sukkah, sc. the centre portion with the valid covering, has no walls since the courtyard walls which are separated from it by more than four cubits cannot serve as its walls to the Sukkah.

(40) The Sukkah.

## Talmud - Mas. Sukkah 18b

we say that the edge of the roof [of the exedra is regarded as though it] descends and fills up [the space],<sup>1</sup> while Raba says it is invalid, since we do not say that the edge of the roof descends and fills up [the space]. Said Raba to Abaye, According to you who say that the edge of the roof [is regarded as though it] descends and fills in [the space, is a Sukkah valid] even if the middle wall is missing?<sup>2</sup> He answered him, In that case I agree with you [that the Sukkah is invalid] since it would be like an alley-way that is open on two opposite sides.

Must we say that Abaye and Raba differ on the same principle as that on which Rab and Samuel differed for it was stated, If an exedra was in a field,<sup>3</sup> Rab declares that it is permitted to carry [on the Sabbath] over the whole extent of it, since we say that the edge of the roof descends and fills in the space,<sup>4</sup> while Samuel said that it is forbidden to carry in it except within four cubits, since we do not say that the edge of the roof descends and fills in [the space]?<sup>5</sup> — [No!] With regard to the opinion of Samuel neither of them<sup>6</sup> disagrees;<sup>7</sup>

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(1) And this forms a wall on every side of the Sukkah.

(2) Sc. if a Sukkah is erected with only the two opposing sides, are the planks of the roof regarded as descending to form the missing walls?

(3) I.e., one that has a roof but is without walls.

(4) Forming walls around it.

(5) V. 'Er., Sonc. ed., p. 654 notes. Win then Abaye's view agree only with that of Rab, and Raba's only with that of Samuel?

(6) Not even Abaye.

(7) That the edge of the exedra cannot be regarded as descending and forming walls for the Sukkah. For if in the case of the Sabbath where the roof was made for the exedra its edge is not regarded as descending and forming walls how much less could an edge be regarded as descending and forming walls in the case of a Sukkah where the roof was made for the exedra and not for the Sukkah.

## Talmud - Mas. Sukkah 19a

they only differ with regard to the opinion of Rab. Abaye agrees with Rab, while Raba can say that Rab ruled then only in that case,<sup>1</sup> since the partitions<sup>2</sup> are made for the exedra, but in the case here,<sup>3</sup> since they are not made for this purpose [he would] not [rule thus].<sup>4</sup>

We have learnt: SIMILARLY IN THE CASE OF A COURTYARD WHICH IS SURROUNDED WITH AN EXEDRA.<sup>5</sup> But why?<sup>6</sup> Should it not rather be assumed that the edge of the roof descends and fills in [the space]?<sup>7</sup> — Raba explained according to Abaye that this is a case where one made the beams level.<sup>8</sup>

In Sura<sup>9</sup> they taught these statements<sup>10</sup> in the above form. In Pumbeditha<sup>11</sup> they taught [them as follows]: If a man placed a Sukkah-covering over an exedra which has no door-frames, it is invalid according to all.<sup>12</sup> If it has door-frames.<sup>13</sup> Abaye declares it valid, while Raba declares it invalid. Abaye declares it valid, since we apply the law of labud,<sup>14</sup> Raba declares it invalid, since we do not apply the law of labud;<sup>15</sup> but the law is according to the former version.<sup>16</sup>

R. Ashi found R. Kahana placing a Sukkah-covering over an exedra which had no door-frames.<sup>17</sup> He said to him, Does not the Master hold the opinion which Raba stated, that if it has door-frames it is valid, but if it has no door-frames it is invalid? — He showed him [that a door-frame] was visible within though level on the outside, or visible from without, though level from within,<sup>18</sup> for it has been stated, ‘If it<sup>19</sup> is visible from without and level from within,<sup>20</sup> it is regarded as a valid side-post’,<sup>21</sup> and a side-post is in this respect like door-frames. A Tanna taught: Laths projecting from a Sukkah are regarded as the Sukkah.<sup>22</sup> What is meant by ‘laths projecting from a Sukkah’? — ‘Ulla replied, Sticks<sup>23</sup> projecting beyond the back<sup>24</sup> of the Sukkah. But do we not need three walls?<sup>25</sup> — [This refers to a case] where there were [three walls]. But do we not need the size<sup>26</sup> prescribed as a minimum for the validity of a Sukkah? — [This refers to a case] where there was [the size prescribed as a minimum for the validity of a Sukkah]. But do we not need that the shade should exceed the sun? — [This refers to] where there was [more shade than sun]. If so,<sup>27</sup> what need was there to state it? — One might have said that since they<sup>28</sup> were made for the inside but not for the outside it<sup>29</sup> is not [valid], therefore he informs us [that it is valid]. Rabbah and R. Joseph both stated: This<sup>30</sup> refers to sticks projecting in front of a Sukkah<sup>31</sup> one wall of which continues with them. As one might have said that it does not contain the prescribed minimum for the validity of a Sukkah,<sup>32</sup> therefore he informs us [that it is valid].<sup>33</sup>

Rabbah b. Bar Hana said in the name of R. Johanan, This<sup>30</sup> is necessary only in the case of a Sukkah, most of which has more shade than sun, while a minor part of it has more sun than shade. As one might have said that this small portion<sup>34</sup> invalidates it, therefore he informs us [that it does not]. What then is meant by ‘going out’?<sup>35</sup> [It means] going out from the validity of a Sukkah. R. Oshaia said, This<sup>30</sup> is necessary only in the case of a small Sukkah<sup>36</sup> which has invalid Sukkah-covering to an extent of less than three [handbreadths]; and what is meant by ‘going out’?<sup>37</sup> Going out from the laws applicable to a Sukkah.<sup>38</sup> R. Hoshiah demurred: Let it<sup>39</sup> be regarded as no better than air space, does then air space of less than three [handbreadths] invalidate a small<sup>40</sup> Sukkah?<sup>41</sup> — R. Abba answered him, [The difference is that] in the former case<sup>39</sup> it combines [with the rest of the Sukkah] and it is permitted to sleep under it;<sup>42</sup> in the latter case<sup>43</sup> it does not combine and it is forbidden to sleep under it. But is there anything which itself is invalid and yet combines [with another thing to become valid]? — R. Isaac b. Eliashib answered, Yes!

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(1) Sabbath.

(2) Sc. the edge of the roof of the exedra which is assumed to descend and to form partitions.

(3) Sukkah.

(4) Cf. supra n. 5 mut. mut.

(5) If the roof of the exedra is four cubits wide, so that the walls of the houses cannot be regarded as the Sukkah walls, the Sukkah is invalid.

(6) Should the Sukkah be invalid.

(7) And thus provides walls.

(8) The beams of the Sukkah-covering were not placed over the exedra roof, so that the edge of the latter was visible within the Sukkah, but on a level with it.

(9) The site of the College of Rab.

(10) The views of Abaye and Raba.

(11) After the destruction of Nehardea by Odenathus in 259, Judah b. Ezekiel (Rab Judah), a pupil of Rab and Samuel, established a college at Pumbeditha.

(12) Even according to Abaye. Since the roof was made for the exedra and not for the outside space its edge cannot be regarded as forming a wall for that space.

(13) And the distance between any two of them is less than three handbreadths.

(14) As the wall is consequently a proper one it may serve for both the exedra and the Sukkah.

(15) The rule of labud is applied only to a wall that was made to serve the space it encloses but not to one that is to serve an outside space also.

- (16) Of Raba's ruling, viz., that labud is applied even where a wall is to serve an outside space, while an edge of a roof is assumed to descend downwards only when it is to serve its inner space.
- (17) Only two walls were made to the Sukkah, the exedra edge forming the third, and the fourth side was open lacking even the minimum of a handbreadth to constitute a fictitious wall.
- (18) The exedra had a door-frame no less than a handbreadth wide which commenced at the corner of the Sukkah and extended outside the Sukkah, being visible only from without, thus: (see drawing left) a =Sukkah wall; b = roof of exedra; c =wall of exedra; d = projection of exedra wall forming door-frame.
- (19) A side-post that must be fixed to the edge of an alley to enable the carrying of objects within it on the Sabbath.
- (20) Sc. if the sidepost is level with one of the walls but extending beyond it, so that it is visible only from without. Thus: (see drawing right) a = side-post.
- (21) V. 'Er. (Sonc. ed.) fol. 9b notes. (11) Hence it is valid whether it is visible from within the Sukkah or without it.
- (22) And one fulfils his obligation by sitting under them.
- (23) Of the Sukkah-covering.
- (24) Sc. the middle wall of the three prescribed as the minimum number of walls for a valid Sukkah.
- (25) While the projection has only one.
- (26) Seven handbreadths square.
- (27) That the projection satisfied all the prescribed requirements of a valid Sukkah.
- (28) The walls.
- (29) The projection.
- (30) The ruling about the projection spoken of.
- (31) Which has only three walls, the fourth side being entirely open.
- (32) And the opposite wall does not reach beyond the Sukkah proper.
- (33) Because it is regarded as part of the Sukkah having as it does two complete walls and a portion of a third one which need not be longer (han one handbreadth).
- (34) Which has more sun than shade.
- (35) The literal translation of **נצו** rendered supra 'projecting'.
- (36) Measuring only seven handbreadths.
- (37) V. p. 81, n. 14.
- (38) In being an invalid covering.
- (39) The invalid covering.
- (40) Measuring only seven handbreadths.
- (41) Of course it does not; much less then would an invalid covering do it; what need then was there to state the obvious?
- (42) And this is the point the ruling under discussion was intended to emphasize.
- (43) Air space.

## **Talmud - Mas. Sukkah 19b**

Fluid clay proves it; since it combines<sup>1</sup> to make up forty se'ah,<sup>2</sup> yet he who immerses in it has not undergone a proper immersion.<sup>3</sup>

**MISHNAH.** IF ONE MAKES HIS SUKKAH LIKE A CONESHAPED HUT OR LEANED IT AGAINST A WALL, R. ELIEZER INVALIDATES IT SINCE IT HAS NO [PROPER] ROOF, WHILE THE SAGES DECLARE IT VALID.

**GEMARA.** It has been taught: R. Eliezer agrees that if he raised it<sup>4</sup> one handbreadth from the ground,<sup>5</sup> or if he separated it<sup>6</sup> one handbreadth from the wall,<sup>7</sup> it is valid. What is the reason of the Rabbis?<sup>8</sup> — That the incline of a tent is like the tent itself. Abaye found R. Joseph sleeping on a bridal bed<sup>9</sup> in a Sukkah. He said to him, 'According to whom [do you act]?<sup>10</sup> [presumably] according to R. Eliezer?<sup>11</sup> Do you then forsake the Rabbis<sup>12</sup> and act according to R. Eliezer?'<sup>13</sup> — He answered him, 'In the Baraita this<sup>14</sup> is taught in the reverse, order, viz., that R. Eliezer declares it valid and the Sages declare it invalid.' [Abaye then asked], 'Do you forsake a Mishnah and act

according to a Baraitha?’<sup>15</sup> — He answered him, ‘The Mishnah represents an individual opinion,<sup>16</sup> as it has been taught, If he makes his Sukkah like a cone-shaped hut, or leaned it against a wall R. Nathan says that R. Eliezer invalidates it because it has no roof while the Sages declare it valid.’<sup>17</sup>

MISHNAH. A LARGE REED MAT<sup>18</sup> IF MADE FOR RECLINING UPON IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS<sup>19</sup> AND<sup>20</sup> IS INVALID AS A SUKKAH-COVERING. IF MADE FOR A COVERING,<sup>21</sup> IT MAY BE USED FOR A SUKKAH-COVERING AND IS NOT SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS. R. ELIEZER RULED, WHETHER SMALL OR LARGE, IF IT WAS MADE FOR RECLINING UPON, IT IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS AND IS INVALID AS A SUKKAH-COVERING; IF MADE FOR A COVERING, IT IS VALID AS A SUKKAH-COVERING AND IS NOT SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS.

GEMARA. [Is not our Mishnah] self-contradictory? It says, IF MADE FOR RECLINING UPON IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS AND IS INVALID AS A SUKKAH-COVERING. The reason then<sup>22</sup> is because it was made specifically for reclining upon, but if it was made without specific purpose, [it would be assumed that it was] for a covering. And then it is taught: IF MADE FOR A COVERING IT IS VALID AS A SUKKAH-COVERING AND IS NOT SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS. The reason then<sup>23</sup> is because it was made specifically for a covering, but if it was made without specific purpose [it would be assumed that it was] made for reclining upon? — This is no difficulty. The former case refers to a large [mat], the latter to a small one. This is well according to the Rabbis, but according to R. Eliezer it still presents a difficulty, for we have learnt:<sup>24</sup> R. ELIEZER SAYS, WHETHER SMALL OR LARGE, IF IT WAS MADE FOR RECLINING UPON, IT IS SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS AND IS INVALID AS A SUKKAH-COVERING. The reason then is that it was made specifically for reclining upon, but if made with no specific purpose, [it would be assumed that it was intended] for a Sukkah-covering. But read the latter portion [of the Mishnah]. IF MADE FOR A COVERING, IT IS VALID AS A SUKKAH-COVERING AND IS NOT SUSCEPTIBLE TO [RITUAL] UNCLEANLINESS. The reason then is that it was made specifically for a Sukkah-covering, but if made without specific purpose, [it would be assumed that it was] for reclining upon? — Rather said Raba: In the case of a large [mat] all acquiesce that if made without specific purpose [it is assumed to be intended] for a covering. They only differ in the case of a small [mat]. The first Tanna is of the opinion that ordinarily a small one is for reclining upon, and R. Eliezer is of the opinion that ordinarily a small one is for a covering as well;

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- (1) With water.
  - (2) The minimum prescribed for a ritual bath.
  - (3) Immersion in fluid clay is invalid, yet if there is not the minimum forty se'ah in a mikweh, the fluid clay makes up the necessary amount.
  - (4) Either the hut or the lean-to.
  - (5) The intervening air space is regarded as a wall, by applying the law of labud, and the rest as the roof.
  - (6) The lean-to.
  - (7) The intervening air space is regarded as a roof, stretching horizontally to the wall.
  - (8) The Sages.
  - (9) A bed which has no covering on top of the width of a handbreadth, but the curtains rise to a point. V. supra 10b.
  - (10) In using a bed that is covered with a curtain that intervenes between it and the Sukkah roof.
  - (11) Who ruled that a sloping or cone-shaped tent is no valid tent.
  - (12) The Sages.
  - (13) But the decision of the Sages, since they are the majority, should be followed rather than that of an individual.
  - (14) The dispute between R. Eliezer and the Sages.
  - (15) But a Mishnah surely is more authoritative than the Baraitha.
  - (16) That of R. Nathan.



- (17) The contemporaries of R. Nathan, however, differ from him in maintaining that R. Eliezer declared it valid while the Sages held it to be invalid.
- (18) Which is hard and inconvenient for lying or reclining upon.
- (19) Since it was expressly made for the purpose it is regarded as a finished article.
- (20) On account of its susceptibility to uncleanness.
- (21) So that it is not a finished article.
- (22) Why it is not regarded as a finished article.
- (23) Why it is regarded as an unfinished article.
- (24) Rashal omits 'this . . . learnt' and substitutes, 'Read the latter part of the Mishnah'.

## Talmud - Mas. Sukkah 20a

and it is this that was meant: If a large mat of reeds is made specifically for reclining upon, it is susceptible to [ritual] uncleanness and is invalid as a Sukkah-covering. The reason is that it was made specifically for reclining upon, but ordinarily it is regarded as though it was made for a covering, and is valid as a Sukkah-covering. A small [mat], if made for a covering, is valid as a Sukkah-covering. The reason is that it was made specifically for covering, but ordinarily it is regarded as though made for reclining upon, and is invalid for a Sukkah-covering.<sup>1</sup> [This is the view of the first Tanna] and R. Eliezer comes to say that whether it is small, or large, if made without specific purpose, it is valid as a Sukkah-covering.

Abaye said to him,<sup>2</sup> If so,<sup>3</sup> [instead of] R. ELIEZER SAYS, WHETHER IT IS SMALL OR LARGE, it ought to read, Whether it is large or small?<sup>4</sup> Furthermore, is it not in fact with regard to a large mat that they are in dispute, and it is R. Eliezer who takes the stricter view, for it was taught: A large mat of reeds is valid for a Sukkah-covering. R. Eliezer says, If it is not susceptible to [ritual] uncleanness,<sup>5</sup> it is valid for a Sukkah-covering?<sup>6</sup> Rather said R. Papa, 'With regard to a small [mat], all acquiesce that ordinarily it is intended for reclining upon. In what do they dispute? In the case of a large one. The first Tanna is of the opinion that ordinarily a large one is intended for a covering, while R. Eliezer is of the opinion that ordinarily a large one is intended for reclining upon also'. And what is meant<sup>7</sup> by 'IF IT WAS MADE FOR RECLINING UPON?'<sup>8</sup> It is this that was meant: Ordinarily also its manufacture is assumed to be for the purpose of reclining upon unless one made it specifically for a covering.<sup>9</sup> Our Rabbis taught, A mat of wicker or of straw, if large,<sup>10</sup> is valid for a Sukkah-covering, if small<sup>11</sup> it is invalid for a Sukkah-covering.<sup>12</sup> One of reeds or of helath,<sup>13</sup> if plaited,<sup>14</sup> is valid for a Sukkah-covering, if woven,<sup>15</sup> it is invalid. R. Ishmael son of R. Jose said in the name of his father, Both the one and the other, are valid for a Sukkah-covering; and R. Dosa also ruled according to his view.

We have learnt elsewhere: All reed mats are susceptible to corpse uncleanness.<sup>16</sup> These are the words of R. Dosa. The Sages, however, say, They are susceptible to the uncleanness of midras.<sup>17</sup> [Can it mean] to the uncleanness of midras but not to that of a corpse seeing that we have learnt: Whatever is susceptible to [primary] uncleanness of midras is also susceptible to [primary] uncleanness from a corpse?<sup>18</sup> — Say rather also to the uncleanness of midras.<sup>19</sup>

What is meant by hozloth?<sup>20</sup> — R. Abdimi b. Hamduri said marzuble. What is marzuble? — R. Abba said, Bags filled with foliage.<sup>21</sup> R. Simeon b. Lakish said, Real matting. And Resh Lakish is consistent [in this view], since Resh Lakish said, May I be an expiation for R. Hiyya and his sons.<sup>22</sup> For in ancient times when the Torah was forgotten from Israel, Ezra came up from Babylon and established it. [Some of] it was again forgotten and Hillel the Babylonian<sup>23</sup> came up and established it. Yet again was [some of] it forgotten, and R. Hiyya and his sons came up<sup>24</sup> and established it. And thus said R. Hiyya and his sons: R. Dosa and the Sages did not dispute about reed-mats of Usha,<sup>25</sup>

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(1) Rashal omits 'A small mat. . . covering' since it is not in the Mishnah.

- (2) Raba.
- (3) That R. Eliezer's point is that a small mat is subject to the same law as a large one.
- (4) The point of R. Eliezer being that a small mat has the same law as a large one, on which the first Tanna agrees. The order should be: Whether large, as you say, or small.
- (5) Sc. if it was specifically intended to be used as a Sukkah-covering.
- (6) From which it follows that if a large mat was made without specific purpose it is regarded as made for a covering according to the first Tanna, while according to R. Eliezer it is regarded as made for lying upon.
- (7) In R. Eliezer's ruling.
- (8) Seeing that ordinarily also it is regarded as intended for the same purpose.
- (9) The statement of the first Tanna is thus explained as before viz., that the first clause refers to a large mat (as was explicitly stated) while the latter clause refers to a small mat, the meaning being that if the mat was a small one, that was made specifically for a covering it may be used as a Sukkah-covering while ordinarily it is assumed to be intended for lying upon. To this R. Eliezer objected: A large mat also is subject to the same law as a small one viz., that if made for no specific purpose it is deemed to have been made for lying upon, is susceptible to ritual uncleanness and may not be used as a Sukkah-covering, but if it was expressly made to serve as a covering it may be used as a Sukkah-covering and is not susceptible to uncleanness.
- (10) In consequence of which it is not used for lying upon.
- (11) Irrespective of whether it was plaited or woven.
- (12) Since the materials are soft they are in either case (cf. prev. n.) suitable for reclining upon.
- (13) Another kind of reed.
- (14) And therefore uneven and unsuitable for reclining upon.
- (15) The materials being hard, it is suitable for reclining upon only if it is woven.
- (16) Sc. they are ordinarily regarded as vessels that are susceptible to the various degrees of ritual uncleanness, except that they, not being intended for lying upon, contract primary uncleanness only through contact with a corpse and not (v. infra) through midras.
- (17) 'Ed. III, 4. V. Glos.; i.e., in their opinion the mats are as a rule intended for lying upon and are, therefore, susceptible to primary uncleanness even through midras.
- (18) Nid. VI, 3.
- (19) Because they are (a) deemed to have the status of a vessel and (b) are as a rule intended for lying upon.
- (20) Rendered supra 'reed mats'.
- (21) Mizable, used by shepherds as pillows (Rashi).
- (22) A respectful way of mentioning one's deceased parent or teacher. V. Kid. 31b.
- (23) This famous teacher hailed from Babylon.
- (24) From Babylon.
- (25) The reeds of Usha, a town in Galilee famous as one of the seats of the Sanhedrin, were soft and were used exclusively for mattresses, those of Tiberias were hard and not used for this purpose.

## **Talmud - Mas. Sukkah 20b**

that they are susceptible to [ritual] uncleanness,<sup>1</sup> or of Tiberias that they are not susceptible.<sup>2</sup> About what do they dispute? About those of other places. One Master<sup>3</sup> is of the opinion that since they are not [as a rule]<sup>4</sup> used for sitting upon, they are like those of Tiberias, and the Masters are of the opinion that since it sometimes happens that they are 'used for sitting upon,<sup>5</sup> they are like those of 'Usha.

The Master said: 'All reed mats are susceptible to corpse uncleanness. These are the words of R. Dosa'. But was it not taught: 'And R. Dosa also said according to his<sup>6</sup> words'?<sup>7</sup> -This is no difficulty. The former refers to one that has a rim,<sup>8</sup> the latter to one that has no rim.<sup>9</sup>

It was objected: Mats of bamboo,<sup>10</sup> of reed grass, of sackcloth<sup>11</sup> or of goat's-hair<sup>12</sup> are susceptible to corpse uncleanness,<sup>13</sup> so R. Dosa, while the Sages say, They are also susceptible to midras uncleanness. It is well according to him who says [that hozloth means] 'bags filled with foliage',

since those of bamboo and of reed-grass<sup>14</sup> can be used<sup>15</sup> for baling fruit, while those of sackcloth and goat's-hair<sup>16</sup> can be used for haversacks or baskets,<sup>17</sup> but according to him who says that it means 'real matting', it is well<sup>18</sup> with regard to those of sackcloth and goat's-hair, since they can be used<sup>15</sup> for curtains<sup>19</sup> or for sieves but to what use<sup>18</sup> can those of bamboo and reed-grass be put?<sup>20</sup> — They can be used for [covering] brewing vats.

Some read [as follows]: It is well according to him who says [that hozloth means] 'real matting', since those of bamboo and reed-grass may be used for [covering] brewing vats while those of sackcloth and goat's hair can be used for curtains or for sieves, but according to him who says that it means 'bags filled with foliage, it is well with regard to those of sackcloth and goat's hair which may be used for haversacks or baskets, but to what use can those of bamboo and reed-grass be put? — They may be used for baling fruit.

It was taught: R. Hanina stated, When I journeyed<sup>21</sup> in the Diaspora<sup>22</sup> I came across an old man who said to me, 'A reedmat may be used as a Sukkah-covering'. And when I came before R. Joshua, my father's brother, he agreed with his words. R. Hisda said, Only if it<sup>23</sup> has no rim.<sup>24</sup> 'Ulla said, Those mats of the people of Mahuza, were it not for their rim, would be valid as a Sukkah-covering.<sup>25</sup> So it has also been taught: Reed mats are valid as a Sukkah-covering, but if they have rims they are invalid as a Sukkah-covering.

## CHAPTER II

MISHNAH. HE WHO SLEEPS UNDER A BED IN THE SUKKAH<sup>26</sup> HAS NOT FULFILLED HIS OBLIGATION.<sup>27</sup> R. JUDAH STATED, WE WERE ACCUSTOMED TO SLEEP UNDER A BED IN THE PRESENCE OF THE ELDERS, AND THEY SAID NAUGHT<sup>28</sup> TO US. R. SIMEON SAID, IT HAPPENED THAT TABI,<sup>29</sup> THE SLAVE OF RABBAN GAMALIEL, USED TO SLEEP UNDER A BED.<sup>30</sup> AND R. GAMALIEL SAID TO THE ELDERS, 'YE HAVE SEEN TABI MY SLAVE, WHO IS A SCHOLAR, AND KNOWS THAT SLAVES ARE EXEMPT FROM [THE LAW OF] A SUKKAH, THEREFORE DOES HE SLEEP UNDER THE BED', AND INCIDENTALLY WE LEARNED THAT HE WHO SLEEPS UNDER A BED<sup>31</sup> HAS NOT FULFILLED HIS OBLIGATION.<sup>26</sup>

GEMARA. But, surely, there are no ten [handbreadths in the height of the BED, are there]?<sup>32</sup> — Samuel interpreted, [that it refers to] a bed which is ten [handbreadths high]. We have learnt elsewhere, A hole which has been hollowed out by water or by insects or eaten through by saline corrosion, and similarly a row of stones,<sup>33</sup> or a pile of beams,<sup>34</sup> overshadow uncleanness.<sup>35</sup> R. Judah said, Any 'tent' which is not made by the hands of man<sup>36</sup> is not<sup>37</sup> considered as a tent.<sup>38</sup> What is the reason of R. Judah?

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(1) Even to that of midras since they are intended for lying upon and for no other purpose.

(2) Since no one would use them for lying upon.

(3) R. Dosa.

(4) V. Rashi. Lit., 'there is none who sits upon them'.

(5) And are appointed for the purpose.

(6) R. Jose's.

(7) That such mats are valid for a Sukkah-covering. From which it follows that they are not regarded as a 'vessel' that is susceptible to ritual uncleanness.

(8) And it is thus a finished article, a 'vessel'.

(9) Which, being used for no other purpose but that of covering booths cannot be regarded as a 'vessel'.

(10) Or 'cork' (v. Jast.).

(11) Made of goat's hair (Rashi).

(12) Or horse-hair from the mane or the tail (Rashi).

- (13) But not to that of midras, since they can be regarded as 'vessels', but not as objects used for reclining or sitting upon.
- (14) Though the materials are loosely woven.
- (15) If not for lying upon.
- (16) Closely woven materials.
- (17) In which even very small objects can be kept.
- (18) According to R, Dosa.
- (19) V. Rashi and Tosaf. 'Covers' (Jast.).
- (20) Sc. since these are not made for lying upon and since they are useless for any other purpose why should they be susceptible to ritual uncleanness?
- (21) Lit., 'went down'.
- (22) Lit., 'exile', sc. Babylon. He undertook the journey for the purpose of arranging the interpolation of an extra month in the calendar. V. Ber. 63a.
- (23) The mat.
- (24) If it has one it might be used as a vessel and, being in consequence susceptible to ritual uncleanness, becomes invalid as a Sukkah-covering.
- (25) Since they were generally used for the coverings of booths and were unsuitable for any other purpose.
- (26) Since the bed forms a 'tent' that intervenes between him and the Sukkah roof.
- (27) During the festival of Tabernacles one must eat, drink and sleep in a Sukkah.
- (28) Against it.
- (29) The famous slave of Gamaliel II, often mentioned in the Mishnah. Elsewhere Gamaliel makes exceptions for him saying, 'Tabi was not like other slaves'. v. Ber. II, 7.
- (30) In his master's Sukkah.
- (31) In a Sukkah.
- (32) The bed not being ten handbreadths high how can it be regarded as a 'tent'? (Cf. Supra n. 1).
- (33) Under which a cavity was formed by the removal of a stone.
- (34) Cf. prev. n. mut. mut.
- (35) A hollow formed by any of the above means is regarded as a 'tent', rendering unclean whatever is within it if a piece of corpse lies there.
- (36) For the purpose of serving as a tent.
- (37) As far as conveying uncleanness is concerned.
- (38) Oh. III, 7.

## Talmud - Mas. Sukkah 21a

— He deduces it from the word 'tent' [common to this<sup>1</sup> and to] the Tabernacle. It is written here, This is the law, when a man dieth in the tent,<sup>2</sup> and it is written there, And he spread the tent over the tabernacle.<sup>3</sup> As there ['tent' means one] made by the hands of man, so here [it means one made] by the hands of man. And the Rabbis?<sup>4</sup> — The word 'tent' occurs many times,<sup>5</sup> to include [all tents].<sup>6</sup>

Is then R. Judah of the opinion that a tent which is not made by the hand of man is no valid tent? Let us point out an incongruity: [We have learnt] Courtyards were built in Jerusalem over a rock, and beneath them was a hollow [made] because of [the fear of] a grave in the depths,<sup>7</sup> and they used to bring there pregnant women, and there they gave birth to their children and there they reared them for [the service of the Red] Heifer.<sup>8</sup> And<sup>9</sup> they brought oxen, upon whose back were placed doors, and the children sat upon them with stone cups<sup>10</sup> in their hands. When they reached Siloam<sup>11</sup> they went down into the water and filled them, then ascended and sat again [on the doors].<sup>12</sup> R. Jose said, [Each child] used to let [his cup] down and fill it from his place<sup>13</sup> because of [the fear of] a grave in the depths;<sup>14</sup> and it has been taught, R. Judah said, They did not bring doors, but oxen.<sup>15</sup> Now oxen, surely, are a 'tent' which is not made by the hands of man, and does it not nevertheless teach, R. Judah said, They did not bring doors, but oxen?—When R. Dimi came,<sup>16</sup> he said in the name of R. Eleazar, R. Judah agrees<sup>17</sup> in, the case [of a 'tent' that is as large as] a fistful.<sup>18</sup>

So it has also been taught: R. Judah admits in the case of overhanging crags and clefts of rocks.<sup>19</sup> But a door, surely, has<sup>20</sup> an altitude of many fistfuls and yet R. Judah teaches, does he not, ‘They did not bring doors but oxen’?<sup>21</sup> — Abaye replied, [It means that] they did not need to bring doors.<sup>22</sup> Raba said, [It means that] they did not bring doors at all because the child, feeling confident,<sup>23</sup> might put out his head or one of his limbs and thus contract uncleanness

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- (1) The laws of uncleanness.
  - (2) Num. XIX, 14.
  - (3) Ex. XL, 19.
  - (4) Sc. those who differ from R. Judah. Do they not apply the analogy?
  - (5) In Num. XIX, the chapter dealing with the laws in question.
  - (6) Even such as were not made for the purpose.
  - (7) Sc. the possibility of the existence of an unknown grave under the rock. Unless there is a hollow space of the height of one handbreadth above it the uncleanness of the grave penetrates through the rock and beyond it.
  - (8) The Red Heifer (Num. XIX) necessitated the utmost degree of ritual cleanliness. All the vessels used in connection with it were, therefore, of stone or earthenware which are not susceptible to ritual uncleanness, and, according to the above Mishnah, the children whose duty it was to bring the officiating priest the water for the sin-offering were kept free from contamination from pre-natal days until they were seven or eight years of age (Rashi, — Tosefta says, twelve). Hence the precautions mentioned above.
  - (9) When the water had to be brought from Siloam.
  - (10) Which are not susceptible to ritual uncleanness.
  - (11) Heb. **הַשִּׁילּוֹחַ**, the famous conduit the history of whose construction is commemorated in the Siloam inscription.
  - (12) The doors prevented any contamination reaching the children.
  - (13) Sc. he did not go down to the water.
  - (14) Parah III, 2. Cf. supra p. 90, n. 9.
  - (15) Whose bulky bodies served as a tent and partition between any possible uncleanness below and the children above. Tosef. Parah III, 2 with variants.
  - (16) From Palestine to Babylon.
  - (17) That a tent is valid even if it was not made by the hands of man.
  - (18) A size that is bigger than that of a handbreadth.
  - (19) These, although naturally formed, constitute a valid ‘tent’, since the hollow space is more than a handbreadth in height.
  - (20) From the ground to the door.
  - (21) Presumably because the doors cannot be regarded as a valid ‘tent’. Now If a door is no valid tent, how could the body of an ox be regarded as a valid one?
  - (22) The oxen alone were sufficient.
  - (23) Lit., ‘the mind of the child might be haughty’, since the width of the door would obviate any fear of his falling.

## **Talmud - Mas. Sukkah 21b**

on account of a grave in the depths.<sup>1</sup>

It has been taught in agreement with Raba: R. Judah said, They did not bring doors at all, because the child, feeling confident, might put out his head or one of his limbs and thus contract uncleanness on account of a grave in the depths, but they brought Egyptian oxen with wide bellies, and the children sat on their backs with stone cups in their hands. When they came to Siloam they descended, filled them, and ascended and sat again on their backs.

But has not a bed an altitude of many fistfuls, and yet we have learnt, R. JUDAH SAID, WE WERE ACCUSTOMED TO SLEEP UNDER A BED IN THE PRESENCE OF THE ELDERS?<sup>2</sup> — A bed is different, since it is made [to be slept] upon?<sup>3</sup> But are not oxen also made [to be sat] upon?<sup>4</sup>

— When Rabin came<sup>5</sup> he explained in the name of R. Eleazar, Oxen are different, since they afford shelter for shepherds in summer from the sun, and in the rainy season from the rain.<sup>6</sup> If so, should not a bed [also be so regarded] since it affords shelter to the shoes and sandals under it?<sup>7</sup> — The fact is, said Raba, that oxen are different since they naturally shelter their entrails,<sup>8</sup> as it is written, Thou hast clothed me with skin and flesh, and covered me with bones and sinews.<sup>9</sup>

And if you like [you may say that] R. Judah<sup>10</sup> follows his own view that a Sukkah must be a permanent abode; and since a bed is but a temporary abode, while a Sukkah is a permanent 'tent', a temporary tent cannot annul a permanent one. But does not R. Simeon also say that a Sukkah must be a permanent abode,<sup>11</sup> and yet [he holds<sup>12</sup> that] a temporary tent<sup>13</sup> does annul a permanent tent?<sup>14</sup> — It is in this that they<sup>15</sup> differ. One Master<sup>16</sup> holds the opinion that a temporary tent can come and annul a permanent tent, while the other Master<sup>17</sup> holds the opinion that a temporary tent cannot annul a permanent tent.

R. SIMEON SAID, IT HAPPENED THAT TABI, THE SLAVE etc. It has been taught: R. Simeon said, From the casual conversation of R. Gamaliel we have learnt two things. We have learnt that slaves are free from the obligation of Sukkah, and we have learnt that he who sleeps under a bed [in a Sukkah] has not fulfilled his obligation. But why does he not say, From the words of R. Gamaliel?<sup>18</sup> -He informs us of something [else] by the way in agreement with that which R. Aha b. Adda, [or as some say, R. Aha b. Adda in the name of R. Hamnuna] said in the name of Rab: Whence do we know that even the casual<sup>19</sup> conversation of scholars demands study? From Scripture where it is said, And whose leaf<sup>20</sup> does not wither.<sup>21</sup>

MISHNAH. IF A MAN SUPPORTS HIS SUKKAH WITH THE LEGS OF A BED, IT IS VALID. R. JUDAH SAID, IF IT CANNOT STAND BY ITSELF, IT IS INVALID.

GEMARA. What is the reason of R. Judah? — R. Zera and R. Abba b. Mamal disagree. One says, It is because the Sukkah has no permanence, and the other says, It is because he keeps it up with something susceptible to [ritual] uncleanness. What essentially differentiates them?<sup>22</sup> — If, for instance, he fixed iron stakes [in the ground] and covered them with a Sukkah-covering. According to him who says, because it has no permanence, here there is permanence; according to him who says, because he keeps it up with something susceptible to [ritual] uncleanness, he is here also setting it up with something which is susceptible to [ritual] uncleanness.

Abaye said, They taught this<sup>23</sup> only if he supported it,<sup>24</sup> but if he placed a Sukkoth-covering above a bed,<sup>25</sup> it is valid. What is the reason? — According to him who says, because it has no permanence, here there is permanence; according to him who says, because he sets it up with something susceptible to [ritual] uncleanness, here he does not set it up with something susceptible to [ritual] uncleanness.<sup>26</sup> [

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(1) In the absence of a door the child, in his fear of falling down, would not venture to put any part of his body out beyond the width of the body of the ox.

(2) Which shows that an occasional 'tent' is no valid tent.

(3) And not underneath it. Hence it cannot constitute a valid 'tent'.

(4) And not underneath them. How then could they be regarded as a valid tent?

(5) From Palestine to Babylon,

(6) So that the belly of the ox may well be regarded as a valid tent.

(7) V. B.B. 58a.

(8) Thus constituting a tent.

(9) Job X, 11. 'Covered' implies 'shelter', 'tent'.

(10) Who permits sleeping under a bed in a Sukkah.

(11) Supra 7b.

- (12) As is evident from his statement in our Mishnah.  
 (13) A bed.  
 (14) A valid Sukkah.  
 (15) R. Simeon and R. Judah.  
 (16) R. Simeon.  
 (17) R. Judah.  
 (18) Sc. why is the term 'casual conversation' used, instead of the more common 'words'.  
 (19) Lit., 'profane'.  
 (20) I.e., even the least important part of the tree.  
 (21) Ps. I, 3. The righteous man is compared to the tree and his casual talk to the leaf.  
 (22) R. Zera and R. Abba. As always, this means, what practical difference is there between them?  
 (23) The law about the bed just enunciated.  
 (24) The roof.  
 (25) Sc. beds formed the walls only while the roof was supported on poles of the prescribed material.  
 (26) Cf. prev. n.

## Talmud - Mas. Sukkah 22a

MISHNAH. A DISARRANGED<sup>1</sup> SUKKAH AND ONE WHOSE SHADE IS MORE THAN ITS SUN<sup>2</sup> IS VALID. IF [THE COVERING] IS CLOSE KNIT LIKE THAT OF A HOUSE, IT IS VALID, EVEN THOUGH THE STARS CANNOT BE SEEN THROUGH IT.

GEMARA. What is meant by medubleleth?<sup>3</sup> — Rab replied, It means a beggarly Sukkah;<sup>4</sup> and Samuel says, One whose reeds are not all on the same level.<sup>5</sup> Rab taught the [first part of the Mishnah as] one [statement], while Samuel taught it as two. Rab taught it as one: A Sukkah which is medubleleth, (what is medubleleth? Beggarly) whose shade is more than its sun, is valid; while Samuel taught it as two: What is medubleleth? Disarranged; and [the Mishnah] teaches two [laws,] that a disarranged Sukkah<sup>6</sup> is valid and that a Sukkah whose shade is more than its sun is valid.

Abaye stated, This<sup>7</sup> applies only where there are not three handbreadths of distance between one reed and another, but if there are three handbreadths between one and another, it<sup>8</sup> is invalid. Raba says, Even if there are three handbreadths between one and another we also do not say [that it<sup>8</sup> is invalid] unless the upper reed<sup>9</sup> is not a handbreadth wide but if the upper reed is a handbreadth wide, it<sup>8</sup> is valid,<sup>10</sup> since we apply to it the law of 'Beat and throw it down'.<sup>11</sup>

Raba said, Whence do I say that if the upper reed is a handbreadth wide we apply to it the law of 'Beat and throw it down', and if it is not so wide we do not apply it? From what we have learnt: If the beams of [the roof of] a house and of its upper chamber have no plaster-work,<sup>12</sup> and they<sup>13</sup> lie exactly one above the other, and there is uncleanness under one of them,<sup>14</sup> only the space beneath this one is unclean; if between a lower and an upper [beam],<sup>15</sup> the space between them is unclean; if upon an upper beam, what is above it as far as the sky is unclean. If the upper beams were opposite the gaps between the lower beams, and uncleanness lay beneath one of the beams, the space beneath them all is unclean;<sup>16</sup> if it lay above one of the beams, what is above them as far as the sky is unclean.<sup>17</sup> And on this it was taught, When do these<sup>18</sup> apply? When the beams are each a handbreadth [wide]<sup>19</sup> and there is [a gap] of a handbreadth between them,<sup>20</sup> but if there is not [a gap] of a handbreadth between them,<sup>21</sup> if there is uncleanness under one of them,<sup>22</sup> whatever is under that beam<sup>23</sup> is unclean<sup>24</sup> while the space between them<sup>25</sup> and above them is clean.<sup>26</sup> Thus it clearly follows that if there is a handbreadth<sup>27</sup> we apply the law of 'Beat and throw it down', but if there is not a handbreadth<sup>27</sup> we do not apply this law. This is conclusive.

R. Kahana was sitting at his studies and enunciated this statement.<sup>28</sup> Said R. Ashi to R. Kahana, Do we then not apply the law of 'Beat and throw down' where an object is not a handbreadth wide?

Has it not in fact been taught: If a beam was protruding from one wall, but was not touching the opposite wall, and similarly if two beams, one protruding from one wall and one from the other, were not touching each other, and [the space between them<sup>29</sup> is] less than three [handbreadths]<sup>30</sup> it is unnecessary to supply another beam, but if it was three [handbreadths] it is necessary to supply another beam. R. Simeon b. Gamaliel ruled,

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- (1) Heb. medubleleth. The Gemara discusses the exact meaning.
  - (2) This rule which appears to be a repetition of the one supra 2a is discussed infra.
  - (3) Cf. supra n. 1.
  - (4) Sc. one covered with very few reeds, the roof having many holes, except that none of them is three handbreadths wide.
  - (5) Lit., one reed going up, and another down', so that the interior of the Sukkah has more sun than shade. The Sukkah is nevertheless valid because the number of reeds is sufficient, had they been laid on the same level, to provide more shade than sun.
  - (6) Cf. supra n. 5.
  - (7) The statement of Samuel that the Sukkah is valid though one reed is up and another is down (cf. supra n. 5).
  - (8) The Sukkah.
  - (9) Lit., 'its roof'.
  - (10) Even if it is three handbreadths higher than the lower one.
  - (11) A legal fiction whereby a plane is regarded as though it were placed at a lower level. The reed which is raised above the others is regarded as though it were lying on the same level as the lower ones. The necessity of a handbreadth of width is explained forthwith.
  - (12) So that the beams are completely separated from one another.
  - (13) The beams of the house and the beams of the upper chamber respectively.
  - (14) One of the beams of the lower room.
  - (15) Sc. one of the upper chamber.
  - (16) Since by the rule of 'Beat and throw it down' the upper and the lower beams are virtually lying at the same level and together make up one continuous roof.
  - (17) Oh. XII, 5.
  - (18) The rulings in the Mishnah just cited.
  - (19) So that each beam is important enough to be treated as a 'tent' both as regards causing uncleanness to spread all under it and to form an interposition between an uncleanness under it and the space above it.
  - (20) Sc. the lower beams, so that each upper beam placed opposite the gaps between the lower beams virtually covers a part of the roof of the lower room to all extent of not less than one handbreadth.
  - (21) So that each of the upper beams covers in the roof of the lower room a space that is less than one handbreadth.
  - (22) The lower beams.
  - (23) That one being no less than a handbreadth wide.
  - (24) Cf. supra n. 8.
  - (25) I.e., the gaps between the lower ones (v. R. Han.).
  - (26) Tosef. Oh. XIII, 7.
  - (27) In the width of a beam.
  - (28) Of Raba.
  - (29) The beam and the wall or the two beams.
  - (30) So that the law of labud is applicable.

## **Talmud - Mas. Sukkah 22b**

If the space was less than four [handbreadths]<sup>1</sup> it is unnecessary to bring another beam, if not, it is necessary to bring another beam.<sup>2</sup> And so in the case of two parallel beams neither of which can support a half-brick,<sup>3</sup> if they can support a half-brick on their joint width of a handbreadth,<sup>4</sup> it is not necessary to bring another beam; if not, it is necessary to bring another beam. R. Simeon b. Gamaliel said, If they can support a half-brick in its length of three handbreadths,<sup>5</sup> it is not necessary to bring



another beam; if not,<sup>6</sup> it is necessary to bring another beam. If one was above and the other below,<sup>7</sup> R. Jose son of R. Judah said, We regard the upper one as though it were lower down<sup>8</sup> or the lower one as though it were higher,<sup>9</sup> provided that the upper one is not more than twenty [cubits from the ground]<sup>10</sup> nor the lower one less than ten [cubits from the ground].<sup>11</sup> From which it follows that if both of them were within twenty [cubits]<sup>12</sup> we do apply the law of 'beat and throw down' even although none of them is a handbreadth [wide].<sup>13</sup> — The other replied, Explain thus: Provided that the upper one is not more than twenty [cubits from the ground], but within the twenty [cubits], and the lower one is near it within less than three [handbreadths], or else: Provided that the lower one is not less than ten [cubits from the ground] but more than ten, and the upper one is near it within less than three [handbreadths], but if they were three [handbreadths apart] since [the upper beam] is not a handbreadth [wide], we do not apply the law of 'beat and throw down'.

WHOSE SHADE IS MORE THAN ITS SUN IS VALID. But if they are equal it is invalid? But have we not learnt in the other chapter,<sup>14</sup> 'or whose sun is more than its shade, is invalid', from which it follows that if they are equal it is valid? — There is no difficulty, since the former<sup>15</sup> refers to above and the latter to below.<sup>16</sup> R. Papa observed, This bears on what people say, 'The size of a zuz<sup>17</sup> above becomes the size of an issar<sup>17</sup> below'.

IF CLOSE TOGETHER LIKE A HOUSE. Our Rabbis have taught, If it is close together like a house, even though the stars cannot be seen through it, it is valid. If the rays of the sun<sup>18</sup> cannot be seen through it, Beth Shammai invalidate it, and Beth Hillel declare it valid.

MISHNAH. IF ONE ERECTS HIS SUKKAH ON THE TOP OF A WAGGON,<sup>19</sup> OR ON THE DECK OF A SHIP,<sup>20</sup> IT IS VALID<sup>21</sup> AND THEY MAY GO UP INTO IT ON THE FESTIVAL. IF HE MADE IT ON THE TOP OF A TREE, OR ON THE BACK OF A CAMEL, IT IS VALID,<sup>22</sup> BUT THEY MAY NOT GO UP INTO IT ON THE FESTIVAL.<sup>23</sup> IF THE TREE [FORMED] TWO [WALLS] AND ONE WAS MADE BY THE HANDS OF MAN,<sup>24</sup> OR IF TWO WERE MADE BY THE HANDS OF MAN AND ONE WAS FORMED BY THE TREE, IT IS VALID, BUT THEY MAY NOT GO UP INTO IT ON THE FESTIVAL.<sup>25</sup> IF THREE WALLS WERE MADE BY THE HANDS OF MAN AND ONE WAS FORMED BY THE TREE, IT IS VALID AND THEY MAY GO UP INTO IT ON THE FESTIVAL.

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(1) R. Simeon b. Gamaliel applies the law of labud to a space of four handbreadths also.

(2) 'Er. 14a, supra 18a q.v. notes.

(3) The cross-beam at the entrance of an alley has to be one handbreadth wide in order to be capable of holding a half-brick that is one and a half handbreadths wide (v. 'Er. 13b) One smaller than this width is not valid.

(4) In this case two beams, each less than the required width, were placed next to one another so that the half-brick can be placed in its breadth upon both.

(5) I.e., the space between the two narrow beams may be wider, provided they are strong and wide enough to carry the half-brick.

(6) I.e., the beams mentioned were not capable of supporting the half-brick.

(7) Sc. the two beams were not placed exactly level with one another, but one was raised more than the other.

(8) On a level with the lower one.

(9) And level with the one above it.

(10) Since a beam at such a height is invalid.

(11) 'Er. 14a; since no partition is valid unless it is no less than ten handbreadths high.

(12) Though the distance between them was more than three handbreadths.

(13) An objection against Raba.

(14) Mishnah I, 1.

(15) If they are equal it is invalid.

(16) If in the roof ('above') there is as much open, as covered space, then it is invalid, since the sun appears on the floor in broader patches than the shade; if on the floor ('below') there is as much sunshine as shade, it is evident that there is

more of the roof covered than open. The idea is that the beams of the sun widen from the roof to the floor.

(17) Coins. The issar was worth one twenty-fourth of a zuz, but being of copper whereas the zuz was of silver, it was larger.

(18) Lit., 'the stars of the sun'.

(19) Though it is on the move.

(20) Where it is exposed to gales.

(21) Since the Sukkah satisfies the requirements of a temporary abode.

(22) On the intermediate days of the Festival or even on the Festival itself if one did enter it.

(23) Since the use of a tree on the Festival is forbidden under a Rabbinic measure.

(24) Cf. Tosaf. This refers to cases where the roof of the Sukkah was resting on the tree.

(25) A preventive measure against the possibility of putting some object on the roof (cf. prev. n.).

## **Talmud - Mas. Sukkah 23a**

**THIS IS THE GENERAL RULE: WHATEVER CAN STAND BY ITSELF IF THE TREE WERE TAKEN AWAY IS VALID, AND THEY MAY GO UP INTO IT ON THE FESTIVAL.**

GEMARA. According to whom is our Mishnah? According to R. Akiba, as it has been taught, He who erects his Sukkah on the deck of a ship, R. Gamaliel declares it invalid and R. Akiba valid.<sup>1</sup> It happened with R. Gamaliel and R. Akiba when they were journeying on a ship<sup>2</sup> that R. Akiba arose and erected a Sukkah on the deck of the ship. On the morrow the wind blew and tore it away. R. Gamaliel said to him, Akiba, where is thy Sukkah?

Abaye said, All are in accord that where it<sup>3</sup> is unable to withstand a normal land breeze it is nothing;<sup>4</sup> if it can withstand an unusually [strong] land breeze, all are in accord that it is valid. Where do they dispute? Where it can withstand a normal land breeze, but not a normal sea breeze;<sup>5</sup> R. Gamaliel is of the opinion that the Sukkah must be a permanent abode, and since it cannot withstand a normal sea breeze, it is nothing,<sup>4</sup> while R. Akiba is of the opinion that the Sukkah must be a temporary abode, and since it can withstand a normal land breeze, it is valid.

OR ON THE BACK OF A CAMEL etc. According to whom is [this part of] our Mishnah? — According to R. Meir, as it has been taught, If he makes his Sukkah upon the back of an animal, R. Meir declares it valid and R. Judah invalid. What is the reason of R. Judah? — Since Scripture says, Thou shalt keep the feast of Sukkoth for seven days.<sup>6</sup> A Sukkah which is suitable for seven days is called a valid Sukkah; if it is unsuitable for seven days it is not called a valid Sukkah.<sup>7</sup> And R. Meir? — According to Pentateuchal law this [Sukkah] is also suitable [for seven days], and it is only the Rabbis who decreed against it.<sup>8</sup>

If he used an animal as a wall of the Sukkah, R. Meir declares it invalid and R. Judah valid, for R. Meir was wont to say, Whatever contains the breath of life can be made neither a wall for a Sukkah, nor a side-post for an alley<sup>9</sup> nor boards around wells,<sup>10</sup> nor a covering stone for a grave.<sup>11</sup> In the name of R. Jose the Galilean they said, Nor may a bill of divorcement be written upon it.

What is the reason of R. Meir? — Abaye replied, Lest it die.<sup>12</sup> R. Zera replied, Lest it escape.<sup>12</sup> Concerning an elephant securely bound, all<sup>13</sup> agree [that<sup>14</sup> the Sukkah is valid], since even though it die,<sup>15</sup> there is still ten [handbreadths height] in its carcass.<sup>16</sup> Regarding what then do they dispute? Regarding an elephant which is not bound. According to him<sup>17</sup> who says, Lest it die, we do not fear;<sup>18</sup> according to him<sup>19</sup> who says, We fear lest it escape, we do fear.<sup>20</sup> But according to him who says, Lest it die, let us fear also lest it escape? — Rather say, Regarding an elephant which is not bound, all agree [that the Sukkah is invalid]; regarding what do they dispute? Regarding an [ordinary] animal which is bound: According to him who says, Lest it die, we fear [for that],<sup>21</sup> according to him who says, Lest it escape, we have no fear.<sup>22</sup> But according to him who says, Lest it

escape, let us fear lest it die? — Death is not a frequent occurrence.<sup>23</sup> But is there not an open space between [the animal's legs]?<sup>24</sup> — [It refers to] where he filled it in with branches of palms and bay-trees. But might it not lie down? — [It refers to] where it was tied with cords from above.<sup>25</sup>

And according to him who says, Lest it die, is it not tied with cords from above?<sup>26</sup> — It may occur that it is made to stand within three [handbreadths] of the covering<sup>27</sup>

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(1) Supra 7b.

(2) In the week of the Festival.

(3) A Sukkah.

(4) No valid Sukkah.

(5) So Tosaf. supra 7b. Cur. edd., in parenthesis 'an unusually strong land breeze'.

(6) Deut. XVI, 13.

(7) And this one is unsuitable for the first day of the Festival since it is Rabbinically forbidden to enter it on that day.

(8) As Pentateuchally it is suitable for all the seven days it is a valid Sukkah.

(9) V. supra.

(10) V. 'Er. 17b.

(11) Golel, v. Naz., Sonc. ed., p. 202, n. 5. I.e., it is not subject to the laws of a covering stone of a grave (cf. Hul. 72a) even if it was used as such.

(12) During the Festival and the Sukkah that would thus remain with one wall less than the prescribed number would be invalid.

(13) Abaye and R. Zera.

(14) According to R. Meir.

(15) And falls to the ground.

(16) And a valid wall still remains.

(17) Abaye.

(18) Sc. the Sukkah is valid, since there are ten handbreadths in the height of the carcass.

(19) R. Zera.

(20) And the Sukkah is, therefore, invalid.

(21) As the animal when lying on the ground would be less than ten handbreadths high, the wall, and consequently the Sukkah, is invalid.

(22) Since the animal is bound; and the Sukkah is, therefore, valid.

(23) Hence no preventive measure was called for.

(24) Even when it is alive. How then can a wall with such a gap be regarded as valid?

(25) So that it cannot lie down.

(26) So that even if it dies it will still be held up in a standing position. Why then should the Sukkah be invalid?

(27) I. e., there is a space of less than three handbreadths between the top of the animal and the roof, which is quite valid because of the law of labud.

## Talmud - Mas. Sukkah 23b

but when it dies, it shrinks,<sup>1</sup> and this might not enter his mind.<sup>2</sup> But did Abaye say that R. Meir<sup>3</sup> takes the possibility of death into consideration while R. Judah disregards it? Have we not in fact learnt: If the daughter of an Israelite was married to a priest, and her husband went to a country beyond the sea, she may eat of terumah<sup>4</sup> on the presumption that he is still alive.<sup>5</sup> And when we pointed to the following contradiction: [If a priest said to his wife,] 'Here is thy bill of divorce [to take effect] one hour before my death',<sup>6</sup> she is forbidden to eat of terumah forthwith,<sup>7</sup> Abaye answered that there is no difficulty, since the former [statement]<sup>8</sup> is according to R. Meir who disregards the possibility of death, while the latter<sup>9</sup> is according to R. Judah who regards the possibility of death, as it has been taught, If a man buys wine<sup>10</sup> from Cutheans<sup>11</sup> he may say, 'Two log<sup>12</sup> which I intend to set aside are terumah, ten are the first tithe, and nine<sup>13</sup> the second tithe', and then he redeems it<sup>14</sup> and may drink it at once. So R. Meir

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- (1) And the space will then be more than three handbreadths to which labud cannot apply and the Sukkah will in consequence be invalid.
  - (2) To make the necessary adjustments. Hence the preventive measure that no living animal may ever be used as a Sukkah wall.
  - (3) In enacting a preventive measure.
  - (4) V. Glos.
  - (5) Git., III, 3.
  - (6) A common procedure to obviate the necessity of halizah (v. Glos.).
  - (7) Git. 28a, Ned. 3b.
  - (8) That the woman may eat terumah.
  - (9) Forbidding her to eat it.
  - (10) Late on Friday when he has no time to separate the terumah and tithes before the incidence of the Sabbath.
  - (11) Who do not give the priestly dues.
  - (12) Two out of a hundred, the normal amount of terumah given. Unlike tithe, the exact amount is not specified in the Bible. A log is a liquid measure, v. Glos.
  - (13) A tenth of what remains. The terumah goes to the priests, the first tithe to the Levites and the second has to be eaten in Jerusalem.
  - (14) The second tithe which may be redeemed with money. v. Deut. XIV, 22ff.

## Talmud - Mas. Sukkah 24a

. R. Judah, R. Jose and R. Simeon forbid it?<sup>1</sup> -Transpose [the statement:]<sup>2</sup> R. Meir takes the possibility of death into consideration, while R. Judah disregards the possibility of death, as it was taught, If he used an animal as a wall for a Sukkah, R. Meir declares it invalid and R. Judah valid. [But then there is still] a contradiction between the two statements of R. Meir?<sup>3</sup> — R. Meir can answer you: Death is of frequent occurrence, but the splitting of a wineskin is infrequent, since one might give it in charge of a guardian.

[But there is still] a contradiction between the two statements of R. Judah?<sup>4</sup> The reason of R. Judah<sup>5</sup> is not lest the wineskin split, but because he does not accept the principle of bererah.<sup>6</sup> But does R. Judah consider the possibility of the wineskin splitting? Surely since the latter part [of the Baraita] continues: They said to R. Meir, ‘Do you not agree that [we must fear] lest the wineskin split, with the result that he drank untithed [wine] retrospectively?’ And he answered them, ‘When the wineskin splits’,<sup>7</sup> it follows [does it not], that R. Judah<sup>8</sup> does consider the possibility of the wineskin splitting? — [No!] There it is R. Judah who says to R. Meir in effect, ‘As regards myself I do not accept the principle of bererah, but according to you who do accept the principle of bererah, do you not agree that [we must fear] lest the wineskin split?’ And the latter answered, ‘When the wineskin splits’.<sup>9</sup>

But does not R. Judah regard the possibility of death? Have we not in fact learnt: R. Judah says, Even another wife was prepared for him, lest his wife die?<sup>10</sup> — On this surely it was stated: R. Huna the son of R. Joshua said, They adopted a higher standard with regard to Atonement.<sup>11</sup>

Now whether according to him who says,<sup>12</sup> Lest it die, or according to him who says, Lest it escape, [the animal] according to the Pentateuchal law is a valid partition, and it is only the Rabbis who made a restrictive enactment concerning it. But if this is so, it ought according to R. Meir, to convey uncleanness [if it is used] as a covering stone of a grave,<sup>13</sup> why then have we learnt: R. Judah<sup>14</sup> says it<sup>15</sup> is subject to the laws of uncleanness that are applicable to the covering stone of a grave, while R. Meir declares it unsusceptible to such uncleanness?<sup>16</sup> -The fact is, said R. Aha b. Jacob, that R. Meir<sup>17</sup> is of the opinion that any partition which is upheld by wind<sup>18</sup> is no valid partition. Some there are who say that R. Aha b. Jacob said that R. Meir<sup>17</sup> is of the opinion that any

partition which is not made by the hands of man<sup>19</sup> is no partition. What [practical difference] is there between [the two versions]? — The practical difference between them is where he set up a Sukkah wall with an inflated skin. According to the version which says a partition which is upheld by wind is no valid partition, [this one is invalid] since it is upheld by wind; according to the version which says ‘not made by the hands of man’

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(1) Tosef. Dem. VII, 4, B.K. 69b; since the wineskin may split open and the contents be lost before he is able to make his intended separation an actual one, with the result that what he has already drunk is untithed. Thus R. Judah who takes this possibility into consideration certainly considers the possibility of death, while R. Meir who disregards this possibility equally disregards that of death. Now, since Abaye there distinctly attributes these views to R. Judah and R. Meir respectively how could he attribute to them here the reversed views?

(2) Of Abaye in the passage last cited.

(3) In the case of the skin he does not take its possible splitting into consideration while in the case of the animal he does take into consideration the possibility of its dying.

(4) Cf. supra n. 8, mut. mut.

(5) In the case of the wine.

(6) The principle that the later selection is considered as having been applied retrospectively. The later separation of the wine has no retrospective application. Hence even if the skin did not split the terumah is invalid.

(7) ‘Er. 37b. Sc. one does not anticipate the wineskin splitting.

(8) From whom R. Meir differs.

(9) For further notes v. ‘Er., Sonc. ed., p. 259.

(10) Yoma I, 1. The High Priest on the Day of Atonement had to be married in accordance with Lev. XVI, 7, where ‘his house’ is interpreted as his wife. In case his wife died on the eve of the day, another was held in readiness.

(11) Where even very remote possibilities were considered and provided for.

(12) In giving R. Meir's reason supra.

(13) Since according to Pentateuchal law it is a valid partition, it ought to contract uncleanness, even if the Rabbis decreed later that it is no valid partition. With regard to Sukkah and the alley the Rabbinical decree might well be upheld since it restricts the law but in the case of uncleanness where it leads to a relaxation of the Pentateuchal law the Rabbinical decree must obviously be disregarded.

(14) Wanting in the separate edd. of the Mishnah and ‘Er. 15a.

(15) An animate object that was used to cover a coffin.

(16) ‘Er. 15a and supra fol.23a.

(17) In ruling an animate object to be an invalid partition.

(18) Or ‘air’.

(19) It is not in human power to impart the breath of life.

## **Talmud - Mas. Sukkah 24b**

it is valid, since it is made by the hands of man.<sup>1</sup>

The Master said: ‘In the name of R. Jose the Galilean they said, Nor may a bill of divorcement be written upon it’.<sup>2</sup> What is the reason of R. Jose the Galilean? — As it has been taught: [Scripture<sup>3</sup> says], A bill<sup>4</sup> [hence] I know only [that] a bill<sup>5</sup> [is valid],<sup>6</sup> how do we know to include any other material?<sup>7</sup> Scripture expressly states, Thus he writeth her<sup>8</sup> implying, on whatever material it may be. If so, why does Scripture state, ‘bill’?<sup>5</sup> To teach you that just as a bill is a thing which has no breath of life, and cannot eat, so is everything valid which has not the breath of life and does not eat. And the Rabbis?<sup>9</sup> — If Scripture had written ‘in a bill’, [it would be] as you say,<sup>10</sup> but now that it is written ‘a bill’<sup>11</sup> the expression refers merely to the recital<sup>12</sup> of the words.<sup>13</sup> And how do the Rabbis<sup>14</sup> expound the words, ‘That he writeth’?<sup>15</sup> — They need that [text for the exposition that] with the writing she becomes divorced, but she does not become divorced with money.<sup>16</sup> As I might have said that, since her exit [from the married state]<sup>17</sup> is compared to her entry into it<sup>18</sup> just as her entry is with money,<sup>19</sup> so is her exit, therefore it teaches us [this]. And whence does R. Jose the

Galilean deduce this?<sup>20</sup> -He deduces it from [the words], ‘a bill of divorcement’;<sup>21</sup> the bill divorces and nothing else. And the others?<sup>22</sup> — They need [this terminology to teach that the bill of divorcement must be] one which severs them [completely], as it has been taught. [If a man say,] Herewith is your get [to take effect] on condition that you do not drink wine, or go to your father's house ever, it is no severance.<sup>23</sup> [If he say, The condition shall apply] for thirty days, it is a severance.<sup>24</sup> And the other?<sup>25</sup> — He deduces it from [the use of the form] kerithuth [instead of that of] kareth.<sup>26</sup> And the others? — They do not expound [the difference between] kerithuth and kareth.<sup>27</sup>

MISHNAH. IF HE MAKES HIS SUKKAH BETWEEN TREES, SO THAT THE TREES FORM ITS WALLS,<sup>28</sup> IT IS VALID. GEMARA. R. Aha b. Jacob said, A partition which is unable to withstand<sup>29</sup> a normal wind is no valid partition. We have learnt, IF HE MAKES HIS SUKKAH BETWEEN TREES, SO THAT THE TREES FORM ITS WALLS, IT IS VALID. But do they not sway to and fro? — We are dealing here with solid [trees].<sup>30</sup> But are there not the swaying branches?<sup>31</sup> — [It refers to] where he plaited it with shrubbery and bay-trees.<sup>32</sup> If so, why [need he] mention it? — One would have thought that it should be forbidden as a preventive measure lest he come to make use of the tree,<sup>33</sup> therefore he informs us [that it is valid]. Come and hear: If there was there<sup>34</sup> a tree,<sup>35</sup> or a fence,<sup>36</sup> or a partition of reeds, it is regarded as a valid corner-piece!<sup>37</sup> — This also refers to where he plaited it with shrubbery and bay-trees. Come and hear: If a tree<sup>38</sup> throws a shadow on the ground, it is permitted to move objects under it<sup>39</sup> if the ends of its branches are not three handbreadths high above the ground.<sup>40</sup> But why?<sup>41</sup> Does not the tree sway to and fro? — Here also it is a case where one plaited it with shrubs and bay-trees. But if so,<sup>42</sup> it should be permitted<sup>43</sup> to carry objects<sup>39</sup> over its whole area whatever its size; why then did R. Huna the son of R. Joshua say, One may not carry any objects there

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- (1) A man inflated it.
  - (2) An animate object. Supra 23a.
  - (3) In dealing with divorce.
  - (4) Deut. XXIV, 1, he writeth her a bill of divorcement.
  - (5) Sefer, i.e., parchment.
  - (6) As a writing material.
  - (7) A wooden tablet or an olive leaf, for instance.
  - (8) Deut. XXIV, 1, emphasis on writeth.
  - (9) How, in view of R. Jose's exposition can they maintain their view?
  - (10) That the reference is to the material on which the divorce formula is written.
  - (11) ספר.
  - (12) ספירת.
  - (13) I.e., the contents of the document, not the material on which it is written.
  - (14) Who do not take ‘bill’ to imply parchment.
  - (15) Which R. Jose used to include other materials. Since according to their view ‘bill’ does not exclude anything, what need was there for a text to include other materials?
  - (16) I.e., a woman cannot be divorced, as she is betrothed by giving her some money.
  - (17) Divorce.
  - (18) Marriage. Deut. XXIV, 2 reads, And when she is departed from his house, and go and be another man's wife. The Talmud on the basis of this juxtaposition compares divorce (‘departure’) to marriage (‘being’).
  - (19) Betrothal may be effected by the man's giving to the woman money and saying, ‘Behold thou art betrothed unto me by this money’.
  - (20) The deduction just made.
  - (21) The juxtaposition of ‘bill’ and ‘divorcement’.
  - (22) The Rabbis. To what do they apply this text?
  - (23) Since the condition is timeless, and at any time in the future she might break the condition and the divorce would become void, it is of no effect.

- (24) Since at the end of the specified period the get would be definitely effective it is regarded as Pentateuchally valid forthwith.
- (25) R. Jose. Whence does he deduce this ruling?
- (26) Since Scripture could have written כרת and writes בריתות the extra letters are regarded as teaching an added lesson.
- (27) The Rabbis disregard such fine distinctions. On the whole passage v. Git. 21b.
- (28) But its roof does not rest upon them (Rashi). [Otherwise it would be invalid as a Sukkah kept up by an object that is attached to the ground. V. supra 21b, Strashun.]
- (29) I.e., to stand firm without swaying.
- (30) Old and strongly built trees which do not sway in the wind.
- (31) Which sometimes form part of the wall.
- (32) So that the branches also form a solid part of the wall.
- (33) By putting his things on it on the festival day.
- (34) At one of the corners of a watering station round which corner-pieces are placed to enable the carrying of the water from the well to the enclosure on the Sabbath.
- (35) Whose thickness was of the dimensions of one cubit by one cubit prescribed for a corner-piece.
- (36) Cf. prev. n. mut. mut.
- (37) 'Er. 19b. Now does not this prove that trees though swaying to and fro are regarded as a valid wall?
- (38) Whose branches bend downwards.
- (39) On the Sabbath.
- (40) 'Er. 15a; since by the law of labud they are deemed to be touching the ground and, since at their other ends at which they are attached to the tree they are ten handbreadths above the ground, they form a valid partition.
- (41) Sc. why should the branches be regarded as a valid partition to constitute an enclosure within which the movement of objects on the Sabbath is permitted?
- (42) That the branches were plaited for the express purpose of serving as an enclosure in which one might dwell while engaged in watching the fields around.
- (43) As in the case of all similar enclosures (cf. prev. n.).

## Talmud - Mas. Sukkah 25a

except where its area was not bigger than two beth se'ah?<sup>1</sup> — The reason<sup>2</sup> is that it<sup>3</sup> is an abode made to serve the open air<sup>4</sup> and in every abode that is made to serve the open air<sup>4</sup> objects may be moved in it<sup>5</sup> only if its area is no more than two beth se'ah.<sup>6</sup>

Come and hear: If one made his Sabbath rest<sup>7</sup> in a mound which is ten [handbreadths] high and [whose extent] is from four cubits to two beth se'ah and so also with a cavity<sup>8</sup> which is ten [handbreadths] deep, and [whose extent] is from four cubits to two beth se'ah and so also with a harvested spot<sup>9</sup> that was surrounded by ears of corn, he may walk throughout its whole extent and two thousand cubits<sup>10</sup> outside it [on the Sabbath].<sup>11</sup> [Now is not this permitted] even although it<sup>12</sup> sways to and fro?<sup>13</sup> — There also it refers to where he plaited it<sup>12</sup> with shrubs and bay-trees.<sup>14</sup>

MISHNAH. THOSE WHO ARE ENGAGED ON A RELIGIOUS ERRAND<sup>15</sup> ARE FREE FROM [THE OBLIGATIONS OF] SUKKAH.<sup>16</sup> INVALIDS AND THEIR ATTENDANTS ARE FREE FROM [THE OBLIGATIONS OF] SUKKAH. CASUAL EATING AND DRINKING<sup>17</sup> ARE PERMITTED OUTSIDE THE SUKKAH. GEMARA. Whence do we know this?<sup>18</sup> — From what our Rabbis taught: When thou sittest in thy house<sup>19</sup> excludes<sup>20</sup> the man who is occupied with a religious duty,<sup>21</sup> And when thou walkest by the way<sup>19</sup> excludes a bridegroom.<sup>20</sup> Hence<sup>21</sup> they<sup>22</sup> said, He who marries a virgin is free [from the obligation of reading the Shema'], but [he who marries] a widow is bound [by the obligation].<sup>23</sup> How is this<sup>24</sup> inferred? — R. Huna said, It is compared to 'the way'<sup>19</sup> just as 'the way'<sup>25</sup> refers to a secular way,<sup>26</sup> so must every act<sup>27</sup> be secular, thus excluding such a man who is occupied with the performance of a religious duty. But does it<sup>28</sup> not refer to where one is going on a religious errand [also]?<sup>29</sup> And does not the Divine Law nevertheless say that

one should read?<sup>30</sup> — If so,<sup>31</sup> the verse should have said, ‘When sitting and when walking’;<sup>32</sup> why [then does it say,] ‘When thou sittest and when thou walkest’? [It must consequently mean:] When walking for thy own purpose thou art bound by the obligation, but when walking on a religious errand thou art free. If so,<sup>33</sup> should not even the man who marries a widow<sup>34</sup> also be exempt?—When he marries a virgin his mind is pre-occupied<sup>35</sup> but when he marries a widow his mind is not preoccupied.<sup>36</sup>

Does this mean that whenever a man's mind is pre-occupied he is exempt?<sup>37</sup> If so, if his ship was sunk, so that his mind is preoccupied is he also exempt?<sup>37</sup> And if you will say, ‘It is indeed so’, did not R. Abba b. Zabda [it may be retorted] say in the name of Rab: A mourner<sup>38</sup> is bound by all the commandments that are enumerated in the Torah, with the sole exception of that of tefillin because the word ‘beauty’<sup>39</sup> was applied to them? — In the former case<sup>40</sup> his pre-occupation is on account of a religious duty;<sup>41</sup> in the latter<sup>42</sup> it is on account of a secular event.<sup>43</sup>

But is the law that he who is engaged on one religious duty is free from any other deduced from here?<sup>44</sup> Is it not deduced from elsewhere, As it has been taught: And there were certain men who were unclean by the dead body of a man, etc.<sup>45</sup> Who were these men? They were those who bore the coffin of Joseph,<sup>46</sup> so R. Jose the Galilean.

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- (1) ‘Er. 15a. A beth se'ah is a square measure, the size of a field which requires two se'ahs of seed to sow it. One beth se'ah is estimated as two thousand five hundred square cubits.
  - (2) For. R. Huna's ruling.
  - (3) The area under the branches.
  - (4) I.e., it is a mere shelter for the watchman who guards the open field around it.
  - (5) On the Sabbath.
  - (6) The Rabbis limited it to this size on the assumption that the courtyard of the sanctuary was of this size. If the area is larger it is subject to the laws of karmelith and objects in it may be moved within four cubits only.
  - (7) I.e., appointed the spot as his Sabbath abode at the time the Sabbath commenced.
  - (8) Which a man appointed as his Sabbath abode (cf. prev. n.).
  - (9) Cf. prev. n. Lit., ‘cut standing (ears)’.
  - (10) The distance in all directions which a man may walk on the Sabbath outside his town or enclosure in which he rested when the Sabbath began.
  - (11) ‘Er. 15a.
  - (12) The enclosure formed by the ears of corn.
  - (13) Apparently it is. How then could R. Aha maintain that a swaying partition is invalid?
  - (14) So that the enclosure is a firm one.
  - (15) Lit., ‘those that are sent forth for a religious duty’. Those, for instance, who go to study the Torah or to redeem a captive.
  - (16) Even when they stay for a rest.
  - (17) I.e., but not a set meal.
  - (18) The first ruling in our Mishnah.
  - (19) Deut. VI, 7, dealing with the duty of reading the Shema’ (v. P.B. pp. 40-42).
  - (20) From the duty (cf. prev. n.).
  - (21) How this is inferred is explained presently.
  - (22) The Rabbis.
  - (23) Ber. 11a.
  - (24) That those engaged in a religious act are exempt.
  - (25) In walking in which the duty of reading the Shema’ must be performed.
  - (26) Or, ‘optional. It is now taken to mean that one is walking by the way to pursue his normal occupations.
  - (27) The performance of which must not interfere with the duty of reading the Shema’.
  - (28) V. supra n. 2.
  - (29) Apparently it does.



- (30) How then is it inferred that those engaged in a religious act are exempt?
- (31) That Deut. VI, 7 refers also to one engaged in a religious act.
- (32) Which would have included all forms both secular and religious.
- (33) That the performance of a religious act exempts one from the obligations mentioned.
- (34) Who also is performing a religious duty.
- (35) And he cannot, therefore, perform another duty at that time.
- (36) Cf. prev. n. mut. mut.
- (37) From the performance of his religious duties.
- (38) Though his mind is pre-occupied.
- (39) Ezek. XXIV, 17; an ornament that is unbecoming to a mourner.
- (40) Where one marries a virgin.
- (41) Hence his exemption from other duties.
- (42) Where a ship was sunk as in that of a mourner.
- (43) Or, 'optional matter'. Mourning to the extent of shutting out of all other thoughts is regarded as optional and is excluded from the religious duty of mourning which is duly defined.
- (44) Deut. VI, 7.
- (45) Num. IX, 6, dealing with the celebration of the Second Passover in the month of Iyar by those who, for certain specified reasons, were unable to celebrate the first in Nisan.
- (46) Cf. Gen. L, 25 and Ex. XIII, 19.

## Talmud - Mas. Sukkah 25b

R. Akiba said, They were Mishael and Elzaphan who were occupied with [the remains of] Nadab and Abihu.<sup>1</sup> R. Isaac said, If they were those who bore the coffin of Joseph, they<sup>2</sup> had time to cleanse themselves [before Passover,]<sup>3</sup> and if they were Mishael and Elzaphan they could [also] have cleansed themselves [before the Passover].<sup>4</sup> But it was those who were occupied with a meth mizwah,<sup>5</sup> the seventh day [of whose purification] coincided with the eve of Passover, as it is said, They could not keep the Passover on that day,<sup>6</sup> on 'that' day they could not keep the Passover, but on the morrow they could?<sup>7</sup> — [Both texts]<sup>8</sup> are necessary. For if he had only informed us of the former,<sup>6</sup> I would have said [that they<sup>9</sup> were free from the obligation there] because the time of the obligation of the Passover had not yet come,<sup>10</sup> but not here<sup>11</sup> where the time of the reading of the Shema' had come,<sup>12</sup> [therefore] it was necessary [to have the latter].<sup>13</sup> And if he had informed us of the latter<sup>13</sup> only, I would have said [that one is exempt here] because this does not involve kareth,<sup>14</sup> but not there,<sup>6</sup> where it<sup>15</sup> involves kareth [therefore the former<sup>6</sup> also was] necessary.

[Reverting to] the main text: 'R. Abba b. Zabda said in the name of Rab, A mourner is bound by all the commandments of the Torah with the sole exception of that of tefillin since the word "beauty"<sup>16</sup> is applied to them'.<sup>17</sup> Since the All Merciful said to Ezekiel,<sup>18</sup> Bind thy beauty<sup>19</sup> upon thee,<sup>16</sup> the implication<sup>20</sup> must be, 'Thou art under this obligation,<sup>21</sup> but other people<sup>22</sup> are free.' This,<sup>23</sup> however, applies only to the first day,<sup>24</sup> since of that day it is written, And the end thereof as a bitter day.<sup>25</sup>

R. Abba b. Zabda also said in the name of Rab, A mourner is bound by the obligation of Sukkah. Is not this obvious?<sup>26</sup> — I might have said that since R. Abba b. Zabda said in the name of Rab that he who is in discomfort is free from the obligation of Sukkah, this [mourner should be exempt] since he also is in discomfort, therefore he informs us that this<sup>27</sup> applies only to discomfort over which one has no control,<sup>28</sup> but [not to that experienced by a mourner]; since it is he himself who is the cause of his discomfort, it is incumbent upon him to compose his mind.<sup>29</sup>

R. Abba b. Zabda also said in the name of Rab, A bridegroom and the shoshbins,<sup>30</sup> and all the wedding guests<sup>31</sup> are free from the obligation of Sukkah all the seven days.<sup>32</sup> What is the reason? Because they have to rejoice. But let them eat in the Sukkah and rejoice in the Sukkah? — There is

no proper rejoicing<sup>33</sup> but under the wedding canopy.<sup>34</sup> But let them eat in the Sukkah and rejoice under the canopy? — There can be no real rejoicing except where the banquet is held. But why should they not put up a canopy in the Sukkah? — Abaye says, [This is impossible] because [of the possibility] of privacy<sup>35</sup> and Raba said, Because of the discomfort of the bridegroom.<sup>36</sup> What practical difference is there between them?<sup>37</sup> — The practical difference between them emerges where people are in the habit of going in and out of there. According to the view of privacy, the restriction does not apply; according to the view of discomfort, it does. R. Zera<sup>38</sup> said, I had the banquet in the Sukkah and rejoiced under the canopy and my heart rejoiced all the more since I was fulfilling two [commandments].<sup>39</sup>

Our Rabbis have taught, The bridegroom, and the shoshbins and all the wedding guests are free from the obligations of prayer<sup>40</sup> and tefillin,<sup>41</sup> but are bound to read the Shema'.<sup>42</sup>

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(1) Cf. Lev. X, 4ff.

(2) Since they did not carry it for ten months (cf. Rashi for proof).

(3) And could not consequently have been described as 'could not keep the Passover' (Num. IX, 6). Cf. following note.

(4) Since Nadab and Abihu died on the first of Nisan which was the eighth day of consecration (cf. Lev. IX and X and Shab. 87b) and, according to Rabbinic tradition, Eleazar the Priest prepared the ashes of the Red Heifer (Num. XIX) on the second day of Nisan in order to enable those who had come into contact with a dead body to be duly cleansed before the Passover. Cf. prev. n.

(5) Lit., '(the burial of) the dead (as a) commandment'. Generally denoting one who has no relatives to occupy themselves with his burial. Here understood to include the one dead who is a near relative (Rashi).

(6) Num. IX, 6.

(7) Now these men, though they well knew that their attendance to the dead would prevent them from celebrating the Passover at the proper time, nevertheless performed the former and were in consequence exempt from the latter. Similarly in the case of all other religious duties one engaged in the performance of one is exempt from any other. What need then was there for a similar deduction from Deut. VI, 7?

(8) That of Num. as well as that of Deut.

(9) The men who were unclean.

(10) When they attended to the dead.

(11) The case of Shema'.

(12) While he is still under the bridal canopy.

(13) Deut. VI, 7.

(14) V. Glos.

(15) The failure to prepare the Paschal lamb.

(16) Ezek. XXIV, 17.

(17) Cf. supra p. 108, n. 2.

(18) Who was in mourning (cf. Ezek. XXIV, 16ff).

(19) E.V. 'headline'.

(20) Emphasis on 'thy' and 'thee'.

(21) Of putting on the tefillin.

(22) Who are in mourning.

(23) The exemption from tefillin.

(24) Of the mourning.

(25) Amos VIII, 10. The beginning of the verse is 'And I will make it as the mourning for an only son'. Since 'day' in the sing. is used it follows that actual mourning is limited to one day.

(26) Since he is under the obligation of observing all other religious duties (as stated supra) that of Sukkah is obviously included.

(27) R. Abba's ruling.

(28) I.e., discomfort caused by the condition of the Sukkah, as, e.g., cold or heat.

(29) And thus fit himself for the performance of the religious duty of Sukkah.

(30) The bridegroom's best man. V. Glos.

- (31) **בני ההפה** Lit., ‘the sons of the bridal-chamber’, denoting more strictly the friends of the bridegroom who prepared for him the bridal-chamber and attended on him at the wedding. V. Mann, J., HUCA I, p. 335.]
- (32) Of the wedding festivities.
- (33) Of a bridegroom.
- (34) Huppah, v. Glos.
- (35) The bridegroom had to be alone with his bride in a room after the ceremony as a symbol of conjugality. The Sukkah being usually made on a roof (v. infra p. 115 n. 12) which is frequented by very few people, might afford an opportunity for a stranger to enter it during a temporary and unavoidable absence of the bridegroom.
- (36) As a Sukkah need not have more than three walls the canopy in it is too much exposed for the convenient display of his affections.
- (37) Abaye and Raba.
- (38) Who married on the eve of the festival. During a festival no marriages are allowed (M.K. 8b).
- (39) Those of Sukkah and marriage.
- (40) Which requires concentration, an effort they are unable to make.
- (41) On account of possible drunkenness and levity attendant on festivities.
- (42) The first verse of which only requires concentration. For such a short while one is assumed to be able to make the effort.

## Talmud - Mas. Sukkah 26a

In the name of R. Shila they said, The bridegroom<sup>1</sup> is free from, but the shoshbins and the wedding guests are subject to the obligation.<sup>2</sup>

It has been taught: R. Hanania b. Akabya said, Scribes of books of the Law, tefillin and mezuzoth, their agents and their agents’ agents, and all who are engaged in holy work<sup>3</sup> including sellers of blue<sup>4</sup> are free from the obligation of prayer and tefillin and all the commandments mentioned in the Torah. This confirms the words of R. Jose the Galilean who laid down: He who is occupied with the performance of a religious duty is [at that time] free from the fulfilment of other religious duties.

Our Rabbis taught, Day travellers are free from the obligation of Sukkah by day<sup>5</sup> but are bound to it at night. Night travellers are free from the obligation of Sukkah at night,<sup>6</sup> but are bound to it by day. Travellers by day and night are free from the obligation both day and night.<sup>6</sup> Those who are on a religious errand<sup>7</sup> are free both by day and by night,<sup>8</sup> as in the case of R. Hisda and Rabbah son of R. Huna who, when visiting on the Sabbath of the Festival the house of the Exilarch,<sup>9</sup> slept on the river bank of Sura,<sup>10</sup> saying, ‘We are engaged on a religious errand<sup>11</sup> and are [therefore] free [from the obligation of Sukkah]’.

Our Rabbis taught, The day watchmen of a town are free from the obligation of Sukkah by day<sup>12</sup> and bound to it at night; the night watchmen are free by night<sup>12</sup> and bound by day, the day and night watchmen are free both by day and at night.<sup>12</sup> Keepers of gardens and orchards<sup>13</sup> are free both by day and by night — But why should they not make a Sukkah there and sit in it? — Abaye said, ‘Ye shall dwell’<sup>14</sup> [implies] just as you normally dwell.<sup>15</sup> Raba said, ‘The breach invites the thief’.<sup>16</sup> What practical difference is there between them?<sup>17</sup> — The practical difference [emerges] where one is guarding a pile of fruit.<sup>18</sup>

**INVALIDS AND THEIR ATTENDANTS.** Our Rabbis taught, The invalid spoken of here is not [only] an invalid who is in danger, but also one who is not in danger, even one who suffers from eyeache or headache. R. Simeon b. Gamaliel said, On one occasion I was suffering with my eyes in Caesarea and R. Jose Berebi<sup>19</sup> permitted me and my attendants to sleep outside the Sukkah. Rab permitted R. Aha Bardela to sleep in a tester-bed<sup>20</sup> in a Sukkah in order [to shut out] the gnats. Raba permitted R. Aha b. Adda to sleep outside the Sukkah on account of the odour of the day.<sup>21</sup> Raba is here consistent, since Raba said, He who is in discomfort<sup>22</sup> is free from the obligation of Sukkah.

But have we not learnt: INVALIDS AND THEIR ATTENDANTS ARE FREE FROM THE OBLIGATION OF SUKKAH, [from which it follows,] only an invalid<sup>23</sup> but not one who is merely in discomfort? — I will explain: An invalid is free together with his attendants, whereas he who is in discomfort is himself free, but not his attendants.

CASUAL EATING AND DRINKING ARE PERMITTED OUTSIDE THE SUKKAH. What constitutes a casual meal? — R. Joseph said, [The volume of] two or three eggs. Abaye said to him: But sometimes this suffices for [a whole meal for] a man, why then should this not constitute a set meal? Rather, said Abaye, [a small quantity] only as much as a student tastes before proceeding to the college assembly.<sup>24</sup>

Our Rabbis taught, Casual eating is permitted outside the Sukkah, but not casual sleeping.<sup>25</sup> What is the reason? — R. Ashi<sup>26</sup> said, We fear lest the person fall into a deep slumber. Abaye said to him, With reference, however, to that which has been taught, 'A man may indulge in casual sleep while wearing his tefillin, but not in regular sleep', why do we not<sup>27</sup> fear lest he fall into a deep slumber? — R. Joseph the son of R. Ila'i said, [The latter refers to where] the person entrusts others [with the task of waking him from his] sleep. R. Mesharsheya demurred: Does not 'Your guarantor need a guarantor?'<sup>28</sup> — Rather, said Rabbah b. Bar Hana in the name of R. Johanan, This refers to where the person puts his head between his knees.<sup>29</sup> Raba<sup>30</sup> said, [In the case of Sukkah the question of] regularity in sleep does not arise.<sup>31</sup> One [Baraita] teaches, A man may indulge in a casual sleep in his tefillin but not in regular sleep, and another [Baraita] taught, Whether a casual sleep or regular sleep [is permitted] while a third Baraita taught, Neither a casual sleep nor a regular sleep [is allowed]!<sup>32</sup> — There is no difficulty: The last refers to where he holds them in his hand,<sup>33</sup> the first one to where they rest on his head,<sup>34</sup> while the second refers to where he spreads a cloth over them.<sup>35</sup>

What constitutes a casual sleep? — Rami b. Ezekiel taught, [Sleeping during the time] it takes to walk one hundred cubits. It has also been taught so: He who sleeps in tefillin and [on waking] observes an issue of semen,<sup>36</sup> should seize hold of the strap<sup>37</sup>

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(1) Whose mind is pre-occupied.

(2) These authorities do not uphold the rule that one engaged in the performance of one's religious duty is at that time exempt from all other duties.

(3) Lit., 'work of heaven'.

(4) For zizith.

(5) Since one is to live in the Sukkah as in a house. As a day traveller does not use his house during the day so need he not use his Sukkah.

(6) Cf. prev. n. mut. mut.

(7) Though they travel in the daytime only.

(8) Because their minds are pre-occupied with their religious errand in all its phases.

(9) [MS.M.: 'When they went up for the Sabbath of the Festival of the Exilarch'. During the third century whilst the Exilarch had his seat at Nehardea, a special celebration in honour of the Exilarch was held annually on the Sabbath of Sukkoth, **שבת דרגלא** which was attended by scholars of all districts. v. Obermeyer p. 292 who strangely enough does not give the reading of MS.M.]

(10) [According to Obermeyer's interpretation of the passage (v. preceding note), this refers to their outward journey. The caravan which R. Hisda and Rabbah b. R. Huna joined for their journey from Sura, which was their home, to Nehardea (a distance of one hundred and ten km.), set out as was usual very early in the morning, even before the break of dawn, so that they in common with other travellers, in order to be ready for the departure, had to spend the preceding night outside the town, near the river bank of Sura].

(11) The visit to the Exilarch and the attendance at his discourse.

(12) Cf. p. III, n. 9 mut. mut.

(13) Who must always be at their posts.

(14) Lev. XXIII, 42.

- (15) *Infra 27a*. As it is practically impossible for an ordinary person to furnish a Sukkah in gardens or orchards, which are away from one's home, in the manner a house is normally furnished, the watchmen of such places were granted exemption from Sukkah.
- (16) A proverb. The knowledge that the watchman is within the Sukkah will give the thief his opportunity.
- (17) Abaye and Raba.
- (18) According to Raba such a man must live in a Sukkah since it is possible to watch the pile through the Sukkah door.
- (19) A title of honour given to Sages. v. Nazir, Sonc. ed., p. 64, n. 1. Here it is R. Jose b. Halafta.
- (20) Which is ten handbreadths high and has a roof and is ordinarily forbidden. V. *supra*.
- (21) With which the floor of the Sukkah was covered.
- (22) On account of conditions in the Sukkah.
- (23) Is exempt.
- (24) Kallah v. Glos.
- (25) A doze.
- (26) R. Ashi I, a contemporary of Abaye.
- (27) As in the case of Sukkah.
- (28) *Git. 28b*; i.e., the person who is asked to wake him might himself fall asleep.
- (29) In which position sound sleep is impossible.
- (30) Maintaining that there is no need to provide against the possibility of one's falling from a doze into a regular sleep.
- (31) I.e., a doze and sound sleep are equally forbidden, since the former may be as satisfying as the latter. Hence the prohibition outside the Sukkah of even a doze. With tefillin, however, the reason why sleep is forbidden is lest one eructate, and there is no fear of this in a doze.
- (32) How are these to be reconciled?
- (33) In which case he may not even doze, lest they fall to the ground.
- (34) In which case we fear for eructation which is likely during sound sleep, but not when one is only dozing.
- (35) While they lie under his pillow.
- (36) When, owing to his defilement, it is his duty to remove the tefillin from his head.
- (37) Of the tefillin.

## Talmud - Mas. Sukkah 26b

but not of the capsule; these are the words of R. Jacob; but the Sages say, A man may indulge in a casual sleep in his tefillin but not in a regular sleep, and what constitutes a casual sleep? [Sleeping during the time] it takes to walk one hundred cubits.

Rab said, It is forbidden to a man to sleep by day<sup>1</sup> more than the sleep of a horse. And what is the sleep of a horse? Sixty respirations. Abaye said, The sleep of the Master<sup>2</sup> is as that of Rab, and that of Rab as that of Rabbi<sup>3</sup> and that of Rabbi as of David,<sup>4</sup> and that of David as of a horse, and that of a horse is sixty respirations.

Abaye slept [by day] as long as it takes to go up from Pumbeditha to Be Kube.<sup>5</sup> R. Joseph applied to him the verse, How long wilt thou sleep, O sluggard, when wilt thou arise out of thy sleep.<sup>6</sup>

Our Rabbis taught, He who wishes to go to sleep by day, he may, if he desires, remove [his tefillin] and he may if he so desires, put them on.<sup>7</sup> At night, he may not put them on but must remove them;<sup>8</sup> these are the words of R. Nathan. R. Jose said, Youths<sup>9</sup> must always<sup>10</sup> remove them and never<sup>9</sup> put them on, since ritual uncleanness<sup>11</sup> is of frequent occurrence with them. Must we then say that R. Jose is of the opinion that a man who has an issue of semen<sup>12</sup> may not don his tefillin?<sup>13</sup> — Abaye answered, We are dealing here with the case of young men in the company of their wives, [upon whom the restriction was imposed] lest they proceed to familiar practice.<sup>14</sup>

Our Rabbis taught: If he forgot and had sexual intercourse in his tefillin he should not seize hold either of a strap<sup>15</sup> or of a capsule<sup>15</sup> until he wash his hands to take them off, since hands touch things

automatically.<sup>16</sup>

MISHNAH. IT ONCE HAPPENED THAT THEY BROUGHT COOKED FOOD TO R. JOHANAN B. ZAKKAI TO TASTE, AND TWO DATES AND A PAIL OF WATER TO R. GAMALIEL AND THEY SAID, 'BRING THEM UP TO THE SUKKAH'.<sup>17</sup> BUT WHEN THEY GAVE TO R. ZADOK FOOD LESS THAN THE BULK OF AN EGG,<sup>18</sup> HE TOOK IT IN A TOWEL,<sup>19</sup> ATE IT OUTSIDE THE SUKKAH AND DID NOT SAY THE BENEDICTION AFTER IT.<sup>20</sup> GEMARA. Does not the incident<sup>21</sup> come as a contradiction.<sup>22</sup> There is a lacuna, and it should be taught thus: But if he wishes to be strict with himself, he may do so, and it does not constitute presumption, and so it also happened that THEY BROUGHT COOKED FOOD TO R. JOHANAN B. ZAKKAI TO TASTE, AND TWO DATES AND A PAIL OF WATER TO R. GAMALIEL

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(1) 'When it is one's duty to study the Torah.

(2) Rabbah b. Nahmani.

(3) R. Judah ha-Nasi I, his teacher.

(4) The duration of whose sleep was known to Rabbi by tradition.

(5) A place about two hours' walking distance north of Pumbeditha, v. Obermeyer, p. 230.

(6) Prov. VI, 9.

(7) Since during day time one is not likely to indulge in regular sleep.

(8) Even if he only desire to doze.

(9) If they intend to sleep.

(10) Even in the day time.

(11) Caused, it is now assumed, by semen.

(12) Cf. prev. n.

(13) But if this were so, and since the halachah is always in agreement with R. Jose (cf. Git. 67b), why does not the halachah agree with this ruling?

(14) A levity which could not be allowed while a man wears his tefillin.

(15) Of the tefillin.

(16) Lit., 'constantly busy', and may, therefore, have touched an unclean spot.

(17) As they were of the opinion that one may not partake of anything casually outside the Sukkah. [The Sukkah was, as was usual, built on the flat roof of the house, hence the phrase 'bring them up'.]

(18) A quantity which in his opinion may be eaten without previous washing of one's hands.

(19) To avoid touching it with his unwashed hands.

(20) R. Zadok is of the opinion that the benediction after the meal, and eating in a Sukkah apply only to a full meal in agreement with R. Judah's interpretation of Deut. VIII, 10 (cf. Ber. 49a).

(21) Recorded in our Mishnah.

(22) To the previous Mishnah where casual eating is permitted outside a Sukkah,

## Talmud - Mas. Sukkah 27a

AND THEY SAID, 'BRING THEM UP TO THE SUKKAH', BUT WHEN THEY GAVE TO R. ZADOK FOOD LESS THAN THE BULK OF AN EGG, HE TOOK IT IN A TOWEL, ATE IT OUTSIDE THE SUKKAH, AND DID NOT SAY THE BENEDICTION AFTER IT.

But if it was the bulk of an egg, must he needs [eat it in] the Sukkah? Should we say that this is a refutation of R. Joseph and Abaye?<sup>1</sup> — Perhaps [it means that] less than the bulk of an egg does not necessitate washing of the hands<sup>2</sup> and the benediction,<sup>3</sup> but if it was the bulk of an egg, it necessitates washing of the hands and the benediction.<sup>4</sup>

MISHNAH. R. ELIEZER SAID, A MAN IS OBLIGED TO EAT FOURTEEN MEALS IN THE SUKKAH,<sup>5</sup> ONE ON EACH DAY AND ONE ON EACH NIGHT. THE SAGES HOWEVER SAY, THERE IS NO FIXED NUMBER<sup>6</sup> EXCEPT ON THE FIRST NIGHT OF THE FESTIVAL

ALONE.<sup>7</sup> R. ELIEZER SAID IN ADDITION, IF A MAN DID NOT EAT IN THE SUKKAH ON THE FIRST NIGHT OF THE FESTIVAL, HE MAY MAKE UP FOR IT ON THE LAST NIGHT OF THE FESTIVAL,<sup>8</sup> WHILE THE SAGES SAY, THERE IS NO COMPENSATION FOR THIS, AND OF THIS WAS IT SAID: THAT WHICH IS CROOKED CANNOT BE MADE STRAIGHT, AND THAT WHICH IS WANTING CANNOT BE NUMBERED.<sup>9</sup>

GEMARA. What is the reason of R. Eliezer? — Ye shall dwell<sup>10</sup> implies just as you normally dwell. As in a [normal] abode [a man has] one [meal] by day and one by night, so in the Sukkah [he must have] one meal by day and one by night. And the Rabbis?<sup>11</sup> — [They say that the implication<sup>10</sup> is] like an abode. Just as in an abode a man eats if he desires and if he does not so desire he does not eat, so also with the Sukkah; if he desires he eats, and if he does not so desire he does not eat. But if so, [why should he not have the option] on the first night of the Festival also? R. Johanan answered in the name of R. Simeon b. Jehozadak, With regard to Sukkah it says, The fifteenth,<sup>12</sup> and with regard to the Festival of Passover it says, The fifteenth.<sup>13</sup> Just as there<sup>14</sup> the first night only is obligatory<sup>15</sup> but from then on it is optional,<sup>16</sup> so here also the first night is obligatory,<sup>17</sup> but from then on it is optional. And in the case of Passover whence do we know?<sup>18</sup> -Since the verse says, At evening ye shall eat unleavened bread;<sup>19</sup> Scripture thus establishes it<sup>20</sup> as an obligation.

R. ELIEZER SAID IN ADDITION. But did not R. Eliezer say that A MAN IS OBLIGED TO EAT FOURTEEN MEALS IN THE SUKKAH, ONE ON EACH DAY AND ONE ON EACH NIGHT?<sup>21</sup> -Bira answered in the name of R. Ammi, R. Eliezer recanted [of his previous statement]. With what does one make up for it?<sup>22</sup> If you will say with bread,<sup>23</sup> is not one merely eating the [obligatory] meal of the festival day?<sup>24</sup> — The fact is that by ‘make up is meant that one should make up with various kinds of desert.<sup>25</sup> So it has also been taught:<sup>26</sup> If he made up [for a meal he has missed] with various kinds of desert he fulfilled his obligation.<sup>27</sup>

The major domo of King Agrippa<sup>28</sup> asked R. Eliezer, [A man] such as I am, who eat but one meal a day, may I eat one meal [in the Sukkah] and be free [of my obligation]? He answered him, Every day you draw out [the meal] with all kinds of dainties for your own honour, and now you cannot add one dainty for the honour of your Creator? He also asked him, [A man] such as I who have two wives, one in Tiberias and one in Sepphoris, and two Sukkahs, one in Tiberias and one in Sepphoris, may I go from one Sukkah to the other and<sup>29</sup> thus be free from my obligation? He answered him, No! For I say that he who goes from one Sukkah to another annuls the ‘mizwah<sup>30</sup> of the first.

It has been taught: R. Eliezer says,

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(1) Who respectively say (supra 26a) that casual eating is two or three eggs and the bulk of an egg, the quantity a student eats before proceeding to college.

(2) Before eating it.

(3) After it has been eaten.

(4) But not Sukkah, the prescribed minimum for which is either that given by R. Joseph or Abaye.

(5) During the seven days of the festival.

(6) Sc. one need not eat even one meal in the Sukkah if one desires to fast throughout the seven days.

(7) When one must eat a meal in the Sukkah.

(8) Which is the Eighth Day of Solemn Assembly, though on that day the obligation of Sukkah no longer applies. (This will be discussed in the Gemara).

(9) Eccl. I, 15.

(10) Lev. XXIII, 42, dealing with the Sukkah.

(11) THE SAGES, sc. how can they maintain their view against this exposition.

(12) Lev. XXIII, 39.

(13) Ibid. 6.

(14) Passover.

- (15) For eating unleavened bread.
- (16) V. Pes. 120a.
- (17) To eat in the Sukkah.
- (18) That the obligation applies at least to the first night.
- (19) Ex. XII, 18.
- (20) Eating on the first evening.
- (21) And since the last day is not subject to the obligation, and any person sitting in the Sukkah on that day in fulfilment of the commandment is guilty of adding to the commandments, how can that day compensate for the first?
- (22) The meal of the first evening.
- (23) Sc. one's ordinary meal.
- (24) How then could it also serve as compensation?
- (25) Which form no essential part of the usual festival meal.
- (26) That even desert may be regarded as a compensating meal.
- (27) Much more so, of course, if he did it with a proper meal of bread and meat.
- (28) [Agrippa II; the major domo, epitropos, is identified with Joseph b. Simai mentioned in Shab. 121b. V. Graetz, MGWJ. XIII 1881, p. 484 and Klein, Beitrage p. 66 n. 1.]
- (29) Though other people must use the same Sukkah throughout the seven days (v. infra).
- (30) The good deed performed by obeying the commandment to dwell in a Sukkah.

### **Talmud - Mas. Sukkah 27b**

One may not go from one Sukkah to another,<sup>1</sup> nor may one<sup>2</sup> make a Sukkah during the Intermediate Days of the Festival, while the Sages say, One may go from one Sukkah to another, and one may make a Sukkah during the Intermediate Days of the Festival; but both of them are in accord that if it fall down, one<sup>3</sup> may re-erect it during the Intermediate Days.

What is the reason of R. Eliezer? — Scripture says, Thou shalt keep the Feast of Sukkah for seven days,<sup>4</sup> [which implies,] make a Sukkah which shall be fit for seven days.<sup>5</sup> And the Rabbis?<sup>6</sup> -This is what the Divine Law means: Make a Sukkah for the Festival. 'But both of them are in accord that if it fall down one may re-erect it during the Intermediate Days' — But is not this obvious?<sup>7</sup> — I would have said that this<sup>8</sup> is [deemed to be] another [Sukkah] and is [thus] not one for seven days, therefore he informs us [that we do not say so].<sup>9</sup>

It has been taught: R. Eliezer said, Just as a man cannot fulfil his obligation on the first day of the Festival<sup>10</sup> with the palm-branch of his fellow, since it is written, And ye shall take to you on the first day the fruit of goodly trees, branches of palm-trees<sup>11</sup> i.e., from your own, so cannot a man fulfil his obligation with a Sukkah of his fellow, since it is written, The festival of Sukkoth thou shalt keep to thee for seven days.<sup>12</sup> I.e., of thine own. The Sages, however, say, Although they<sup>13</sup> said that a man cannot fulfil his obligation on the first day of the Festival<sup>10</sup> with the palm-branch of his fellow, he may nevertheless fulfil his obligation with the Sukkah of his fellow, since it is written, All that are homeborn, in Israel shall dwell in Sukkoth,<sup>14</sup> which teaches that all Israel are able to sit in one Sukkah.<sup>15</sup> And how do the Rabbis<sup>16</sup> interpret the words 'to thee'?<sup>12</sup> — It is needed to exclude a stolen [Sukkah]; but as to a borrowed one, It is written, 'All that are homeborn' etc.<sup>14</sup> And what does R. Eliezer do with, 'All that are homeborn'?<sup>14</sup> — It is needed [to include] a convert who had become converted in the meantime<sup>17</sup> or a minor who had attained his majority in the meantime.<sup>18</sup> And the Rabbis?<sup>19</sup> — Since they say that a man<sup>20</sup> may make a Sukkah during the Intermediate Days of the Festival no [special] verse is needed [for converts and minors].<sup>21</sup>

Our Rabbis have taught: It once happened that R. Ila'i went to pay his respects to R. Eliezer his master in Lydda<sup>22</sup> on a Festival.<sup>23</sup> He<sup>24</sup> said to him, 'Ila'i, you are not of those that rest on the Festival',<sup>25</sup> for R. Eliezer used to say, 'I praise the indolent who do not emerge from their houses on the Festival'<sup>26</sup> since it is written, And thou shalt rejoice, thou and thy household'.<sup>27</sup> But it is not so?



For did not R. Isaac say, Whence do we know that a man is obliged to pay his respects to his teacher on the Festival? From Scripture which said, Wherefore wilt thou go to him to-day? It is neither New Moon nor Sabbath<sup>28</sup> from which it follows that on the New Moon<sup>29</sup> and the Sabbath a man is obliged to pay his respects to his master?<sup>30</sup> — There is no difficulty. The latter refers to where he can go and return [to his house] on the one day;<sup>31</sup> the former to where he cannot go and return on the same day.<sup>32</sup> Our Rabbis have taught: It happened that R. Eliezer passed the Sabbath<sup>33</sup> in Upper Galilee in the Sukkah of R. Johanan son of R. Ila'i at Caesarea or, as some say, in Caesarea [Philippi],<sup>34</sup> and when the sun reached the Sukkah he said to him,<sup>35</sup> 'How if I spread a cloth over it?'<sup>36</sup> He answered him, 'There was not a tribe in Israel which did not produce a judge'.<sup>37</sup> When the sun reached to the middle of the Sukkah, he said to him, 'How if I spread a cloth over it?' He answered him, 'There was not a tribe in Israel from which there did not come prophets, and the tribes of Judah and Benjamin appointed their kings at the behest of the prophets'.<sup>38</sup> When the sun reached the feet of R. Eliezer,<sup>39</sup> Johanan took a cloth and spread it over [the Sukkah]. R. Eliezer [thereupon] tied up his cloak, threw it over his back, and went out.<sup>40</sup> It was not in order to evade an answer [that he answered as he did] but because he never said anything which he had not heard from his master.

How did R. Eliezer act thus?<sup>41</sup> Did not R. Eliezer say, One may not go from one Sukkah to another?<sup>42</sup> — It was on another Festival.<sup>43</sup> But did not R. Eliezer say, I praise the indolent who do not leave their houses on the Festival? — It was an ordinary Sabbath.

But could he not deduce [the answer]<sup>44</sup> from his own<sup>45</sup> statement, since we have learnt: One may shut a window<sup>46</sup> with a window-shutter if it is fastened or hung [on the window-frame],<sup>47</sup> but if not, one may not shut a window with it; but the Sages say, In either case one may shut the window with it?<sup>48</sup>

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- (1) Sc. to eat in one and sleep in the other or to use one on one day and the other on the next.
  - (2) Who did not dwell in a Sukkah on the first day.
  - (3) Who fulfilled his duty in it in the earlier day or days.
  - (4) Deut. XVI, 13.
  - (5) One made during the Intermediate Days is obviously for less than 'seven days' as is one that is forsaken before the seven days are over.
  - (6) How can they maintain their view against this exposition?
  - (7) Since the Sukkah was originally put up for the full seven days.
  - (8) Since it is put up again during the Intermediate Days.
  - (9) Because the repaired Sukkah is merely the continuation of the original one which was duly intended for the full seven days.
  - (10) Of Tabernacles.
  - (11) Lev. XXIII, 40.
  - (12) This is the literal translation of Deut. XVI, 13 quoted supra.
  - (13) The Rabbis who preceded them.
  - (14) Lev. XXIII, 42.
  - (15) Now, the contribution each Israelite could possibly make towards the cost of such a common Sukkah would inevitably amount to less than a perutah which legally acquires nothing, so that each could use the Sukkah only by borrowing it from the others.
  - (16) The Sages.
  - (17) I.e., between the first and the last days of the Festival.
  - (18) They are obliged to make for themselves a Sukkah in which to dwell from that time to the end of the Festival, even although an ordinary Israelite, according to R. Eliezer supra, must make a Sukkah after the Festival has begun.
  - (19) Who use this text supra for another deduction, whence do they deduce the law just mentioned?
  - (20) Even an ordinary Jew whose duty it was to make the Sukkah prior to the Festival.
  - (21) Whose case may be inferred a minori ad majus.
  - (22) R. Eliezer b. Hyrcanus who conducted his own academy at Lydda for many years. V. Sanh. 36b.

- (23) I.e., set out on the eve of the Festival in order to be with his Master on the first day of the Festival.
- (24) The Master.
- (25) Sc. those who spend it at home in the company of their wives.
- (26) Though their sole reason for staying at home is their indolence.
- (27) Deut. XIV, 26. This verse does not, as a matter of fact, refer to a Festival but to the second tithing. Tosaf. (Pes. 109a) suggests an analogy between this verse and Deut. XVI, 14, the import of each being the same, but the former is quoted since it mentions the word 'house' (i.e., 'wife') specifically.
- (28) 11 Kings IV, 23. The reference is to the Shunamite woman and Elisha.
- (29) Sc. a Festival.
- (30) V. R.H., Sonc. ed., p. 62, n. 12. Now how are the two statements to be reconciled?
- (31) As his wife would thus have his company for a part of the day he must also pay his respects to his teacher.
- (32) His duty to his wife overrides his duty to his teacher as far as a visit to him on a Festival is concerned.
- (33) Of Tabernacles.
- (34) There were two Caesareas in N. Palestine, distinguished by their spelling.
- (35) Johanan to R. Eliezer.
- (36) So as to provide more shade. The point of his question was whether the spreading of the cloth is regarded as the extension of a temporary tent which is forbidden on the Sabbath.
- (37) He turned to another topic, since, as explained infra, he never gave a decision which had not been handed down. R. Eliezer's outstanding characteristic was his rigid conservatism.
- (38) Saul and David, for instance, were appointed by Samuel. Cf. prev. n.
- (39) As the sun climbed the sky, its rays penetrated more and more into the Sukkah.
- (40) In order to avoid responsibility for Johanan's action (cf. supra n. 4).
- (41) Dwell in another person's Sukkah on the Festival.
- (42) How then could he leave his own Sukkah in Lydda (cf. Sanh. 32b) for that of Johanan at Caesarea?
- (43) Not Tabernacles. They sat in the Sukkah for convenience.
- (44) To Johanan's enquiry.
- (45) R. Eliezer's.
- (46) On the Sabbath.
- (47) Because in that case it is regarded as a part of the window and its closure constitutes neither 'building' nor an addition to a building.
- (48) Shab. XVII, 7. Now since the question was whether spreading the cloth over the Sukkah would be regarded as adding to it on the Sabbath why did not it, Eliezer deduce from this analogous case that the answer was in the affirmative?

## Talmud - Mas. Sukkah 28a

— [No.] In the latter case<sup>1</sup> it is [forbidden] since he destroys its identity,<sup>2</sup> but in the former where he does not,<sup>3</sup> the law is not so.<sup>4</sup>

Our Rabbis have taught: It happened that R. Eliezer passed the Sabbath in Upper Galilee, and they asked him for thirty decisions in the laws of Sukkah. Of twelve of these he said, 'I heard them [from my teachers]'; of eighteen he said, 'I have not heard'. R. Jose b. Judah said, Reverse the words: Of eighteen he said, 'I have heard them', of twelve he said, 'I have not heard them'. They said to him, 'Are all your words only reproductions of what you have heard?' He answered them, 'You wished to force me to say something which I have not heard from my teachers. During all my life [I may tell you] no man was earlier than myself in the college, I never slept or dozed in the college, nor did I ever leave a person in the college when I went out, nor did I ever utter profane speech, nor have I ever in my life said a thing which I did not hear from my teachers'.

They said concerning R. Johanan b. Zakkai that during his whole life he never uttered profane talk, nor walked four cubits without [studying the] Torah or without tefillin, nor was any man earlier than he in the college, nor did he sleep or doze in the college, nor did he meditate<sup>5</sup> in filthy

alleyways, nor did he leave anyone in the college when he went out, nor did anyone ever find him sitting in silence, but only sitting and learning, and no one but himself ever opened the door to his disciples, he never in his life said anything which he had not heard from his teacher, and, except on the eve of Passover<sup>6</sup> and on the eve of the Day of Atonement,<sup>7</sup> he never said, 'It is time to arise from the studies at the college'; and so did his disciple R. Eliezer conduct himself after him.

Our Rabbis have taught: Hillel the Elder had eighty disciples, thirty of whom were worthy of the Divine Spirit resting upon them, as [it did upon] Moses our Master, thirty of whom were worthy that the sun should stand still for them [as it did for] Joshua the son of Nun,<sup>8</sup> [and the remaining] twenty were ordinary. The greatest<sup>9</sup> of them was Jonathan b. Uzziel,<sup>10</sup> the smallest<sup>11</sup> of them was Johanan b. Zakkai. They said of R. Johanan b. Zakkai that he did not leave [unstudied] Scripture, Mishnah, Gemara,<sup>12</sup> Halachah,<sup>13</sup> Aggadah,<sup>14</sup> details of the Torah,<sup>15</sup> details of the Scribes,<sup>16</sup> inferences a minori ad majus, analogies,<sup>17</sup> calendrical computations<sup>18</sup> gematrias,<sup>19</sup> the speech of the Ministering Angels, the speech of spirits,<sup>20</sup> and the speech of palm-trees,<sup>21</sup> fullers' parables<sup>22</sup> and fox fables,<sup>23</sup> great matters or small matters; 'Great matters' mean the Ma'aseh merkabah,<sup>24</sup> 'small matters' the discussions of Abaye and Raba;<sup>25</sup> in order to fulfil what is said, That I may cause those that love me to inherit substance, and that I may fill their treasuries.<sup>26</sup> And if the smallest of them was so great, how much more so was the greatest? They said of Jonathan b. Uzziel that when he used to sit and occupy himself with the study of the Torah, every bird that flew above him was immediately burnt.

**MISHNAH. IF A MAN'S HEAD AND THE GREATER PART OF HIS BODY WERE WITHIN THE SUKKAH AND HIS TABLE WITHIN THE HOUSE,<sup>27</sup> BETH SHAMMAI DECLARE IT INVALID AND BETH HILLEL DECLARE IT VALID. BETH HILLEL SAID TO BETH SHAMMAI, DID IT NOT IN FACT HAPPEN THAT THE ELDERS OF BETH SHAMMAI AND THE ELDERS OF BETH HILLEL WENT TO VISIT R. JOHANAN B. HA-HORONITH AND FOUND HIM SITTING WITH HIS HEAD AND THE GREATER PART OF HIS BODY WITHIN THE SUKKAH AND HIS TABLE WITHIN THE HOUSE, AND THEY SAID NAUGHT TO HIM?<sup>28</sup> BETH SHAMMAI ANSWERED, IS THAT A PROOF? INDEED THEY SAID TO HIM, IF YOU HAVE SO CONDUCTED YOURSELF, YOU HAVE NEVER IN YOUR LIFE FULFILLED THE LAW OF THE SUKKAH.**

**WOMEN, SLAVES AND MINORS ARE FREE FROM THE OBLIGATION OF SUKKAH, BUT A MINOR WHO IS NOT DEPENDENT ON HIS MOTHER IS BOUND BY THE LAW OF SUKKAH. IT ONCE HAPPENED THAT THE DAUGHTER-IN-LAW OF SHAMMAI THE ELDER GAVE BIRTH TO A CHILD,<sup>29</sup> AND HE BROKE AWAY THE PLASTER OF THE ROOF AND PUT SUKKAH-COVERING OVER THE BED FOR THE SAKE OF THE CHILD. GEMARA. Whence do we know this?<sup>30</sup> For our Rabbis taught: [If Scripture had said] 'homeborn' [it would have included] every homeborn, [but since it says] 'the homeborn'<sup>31</sup> it excludes women. 'Every' includes minors.**

The Master has said: 'The homeborn' excludes women. Does that mean that 'homeborn' implies both men and women? But has it not been taught: 'The homeborn'<sup>32</sup> includes the homeborn women that they must fulfil the law of afflicting themselves, which shows that 'homeborn'<sup>33</sup> implies men [only]? — Rabbah answered, They<sup>34</sup> are traditional laws<sup>35</sup> but the Rabbis applied a Scriptural verse to them. Which<sup>36</sup> is based on a Scriptural verse and which on a traditional law? And, moreover, what is the necessity for a Scriptural verse or for a traditional law?<sup>37</sup> Is not a Sukkah a positive commandment dependent upon a fixed time [for its fulfilment], and are not women exempt from every positive commandment which depends upon a fixed time [for its fulfilment]? As to the Day of Atonement [also]<sup>38</sup> can it not be derived from [the statement] Rab Judah made in the name of Rab, for Rab Judah citing Rab stated and so the school of R. Ishmael taught, As Scripture says, Man or woman<sup>39</sup>

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- (1) That of the window-shutter.
- (2) I.e., the identity of the shutter is lost to the window. The act of closing must, therefore, be regarded as 'building'.
- (3) Since the cloth would not be allowed to remain in the Sukkah.
- (4) The window-shutter becomes part of the frame, but the cover does not become part of the Sukkah. The spread of the latter, therefore, need not necessarily be regarded as building.
- (5) His studies or other sacred subjects.
- (6) When it was necessary to hurry home to the Passover meal for the sake of the children who might otherwise fall asleep (cf. Pes. 109a).
- (7) When the last meal of the day had to be eaten early before the fast began.
- (8) Cf. Josh. X, 12f.
- (9) Or 'eldest', but the following statement suggests 'the greatest'.
- (10) According to Meg. 3a, he wrote a Targum to the Prophets, and wished to translate the Hagiographa, but was prevented. The extant Targum to the Prophets is pseudo-Jonathan.
- (11) Or 'the youngest'.
- (12) Explanations of the Mishnah.
- (13) Decisions of law.
- (14) The non-halachic part of Talmud, including homiletics, ethics, folk-lore, legends etc.
- (15) The minute details and subtle points in Biblical exposition.
- (16) Similarly of Rabbinical enactments.
- (17) The second of the thirteen hermeneutical principles of R. Ishmael.
- (18) The calculations of the solstice etc.
- (19) Laws derived from the numerical equivalents and other numerical computations of letters.
- (20) Usually evil spirits, demons.
- (21) Rashi professes ignorance of this. Hai Gaon writes in a responsum that on a windless day, if a man stand between two palms and observe how they incline to one another, signs can be deduced which afford information. The Gaon Abraham Kobasi d. 828, was a proficient interpreter of 'the speech of palms'.
- (22) The fuller is a well-known figure in Roman comedy.
- (23) R. Meir was an adept in fox fables.
- (24) Esoteric speculation based on Ezek. I
- (25) They lived much after Johanan b. Zakkai. Rashbam suggests that their forte was the harmonizing of Mishnah and Baraitha. Rashi suggests that they were forgotten and Abaye and Raba re-taught them. For further notes on the passage v. B.B., Sonc. ed., p. 563.
- (26) Prov. VIII, 21.
- (27) The Sukkah being attached to the house — v. supra.
- (28) Some texts omit this sentence, in view of what follows.
- (29) A male-child, on the Festival.
- (30) That women are exempt, and children bound.
- (31) The literal translation of Lev. XXIII, 42 is 'Every one of the homeborn' etc.
- (32) In Lev. XVI, 29, referring to the Day of Atonement.
- (33) Without the prefixed definite article.
- (34) Sc. one of the two laws under discussion.
- (35) Not dependent upon the proof of a Scriptural verse, but on the tradition given to Moses on Mount Sinai.
- (36) Of the two laws.
- (37) Either in the case of Sukkah to exclude women or in that of the Day of Atonement to bring them under the obligation.
- (38) Sc. the law that women are subject to the law of afflicting themselves on that day.
- (39) Num. V, 6 referring to 'any sin.'

## **Talmud - Mas. Sukkah 28b**

, the Writ [thereby]<sup>1</sup> makes man and woman equal as regards all punishable acts in the Torah?<sup>2</sup> Abaye answered, Indeed Sukkah is a traditional law, and still<sup>3</sup> it is necessary. For I would have said,

since 'Ye shall dwell' implies, in the same manner as you ordinarily live; as one's permanent abode is for husband and wife, so the Sukkah must be for husband and wife, therefore he informs us<sup>4</sup> that it is not so. Raba said, It<sup>5</sup> is necessary,<sup>6</sup> since I might have said, Deduce the fifteenth<sup>7</sup> from the fifteenth<sup>8</sup> of the Festival of Unleavened Bread: just as in the latter case women are bound by the obligation<sup>9</sup> so in the former also women are bound, hence we were informed<sup>4</sup> [that it is not so].

And now that you say that Sukkah is a traditional law, why is the Scriptural verse<sup>10</sup> necessary? — To include converts. I would have said 'the homeborn in Israel', said the Divine Law, but not converts, therefore it informs us<sup>11</sup> that it is not so. [That women must fast on] the Day of Atonement is deduced, is it not, from [the statement of] Rab Judah in the name of Rab?<sup>12</sup> — [The verse] is necessary [to include] the additional affliction.<sup>13</sup> As I might have said that, since the Divine Law excluded the additional affliction from punishment and warning,<sup>14</sup> women are entirely exempt therefrom, therefore he informs us that they are subject to the obligation.

The Master said, [The word] 'every' comes to include minors. But have we not learnt: WOMEN, SLAVES AND MINORS ARE FREE FROM THE OBLIGATION OF THE SUKKAH? — There is no difficulty. The former refers to a minor who has reached the age of being trained,<sup>15</sup> the latter where he has not yet reached the age of being trained. But is not the obligation of a minor who has reached the age of being trained a Rabbinical injunction?<sup>16</sup> — It is indeed a Rabbinical injunction, but the Scriptural verse is merely a support to it. A MINOR WHO IS NOT DEPENDENT ON HIS MOTHER etc. What is meant by a minor who is not dependent on his mother? — The school of R. Jannai said, Whomever, when he relieves himself, his mother need not clean. R. Simeon b. Lakish<sup>17</sup> said, He who awakes from his sleep and does not call his mother. 'His mother'! But do not grown-ups also call their mother? Say, rather, he who awakes from his sleep and does not call 'Mother! Mother!'<sup>18</sup>

IT ONCE HAPPENED THAT THE DAUGHTER-IN-LAW OF . . . GAVE BIRTH TO A CHILD etc. The incident<sup>19</sup> contradicts [the Mishnah],<sup>20</sup> does it not? — There is a lacuna, and thus it should be taught: But Shammai takes a strict view, and [indeed] IT ONCE HAPPENED THAT THE DAUGHTER-IN-LAW OF SHAMMAI THE ELDER GAVE BIRTH TO A CHILD AND HE BROKE AWAY THE PLASTER OF THE ROOF, AND PUT SUKKAH-COVERING OVER THE BED FOR THE SAKE OF THE CHILD.

MISHNAH. ALL THE SEVEN DAYS [OF THE FESTIVAL]<sup>21</sup> A MAN MUST MAKE THE SUKKAH HIS PERMANENT ABODE AND HIS HOUSE HIS TEMPORARY ABODE. IF RAIN FELL, WHEN MAY ONE BE PERMITTED TO LEAVE IT?<sup>22</sup> WHEN THE PORRIDGE WOULD BECOME SPOILT. THEY PROPOUNDED A PARABLE. TO WHAT CAN THIS BE COMPARED? TO A SLAVE WHO COMES TO FILL THE CUP FOR HIS MASTER, AND HE<sup>23</sup> Poured a pitcher over his face.<sup>24</sup>

GEMARA. Our Rabbis have taught, All the seven days,<sup>21</sup> one should make the Sukkah, his permanent abode and his house his temporary abode. In what manner? If he had beautiful vessels, he should bring them up into the Sukkah, beautiful divans, he should bring them up into the Sukkah; he should eat and drink and pass his leisure in the Sukkah.

Whence do we know this?<sup>25</sup> — From what our Rabbis have taught: Ye shall dwell<sup>26</sup> implies, in the same manner as you ordinarily live. Hence they said, All the seven days<sup>27</sup> one should make his Sukkah his permanent abode, and his house his temporary abode. In what manner? If he has beautiful vessels, he should bring them up into the Sukkah, beautiful divans, he should bring them up into the Sukkah, he should eat and drink and pass his leisure in the Sukkah; he should also engage in profound study<sup>28</sup> in the Sukkah. But it is not so? For did not Raba say, Scripture and Mishnah [should be studied] in the Sukkah, but Gemara<sup>29</sup> outside the Sukkah? — There is no difficulty, The

former [statement refers to] revising,<sup>30</sup> the latter to profound study.

- (1) By placing the two nouns in juxtaposition.
- (2) Among which those connected with the Day of Atonement are included.
- (3) Although it can be deduced from the fact that Sukkah is dependent on time for its fulfilment.
- (4) By citing a traditional law.
- (5) The traditional law.
- (6) Although it can be deduced from the fact that Sukkah is dependent on time for its fulfilment.
- (7) Lev. XXIII, 34 dealing with Tabernacles.
- (8) Ibid. 6.
- (9) Of eating unleavened bread (cf. Pes. 43b).
- (10) 'The homeborn' which implies an addition.
- (11) By the definite article before 'homeborn'.
- (12) Why then is it necessary to have a Scriptural verse to include women.
- (13) I.e., that the fast of women must also begin on the eve of the Day of Atonement some time before nightfall.
- (14) Which apply to the Day of Atonement itself.
- (15) The age at which a child has to be trained for his future responsibilities on attaining his majority. Normally eleven or twelve years of age, but here, in view of our Mishnah, it means when he is independent of his mother.
- (16) Why then is it here deduced from Scripture?
- (17) V. marg. glos. Cur. edd. read, 'Rabbi' and enclose 'Simeon' in parenthesis.
- (18) I.e., if when he calls once and she does not answer he is silent, he is regarded as not being dependent on his mother.
- (19) Which shows that a Sukkah was made for a minor who was dependent on his mother.
- (20) Which ruled that minors are exempt from Sukkah.
- (21) Of Tabernacles.
- (22) His Sukkah.
- (23) The Master.
- (24) Rain on Tabernacles is a sign of God's displeasure (Ta'an. I, 1). God shows his displeasure at his servant Israel's performing of his duties.
- (25) The rules just enumerated.
- (26) Lev. XIII, 42.
- (27) Of Tabernacles.
- (28) This is taken to mean the Gemara which needs more concentrated application than Scripture or Mishnah.
- (29) תניי On the term v. Shab., Sonc. ed., p. 559, n. 1.
- (30) When not much concentration is needed.

## Talmud - Mas. Sukkah 29a

As was the case of Raba<sup>1</sup> b. Hama when he was standing before R. Hisda, [first] they ran over the Gemara together, and then they investigated the reasons.

Raba said, Drinking vessels may be kept in the Sukkah,<sup>2</sup> eating utensils<sup>3</sup> [must be taken] outside the Sukkah.<sup>4</sup> Earthenware pitchers and wooden pails [must be kept] outside the Sukkah. A lamp<sup>5</sup> [may be kept] within the Sukkah, while some say [that it must be kept] outside the Sukkah; but there is no difference of opinion between them, the former referring to a large Sukkah and the latter to a small one.<sup>6</sup>

IF RAIN FELL. A Tanna taught, When a porridge of beans<sup>7</sup> would become spoilt.<sup>8</sup> Abaye was seated before R. Joseph in a Sukkah. The wind blew and brought down chips<sup>9</sup> [into the food]. R. Joseph<sup>10</sup> said to them, 'Remove the vessels for me hence' — Abaye said to him, 'But have we not learnt, WHEN THE PORRIDGE WOULD BECOME SPOILT?'<sup>11</sup> He answered him, 'For me, who am fastidious, this is like the porridge becoming spoilt'.

Our Rabbis taught, If he was eating in the Sukkah, and rain fell, and he left [the Sukkah],<sup>12</sup> he need not trouble to return there<sup>13</sup> until he has finished his meal. If he was sleeping in the Sukkah and rain fell and he left,<sup>14</sup> he need not trouble to return until it is dawn. They asked them, [Is the reading] sheye'or<sup>15</sup> or sheye'or?<sup>16</sup> — Come and hear, [It has been taught,] 'Until sheye'or<sup>16</sup> and the morning star appear'. [Now<sup>17</sup> how are the] two<sup>18</sup> [to be reconciled]? Consequently you must read, Until sheye'or<sup>19</sup> and the morning star appear.<sup>20</sup>

THEY PROPOUNDED A PARABLE. TO WHAT CAN THIS BE COMPARED. They asked them, Who Poured upon whom?<sup>21</sup> Come and hear: For it has been taught: The master poured the pitcher over his face and said, 'I have no desire for your service

Our Rabbis taught,<sup>22</sup> When the sun is in eclipse, it is a bad omen for the whole world. This may be illustrated by a parable. To what can this be compared? To a human being who made a banquet for his servants and put up for them a lamp. When he became wroth with them he said to his servant, 'Take away the lamp from them, and let them sit in the dark'.

It was taught: R. Meir said, Whenever the luminaries are in eclipse, it is a bad omen for Israel<sup>23</sup> since they are inured to blows.<sup>24</sup> This may be compared to a school teacher who comes to school with a strap in his hand. Who becomes apprehensive? He who is accustomed to be daily punished.

Our Rabbis taught, When the sun is in eclipse it is a bad omen for idolaters; when the moon is in eclipse, it is a bad omen for Israel,<sup>23</sup> since Israel reckons by the moon<sup>25</sup> and idolaters by the sun.<sup>26</sup> If it<sup>27</sup> is in eclipse in the east, it is a bad omen for those who dwell in the east; if in the west, it is a bad omen for those who dwell in the west; if in the midst of heaven it is bad omen for the whole world. If its face is red as blood, [it is a sign that] the sword is coming to the world; if it is like sack-cloth,<sup>28</sup> the arrows of famine are coming to the world; if it resembles both, the sword and the arrows of famine are coming to the world. If the eclipse is at sunset<sup>29</sup> calamity will tarry in its coming; if at dawn, it hastens on its way: but some say the order is to be reversed. And there is no nation which is smitten that its gods are not smitten together with it, as it is said, And against all the gods of Egypt I will execute judgments.<sup>30</sup> But when Israel fulfil the will of the Omnipresent, they need have no fear of all these [omens] as it is said, Thus saith the Lord,' Learn not the way of the nations, and be not dismayed at the signs of heaven, for the nations are dismayed at them,<sup>31</sup> the idolaters will be dismayed, but Israel will not be dismayed.

Our Rabbis taught, On account of four things is the sun in eclipse: On account of an Ab Beth din<sup>32</sup> who died and was not mourned<sup>33</sup> fittingly; on account of a betrothed maiden who cried out aloud in the city and there was none to save her;<sup>34</sup> on account of sodomy, and on account of two brothers whose blood was shed at the same time. And on account of four things are the luminaries<sup>35</sup> in eclipse: On account of those who perpetrate forgeries, on account of those who give false witness; on account of those who rear small cattle in the land of Israel;<sup>36</sup> and on account of those who cut down good trees.<sup>37</sup>

And on account of four things is the property of householders given into the hands of the government: On account of those who retain in their possession bills which have been paid;<sup>38</sup> on account of those who lend money on usury;

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(1) Cur. edd. in parenthesis 'of Rabbah'. Var. lec., Rami.

(2) Even after use.

(3) After they have been used.

(4) The former remain clean after use, the latter do not.

(5) Though it is an earthen vessel.

(6) Of the minimum size of seven handbreadths.

- (7) Which even slight rain spoils.
- (8) It is permitted to leave the Sukkah.
- (9) Of the roof.
- (10) Who was very fastidious (Cf. Pes. 113b).
- (11) It is permitted to leave the Sukkah.
- (12) In order to finish his meal in the house.
- (13) Lit., 'to go up'; when the rain stops.
- (14) To finish his sleep in the house.
- (15) 'That he awakens', i.e., if he happened to awake during the night and the rain stopped he must return forthwith.
- (16) 'It dawn'.
- (17) If the reading is sheye'or ('it dawn').
- (18) Seeing that 'dawn' is later than the time 'the morning star appears'.
- (19) 'He awakens'.
- (20) Sc. both conditions are required. If, for instance, he awoke at midnight he need not return to the Sukkah because it is not yet dawn, and if it dawned before he awoke he need not be awakened.
- (21) Sc. does the pronoun refer to the SLAVE or the MASTER, i.e., the improper conduct of Israel or God's disdainful rejection?
- (22) The following topics are suggested by the previous mention of rain as a bad omen.
- (23) The euphemism 'enemies of Israel' in the original is used for Israel.
- (24) More than any other people. If any evil is to befall the world Israel may be sure to have the lion's share if not all of it.
- (25) Sc. by the moon also. The lunar month is one of the foundations of the Jewish calendar.
- (26) I.e., the sun only.
- (27) The sun.
- (28) Dark and overcast.
- (29) Lit., 'at its entry', Sc. to its imaginary home of rest for the night.
- (30) Ex. XII, 12.
- (31) Jer. X, 2.
- (32) The vice-president of the Sanhedrin. The nasi was the President.
- (33) With a memorial address.
- (34) Cf. Deut. XXII, 24.
- (35) The moon and the stars.
- (36) Animals that cannot be prevented from ravaging the fields of others, v. B.K. 79b.
- (37) Even though they are their own.
- (38) In the hope of claiming on them again.

## **Talmud - Mas. Sukkah 29b**

on account of those who had the power to protest [against wrongdoing] and did not protest; and on account of those who publicly declare their intention to give specified sums for charity and do not give.

Rab said, On account of four things is the property of householders confiscated by the state treasury:<sup>1</sup> On account of those who defer payment of the labourer's hire; on account of those who withhold the hired labourer's wages; on account of those who remove the yoke from off their necks and place it on [the necks] of their fellows<sup>2</sup> and on account of arrogance. And the sin of arrogance is equivalent to all [the others] whereas of the humble it is written, But the humble shall inherit the land, and delight themselves in the abundance of peace.<sup>3</sup>

## **C H A P T E R III**

**MISHNAH. A STOLEN OR A WITHERED PALM-BRANCH<sup>4</sup> IS INVALID. ONE [THAT**



CAME] FROM AN ASHERAH<sup>5</sup> OR FROM A CONDEMNED CITY,<sup>6</sup> IS INVALID. IF ITS TOP WAS BROKEN OFF OR ITS LEAVES WERE DETACHED,<sup>7</sup> IT IS INVALID. IF ITS LEAVES ARE MERELY SPREAD APART<sup>8</sup> IT IS VALID. R. JUDAH SAYS, HE SHOULD TIE THEM UP AT THE TOP. THE THORN-PALMS OF THE IRON MOUNTAIN<sup>9</sup> ARE VALID.<sup>10</sup> A PALM-BRANCH WHICH IS THREE HANDBREADTHS IN LENGTH, LONG ENOUGH TO WAVE, IS VALID.

GEMARA. [The Tanna]<sup>11</sup> categorically teaches [that the PALMBRANCH IS INVALID] irrespective of whether [it is to be used] on the first day of the Festival<sup>12</sup> or on the second day.<sup>13</sup> Now this is right as regards a withered palm since we must have [a branch that is] 'goodly'<sup>14</sup> which this one is not; but with regard to a stolen one, the law is quite right as far as the first day of the Festival is concerned, since it is written, 'to you'<sup>14</sup> [which implies that it shall be] of your own, but why should it not be allowed on the second day?<sup>15</sup> — R. Johanan answered in the name of R. Simeon b. Yohai,

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(1) For the fiscus.

(2) The reference is to those who evade payment of taxes, so that the burden falls more heavily on others.

(3) Ps. XXXVII, 11.

(4) Lulab, one of the four species used in the festive wreath (cf. Lev. XXIII, 40).

(5) A grove worshipped by heathens (cf. Deut. XII, 2).

(6) Cf. Deut. XIII, 16.

(7) From the stem.

(8) But are joined to the stem at their roots.

(9) A mountain in the vicinity of Jerusalem.

(10) Though their leaves are short.

(11) In our Mishnah.

(12) When the obligation is Pentateuchal.

(13) On which the obligation is only Rabbinical.

(14) Lev. XXIII, 40.

(15) To which the text cited, which explicitly refers to the first day, does not apply.

### Talmud - Mas. Sukkah 30a

because it<sup>1</sup> would be a precept fulfilled through a transgression [which is forbidden], as it is said, And ye have brought that which is stolen, and the lame and the sick,<sup>2</sup> 'The stolen' is thus compared with the lame; just as the lame can never be rectified,<sup>3</sup> so that which is stolen can never be rectified, [that is] irrespective of whether the stolen is used before abandonment [of hope of recovery by the owner] or after abandonment. Now this<sup>4</sup> is right before abandonment, since the Divine Law said, When any man of you bringeth an offering unto the Lord<sup>5</sup> and this<sup>6</sup> is not his, but [why should the law apply] after abandonment [of right by the owner], seeing [that the robber] has acquired it<sup>7</sup> by [virtue of that] abandonment?<sup>8</sup> The reason must then be that it is a precept fulfilled through a transgression.

R. Johanan in the name of R. Simeon b. Yohai further said, What is the purport of that which is written, For I the Lord love justice, I hate robbery with iniquity?<sup>9</sup> This may be compared to a human king who passed through his custom-house and said to his attendants, 'pay the tax<sup>10</sup> to the tax-collectors'. They said to him, 'But the whole tax, surely, belongs to thee!' He answered them, 'All travellers would learn from me not to evade their payments of tax'. So the Holy One, blessed be He, said, 'I the Lord hate robbery in burnt-offerings;<sup>11</sup> let My children learn from Me and keep away from robbery'.<sup>12</sup>

Sc<sup>13</sup> it was also stated: R. Ammi said, A withered [palm-branch] is invalid because it is not

‘goodly’,<sup>14</sup> a stolen one is invalid because it constitutes a precept fulfilled through a transgression.

And this<sup>15</sup> disagrees with R. Isaac, since R. Isaac b. Nahmani said in the name of Samuel, This<sup>16</sup> was taught only with regard to the first day of the Festival, but on the second day, since a man fulfils his obligation with a borrowed [palm-branch].<sup>17</sup> he fulfils it also with a stolen one.

R. Nahman b. Isaac objected: A STOLEN OR WITHERED PALM-BRANCH IS INVALID, from which it follows that a borrowed one is valid? Now when?<sup>18</sup> If you say, On the first day of the Festival, is it not written [it may be objected] ‘to you’<sup>19</sup> implying that it should be your own, and this one is not his! Consequently the reference must be to the second day of the Festival, and yet it teaches that a stolen one is invalid?<sup>20</sup> — Raba replied: Indeed it refers to the first day of the Festival but he<sup>21</sup> implies the form of ‘It is not required’:<sup>22</sup> It is not required to state that a borrowed one is invalid since it is not his; but in the case of a stolen one, of which I might say that normally a robbery [implies immediate] abandonment by its owner and that it is, therefore, like his own,<sup>23</sup> therefore he informs us [that even a stolen one is invalid].<sup>24</sup>

R. Huna said to some traders, When you purchase myrtles from heathens,<sup>25</sup> do not cut them yourselves, but let them<sup>26</sup> cut them and give them to you. What is the reason? — Heathens as a rule acquire their land by robbery<sup>27</sup>

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(1) The use of a stolen palm-branch.

(2) Mal. 1, 13.

(3) To become a valid offering.

(4) That the stolen may not be used.

(5) Lev. I, 2. The Heb. for ‘of you’ may be rendered ‘of yours’. sc. the offering must come from the donor's own property.

(6) Being a stolen one.

(7) The stolen.

(8) V. B.K. 67a.

(9) Isa. LXI. 8.

(10) For the king's own goods.

(11) Be'olah. E.V. ‘with iniquity’. The noun may bear both significations.

(12) Even although everything belongs to God, and there can, therefore, technically be no robbery in offering a sacrifice to God.

(13) That the reason for the first ruling in our Mishnah is, as R. Johanan explained, that a pious deed may not be performed through a transgression.

(14) Cf. Lev. XXIII, 40.

(15) The ruling that a stolen palm-branch is invalid on the second day of the Festival.

(16) That a stolen palm-branch is invalid.

(17) As was explained supra 29b ad fin.

(18) Is it valid.

(19) Lev. XXIII, 40.

(20) How then could R. Isaac b. Nahmani maintain in the name of Samuel that it is valid?

(21) The author of our Mishnah.

(22) A statement which mentions only the less probable, and includes the more probable.

(23) Even if the owner was not heard to abandon it.

(24) Unless the owner had actually abandoned the hope of ever recovering it.

(25) For binding to the palm-branch. V. infra.

(26) The heathens.

(27) From Jews.

## Talmud - Mas. Sukkah 30b

and there is no [title to] land by robbery;<sup>1</sup> therefore let them cut it down, so that there may be abandonment [of right]<sup>2</sup> by the owner while it is in their possession,<sup>3</sup> and change of domain<sup>4</sup> in your hands.<sup>5</sup> But in any case, even when the traders cut the myrtles, let abandonment [of right] by the owner take place when these are in their hands, and change of domain when they are in the hands of the purchasers?<sup>6</sup> — It is necessary [to state this law] only with regard to the hoshanna<sup>7</sup> of the traders themselves.<sup>8</sup> But why could they not acquire possession of them by the change they make in it?<sup>9</sup> — [R. Huna] is of the opinion that the palm-branch [wreath] does not need binding;<sup>10</sup> and [even] if you were to find some ground for saying that the palm-branch wreath does need binding, [still] the change would be one that can be removed by restoring the object to its original condition<sup>11</sup> which is not regarded as a valid change. But why should they not acquire possession by virtue of the change of name, since previously<sup>12</sup> it was called asa [myrtle] and now

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(1) Lit., 'land cannot be robbed'; v. B.K. 117b. The myrtle while still growing is, therefore, legally the property of its Jewish owner and thus invalid to the purchaser.

(2) Of the cut myrtles.

(3) Unlike land, detached produce is acquired by robbery.

(4) From that of the seller to that of the buyer.

(5) He is of the opinion that abandonment of right by the owner is not sufficient to constitute acquirement of title by the possessor unless there was in addition either (a) a change of domain, (b) a change in the nature of the object, or (c) a change in its name (v. B.K. 67a). But even if abandonment alone were sufficient, the robbery, if the traders themselves had cut the myrtles, would have been committed by them, and they would have been guilty of performing a precept by means of a transgression.

(6) Lit., 'in our hands'. And since the purchasers commit no robbery they might well use the myrtles.

(7) The myrtle. Lit., 'save, we beseech thee', a refrain chanted when holding the wreath of which the myrtles form a part.

(8) Which they require for their own use. In such a case, were they to cut the myrtles, there would be no change of domain and they (the users) would be committing the robbery.

(9) By binding the three components, the myrtles, the willows and the palm-branch.

(10) Hence there is no change.

(11) He may unbind the component parts.

(12) Before it was put into the festive wreath.

## Talmud - Mas. Sukkah 31a

hoshanna?<sup>1</sup> — Previously also a myrtle<sup>2</sup> was called hoshanna.<sup>1</sup>

Our Rabbis taught, In the case of a stolen Sukkah, and [a Sukkah made by] placing Sukkah-covering over a public thoroughfare,<sup>3</sup> R. Eliezer declares [them] invalid and the Sages declare [them] valid. R. Nahman explained: The dispute<sup>4</sup> applies only where he<sup>5</sup> forcibly ejects his fellow<sup>6</sup> from the Sukkah. In which case R. Eliezer<sup>7</sup> is consistent with his view, he having said, 'A man cannot fulfil his obligation in the Sukkah of his fellow', so that if [we hold that] there is a title to land by robbery, the Sukkah is a stolen one,<sup>8</sup> and even if [we hold that] there is no title to land by robbery,<sup>9</sup> [still] the Sukkah is a borrowed one;<sup>10</sup> and the Rabbis<sup>11</sup> [also] are consistent, since they maintain that a man can fulfil his obligation in the Sukkah of his fellow, and that there is title to land by robbery, so that the Sukkah is a borrowed one.<sup>12</sup> Where, however, he stole wood and used it for Sukkah-covering, all agree<sup>13</sup> that he [the owner] has [a claim] merely against the cost of the wood.<sup>14</sup> How [do we know this]?<sup>15</sup> — Since [the Sukkah] is compared to a public thoroughfare;<sup>16</sup> as the ground of a public thoroughfare is not his,<sup>17</sup> so [must] the Sukkah [referred to] also be one put up on land that is not his.<sup>18</sup>

A certain old woman<sup>19</sup> came before R. Nahman and said to him, 'The Exilarch and all the Rabbis of the house of the Exilarch are sitting in a stolen Sukkah'. She cried<sup>20</sup> but R. Nahman took no notice

of her. She said to him, 'A woman whose father<sup>21</sup> had three hundred and eighteen slaves cries out to you, and you take no notice?' R. Nahman said to them, 'She is a noisy woman; but she can claim only the cost of the wood'.<sup>22</sup>

Rabina said, If the main joist of a Sukkah was stolen,<sup>23</sup> the Rabbis made an enactment with regard to it,<sup>24</sup> similar to the enactment of the beam.<sup>25</sup> But is not this<sup>26</sup> obvious? Wherein does it differ from wood?<sup>27</sup> — I would have thought that [the law applied only to] wood since it is common,<sup>28</sup> but not to this which is uncommon,<sup>29</sup> therefore he informs us [that the law applies to this case also]. This,<sup>30</sup> however, only applies during the seven days [of the Festival], but after the seven days, it must be returned in its original state. If, however, he fixed it in with cement,<sup>31</sup> even after the seven days he need only give its value.

A Tanna taught, A withered [palm-branch] is invalid; R. Judah declares it valid. Raba said, The dispute concerns only the palm-branch, since the Rabbis are of the opinion that the palm-branch is likened to the ethrog [citron], and just as the ethrog must be a goodly [fruit]<sup>32</sup> so must the palm-branch be goodly, while R. Judah holds that we do not liken the palm-branch to the ethrog; but with regard to the ethrog, all agree that it must be a goodly [fruit].<sup>32</sup>

Does not then R. Judah demand that the palm-branch shall be goodly? Have we not in fact learnt, R. JUDAH SAYS, HE SHOULD TIE THEM UP AT THE TOP, the reason presumably being that it must be goodly? — No! The reason is as it has been taught: R. Judah said in the name of R. Tarfon, Branches of palm-trees<sup>33</sup> [mean that the palm-branches must be] tied up.<sup>34</sup> and if they were separated, one must tie them up.<sup>35</sup> But does he not then demand that it be goodly? Have we not in fact learnt, 'The lulab<sup>36</sup> is bound only with its own species; so R. Judah',<sup>37</sup> the reason presumably being that it must be goodly? — No! Since Raba said [that it may be bound] even with the bast or the root of the palm.<sup>37</sup> What then is the reason of R. Judah? — Because he is of the opinion that the [components] of the lulab must be bound together and if one employs another species,<sup>38</sup> the number of species becomes five.<sup>39</sup>

But does R. Judah demand that the ethrog be goodly? Has it not in fact been taught, As to the Four Species of the lulab, just as one may not diminish from them, so one may not add to them. If he cannot find an ethrog, he may neither bring a quince nor a pomegranate, nor any other thing. Dried up [ethrogs] are valid, withered ones are invalid. R. Judah says, Even withered ones [are valid]. And R. Judah, furthermore said, It happened

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(1) V. supra n. 2.

(2) Since it is used in the mentioned wreath.

(3) Whereby one robs the public of access to it.

(4) Between R. Eliezer and the Sages.

(5) The robber.

(6) The rightful owner of the land upon which the Sukkah is erected. Lit., 'he seizes his fellow and ejects him'. (Whatever is attached to the ground is subject to the laws of title that apply to landed property).

(7) In ruling the Sukkahs mentioned invalid.

(8) And, therefore, invalid.

(9) And the land as well as the Sukkah are, therefore, the property of the rightful owner (cf. supra p. 135, n. 13).

(10) And R. Eliezer excludes both stolen and borrowed Sukkahs by his exposition of 'to thee' supra.

(11) The Sages.

(12) And, therefore, valid.

(13) Even R. Eliezer.

(14) But the wood itself passes into the possession of the robber who has acquired it by change of function and name, and the Sukkah being neither robbed nor borrowed, is consequently valid.

(15) That the dispute depends on the questions whether land may be legally acquired by robbery and whether a borrowed

Sukkah is valid.

(16) Both appearing in juxtaposition.

(17) I.e., it does not belong to the man who put up a Sukkah on it since it obviously belongs to the public.

(18) And consequently must refer to the case where he forcibly ejected the owner.

(19) From whom the servants of the Exilarch had robbed the wood wherewith his Sukkah was covered.

(20) Demanding the return of her wood.

(21) Rashi suggests that this refers to Abraham the father of all Jews, who had three hundred and eighteen servants (Gen. XIV, 14).

(22) Sc. there is no need to break up the structure in order to return to her the actual wood (cf. Git. 55a).

(23) And if it were to be removed, the Sukkah would collapse.

(24) That the owner be given the value of it only.

(25) The locus classicus of this law, referring to a house; the Sukkah, though a frail structure, having been given in this respect the status of a permanent structure during the festival days.

(26) The law of the joist.

(27) Concerning which it has just been ruled that its value only is to be paid to the owner.

(28) And the robbed man can, therefore, easily buy some with the money.

(29) Cf. prev. n. mut. mut.

(30) That the joist itself need not be returned.

(31) So that it becomes a permanent fixture.

(32) As is explicitly stated in Lev. XXIII, 40.

(33) Lev. XXIII, 40; 'branches' כַּפּוֹת.

(34) כַּפּוֹת the root כָּפַת in Biblical, Aramaic and Mishnaic Hebrew means 'to bind'.

(35) Infra 32a.

(36) Lit., 'palm-branch'. Where lulab is used it refers to all three species tied together. V. infra.

(37) Infra 36a.

(38) For the binding.

(39) Instead of the four prescribed in Lev. XXIII, 40; and it is forbidden to add to any legally prescribed number.

## Talmud - Mas. Sukkah 31b

that urban dwellers<sup>1</sup> used to bequeath their lulabs to their grandchildren. They<sup>2</sup> said to him, Is that a proof? A case of emergency does not constitute a proof.<sup>3</sup> At all events it is taught that R. Judah says that even withered ones are valid, and this refers, does it not, to the ethrog?<sup>4</sup> — No! It refers to the palm-branch.

The Master has said, 'Just as one may not diminish from them, so one may not add to them'. But is not this obvious? — I would have said that since R. Judah said that the lulab<sup>5</sup> must be bound, if one bring another species,<sup>6</sup> each is regarded as separate,<sup>7</sup> therefore he informs us [that it is not so].<sup>8</sup>

The Master has said, 'If he cannot find an ethrog, he may bring neither a pomegranate nor a quince, nor any other thing'. But is not this obvious? — I would have said that he may bring it in order that the law of ethrog might not be forgotten, therefore he informs us [that it is forbidden lest] at times the result be disastrous, since one might confound [the one fruit with the other].<sup>9</sup>

Come and hear: An old ethrog is invalid, but R. Judah declares it valid. [Is not this a] refutation of Raba? — It is a refutation.

But does not [R. Judah] demand that it<sup>10</sup> be goodly? Have we not in fact learnt: If it<sup>10</sup> is green as a leek, R. Meir declares it valid and R. Judah invalid?<sup>11</sup> Is it<sup>12</sup> not because it<sup>10</sup> must be goodly? No! Because the fruit is not yet ripe. Come and hear: The minimum size of an ethrog is, R. Meir says, the size of a nut; R. Judah says that of an egg.<sup>11</sup> Is it<sup>12</sup> not because it<sup>10</sup> must be goodly? — No! Because the fruit is not ripe.

Come and hear: Its<sup>10</sup> maximum size is such that one should be able to hold two in one hand; so R. Judah. R. Jose says, Even if one can hold one ethrog in both hands.<sup>11</sup> Now what is the reason?<sup>13</sup> Is it not because he requires it to be goodly? — No! Because Rabbah<sup>14</sup> said, The lulab [must be held] in the right hand and the ethrog in the left,<sup>15</sup> and since sometimes he might put them in the wrong hands, when he changes over [the ethrog might fall] and become invalid.<sup>16</sup> But, according to R. Judah is it not written in Scripture ‘goodly’?<sup>17</sup> — This means ‘that which remains upon the tree from year to year’.<sup>18</sup>

ONE THAT CAME FROM AN ASHERAH OR FROM A CONDEMNED CITY. Is then [the palm-branch that came from] an asherah invalid? Did not Raba in fact say, One should not take a palm-branch of idolatry, but if he did nevertheless take it, it is valid?<sup>19</sup> — Here we are dealing with an asherah [dating from the time of] Moses, whose [minimum] size<sup>20</sup> [is regarded as] crushed.<sup>21</sup> A deduction from the wording also proves this, since it<sup>22</sup> is compared with a condemned city.<sup>23</sup> This is conclusive. IF ITS TOP WAS BROKEN OFF. R. Huna said, ‘BROKEN OFF’ only was taught, but if it is only split, it is valid. Is it then valid if it is split? Has it not been taught, A palm-branch which is bent

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- (1) Who could not obtain fresh ones.
  - (2) The Rabbis who disagreed with him.
  - (3) Tosef. Suk. II.
  - (4) How then could it be maintained that R. Judah insists on the ethrog being goodly?
  - (5) Lit., ‘palm-branch’. Where lulab is used it refers to all three species tied together. V. infra.
  - (6) Without binding it with the others.
  - (7) I.e., the extra species is regarded as something apart from the four and hence permissible.
  - (8) Even a species that is unbound may not be added.
  - (9) And thus use a quince or a pomegranate even where an ethrog is obtainable.
  - (10) The ethrog.
  - (11) Infra 34a.
  - (12) R. Judah's reason.
  - (13) For R. Judah's ruling.
  - (14) Var. lec. ‘Raba’ (Bah).
  - (15) Infra 37b.
  - (16) If the ethrog is too large for him to grasp in his hand together with his lulab, as he is changing over, he will drop it. Hence the ruling that ‘one should be able to hold two in one hand’, one of these two representing the space the lulab would occupy during the change.
  - (17) Specially in connection with the ethrog, Lev. XXIII, 40.
  - (18) The word **הדר** ‘goodly’ is translated by R. Judah homiletically as **הדר** ‘which dwells’. V. infra 35a.
  - (19) Hul. 89a.
  - (20) V. Mishnah supra 29b.
  - (21) A thing that is condemned to be burnt is regarded as burnt, and since it must be burnt (cf. Deut. XII, 3) it is regarded as non-existent.
  - (22) The asherah.
  - (23) Which must too be burnt and, therefore, regarded as non-existent.

## Talmud - Mas. Sukkah 32a

, thorny, split or curved like a sickle is invalid. If it<sup>1</sup> has become hardened,<sup>2</sup> it is invalid. If it only appears as though it is hardened,<sup>3</sup> it is valid?<sup>4</sup> — R. Papa answered, It<sup>5</sup> refers to where it<sup>6</sup> is like a prong.<sup>7</sup> ‘If it is curved like a sickle’, Raba said, refers only to its front, but towards its back, it is its nature [to be curved]. R. Nahman said, At the sides<sup>8</sup> is the same as at the front, and some say, The same as at its back. Raba further said, A palm-branch of which all the foliage grows on one side is a blemished plant and is invalid.

IF ITS LEAVES WERE BROKEN OFF etc. R. Papa said. ‘DETACHED’ means like a broom,<sup>9</sup> ‘SPREAD APART’ means that they were parted from one another.<sup>10</sup> R. Papa asked, How if the central leaf<sup>11</sup> is split?<sup>12</sup> — Come and hear what R. Johanan<sup>13</sup> said in the name of R. Joshua b. Levi: If the central leaf is removed, it<sup>6</sup> is invalid. No doubt if it is split the same law would apply? No, if it is removed the law is different, since it is entirely lacking. Another version is that R. Johanan said in the name of R. Joshua b. Levi:<sup>13</sup> If the central leaf is split, it is as though it is removed, and [the lulab] is invalid.

R. JUDAH SAYS. It has been taught: R. Judah said in the name of R. Tarfon, ‘Branches of palm-trees’, [means that palm-branches must be] tied up, and if they were separated, one must tie them up.<sup>14</sup> Rabina said to R. Ashi, How do we know that ‘Branches of palm-trees’ refers to the [green sprouts of the] palm-branches? Perhaps it means [branches of] the hardened palm?<sup>15</sup> — It must be [a branch the leaves of which can be] bound up, and this one<sup>16</sup> cannot.<sup>17</sup> But<sup>18</sup> perhaps it means the stalk [itself]?<sup>19</sup> — [Since the word] ‘bound’ is used, it must refer to something which can be separated, but this is permanently bound. But perhaps it means the inflorescence of palms?<sup>20</sup> — Abaye answered, It is written, Her ways are ways of pleasantness, and all her paths are peace.<sup>21</sup> Raba Tosfa'ah said to Rabina, But perhaps it means two branches of palms? — The word is written kappath.<sup>22</sup> Then perhaps it means one? — That would be called kaf.<sup>23</sup>

THE THORN-PALMS OF THE IRON MOUNTAIN ARE VALID. Abaye said, They taught it only where the top of one [leaf] reaches the junction of the next, but if the top of the one does not reach the junction of the next,<sup>24</sup> it<sup>25</sup> is invalid. So it has also been taught: The thorn-palms of the iron mountain are invalid. But have we not learnt that they are valid? It may be deduced, therefore, [that the ruling is] in agreement with Abaye. This is conclusive.

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(1) The palm-branch.

(2) Wooden.

(3) Sc. it began to harden but the process was not yet complete.

(4) Now since this Baraita distinctly ruled a split lulab to be invalid how could R. Huna uphold it to be valid?

(5) The Baraita.

(6) The lulab.

(7) If it is naturally split to this extent even R. Huna agrees that it is invalid.

(8) Sc. if the lulab is bent sideways.

(9) Leaves detached from the central rib and subsequently bound together.

(10) But joined to the rib at their roots.

(11) Lit., ‘the twins’, the central leaf being a junction of two.

(12) The split reaching as low as the top of the lower leaves.

(13) In the parallel passage in B.K. 96a the reading is R. Mathon.

(14) Supra 31a q.v. notes.

(15) I.e., a palm which is some years old, whose branches have become hardened like other tree branches, and there must be one central branch and one protruding from each side.

(16) The hardened branch.

(17) Since the branches are too hard.

(18) Since it is insisted that the branch must be 'bound'.

(19) From which no leaves branch out at all.

(20) A spike covered with flowers, and enveloped by one or more spathes. Being only one or two years old its leaves can still be bent and bound to the central parts.

(21) Prov. III, 17; i.e., it is unpleasant to hold this prickly spike and, therefore, the Torah could not have referred to it.

(22) Implying the singular. The word כפת is written defectively, which can be read as כפת (cf. supra 31a).

(23) A branch; not kappath which implies something that has to be bound, v. supra.

(24) These thorn-palms are very sparsely covered with leaves, so that the top of the lower leaf may not reach as far as the beginning of the one above it.

(25) The branch.

## Talmud - Mas. Sukkah 32b

Some put it<sup>1</sup> in the form of mutual contradiction: We have learnt: THE THORN-PALMS OF THE IRON MOUNTAIN ARE VALID. But has it not been taught that they are invalid? Abaye answered, There is no difficulty: The one<sup>2</sup> refers to where the top of the one leaf reaches the junction of the next; the other<sup>3</sup> to where the top of the one does not reach the junction of the other. R. Marion said in the name of R. Joshua b. Levi, while others say that Rabbah b. Mari taught in the name of R. Johanan b. Zakkai, There are two palms in the valley of Hinnom,<sup>4</sup> between which there ascends smoke, and it is in that connection that we have learnt, THE THORN-PALMS OF THE IRON MOUNTAIN ARE VALID, and it is the entrance to Gehenna.

A PALM-BRANCH WHICH IS THREE HANDBREADTHS IN LENGTH. Rab Judah said in the name of Samuel, The [minimum] length of the myrtle and the willow is three [handbreadths], and that of the palm-branch four, so that the palm-branch should extend one handbreadth beyond the myrtle. And R. Parnak said in the name of R. Johanan, The stem<sup>5</sup> of the palm-branch should extend a handbreadth beyond the myrtle.

Have we not learnt, A PALM-BRANCH WHICH IS THREE HANDBREADTHS IN LENGTH, LONG ENOUGH TO WAVE, IS VALID?<sup>6</sup> — Read AND LONG ENOUGH TO WAVE;<sup>7</sup> and each one<sup>8</sup> explains it according to his own view.<sup>9</sup>

Come and hear: [We have learnt.] The [minimum] length of the myrtle and the willow is three [handbreadths], and that of the palm-branch four. Surely [this means, does it not,] inclusive of the leaves?<sup>10</sup> — No, exclusive of the leaves.

[To turn to] the main text: The [minimum] length of the myrtle and the willow is three [handbreadths], and that of the palm-branch four. R. Tarfon says, A cubit<sup>11</sup> consisting of five handbreadths.<sup>12</sup> Raba said, May R. Tarfon's Master forgive him [for this absurd statement]! We cannot find a valid myrtle three [handbreadths] long, would one of five handbreadths be required?<sup>13</sup> When R. Dimi came<sup>14</sup> he explained. [R. Tarfon meant thus]: Make a cubit which has [normally] six handbreadths, into five.<sup>15</sup> Deduct from these the three for the myrtle and the remainder is for the palm-branch. How much then<sup>16</sup> is it?<sup>17</sup> Three and three fifths?<sup>18</sup> Do not then two statements of Samuel contradict one another, for here Rab Judah says in the name of Samuel, The [minimum] length of the myrtle and the willow is three [normal handbreadths], and elsewhere R. Huna said in the name of Samuel that the halachah is as R. Tarfon?<sup>19</sup> — [Samuel] was not precise.<sup>20</sup>

But do we not say that one is not precise only when [this results in] a restriction [of the law] but not when [it results in] a relaxation of it?<sup>21</sup>

When Rabin came,<sup>22</sup> he explained: [R. Tarfon meant thus]: Make a cubit of five normal handbreadths into one of six handbreadths. Deduct of these three for the myrtle, and the remainder is



for the palm-branch. But how much<sup>16</sup> is it?<sup>23</sup> Two and a half.<sup>24</sup> Is there not ‘then a discrepancy between [the two statements of] Samuel?<sup>25</sup> — [The answer is that] he was not precise, and in this case his lack of precision<sup>26</sup> results in a restriction [of the law], since R. Huna said in the name of Samuel that the halachah is as R. Tarfon.<sup>27</sup>

MISHNAH. A STOLEN OR WITHERED MYRTLE IS NOT VALID, ONE OF AN ASHERAH OR OF A CONDEMNED CITY IS INVALID. IF ITS TIP WAS BROKEN OFF, OR ITS LEAVES WERE SEVERED, OR IF ITS BERRIES WERE MORE NUMEROUS THAN ITS LEAVES, IT IS INVALID, BUT IF HE DIMINISHED THEIR NUMBER IT IS VALID. ONE MAY NOT, HOWEVER, DIMINISH THEM ON THE FESTIVAL.

GEMARA. Our Rabbis taught, ‘Boughs of a thick tree<sup>28</sup> [means] [that kind of tree] whose branches completely cover its trunk. Now what [tree] is this? Obviously you must say that it is the myrtle. But perhaps it is the olive?<sup>29</sup> — It must be wreathed,<sup>30</sup> which [the olive] is not. But perhaps it is the plane tree?<sup>31</sup> — It is required that the branches shall cover its trunk, which is not the case [with the plane tree]. But perhaps it is the oleander?<sup>32</sup> Abaye said, ‘Its<sup>33</sup> ways<sup>34</sup> are the ways of pleasantness’,<sup>35</sup> and [with the oleander] this is not the case.<sup>36</sup> Raba expressed [the same idea] from the following verse, Therefore love ye truth and peace.<sup>37</sup>

Our Rabbis taught, [That plant whose leaves are] shaped like a plait, and resemble a chain, is the myrtle. R. Eliezer b. Jacob said ‘The boughs of a thick tree’<sup>28</sup> [means] a tree the taste of whose wood and whose fruit is similar: Say, then, it is the myrtle.

A Tanna taught, A tree which is ‘aboth<sup>38</sup> is valid, and which is not ‘aboth is not valid. What constitutes ‘aboth? — Rab Judah said, When three leaves grow out of one nest.<sup>39</sup> R. Kahana said, Even [if they only grow in] twos and ones.<sup>40</sup> R. Aha the son of Raba sought to obtain<sup>41</sup> one [whose leaves grew] in twos and ones, since R. Kahana said [that such are valid]. Mar b. Amemar said to R. Ashi, ‘My father used to call that<sup>42</sup> the wild myrtle’.

Our Rabbis taught, If the larger part of its<sup>43</sup> leaves fell off<sup>44</sup> and the lesser part remained, it is valid, provided that its wreath-work<sup>45</sup> remains. But is not this self-contradictory? You said that if the larger part of its leaves fell off<sup>44</sup> it is valid and then it is stated, ‘provided that its wreath-work remains’. But since two [of the three leaves] have fallen off, how is it possible to have a wreathwork? — Abaye said, It is possible

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(1) Our Mishnah as well as the Baraitha cited.

(2) Our Mishnah.

(3) The Baraitha.

(4) A valley near Jerusalem. v. Jer. XIX, 2.

(5) Not merely the leaves.

(6) How then could Samuel and R. Johanan maintain that the length must be four handbreadths?

(7) Sc. the part which extends beyond the myrtle and willow, which is, therefore, not bound and can be waved.

(8) Samuel and R. Johanan.

(9) According to Samuel a handbreadth including the leaves, according to R. Johanan one excluding the leaves.

(10) An objection against R. Johanan.

(11) [אמה]. So MS.M. Cur. edd.: באמה (to be measured by) a cubit etc.].

(12) This is now assumed to mean that the myrtle and the willow must each be one such cubit long.

(13) Obviously not.

(14) From Palestine to Babylon.

(15) A normal handbreadth is one-sixth of a cubit. R. Tarfon made its measurement for the purpose of the lulab one fifth instead of one sixth. [I.e., R. Dimi reported that R. Tarfon said באמה and not אמה, cf. p. 142, n. 8.]

(16) In normal handbreadths.

- (17) The three handbreadths each of which is equal to a fifth of the six normal handbreadths.
- (18) Since the three handbreadths of the myrtle are equivalent to  $3 \times 1 \frac{1}{5} = 3 \frac{3}{5}$  normal handbreadths.
- (19) Who prescribes  $3 \frac{3}{5}$  normal handbreadths.
- (20) By three he really meant  $3 \frac{3}{5}$ .
- (21) Three instead of  $3 \frac{3}{5}$ .
- (22) From Palestine to Babylon.
- (23) The three handbreadths each of which equals  $\frac{5}{6}$  of a normal one.
- (24) The normal cubit of six handbreadths being divided into five, each handbreadth is  $\frac{5}{6}$  of a normal handbreadth. The three handbreadths of the myrtle, therefore, equal  $(3 \times \frac{5}{6} = \frac{15}{6} =) 2 \frac{1}{2}$  normal handbreadths, leaving  $2 \frac{1}{2}$  for the extending portion of the palm-branch.
- (25) Three, against two and a half normal handbreadths.
- (26) The number three.
- (27) That only a length of two and half normal handbreadths is enough.
- (28) Lev. XXIII, 40; E.V., 'of thick trees'.
- (29) Whose branches also cover its trunk.
- (30) 'Aboth (E.V., 'thick'), i.e., the leaves must grow in a sort of wreath-like formation.
- (31) Whose leaves also grow in wreath-like formation.
- (32) A bitter plant with stinging leaves which possesses both required characteristics.
- (33) The Torah's.
- (34) Sc. the performance of its commandments.
- (35) Prov. III, 17.
- (36) Since it is both bitter and stinging.
- (37) Zech. VIII, 19. There is in it neither 'peace' since it stings, nor 'love' since it is bitter and poisonous.
- (38) The leaves of which grow in wreath-like formation, v. supra n. 3.
- (39) Where the leaf emerges from the stem.
- (40) Two leaves coming out of one nest, and one from the lower one ascends and touches them.
- (41) For his lulab.
- (42) One whose leaves grow in twos and ones.
- (43) The myrtle's.
- (44) Sc. of each group of three leaves two fell off.
- (45) I.e., that three leaves are still coming out from each nest of the stem. The contradiction is discussed anon.

### **Talmud - Mas. Sukkah 33a**

with the Egyptian<sup>1</sup> myrtle which has seven [leaves] in each nest, and [therefore] when four fall off, there are still three left. Abaye said, [From this] we can deduce that the Egyptian myrtle is valid for the hoshanna<sup>2</sup> But is not this obvious? — I might have said that since it has a distinctive name, it cannot be considered valid, therefore he informs us [that it is valid]. But perhaps it is indeed so?<sup>3</sup> -The Divine Law says, 'boughs of a thick tree'<sup>4</sup> i.e., of any kind.

Our Rabbis taught, If the larger part of its leaves were withered, and only three twigs with green leaves<sup>5</sup> remained, it is valid. And R. Hisda added, [Provided] that they<sup>6</sup> are at the top of each [twig].<sup>7</sup>

IF ITS TIP WAS BROKEN OFF. 'Ulla bar Hinena taught, If its tip was broken off, and a berry grew on it,<sup>8</sup> it is valid. R. Jeremiah asked, If the tip was broken off before the Festival, and the berry grew on it on the Festival,<sup>9</sup> what [is the law]? Do we apply the law of disability to [all] commandments or not?<sup>10</sup> — Can he not decide this point from that which we have learnt: If he covered it and it became uncovered, he need not cover it again; if the wind covered it, he must cover it again.<sup>11</sup> And Rabbah b. Bar Hana said in the name of R. Johanan, They taught this<sup>12</sup> only where it subsequently became uncovered, but if it did not subsequently become uncovered, he is free from [the duty of] covering it. And when we asked concerning this, 'Even if it subsequently became uncovered, why must he cover it? Once it<sup>13</sup> has suffered<sup>14</sup> the disability<sup>15</sup> is it not permanently

disabled?'<sup>16</sup> R. Papa said, This implies that the law of disability does not apply to [all] commandments? — The question [of R. Jeremiah] is concerning that very statement of R. Papa: Is he<sup>17</sup> certain that the law of disability does not apply to [all] commandments, irrespective of whether it is in the direction of stringency<sup>18</sup> or leniency,<sup>19</sup> or perhaps he<sup>17</sup> is doubtful, and therefore we apply it in the direction of stringency,<sup>18</sup> but not in the direction of leniency?<sup>19</sup> It remains unanswered.<sup>20</sup>

Can we say that these<sup>21</sup> are according to the dispute of Tannas? [For we have learnt], If he transgressed and picked them<sup>22</sup> off,<sup>23</sup> it is invalid. These are the words of R. Eleazar b. Zadok,<sup>24</sup> while the Sages declare it valid.<sup>25</sup> Now they<sup>26</sup> were of the opinion that according to all<sup>27</sup> the lulab does not need binding, and that, even if some reason could be found for ruling that it does need binding, we do not deduce [the laws of] lulab from those of Sukkah of which it is written, 'Thou shalt make' [which implies] but not from that which is already made.<sup>28</sup> Surely then they disagree on the following principle viz., that he who declares it invalid is of the opinion that we apply the law of disability to [all] commandments,<sup>29</sup> while he who declares it to be valid is of the opinion that we do not apply the law of disability<sup>30</sup> to [all] commandments?<sup>31</sup> — No! All agree that we do not apply the law of disability to [all] commandments, but they disagree here in whether we deduce [the laws of] lulab from [those of] Sukkah. One Master<sup>32</sup> is of the opinion that we do so deduce them,<sup>33</sup> while the other Master<sup>34</sup> is of the opinion that we do not make such a deduction.

And if you wish you may say that if it were held that the lulab needs binding all would have agreed that we deduce [the laws of] lulab from [those of] Sukkah;<sup>33</sup> but they disagree here on whether the lulab needs binding, as is the case in the dispute of these Tannas of whom it has been taught: A lulab, whether [the other prescribed species were] bound with it or not, is valid. R. Judah says, If it is bound [with the others] it is valid; if it is unbound, it is invalid.<sup>35</sup> What is the reason of R. Judah? — He deduces it from the word 'take' [which occurs here and with] the bundle of hyssop. It is written here, And ye shall take on the first day,<sup>36</sup> and there it is written And ye shall take a bundle of hyssop.<sup>37</sup> Just as there [it must be] a bundle, so here also [it must be] a bundle. And the Rabbis?<sup>38</sup> - They make no deduction from the mention of the word 'take' in the two passages. Who is it that learned that which our Rabbis have taught: It is a pious deed to bind the lulab, but [even] if he did not bind it, it is valid? Now who is it? If R. Judah be suggested, why is it valid if he did not bind it? If the Rabbis are suggested, what pious deed does he perform?<sup>39</sup> — It is in fact the Rabbis, and the pious deed spoken of is due to 'This is my God and I will glorify Him'.<sup>40</sup>

OR IF ITS BERRIES WERE MORE NUMEROUS THAN ITS LEAVES. R. Hisda said, The following statement was made by our great Master,<sup>41</sup> and may the Omnipresent be his help! They taught it<sup>42</sup> only [if all the berries were] in one place, but if in two or three places, it<sup>43</sup> is valid. Said Raba,<sup>44</sup>

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(1) Or 'hedge', where it is free to grow unhampered (Rashi).

(2) The festive wreath.

(3) That it is not valid.

(4) V. supra p. 144, n. 1.

(5) Each twig having three leaves on it.

(6) The leaves.

(7) If they are not at the top, the myrtle cannot be regarded as 'goodly' and is, therefore, invalid.

(8) A kind of berry which can grow even on a detached myrtle (Rashi).

(9) While it was bound to the lulab.

(10) As it applies to sacrifices. Once a disability appears in a sacrifice after it is slain, even if the disability is removed, the sacrifice is still regarded as invalid. Similarly here the myrtle has become disabled for use before the Festival, and recovers its sound state on the Festival, and the question is whether or not the disability it once suffered renders it permanently invalid.

(11) Hul. 87a. The Mishnah refers to the law of covering up the blood of a bird or beast. V. Lev. XVII, 13 and Mishnah

Hul. VI.

- (12) That if the wind covered the blood it must be covered up again.
- (13) The blood.
- (14) When the wind had covered it.
- (15) I.e., there was no obligation then to cover it again.
- (16) Even after it had been uncovered. Why then has it been ruled that it must be covered again?
- (17) The Tanna of the Mishnah cited.
- (18) As in the case of the blood which must be covered again.
- (19) As in that of the broken myrtle where the growth of the berry would render it valid.
- (20) Teku, v. Glos.
- (21) The two views on the law of disability.
- (22) The berries whose number exceeded that of the leaves. V. supra 11b.
- (23) On the Festival when such picking is Rabbinically forbidden as shebuth (v. Glos.).
- (24) The reading supra 11b is 'R. Simeon b. Jehozadak'.
- (25) Supra 11b.
- (26) The Rabbis at the college who were discussing the question.
- (27) Sc. the Rabbis and R. Eleazar.
- (28) So that the disqualification of the lulab cannot be due to the fact that when the myrtle became fit the festive wreath had already been made.
- (29) As the myrtle was once invalid it must always remain so.
- (30) Which is applicable to holy sacrifices.
- (31) Hence the validity of the myrtle after the number of its berries had been reduced on the festival.
- (32) R. Eleazar.
- (33) As a Sukkah that was not made for the festival is invalid so also is the festive wreath invalid if the validity of the myrtle was effected after the wreath had been made.
- (34) The Sages.
- (35) Supra 11b.
- (36) Lev. XXIII, 40.
- (37) Ex. XII, 22.
- (38) How can they maintain their view in the face of this deduction?
- (39) Seeing that they require no binding.
- (40) Ex. XV, 2. For the whole passage and notes cf. supra 11b.
- (41) Rab.
- (42) The ruling just cited from our Mishnah.
- (43) The myrtle.
- (44) So Bah. Cur. edd. add 'to him'.

### **Talmud - Mas. Sukkah 33b**

[If the berries are in] two or three places it is regarded as speckled,<sup>1</sup> and [therefore] invalid. Rather if it<sup>2</sup> was at all stated, thus was it stated: OR IF ITS BERRIES WERE MORE NUMEROUS THAN ITS LEAVES, IT IS INVALID. R. Hisda said, The following statement was made by our great Master, and may the Omnipresent be his help! They taught this only if the berries were black,<sup>3</sup> but if they were green they are merely a species of myrtle and valid. R. Papa said, Red [berries] are like black,<sup>4</sup> since R. Hanina said, Black blood is [in reality] red blood except that it deteriorated.<sup>5</sup>

IF HE DIMINISHED THEIR NUMBER, IT IS VALID. When did he diminish them? If you say, before he bound them,<sup>6</sup> is not this obvious? Consequently it must be said, after he bound them?<sup>7</sup> This then is a disability from the very outset.<sup>8</sup> Why then may it not be deduced therefrom that a disability from the outset<sup>8</sup> is no [permanent] disability?<sup>9</sup> — Indeed it refers to [a diminution that took place] after he bound them, but he<sup>10</sup> is of the opinion that the binding is merely a designation [for its purpose], and a mere designation is of no consequence.<sup>11</sup>

THE DIMINUTION, HOWEVER, MAY NOT TAKE PLACE ON THE FESTIVAL. But if he transgressed and did pluck them,<sup>12</sup> how is it? Is it valid? But then, when did it become black? If you will say that it became black from the previous day,<sup>13</sup> then it is a disability from the very outset.<sup>14</sup> Why then may it not be deduced therefrom that a disability from the very outset is no disability? Consequently it must be conceded, must it not, that it became black on the Festival. It is thus a case of being fit<sup>12</sup> and then disabled. May it then be deduced therefrom that if anything was fit<sup>12</sup> and then suffered a disability it may become fit again? — No! Indeed it refers to where it became black before the Festival; and that a disability from the very outset<sup>11</sup> is no disability you may well deduce therefrom; but that where it was fit<sup>12</sup> and then suffered a disability it becomes fit again you may not deduce therefrom.

Our Rabbis taught, The diminution<sup>15</sup> may not take place on the Festival. In the name of R. Eliezer son of R. Simeon they said that it may be diminished.<sup>16</sup> But is he not<sup>17</sup> improving an object<sup>18</sup> on the Festival?<sup>19</sup> — R. Ashi said, This is a case where he plucked them<sup>20</sup> for food,<sup>21</sup> and R. Eliezer son of R. Simeon maintains the same opinion as his father who said that a work which is done without intention is permitted. But do not both Abaye and Raba say that R. Simeon admits in the case of ‘cut off his head, but let him not die’<sup>22</sup> [that it is forbidden]?<sup>23</sup> — Here we are dealing with a case where he has another hoshanna.<sup>24</sup> Our Rabbis taught, If the binding<sup>25</sup> became loosened on the Festival,<sup>26</sup> he may bind it as one binds vegetables.<sup>27</sup> But why [should this<sup>28</sup> be necessary]? Why should not one make a proper loop?<sup>29</sup> — [This statement is] according to R. Judah who says that a loop is to be considered a proper knot.<sup>30</sup> But if it is according to R. Judah, should not a proper binding be required?<sup>31</sup> The Tanna [of the Baraitha] agrees with R. Judah on one point<sup>32</sup> and disagrees with him on the other.<sup>33</sup>

MISHNAH. A STOLEN OR WITHERED WILLOW-BRANCH IS INVALID. ONE FROM AN ASHERAH OR FROM A CONDEMNED CITY IS INVALID. ONE WHOSE TIP WAS BROKEN OFF OR WHOSE LEAVES WERE SEVERED, OR A MOUNTAIN WILLOW<sup>34</sup> IS INVALID. ONE THAT WAS SHRIVELLED OR HAD LOST SOME OF ITS LEAVES, OR ONE GROWN IN A NATURALLY WATERED SOIL,<sup>35</sup> IS VALID.

GEMARA. Our Rabbis taught, Willows of the brook<sup>36</sup> means those which grow by a brook. Another interpretation of ‘willows of the brook’ is one whose leaf is elongated as a brook.<sup>37</sup>

Another Baraitha taught: ‘Willows of the brook’, [might mean] willows of the brook only. Whence do we know that those grown on naturally watered soil and mountain willows [are also valid]? Scripture expressly states, ‘willows<sup>38</sup> of the brook’, i.e., from any place.

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(1) Since the leaves are green while the berries are black.

(2) R. Hisda's tradition just cited.

(3) In which case it is speckled (cf. supra n. 7) and invalid.

(4) And, therefore, invalid.

(5) With regard to the blood of menstruation (v. Nid. 28a).

(6) So that when it was bound with the other species it was already valid.

(7) So that at the time of binding it was invalid.

(8) I.e., a disability that appeared before the Festival. Such a disability having appeared before the time for the fulfilment of the Festival is due does not invalidate permanently the object of ritual, which on recovering its normal status, becomes fit for use, v. infra.

(9) A question that remained unanswered, v. infra.

(10) The Tanna of our Mishnah.

(11) Sc. the plants do not thereby assume the full character of a festive wreath. The disability, therefore, cannot be regarded as having occurred prior to the Festival.

- (12) On the Festival.
- (13) The Festival eve.
- (14) V. p. 148, n. 14.
- (15) Of the berries (cf. our Mishnah).
- (16) On the Festival.
- (17) By making an invalid plant valid.
- (18) Lit., 'a vessel'.
- (19) Which is forbidden.
- (20) The berries.
- (21) Not for the purpose of rendering the plant valid.
- (22) The symbolic representation of the fact that although one has not the intention of bringing about a certain result, it is nevertheless an inevitable consequence.
- (23) And the validity of the myrtle is the inevitable consequence of the plucking of the berries.
- (24) Being independent of the one with the berries the removal of the latter cannot be regarded as the improvement of an object.
- (25) Of the three species of the festive wreath.
- (26) When the tying of a knot is forbidden.
- (27) No knot is made and the loose end is inserted between the winding and the plants.
- (28) Mode of binding.
- (29) Which not being a knot is permitted on the Festival.
- (30) Shab. 113a.
- (31) As laid down by him supra 33a.
- (32) That a loop is regarded as a proper knot and is forbidden on the Festival.
- (33) That the lulab must be properly bound.
- (34) זַפְזַפָּה v. infra 34a.
- (35) Sc. land which does not need artificial irrigation.
- (36) Lev. XXIII, 40.
- (37) And not rounded.
- (38) In the plural.

## Talmud - Mas. Sukkah 34a

Abba Saul<sup>1</sup> says, Willows [in the plural means] two, one for the lulab and one for the Sanctuary.<sup>2</sup> And whence do the Rabbis<sup>3</sup> deduce [the law of the willow] for the Sanctuary? — They had this as an accepted tradition; for R. Assi said in the name of R. Johanan, The laws of ten plants,<sup>4</sup> the willow-branch and the water libation<sup>5</sup> were given to Moses upon Mount Sinai.<sup>6</sup>

Our Rabbis taught, 'Willows of the brook'<sup>7</sup> means those that grow by the brook excluding the zafzafah which is a willow that grows on the mountains. R. Zera said, Where is its Scriptural support?<sup>8</sup> — He placed it beside many waters, he set it as a zafzafah.<sup>9</sup> Abaye said to him, Is it not possible that [the latter part] is merely an explanation:<sup>10</sup> 'He placed it beside many waters', and what was it? A zafzafah? — If so, what was the need for 'he set it'? R. Abbahu explained it:<sup>11</sup> The Holy One, blessed be He, said, I intended that Israel should be before Me as something placed beside many waters, that is, a willow, but they have made themselves as a zafzafah of the mountains.

Some teach this verse<sup>11</sup> in connection with the Baraita:<sup>12</sup> 'He placed it beside many waters, he set it as a zafzafah'.<sup>9</sup> To this R. Zera demurred, Is it not possible that [the latter part] is merely an explanation: 'He placed it beside many waters' and what was it? A zafzafah? — If so, what could be the meaning of 'he set it'? R. Abbahu explained it:<sup>11</sup> The Holy One, blessed be He, said, I intended that Israel should be before Me as something placed beside many waters, that is, a willow, and they have made themselves as a zafzafah of the mountains.

Our Rabbis taught, What is a willow and what a zafzafah?--The willow has a red stem, an elongated leaf and a smooth edge; the zafzafah has a white stem, a round leaf and an edge serrated like a sickle. But has it not been taught, If it is like a sickle it is valid, if like a saw<sup>13</sup> it is invalid? — Abaye said. That<sup>14</sup> was taught only with regard to the rounded willow.<sup>15</sup> Abaye said, Deduce therefrom that a rounded willow<sup>15</sup> is valid for the hoshanna. But is not this obvious? — I would have said that since it has a distinctive name<sup>16</sup> it would be thereby invalid, therefore he informs us [that it is not so]. But perhaps it is indeed so?<sup>17</sup> — ‘Willows<sup>18</sup> of the brook’, says the Divine Law, implying from any place.

R. Hisda said, Since the destruction of the temple the following three things have had their names interchanged. [What was formerly called] hilpetha [is now called] ‘arabta, and what was called ‘arabta, is now called hilpetha.<sup>19</sup> What does that legally matter?-With regard to the lulab.<sup>20</sup> [What was before called] shifora [is now called] hazozerah,<sup>21</sup> and what was hazozerah is now shifora. In what respect does this legally matter? — In respect of the shofar for the New Year. [What was formerly called] pathora [is now called] pathorta, and what was pathorta is now pathora.<sup>22</sup> In what respect does this matter legally? — In respect of business transactions.<sup>23</sup> Abaye said, I also add [that what was formerly called] be kase [is now called] hublila,<sup>24</sup> and the former hublila is now be kase. In what respect does this legally matter? — In respect of a needle found in the fleshy part of the second stomach.<sup>25</sup> Raba b. Joseph said, I also add that [what was formerly called] Babylon [is now called] Borsif<sup>26</sup> and the former Borsif is now Babylon. In what legal respect

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(1) Objecting to the deduction just made.

(2) V. infra 45a. In the Sanctuary they walked round the altar seven times with willows.

(3) Who expound the plural ‘willows’ as referring to the validity of mountain willows and those that grow on naturally watered soil.

(4) That if there is a minimum of ten saplings to a se'ah, the whole area may be ploughed until the New Year of the Sabbatical year, since the digging is for the sake of the trees; not of the ground, v. Sheb. I, 6.

(5) V. infra 48a.

(6) V. supra.

(7) Lev. XXIII, 40.

(8) That the mountain willow is inferior to the ordinary one.

(9) Ezek. XVII, 5. The assumption is that the second part of the verse ‘he set it as a zafzafah’ is in contrast to the former part, as R. Abbahu infra explains.

(10) Of the first part.

(11) The text just cited.

(12) I.e., the author of the Baraitha and not R. Zera cited it. According to this version Abaye's objection is attributed to R. Zera.

(13) A sickle-like edge has all the teeth pointing in a slanting direction towards the handle; a saw-like edge has upright teeth (Rashi).

(14) ‘Like a sickle it is valid’.

(15) One with rounded leaves.

(16) ‘Rounded’ willow. V. supra p. 145.

(17) I.e., invalid.

(18) The plural form.

(19) Kinds of willow. The hilpetha is identical with the zafzafah and is invalid, the ‘arabta is the valid willow.

(20) What is now called ‘arabta is invalid, and vice versa.

(21) The shifora or shofar is the ram's horn which is valid for sounding on the New Year, the hazozerah is a silver trumpet.

(22) The pathora is a large table, usually of a money-changer, the pathorta a small one.

(23) The seller must supply the article named in the contract in accordance with the current usage.

(24) Or hablila. The hablila is the first stomach of ruminants, the be kase (or beth ha-kosoth) the second stomach.

(25) If a needle is found in the first stomach, provided it does not perforate it, the animal remains ritually fit. If it is

found in the second stomach the animal is ritually unfit (v. Hul. 50b).

(26) Borsippa, a town adjoining the old city of Babylon. v. Obermeyer. p. 314ff.

## Talmud - Mas. Sukkah 34b

does this matter? — In respect of bills of divorcement?<sup>1</sup>

MISHNAH. R. ISHMAEL SAYS, [ONE MUST HAVE]<sup>2</sup> THREE MYRTLE-BRANCHES, TWO WILLOW-BRANCHES, ONE PALM-BRANCH AND ONE ETHROG. EVEN IF TWO [OF THE MYRTLE-BRANCHES] HAVE THEIR TIPS BROKEN OFF AND [ONLY] ONE IS WHOLE [THE WREATH IS VALID]. R. TARFON SAYS, EVEN IF ALL THREE HAVE THEIR TIPS BROKEN OFF. R. AKIBA SAID, JUST AS [IT IS NEEDED TO HAVE BUT] ONE PALM-BRANCH AND ONE ETHROG, SO [IT IS NEEDED TO HAVE BUT] ONE MYRTLE-BRANCH AND ONE WILLOW-BRANCH.

GEMARA. It has been taught, R. Ishmael said, 'The fruit of a goodly tree<sup>3</sup> implies one; 'Branches of palm-trees'<sup>3</sup> implies one;<sup>4</sup> 'boughs of thick trees'<sup>3</sup> implies three;<sup>5</sup> 'willows of the brook'<sup>3</sup> implies two, and even if two [of the myrtle-branches] have their tips broken off, and only one is whole [the wreath is valid]. R. Tarfon said, [There must be] three,<sup>6</sup> [and they are valid] even if all have their tips broken off. R. Akiba said. Just as [it is necessary to have but] one palm-branch and one ethrog, so [it is necessary to have but] one myrtle-branch and one willow-branch. R. Eliezer said to him,<sup>7</sup> If one should say that the ethrog should be bound with them<sup>8</sup> in one bundle you can answer, Is it then written, 'The fruit of a goodly tree and branches of palm-trees'? It says only, 'The fruit of a goodly tree, branches of palm-trees'.<sup>9</sup> And whence do we know that they are a hindrance to one another?<sup>10</sup> Scripture teaches, 'And ye shall take'.<sup>11</sup> [implying] that the taking must be complete.<sup>12</sup> As to R. Ishmael,<sup>13</sup> whichever view he takes [he is inconsistent]. For if he demands that the myrtle-branches] be whole, why should he not demand<sup>14</sup> that they all be whole, and if he does not demand it, why should even one [have to be whole]? — Said Bira'ah in the name of R. Ammi, R. Ishmael recanted from this view.<sup>15</sup> Rab Judah said in the name of Samuel, The halachah is in agreement with R. Tarfon.<sup>16</sup> And Samuel is consistent; for in his view [expressed elsewhere] Samuel said to those who sold myrtle. 'Sell at the normal price, for if not, I will expound to you as R. Tarfon'.<sup>17</sup> What is his reason?<sup>18</sup> If you will say that he wished to take a lenient view, why did he not expound to them as R. Akiba<sup>19</sup> who is still more lenient? — Three with broken tips are common, one with an unbroken tip is uncommon.<sup>20</sup>

MISHNAH. AN ETHROG WHICH IS STOLEN OR WITHERED IS INVALID. ONE FROM AN ASHERAH OR A CONDEMNED CITY IS INVALID. IF IT WAS OF 'ORLAH<sup>21</sup> OR OF UNCLEAN TERUMAH<sup>22</sup> IT IS INVALID. IF IT WAS OF CLEAN TERUMAH HE SHOULD NOT TAKE IT,<sup>23</sup> BUT IF HE DID TAKE IT, IT IS VALID. IF IT WAS DEMAI,<sup>24</sup> BETH SHAMMAI DECLARE IT INVALID, AND BETH HILLEL DECLARE IT VALID. IF IT WAS OF SECOND TITHE, IT SHOULD NOT BE TAKEN<sup>23</sup> [EVEN] IN JERUSALEM, BUT IF HE TOOK IT, IT IS VALID.

IF THE LARGER PART OF IT IS COVERED WITH SCARS, OR IF ITS NIPPLE IS REMOVED, IF IT IS PEELED, SPLIT, PERFORATED, SO THAT ANY PART IS MISSING, IT IS INVALID. IF ITS LESSER PART ONLY IS COVERED WITH SCARS, IF ITS STALK WAS MISSING, OR IF IT IS PERFORATED BUT NAUGHT OF IT IS MISSING, IT IS VALID. AN ETHIOPIAN<sup>25</sup> ETHROG IS INVALID. IF IT IS GREEN AS A LEEK, R. MEIR DECLARES IT VALID AND R. JUDAH DECLARES IT INVALID.

THE MINIMUM SIZE OF AN ETHROG, R. MEIR SAYS, IS THAT OF A NUT. R. JUDAH SAYS THAT OF AN EGG. THE MAXIMUM [SIZE] IS SUCH THAT TWO CAN BE HELD IN



ONE HAND. THESE ARE THE WORDS OF R. JUDAH. R. JOSE SAID, EVEN ONE [THAT HE CAN HOLD ONLY] IN BOTH HIS HANDS.

(1) A bill of divorcement executed in the original Borsif and carried to another place is invalid unless the bearer made the declaration; 'In my presence it was written and in my presence it was signed', while one brought from Babylon required no such declaration (cf. Git. 2a, 6a, and Sanh. 109a). For further notes on this passage v. Shab., Sonc. ed., fol. 36a.

(2) For the festive wreath (cf. Lev. XXIII, 40).

(3) Lev. XXIII, 40.

(4) Since the word is written in singular form. V. supra.

(5) Corresponding to the three words in the original: 'anaf, 'ez and 'aboth.

(6) Myrtle-branches.

(7) [Var. lec. rightly omit 'to him'].

(8) The other three species.

(9) The absence of the waw conjunctive in this case and its presence in the case of the myrtles and willows that follow indicates that while the last three must be tied together the first need not.

(10) I.e., if one of the four species is missing it invalidates all.

(11) Lev. XXIII, 40.

(12) The four species together.

(13) Who requires only one myrtle-branch to be whole while the other two may have their tips broken off.

(14) Since Scripture draws no distinction between the two and the one.

(15) Sc. he now holds that one myrtle-branch is enough, but it must be whole.

(16) That myrtle-branches whose tips are broken off are valid.

(17) The people preferred whole, unbroken myrtles and to prevent exploitation by the vendors, Samuel threatened to expound that even broken ones are valid.

(18) That Samuel threatened to rule as R. Tarfon.

(19) Who requires only one myrtle-branch.

(20) The threat to adopt R. Tarfon's ruling had, therefore, a greater effect.

(21) The fruit of a tree during the first three years of its growth. V. Lev. XIX, 23.

(22) V. Glos.

(23) For the festive wreath.

(24) Produce about which it is doubtful whether it has been tithed; lit., 'mixed'.

(25) I.e., 'dark coloured', 'black'.

## Talmud - Mas. Sukkah 35a

GEMARA. Our Rabbis have taught, 'The fruit of a goodly tree'<sup>1</sup> implies<sup>2</sup> a tree the taste of whose 'fruit' and 'wood' is the same. Say then that it is the ethrog. Might it not be said to be pepper, as it has been taught. 'R. Meir used to say, From the implication of the text, And ye have planted all manner of trees,<sup>3</sup> do I not know that the reference is to a tree for food?<sup>4</sup> What then does Scripture teach by the [next phrase] "for food"? [That<sup>5</sup> the reference is to] a tree the taste of whose fruit and wood is the same. Say then that it is pepper. This is to teach you that the pepper tree<sup>6</sup> is subject to the law of 'orlah and that the Land of Israel lacks nothing, as it is said, Thou shalt not lack anything in it?<sup>7</sup> — There<sup>8</sup> [pepper is excluded] since it is impossible [to use it].<sup>9</sup> For how shall he proceed? If he take one [pepper seed],<sup>9</sup> it is unrecognizable;<sup>10</sup> if he takes two or three, the Divine Law surely said, one 'fruit'<sup>11</sup> and not two or three fruits. [Its use] therefore is impossible.

Rabbi said, Read not hadar<sup>12</sup> but ha-dir;<sup>13</sup> just as the stable contains large and small [animals], perfect and blemished ones, so also [the fruit spoken of<sup>8</sup> must have] large and small, perfect and blemished. Have not then other fruits large and small, perfect and blemished? — It is this rather that was meant: Before the small ones<sup>14</sup> come, the large<sup>15</sup> are still existent [on the tree].<sup>16</sup>

R. Abbahu<sup>17</sup> said, Read not hadar,<sup>12</sup> but ha-dar,<sup>18</sup> a fruit which remains upon its tree from year to year. Ben 'Azzai said, Read not hadar, but hudor<sup>19</sup> for in Greek water is called hudor.<sup>19</sup> Now what fruit is it that grows by every water? Say, of course, it is the ethrog.

IF FROM AN ASHERAH OR FROM A CONDEMNED CITY, IT IS INVALID. What is the reason? — Since it is condemned to be burnt, [it is considered as though] its minimum size is destroyed.<sup>20</sup>

IF FROM 'ORLAH, IT IS INVALID. What is the reason? R. Hiyya b. Abin and R. Assi disagree on this point. One explains because there is no permission to eat it,<sup>21</sup> and the other explains because it<sup>22</sup> has no monetary value.<sup>23</sup> It is now assumed that the authority who insists on permission to eat it [in order to render it valid] does not insist upon [its having] monetary value,<sup>24</sup> and that he who insists upon monetary value does not insist upon permission to eat it.<sup>25</sup>

Now we learned, OR OF UNCLEAN TERUMAH, IT IS INVALID. This is well according to him who explains, because there is no permission to eat it,<sup>26</sup> but according to him who explains, because it has no monetary value,<sup>27</sup> why [should unclean terumah be invalid] seeing that the man can kindle it under his cooking?<sup>28</sup> The fact is [that with regard to] permission to eat it, all agree that it is an essential,<sup>29</sup> and they disagree only on the question whether monetary value [is also necessary]. One Master is of the opinion that permission to eat it is necessary<sup>29</sup> but not monetary value, while the other Master is of the opinion that monetary value is also necessary. What is the practical difference between them? — The case of the Second Tithe in Jerusalem differentiates them according to R. Meir.<sup>30</sup> According to him who explains, because there is no permission to eat it [it is valid, since] in this case there is permission to eat it. According to him who explains, because it has no monetary value [it is invalid, since] the Second Tithe is sacred money.<sup>31</sup>

It may be concluded that it is R. Assi who gives [also] the reason that it has no monetary value,<sup>32</sup> since R. Assi said, [With] an ethrog of the Second Tithe according to R. Meir,<sup>33</sup> a person cannot fulfil his obligation on the Festival, and according to the Sages<sup>34</sup> he may fulfil his obligation with it on the Festival.<sup>35</sup> This is proved.

[Turning to] the main text, R. Assi said: [With] an ethrog of the Second Tithe, according to R. Meir, a person cannot fulfil his obligation on the Festival, and according to the Sages he may fulfil his obligation with it on the Festival. With unleavened bread of the Second Tithe, according to R. Meir, a man cannot fulfil his obligation<sup>36</sup> on Passover,<sup>37</sup> and according to the Sages he may fulfil his obligation with it on the Passover. Dough of the Second Tithe, according to R. Meir, is exempt from hallah,<sup>38</sup> according to the Sages it is liable to hallah.

R. Papa demurred: This<sup>39</sup> is well with regard to dough, since it is written, Of the first of your dough.<sup>40</sup> With regard to the ethrog also it is written, To you<sup>41</sup> [implying that — it should be yours.<sup>42</sup> With regard however to unleavened bread, does Scripture say, 'your unleavened bread'? — Rabbah b. Samuel, or as some say, R. Yemar b. Shelemiah, replied. We deduce it from the word 'bread' which is common to both passages. In this connection it is written, The bread of affliction<sup>43</sup> and there<sup>44</sup> it is written,

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(1) Lev. XXIII, 40.

(2) Since 'ez (tree) or 'wood' and peri (fruit) are in juxtaposition.

(3) Lev. XIX, 23, the conclusion of which is 'It shall not be eaten'.

(4) Apparently we do.

(5) Since ma'akal (food) and 'ez (trees or 'wood') are in juxtaposition.

(6) Though low and similar to a vegetable plant which is exempt from 'orlah.

(7) Deut. VIII, 9.

- (8) In Lev. XXIII, 40.
- (9) With the festive wreath.
- (10) On account of its minute size.
- (11) Peri in the sing.
- (12) 'Goodly'.
- (13) 'The stable'.
- (14) Of the current year.
- (15) Of the previous year.
- (16) And this can refer to the ethrog only whose fruit remains on the tree for two or three years.
- (17) Agreeing with Rabbi but adopting a different form of exposition.
- (18) 'Which dwells'.
- (19) Cur. edd., 'Idor'.
- (20) V. supra 31b.
- (21) Since it is prohibited for use, it does not come within the category of 'yours'. lakem (E.V., 'unto you').
- (22) Since it is forbidden to derive any benefit from it.
- (23) Cf. supra n. 15, mut. mut.
- (24) Second Tithe, for instance, which may be eaten in Jerusalem would consequently be valid though it cannot be regarded as having monetary value since its owner according to R. Meir is not permitted to use it for such a purpose for instance as the betrothal of a wife (cf. Kid. 52b).
- (25) An ethrog of tebel (v. Glos.) though forbidden to be eaten, would consequently be valid since benefit may be derived from it.
- (26) Since unclean terumah may not be eaten.
- (27) While permission to eat it is of no consequence.
- (28) Cf. Shab. 25b.
- (29) To validity.
- (30) Who regards Second Tithe as sacred, not secular money (Kid. 52b).
- (31) Lit., 'of the Most High.' And is therefore not 'yours' (cf. supra p. 156. n. 15).
- (32) Sc. that an ethrog is invalid unless it satisfies both conditions, permissibility to eat it as well as the possession of monetary value and that an ethrog of Second Tithe is, according to R. Meir, invalid.
- (33) Who regards Second Tithe as sacred money.
- (34) Who regard it as secular property.
- (35) Pes. 38a.
- (36) To eat unleavened bread.
- (37) Sc. on the first night of the Festival.
- (38) The separation of a portion of one's dough for the priest (v. Glos.). The reason is discussed infra.
- (39) That the use of Second Tithe is invalid.
- (40) Num. XV, 21; while Second Tithe is sacred and not entirely 'yours'.
- (41) Lev. XXIII, 40.
- (42) Cf. supra n. 5 mut. mut.
- (43) Deut. XVI, 3.
- (44) With regard to hallah.

### **Talmud - Mas. Sukkah 35b**

Then it shall be when ye eat of the bread of the land;<sup>1</sup> just as in the latter case [the reference is to] what is yours and not of the tithe, so in the former case, [it must be] yours and not of the tithe.

Can we say that the following supports [this view]: Dough of the Second Tithe is exempt from hallah, according to R. Meir, while the Sages say that it is liable?<sup>2</sup> — 'Can we say that the following supports [this view]'! Is it not the identical statement? Rather [say that the question was whether we can say that] since they<sup>3</sup> dispute in this instance,<sup>4</sup> they also dispute in the others<sup>5</sup> or perhaps dough is exceptional because Scripture repeated the words 'your dough'.<sup>6</sup> OR OF UNCLEAN TERUMAH,

IT IS INVALID; because there is no permission to eat it.

IF IT WAS OF CLEAN TERUMAH, HE SHOULD NOT TAKE IT. R. Ammi and R. Assi disagree on the reason of the ruling. One explains, Because he [thereby]<sup>7</sup> renders it susceptible [to ritual uncleanness],<sup>8</sup> while the other explains. Because he depreciates its value.<sup>9</sup> What is the practical difference between them? The case where one assigned the name of terumah to it<sup>10</sup> except to its outer peel. According to him who explains, Because he renders it susceptible [to ritual uncleanness], this<sup>11</sup> does apply;<sup>12</sup> according to him who explains, Because he depreciates its value, it<sup>13</sup> does not apply.<sup>14</sup>

BUT IF HE DID TAKE IT, IT IS VALID; [since] according to him who explains, Because there is no permission to eat it, this is permitted to be eaten,<sup>15</sup> and according to him who explains, Because it has no monetary value, this surely has monetary value.<sup>16</sup>

IF IT WAS DEMAI. What<sup>17</sup> is the reason of Beth Hillel?—Because, if he wishes, he may declare his property to be hefker<sup>18</sup> and thereby become a pauper who is entitled to benefit [from demai] we may now also apply to it the expression ‘to you’. For we have learnt, Poor men and billeted troops may be fed with demai.<sup>19</sup> [But on the view of] Beth Shammai<sup>20</sup> a poor man may not eat demai; as we have learnt, Poor men and billeted troops may<sup>21</sup> eat demai and R. Huna stated, A Tanna taught: Beth Shammai say that poor men and billeted troops may not be fed with demai, while Beth Hillel say that poor men and billeted troops may be fed with demai.

IF IT WAS OF SECOND TITHE . . . IN JERUSALEM. According to him who explained,<sup>22</sup> Because he renders it susceptible [to uncleanness] it is [here forbidden] since he renders it susceptible [to uncleanness]; according to him who explained.<sup>22</sup> Because he depreciates its value [it is forbidden] since here also he depreciates its value.

BUT IF HE TOOK IT, IT IS VALID. According to him who explains.<sup>23</sup> Because there is no permission to eat it,<sup>24</sup> [the ruling]<sup>25</sup> is according to all.<sup>26</sup> According to him who explains,<sup>23</sup> Because it has no monetary value, according to whom [is the ruling]? According to the Rabbis.<sup>27</sup>

IF THE LARGER PART OF IT IS COVERED WITH SCARS. R. Hisda said, The following was said by our great Master,<sup>28</sup> may the Omnipresent be his help! This was taught only [where they were] in one place, but if they were in two or three places, [the ethrog] is valid. Raba said,<sup>29</sup> On the contrary! If they were in two or three places the ethrog is as though speckled and invalid. Rather if the statement was at all made, it was made in connection with the latter part [of our Mishnah]: IF ITS LESSER PART ONLY IS COVERED WITH SCARS . . . IT IS VALID. R. Hisda said, The following was said by our great Master, may the Omnipresent be his help! This was taught only [if they were] in one place, but if in two or three places the ethrog is as speckled and invalid. Raba said, But [if a scar is] on the oblate part,<sup>30</sup> even if it is one of the slightest extent, the ethrog is invalid.

IF ITS NIPPLE IS REMOVED. R. Isaac b. Eleazar<sup>31</sup> taught,<sup>32</sup> If its peduncle was removed.<sup>33</sup> IF IT IS PEELED. Raba ruled, An ethrog which was peeled so as to resemble<sup>34</sup> a red date<sup>35</sup> is valid. But have we not learnt, IF IT IS PEELED . . . IT IS INVALID? — This is no difficulty,

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(1) Num. XV, 19.

(2) Pes. 28a.

(3) R. Meir and the Sages.

(4) Hallah.

(5) Ethrog and unleavened bread; bind thus support is afforded to R. Assi's submission.

(6) In Num. XV, 20 and 21. In this case alone perhaps, where the fact that it must be one's property is emphasized, does R. Meir exempt it, but not in the case of ethrog or unleavened bread where Scripture laid no such emphasis.

- (7) By using an ethrog of terumah in connection with the festive wreath.
- (8) An article is not susceptible to ritual uncleanness until it has come in contact with water. The lulab is usually placed in water to keep it fresh (cf. infra 42a) and when the ethrog comes in contact with the wet lulab it also is rendered susceptible to similar uncleanness.
- (9) Since the peel of the ethrog becomes damaged by use.
- (10) The ethrog.
- (11) The prohibition to use it ab initio.
- (12) Since the entire ethrog becomes susceptible.
- (13) The prohibition to use it ab initio.
- (14) Since the outer peel is no terumah.
- (15) By a priest and, under certain conditions, by an Israelite also.
- (16) A priest and, under certain conditions an Israelite also, being permitted to betroth a woman with it.
- (17) Since demai may not be eaten.
- (18) V.Glos.
- (19) Demai III, 1.
- (20) Who forbid the use of demai.
- (21) Cur. edd. in parenthesis 'not'.
- (22) Supra p. 159.
- (23) With regard to 'orlah, supra.
- (24) And that the question of monetary value is of no consequence.
- (25) On Second Tithe.
- (26) Both the Sages who say that the Second Tithe is secular property and R. Meir who says it is sacred property, since in either case it may be eaten.
- (27) But (cf. prev. n.) not according to R. Meir.
- (28) Rab. (V. supra 33b).
- (29) Cf. Bah. Cur. edd. add 'to him'.
- (30) The part of the ethrog which slopes towards the nipple.
- (31) In his Baraitha.
- (32) Instead of 'IF ITS NIPPLE' etc.
- (33) Reading bukna instead of pitmah.
- (34) In colour, after it had been peeled.
- (35) Ahina, a kind of inferior dates.

## Talmud - Mas. Sukkah 36a

since the former refers to where all of it [was peeled], the latter to where only a part was peeled.<sup>1</sup>

SPLIT, PERFORATED. 'Ulla b. Hanina<sup>2</sup> learned,<sup>3</sup> If it is completely perforated [it is invalid even if the hole is] of the minutest size; if it is not completely perforated [the hole must be of the minimum size] of an issar.<sup>4</sup>

Raba enquired: If there developed in an ethrog the symptoms [which render an animal] terefah,<sup>4</sup> what is the law? — But concerning what does he inquire? If concerning [an ethrog which is] peeled,<sup>5</sup> have we not [already] learnt it?<sup>6</sup> If concerning one that is split<sup>5</sup> have we not learnt it also?<sup>6</sup> If concerning one that is perforated.<sup>5</sup> have we not learnt it also?<sup>6</sup> — The enquiry he raised was concerning [the law] 'Ulla cited in the name of R. Johanan [who taught], If the [contents of the] lung pour out as from a ladle<sup>7</sup> [the animal] is fit to be eaten,<sup>8</sup> and Raba explained that this applies only when the arteries are still whole, but if the arteries are rotted [the animal is] terefah. Now what is the ruling here?<sup>9</sup> Is it possible that this<sup>10</sup> applies to the former case only, where, since the air cannot affect it,<sup>11</sup> it could become healthy again,<sup>12</sup> but not in the latter case where, since the air can affect it, it inevitably decays, or is it possible that there is no difference? — Come and hear: An ethrog which is swollen, decayed, pickled, boiled, and Ethiopian,<sup>13</sup> white or speckled, is invalid. An ethrog which

is round as a ball is invalid. And some add if two are grown together. If an ethrog is half-ripe, R. Akiba declares it invalid, and the Sages valid. If it was grown In a mould, so that it has the appearance of another species, it is invalid. At any rate it teaches 'swollen or decayed', which implies, does it not, swollen from without or decayed from within?<sup>14</sup> No! Both refer to the exterior, and yet there is no discrepancy. The one refers to a case where the ethrog is swollen even although it is not decayed; the other to a case where it was decayed without being swollen.

The Master has said, An Ethiopian ethrog is invalid. But has it not been taught, If it is Ethiopian it is valid, if it is like an Ethiopian,<sup>15</sup> it is invalid? — Abaye answered, In our Mishnah also we learned of one that is like an Ethiopian. Raba answered, There is no difficulty. The former refers to us,<sup>16</sup> the latter to them.<sup>17</sup>

A half-ripe ethrog, R. Akiba declares invalid, and the Sages declare it valid. Rabbah observed, Both R. Akiba and R. Simeon say the same thing. As to R. Akiba there is the statement just quoted. But what is the ruling of R. Simeon? — That which we have learnt:<sup>18</sup> R. Simeon declares ethrogs to be exempt [from tithes] when they are small.<sup>19</sup> Said Abaye to him, But perhaps it is not so! R. Akiba may uphold his view only here, since the ethrog must be 'goodly', which [an unripe ethrog] is not, but there<sup>20</sup> he may hold the opinion of the Rabbis;<sup>21</sup> or else, R. Simeon may have maintained his view only here,<sup>20</sup> since it is written, Thou shalt surely tithe all the increase of thy seed,<sup>22</sup> [which confines liability to tithe to such fruit only] as men bring forth for sowing,<sup>23</sup> but in the present instance he might agree with the Rabbis,

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(1) It is invalid since it is 'speckled'.

(2) Var. lec. Hinena (Bah).

(3) In connection with the ruling. IF IT IS PERFORATED BUT NAUGHT OF IT IS MISSING.

(4) V. Glos.

(5) Certain organs, if peeled, split or perforated, cause an animal to be terefah.

(6) In our Mishnah.

(7) Sc. the flesh inside is decayed and liquified.

(8) Hul. 47b.

(9) In the case of the ethrog. The seed kernels are regarded as corresponding with the arteries of the lungs.

(10) The permissibility.

(11) One of the internal organs.

(12) Were the animal alive. An injury which, were the animal alive, would disappear, does not render the animal terefah.

(13) V. infra.

(14) In which case it can be compared to an organ which is sound outside, but decayed from within.

(15) I.e., black, but not grown in Ethiopia.

(16) Babylonians.

(17) In Palestine, Ethiopian ethrogs are unknown and therefore they are declared invalid. In Babylon, Ethiopian ethrogs were common and valid (Rashi).

(18) Cur. edd. in parenthesis 'as it was taught'.

(19) Ma'as. I, 4.

(20) With regard to its liability to tithes.

(21) Who regard it as liable to tithes.

(22) Deut. XIV, 22.

(23) I.e., ripe fruit.

## **Talmud - Mas. Sukkah 36b**

and there is nothing more [to say about it].<sup>1</sup>

'If it was grown in a mould, so that it has the appearance of another species, it is invalid.' Raba

stated, They taught this Only in the case where ‘it has the appearance of another species’, but if it has its natural shape it is valid. But is not this obvious, seeing that it was taught,<sup>2</sup> ‘the appearance of another species’? — It<sup>3</sup> was necessary only in a case where it<sup>4</sup> was moulded in the shape of planks joined together.<sup>5</sup>

It was stated: An ethrog which has been gnawed by mice, Rab ruled, is no longer ‘goodly’.<sup>6</sup> But it is not so? Did not R. Hanina in fact, taste a part of it,<sup>7</sup> and fulfilled his obligation<sup>8</sup> [with the remainder]? — Does not then our Mishnah<sup>9</sup> present a contradiction against R. Hanina?<sup>10</sup> — One might well explain that our Mishnah presents no contradiction against R. Hanina since the former might refer to the first day of the Festival,<sup>11</sup> while the latter might refer to the second day; but [does not R. Hanina's ruling<sup>12</sup> present] a contradiction against Rab?<sup>13</sup> — Rab can answer you: [The gnawing by] mice is different, since they are repulsive.

Others says, Rab ruled that it<sup>14</sup> is ‘goodly’ since R. Hanina tasted a part [of an ethrog] and fulfilled his obligation [with the remainder]. But does not our Mishnah<sup>9</sup> present a contradiction against R. Hanina? — There is really no contradiction, since the former refers to the first day of the Festival, while the latter refers to the second day.

THE MINIMUM SIZE OF AN ETHROG etc. Rafram b. Papa observed: As is the dispute<sup>15</sup> here, so is the dispute with regard to rounded pebbles. For it has been taught, It is permitted on the Sabbath<sup>16</sup> to carry three rounded smooth pebbles<sup>17</sup> into [a field] lavatory.<sup>18</sup> And what must be their size? R. Meir ruled, The size of a nut, R. Judah ruled, That of an egg.

THE MAXIMUM SIZE etc. It was taught: R. Jose related, It happened with R. Akiba that he came to Synagogue with his ethrog on his shoulder.<sup>19</sup> R. Judah answered him,<sup>20</sup> Is this a proof? They<sup>21</sup> in fact said to him, This ethrog is not ‘goodly’.

MISHNAH. THE LULAE<sup>22</sup> MAY BE BOUND ONLY WITH [STRANDS OF] ITS OWN SPECIES; SO R. JUDAH. R. MEIR SAYS IT MAY BE BOUND EVEN WITH A CORD.<sup>23</sup> R. MEIR OBSERVED, IT ACTUALLY OCCURRED THAT THE MEN<sup>24</sup> OF JERUSALEM USED TO BIND THEIR LULABS WITH STRANDS OF GOLD. THEY<sup>25</sup> ANSWERED HIM, BUT THEY BOUND IT WITH [STRANDS OF] ITS OWN SPECIES UNDERNEATH [THE STRANDS OF GOLD].<sup>26</sup>

GEMARA. Raba stated, A lulab may be bound even with bast, or even with [strips of] the roots of the date-palm. Raba further stated, What is the reason of R. Judah? He is of the opinion that the lulab<sup>22</sup> must be bound so that if one uses another species, the wreath would contain five species.<sup>27</sup>

Raba further stated, Whence do I deduce that bast and roots of date-palms are species of the palm-tree? From what has been taught: [It is written,] Ye shall dwell in Sukkoth [booths],<sup>28</sup> which implies a Sukkah<sup>29</sup> made of any material; so R. Meir. R. Judah ruled, The Sukkah must be made of the same four species as the lulab. And logic demands it: If the lulab which does not obtain by night as by day,<sup>30</sup> is valid only with the Four Species, is there not then much more reason that the Sukkah which obtains both by night and by day,<sup>30</sup> shall be valid only with the Four Species? They answered him, Any a fortiori argument which begins with a restriction [of the law] and concludes with a relaxation [of it]<sup>31</sup> is no valid argument.<sup>32</sup>

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(1) Sc. no further arguments can be advanced since R. Simeon need not agree with R. Akiba nor need the latter agree with the former.

(2) Cur. edd. in parenthesis ‘we learned’.

(3) Raba's statement.

(4) The ethrog.

- (5) 'Angular' (Jast.) 'in the shape of the wheel of a water mill' (Rashi); Raba's view being that such a shape may be regarded as natural.
- (6) Cf. Lev. XXIII, 40.
- (7) Lit., 'differed with it', sc. in some relish.
- (8) Of taking the festive wreath.
- (9) Which ruled an ethrog any part of which is missing to be invalid.
- (10) Who, as stated, used an ethrog after a part of it had been removed.
- (11) When, in accordance with an exposition of 'and ye shall take' in Lev. XXIII, 40, the ethrog must be whole.
- (12) According to which an ethrog a part of which is missing is fit at least for the second day.
- (13) Who does not regard such an ethrog as 'goodly', and consequently it is invalid even on the second day of the festival, v. supra 29b.
- (14) An ethrog gnawed by mice.
- (15) Between R. Meir and R. Judah on the minimum size of an ethrog.
- (16) When the carrying of an object in certain domains is forbidden.
- (17) To cleanse oneself.
- (18) Which has no walls and the movement of objects into it on the Sabbath is otherwise Rabbinically forbidden.
- (19) Owing to its huge size; which proves that there is no maximum size.
- (20) R. Jose.
- (21) The Rabbis at the Synagogue.
- (22) Sc. the festive wreath consisting of the palm, myrtle and willow-branches.
- (23) So separate edd. of the Mishnah, Alfasi and Asheri. Cur. edd. insert, 'with a thread'.
- (24) [אנשי ירושלם MS.M. יקירי ירושלם 'The nobility'. V. infra p. 166, n. 3. Klein, S. מדעי היהדות I, p. 72ff regards both these terms as synonymous with נקיי הדעת . V. Sanh., Sonc. ed., p. 131, n. 3].
- (25) The Rabbis at the College.
- (26) The former serving as binders and the latter as mere ornaments.
- (27) Instead of the four prescribed in Lev. XXIII, 40. It is forbidden to add to a commandment.
- (28) Lev. XXIII, 42.
- (29) I.e., the Sukkah-covering.
- (30) V. infra 43a for proof.
- (31) As will soon be illustrated.
- (32) Since the ultimate effect of the restriction is a relaxation.

## Talmud - Mas. Sukkah 37a

For suppose he could not find all the Four Species, he would be sitting and doing nothing<sup>1</sup> while the Torah said, 'Ye shall dwell in booths for seven days.' implying a Sukkah of whatever material. And so with Ezra it says, Go forth unto the mount, and fetch olive branches, and branches of wild olive, and myrtle branches and palm-branches, and branches of thick trees to make Sukkoth, as it is written.<sup>2</sup> And [what does] R. Judah [answer to this verse?] — He is of the opinion that the other [species] were for the walls, while the 'myrtle branches and palm-branches and branches of thick trees' were for Sukkah — covering. And [nevertheless] we have learnt, Planks may be used as a Sukkah-covering, these are the words of R. Judah.<sup>3</sup> Thus<sup>4</sup> it clearly follows that bast and roots of date-palms<sup>5</sup> are a species of palm-tree.<sup>6</sup> This is conclusive.

But did R. Judah rule that the Four Species alone [are valid]<sup>7</sup> and not anything else? — Was it not in fact taught, 'If he covered it<sup>8</sup> with planks of cedar wood which are four handbreadths wide, it is invalid according to all.<sup>9</sup> If they are not four handbreadths wide, R. Meir declares it invalid and R. Judah valid, but R. Meir admits that, if there is a space of one plank between every two planks, he may place laths between them and the Sukkah is valid'<sup>10</sup> — What is meant by 'cedar'? Myrtle. This is in agreement with Rabbah son of R. Huna, since Rabbah son of R. Huna stated, In the school of Rab<sup>11</sup> they said that there were ten species of cedar, as it is said, I will plant in the wilderness the cedar, the acacia tree, and the myrtle etc.<sup>12</sup>



R. MEIR SAYS EVEN WITH A CORD. It has been taught: R. Meir said, It occurred with the nobility<sup>13</sup> of Jerusalem that they bound their lulabs with [strands of] gold. They said to him, Is that evidence? They bound it in fact with strands of its own species underneath.<sup>14</sup>

Rabbah said to those who bind the hoshanna<sup>15</sup> at the house of the Exilarch, 'When you bind the hoshannas at the house of the Exilarch, [be careful to] leave a handle<sup>16</sup> so that<sup>17</sup> there should be no interposition'.<sup>18</sup> Raba [however] ruled, Whatever is used to beautify it<sup>19</sup> constitutes no interposition.

Rabbah further stated, A man shall not hold the hoshanna<sup>20</sup> with a scarf, because it is required that the 'taking'<sup>21</sup> shall be complete, and in this case it is not. Raba, however, ruled, Taking hold by means of something else is also regarded as a valid 'taking'. Whence, said Raba, do I derive that taking hold by means of something else is also regarded as a valid taking? From what we have learnt: If the hyssop<sup>22</sup> is too short,<sup>23</sup> it may be made to suffice with a thread or with a reed and so it is dipped and brought up, but one must hold the hyssop itself when sprinkling.<sup>24</sup> Now why [is this<sup>25</sup> permitted]? Did not the Divine Law say, And he shall take hyssop and dip?<sup>26</sup> May we not then deduce therefrom that taking hold by means of something else is also regarded as a valid 'taking'?<sup>27</sup> — But whence the proof? That case<sup>28</sup> perhaps is different; since [the thread or reed] was joined on [to the hyssop],<sup>29</sup> it is regarded as part of it? — In fact [the deduction is made] from the following: [If the ashes of the Red Heifer] fell [of their own accord] from their tube into the trough they are invalid.<sup>30</sup>

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(1) Sc. would be deprived of the performance of the precept of Sukkah.

(2) Neh. VIII, 15.

(3) Supra 14a.

(4) Since only that which is valid for the lulab is valid for the Sukkah.

(5) Which, in view of R. Judah's restrictions, must be understood to be the material of the planks which he permits for Sukkah-covering.

(6) Had they not been that, they would have been invalid for the Sukkah as well as for the lulab.

(7) As a Sukkah-covering.

(8) A Sukkah.

(9) I.e., even according to R. Judah.

(10) Supra 17b.

(11) Be-rab may also mean simply 'in the school'.

(12) Isa. XLI, 19, which shows that myrtle is also called cedar.

(13) V. supra p. 164, n. 9.

(14) So that the gold bands above them served as a mere ornament.

(15) The term is used for the myrtle or the entire festive wreath, here it is to be understood in the latter sense.

(16) Below the binding.

(17) When the wreath is held in the performance of the precept.

(18) Between the hand of the holder and the wreath. Rabbah holds that according to Pentateuchal law, the binding is unnecessary hence it would form an interposition between one's hand and the wreath.

(19) The wreath.

(20) V. supra n. 7.

(21) With reference to Lev. XXIII, 40.

(22) Used for the sprinkling of the water containing the ashes of the Red Heifer. V. Num. XIX, 6.

(23) To reach the level of the water in the tube.

(24) Parah XII, 1.

(25) Dipping the hyssop by means of a thread or reed.

(26) Num. XIX, 18, the verb 'to take' being used here as in the case of the lulab.

(27) Nevertheless, in order that he may have a firmer grasp of it for the better sprinkling, he must take hold of the hyssop itself when performing the lustration.

(28) Parah XII, 1.

(29) I.e., to lengthen it.

(30) Parah VI, 1. The ashes were carried in tubes from which they were emptied into a stone trough containing tile water. If the ashes fall into the water of their own accord they become invalid since the putting into the water must be done with intention.

### **Talmud - Mas. Sukkah 37b**

From this it follows that if the man himself threw them into the water they are [presumably] valid.<sup>1</sup> Now why [should that be so]? Did not the Divine Law say, And they shall take of the ashes . . . and he shall put?<sup>2</sup> May we not then<sup>3</sup> deduce that taking by means of something else is also regarded as a valid 'taking'.

Rabbah further stated, One should not thrust the palm-branch through the bound willow and myrtle<sup>4</sup> lest some leaves are detached and thus form an interposition.<sup>5</sup> Raba, however, ruled, A thing of the same species does not constitute an interposition.

Rabbah further stated, One should not shear the palm-branch while it is in the wreath,<sup>4</sup> since loose leaves<sup>6</sup> might remain and form an interposition,<sup>5</sup> Raba however ruled, A thing of the same species does not constitute an interposition.

Rabbah further stated, it is forbidden to smell<sup>7</sup> a myrtle branch [used] for the [fulfilment of the] commandment,<sup>8</sup> but it is permitted to smell an ethrog [used] for the [fulfilment of the] commandment. What is the reason? — The myrtle — since it is used as perfume, when it is set apart [for ritual purposes] is set apart from [use as a] perfume: the ethrog, however, since it is used as food, when it is set apart [for ritual purposes] it is set apart [only] from [use as] food.

Rabbah further stated, If a myrtle is attached to the ground, it may be smelt,<sup>9</sup> if an ethrog is attached to the ground, it may not be smelt. What is the reason? — The myrtle, since it is used as a perfume,<sup>10</sup> [even] if you permit it [to be smelt], the man would not be tempted to cut it; the ethrog, however, since it is used for food, if you permit it [to be smelt] the man might be tempted<sup>11</sup> to cut it.<sup>12</sup>

Rabbah further stated, The lulab [must be held]<sup>13</sup> in the right hand and the ethrog in the left. What is the reason? The former constitutes three commandments<sup>14</sup> and the latter only one.<sup>15</sup>

R. Jeremiah enquired of R. Zerika, Why in the blessing<sup>16</sup> do we say only 'To take the palm-branch'?<sup>17</sup> — Because it towers above the others. Then<sup>18</sup> why should not one lift up the ethrog and recite the blessing over it? — The reason is, the other answered him, that as a species it naturally towers above all of them.

MISHNAH. AND WHERE<sup>19</sup> IS [THE LULAB] WAVED? AT THE COMMENCEMENT AND THE CONCLUSION OF THE PSALM, O GIVE THANKS UNTO THE LORD<sup>20</sup> AND AT SAVE NOW, WE BESEECH THEE, O LORD.<sup>21</sup> THESE ARE THE WORDS OF BETH HILLEL. BETH SHAMMAI SAY, ALSO AT O LORD WE BESEECH THEE, SEND NOW PROSPERITY.<sup>22</sup> R. AKIBA STATED, I WATCHED R. GAMALIEL AND R. JOSHUA, AND WHILE ALL THE PEOPLE WERE WAVING THEIR LULABS [AT OTHER VERSES], THEY WAVED THEM ONLY AT SAVE NOW, WE BESEECH THEE, O LORD.<sup>22</sup>

GEMARA. Who has ever mentioned the name of waving [of the lulab]?<sup>23</sup> — It was mentioned previously:<sup>24</sup> A lulab which has a length of three handbreadths, sufficient to wave with it, is valid,<sup>25</sup> and in reference to this the Mishnah says, AND WHERE IS THE LULAB WAVED?

We have learnt elsewhere, As to the Two Loaves<sup>26</sup> and the Two Lambs of Pentecost,<sup>27</sup> how does one proceed? [The priest] places the two loaves upon the two lambs and places his hands beneath them and waves them forwards and backwards, upwards and downwards, as it is said, Which is waved<sup>28</sup> and which is heaved<sup>29</sup> up.<sup>30</sup> R. Johanan explained, [One waves them] to and fro [in honour of] Him to Whom the four directions belong, and up and down [in acknowledgment of] Him to Whom are Heaven and Earth.

In Palestine<sup>31</sup> they taught us thus: R. Hama b. 'Ukba stated in the name of R. Jose son of R. Hanina, He waves them to and fro in order to restrain harmful winds; up and down, in order to restrain harmful dews. R. Jose b. Abin, or, as some say, R. Jose b. Zebila, observed, This implies

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- (1) Though, as in the case when they fell of their own accord, the man did not hold the ashes themselves but only the tube which contained them.
  - (2) Num. XIX, 17, the verb 'to take' being used.
  - (3) Since taking by means of a tube is here regarded as a valid taking.
  - (4) Lit., 'hoshanna' v. supra, p. 166, n. 5.
  - (5) Between the components of the wreath.
  - (6) Of the lulab.
  - (7) During the seven days of the Festival.
  - (8) Of Lev. XXIII, 40.
  - (9) This refers to the Sabbath. There is no need to fear that the man might be tempted to cut it down and thus transgress the Sabbath.
  - (10) And can well be enjoyed without plucking it.
  - (11) By its fragrance.
  - (12) In order to eat it. Cutting or even biting off a growing fruit is an act forbidden on the Sabbath.
  - (13) When the precept, Lev. XXIII, 40, is fulfilled.
  - (14) Those of the palm, the myrtle and the willow which are bound together.
  - (15) The right hand is regarded as the more important, and in it, therefore, one must hold the more important part of the species.
  - (16) On taking the Four Species of which the palm-branch is one.
  - (17) Omitting all mention of the others. Cf. P.B. p. 218.
  - (18) Since it is merely altitude that determines the blessing.
  - (19) In the course of the recital of the Hallel Psalms (CXIII-CXVIII) on Tabernacles.
  - (20) Ps. CXVIII.
  - (21) Ibid. 25.
  - (22) Ps. CXVIII, 25.
  - (23) Apparently none. Why then does our Mishnah tacitly assume that the lulab is to be waved.
  - (24) Lit., 'there he stands'.
  - (25) Supra 29b.
  - (26) Cf. Lev. XXIII, 16f.
  - (27) Ibid. 20.
  - (28) Referring to the first two movements.
  - (29) Referring to the last two.
  - (30) Ex. XXIX, 27.
  - (31) Lit., 'West'.

## **Talmud - Mas. Sukkah 38a**

that even the dispensable parts<sup>1</sup> of a commandment<sup>2</sup> prevent calamities; for the waving is obviously a dispensable part of the commandment,<sup>3</sup> and yet it shuts out harmful winds and harmful dews. In connection with this Raba remarked, And so with the lulab.<sup>4</sup> R. Aha b. Jacob used to wave it<sup>5</sup> to and

fro, saying, 'This<sup>6</sup> is an arrow in the eye of Satan'.<sup>7</sup> This, however, is not a proper thing [for a man to do] since [Satan] might in consequence be provoked [to let temptation loose] against him.

MISHNAH. IF A MAN WAS ON A JOURNEY<sup>8</sup> AND HAD NO LULAB WHEREWITH TO PERFORM THE PRESCRIBED COMMANDMENT,<sup>9</sup> WHEN HE COMES HOME HE SHOULD TAKE IT [EVEN IF HE IS] AT TABLE.<sup>10</sup> IF HE DID NOT TAKE THE LULAB IN THE MORNING, HE SHOULD TAKE IT AT ANY TIME BEFORE DUSK, SINCE THE WHOLE DAY<sup>11</sup> IS VALID FOR [TAKING] THE LULAB.

GEMARA. You said that he should take it [even if he is] AT TABLE. This then means that he must interrupt [his meal for the purpose]. But is not this in contradiction with the ruling,<sup>12</sup> If they have begun<sup>13</sup> they need not interrupt [it]?<sup>14</sup> — R. Safra replied, There is no contradiction: The latter statement refers to where there is still time [to perform the commandment] during the day, while the former refers to where there is [otherwise] no time.

Raba retorted, What difficulty is this?<sup>15</sup> Is it not possible [that the difference in ruling is due to the fact that] the former<sup>5</sup> is a Pentateuchal commandment<sup>16</sup> while the latter<sup>17</sup> is only Rabbinical? Rather, said Raba, if a difficulty at all exists, it is this: [The ruling] HE SHOULD TAKE IT WHEN HE COMES HOME [EVEN IF HE IS] AT TABLE, clearly shows that he must interrupt [his meal], while [the ruling] subsequently taught, IF HE DID NOT TAKE IT DURING THE MORNING HE SHOULD TAKE IT AT ANY TIME BEFORE DUSK shows, [does it not], that he need not interrupt [his meal]? [To this] R. Safra might well reply, There is no difficulty: The latter refers to where there is still time during the day, the former where there is [otherwise] no time.

R. Zera retorted, What difficulty is this?<sup>18</sup> Perhaps it is a religious duty to interrupt [one's meal for the purpose of taking the lulab] but if one did not interrupt it one should take [the lulab] at any time before dusk, since the whole day is valid for the taking of the lulab? Rather, said R. Zera, [The incongruity] indeed is as we said previously;<sup>19</sup> and with regard to your difficulty [why the reply was not given<sup>20</sup> that] the former was a Pentateuchal commandment while the latter was only Rabbinical,<sup>21</sup> the fact is that here we are dealing with the second day of the Festival [the obligation of taking the lulab on] which is only Rabbinical.<sup>22</sup> A deduction [from the wording of our Mishnah] also [shows that this is so], since it teaches IF A MAN WAS ON A JOURNEY AND HAD NO LULAB WHEREWITH TO PERFORM THE PRESCRIBED COMMANDMENT. Now if it could possibly have been assumed to refer to the first day of the Festival, [the difficulty would arise] is it permitted [to travel on that day]?<sup>23</sup>

MISHNAH. IF A SLAVE, A WOMAN, OR A MINOR RECITED [THE HALLEL]<sup>24</sup> TO HIM, HE MUST REPEAT AFTER THEM WHAT THEY SAY,<sup>25</sup> (AND A CURSE BE UPON HIM). IF A MAJOR RECITED TO HIM, HE REPEATS AFTER HIM [ONLY] HALLELUJAH.<sup>26</sup> WHERE THE CUSTOM OBTAINS TO REPEAT [THE VERSES],<sup>27</sup> HE SHOULD REPEAT; [WHERE THE CUSTOM IS] TO SAY THEM ONLY ONCE, HE SHOULD SAY THEM ONCE; [WHERE THE CUSTOM OBTAINS] TO RECITE THE BENEDICTION,<sup>28</sup> HE SHOULD RECITE THE BENEDICTION. EVERYTHING IS DEPENDENT ON LOCAL CUSTOM.

GEMARA. Our Rabbis have taught, It has truly<sup>29</sup> been laid down that a [minor] son<sup>30</sup> may recite [the Grace after meals] for his father,<sup>31</sup> a slave may recite it for his master, and a wife for her husband; but the Sages said, May a curse come upon that man whose wife and [minor] sons have to recite the benediction for him!<sup>32</sup>

Raba observed,

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(1) Lit., 'remnants'.

- (2) There are parts of a commandment whose performance is indispensable to the due fulfilment of that commandment, and the neglect to perform which renders it invalid. Others are prescribed but dispensable. The waving belongs to the latter category.
- (3) Cf. Yoma 5a.
- (4) It also must be waved to and fro, up and down.
- (5) The lulab.
- (6) The performance of God's commandments of which that of lulab is one.
- (7) Whose aim is the seduction of man.
- (8) During the festival of Tabernacles.
- (9) Lit., 'in his hand . . . to take'.
- (10) Sc. if he did not remember it until he began his meal, he must interrupt his meal and take the lulab forthwith.
- (11) The night only excluded.
- (12) In connection with the reading of the afternoon prayer.
- (13) Any of the acts (including that of eating) which must not be begun before the afternoon prayer has been read.
- (14) Shab. 9b.
- (15) To which R. Safra had to give an almost arbitrary answer.
- (16) Being Pentateuchal it is more rigid than a Rabbinical rule. A meal must consequently be interrupted for its sake at all times.
- (17) Statutory daily prayer.
- (18) The one raised by Raba.
- (19) That between our Mishnah and that of Shab. 9b.
- (20) By R. Safra.
- (21) The answer suggested by Raba.
- (22) The Pentateuchal commandment referring only to the first day (cf. supra 30b). Hence the necessity for R. Safra's reply.
- (23) The reference consequently must be to the second day when the duty of taking the lulab, like that of the daily statutory prayers, is only Rabbinical.
- (24) Ps. CXIII-CXVIII.
- (25) The Reader used to read the Hallel, and the congregation responded only with certain words (v. infra). Since, however, a minor, a slave and a woman are exempt from the Hallel, they cannot officiate for others, and each individual must repeat it after them word for word. (9) That he has not learnt to read himself, or if he has learnt, that he makes use in divine service of inferior or second rate deputies.
- (26) For the words or passages after which the response is to be made cf. Sot. 30b. For a full discussion of the mode of recital, cf. I. W. Slotki, 'Antiphony in Ancient Hebr. Poetry'. JQR., N.S., vol. XXVI, pp. 199-219.
- (27) Of Ps. CXVIII, 21-29. Lit., 'to double'.
- (28) At the conclusion of the Hallel. The opening benediction is obligatory.
- (29) Be'emeth, a formula introducing a generally accepted ruling.
- (30) Who has attained the age of training, and who is subject to the duty of saying Grace after meals by Rabbinic law.
- (31) This is explained in Ber. 20b to refer to one who ate only a small quantity of bread and who, like his son, is consequently obliged to say Grace after it by a Rabbinic law only. The two being subject to the same Rabbinic law, the latter may well exempt the former (cf. Ber. 20b).
- (32) Cf. relevant note on our Mishnah.

## **Talmud - Mas. Sukkah 38b**

One can deduce important decisions from the [present] custom of [reciting the] Hallel.<sup>1</sup> [Thus], since he<sup>2</sup> says Hallelujah<sup>3</sup> and they respond Hallelujah,<sup>4</sup> it may be inferred that it is a religious duty<sup>5</sup> to answer Hallelujah.<sup>6</sup> Since he<sup>7</sup> says, Praise Him, ye servants of the Lord,<sup>8</sup> and they [again] respond Hallelujah,<sup>9</sup> it may be deduced that if a major recites [the Hallel] for one the latter<sup>10</sup> responds Hallelujah.<sup>11</sup> Since he<sup>7</sup> says, Give thanks unto the Lord,<sup>12</sup> and they respond, Give thanks unto the Lord, it may be inferred that it is a religious duty<sup>10</sup> to make a response of the beginning of the sections.<sup>13</sup> (So it was also stated; R. Hanan b. Raba ruled, It is a religious duty to make a response of

the beginning of the sections.) Since he<sup>14</sup> says, Save now, we beseech Thee, O Lord,<sup>15</sup> and they<sup>16</sup> answer, Save now, we beseech Thee, O Lord,<sup>17</sup> it may be inferred that if a minor was reciting it for him, the latter<sup>18</sup> answers after him what he says.<sup>19</sup> Since he<sup>14</sup> says, O Lord, we beseech Thee, send now prosperity,<sup>15</sup> and they<sup>16</sup> respond O, Lord we beseech Thee, send now prosperity, it may be inferred that if a man wishes to double [the verses] he may.<sup>20</sup> Since he<sup>14</sup> says, Blessed be he that cometh,<sup>21</sup> and they<sup>22</sup> answer, In the name of the Lord,<sup>21</sup> it may be inferred that he who hearkens is as though he responded.<sup>20</sup>

They enquired of R. Hiyya b. Abba, If one listened but did not make the responses — what is the law?<sup>23</sup> — He answered them, The Sages, the Scribes,<sup>24</sup> the leaders of the people and the expounders laid down that if a man listened though he did not make the responses he has fulfilled his obligation. So it was also stated:<sup>25</sup> R. Simeon b. Pazzi citing R. Joshua b. Levi who had it from Bar Kappara stated, Whence do we know that he who listens is as though he responds? From what is written, Even all the words of the book<sup>26</sup> which the King of Judah<sup>27</sup> hath read.<sup>28</sup> For was it Josiah that read them? Was it not, in fact Shaphan who read them, as it is written, And Shaphan read it<sup>29</sup> before the king.<sup>30</sup> Consequently it may be inferred that he who listens is as though he responds. But perhaps Josiah read it after Shaphan had read it? — R. Aha b. Jacob replied, This cannot be thought of, since it is written, Because thy heart was tender, and thou didst humble thyself before the Lord, when thou heardest<sup>29</sup> what I spake;<sup>31</sup> "When thou heardest", not "when thou didst read".

Raba ruled, One should not say Blessed be he that cometh<sup>32</sup> and then [pause and] say "in the name of the Lord,"<sup>32</sup> but "Blessed be he that cometh in the name of the Lord"<sup>32</sup> all together.<sup>33</sup> (R. Safra said to him,

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(1) [In former days it was customary for the congregation to rely on the Reader for the recital of the Hallel, and in order to enable them to participate actively in the recital, a number of customs were introduced. In the days of Raba the congregation read it themselves, yet certain features of the former procedure were retained as reminders.]

(2) The Reader who leads the congregation in prayer.

(3) The first Hallelujah introducing the Hallel.

(4) [While the Reader does not proceed until the congregation has responded. This was the custom in Raba's place; v. Rashi and Tosaf.]

(5) For the whole congregation including even those who recite the Hallel themselves.

(6) After the Reader had said it.

(7) The Reader who leads the congregation in prayer.

(8) Ps. CXIII, 1.

(9) This too was the custom that obtained in Raba's place, though the congregation subsequently recited the Hallel themselves, v. n. 7.

(10) Where he relies on the Reader to recite it for him.

(11) [I.e., after every clause. As a reminder of this custom the congregants in the days of Raba responded Hallelujah after "Praise him, ye servants of the Lord". This custom is not followed nowadays.]

(12) Ps. CXVIII, 1.

(13) Whereas the mere response of Hallelujah is sufficient for single clauses, this is not enough for the beginning of the sections.

(14) The Reader who recites to the congregation in the Synagogue.

(15) Ps. CXVIII, 25.

(16) Though they subsequently recite themselves all the Psalm.

(17) Thus repeating every word though it forms no part of the beginning of a section.

(18) [Lit., 'he answers'. So MS.M.; cur. edd. 'They answer'.]

(19) This custom (which is still retained to the present day) serving as a reminder of the original one when a minor may have acted as Reader.

(20) Cf. supra n. 15 mut. mut.

(21) Ps. CXVIII, 26.

- (22) Neither repeating what the Reader has said nor responding Hallelujah. This custom does not obtain nowadays.
- (23) Sc. Has that man thereby fulfilled his duty.
- (24) Or 'elementary teachers' (Rashi).
- (25) By Amoras.
- (26) Cur. edd. in parenthesis 'the words'.
- (27) Cur. edd. in parenthesis 'Josiah'.
- (28) II Kings XXII, 16.
- (29) Cur. edd. in parenthesis 'all these words'.
- (30) Ibid.10.
- (31) Ibid. 19.
- (32) Ps. CXVIII, 26.
- (33) Only in antiphonal chant is the breaking up of the distich allowed.

### Talmud - Mas. Sukkah 39a

'Moses!<sup>1</sup> Do you speak aright? The fact is that both here and there,<sup>2</sup> it<sup>3</sup> is the conclusion of the clause and the pause does not matter'.)<sup>4</sup>

Raba ruled, One should not say,<sup>5</sup> 'May His great Name' and then [pause and] say, 'be blessed' but 'May His great Name be blessed' all together. R. Safra said to him, 'Moses!<sup>1</sup> Do you speak aright? The fact is that both here and there<sup>6</sup> it<sup>7</sup> is the conclusion of the clause and the pause does not matter'.

WHERE THE CUSTOM OBTAINS TO REPEAT. It was taught, Rabbi used to repeat [certain] words in it,<sup>8</sup> R. Eleazar b. Perata used to augment [certain] words in it.<sup>9</sup> What is meant by 'augment'? — Abaye explained, He augmented the doubling beginning with 'I will give thanks unto Thee'<sup>10</sup> to the end of the Psalm.<sup>11</sup>

[WHERE THE CUSTOM OBTAINS] TO RECITE THE BENEDICTION, HE SHOULD RECITE THE BENEDICTION. Abaye explained, This was taught only with regard to the concluding benediction,<sup>12</sup> but with regard to the preceding benediction,<sup>12</sup> it is a positive commandment to say it, for Rab Judah citing Samuel ruled, With all commandments the benediction is to be recited 'ober [prior] to their performance. And whence do we know that the word 'ober means prior? — R.<sup>13</sup> Nahman b. Isaac replied, Since it is written, Then Ahimaaz ran by the way of the plain and he overran<sup>14</sup> the Cushite.<sup>15</sup> Abaye said the inference is from the following verse. And he himself passed over<sup>16</sup> before them.<sup>17</sup> And if you wish, you may infer from the verse, And their king is passed<sup>18</sup> on before them, and the Lord at the head of them.<sup>19</sup>

MISHNAH. IF A MAN PURCHASE A LULAV<sup>20</sup> FROM HIS FELLOW<sup>21</sup> IN THE SABBATICAL YEAR THE LATTER SHOULD GIVE HIM THE ETHROG AS A GIFT, SINCE ONE IS NOT PERMITTED TO PURCHASE IT IN THE SABBATICAL YEAR.<sup>22</sup>

GEMARA. What is the position if the other<sup>23</sup> is unwilling to give him it<sup>24</sup> as a gift? — R. Huna replied, He should include<sup>25</sup> the price of the ethrog in that of the palm-branch.<sup>26</sup> But why should he not pay him directly?<sup>27</sup> — Because one must not hand over money for fruit of the Sabbatical Year to an 'am ha-arez.<sup>28</sup> For it has been taught, A man must not hand over money to an 'am ha-arez for fruit of the Sabbatical Year<sup>29</sup> more than is sufficient for three meals,<sup>30</sup> but if he handed [him] over [more]<sup>31</sup> he should say, 'This money<sup>32</sup> shall be exchanged<sup>33</sup> for [the ordinary] fruit which I have in my house'<sup>34</sup>

(1) Either a flattering title given to Raba by R. Safra, or a form of oath.

(2) Perhaps meaning in ordinary, as in antiphonal recital (cf. supra n. 10). [MS.M. however omits 'both here and there'; v. n. 16.]

- (3) The second member of the clause (distich).
- (4) Rashal omits the passage in parenthesis.
- (5) When reciting the Kaddish (cf. P.B. p. 75f).
- (6) If the previous statement of R. Safra is to be deleted with Rashal (cf. supra n. 14) the meaning will be both 'here' in the case of the Kaddish and 'there' in that of Ps. CXVIII, 26. V. Maharam.
- (7) The second half of the sentence.
- (8) From Ps. CXVIII, 25 to the end of the Psalm.
- (9) I.e., to those doubled by Rabbi.
- (10) Ps. CXVIII, 21.
- (11) Cf. I. W. Slotki, 'The Stichometry and Text of the Great Hallel', J.T.S., p. 261f.
- (12) Of the Hallel.
- (13) Cur. edd. 'because R.'.
- (14) Waya'abor, of the same rt. as 'ober.
- (15) II Sam. XVIII, 23.
- (16) 'Abar.
- (17) Gen. XXXIII. 3.
- (18) V. supra n. 7.
- (19) Mic. II, 13.
- (20) Sc. the festive wreath.
- (21) Who was an 'am ha-arez (Rashi; cf. Tosaf. a.l.).
- (22) During the Seventh Year of release, it is forbidden to purchase fruit which has grown that year. The ethrog alone of the Four Species is a fruit. V. Lev. XXV, 1-7. The Gemara (infra 39b) discusses the palm-branch.
- (23) The seller.
- (24) The ethrog.
- (25) Lit., 'cause to swallow up'.
- (26) He gives a price, ostensibly for the other three species, sufficient to cover the cost of all four.
- (27) For the ethrog.
- (28) V. Glos.
- (29) With which it is forbidden to trade, and any money obtained from trading with Sabbatical Year fruit must be consumed in the Sabbatical Year. But an 'am ha-arez is suspected to trade with the money or hoard it for another year.
- (30) To enable him to enjoy the prescribed number of Sabbath meals; and since this was permitted for the Sabbath it was also permitted for any other day of the week.
- (31) So that there is reason to fear that the 'am ha-arez will trade with that money.
- (32) Which is in excess of that required for three meals.
- (33) Lit., 'profaned'.
- (34) The money thus loses all sanctity.

### **Talmud - Mas. Sukkah 39b**

and [the purchaser] eats the fruit<sup>1</sup> [as though it has] the sanctity of the Sabbatical Year. This<sup>2</sup> however, applies only where one buys from what is hefker,<sup>3</sup> but if one buys from protected produce<sup>4</sup> it<sup>5</sup> is forbidden [to buy] even for as little as half an issar.

R. Shesheth objected, And [if a man buys] from what is hefker [may he pay, you say, for] three meals and no more? I will point out contradictions: Rue, asparagus, fenugreek,<sup>6</sup> coriander of the mountains, water-parsley and meadow-eruca are always exempt from tithe and may be bought from anyone<sup>7</sup> in the Sabbatical Year, since the like of these is not guarded.<sup>8</sup> He<sup>9</sup> raised the objection and he himself replied to it: They<sup>10</sup> taught [that only as much as is] sufficient for one's food<sup>11</sup> [may be bought]. And so said Rabbah b. bar Hana in the name of R. Johanan. They<sup>10</sup> taught [that only as much as is] sufficient for food<sup>11</sup> [may be bought]. (How do we know that 'man'<sup>12</sup> means food? — Since it is written, And the king appointed<sup>13</sup> for them a daily portion of the king's food.)<sup>14</sup>



But if so,<sup>15</sup> the lulab also<sup>16</sup> [should not be bought]?<sup>17</sup> — The lulab is a product of the sixth year which entered the seventh.<sup>18</sup> But if so, is not the ethrog also a product of the sixth year which entered the seventh? — In the case of the ethrog we compute from the time of its gathering.<sup>19</sup> But surely, both R. Gamaliel and R. Eliezer<sup>20</sup> agree that as regards the Sabbatical Year we compute the year of the ethrog from its time of blossoming, as we have learnt, The ethrog is like a tree in three respects, and like a vegetable in one. It is like a tree in three respects, as regards the laws of ‘orlah,<sup>21</sup> of the Fourth Year, and of the Seventh Year;<sup>22</sup> and like a vegetable in one respect

- (1) Which assumes the sanctity of the Sabbatical Year which the money previously had.
- (2) That the ‘am ha-arez may be entrusted with a sum sufficient for the purchase of three meals.
- (3) V. Glos. I.e., where the ‘am ha-arez took no measures to protest his field so that the poor may freely come and take of the produce, in which case there is no need to suspect that the ‘am ha-arez intended to keep all the produce for himself.
- (4) Where he took good care to have his field protected, so that there is good reason to suppose that the ‘am ha-arez intends keeping all of it for himself.
- (5) Since the fruit of the Sabbatical Year must be made hefker for all.
- (6) Var. lec. (cf. sep. edd. of the Mishnah) ‘wild yarbuz’.
- (7) Even from an ‘am ha-arez.
- (8) Sheb. IX, 1; which clearly proves that the produce of an unguarded field may be bought in unlimited quantities, not merely for three meals.
- (9) R. Shesheth.
- (10) The authors of the Mishnah cited.
- (11) ‘Man’, sc. for three meals of the day.
- (12) Cf. prev. n.
- (13) Wa-yeman of the same rt. as man.
- (14) Dan I, 5.
- (15) That the price of produce of the Sabbatical Year may not be handed over to an ‘am ha-arez if it exceeds the prescribed maximum.
- (16) Since it is subject to the restrictions of the Sabbatical Year.
- (17) From an ‘am ha-arez.
- (18) The year of the palm is reckoned from its blossoming (cf. R. H. 13b) and a palm-branch which is cut in the Sabbatical Year even as late as the fourteenth day of Tishri (the eve of Tabernacles) must, since this month is the first of the year, inevitably have blossomed in the sixth year that preceded it.
- (19) When it is cut from the tree, which, of course, takes place in the seventh year (cf. R.H. 13b, Kid. 3a).
- (20) Who differ in the case of tithing.
- (21) V. Glos.
- (22) I.e., that the year of its growth is the one in which it blossoms.

## **Talmud - Mas. Sukkah 40a**

in that its tithing is determined by the time of its gathering.<sup>1</sup> So R. Gamaliel. R. Eliezer ruled, The ethrog is like a tree in all respects?<sup>2</sup> — He<sup>3</sup> holds the same opinion as that Tanna of whom it has been taught: R. Jose stated, Abtolmos gave evidence in the name of five elders that the tithing of the ethrog depends upon [the time of its] gathering,<sup>4</sup> but our Rabbis voted in Usha<sup>5</sup> and laid down [that this<sup>6</sup> applies] both to tithing and the Sabbatical Year.<sup>7</sup> But who mentioned the Sabbatical Year?<sup>8</sup> — There is a lacuna in the text, and so it<sup>7</sup> should be read: The tithing of the ethrog depends upon [the time of its] gathering, and its subjection to the laws of the Sabbatical Year depends on [the time of its] blossoming, but our Rabbis voted in Usha and laid down that the ethrog is dependent on the time of its gathering as regards both tithing and the Sabbatical Year.<sup>9</sup>

The reason then for the [permission to purchase a] lulab<sup>10</sup> is<sup>11</sup> that it is [the product of] the sixth year which entered the seventh, but if it were of the Sabbatical Year it would have been sacred? But

why? Is it not mere wood, and wood does not possess the sanctity of the Sabbatical Year, as it has been taught,<sup>12</sup> Leaves of reeds and leaves of the vine which have been heaped up as a hiding-place upon a field, if they were gathered for [animal] food, they possess the sanctity of the Sabbatical Year, but if they were gathered for firewood, they have not the sanctity of the Sabbatical Year?<sup>13</sup> — There<sup>13</sup> the case is different, since Scripture says, ‘For you for food’<sup>14</sup> thus comparing ‘for you’ to ‘for food’, i.e., that [product is forbidden] the benefit from which comes at the time of its consumption;<sup>15</sup> firewood therefore is excluded since the benefit from it<sup>16</sup> comes after its consumption.<sup>17</sup> But is there not the wood of the pine tree,<sup>18</sup> the benefit from which is derived at the same time as its consumption?<sup>19</sup> — Raba replied, Wood, as a rule, is used for heating.<sup>20</sup>

And the question of whether [the restrictions of the Sabbatical Year apply to] wood that is used for heating<sup>21</sup> is one in dispute between Tannas, as it has been taught: The produce of the Sabbatical Year may not be used<sup>22</sup> either for steeping or for washing. R. Jose ruled, they may be so used.<sup>23</sup> What is the reason of the first Tanna? — Because Scripture says ‘for food’<sup>24</sup> [implying] but not for steeping or for washing. What is the reason of R. Jose? — Because Scripture says, ‘for you’<sup>24</sup> [implying], ‘for all your needs’, even for steeping and for washing. But, according to the first Tanna, is it not written, ‘for you’? — That ‘for you’ is compared with ‘for food’, viz., the benefit from which comes at the same time as its consumption, thus excluding [produce used for] steeping and washing the benefit from which comes after their consumption.<sup>25</sup> But according to R. Jose, is it not written ‘for food’? — He employs this phrase for the deduction, ‘for food’, but not for an emollient, as it has been taught, ‘for food’, but not for an emollient. You say that ‘for food’ implies but not for an emollient; why not say, ‘[For food]’ but not for washing? When it says, ‘for you’ washing is included, what then can I deduce from the phrase, ‘for food’? ‘For food’, but not for an emollient. But what reason do you see for including washing and excluding an emollient?

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(1) If, for instance, it blossomed in the second year of the Septennial Cycle and was gathered in the third, the ‘poor man’s tithe’ (due in the latter year) must be given in addition to the first tithe, and not ‘second tithe’ which is due in the second year.

(2) Bik. II, 6; even as regard tithes. How then could it be maintained supra that the Tanna of our Mishnah holds that the year of the ethrog is the one in which it is gathered?

(3) The Tanna of our Mishnah who forbids the purchase of an ethrog in the Sabbatical Year.

(4) V. p. 177, n. 16.

(5) One of the seats of the Sanhedrin.

(6) That the determining factor is the year in which it is gathered.

(7) R.H. 15a.

(8) No one, of course; why then the expression, ‘but our Rabbis etc.’?

(9) V. R.H., Sonc. ed., fol. 15a notes.

(10) In the Sabbatical year.

(11) As has been explained supra 39b.

(12) Cur. edd. in parenthesis, ‘we learned’.

(13) B.K. 101b.

(14) Lev. XXV, 6.

(15) When a fruit, for instance, is eaten, or an oil is used in a lamp.

(16) Baking on it, for instance.

(17) I.e., when it is already turned into coals. A lulab, however, whose main use is for sweeping a floor is used up or consumed at the same time that the benefit is derived from it.

(18) Used for torches.

(19) Why then should not the laws of the Sabbatical Year apply to it where it was gathered for lighting purposes?

(20) So that the benefit cannot be derived until it is consumed. Hence its exemption from the laws of the Sabbatical Year even where it was expressly gathered for lighting.

(21) So Rashi a.l. Cf., however, Tosaf. a.l. and Rashi B.K. 102a.

(22) Lit., ‘handed over’.

(23) B.K. 102a.

(24) Lev. XXV, 6.

(25) If flax, for instance, is steeped in wine of the Sabbatical Year in the process of its preparations, the wine is already spoiled by the time the flax is ready for use.

## Talmud - Mas. Sukkah 40b

I include washing since<sup>1</sup> it is a requirement common to all men and exclude an emollient since it is not common to all men.<sup>2</sup> Who is the author of that [statement] which our Rabbis taught: 'For food' implies but not for an emollient, 'for food', but not for perfume, 'for food' but not for an emetic? — In agreement with whom is this statement? It is in agreement with R. Jose;<sup>3</sup> for were it [to be suggested, with] the Rabbis,<sup>4</sup> [it could be retorted,] surely there is also steeping and washing [to be excluded].<sup>5</sup>

R. Eleazar ruled, The produce of the Sabbatical Year can be redeemed<sup>6</sup> only by way of sale,<sup>7</sup> while R. Johanan ruled, Either by way of sale or by way of exchange.<sup>8</sup> What is the reason of R. Eleazar? — Since it is written, In this year of jubilee ye shall return etc.<sup>9</sup> and there follows immediately the verse, And if thou sell ought to thy neighbour,<sup>10</sup> [which implies,]<sup>11</sup> only by way of sale,<sup>12</sup> but not by way of exchange. And what is the reason of R. Johanan? — Since it is written, For it is a jubilee, it shall be holy;<sup>13</sup> just as sacred objects can be redeemed either by way of sale or by way of exchange, so the produce of the Sabbatical Year can be redeemed either by way of sale or by way of exchange. But what does R. Johanan do with the verse, 'And if thou sell ought unto thy neighbour'?<sup>14</sup> — He requires it in accordance with the statement of R. Jose b. Hanina, as it has been taught,<sup>15</sup> R. Jose b. Hanina observed, Come and see how serious is [even] the dust<sup>16</sup> of the Sabbatical Year,<sup>17</sup> etc. For if a man merely trades with the produce of the Sabbatical Year, the result is that he will eventually have to sell his movables and his tools, as it is said, 'In this year of jubilee ye shall return, each man to his possession'<sup>18</sup> and there immediately follows the verse, 'And if thou sell ought unto thy neighbour etc.'<sup>19</sup>

What, however, does R. Eleazar do with the verse of R. Johanan? — He needs it in accordance with what has been taught, 'For it is a jubilee, it shall be holy unto you';<sup>20</sup> just as with holy objects the money [for which it is redeemed] assumes the same sanctity,<sup>21</sup> so with the products of the Sabbatical Year, the money [for which it is redeemed] assumes the same sanctity.

It has been taught in agreement with R. Eleazar, and it has also been taught in agreement with R. Johanan. It has been taught in agreement with R. Eleazar: [In the case of the produce of] the Sabbatical Year the money [for which it is exchanged] assumes the same sanctity [as the produce itself], for it is said, 'For it is a jubilee it shall be holy unto you';<sup>20</sup> just as with holy objects the money [for which it is redeemed] assumes the sanctity [of the holy object], and becomes forbidden, so with the produce of the Sabbatical Year, the money [for which it is redeemed] assumes the same sanctity [as the produce] and becomes forbidden. [But] in case [you would say] that just as, with holy objects, the money [for which it is redeemed] assumes its sanctity and [the holy object itself] becomes profaned, so also with the produce of the Sabbatical Year, the money for which it is redeemed assumes its sanctity and the [produce itself] becomes profaned Scripture explicitly says, 'it shall be'<sup>20</sup> i.e., it remains in its original consecrated state. How so? If with the produce of the Sabbatical Year one purchased meat, both the meat<sup>22</sup> and the produce<sup>23</sup> must be removed<sup>24</sup> during the Sabbatical Year. If, however, one purchased with the meat fish, the meat<sup>25</sup> emerges [from the sanctity of the produce of the Sabbatical Year], and the fish assumes it. If one purchased with the fish wine, the fish emerges [from the sanctity of the produce of the Sabbatical Year], and the wine assumes it. If one purchased with the wine oil, the wine emerges [from Its state of sanctity] and the oil assumes it. How does this come about? The last [object for which the previous one is redeemed] assumes [the sanctity] of the Sabbatical Year,<sup>26</sup> but the produce itself<sup>27</sup> remains under restriction.<sup>28</sup>

Now since the term 'purchased' repeatedly is used, it is evident that only by way of sale [does it become redeemed], but not by way of exchange.<sup>29</sup>

It was taught in agreement with R. Johanan: Both the produce of the Sabbatical Year and of the Second Tithe may be redeemed<sup>30</sup> with cattle, beast or fowl, whether live or slaughtered. These are the words of R. Meir, while the Sages ruled, With slaughtered [animals and fowls] they may be redeemed,<sup>30</sup> but not with live ones, this being a preventive measure against one's possible rearing of flocks<sup>31</sup> from them.<sup>32</sup>

Raba said, The dispute<sup>33</sup> applies only

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(1) Like the eating of 'food'.

(2) Thus it has been shown that the first Tanna who excludes steeping and washing, on the ground that the produce is already consumed by the time the benefit is derived from it, excludes also for the same reason, wood that is used for heating, while R. Jose who does not exclude steeping and washing does not exclude wood either.

(3) Who excludes only such benefit as is not common to all.

(4) Sc. the first Tanna.

(5) V. p. 179, n. 10.

(6) Lit., 'rendered profane'; whereby that for which it is exchanged receives the sanctity which the produce of the Sabbatical Year had previously, and the produce itself becomes redeemed.

(7) I.e., only if it is sold to a second party, not by exchanging the one for the other while the owner retains the produce for himself as in the case of holy things.

(8) By declaring 'This produce is exchange for this money'.

(9) Lev. XXV, 13. The laws of the Jubilee are also applicable to the Sabbatical Year.

(10) Ibid. 14.

(11) Since the two verses are in juxtaposition.

(12) May the produce of the Sabbatical Year be redeemed.

(13) Ibid. 12.

(14) Ibid. 14.

(15) 'Ar. 30b.

(16) Sc. not only the actual prohibition itself but even secondary prohibitions.

(17) V. supra n. 7.

(18) V. p. 180, n. 7.

(19) Lev. XXV, 14.

(20) Ibid. 12.

(21) Lit., 'takes hold of the money thereof'. While the objects completely lose their sanctity.

(22) Which has assumed sanctity — i.e., the character of the Sabbatical Year produce.

(23) Which remained in its original state.

(24) V. Sheb. Ch. VII.

(25) Whose sanctity was only an acquired one.

(26) While the previous object loses its sanctity.

(27) That actually grew in the Sabbatical Year.

(28) Kid. 58a.

(29) This Baraita thus agrees with R. Eleazar.

(30) Lit., 'rendered profane', the general term used for redeeming sacred objects implying 'exchange', in agreement with R. Johanan.

(31) A generic term for animals, beasts and fowls.

(32) And by thus retaining them would transgress either the precept of removing the tithe by the end of the third year of the Septennial Cycle (v. Deut. XXVI, 12ff) or the prohibition against trading with the produce of the Sabbatical Year.

(33) Between R. Meir and the Sages.

**Talmud - Mas. Sukkah 41a**

## Talmud - Mas. Sukkah 41a

to male [animals and birds],<sup>1</sup> but with regard to female ones, all agree that they may be redeemed with slaughtered ones, but not with live ones, since a preventive measure has been enacted against one's possible rearing of flocks from them.

R. Ashi said, The dispute<sup>2</sup> concerns only the original produce itself,<sup>3</sup> but with regard to secondary produce,<sup>4</sup> both agree that [it can be redeemed] either by way of sale, or by way of exchange: and the reason that the term 'purchased' was continually repeated<sup>5</sup> is that since in the first clause the term 'purchased' was used it was used in the latter clause also.<sup>6</sup>

Rabina raised an objection against R. Ashi, [It has been taught]: If a man has a sela' of [the proceeds of the produce of] the Sabbatical Year,<sup>7</sup> and wishes to purchase therewith a shirt,<sup>8</sup> how should he proceed?<sup>9</sup> Let him go to his regular shopkeeper<sup>10</sup> and say to him, 'Give me a sela' worth of fruit' and give it to him.<sup>11</sup> Then he tells him, 'Behold this fruit<sup>12</sup> is given to you as a gift',<sup>13</sup> and [the shopkeeper] answers him, 'And here is a gift for you of a sela''<sup>14</sup> And the latter may purchase with it whatsoever he desires.<sup>15</sup> Now here, surely, the sela' is a secondary produce,<sup>16</sup> and yet it teaches, does it not, [that it may be redeemed only] by way of sale, and not by way of exchange?<sup>17</sup> — Rather, said R. Ashi, the dispute [of R. Eleazar and R. Johanan] centres round the secondary produce, but with regard to the primary produce all agree that [it may be redeemed] only by way of sale, and not by way of exchange; and as to what has been stated,<sup>18</sup> 'Both the produce of the Sabbatical Year and of the Second Tithe [may be redeemed by exchange]',<sup>19</sup> what is meant by 'the produce of the Sabbatical Year' is the money for which the produce is exchanged. For if you will not say so, then 'tithe' also must mean actual tithe,<sup>20</sup> surely it is written, Thou shalt bind the money in thy hand?<sup>21</sup> Consequently it must mean the money for which tithe [was exchanged],<sup>22</sup> and so here also it means the money for which the produce of the Sabbatical Year [is exchanged].

MISHNAH. FORMERLY<sup>23</sup> THE LULAB WAS TAKEN FOR SEVEN DAYS IN THE TEMPLE, AND IN THE PROVINCES<sup>24</sup> FOR ONE DAY ONLY. WHEN THE TEMPLE WAS DESTROYED, R. JOHANAN R. ZAKKAI INSTITUTED THAT THE LULAB SHOULD BE TAKEN IN THE PROVINCES FOR SEVEN DAYS IN MEMORY OF THE TEMPLE, [AND HE ALSO INSTITUTED] THAT ON THE WHOLE OF THE DAY OF WAVING<sup>25</sup> IT SHALL BE FORBIDDEN [TO EAT THE NEW PRODUCE OF THE YEAR].<sup>26</sup>

GEMARA. Whence do we know that we must perform [ceremonies] in memory of the Temple? — R. Johanan replied, Since Scripture says, For I will restore health unto thee, and I will heal thee of thy wounds, saith the Lord, Because they have called thee an outcast. She is Zion, there is none that seeketh for her.<sup>27</sup> 'There is none that seeketh for her', implies that she should be sought.<sup>28</sup>

AND THAT ON THE WHOLE OF THE DAY OF WAVING. What is the reason? — The Temple may be rebuilt speedily, and people<sup>29</sup> would say, 'Did we not eat [the new corn] last year from the time that day dawned in the East? Let us now also eat it [from the same time]' and they would be unaware of the fact that in the previous year, when there was no Temple, once day dawned in the East it was permitted [to eat of the new corn], but now that the Temple is rebuilt, it is only the [waving of the] 'omer which [commences] the permission.<sup>30</sup>

But when [does this assume the Temple to be] rebuilt? If you will say that it is rebuilt on the sixteenth [of Nisan], then obviously it is permitted to eat from the time that day dawned in the East?<sup>31</sup> If, however, it is rebuilt on the fifteenth<sup>32</sup> why should it not be permitted after midday, for surely we have learnt, Those that lived at a distance<sup>33</sup> were permitted [to eat of the new corn] from midday<sup>34</sup> onwards, because [they knew that] the Beth din would not be negligent in the matter?<sup>35</sup> — This<sup>36</sup> was necessary [only in case] it is rebuilt at night,<sup>37</sup> or [on the fifteenth] close to sunset.<sup>38</sup> R.<sup>39</sup> Nahman b. Isaac replied, R. Johanan b. Zakkai instituted this in accordance with a principle of R.

Judah<sup>40</sup> who holds that Pentateuchally all that day<sup>41</sup> is forbidden,<sup>42</sup> since it is written,

- (1) Who are not usually kept for breeding purposes. Only in this case does R. Meir not uphold the preventive measure of the Sages.
- (2) Between R. Eleazar and R. Johanan.
- (3) That actually grew in the Sabbatical Year.
- (4) The produce for which the original produce is exchanged.
- (5) In the Baraitha (supra 40b) cited in support of R. Eleazar.
- (6) Though actually one could exchange it as well.
- (7) Which must be spent in the same year.
- (8) Which would probably last until the following year.
- (9) In order to comply with the law which permits it to be spent for use in the same year only.
- (10) lit., 'with whom he is familiar'. Who, on account of their acquaintance would be willing to oblige him.
- (11) The sela' thus loses all its sanctity which passes over to the fruit.
- (12) Which is now sacred.
- (13) And the shopkeeper eats during the Sabbatical Year.
- (14) Which now possesses no sanctity.
- (15) The fruit becomes sacred and being given as a gift, can be eaten by the shopkeeper. The money has become redeemed in the process of exchange and can, therefore, be used to purchase anything.
- (16) The sela', being money received from the sale of the original produce is obviously a 'secondary produce'.
- (17) Had the latter way been permitted there would have been no need to go to a shopkeeper. It would have sufficed for the man to redeem the sela' with any produce he has in his own house. How then could R. Ashi maintain that secondary produce may be redeemed by way of exchange?
- (18) Cited supra 40b in support of R. Johanan.
- (19) Which would prove that the Sabbatical produce itself may be redeemed by way of exchange.
- (20) I.e., that it may be exchanged for cattle, beast or fowl.
- (21) Deut. XIV, 25; which proves that the exchange can only be made for money.
- (22) It is the money obtained from the sale of the tithe which is mentioned, not the tithe itself.
- (23) In Temple times. This Mishnah is repeated in R.H. IV, 3.
- (24) Including Jerusalem (Rashi).
- (25) The sixteenth of Nisan, the Second Day of Passover, when the 'omer was first waved. (Cf. Lev. XXIII, 11).
- (26) When the Temple stood, the new corn could be eaten immediately after the waving, but after the destruction of the Temple it was Pentateuchally permitted from the early morning (cf. Men. 68a). R. Johanan b. Zakkai, however, forbade it the whole day.
- (27) Jer. XXX, 17.
- (28) I.e., that ceremonies in its memory should be performed.
- (29) Who before its rebuilding were eating the new produce from the morning of the sixteenth of Nisan.
- (30) The distinction depends upon the apparent contradiction in Lev. XXIII, 14 which says, Until this self-same day until ye have brought the offering, the first part of which permits it the moment day dawns, the second when the offering has been brought. V. Men. 68a.
- (31) Since in the morning there was as yet no Temple.
- (32) Or before.
- (33) From Jerusalem, and were, therefore, unaware when the court ordained the offering of the 'omer.
- (34) Of the sixteenth.
- (35) Men. X, 5; and would certainly effect it before midday.
- (36) The institution of R. Johanan b. Zakkai.
- (37) That belonged to the sixteenth of Nisan.
- (38) So that in either case there would be no time to prepare the 'omer, which necessitates great preparation, before midday on the sixteenth. On the question how the Temple could be rebuilt on the fifteenth day, being a Festival day. v. Rashi and Tosaf.
- (39) Cur. edd. in parenthesis, 'said R.'.
- (40) R. Judah lived two generations later than R. Johanan b. Zakkai, but the meaning is that they were both of the same

opinion.

(41) Of the sixteenth of Nisan, the Day of Waving.

(42) To eat of the new corn.

## Talmud - Mas. Sukkah 41b

Until this self-same day,<sup>1</sup> [which means] until the very day itself, and he is of the opinion that the expression 'until' is meant to include [the terminus in the prohibition].<sup>2</sup> But does he<sup>3</sup> hold a similar opinion?<sup>4</sup> Does he not in fact disagree with him, as we have learnt,<sup>5</sup> When the Temple was destroyed, R. Johanan b. Zakkai instituted that on the whole of the Day of the Waving it should be forbidden [to eat of the new corn]. Said R. Judah to him, But<sup>6</sup> is it not forbidden Pentateuchally, since it is written, 'Until the self-same day'<sup>7</sup> [which means] until the very day itself?<sup>8</sup> — It is R. Judah who was under a misapprehension, He thought that [R. Johanan b. Zakkai] meant that it<sup>9</sup> was forbidden as a Rabbinical prohibition, but it is not so. He meant it as a Pentateuchal prohibition. But does it not say, 'He instituted'?<sup>10</sup> — What is meant by 'he instituted' is that he expounded (the Pentateuchal verse)<sup>11</sup> and instituted the law accordingly.

MISHNAH. IF THE FIRST DAY OF THE FESTIVAL<sup>12</sup> FALLS ON A SABBATH, ALL THE PEOPLE BRING THEIR LULABS TO THE SYNAGOGUE [ON THE PREVIOUS DAY]. ON THE MORROW THEY ARISE EARLY [AND COME TO THE SYNAGOGUE] AND EACH ONE RECOGNIZES HIS OWN [LULAB] AND TAKES IT, SINCE THE SAGES LAID DOWN THAT NO ONE CAN FULFIL HIS OBLIGATION ON THE FIRST DAY OF THE FESTIVAL WITH THE LULAB OF HIS FELLOW. BUT ON THE OTHER DAYS OF THE FESTIVAL A MAN MAY FULFIL HIS OBLIGATION WITH THE LULAB OF HIS FELLOW. R. JOSE RULED, IF THE FIRST DAY OF THE FESTIVAL FELL ON THE SABBATH, AND A MAN FORGOT AND CARRIED OUT HIS LULAB INTO A PUBLIC DOMAIN, HE IS NOT CULPABLE, SINCE HE BROUGHT IT OUT WHILE UNDER THE INFLUENCE [OF A RELIGIOUS ACT].<sup>13</sup> GEMARA. Whence do we know this?<sup>14</sup> — From what our Rabbis have taught, 'And ye shall take'<sup>15</sup> [implies] that there should be a 'taking' with the hand of each individual, 'to you,' implies that it should be yours, excluding a borrowed or a stolen [lulab]. From this verse the Sages deduced that no one can fulfil his obligation on the first day of the Festival with the lulab of his fellow, unless the latter gave it to him as a gift. And it once happened that when R. Gamaliel, R. Joshua, R. Eleazar b. 'Azariah and R. Akiba were travelling on a ship<sup>16</sup> and R. Gamaliel alone had a lulab which he had bought for one thousand zuz, R. Gamaliel took it and fulfilled his obligation with it; then he gave it as a gift to R. Joshua who took it, fulfilled his obligation with it and gave it as a gift to R. Eleazar b. 'Azariah who took it, fulfilled his obligation with it, and gave it as a gift to R. Akiba who took it, fulfilled his obligation with it and then returned it to R. Gamaliel.

Why does he need mention that he<sup>17</sup> returned it?<sup>18</sup> — He teaches us something incidentally viz., that a gift made on condition that it be returned constitutes a valid gift; as also follows from what Raba said: [If a man say to his fellow], 'Here is an ethrog [as a gift] on condition that you return it to me', and the latter took it and fulfilled his obligation with it, if he returned it, he is regarded as having fulfilled his obligation,<sup>19</sup> but if he did not return it, he is regarded as not having fulfilled his obligation.<sup>20</sup>

For what purpose need he mention that [R. Gamaliel] had bought it for one thousand zuz? — In order to let you know how precious to them was the opportunity of fulfilling a religious duty.

Mar b. Amemar said to R. Ashi, My father used to recite his prayers [while holding the lulab in his hand].<sup>21</sup> It was objected: A man should not hold his tefillin in his hand or a Scroll of the Law in his bosom while reciting his prayers,<sup>22</sup> nor [while wearing his tefillin] should he let water, or doze or sleep.<sup>23</sup> And in connection with this Samuel said, The same<sup>24</sup> applies to a knife,<sup>25</sup> a dish,<sup>26</sup> a loaf of

bread<sup>27</sup> and money?<sup>28</sup> — In the latter cases he is not performing a religious duty<sup>29</sup> and, therefore, would worry over them<sup>30</sup> but in the former one<sup>31</sup> he is fulfilling a religious duty<sup>32</sup> and, therefore, he would not worry over it.<sup>33</sup>

It has been taught, R. Eleazar b. Zadok stated, This was the custom of the men<sup>34</sup> of Jerusalem. When a man left his house he carried his lulab in his hand; when he went to the synagogue his lulab was in his hand, when he read the Shema<sup>35</sup> and his prayers<sup>36</sup> his lulab was still in his hand, but when he read in the Law or<sup>37</sup> recited the priestly benediction<sup>38</sup> he would lay it on the ground.<sup>39</sup> If he went to visit the sick or to comfort mourners, he would go with his lulab in his hand, but when he entered the House of Study, he would send his lulab by the hand of his son, his slave or his messenger.<sup>40</sup> What does this<sup>41</sup> teach us? — It serves to inform you how zealous they were in the performance of religious duties.

R. JOSE RULED, [IF THE FIRST DAY OF] THE FESTIVAL etc. Abaye stated,

- 
- (1) Lev. XXIII, 14.
  - (2) Sc. 'until the day' means that even on the day itself it is also forbidden.
  - (3) R. Judah.
  - (4) To that of R. Johanan b. Zakkai.
  - (5) Cur. edd. in parenthesis, 'for it was taught'.
  - (6) Why institute it?
  - (7) Lev. XXIII, 14.
  - (8) Men. 68a, which shows that R. Judah and R. Johanan b. Zakkai differ.
  - (9) The new corn on the sixteenth day.
  - (10) An expression which implies a Rabbinical prohibition only.
  - (11) Explaining that 'until' includes also the terminus.
  - (12) Of Tabernacles.
  - (13) He was so intent on the performance of the act that he inadvertently overlooked the fact that the day was the Sabbath on which such carrying is forbidden.
  - (14) That one cannot fulfil one's obligation on the first day with someone else's lulab.
  - (15) Lev. XXIII, 40.
  - (16) On the Festival of Sukkoth. Probably on their way to Rome in the year 95 B.C. [V. Finkelstein L., Akiba, p. 137.]
  - (17) R. Akiba.
  - (18) To R. Gamaliel, who had already fulfilled his duty at the very beginning.
  - (19) Because the condition on which the gift was dependent was duly carried out.
  - (20) Since the gift was dependent upon the condition of his returning it, which was not complied with.
  - (21) The fulfilment of the duty of lulab was so dear to him that he did not wish to part with it even during prayer.
  - (22) Since he might be so anxious not to drop the tefillin or the scroll that he would not concentrate on his prayers.
  - (23) In case he might drop them (cf. supra 26a).
  - (24) That they must not be held in one's hand during prayers.
  - (25) The man's anxiety not to let it drop upon his foot prevents him from concentration on his prayer.
  - (26) That was full (cf. prev. n. mut. mut.).
  - (27) The falling of which to the ground would render it objectionable.
  - (28) Ber. 23b; which a man is anxious not to drop and scatter (cf. supra n. 4 mut. mut.).
  - (29) In holding the objects mentioned.
  - (30) Being a burden to him they disturb his mind and interfere with his prayers.
  - (31) Lulab.
  - (32) In holding it.
  - (33) His prayers, therefore, would not be disturbed.
  - (34) Cf. supra p. 164, n. 9.
  - (35) Sc. Deut. VI, 4-9, XI, 13-21 and Num. XV, 37-41 (cf. P.B. pp. 40-42).
  - (36) The 'Amidah or the Eighteen Benedictions (cf. P.B. pp. 44-54).



(37) Being a priest.

(38) 'The Lord bless thee etc.' (cf. P.B. p. 53).

(39) He had to use his hands to roll up the Scroll of the Law and he had to raise his outspread hands when reciting the priestly benediction.

(40) Tosef. Sukkah II. Lest his interest in his studies should cause him to forget its existence and to drop it from his hands.

(41) The record of the custom of the men of Jerusalem.

## **Talmud - Mas. Sukkah 42a**

They taught [that he is not culpable] only when he had not yet fulfilled his obligation,<sup>1</sup> but if he had fulfilled his obligation,<sup>1</sup> he is guilty of a transgression.<sup>2</sup> But has he not fulfilled his obligation<sup>3</sup> the moment he lifted it up?<sup>4</sup> — Abaye answered, [This is a case] where he held it upside down.<sup>5</sup> Raba replied, You may even say that he did not hold it upside down,<sup>6</sup> but here we are dealing with a case where he carried it out in a vessel. But is it not Raba himself who laid down that taking by means of something else is regarded as a valid taking?<sup>7</sup> — That applies only [where the taking with something else is done] as a mark of respect, but not [if it is done] in a disrespectful manner.<sup>8</sup>

R. Huna stated, R. Jose used to say, A fowl [offered as] a burnt-offering<sup>9</sup> that was found<sup>10</sup> among other fowls<sup>11</sup> and [the priest] thought that it was a fowl of a sin-offering, and ate it, he is not culpable.<sup>12</sup> What, however, does he<sup>13</sup> teach us by this ruling? Is it that if a man errs in connection with a matter of religious duty he is exempt? But this is, is it not, exactly the same [as the one in our Mishnah]?<sup>14</sup> — It might have been assumed that only there<sup>15</sup> is the man not culpable when he errs in connection with a matter of religious duty, because [by his very mistake] he performs a religious duty,<sup>16</sup> but here,<sup>17</sup> where, by erring in connection with a matter of religious duty he does not perform another religious duty,<sup>18</sup> might have said that he is culpable, therefore he<sup>19</sup> informs us [that even here he is not culpable].

An objection was raised: R. Jose ruled, If a man slaughters on the Sabbath the daily offering which has not been properly examined,<sup>20</sup> he is liable to bring a sin-offering<sup>21</sup> and another daily offering must be offered!<sup>22</sup> — The other answered him, That case lies in a different category,<sup>23</sup> for concerning it it has been stated: R. Samuel b. Hattai citing R. Hamnuna Saba<sup>24</sup> who cited it in the name of R. Isaac b. Ashian who had it from R. Huna who cited Rab, explained, This is a case, for instance, where the daily offering was brought from a chamber that contained animals which had not been examined.<sup>25</sup>

**MISHNAH. A WOMAN MAY TAKE [THE LULAB] FROM THE HAND OF HER SON OR FROM THE HAND OF HER HUSBAND AND PUT IT BACK IN WATER<sup>26</sup> ON THE SABBATH.<sup>27</sup> R. JUDAH RULED, ON THE SABBATH IT MAY BE PUT BACK [INTO THE WATER IN WHICH IT WAS PREVIOUSLY KEPT],<sup>28</sup> ON A FESTIVAL DAY<sup>29</sup> [WATER] MAY BE ADDED,<sup>30</sup> AND ON THE INTERMEDIATE DAYS [OF THE FESTIVAL THE WATER] MAY ALSO BE CHANGED. A MINOR<sup>31</sup> WHO KNOWS HOW TO SHAKE [THE LULAB] IS SUBJECT TO THE OBLIGATION OF LULAB.**

**GEMARA.** Is not this<sup>32</sup> obvious? — I might have said that, since a woman does not come under the obligation [of lulab] she may not take it,<sup>33</sup> therefore he informs us [that she may].<sup>34</sup>

**A MINOR WHO KNOWS HOW TO SHAKE THE [LULAB].** Our Rabbis taught, A minor who knows how to shake [the lulab] is<sup>35</sup> subject to the obligation of the lulab;<sup>36</sup> [if he knows how] to wrap himself [with the tallith]<sup>37</sup> he is subject to the obligation of zizith;<sup>38</sup> [if he knows how] to look after tefillin, his father must acquire tefillin for him; if he is able to speak, his father must teach him Torah and the reading of the Shema'. What [in this context] could be meant by Torah? — R.

Hamnuna replied, [The Scriptural verse] Moses commanded us a Law, an inheritance of the congregation of Jacob.<sup>39</sup> What [in this context] is meant by the Shema'? — The first verse.<sup>40</sup> If [the minor] knows how to take care of his body<sup>41</sup> we may eat food that has been prepared in ritual purity though his body [touched it]; if he knows how to take care of hands,<sup>42</sup> we may eat food that has been prepared in ritual purity even though his hands [touched it]. If he knows how to answer [questions on whether he touched any ritual uncleanness], a doubtful case on his part<sup>43</sup> that occurs in a private domain is regarded as unclean, but if in a public domain as clean.<sup>44</sup> [If he<sup>45</sup> knows how] to spread out his hands [in priestly benediction]<sup>46</sup> *terumah*<sup>37</sup> may be shared out to him in the threshing-floors.<sup>47</sup>

- 
- (1) Before he left his house.
  - (2) Since at the time he left his house he could not have been under the influence of a religious act.
  - (3) Of 'taking' the lulab.
  - (4) Of course he did. How then is it possible ever to leave one's house with a lulab in hand without having ipso facto fulfilled the prescribed duty?
  - (5) The obligation is not fulfilled unless it is held as it grows naturally (cf. infra 45b).
  - (6) The reason is explained presently.
  - (7) Supra 37a.
  - (8) If one takes it with the scarf one wears out of respect, it is valid but if one carries it out in a vessel, thus showing lack of respect, it is not valid.
  - (9) The burnt-offering was forbidden to be eaten, since all of it had to be consumed on the altar.
  - (10) At the south western side of the altar where, in addition to burnt-offerings of fowls, sin-offerings of fowls were also sometimes offered.
  - (11) Lit., 'wings'.
  - (12) Sc. is exempt from a trespass-offering which the eating of it would otherwise have entailed. Since the eating of a sin-offering is a religious duty, no offence is committed by the man who, intending to do a good deed, has mistakenly eaten the wrong bird.
  - (13) R. Huna.
  - (14) When R. Jose informs us that if one errs in connection with a matter of religious duty he is not culpable. Why then should R. Huna merely repeat a ruling of our Mishnah?
  - (15) In our Mishnah.
  - (16) That of taking the lulab.
  - (17) In R. Huna's ruling.
  - (18) Since the fowl is a burnt-offering no religious duty is performed in eating it.
  - (19) R. Huna.
  - (20) To ascertain whether it was free from blemishes.
  - (21) Because a daily offering that has not been previously examined is invalid, and by slaughtering it on the Sabbath one is guilty of doing forbidden work.
  - (22) Now since R. Jose holds the man liable to bring a sin-offering it follows that if one errs in connection with a matter of religious duty without performing one, he is culpable. An objection against R. Huna.
  - (23) Lit., 'outside that (case)'.
  - (24) The Elder.
  - (25) The man had no right at all to take an animal from an unexamined supply and his act, therefore, is not a mistake committed when under the anxiety of performing a religious duty, but almost a wilful transgression.
  - (26) To prevent it from withering.
  - (27) And she is not guilty of moving an object that is useless to her.
  - (28) But no other water may be added. Much less may the water be changed.
  - (29) Which is subject to lesser restrictions than the Sabbath.
  - (30) But not changed.
  - (31) Under the age of thirteen years and one day.
  - (32) That A WOMAN MAY TAKE THE LULAB etc.
  - (33) Since she is carrying on the festival an object that is useless to her.

- (34) Since the lulab is suitable for the man it has the status of a 'vessel' which may be moved by everybody.
- (35) In Rabbinic law.
- (36) In this and all the instances that follow, the purpose is to train the child in the observance of precepts.
- (37) V. Glos.
- (38) Cf. Num. XV, 37.
- (39) Deut. XXXIII, 4.
- (40) Deut. VI, 4, the first verse of the passage.
- (41) Though not of his hands, i.e., he is careful enough not to touch any ritual uncleanness with his body though he might allow his hands to touch a minor uncleanness.
- (42) Cf. prev. n. mut. mut.
- (43) Sc. if he answer that he is in doubt.
- (44) Cf. Sot. 28a. Any doubtful case of uncleanness is regarded as clean if it is in a public domain and unclean if in a private one.
- (45) Being a priest.
- (46) I.e., he actually performs the precept in public (Rashi). Num. VI, 24ff. Cf. P.B. p. 53.
- (47) Where the sharing of the terumah to the priests took place publicly. As such a boy may obviously be relied upon (cf. Meg. 24a) to preserve the terumah in its levitical purity, it may be given to him even in public. (V. Tosaf). If he is unable to 'spread his hands' he cannot be assumed to know how to take proper care of terumah and, therefore, only those who know him personally to be able to do it may privately send terumah to his house (cf. Yeb. 99b).

## Talmud - Mas. Sukkah 42b

If he knows how to slaughter [animals ritually]<sup>1</sup> we may eat from [the meat of animals] which he has slaughtered. R. Huna explained: This applies only where an adult was standing by his side [when he performed the act].<sup>2</sup> If [a child] is able to eat an olive size of [bread made of] corn,<sup>3</sup> one<sup>4</sup> must remove oneself a distance of at least four cubits from his excrement or water.<sup>5</sup> R. Hisda explained: This applies only where the child is able to consume it<sup>6</sup> in the time [which it takes an ordinary adult] to eat half a loaf.<sup>7</sup> (R. Hiyya the son of R. Yeba observed, But in the case of an adult [the law<sup>8</sup> applies] even if he cannot eat it<sup>6</sup> in the time [which it takes a normal person] to eat half a loaf, since it is written, He that increaseth knowledge<sup>9</sup> increaseth sorrow.)<sup>10</sup> If [a child] can eat an olive of roast meat, the Paschal lamb may be slaughtered on his behalf,<sup>11</sup> as it is said, According to the eating of every man.<sup>12</sup> R. Judah ruled, [This<sup>13</sup> is not allowed] until he is able to pick out an eatable. In what manner? — If he is given a splinter, he throws it away; if he is given a nut, he eats it.

## CHAPTER IV

MISHNAH. [THE CEREMONIALS OF] THE LULAB AND THE WILLOW<sup>14</sup> [CONTINUED FOR] SIX [DAYS] OR<sup>15</sup> SEVEN; THE [RECITAL OF THE WHOLE] HALLEL<sup>16</sup> AND THE REJOICING<sup>17</sup> [CONTINUED FOR] EIGHT [DAYS]; [THE DWELLING IN A] SUKKAH AND THE WATER LIBATION<sup>18</sup> SEVEN [DAYS]; THE FLUTE PLAYING<sup>19</sup> FIVE<sup>20</sup> OR SIX [DAYS].<sup>21</sup>

'[THE CEREMONIALS OF] THE LULAB . . . SEVEN'. HOW IS THIS? IF THE FIRST DAY OF THE FESTIVAL FELL ON A SABBATH, THE LULAB [IS CARRIED FOR] SEVEN DAYS; BUT [IF IT FELL] ON ANY OTHER DAY, [IT IS CARRIED ONLY] FOR SIX.<sup>22</sup>

'THE WILLOW . . . SEVEN DAYS'. HOW IS THIS? IF THE SEVENTH DAY OF [THE CEREMONIALS OF] THE WILLOW FELL ON SABBATH, [THEY LAST] SEVEN DAYS; IF IT FELL ON ANY OTHER DAY, [THEY LAST ONLY] SIX.<sup>23</sup>

HOW WAS [THE CEREMONIAL OF] THE LULAB CARRIED OUT?<sup>24</sup> IF THE FIRST DAY OF THE FESTIVAL FELL ON A SABBATH, THEY BROUGHT THEIR LULABS TO THE

TEMPLE MOUNT, AND THE ATTENDANTS RECEIVED THEM AND ARRANGED THEM IN ORDER UPON THE PORTICO,<sup>25</sup> WHILE THE ELDERS<sup>26</sup> LAID THEIRS IN A CHAMBER.<sup>27</sup> AND THE PEOPLE WERE INSTRUCTED TO SAY, 'WHOSOEVER GETS MY LULAB IN HIS HAND, LET IT BE HIS AS A GIFT'.<sup>28</sup> ON THE MORROW THEY AROSE BETIMES, AND CAME [TO THE TEMPLE MOUNT] AND THE ATTENDANTS THREW DOWN [THEIR LULABS] BEFORE THEM, AND THEY SNATCHED AT THEM, AND SO THEY USED TO COME TO BLOWS WITH ONE ANOTHER. WHEN THE BETH DIN, HOWEVER, SAW THAT THEY REACHED A STATE OF DANGER, THEY INSTITUTED THAT EACH MAN SHOULD TAKE [HIS LULAB] IN HIS OWN HOME.

GEMARA. But why [should it be forbidden to carry the lulab on the Sabbath]?<sup>29</sup> It<sup>30</sup> involves only a mere movement, why then<sup>31</sup> should it not override the Sabbath?<sup>32</sup> — Rabbah answered, It<sup>33</sup> is a restrictive measure, lest a man take [the lulab] in his hand and go to an expert in order to learn [the rites connected with it]

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- (1) Though he is not well-versed in the various laws associated with it (Rashi).
  - (2) And the adult testifies that all the ritual laws associated with it were duly observed.
  - (3) Of any of the following five species: Wheat, barley, spelt, oats and rye.
  - (4) Who desires to read his prayers or any sacred matter.
  - (5) Since they emit an offensive odour.
  - (6) The olive size of bread.
  - (7) Sc. an amount of bread that suffices for two ordinary meals. A whole loaf suffices for four meals (cf. 'Er. 82b). If it takes him a longer time he is in the same legal position as one who eats the size of half an olive on one day and the size of another half on the following day, in which case the two are not combined to form the prescribed minimum.
  - (8) To remove oneself etc.
  - (9) Sc. the adult, as compared with the child.
  - (10) Eccl. I, 18. 'Sorroa is taken as a euphemism. The older a man is, the more offensive his excrement.
  - (11) Sc. he may be included in a party that joined together to participate in the lamb.
  - (12) Ex. XII, 4; emphasis on 'eating'.
  - (13) The inclusion of a child in a party for participation in the Paschal lamb.
  - (14) The willow branch was carried round the Altar in the Temple (cf. infra 45a).
  - (15) When they superseded the Sabbath v. infra.
  - (16) Ps. CXIII-CXVIII.
  - (17) The consumption of peace-offerings (cf. Deut. XVI, 14 and Pes. 109a).
  - (18) After the offering of the regular daily morning offering during the Festival (cf. Yoma 26b).
  - (19) In connection with the water drawing.
  - (20) If a Sabbath occurred during the middle of the Festival.
  - (21) If the first day happened to be a Sabbath. Since the flute may not be played on the Sabbath and on the first and last day of the Festival, three days have to be deducted from the eight in the former case (cf. prev. n.) and only two (the first and the last) in the latter case where Sabbath coincides with the first and last Festival days. Each of the items mentioned in the Mishnah is dealt with at length in the subsequent Mishnahs, where it is fully explained.
  - (22) The lulab may be carried on Sabbath on the first day only. If the first day was not Sabbath, one of the succeeding days was, and on this Sabbath it was not permitted to be carried.
  - (23) The Gemara later explains the importance of the seventh day.
  - (24) When during Temple times the first day fell on a Sabbath.
  - (25) The Temple Mount was surrounded by a portico with seats under it. The Gemara (infra 45a) discusses whether it means the roof of the portico or the seats under it.
  - (26) To avoid the crush on the following day.
  - (27) Away from those of the public.
  - (28) Since if it belonged to someone else it was invalid. V. supra 41b.
  - (29) Even if it is not the first day.
  - (30) The rite of the lulab.

(31) Since the commandment to take the lulab in the Temple for seven days is Pentateuchal.

(32) Sc. on what ground did the Rabbis institute a preventive measure against taking it?

(33) The prohibition to take the lulab on a Sabbath.

## Talmud - Mas. Sukkah 43a

and thereby he will be carrying it for four cubits through a public domain.<sup>1</sup> And the same reason applies to the shofar,<sup>2</sup> and the same reason applies to the megillah.<sup>3</sup>

But if so, let it<sup>4</sup> apply to the first day<sup>5</sup> also? — ‘The first day’ you say? Did not our Rabbis institute that it should be taken in one's home?<sup>6</sup> — That is quite correct as from after this enactment, but what can you answer as regards the time before the enactment? — The fact is that with regard to the first day, the obligation to take the lulab on which is Pentateuchal even in the Provinces<sup>7</sup> the Rabbis<sup>8</sup> did not enact a restrictive measure,<sup>9</sup> but with regard to the other days [the command to take the lulab on which] does not Pentateuchally obtain in the Provinces,<sup>10</sup> the Rabbis did enact a restrictive measure.<sup>11</sup>

But if this is so,<sup>12</sup> the same law should obtain at the present time also?<sup>13</sup> — We do not know when the New Moon was fixed.<sup>14</sup> But why should it not override the Sabbath<sup>15</sup> for them<sup>16</sup> since they know when the New Moon was fixed? — The law is indeed so; for in our Mishnah we have learnt, IF THE FIRST DAY OF THE FESTIVAL, FELL ON A SABBATH, all the people BROUGHT THEIR LULABS TO THE TEMPLE MOUNT, while in another Mishnah we have learnt [that they brought them] to the Synagogue,<sup>17</sup> consequently you may deduce from these that the former refers to the time when the Temple was in existence while the latter refers to the time when the Temple was no longer in existence.<sup>18</sup> This is conclusive.<sup>19</sup>

Whence do we derive that [the taking of the lulab] is a Pentateuchal obligation in the Provinces? — From what has been taught: And ye shall take<sup>20</sup> teaches that the lulab must be taken in the hand of each one; to you teaches<sup>21</sup> that it must be yours, thus excluding a borrowed or a stolen [lulab]; on the day<sup>22</sup> implies, even if it be the Sabbath; first<sup>23</sup> implies<sup>24</sup> even in the Province; the first<sup>25</sup> teaches that it overrides the first day of the Festival only.<sup>26</sup>

The Master said, ‘On the day<sup>27</sup> implies, even if it be Sabbath.’ But consider: [The taking of the lulab] is ordinary carrying. Is a Scriptural verse then necessary to permit ordinary carrying?<sup>28</sup> Raba answered, It was necessary to have it only with regard to the preliminaries of the lulab,<sup>29</sup> and this is in accordance with a ruling of that Tanna of whom it has been taught, The lulab and all its preliminaries<sup>29</sup> override the Sabbath, so R. Eliezer.<sup>30</sup>

What is the reason of R. Eliezer? — Scripture says, ‘on the day,’ implying, even the Sabbath. But what do the Rabbis<sup>31</sup> make of the expression, on the day?—They need it to infer from it that on the day, [is the lulab to be taken] but not at night. Then whence does R. Eliezer deduce that [the lulab is to be taken] by day, and not at night? — He deduces it from the conclusion of the verse, ‘And ye shall rejoice before the Lord your God for seven days’, ‘days’ imply, but not nights. And the Rabbis?<sup>32</sup> — If deduction were made from this verse, I might have said that we ought to compare ‘days’ [mentioned here] with ‘days’ mentioned with regard to the Sukkah<sup>33</sup> so that just as there [the expression of] ‘days’ includes nights, so here also [the expression of] ‘days’ includes nights.<sup>34</sup>

And with regard to the Sukkah itself whence do we derive [that the expression of ‘days’ includes nights]? — From what our Rabbis have taught: Ye shall dwell in booths for seven days,<sup>33</sup> the expression of ‘days’ includes also the nights. You say that the expression of ‘days’ includes also the nights, perhaps it is not so and ‘days’ implies but not the nights, and this is really logical. For the word ‘days’ is used here,<sup>35</sup> and it is also used in connection with lulab so that just as there it means

days and not nights, so here also it must mean days and not nights. Or take it another way: The word 'days' is mentioned here,<sup>35</sup> and also in connection with the [seven days of the] investment,<sup>36</sup> so that just as there it means days and also nights,<sup>37</sup> so here also it must mean days and also the nights! Let us then see to what it<sup>38</sup> is more comparable.<sup>39</sup> We should deduce a thing whose performance is a matter of the whole day<sup>38</sup> from a thing whose performance is a matter of the whole day,<sup>40</sup> and let no proof be adduced from something whose performance is only for one moment.<sup>41</sup> Or take it another way: We might deduce a thing which was ordained for future generations<sup>38</sup> from something whose performance also was ordained for future generations,<sup>41</sup> but let no proof be adduced from the investment which does not obtain for future generations!<sup>42</sup> [This is, therefore, an open question, but] Scripture explicitly repeats

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- (1) Not with the intention of fulfilling a religious duty, but merely to receive instruction.
  - (2) The ram's horn blown on the New Year.
  - (3) The Scroll of Esther read on Purim. The shofar may not be blown and the megillah may not be read on the Sabbath for the same reason.
  - (4) The restrictive measure.
  - (5) Of the festival.
  - (6) As stated in our Mishnah ad fin., and since it must be taken at home only, and not in the Synagogue, no one is likely to forget the prohibition against carrying it out.
  - (7) Sc. all places outside the Temple.
  - (8) On account of its importance.
  - (9) Either in the Temple or in the Provinces.
  - (10) It only obtains in the Temple (v. infra).
  - (11) Even in the Temple.
  - (12) That because it obtains in the Provinces no preventive measure was enacted.
  - (13) I.e., the command to take the lulab should override on the first day the Sabbath even now when the Temple is no longer in existence.
  - (14) Having to rely on the messages from Palestine which did not reach everywhere in time for the Festival, the fifteenth of the month may consequently not be actually the fifteenth and one taking the lulab on that day might be transgressing the Sabbath.
  - (15) Even at the present time.
  - (16) The Palestinians.
  - (17) Supra 41b. How then are the two Mishnahs to be reconciled.
  - (18) Hence they brought their lulabs to the Synagogue.
  - (19) [Tosaf. a.l. points out that this conclusion is reversed later on, infra 44a, where the contradiction of the two Mishnahs is reconciled in a different manner].
  - (20) Lev. XXIII, 40; emphasis on 'take'.
  - (21) Ibid, emphasis on 'you'.
  - (22) Ibid., emphasis on 'day'.
  - (23) Ibid.
  - (24) Since Temple was not mentioned.
  - (25) Ibid., sc. the use of the He article.
  - (26) The He restricting it to the 'well-known', or most important day of the Festival.
  - (27) Lev. XXIII, 40; emphasis on 'day'.
  - (28) Which is only a Rabbinical law enacted long after Scripture.
  - (29) E.g., its preparation, its cutting from the tree and its binding.
  - (30) Shab. 131b.
  - (31) Who differ from R. Eliezer.
  - (32) Why do they not deduce from this verse?
  - (33) Lev. XXIII, 42.
  - (34) Hence the necessity for the other verse.
  - (35) In respect of Sukkah.

(36) Of Aaron and his sons for the High Priesthood. (V. Lev. VIII).

(37) Since the text explicitly mentioned day and night (v. Lev. VIII, 35).

(38) The Sukkah.

(39) To the seven days of investment or to the lulab.

(40) Investment (cf. Lev. VIII, 33 and 35).

(41) The lulab.

(42) Each of the rites of lulab and investment has one point of similarity with the Sukkah and one of difference from it. The Sukkah like the lulab is an eternal commandment, but unlike it its performance is continuous. The seven days of investment on the other hand were continuous but not ordained for future generations.

### **Talmud - Mas. Sukkah 43b**

‘Ye shall dwell’ in order to point an analogy. It is stated here,<sup>1</sup> Ye shall dwell,<sup>2</sup> and with regard to the [seven days of] investment it is also stated, ‘Ye shall dwell’,<sup>3</sup> so that just as in that case the word ‘days’ includes also the nights, so here also ‘days’ includes the nights.

THE WILLOW . . . SEVEN DAYS’. HOW IS THIS? Why does the [ceremonial of the] willow-branch on the seventh day<sup>4</sup> override the Sabbath?<sup>5</sup> — R. Johanan answered, In order to publish the fact that it<sup>6</sup> is a [commandment] of the Torah. But if so, in the case of the lulab also, why should it not override the Sabbath<sup>7</sup> in order to publish the fact that it<sup>8</sup> is a [commandment] of the Torah? — In the case of lulab there is a restrictive enactment on account of the reason of Rabbah.<sup>9</sup> But if so, let us make the same restrictive enactment with regard to the willow also? — In the case of the willow-branch the emissaries of the Beth din would bring it<sup>10</sup> but the lulab is entrusted to everyone.<sup>11</sup> But if so,<sup>12</sup> ought it not to override [the Sabbath] on any day?<sup>13</sup> — [If that were done] people would come to hold the lulab<sup>14</sup> in light esteem. Then why should not [the willow] override [the Sabbath] on the first day of the Festival?<sup>15</sup> — It will not be clear [that it is the rite of the willow that overrides the Sabbath, for] people might say that it is the lulab which overrides it.<sup>16</sup>

But why should not the Sabbath be overridden on any one of the other days?<sup>17</sup> — Since [the permission to override the Sabbath] was removed from the first day,<sup>18</sup> it was transferred to the seventh.<sup>19</sup> But if so,<sup>12</sup> why should it not override it at the present time also? — We do not know when New Moon was fixed.<sup>20</sup> But in their case<sup>21</sup> since they know when New Moon was fixed, why should it not override [the Sabbath]? — When Bar Hadya came,<sup>22</sup> he explained that this never happened.<sup>23</sup> When, however, Rabin came<sup>22</sup> and all the company that used to go down [from Palestine to Babylon]<sup>24</sup> they stated that it did happen, and that it did not override [the Sabbath]. Does not then the original difficulty arise? — R. Joseph answered, Who says that [the ceremonial of] the willow-branch is [performed] by the taking of it? Perhaps it is done by its being fixed [to the sides of the altar].<sup>25</sup>

Abaye raised an objection against him: THE CEREMONIALS OF THE LULAB AND THE WILLOW [CONTINUED FOR] SIX [DAYS] OR SEVEN. Does not [this<sup>26</sup> imply that the willow is] as the lulab just as the [ceremonial of the] lulab is [performed] by its being taken, so is that of the willow performed by its being taken?<sup>27</sup> — What an argument! The rite of each may have been carried out according to its own particular rules.<sup>28</sup>

Abaye raised a further objection against him: Every day they walked round the altar once, but on that day<sup>29</sup> they walked round it seven times.<sup>30</sup> Does not this mean, with the willow-branch?<sup>31</sup> No, with the lulab.<sup>32</sup> But did not R. Nahman state in the name of Rabbah b. Abbuha [that the circuit was made] with the willowbranch? — The other<sup>33</sup> answered him, He told you, ‘with the willow-branch’ and I say ‘with the lulab’.

It was stated, R. Eleazar stated [that the circuit was made] with the lulab; R. Samuel b. Nathan

citing R. Hanina stated [that it was made] with the willow-branch. And so said R. Nahman who had it from Rabbah b. Abbuha, With the willow-branch.

Raba said to R. Isaac the son of Rabbah b. bar Hana, Come, O Son of the Law, and I will tell you of an excellent statement which your father made. With reference to what we have learnt, 'Every day they walked round the altar once, and on that day they went round seven times',<sup>34</sup> your father citing R. Eleazar stated, [This was done] with the lulab.

He raised an objection against him: The rite of the lulab overrides the Sabbath on the first day,<sup>35</sup> and that of the willow-branch on the last day.<sup>36</sup> On one occasion the seventh day of the [ceremonial of the] willow-branch fell on a Sabbath, and they brought saplings of willows on the Sabbath eve and placed them in the courtyard of the Temple. The Boethusians,<sup>37</sup> having discovered them, took and hid them under some stones.<sup>38</sup> On the morrow some of the 'amme ha-arez<sup>39</sup> discovered them and removed them from under the stones, and the priests brought them in and fixed them in the sides of the altar. [The reason for hiding the willows was that] the Boethusians do not admit that the beating of the willow-branch<sup>40</sup> overrides the Sabbath.<sup>41</sup> Thus<sup>42</sup> we see clearly that [the performance of the willow ceremonial is] in the taking of it?<sup>43</sup> — This is a refutation. Then why should it<sup>44</sup> not override [the Sabbath]?<sup>45</sup> — Since with us<sup>46</sup> it does not override [the Sabbath]<sup>47</sup> it does not override it with them<sup>48</sup> either.<sup>49</sup>

But is there not the first day of the Festival on which [the rite of the lulab] does not override the Sabbath for us,<sup>50</sup> but does it for them?<sup>48</sup>

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(1) In respect of Sukkah.

(2) Lev. XXIII, 42.

(3) Ibid. VIII, 35.

(4) Of the Festival.

(5) Sc. why was no preventive measure enacted in its case as in that of lulab supra?

(6) Though not specifically mentioned.

(7) On every day of the Festival (not only the first) that falls on the Sabbath.

(8) Sc. taking it on all the seven days, though this is not specifically mentioned in the Pentateuch, since the period indicated in Lev. XXIII, 40, may refer to other forms of rejoicing.

(9) Supra 42b ad fin.

(10) On the Sabbath eve, to be borne round the altar by the priests on the morrow. For these men, who are presumed to be acquainted with the Law, no preventive measures were called for.

(11) Had no preventive measure been enacted, a breach in the Sabbath laws might have occurred.

(12) That in the case of the willow no preventive measure was deemed necessary and that Pentateuchally it must be taken all the seven days of the Festival.

(13) Of the Festival which falls on the Sabbath, and not only on the seventh.

(14) Since it overrides the Sabbath only the first day.

(15) As is the case with the lulab.

(16) The inference might be made that the overriding of the Sabbath is mainly due to the lulab and only incidentally to the separate willow.

(17) Sc. why was preference given to the seventh day?

(18) For the reason given supra.

(19) Another conspicuous day. The middle days are not so conspicuous as the first and the seventh.

(20) V. supra p. 195, n. 9. The day we assume to be the seventh may in fact be the sixth, and the Sabbath is thus overridden on the wrong day.

(21) Sc. the Palestinians.

(22) From Palestine to Babylon.

(23) The date of the beginning of the month was so arranged that the seventh day of the Festival never coincided with the Sabbath. This was effected by adding a day to the previous month or to any other of the preceding months.



- (24) [נחותי] Lit., 'going down', a term denoting a group of Palestinian 'travelling scholars' of the fourth century who used to journey to and fro between Palestine and Babylonia in order to transmit the teachings and traditions of the Academies of one country to the other, v. Funk S., *Die Juden in Babylonian I*, p. 146].
- (25) And since now there is no altar and the rite cannot be properly performed, the Sabbath may not be overridden.
- (26) The juxtaposition of the two.
- (27) How then could R. Joseph suggest that the willow was fixed to the sides of the altar?
- (28) The appearance of the two nouns in juxtaposition is no proof that the performance of the two rites was identical.
- (29) The seventh day of the Festival.
- (30) *Infra* 45a.
- (31) And, therefore, the duty is obviously performed by the mere holding of the willow-branch. An objection against R. Joseph (cf. *supra* n. 7).
- (32) After the willow-branch had been fixed in the sides of the altar.
- (33) R. Joseph.
- (34) *Infra* 45a.
- (35) Lit., 'at its beginning'.
- (36) Lit., 'at its end'.
- (37) A sect closely related to the Sadducees. Tradition traces their origin to Boethus a pupil of Antigonus of Soko. More probably followers of Boethus or Simeon b. Boethus who was made High Priest by Herod in 25 B.C.E. V. J.E. III, p. 285.
- (38) The Boethusians, knowing that the Pharisees would not remove the stones on the Sabbath, hoped thereby effectively to prevent a ceremony in which they did not believe.
- (39) Who are unacquainted with the Sabbath laws.
- (40) The willow-branch, according to Rabbinic law, was beaten on the ground. Cf. *Mishnah infra* 45a.
- (41) *Tosef. Suk. III*.
- (42) Since the willow-branch had to be beaten.
- (43) Not merely in fixing it to the altar.
- (44) The taking of the willow on the seventh day of the Festival.
- (45) In Palestine, where they know when the New Moon was fixed.
- (46) In Babylon and all other countries outside Palestine.
- (47) On account of our ignorance of the day when the New Moon was fixed.
- (48) The Palestinians.
- (49) In order that no distinctions be made between one country and another.
- (50) In Babylon and all other countries outside Palestine.

## Talmud - Mas. Sukkah 44a

— I will answer! For them also it does not override [the Sabbath]. Does not then a contradiction arise between those two Mishnahs, since one teaches 'all the people BROUGHT THEIR LULABS TO THE TEMPLE MOUNT',<sup>1</sup> and the other Mishnah teaches [that they brought them] to the Synagogue,<sup>2</sup> and we answered,<sup>3</sup> did we not, that the one referred to Temple times and the other to the time after the destruction of the Temple? — No; both refer to Temple times,<sup>4</sup> but there is nevertheless no contradiction since the one refers to the Sanctuary and the other<sup>5</sup> to the Provinces.<sup>6</sup>

Abaye said to Rabbah,<sup>7</sup> Why in the case of the lulab do we perform the ceremony for seven days in commemoration of the Sanctuary, whereas in the case of the willow-branch we do not perform the ceremony for seven days in commemoration of the Sanctuary?<sup>8</sup> — He answered him, Since one fulfils the obligation [of taking the willow-branch] with the willow-branch on the lulab. But the former asked, does not one do it<sup>9</sup> on account of the lulab?<sup>10</sup> And if you will answer that one first raises it once<sup>11</sup> and then raises it again,<sup>12</sup> is it not a daily occurrence that we do not so act? — R. Zebid answered in the name of Raba, In the case of the lulab which is a Pentateuchal precept we perform the ceremony for seven days in commemoration of the Sanctuary; in the case of the willow-branch which is only a Rabbinical precept, we do not perform the ceremony for seven days

in commemoration of the Sanctuary.

According to whom [is this statement]<sup>13</sup> made? If you will say, According to Abba Saul,<sup>14</sup> did he not say: It is written, willows of the brook,<sup>15</sup> implying<sup>16</sup> two, one referring to the [willow-branch in the] lulab and the other to [the willow-branch for use in] the Sanctuary?<sup>17</sup> If you will say, It is according to the Rabbis, did they not have it as an accepted tradition, since R. Assi citing R. Johanan who had it from R. Nehunya of the Plain of Beth Hawartan,<sup>18</sup> stated, The laws of the ten plants, the willow-branch and water libation were given to Moses upon Mount Sinai?<sup>19</sup> Rather, said R. Zebid, in the name of Raba, In the case of the rite of the lulab, which has a Pentateuchal origin<sup>20</sup> for its performance in the Provinces, we perform it for seven days in commemoration of the Sanctuary; in the case of the rite of the willow-branch, which has no Pentateuchal origin for its performance in the Provinces, we do not perform it for seven days in commemoration of the Sanctuary.

Resh Lakish ruled, Priests suffering from a physical blemish<sup>21</sup> were permitted<sup>22</sup> to enter between the Ulam<sup>23</sup> and the altar in order to fulfil the precept of the willow-branch.<sup>24</sup> Said R. Johanan to him, Who said so? — ‘Who said so?’ Did he not himself say so,<sup>25</sup> since R. Assi citing R. Johanan who had it from R. Nehunya of the Plain of Beth Hawartan stated, The laws of the ten plants, the willow-branch and water libation were given to Moses upon Mount Sinai?<sup>26</sup> — He rather meant this: Who said that [the precept<sup>27</sup> is fulfilled] by taking,<sup>28</sup> perhaps it is fulfilled by fixing,<sup>29</sup> who said that it may be done by priests with a blemish, perhaps it [may be done] only by unblemished priests?

It was stated, R. Johanan and R. Joshua b. Levi differ. One holds that the rite of the willow-branch is an institution of the prophets,<sup>30</sup> the other holds that the willow-branch is a usage of the prophets.<sup>31</sup> It can be concluded that it was R. Johanan who said, ‘It is an institution of the prophets’, since R. Abbahu stated in the name of R. Johanan, ‘The rite of the willow-branch is an institution of the prophets’. This is conclusive.

Said R. Zera to R. Abbahu, Did then R. Johanan say so?<sup>32</sup> Did not R. Johanan in fact state in the name of R. Nehunya of the Plain of Beth Hawartan that ‘the law of the ten plants, the willow-branch and the water libation were given to Moses on Mount Sinai’? — [The other] was appalled for a while,<sup>33</sup> and then he answered, They were forgotten<sup>34</sup> and the prophets<sup>35</sup> reinstated them.

But could R. Johanan say so?<sup>36</sup> Did not R. Johanan in fact state, ‘What I said was yours was in fact theirs’?<sup>37</sup> — Rather<sup>38</sup> [answer thus]: This is no difficulty,

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(1) Supra 42b.

(2) Supra 43a.

(3) V. supra 43a.

(4) [When messengers were sent forth to the Diaspora informing them when the New Moon had been fixed, v. Strashun].

(5) Which speaks of carrying the lulab ‘to the Synagogue’.

(6) After the destruction of the Temple, however, no such messengers were sent forth, so that the taking of the lulab on the Sabbath is forbidden within as well as without Palestine.

(7) So Bah. Cur. edd., ‘Raba’.

(8) The latter ceremony is performed on one day only (cf. Rashi, a.l.).

(9) Take a willow-branch with the lulab.

(10) And not in fulfilment of the precept of the willow-branch.

(11) To fulfil the precept of the lulab.

(12) To fulfil the precept of the willow-branch.

(13) That the rite of the willow-branch is only Rabbinical.

(14) Supra 34a.

(15) Lev. XXIII, 40.

(16) Since the plural is used.

- (17) Now since both are derived from the Pentateuch the latter like the former must obviously be a Pentateuchal commandment.
- (18) V. Ta'an. Sonc. ed., p. 7, n. 2.
- (19) Supra 34a, q.v. notes.
- (20) For the first day.
- (21) Though such priests were throughout the year forbidden not only to take part in the Temple ceremonies but also to enter the Sanctuary (cf. Kelim I).
- (22) In this case an exception was made.
- (23) The Hall leading to the interior of the Temple. V. Mid. IV, 7.
- (24) Which necessitated a circuit round the altar, and which could not possibly be done without passing between the Ulam and the altar.
- (25) The questioner assumed that R. Johanan meant, 'Who said that the rite of the willow-branch is a religious duty'?
- (26) Supra.
- (27) Of the willow-branch.
- (28) So that even those who suffer from blemishes must enter and thus tread upon ground forbidden to them.
- (29) In which case one eligible priest can perform the rite for all the others.
- (30) Haggai, Zechariah and Malachi, the prophets of the Second Temple to whom tradition ascribes many enactments.
- (31) Sc. they had it only as a custom, and since it did not have the force of a law, no benediction over it is necessary.
- (32) That the rite of the willow was an institution of the prophets.
- (33) Cf. Dan. IV, 16.
- (34) During the exile.
- (35) At the divine commandment.
- (36) That the commandments were forgotten during the exile.
- (37) B.K. 117b. Sc. the knowledge of the Law which he first thought was the possession of the Palestinians was in fact in the hands of the Babylonians (Rashi). How then could it be said that he held that the Torah was forgotten during the Babylonian exile? [R. Han. (v. Tosaf.) renders thus: 'One of yours (sc. a Babylonian scholar) said that it (the rite of taking the willow-branch) is theirs', i.e., of Rabbinic origin].
- (38) [Lit., 'But', so MS.M. The answer of R. Abbahu is being rejected and another is given to reconcile the two statements of R. Johanan].

## Talmud - Mas. Sukkah 44b

since one statement<sup>1</sup> refers to the Sanctuary and the other<sup>2</sup> to the Provinces.

R. Ammi ruled, The willow-branch is required to have a minimum size<sup>3</sup>, it must be taken separately only,<sup>4</sup> and no man can fulfil his obligation with the willow-branch in the lulab. But since the Master said, 'It must be taken separately only' is it not self-evident that 'no man can fulfil his obligation with the willow-branch in the lulab'? — I might have said that that applies only where one does not lift [the lulab] a second time, but not where one does lift it a second time,<sup>5</sup> therefore he informs us that it is not so. R. Hisda citing R. Isaac, however, ruled, A man may fulfil his obligation with the willow-branch in the lulab.<sup>6</sup>

What is its prescribed minimum?<sup>7</sup> — R. Nahman said, Three fresh twigs with leaves. R. Shesheth, however, said, Even one leaf and one twig. 'One leaf and one twig'! Can such a rule be imagined?<sup>8</sup> — Say rather, Even one leaf on one twig.<sup>9</sup>

Aibu<sup>10</sup> related, I was once standing in the presence of R. Eleazar b. Zadok when a man brought a willow-branch before him, and he took it and shook<sup>11</sup> it over and over again without reciting any benediction, for he was of the opinion that it<sup>12</sup> was merely a usage of the prophets.<sup>13</sup>

Aibu<sup>10</sup> and Hezekiah, the maternal grandsons of Rab, brought a willow-branch before Rab, and he shook it over and over again without reciting a benediction, for he was of the opinion that it<sup>12</sup> was

merely a usage of the prophets.<sup>13</sup> Aibu stated, I was standing in the presence of R. Eleazar b. Zadok when a certain man came before him and said to him, 'I possess cities, vineyards and olive trees, and the inhabitants of the cities come<sup>14</sup> and hoe the vineyards and eat the olives.<sup>15</sup> Is this<sup>16</sup> proper or improper?' — 'This', the other replied, 'is improper'. As the man was about to leave him and depart, [R. Eleazar] observed, 'It is now forty years that I have dwelt in this land, and I have never seen a man walking in the paths of righteousness as this man'. The man thereupon returned and said to him, 'What should be done?' he answered him, 'Abandon the olives to the poor and pay yourself for hoeing the vineyards'.

But is hoeing permitted [during the Sabbatical year]? Has it not in fact been taught: But the seventh year thou shalt let it rest and lie still<sup>17</sup> means, 'Let it rest' from hoeing and 'lie still' as regards the removal of stones? — R. Ukba b. Hama replied, There are two kinds of hoeing; one consists in closing up the fissures and the other in aerating the soil.<sup>18</sup> Aerating the soil is forbidden<sup>19</sup> but closing up the fissures<sup>20</sup> is permitted.

Aibu citing R. Eleazar b. Zadok ruled, One should not walk more than three parasangs on the Sabbath eve.<sup>21</sup> R. Kahana observed, They made this statement only [in reference to a man who was going to] his home,<sup>22</sup> but if he was going to his inn<sup>23</sup> he relies upon [the food] which he has with him. Others say that R. Kahana observed, The statement<sup>24</sup> was necessary even in the case of a man [who was going] to his home.<sup>25</sup> R. Kahana stated, It actually happened with me, that<sup>26</sup> I did not find even a fishpie.<sup>27</sup>

HOW WAS [THE CEREMONIAL OF] THE LULAB CARRIED OUT? A tanna recited before R. Nahman, 'Arranged them upon the roof<sup>28</sup> of the portico'. The other said to him

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- (1) That it was a law given to Moses on Mount Sinai.
  - (2) That it was an institution of the prophets.
  - (3) This is given infra.
  - (4) Nothing else may be bound together with it.
  - (5) Once in fulfilment of the rite of lulab and a second time in fulfilment of that of the willow.
  - (6) Cur. edd. in parenthesis, 'on the first festival day of the feast', which is difficult to explain.
  - (7) Sc. of the willow-branches.
  - (8) Obviously not
  - (9) The size prescribed supra 32b applies only to the willow-branches that were bound with the lulab.
  - (10) This Aibu, the father of Rab, is the great-grandfather of the Aibu mentioned later (v. Rashi). R. Eleazar b. Zadok before whom he stood, the grandson of R. Eleazar b. Zadok I, lived in the second century.
  - (11) So Rashi.
  - (12) The shaking of the willow outside the Temple.
  - (13) Only a Pentateuchal or Rabbinical rite requires a benediction.
  - (14) During the Sabbatical Year, when the produce should be hefker (v. Glos.).
  - (15) As payment for hoeing the vineyards.
  - (16) The payment out of the produce with which all trading is forbidden.
  - (17) Ex. XXIII, 11.
  - (18) Breaking up the clods and allowing the air to permeate to the roots. Lit., 'to make the trees strong'.
  - (19) Since the tree is thereby improved.
  - (20) Which only serves to protect the tree.
  - (21) Lest he is unable to reach his destination before sunset. He should rather remain where he is, allowing himself sufficient time in which to prepare his Sabbath meals.
  - (22) Without first informing them of his arrival. Were he to arrive after or near sunset it would be too late to prepare for him his Sabbath meals. As he might have expected his people to be ready for him there might be a clash.
  - (23) The people of which he does not expect to prepare his meals without notice.
  - (24) Of Aibu.

(25) Where he is sure to find at least some food, much more so does it apply to an inn, since he cannot rely upon finding there any food at all for the Sabbath.

(26) Arriving unexpectedly.

(27) 'Kassa deharsana', a concoction of fish-hash and flour fried in the fish oil. It represents the minimum of a meal.

(28) His reading in our Mishnah was not **עַל גַּב הַאי צַטְבָּא** 'upon the portico' but **עַל גַּב הַאי צַטְבָּא** 'upon the roof of the portico'.

## Talmud - Mas. Sukkah 45a

'Does one then need to dry them?'<sup>1</sup> Say rather, Upon the portico'.<sup>2</sup> Rehaba citing R.<sup>3</sup> Judah stated, The Temple Mount had a double colonnade, one colonnade being within the other.<sup>4</sup>

MISHNAH. HOW WAS THE PRECEPT OF THE WILLOW-BRANCH [CARRIED OUT]? THERE WAS A PLACE BELOW JERUSALEM CALLED MOZA.<sup>5</sup> THEY WENT DOWN THERE AND GATHERED THENCE YOUNG WILLOW-BRANCHES AND THEN CAME AND FIXED THEM AT THE SIDES OF THE ALTAR SO THAT THEIR TOPS BENT OVER THE ALTAR. THEY THEN SOUNDED<sup>6</sup> A TEKI'AH [LONG BLAST], A TERU'AH [TREMULOUS BLAST] AND AGAIN A TEKI'AH.<sup>7</sup> EVERY DAY<sup>8</sup> THEY WENT ROUND THE ALTAR ONCE, SAYING, 'WE BESEECH THEE, O LORD, SAVE NOW, WE BESEECH THEE, O LORD, MAKE US NOW TO PROSPER'.<sup>9</sup> R. JUDAH SAID, [THEY WERE SAYING],<sup>10</sup> 'ANI WAHO,<sup>11</sup> SAVE NOW'. BUT ON THAT DAY<sup>12</sup> THEY WENT ROUND THE ALTAR SEVEN TIMES. WHEN<sup>13</sup> THEY DEPARTED, WHAT DID THEY SAY? 'THINE, O ALTAR, IS THE BEAUTY! THINE, O ALTAR, IS THE BEAUTY!' R. ELIEZER SAID, [THEY WERE SAYING,] 'TO THE LORD AND TO THEE, O ALTAR, TO THE LORD AND TO THEE, O ALTAR'.

AS WAS ITS PERFORMANCE<sup>14</sup> ON A WEEKDAY, SO WAS ITS PERFORMANCE ON THE SABBATH, SAVE THAT THEY GATHERED THEM<sup>15</sup> ON THE EVE [OF THE SABBATH,] AND PLACED THEM IN GOLDEN BASINS THAT THEY MIGHT NOT BECOME MILDEWED. R. JOHANAN B. BEROKA SAID, THEY USED TO BRING PALM TWIGS AND BEAT THEM ON THE GROUND AT THE SIDES OF THE ALTAR, AND THAT DAY WAS CALLED '[THE DAY OF] THE BEATING OF THE PALM TWIGS'. THEY USED TO TAKE THEIR LULABS FROM THE HANDS OF THE CHILDREN AND EAT THEIR ETHROGS.<sup>16</sup>

GEMARA. It was taught, It<sup>17</sup> was the place called Kolonia. Then why does our Tanna call it MOZA?<sup>18</sup> — Since it was exempt from the king's tax, he calls it MOZA.

AND THEN CAME AND FIXED THEM AT THE SIDES OF etc. A Tanna taught, They were large<sup>19</sup> and long and eleven cubits high, so that they might bend over the altar one cubit.<sup>20</sup> Meremar citing Mar Zutra observed, Deduce therefrom<sup>21</sup> that they<sup>15</sup> were laid upon the base [of the altar],<sup>22</sup> for if you were to assume that they were placed on the ground, consider this: It<sup>23</sup> rose up one cubit and drew in one cubit, and this<sup>24</sup> formed the base. It<sup>25</sup> then rose up five cubits and drew in one cubit, and this<sup>26</sup> formed the circuit; it<sup>27</sup> [then] rose up three cubits, and this<sup>28</sup> was the place of the horns.<sup>29</sup> Now<sup>30</sup> how could they<sup>31</sup> bend over the altar?<sup>32</sup> Consequently it may be deduced from this that they were laid on the base.<sup>33</sup> This is conclusive. R. Abbahu said, What is its Scriptural proof?<sup>34</sup> — Since it is said, Order the festival procession with boughs, even unto the horns of the altar.<sup>35</sup>

R. Abbahu citing R. Eleazar stated, Whosoever takes the lulab with its binding and the willow-branch with its wreathing is regarded by Scripture as though he had built an altar and offered thereon a sacrifice. For it is said,

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(1) Obviously not, since a dried lulab is in fact invalid.

(2) Not upon its roof.

- (3) Cur. edd. in parenthesis 'Rab'. [The reference is to Rab Judah the Amora, whom Rehaba designated as Rabbi because he was his teacher, v. Bez., Sonc. ed., p. 54, n. 9]-
- (4) V. Pes., Sonc. ed., p. 59, nn. 10-11.
- (5) The Gemara infra identifies the place. Cf. Josh. XVIII, 26. The name has been revived in a modern colony in the same locality.
- (6) On the shofar.
- (7) V. R.H. 33b.
- (8) Of the first six days of the Festival.
- (9) Ps. CXVIII, 25.
- (10) In order to avoid the repetition of the Tetragrammaton.
- (11) **וְיִשְׁעוּ** the numerical value of which equals that of the Hebrew for 'we beseech Thee, O Lord'. For other explanations cf. Rashi, a.l.
- (12) The seventh day of the Festival.
- (13) Bah, and apparently also Rashi, delete this paragraph.
- (14) The ceremonial of the willow-branch.
- (15) The willow-branches.
- (16) And the act was not regarded as robbing but as a form of sport associated with the jollity of the day. An alternative translation: 'Immediately the children pulled out their lulabs (from their wreaths) and ate their ethrogs'. (Tosaf. a.l. Bertinoro and Rashi infra 46b).
- (17) MOZA.
- (18) Meaning 'exempt'.
- (19) Var. lec. 'tender'. (Ronsburg).
- (20) The measurements are discussed presently.
- (21) From the statement that they bent 'over the altar one cubit'.
- (22) I.e., at a height of one cubit from the ground.
- (23) The altar at its base.
- (24) The platform, one cubit in height and 32 X 32 cubits in area.
- (25) The altar above the base.
- (26) The second platform, 30 X 30 cubits in area and five cubits in height, that rested on the base.
- (27) The topmost part of the altar.
- (28) The top, three cubits in height and 28 X 28 cubits in area, that rested on the circuit.
- (29) Vertical projections, one cubit cube, at each of the four corners of the top of the altar. Mid. III, 1.
- (30) Since, as has been shown, the height from the base of the altar to the top was nine cubits.
- (31) The willow-branches that were eleven cubits high and stood on the ground.
- (32) The willow-branch, placed in a slanting position against the altar (nine cubits in height) and removed sufficiently from its base to allow for the horizontal distance of two cubits from the side of the base to the top of the altar, would not project at all beyond the top of the altar; what then, would remain for bending over?
- (33) And leaned against the side of the circuit, thus gaining the two cubits of the height and width of the base and leaving two cubits length of willow-branch sufficient to bend over the top of the altar one cubit.
- (34) That the willow-branches overhung the top of the altar.
- (35) Ps. CXVIII, 27. The height of the horns was one cubit above the top of the altar, and boughs that reached to the top of the horns naturally bent one cubit over the altar top.

## **Talmud - Mas. Sukkah 45b**

Bind the festival<sup>1</sup> with myrtle branches<sup>2</sup> even unto the horns of the altar.<sup>3</sup>

R. Jeremiah citing R. Simeon b. Yohai, and R. Johanan citing R. Simeon of Mahoz<sup>4</sup> who had it from R. Johanan of Makkuth stated, Whosoever makes an addition<sup>5</sup> to the Festival by eating and drinking<sup>6</sup> is regarded by Scripture as though he had builded an altar and offered thereon a sacrifice. For it is said, Make an addition to<sup>7</sup> the Festival with fat cattle,<sup>8</sup> even to the horns of the altar.<sup>9</sup>

Hezekiah citing R. Jeremiah who had it from R. Simeon b. Yohai stated, In the case of all commandments,<sup>10</sup> one does not fulfil one's obligation unless [the objects involved] are in the same condition as when they grow,<sup>11</sup> for it is said, Acacia wood standing up.<sup>12</sup> So it was also taught, 'Acacia wood standing up,' implies that they should stand in the manner of their growth. Another interpretation: 'Standing up' implies that they held<sup>13</sup> their [gold] overlaying.<sup>14</sup> Another interpretation of 'Standing up'.' Lest you may say, 'Their hope is lost, their expectation is frustrated',<sup>15</sup> Scripture expressly states, 'Acacia wood standing up'<sup>12</sup> implying that they will stand for ever and to all eternity.

Hezekiah further stated in the name of R. Jeremiah who said it in the name of R. Simeon b. Yohai, I am able<sup>16</sup> to exempt the whole world from judgment from the day that I was born until now, and were Eliezer, my son, to be with me [we could exempt it] from the day of the creation of the world to the present time, and were Jotham the son of Uzziah<sup>17</sup> with us, [we could exempt it] from the creation of the world to its final end.<sup>18</sup>

Hezekiah further stated in the name of R. Jeremiah who said it in the name of R. Simeon b. Yohai, I have seen the sons of heaven<sup>19</sup> and they are but few. If there be a thousand, I and my son are among them; if a hundred, I and my son are among them; and if only two, they are I and my son.

Are they then so few? Did not Raba in fact state,<sup>20</sup> The row [of righteous men immediately] before the Holy One, blessed be He, consists of eighteen thousand, for it is said, It shall be eighteen thousand round about?<sup>21</sup> — This is no difficulty: The former number refers to those who see Him 'through a bright speculum, the latter to those who see Him through a dim one.'<sup>22</sup> But are those who see Him through a bright speculum so few? Did not Abaye in fact state, The world never has less than thirty-six righteous men who are vouchsafed a sight of the Shechinah every day, for it is said, Happy are they that wait lo<sup>23</sup> [for Him] and the numerical value of lo is thirty-six? — There is no difficulty: The latter number<sup>24</sup> refers to those who may enter [the Presence] with permission, the former<sup>25</sup> to those who may enter without permission.

WHEN THEY DEPARTED, WHAT DID THEY SAY? But does not one thereby<sup>26</sup> associate the name of God<sup>27</sup> with something else<sup>28</sup> concerning which it has been taught, Whosoever associates the name of God with something else is uprooted from the world, as it is said, Save unto the Lord alone?<sup>29</sup> — It is this that was meant: TO THE LORD we give thanks, AND TO THEE we offer praise, TO THE LORD we give thanks AND THEE we laud.

AS WAS ITS PERFORMANCE ON A WEEKDAY. Said R. Huna, What is the reason of R. Johanan b. Beroka? Because it is written, Branches,<sup>30</sup> which<sup>31</sup> implies two, one for the lulab and one for the altar. But the Rabbis say, The word 'branches' is written defectively.<sup>32</sup> R. Levi explained, [The reason of R. Johanan b. Beroka<sup>33</sup> is that Israel is] compared to the date-palm; as the date-palm has but one heart<sup>34</sup> also Israel has but one heart [which is completely devoted] to their Father in Heaven.<sup>35</sup>

Rab Judah citing Samuel stated, [The benediction is recited over] the lulab for seven [days] and over the Sukkah only on one day.<sup>36</sup> What is the reason? — In the case of the lulab where the nights form breaks between the days,<sup>37</sup> each day involves a separate commandment; in the case of the Sukkah where the nights do not form breaks between the days,<sup>38</sup> all seven days are regarded as one long day. Rabbah b. Bar Hana, however, stated in the name of R. Johanan, [The benediction is recited over] the Sukkah for seven days and over the lulab but one day.<sup>36</sup> What is the reason? — For the Sukkah which is a Pentateuchal precept [the benediction must be recited all the] seven [days]; in the case of the lulab which is but a Rabbinical enactment [a benediction on] one day suffices. When Rabin came,<sup>39</sup> he stated in the name of R. Johanan, [The benediction is recited over] the one as well as the other [all] seven [days]. R. Joseph ruled, Lay hold fast to the decision of Rabbah b. Bar Hana,

since with regard to Sukkah,<sup>40</sup> all the Amoras adopt the same position as he.

An objection was raised:

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- (1) Sc. the lulab that is taken at the Festival.
  - (2) Lit., 'its twistings or plaitings', reference to the shape of the foliage. E.V., 'Order the festival procession with boughs'.
  - (3) Ps. CXVIII, 27; sc. the act is like the sprinkling of the sacrificial blood upon the horns of the altar.
  - (4) A place in Palestine not to be confused with Mahuza in Babylon.
  - (5) Lit., 'a binding'.
  - (6) Sc. enjoys himself with better food and drink on the Festival, or, alternatively, enjoys himself in this way on the day following the Festival. The alternative interpretation is the origin of the name Isru hag given to the day after a festival.
  - (7) Lit., 'bind'.
  - (8) Heb. ba'abothim is taken as derived from 'abeh, 'thick', 'fat'.
  - (9) Ps. CXVIII, 27. For E.V. v. supra.
  - (10) E.g., the lulab and willow-branch.
  - (11) The roots downwards and the tops upwards.
  - (12) Ex. XXVI, 15, in reference to the walls of the Tabernacle.
  - (13) Lit., 'cause to stand'.
  - (14) Sc. the plates of gold were nailed to the boards with golden nails, the plates alone not being long enough to stand in independence of the boards.
  - (15) Sc. since the disappearance of the Tabernacle of Testimony the boards will never again reappear.
  - (16) On account of his troubles and suffering.
  - (17) King of Judah. Tradition sees in him one of the most righteous and pious of kings, one who loyally observed the fifth commandment in being content to act as regent during his father's reign without even aspiring to the throne, and one who always gave his ruling in the name of his father.
  - (18) Simeon b. Yohai, who is the reputed author of the Zohar, spent thirteen years in a cave with his son, hiding from the Romans, and suffering great privation.
  - (19) Those who will see the Presence of God in the Hereafter.
  - (20) So in Sanh. 97b (where the entire passage is reproduced with some variants); the text here is in slight disorder.
  - (21) Ezek. XLVIII, 35.
  - (22) They receive only a clouded vision of the Divine Presence.
  - (23) Isa. XXX, 18.
  - (24) Thirty-six.
  - (25) Two, R. Simeon b. Yohai and his son.
  - (26) By saying, TO THEE LORD AND TO THEE, O ALTAR.
  - (27) Lit., 'heaven'.
  - (28) Thus suggesting a co-deity.
  - (29) Ex. XXII, 19; Sanh. 63a.
  - (30) Lev. XXIII, 40.
  - (31) The use of the plural.
  - (32) In the singular, v. supra 34b.
  - (33) For prescribing a special lulab rite for the altar.
  - (34) Sc. its marrow is found in the central branch only.
  - (35) And expresses thus its devotion by this symbolic act.
  - (36) The first.
  - (37) Since the commandment of the lulab does not obtain at night (v. supra 43a).
  - (38) Since the commandment obtains both by day and by night (ibid.).
  - (39) From Palestine to Babylon.
  - (40) That the benediction must be recited on each of the seven days.

**Talmud - Mas. Sukkah 46a**



## Talmud - Mas. Sukkah 46a

He who makes a lulab<sup>1</sup> for his own use<sup>2</sup> shall recite the benediction, 'Blessed [art Thou, O Lord our God, King of the Universe] who has kept us in life, and hast preserved us, and enabled us to reach this season'. When he takes it to fulfil therewith his obligation, he shall say, 'Blessed [art Thou, O Lord our God, King of the Universe] who hast sanctified us by Thy commandments, and commanded us concerning the taking of the lulab' and even though he has recited the benediction on the first day, he must again recite it on all seven days. He who makes a Sukkah for his own use shall recite the benediction, 'Blessed [art Thou, O Lord our God, King of the Universe] who kept us in life, and sustained us etc.' When he enters the Sukkah to take up his abode therein he shall say, '... Who hast sanctified us by Thy commandments and commanded us to dwell in the Sukkah'; and once he has recited the benediction on the first day, he has no need to repeat it [on subsequent days].<sup>3</sup> Now is there not a contradiction between the one statement concerning the lulab and the other,<sup>4</sup> and between the one concerning Sukkah and the other?<sup>5</sup> The difficulty between the one statement concerning the lulab and the other may well be disposed of, since one might refer to Temple times<sup>6</sup> and the other to the time when the Temple was no longer in existence; but does not the difficulty concerning the two statements about the Sukkah remain? — The question<sup>7</sup> is one in dispute between Tannas, as it has been taught, Whenever a man puts on his tefillin<sup>8</sup> he must<sup>9</sup> recite the benediction; so Rabbi,<sup>10</sup> but the Sages ruled, He recites the benediction in the morning only.<sup>11</sup>

It was stated:<sup>12</sup> Abaye ruled, The law is in agreement with Rabbi, while Raba ruled, The law is in agreement with the Rabbis. R. Mari the son of Samuel's daughter remarked, I noticed that Raba himself did not act in accordance with his own ruling<sup>13</sup> but rising early, he would go to the privy, emerge and wash his hands, put on his tefillin and recite the benediction, and when he had to attend to his needs a second time he would<sup>14</sup> go to the privy, emerge and wash his hands, put on his tefillin and recite the benediction again. We also act in accordance with the ruling of Rabbi and recite the benediction<sup>15</sup> all seven days.<sup>16</sup>

Mar Zutra remarked, I notice that R. Papi recited the benediction whenever he put on his tefillin.<sup>17</sup> The Rabbis of the school of R. Ashi recited the benediction whenever they touched their tefillin.<sup>18</sup>

Rab Judah citing Samuel ruled: The commandment of lulab<sup>19</sup> applies to all the seven days,<sup>16</sup> but R. Joshua b. Levi ruled, The commandment of the lulab<sup>19</sup> applies to the first day only,<sup>20</sup> and subsequently it is but an ordinance of the Elders;<sup>21</sup> while R. Isaac ruled, [The taking of the lulab on] every day, and even on the first one is but an ordinance of the Elders. But have we not an established rule that on the first day it is a Pentateuchal commandment? — Say rather, Except on the first day. But if so, is not this<sup>22</sup> identical with the ruling of R. Joshua b. Levi? — Read, And so said R. Isaac.

Rab also is of the opinion that the commandment of the lulab<sup>19</sup> applies to all seven days,<sup>23</sup> for R. Hiyya b. Ashi citing Rab stated, One who kindles the Hanukkah lamp<sup>24</sup> must recite a benediction.<sup>25</sup>

R. Jeremiah ruled, He who sees the Hanukkah light<sup>26</sup> must recite the benediction. What benediction does one recite? — Rab Judah answered, On the first day he who kindles the light must recite three benedictions<sup>27</sup> and he who sees it must recite two;<sup>28</sup> henceforth he who kindles the lights recites two benedictions<sup>29</sup> and he who sees them only one.<sup>30</sup> What is the benediction? — 'Blessed [art Thou, O Lord our God, King of the Universe] who hast sanctified us by Thy commandments, and commanded us to kindle the light of Hanukkah'.<sup>27</sup> But where<sup>31</sup> did He command us? — [The commandment is deduced from the verse,] Thou shalt not turn aside.<sup>32</sup> R. Nahman b. Isaac replied, [Deduction is made from the verse,] Ask thy father, and he will declare unto thee.<sup>33</sup> (Which [benediction] does one omit?<sup>34</sup> — The benediction on the season.<sup>35</sup> Might it not be suggested that one omits the benediction of the miracle?<sup>36</sup> — The miracle occurred every day).<sup>37</sup>

R. Nahman b. Isaac taught this<sup>38</sup> explicitly:<sup>39</sup> Rab ruled, The commandment of the lulab applies to

all seven days.

Our Rabbis taught, He who makes a Sukkah for his own use shall recite the benediction, 'Blessed art Thou . . . who has kept us in life etc.'<sup>40</sup> When he enters to take up his abode in it, he says, 'Blessed art Thou . . . who has sanctified us, etc.'<sup>41</sup> If it<sup>42</sup> was already erected,<sup>43</sup> he may recite the benediction if he can make some renovation in it; and if not, he recites two benedictions<sup>40</sup> when he enters to take up his abode in it.

R. Ashi stated, I observed that R. Kahana recited all of them over the cup of Sanctification.<sup>44</sup>

Our Rabbis taught, He who has to perform many commandments<sup>45</sup> [simultaneously] shall say, 'Blessed . . . who hast sanctified us by Thy commandments and commanded us concerning the commandments'.<sup>46</sup> R. Judah ruled, One must recite a benediction over each one separately. R. Zera or, as some say, R. Hanina b. Papa stated, The halachah<sup>47</sup> is in agreement with R. Judah. R. Zera or, as some say, R. Hanina b. Papa further stated, What is the reason of R. Judah? Because it is written, Blessed be the Lord by day.<sup>48</sup> Now do we bless Him by day and not by night?<sup>49</sup> But this comes to teach you: Return to Him every day its appropriate benedictions.<sup>50</sup> So also here: Return unto Him for every single thing, its appropriate benedictions. R. Zera or, as some say, R. Hanina b. Papa further stated, Come and see that not as the standards of mortal man are the standards of the Holy One, blessed be He. According to the standards of mortal man, an empty vessel

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(1) On the eve of the Festival.

(2) Not for that of others.

(3) Pes. 7b.

(4) Since Rabbah b. Bar Hana ruled that the benediction over the lulab is recited only on the first day and here it is ruled that it must be recited all the seven days.

(5) Since he says that the benediction over the Sukkah must be recited all seven days and here it is ruled that it is to be recited on the first day only.

(6) When, according to R. Johanan, it was a Pentateuchal commandment to take the lulab every day.

(7) Whether in the case of a commandment that is performed during a certain length of time the benediction is to be said more than once.

(8) Though it is one's duty to wear them all day.

(9) Irrespective of the number of times he takes them off and puts them on again.

(10) Similarly in the case of Sukkah. Though the seven days are regarded as one long day the benediction must be repeated every day.

(11) Men. 43a. So also in the case of Sukkah the benediction is recited on the first day only.

(12) By Amoras.

(13) That the benediction is to be recited only once.

(14) After taking off his tefillin.

(15) Of the Sukkah.

(16) Of the Festival.

(17) Irrespective of the number of times this had happened during the day.

(18) It is a pious act to touch one's tefillin as frequently as possible (cf. Yoma 7b).

(19) Sc. the recital of the benediction over it.

(20) Since the obligation on that day is Pentateuchal.

(21) R. Johanan b. Zakkai and his colleagues. Such an ordinance, being only Rabbinical, requires no benediction.

(22) The ruling of R. Isaac.

(23) The benedictions must be recited, even though it is only a Rabbinical ordinance.

(24) During Hanukkah or the Feast of Dedication beginning on the twenty-fifth of Kislev, one lamp is lit on the first night, two on the second, three on the third, and so on, until the eighth night when eight lamps are kindled.

(25) Even though it is only a Rabbinical institution; and similarly in the case of lulab.

(26) While he himself did not light one in his own home.

- (27) V. P.B. p. 274.
- (28) Omitting the first benediction, 'to kindle the light'.
- (29) The first two.
- (30) The second only.
- (31) Since it is not mentioned in the Bible.
- (32) Deut. XVII, 11; even from that which the Rabbis institute, thus giving a Rabbinical commandment Pentateuchal sanction.
- (33) Deut. XXXII, 7.
- (34) After the first day.
- (35) The third, 'Who has kept us alive etc.'
- (36) The second one.
- (37) The benediction mentioning it cannot, therefore, be omitted. Rashal omits the passage in parenthesis. On the whole passage, v. Shab. 23a.
- (38) Rab's ruling on the lulab.
- (39) Sc. he did not deduce it, as stated supra, from the law of the Hanukkah light.
- (40) Cf. P.B. p. 232.
- (41) ' . . . to dwell in the Tabernacle' (ibid.).
- (42) The Sukkah.
- (43) For some secular purpose.
- (44) When he recited the Sanctification of the Festival (v. P.B. p. 230f) he recited the two above mentioned benedictions (P.B. p. 232 also. This is our present custom.
- (45) E.g., Sukkah, lulab, tefillin and zizith.
- (46) And there is no need to recite the special benedictions prescribed for each individual commandment.
- (47) [הלכה] So MS.M.: cur. edd. הלכות].
- (48) Ps. LXVIII, 20.
- (49) Is He not in fact blessed always.
- (50) Those of the Sabbath on a Sabbath and those of a weekday during weekdays.

## Talmud - Mas. Sukkah 46b

is able to contain [what is put into it], and a full vessel cannot contain it<sup>1</sup> but according to the standards of the Holy One, blessed be He, a full vessel is able to contain it<sup>1</sup> While an empty one cannot; as it is said, And it shall come to pass, if thou shalt hearken diligently,<sup>2</sup> if you hearken,<sup>3</sup> you will continue to hearken,<sup>4</sup> but if not, you will not hearken.<sup>5</sup> Another interpretation: If you will hearken to the old,<sup>6</sup> you will be able to hearken to the new,<sup>7</sup> but if thy heart turn away<sup>8</sup> you will no more hearken.<sup>9</sup>

FROM THE HANDS OF THE CHILDREN, etc. R. Johanan ruled, The ethrog is forbidden<sup>10</sup> on the seventh day,<sup>11</sup> and permitted on the eighth; the Sukkah is forbidden<sup>12</sup> even on the eighth. Resh Lakish, however, ruled that the ethrog is permitted<sup>10</sup> even on the seventh day.<sup>13</sup> On what principle do they differ? — One Master<sup>14</sup> is of the opinion that it is set aside only for the performance of its commandment,<sup>15</sup> while the other Master<sup>16</sup> is of the opinion that it<sup>17</sup> is set aside for the whole day.<sup>18</sup>

Resh Lakish raised an objection against R. Johanan: THEY USED<sup>19</sup> TO TAKE THEIR LULABS FROM THE HANDS OF THE CHILDREN AND EAT THEIR ETHROGS. Does not this equally apply to adults also?<sup>20</sup> — No; it applies to children alone.<sup>21</sup>

There are others who say that R. Johanan raised the objection against Resh Lakish: THEY USED<sup>19</sup> TO TAKE THEIR LULABS FROM THE HANDS OF THE CHILDREN AND EAT THEIR ETHROGS. [Of] children only, but not [of] adults!<sup>22</sup> — No; the same law applies to [those of] adults also, and the reason that he mentions children is that he states what was customary.<sup>23</sup>

Said R. Papa to Abaye, What, according to R. Johanan, is the essential difference between the Sukkah and the ethrog?<sup>24</sup> — The other answered him, The Sukkah which is fit to be used at twilight [after the seventh day], for were he perchance to have a meal at that time he would be expected to sit therein and eat there, is set aside for its ritual purpose during the twilight, and since it is set aside during twilight, it is also set aside for the whole of the eighth day; the ethrog, however, which is not suitable during twilight,<sup>25</sup> is not set aside for its ritual purpose during twilight, hence it is not set aside for the purpose for the whole of the eighth day.

Levi, however, ruled, The ethrog<sup>26</sup> is forbidden even on the eighth day;<sup>27</sup> while the father of Samuel ruled, The ethrog is forbidden on the seventh day, but permitted on the eighth — The father of Samuel subsequently adopted the view of Levi. R. Zera, however, adopted the [earlier] view of the father of Samuel, for R. Zera ruled, It is forbidden to eat an ethrog [even one] that has become invalid, all the seven days.<sup>28</sup>

R. Zera ruled, One should not transfer possession<sup>29</sup> of the festive wreath<sup>30</sup> to a child on the first day of the Festival.<sup>31</sup> What is the reason? — Because a child is<sup>32</sup> entitled to acquire possession but not to transfer it, and the result will be that (the man] would have to perform his duty with a lulab which is not his.<sup>33</sup>

R. Zera further ruled, One should not promise a child to give him something and then not give it to him, because he will thereby teach him lying, as it is said, They have taught their tongues to speak lies.<sup>34</sup>

[The following dispute is based on the same principles] as the one between R. Johanan and Resh Lakish.<sup>35</sup> For it was stated, If a man set apart seven ethrogs for the seven days,<sup>36</sup> Rab ruled, He may fulfil his obligation with each one and eat it forthwith, while R. Assi ruled, He may fulfil his obligation with each one and eat it on the morrow.<sup>37</sup> On what principle do they differ? One Master<sup>38</sup> is of the opinion that it<sup>39</sup> is set apart only for the performance of its rite<sup>40</sup> while the other Master<sup>41</sup> is of the opinion that it<sup>39</sup> is set apart for the whole day.

And as for us, who<sup>42</sup> keep two days [of the Festival] how are we to proceed?<sup>43</sup> — Abaye replied, On the eighth day which may be the seventh, it<sup>44</sup> is forbidden;<sup>45</sup> on the ninth day which may be the eighth, it is permitted. Meremar ruled, Even on the eighth day, which may be the seventh, it is permitted. In Sura they acted in accordance with the ruling of Meremar. R. Shisha the son of R. Idi acted in accordance with the ruling of Abaye. And the law is in agreement with Abaye.

R. Judah the son of R. Samuel b. Shilath citing Rab ruled, The eighth day which may be the seventh is regarded as the seventh in respect of the Sukkah<sup>46</sup> and as the eighth in respect of the benediction.<sup>47</sup> R. Johanan, however, ruled, It is regarded as the eighth in respect of both.<sup>48</sup> That one must dwell [in the Sukkah on the eighth day] is agreed by all, they only differ

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(1) Sc. anything added to its contents.

(2) Deut. XXVIII, 1. Lit., 'if hearkening, thou wilt hearken', emphasis on the repetition of the verb.

(3) I.e., if you are in the habit of listening and learning.

(4) The mind used to hearkening and learning ('a full vessel') will be able to continue to hearken and to gather more knowledge.

(5) One not used to the discipline of religion and study from his youth is unable to acquire them in later life.

(6) Sc. revise regularly that which you have already learnt.

(7) His previous knowledge will serve as a preparation and aid to further knowledge.

(8) Deut. XXX, 17; neglecting past study and experience.

(9) Your studies will have no foundation or background.

(10) To be eaten.

- (11) Even after it had been used for its ritual purpose.
- (12) To be used as fuel.
- (13) After it served its ritual purpose.
- (14) Resh Lakish.
- (15) The moment, therefore, it has served its ritual purpose for the last time on the seventh day, profane use may be made of it.
- (16) R. Johanan.
- (17) Since it still has its sacred use on the seventh day.
- (18) For ordinary purposes, therefore, it may not be used until the eighth day.
- (19) On the seventh day of the Festival.
- (20) Sc. that the adults may eat their own ethrogs also, which proves that an ethrog may be eaten on the seventh day.
- (21) Since their ethrogs were never properly set aside, as is the case with adults, for the ritual purpose. A child is under no obligation to have an ethrog, and he is given one for the mere purpose of his religious training and practice.
- (22) Cf. prev. note mut. mut.
- (23) The ethrogs were snatched from the children, not from adults.
- (24) That the former should be forbidden all the seventh day while the latter is permitted.
- (25) After one has duly take it in the morning.
- (26) Since it is doubtful whether the moment of twilight is to be regarded as the conclusion of the one day or as the beginning of the following one, and since the ethrog was forbidden all the seventh day including twilight which possibly belongs to the eighth day.
- (27) Because what is forbidden at twilight remains forbidden throughout the day.
- (28) But on the eighth day it is permitted.
- (29) As a gift.
- (30) Lit., 'hoshanna'.
- (31) Unless he himself has already performed the rite.
- (32) In accordance with Rabbinic law.
- (33) Which is invalid (v. supra 29b). Once the man gave it to the child, it becomes the latter's property which, as a minor, he cannot transfer again to him.
- (34) Jer. IX, 4.
- (35) Supra.
- (36) Of the Festival, one for each day.
- (37) Rashal transposes the views of Rab and R. Assi.
- (38) Rab.
- (39) Each ethrog.
- (40) Hence it may be eaten immediately after the rite had been performed.
- (41) R. Assi.
- (42) Since we are in doubt as to which day is the first.
- (43) Subjecting the two to the same sanctity and restrictions as the first.
- (44) The ethrog.
- (45) To be eaten.
- (46) As will be explained infra.
- (47) Sc. the mention of the day, viz., 'The Eighth Day of Solemn Assembly', must be included in the daily prayers, the Grace after meals and the kiddush.
- (48) Sukkah as well as benediction.

## Talmud - Mas. Sukkah 47a

on the question of the benediction.<sup>1</sup> According to him who regards the day as the seventh in respect of the Sukkah, we also recite the benediction [of the Sukkah], while according to him who holds that it is regarded as the eighth in respect of both, we do not recite the benediction [of the Sukkah].<sup>2</sup> R. Joseph observed, Hold fast to the ruling of R. Johanan,<sup>3</sup> since R. Huna b. Bizna and all the notables of his age once entered a Sukkah on the eighth day which may have been the seventh, and while they sat therein, they did not recite the benediction.<sup>4</sup> But is it not possible that they were of the same opinion as he who laid down that once a man has recited the benediction<sup>4</sup> on the first day, he has no more need to recite it?<sup>5</sup> — There was a tradition that they<sup>6</sup> had just come from the fields.<sup>7</sup>

There are some who say that the ruling that one must not recite the benediction [of the Sukkah] is agreed upon by both, and that they only differ on the question whether one must sit [in the Sukkah].<sup>8</sup> According to him who ruled that it is regarded as the seventh day in respect of the Sukkah, we must indeed sit in it thereon, while according to him who ruled that it is regarded as the eighth day in respect of both, we may not even sit in it thereon. R. Joseph observed, Hold fast to the ruling of R. Johanan. For who is the authority of the statement?<sup>9</sup> R. Judah the son of R. Samuel b. Shilath [of course], and he himself sat on the eighth day which might be the seventh outside the Sukkah.<sup>10</sup> And the law is that we must indeed sit in the Sukkah but may not recite the benediction.

R. Johanan ruled, We recite the benediction of the season<sup>11</sup> on the Eighth Day of the Festival,<sup>12</sup> but we do not say the benediction of the season on the seventh day of Passover. [In connection with this] R. Levi b. Hama or, as some say, R. Hama b. Hanina stated, You can have proof that this is so,<sup>13</sup> since [the Eighth Day] is different [from the preceding days] in three respects: In those of Sukkah, lulab and water libation,<sup>14</sup> and according to R. Judah who maintained that with one log<sup>15</sup> of water they performed the water libation for eight days,<sup>16</sup> it is different at least in two respects.

If so, is not the seventh day of Passover also different in respect of the commandment to eat unleavened bread, since a Master has said, On the first night<sup>17</sup> it is an obligation [to eat unleavened bread], and henceforth it is voluntary?<sup>18</sup> — What a comparison! In the case of Passover, it is different from the first night, but not from the day,<sup>19</sup> whereas in the case of the Eighth Day, it is different even from the preceding day. Rabina replied, The Eighth Day is different from the day immediately preceding it, whereas the seventh day of Passover is different from what is prior [to the period] which precedes it.<sup>20</sup> R. Papa replied,<sup>21</sup> In one case<sup>22</sup> it is written 'bullock', in the other<sup>23</sup> 'bullocks'. R. Nahman b. Isaac replied, In this case<sup>22</sup> it is written, 'on the day', in the other,<sup>23</sup> 'and on the day'. R. Ashi replied, In the case of the Eighth Day it is written, 'According to the ordinance' while in the case of the seventh day it is written, 'according to their ordinance'.

Can we say that [the following statement] supports [the view of R. Johanan]:<sup>24</sup> The bullocks, the rams and the lambs<sup>25</sup> act as a hindrance to one another,<sup>26</sup> while R. Judah ruled, The bullocks do not act as a hindrance to one another, since they diminish in number progressively.<sup>27</sup> They<sup>28</sup> said to him, But are not all of them<sup>29</sup> diminished in number on the Eighth Day?<sup>30</sup> He answered them, The Eighth Day is a separate festival,<sup>31</sup> for, just as the seven days of the Festival must have [their own] sacrifices, psalm,<sup>32</sup> benediction<sup>33</sup> and staying overnight,<sup>34</sup> so the Eighth Day must have its own sacrifices, psalm,<sup>35</sup> benediction<sup>33</sup> and staying overnight.

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(1) 'Blessed art Thou . . . to sit in the Sukkah'.

(2) Thus it is the eighth 'in respect of Sukkah' in that the benediction of the Sukkah is not recited, and it is the eighth 'in respect of the benediction', in that we mention the 'Eighth Day of Solemn Assembly'.

(3) That the benediction of the Sukkah is not to be said on the eighth which may be the seventh.

(4) Of the Sukkah.

(5) On any of the other days of the Festival.

- (6) R. Huna b. Bizna and the others.
- (7) Or 'pasture land', where they looked after their cattle since the beginning of the Festival and, therefore, had not yet sat in a Sukkah during that Festival.
- (8) On the eighth day.
- (9) Cited in the name of Rab supra.
- (10) Which proves that he did not rely upon the tradition he cited.
- (11) The benediction, 'Blessed . . . who hast kept us in life . . . to reach this season' (cf. P.B. p. 231) which is said only on the first day of a festival. R. Johanan regards the eighth day as a separate festival.
- (12) The Eighth Day of Solemn Assembly, which is regarded as a festival distinct from that of Tabernacles.
- (13) That the Eighth Day is a festival of its own.
- (14) None of which obtains on the Eighth Day.
- (15) Not, as the first Tanna stated, with three logs.
- (16) *Infra* 48b; and only for the seven days.
- (17) Of Passover.
- (18) *Pes.* 120a.
- (19) Since even on the first day of Passover the eating of unleavened bread is voluntary.
- (20) The first night.
- (21) The next three statements point out that in the section dealing with the sacrifices of the festival, Num. XXIX, 12-39, there are differences between the first seven days, and the Eighth Day either in respect of the laws of the sacrifices or the expressions used in connection with them; proving that the latter is a separate festival. These differences are that (a) on each of the seven days a number of bullocks were sacrificed while on the Eighth Day only one was offered (v. 36). (b) the descriptions of the sacrifices of the second to the seventh day begin with the word 'and' ('And on the day'), suggesting continuity, while that of the Eighth Day commences 'On the eighth day' omitting the 'and', (c) on the seventh day it was 'According to their ordinance', connecting it with the previous days whereas the Eighth Day has, 'according to the ordinance'.
- (22) The Eighth Day.
- (23) The first seven days.
- (24) That the benediction of the season is to be said on the Eighth Day.
- (25) Prescribed as sacrifices for the days of Tabernacles.
- (26) The omission of one of them invalidates the whole number.
- (27) Thirteen on the first day and one less every day (v. Num. XXIX). As the number is in any case steadily diminished, the additional omission of one or more cannot affect the remainder.
- (28) The Rabbis who differed from him.
- (29) Even the rams and lambs.
- (30) Of course they are: On the seven days of the festival the number of rams and he-lambs remains constant at two and fourteen respectively, while on the Eighth Day only one ram and seven he-lambs were offered (cf. Num. XXIX, 36). Why then should the omission of one of these more than the omission of a bullock affect the remainder?
- (31) Its sacrifices cannot, therefore, like those of any of the seven days, be compared to the others.
- (32) *Ps.* XCIV, sung by the Levites when the sacrifice was offered (v. *infra* 55a).
- (33) This is explained *infra*.
- (34) The duty of remaining in Jerusalem for the night following the festival, mentioned in the case of the Passover (*Deut.* XVI, 7) is adduced to apply to all festivals (cf. *R.H.* 5a).
- (35) According to *Soferim* XIX, 2, it was *Ps.* VI.

## **Talmud - Mas. Sukkah 47b**

Now does not ['benediction' refer to the benediction of the] season?<sup>1</sup> — No, it refers to the Grace after meals and to Prayer.<sup>2</sup> It is also in accordance with reason to say so, for if you were to imagine that [the reference is to the benediction of] the season, do we then [it could be objected] recite the benediction of the season during all the seven days?<sup>3</sup> — This really presents no difficulty, for if a man did not recite the benediction [of the season] during the first day, he has to recite it on the morrow, or on any subsequent day.<sup>4</sup> But, in any case, must not the benediction [of the season] be

recited over a cup [of wine]?<sup>5</sup> Must we then say that this<sup>6</sup> supports the view of R. Nahman,<sup>7</sup> for R. Nahman laid down [that the benediction of the] season may be recited even in the market-place?<sup>8</sup> For if you will say that the cup [of wine] is essential, has one then a cup [of wine] every day? — This might apply to a case where one chanced to have a cup [of wine].

Is then R. Judah of the opinion that on the Eighth Day there must be staying overnight? Has it not in fact been taught: R. Judah stated, Whence do we know that the Second Passover<sup>9</sup> does not need staying overnight? From what was said, And thou shalt turn in the morning and go into thy tents<sup>10</sup> and [immediately afterwards] it is written, Six days thou shalt eat unleavened bread,<sup>11</sup> thus implying that that which must have six days [of observance]<sup>12</sup> must have staying overnight, but that which does not need six days [of observance]<sup>13</sup> does not need staying overnight. Now is not this<sup>14</sup> to exclude also the Eighth Day of the festival? — No, to exclude only the Second Passover which is similar to it.<sup>15</sup> It is also in accordance with reason to say so,<sup>16</sup> for we have learnt, The bikkurim<sup>17</sup> require a sacrifice, a psalm,<sup>18</sup> waving<sup>19</sup> and staying overnight.<sup>20</sup> Now who is it that has been heard to say that they require waving? R. Judah of course, and it states that they<sup>21</sup> require staying overnight.<sup>22</sup> For it has been taught,<sup>23</sup> And thou shalt set it down<sup>24</sup> refers to the waving. You say that it refers to the waving but perhaps it means literally ‘setting it down’? As it says [subsequently], And set it down,<sup>25</sup> ‘setting down,’ surely, is mentioned, to what then do I apply the verse, ‘and thou shalt set it down’? To waving.<sup>26</sup>

[This Mishnah],<sup>27</sup> however, might concur with R. Eliezer b. Jacob,<sup>28</sup> for it has been taught, And the priest shall take the basket out of thy hand<sup>29</sup> teaches<sup>30</sup> that bikkurim require waving; these are the words of R. Eliezer b. Jacob. What is the reason of R. Eliezer b. Jacob? He deduces it from the word ‘hand’ occurring here and in the case of the peace-offering. Here it is written, ‘And the priest shall take the basket out of thy hand’,<sup>29</sup> and there it is written, His own hands shall bring the offering unto the Lord,<sup>31</sup> just as here the priest [takes it and waves it] so there the priest [takes it and waves it], and just as there the owner [brings and waves it] so here also the owner [brings and waves it]. How is this possible?<sup>32</sup> The priest places his hand under the hand of the owner and waves it.<sup>33</sup>

What is the ultimate decision?<sup>34</sup> — R. Nahman ruled, We say [the benediction of the] season on the Eighth Day of the Festival, while R. Shesheth ruled, We do not say [the benediction of the] season on the Eighth Day of the Festival. And the law is that we say [the benediction of the] season on the Eighth Day of the Festival.

It has been taught in agreement with R. Nahman, The Eighth Day

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(1) Which shows, does it not, that in agreement with R. Johanan, the benediction of the season must be said on the Eighth Day?

(2) Instead of saying ‘this Festival of Tabernacles’, as is done during the seven days, one says, ‘this Eighth Day of Solemn Assembly’ (cf. P.B. pp. 282 and 228). The Tosefta (IV, 17) says that this refers to the blessing of the king, in accordance with I Kings VIII, 66.

(3) Of course not. It is said only on the first day.

(4) ‘Benediction’ may, therefore, apply to that of the season.

(5) And not every one has always wine on the intermediate days of a festival.

(6) The assumption that ‘benediction’ refers to that of the season and that it may be said on any of the intermediate days when not every one can afford wine.

(7) That the cup of wine is not essential for the benediction?

(8) Without wine.

(9) Which was kept by those who were unable to keep the Passover proper owing to ritual uncleanness or absence (cf. Num. IX, 6 14).

(10) Deut. XVI, 7.

(11) Ibid. 8.



- (12) Sc. the Passover proper.
- (13) The Second Passover which is kept on the fourteenth of Iyar only.
- (14) The deduction of R. Judah which seems to lay down a general rule.
- (15) [I.e., to the celebration spoken of in the context Deut. XVI, 7-8. Var. lec., however, omit 'which is similar to it'. R. Judah was thus referring only to the Second Passover, and did not lay down a general rule].
- (16) That R. Judah excludes the Second Passover only.
- (17) First fruits (v. Deut. XXVI, 1ff), when taken up to Jerusalem.
- (18) Ps. XXX.
- (19) This is discussed infra.
- (20) Bik. II, 4.
- (21) Bikkurim.
- (22) Though the ceremony does not last for six days, which shows that only the Second Passover has been excluded.
- (23) Proof is now adduced that R. Judah requires bikkurim to be waved.
- (24) Deut. XXVI, 10.
- (25) Deut. XXVI, 4. For variant in order of verses quoted v. Mak., Sonc. ed., p. 130, n. 7.
- (26) Mak. 18b.
- (27) Which requires 'waving' and 'staying overnight' in the case of bikkurim.
- (28) And not with R. Judah who may be maintaining that whatever rite lasts for less than six days requires neither the one nor the other.
- (29) Deut. XXVI, 4.
- (30) Since it says 'Out of thy hand'.
- (31) Lev. VII, 30.
- (32) For both the priest and the owner to perform the waving.
- (33) Mak. 18b. Thus it has been shown that the Mishnah Bik. II, 4, may represent the view of R. Eliezer b. Jacob; and consequently no support may be adduced from it to the view that R. Judah excludes the Second Passover only.
- (34) On the question of the benediction of the season on the Eighth Day.

## **Talmud - Mas. Sukkah 48a**

is a Separate festival with regard to P'Z'R' K'SH'B'<sup>1</sup> i.e., with regard to balloting it is a separate festival,<sup>2</sup> with regard to the benediction of the season it is a separate festival,<sup>3</sup> with regard to the nature of the festival it is a separate festival,<sup>4</sup> with regard to its sacrifice it is a separate festival,<sup>5</sup> with regard to its psalm it is a separate festival,<sup>3</sup> and with regard to its benediction it is a separate festival.<sup>3</sup>

**MISHNAH.** 'THE HALLEL [WAS RECITED] AND THE [PEACE-OFFERINGS OF] REJOICING [WERE OFFERED] ON ALL THE EIGHT DAYS' — HOW IS THAT? THIS TEACHES THAT ONE IS BOUND TO RECITE THE HALLEL, [OFFER PEACE-OFFERINGS OF] REJOICING AND SHOW HONOUR TO THE FESTIVAL ON THE LAST DAY, AS ON ALL THE OTHER DAYS OF THE FESTIVAL.

**GEMARA.** Whence do we know this?<sup>6</sup> — From what our Rabbis taught, [The verse], And thou shalt be altogether joyful<sup>7</sup> includes<sup>8</sup> the night of the last day of the Festival.<sup>9</sup> But perhaps this is not so, but the text was meant to include [the night of] the first day of the Festival?<sup>10</sup> As it says, ak<sup>11</sup> a division is indicated.<sup>12</sup> But why have you seen fit to include the last night of the Festival and to exclude the first night? I include the last night since it is preceded by rejoicing<sup>13</sup> and exclude the first night which is not preceded by rejoicing.

**MISHNAH.** THE SUKKAH [MUST BE USED ALL] SEVEN DAYS. HOW IS THIS [TO BE UNDERSTOOD]? WHEN A MAN HAS FINISHED HIS [LAST] MEAL,<sup>14</sup> HE MAY NOT DISMANTLE HIS SUKKAH.<sup>15</sup> HE MAY, HOWEVER, REMOVE ITS FURNITURE<sup>16</sup> FROM THE AFTERNOON ONWARDS IN HONOUR OF THE LAST DAY OF THE FESTIVAL.<sup>17</sup>

GEMARA. If a man has no FURNITURE to remove,<sup>18</sup> what shall he do? ‘If a man has no FURNITURE’! What then did he use when he was using [his Sukkah]? — Rather say, If he had no place where to put his furniture<sup>19</sup> what shall he do?<sup>20</sup> — R. Hiyya b. Ashi<sup>21</sup> answered, He removes four handbreadths [of its roof],<sup>22</sup> while R. Joshua b. Levi answered, he should kindle a lamp in it.<sup>23</sup> In fact, however, there is no difference of opinion between them, the latter referring to us [Babylonians], and the former to them [the Palestinians].<sup>24</sup> This<sup>25</sup> is a satisfactory procedure with regard to a Sukkah of minimum size<sup>26</sup> but what can be said with regard to a large Sukkah?<sup>27</sup> — One might carry into it eating utensils, since Raba ruled, Eating utensils must be kept outside the Sukkah; drinking vessels in the Sukkah.<sup>28</sup>

MISHNAH. HOW WAS THE WATER LIBATION [PERFORMED]? A GOLDEN FLAGON HOLDING THREE LOGS WAS FILLED FROM THE SILOAM.<sup>29</sup> WHEN THEY ARRIVED AT THE WATER GATE,<sup>30</sup> THEY SOUNDED A TEKIAH [LONG BLAST], A TERUAH [TREMULOUS NOTE] AND AGAIN A TEKIAH [LONG BLAST]. [THE PRIEST THEN] WENT UP THE ASCENT [OF THE ALTAR]<sup>31</sup> AND TURNED TO HIS LEFT<sup>32</sup> WHERE THERE WERE TWO SILVER BOWLS. R. JUDAH SAID, THEY WERE OF PLASTER [BUT THEY LOOKED SILVER] BECAUSE THEIR SURFACES WERE DARKENED FROM THE WINE. THEY HAD EACH A HOLE

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(1) A mnemonic acrostic formed by the initial letters of פִּיּוּם ‘balloting’, זֶמֶן ‘season’, רִגְלָה ‘festival’, קָרְבָּן ‘sacrifice’, שִׁיר ‘psalm’, בְּרִכָּה ‘benediction’.

(2) There were so many sacrifices on the first seven days, that the balloting for duty among the courses of priests was unnecessary. On the Eighth Day there was but one bullock offered and it was balloted for (cf. infra 55b).

(3) As stated supra.

(4) That it is unnecessary to dwell on it in the Sukkah.

(5) The number of bullocks offered is not six as might have been expected if the sixth day had been regarded as the eighth of the days of Tabernacles on each of which the number of bullocks was reduced by one.

(6) That the duty of rejoicing prescribed for the seven days of the Festival applies to the Eighth Day also.

(7) Deut. XVI, 15.

(8) Since ‘joyful’ is superfluous, the duty of rejoicing having been mentioned earlier in the context.

(9) Sc. one must include the night belonging to the Eighth Day and following the seventh in the rejoicings of the concluding day, i.e., the number of sacrifices on the seventh day must be such as to suffice for the night following; and since the night is included much more so the day that follows since the time for offerings is the day-time.

(10) Sc. that offerings must be brought on the eve of the first day of the Festival in order to provide for the first evening when no offering may be brought.

(11) Lit., ‘but’, ‘only’; E.V., ‘altogether’.

(12) Implying a limitation, v. Pes. 5a.

(13) Of the concluding day.

(14) On the seventh day.

(15) Since he must still use it for learning, sleeping or any occasional meal on that day.

(16) From the Sukkah into the house where he is to have his meals in the evening and the following day.

(17) For the rejoicings of which the house has to be prepared.

(18) V. supra n. 4.

(19) I.e., he had nowhere else to eat.

(20) To indicate that he is not using his Sukkah for more than the prescribed seven days.

(21) So Asheri. Cur. edd. in parenthesis, ‘Rab’.

(22) Thus invalidating it and showing that it is no longer in use.

(23) By doing in it that which is forbidden in a Sukkah (cf. supra 29a) he indicates that it is no longer in use as a Sukkah but as an ordinary hut.

(24) In Babylon where the proper calculations of the calendar are unknown, the Eighth Day may be the seventh, and the Sukkah must, therefore, be used on the morrow. It cannot be invalidated by a breach in its roof so one places there a

lamp which can subsequently be removed. The Palestinians, however, who are familiar with the calculations, make no more use of the Sukkah after the seventh day, and it may, therefore, be invalidated on that day.

(25) The kindling of the lamp.

(26) Into which no lamp may be brought during the seven days of the Festival (cf. supra 29a).

(27) Where a lamp may be taken in even during the seven days.

(28) Ibid.

(29) A pool near Jerusalem.

(30) One of the gates of the Temple court.

(31) Which was on the south (Mid. III, 3).

(32) Towards the south-west of the altar where the water libations were offered.

## **Talmud - Mas. Sukkah 48b**

LIKE A SLENDER SNOUT,<sup>1</sup> ONE [HOLE] BEING WIDE AND THE OTHER NARROW SO THAT BOTH EMPTIED THEMSELVES<sup>2</sup> TOGETHER.<sup>3</sup> THE ONE ON THE WEST WAS FOR WATER AND THE ONE<sup>4</sup> ON THE EAST FOR WINE. IF ONE Poured THE FLAGON OF WATER INTO THE BOWL FOR WINE, OR THAT OF WINE INTO THAT FOR WATER, HE HAS FULFILLED HIS OBLIGATION. R. JUDAH STATED, WITH ONE LOG<sup>5</sup> HE PERFORMED THE CEREMONY OF THE WATER-LIBATION ALL EIGHT<sup>6</sup> DAYS. TO [THE PRIEST] WHO PERFORMED THE LIBATION THEY USED TO SAY, 'RAISE THY HAND';<sup>7</sup> FOR ON A CERTAIN OCCASION, A CERTAIN MAN<sup>8</sup> Poured OUT THE WATER OVER HIS FEET, AND ALL THE PEOPLE PELTED HIM WITH THEIR ETHROGS.

AS WAS ITS PERFORMANCE ON WEEKDAYS, SO WAS ITS PERFORMANCE ON THE SABBATH, SAVE THAT ON THE EVE OF THE SABBATH AN UNHALLOWED<sup>9</sup> GOLDEN BARREL WAS FILLED FROM THE SILOAM, AND PLACED IN A CHAMBER. IF IT WAS Poured AWAY OR UNCOVERED, IT WAS REFILLED FROM THE LAVER,<sup>10</sup> FOR WINE OR WATER WHICH HAS BECOME UNCOVERED IS INVALID FOR THE ALTAR.

GEMARA. Whence do we know this?<sup>11</sup> — R. Ena replied, From Scripture which says, Therefore with joy shall ye draw water [from the wells of salvation].<sup>12</sup>

There were once two minim,<sup>13</sup> one was called Sason<sup>14</sup> and the other Simha.<sup>15</sup> Said Sason to Simha, 'I am better than you, since it is written, They shall obtain Sason and Simha'.<sup>16</sup> 'I', said Simha to Sason, 'am better than you, since it is written, The Jews had Simha and Sason'.<sup>17</sup> 'One day', said Sason to Simha, 'they will take you out<sup>18</sup> and make you a runner, since it is written, For with Simha shall they go forth'.<sup>19</sup> 'One day', said Simha to Sason, 'they will take you out<sup>18</sup> and draw with you water, for it is written, "Therefore with Sason shall ye draw water"'.<sup>12</sup>

A certain min<sup>20</sup> whose name was Sason once said to R. Abbahu, 'You are destined to draw water for me in the world to come, for it is written, "Therefore be-sason shall ye draw water"'.<sup>21</sup> 'If', the other retorted, 'it had been written, "le-sason"<sup>22</sup> it would be as you say, but as it is written "be-sason"<sup>23</sup> the meaning must be that a water-skin will be made of your skin, and water will be drawn with it'.

[THE PRIEST] WENT UP THE ASCENT [OF THE ALTAR] AND TURNED TO HIS LEFT etc. Our Rabbis have taught, All who ascended the altar turned to the right, proceeded round and descended by the left,<sup>24</sup> save those ascending for the following three purposes,<sup>25</sup> who ascended by the left,<sup>26</sup> turned on their heel<sup>27</sup> and returned [the same way]. These [three things] are the water-libation and wine-libation, and the burnt-offering of a fowl when the altar was full on [its south] east side.<sup>28</sup>

[BUT THEY LOOKED SILVER] BECAUSE THEIR SURFACES WERE DARKENED. It is well [as regards the flagon of the wine] since wine darkens, but how was that of the water darkened?- Since the Master has said, IF ONE Poured THE FLAGON OF WATER INTO THE BOWL FOR WINE, OR THAT OF WINE INTO THAT FOR WATER, HE HAS FULFILLED HIS OBLIGATION, the [flagon] of water may<sup>29</sup> thus become darkened.

THEY HAD EACH A HOLE LIKE A SLENDER SNOUT etc. Must we say that our Mishnah<sup>30</sup> agrees with R. Judah and not with the Rabbis seeing that we have learnt, R. JUDAH STATED, WITH ONE LOG HE PERFORMED THE CEREMONY OF THE WATER-LIBATION ALL EIGHT DAYS;<sup>31</sup> for if it agrees with the Rabbis, could they not both pour together?<sup>32</sup> — [No,] You may say that it agrees even with the Rabbis, [the reason for the different sizes of the holes being that] wine is viscous and water is fluid. It is in accordance with reason also to say so,<sup>33</sup> for if [our Mishnah concurs with] R. Judah, [it should have used the terms] ‘broad’ and ‘strait’ which he used;<sup>34</sup> as it has been taught, R. Judah stated, There were two vessels there, one of water and one of wine, the mouth of the wine [vessel] was broad, and that of the water was strait, so that both should empty themselves together. This is conclusive.

THE ONE ON THE WEST WAS FOR WATER. Our Rabbis taught, It once happened that a certain Sadducee<sup>35</sup> poured the water libation over his feet and all the people pelted him with their ethnogs. On that day the horn of the altar became damaged,<sup>36</sup> and a handful of salt was brought and it was stopped up, not because the altar was thereby rendered valid for the service, but merely in order that it should not appear damaged

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- (1) Sc. each bowl had a perforated spout.
  - (2) On the altar, through a hole in which the water ran down to the deep altar ditches.
  - (3) This is explained in the Gemara.
  - (4) Adjacent to it.
  - (5) Not, as the first Tanna stated, three.
  - (6) And not, as the first Tanna asserted, seven.
  - (7) That all may see that the water is poured into the bowl.
  - (8) A Sadducee. Josephus, Ant. XIII, 13, 5, ascribes the incident to Alexander Jannai, king and High Priest 107-76 B.C.E. The Sadducees denied the validity of this precept and in this way he showed his contempt of the Pharisees.
  - (9) Since anything which remains in a hallowed vessel overnight becomes invalid (cf. Men. VII, 4).
  - (10) Cf. Ex. XXX, 18. Though a hallowed vessel, it did not cause the water in it to be invalid because it was sunk in a cistern on the festival eve (cf. Yoma 37a).
  - (11) That the shofar is sounded at the ceremony (Rashi). That the water was taken from Siloam (Tosaf.). According to Rashi, the answer is in the word ‘joy’, according to Tosaf. in the words ‘from the wells of salvation’.
  - (12) Isa. XII, 3.
  - (13) ‘Sectarians’, ‘apostates’ or ‘Jewish Christians’. V. Glos., s.v. Min.
  - (14) Meaning ‘joy’.
  - (15) ‘Gladness’.
  - (16) Isa. XXXV, 10; ‘joy’ before ‘gladness’.
  - (17) Esth. VIII, 17.
  - (18) From heaven.
  - (19) Isa. LV, 12.
  - (20) Cf. n. 5.
  - (21) Isa. XII, 3.
  - (22) ‘For joy’.
  - (23) ‘With joy’.
  - (24) The ascent was on the south, and on reaching the altar one turned to the right, to the south-east corner, to perform the sacrifice. Since it was obligatory to make right-hand turns one could not return by the same way but had to make a complete circuit of the altar and descend by the western side of the descent.

- (25) Which took place at the south-west corner of the altar.
- (26) And (cf. prev. n.) immediately turned towards the south-west. They could not turn to the right to make a circuit round the altar for reasons explained in Zeb. 64a.
- (27) Which meant turning to the right.
- (28) Where normally this sacrifice was done. (Cf. Lev. I, 16, Tamid I, 4).
- (29) Since wine may sometimes be poured into it.
- (30) Which prescribes one hole to be wide and the other narrow.
- (31) The wine was the fourth of a hin (Num. XXVIII, 7) equivalent to three logs. This would explain the necessity for having a larger aperture in the wine flagon, since there was three times as much wine.
- (32) Since each was three logs.
- (33) That our Mishnah is in agreement with the Rabbis.
- (34) קצר-רהב instead of מיעובה 'WIDE' and דק 'NARROW'. The difference between broad and strait is larger than that between wide and narrow (Rashi).
- (35) V. supra p. 226, n. 15.
- (36) On account of some hard missiles that caught it.

### Talmud - Mas. Sukkah 49a

for<sup>1</sup> an altar which has not the ascent, the horn,<sup>2</sup> the base<sup>3</sup> and the square shape<sup>4</sup> is invalid for the service. R. Jose b. Judah adds, Also the circuit.<sup>5</sup>

Rabbah b. Bar Hana citing R. Johanan stated, The Pits<sup>6</sup> have existed<sup>7</sup> since the Six days of creation,<sup>8</sup> for it is said, The roundings of thy thighs are like the links of a chain the work of the hands of a skilled workman.<sup>9</sup> 'The rounding<sup>10</sup> of thy thighs' refers to the Pits; 'like the links<sup>11</sup> of a chain' implies that their cavity<sup>12</sup> descends to the abyss; 'the work of the hands of a skilled workman' means that they are the skillful handiwork of the Holy One, blessed be He.

The school of R. Ishmael taught: Bereshith;<sup>13</sup> read not bereshith but bara shith.<sup>14</sup>

It has been taught, R. Jose says, The cavity of the Pits descended to the abyss, for it is said, Let me sing of my well-beloved, a song of my beloved touching his vineyard. My well-beloved had a vineyard on a very fruitful hill.<sup>15</sup> And he digged it, and cleared it of stones, and planted it with the choicest vine, and built a tower in the midst of it, and also hewed out a vat therein.<sup>16</sup> 'And planted it with the choicest vine', refers to the Temple; 'and built a tower in the midst of it', refers to the altar; 'and also hewed out a vat therein', refers to the Pits.<sup>17</sup>

It has been taught, R. Eleazar b. Zadok stated, There was a small passage-way between the ascent and the altar,<sup>18</sup> on the westward of the ascent, and once in seventy years the young<sup>19</sup> of the priesthood used to descend there<sup>20</sup> and gather up therefrom the congealed wine which had the appearance of rounds of pressed figs, and proceeded to burn it in a state of sanctity<sup>21</sup> as it is said, In the holy place shalt thou pour out a drink-offering of strong drink unto the Lord,<sup>22</sup>

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- (1) The reason why it was unfit for service.
- (2) A stone of one cubic cubit at each of the four corners.
- (3) A ledge of one cubit in width and one cubit in height from the ground round the altar.
- (4) Cf. Ex. XXVII, 1.
- (5) V. Mid. III, 1. Its absence also invalidates the altar. Cf. Zeb. 62a.
- (6) 'Shithin', the pits under the altar into which the wine flowed after the libation.
- (7) Lit., 'were created'.
- (8) I.e., they were a natural formation.
- (9) Cant. VII, 2.
- (10) Of the rt. hamak 'hidden', 'covered up'.

- (11) From hala.
- (12) From halal, similar (cf. prev. n.) to hala.
- (13) ‘In the beginning’, Gen. I, 1.
- (14) ‘He created the pit’ (of the altar).
- (15) Palestine.
- (16) Isa. V, 1 and 2.
- (17) Tosef. Sukkah III, 15.
- (18) [The ascent did not adjoin closely the altar at the top, but was removed from it by two cubits].
- (19) Lit., ‘flowers’.
- (20) The cavity through which the wine passed was fenced up along four sides, forming a vat reaching to the marble floor of the court (not as the Rabbis maintain, to the abyss).
- (21) Sc. in a holy place in the Temple.
- (22) Num. XXVIII, 7.

## Talmud - Mas. Sukkah 49b

just as its libation was done in sanctity, so must its burning be done in sanctity.<sup>1</sup> But what is the proof?<sup>2</sup> — Rabina answered, An analogy is made between two expressions of ‘holy’. It is written here, ‘In the holy place shalt thou pour out a drink-offering of strong drink unto the Lord’, and it is written elsewhere, Then shalt thou burn the remainder with fire, it shall not be eaten, because it is holy.<sup>3</sup>

Whose view is followed in what we learned,<sup>4</sup> ‘The law of sacrilege<sup>5</sup> applies to drink-offerings at the beginning,<sup>6</sup> but after they have descended into the Pits,<sup>7</sup> the law of sacrilege does not apply to them’?<sup>8</sup> Must we say<sup>9</sup> that it is that of R. Eleazar b. Zadok,<sup>10</sup> for if it were that of the Rabbis [the objection could be raised: Did they not state] that the Pits descended to the abyss?<sup>11</sup> You may even say that it is that of the Rabbis, [but it refers to] where it was collected.<sup>12</sup>

There are some who read: Must we say that<sup>13</sup> it is that of the Rabbis,<sup>14</sup> and not that of R. Eleazar b. Zadok, for if it were that of R. Eleazar b. Zadok, [the objection would arise:] Do they not<sup>15</sup> still retain their hallowed character?<sup>16</sup> — You may even say that it is that of R. Eleazar, for sacrilege cannot apply to anything whose commandment has already been fulfilled.<sup>17</sup>

Resh Lakish stated, When the wine-libation was poured upon the altar, the Pits were stopped up,<sup>18</sup> in order to fulfil what is written, ‘In holiness shalt thou pour out a drink-offering of strong drink unto the Lord’.<sup>19</sup> But how does this imply it? — R. Papa answered, Shekar<sup>20</sup> is an expression suggestive of drink, satiety and plenty. From this it may be inferred, R. Papa observed that when a man has his fill of wine, it is due to his filling of his throat.<sup>21</sup>

Raba remarked, A young scholar who has not much wine should swallow it in quaffs.<sup>22</sup> Raba used to gulp down the cup of benediction.<sup>23</sup>

Raba made the following exposition: What is the implication of what was written, How beautiful are thy steps in sandals, O prince's daughter?<sup>24</sup> How beautiful are the steps of Israel when they go up [to Jerusalem] to celebrate a festival. ‘O prince's daughter’, means, daughter of our father Abraham, who is called prince, as it is said, The princes of the peoples are gathered together, the people of the God of Abraham.<sup>25</sup> ‘The God of Abraham’! And not the God of Isaac and Jacob? But the meaning is, The God of Abraham who was the first of proselytes.<sup>26</sup>

The School of R. Anan taught: It is written,<sup>27</sup> The roundings of thy thighs.<sup>28</sup> Why are the words of the Torah compared to the thigh? To teach you that just as the thigh is hidden, so should the words of the Torah be hidden,<sup>29</sup> and this is the import of what R. Eleazar said, What is the implication of the

text, It hath been told thee, O man, what is good, and what the Lord doth require of thee: Only to do justly, and to love mercy, and to walk humbly with thy God?<sup>30</sup> ‘To do justly’ means [to act in accordance with] justice; ‘to love mercy’ refers to acts of loving kindness<sup>31</sup> ‘and to walk<sup>32</sup> humbly with thy God’ refers to attending to funerals and dowering a bride for her wedding.<sup>33</sup> Now can we not make a deduction a fortiori: If in matters which are normally performed publicly<sup>34</sup> the Torah enjoins ‘to walk humbly’, how much more so in matters that are normally done privately?<sup>35</sup>

R. Eleazar stated, Greater is he who performs charity than [he who offers] all the sacrifices, for it is said, To do charity<sup>36</sup> and justice is more acceptable to the Lord than sacrifice.<sup>37</sup>

R. Eleazar further stated, Gemiluth Hasadin<sup>38</sup> is greater than charity, for it is said, Sow to yourselves according to your charity, but reap according to your hesed;<sup>39</sup> if a man sows, it is doubtful whether he will eat [the harvest] or not, but when a man reaps, he will certainly eat. R. Eleazar further stated, The reward of charity depends entirely upon the extent of the kindness in it,<sup>40</sup> for it is said, ‘Sow to yourselves according to charity, but reap according to the kindness’.

Our Rabbis taught, In three respects is Gemiluth Hasadim superior to charity: charity can be done only with one's money, but Gemiluth Hasadim can be done with one's person and one's money. Charity can be given only to the poor, Gemiluth Hasadim both to the rich and the poor. Charity can be given to the living only, Gemiluth Hasadim can be done both to the living and to the dead.<sup>41</sup>

R. Eleazar further stated, He who executes charity and justice is regarded as though he had filled all the world with kindness, for it is said, He loveth charity and justice, the earth is full of the lovingkindness of the Lord.<sup>42</sup> But lest you say that whoever wishes to do good succeeds without difficulty,<sup>43</sup> Scripture expressly says, How precious is Thy lovingkindness, O God etc.<sup>44</sup> As<sup>45</sup> one might say that this applies also to a man who fears God,<sup>46</sup> Scripture expressly says, But the lovingkindness of the Lord is from everlasting to everlasting upon them that fear Him.<sup>47</sup>

R. Hama b. Papa stated, Every man who is endowed with grace<sup>48</sup> is without doubt a God-fearing man, for it is said, ‘But the lovingkindness of the Lord is from everlasting to everlasting to them that fear Him.’ R. Eleazar further stated, What is the purport of what was written, She openeth her mouth with wisdom, and the Torah of lovingkindness is on her tongue?<sup>49</sup> Is there then a Torah of lovingkindness and a Torah which is not of lovingkindness? But the fact is that Torah [which is studied] for its own sake is a ‘Torah of lovingkindness’, whereas Torah [which is studied] for an ulterior motive is a Torah which is not of lovingkindness.

Some there are who say, Torah [which is studied] in order [subsequently] to teach it is a ‘Torah of lovingkindness’, but Torah [which is] not [studied subsequently] to teach it is a Torah which is not of lovingkindness.

AS WAS ITS PERFORMANCE ON WEEKDAYS etc. But why [bring the water in an UNHALLOWED vessel]? let him bring it in a hallowed one?<sup>50</sup> — Ze'iri replied, [The author of our Mishnah] is of the opinion that no fixed amount has been prescribed for the water [of libation] and that vessels of ministry hallow their contents even if there was no intention.

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(1) Tosef Me'il. I, 16.

(2) That the text refers to burning. No proof is expected for the periodical cleaning of the Pits, since it is obvious that the wine could not be allowed to accumulate there for ever.

(3) Ex. XXIX, 34; as the latter expression of ‘holy’ applies to burning, so also does the former.

(4) Cur. edd. in parenthesis ‘was taught’.

(5) Necessitating a trespass-offering (cf. Lev. V, 15).

(6) I.e., from the time they were consecrated until libation, since during all this time they are consecrated for the altar.

- (7) When they are no longer suitable for the altar.
- (8) V. Me'il. 11a.
- (9) Since it was necessary to state that the law of sacrilege does not apply to them.
- (10) Who holds that the Pits reached only to the floor of the court and that the wine poured into them was retrievable.
- (11) No law, surely, is required for an object that is for ever lost in the abyss.
- (12) By the suspension of a vessel in the Pit.
- (13) Since the law of trespass does not apply to them after they descended into the Pits.
- (14) The case being one where the drink-offerings were intercepted in the Pits.
- (15) Since he ruled that they are to be burnt in a holy place.
- (16) Why then should not the law of sacrilege still apply?
- (17) The act of libation is regarded as the completion of the commandment.
- (18) So that the wine should not run away immediately and the hole present the sight of a throat full of 'drink, satiety and plenty'.
- (19) Num. XXVIII, 7.
- (20) E.V., 'strong drink'.
- (21) By swallowing large mouthfuls, and not by taking small draughts however large the total quantity consumed.
- (22) Since thereby (cf. prev. n.) he has the same satisfaction as if he drank much wine.
- (23) To show his love of the precept. [The text appears in slight disorder. MS.M. reads: 'A young scholar who has no wine in excess of the cup of benediction should gulp it down'.]
- (24) Cant. VII, 2.
- (25) Ps. XLVII, 10.
- (26) At that time God was only his and not Isaac's or Jacob's.
- (27) Lit., 'what (means) that which is written'.
- (28) This is a continuation of Cant. VII, 2.
- (29) It should be taught in privacy, not in the market place (cf. M.K. 16a).
- (30) Mic. VI, 8.
- (31) Gemiluth Hasadim (v. infra). It is wider than charity including as it does all acts of kindness.
- (32) Emphasis on 'walk'.
- (33) One's help in such cases should be given humbly and in privacy.
- (34) Weddings and funerals.
- (35) The giving of alms.
- (36) Zedakah. E.V. 'righteousness'.
- (37) Prov. XXI, 3.
- (38) Translated 'the practice of kindness' (v. infra).
- (39) Hos. X, 12; the last work signifying Gemiluth Hasadim.
- (40) [I.e., the grace, gentleness and sympathy that accompany the act of charity].
- (41) By attending to their funeral and burial.
- (42) Ps. XXXIII, 5.
- (43) Lit., 'that whoever wishes to leap may leap'.
- (44) Ps. XXXVI, 8; i.e., the opportunity of doing real, well-deserved charity and dispensing it in a judicious manner, is rare (Rashi).
- (45) Cur. edd. in parenthesis, 'the earth is full of the lovingkindness of the Lord'.
- (46) Sc. that he also has difficulties in executing charity and justice.
- (47) Ps. CIII, 17. Those that truly fear God find lovingkindness easily.
- (48) Var. lec., 'lovingkindness'.
- (49) Prov. XXXI, 26.
- (50) The questioner assumes that a vessel of ministry does not hallow its contents unless there is that intention, and that it does not hallow it unless it corresponds to the specific amount prescribed for that particular rite. In this case the water has neither of these desiderata.

## **Talmud - Mas. Sukkah 50a**



If, therefore, it were brought in a hallowed vessel it would have been rendered invalid by remaining therein overnight.

Hezekiah<sup>1</sup> replied, Vessels of ministry do not in fact hallow their contents where there was no intention, but [the use of a hallowed vessel was here forbidden] as a preventive measure lest it be assumed that there was intention that the contents should be hallowed.<sup>2</sup> R. Jannai citing R. Zera replied, You may even say that a fixed amount has been prescribed for the water [of libation]<sup>3</sup> and that vessels of ministry do not hallow their contents unless there was intention, [but the use of a hallowed vessel was nevertheless forbidden] as a preventive measure lest people will think that it was filled with the water for the purpose of using it for the washing of the hands and the feet [of the High Priest].<sup>4</sup>

IF IT WAS Poured AWAY OR UNCOVERED etc. But why?<sup>5</sup> Could it not<sup>6</sup> be filtered through a strainer?<sup>7</sup> Must we then say<sup>8</sup> that our Mishnah does not agree with R. Nehemiah, for it has been taught, [Liquid that has passed through] a strainer is forbidden under the law of uncovering, and R. Nehemiah stated, When does this apply? Only when the receptacle underneath<sup>9</sup> was uncovered, but when the receptacle underneath is covered, even although the upper one<sup>10</sup> was uncovered, the law of uncovering does not apply, since the venom of a serpent is like a fungus which floats on the surface and remains where it is?<sup>11</sup> -You may even maintain that it agrees with R. Nehemiah, since it may be submitted that R. Nehemiah's ruling referred to secular use, but not to one divine,<sup>12</sup> for does not R. Nehemiah uphold [the lesson of the verse,] Present it<sup>13</sup> now to thy governor; will he be pleased with thee? Or will he accept thy person?<sup>14</sup>

## CHAPTER V

MISHNAH. THE FLUTE-PLAYING [TOOK PLACE] SOMETIMES [ON] FIVE DAYS AND SOMETIMES ON SIX. THIS REFERS TO THE FLUTE-PLAYING AT BETH HA-SHO'EBAH [THE PLACE OF THE WATER-DRAWING]<sup>15</sup> WHICH OVERRIDES NEITHER THE SABBATH NOR ANY FESTIVAL DAY.<sup>16</sup>

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- (1) Granting that our Mishnah provides evidence that no specific quantity has been prescribed for the water of libation.
  - (2) And those observing that the water is used despite the fact that it was kept overnight might draw the wrong conclusion that hallowed objects of similar nature are equally unaffected by a stay overnight.
  - (3) Three logs, according to the Rabbis, and one log according to R. Judah.
  - (4) Such water must first be hallowed (cf. Ex. XXX, 19) and however large its quantity it might still be regarded as intended to be used for this purpose. If the water were allowed to be used on the next day, wrong conclusions (cf. p. 234 n. 6) might be drawn.
  - (5) Should uncovered water be invalid.
  - (6) Since the only reason why uncovered water is forbidden is lest a snake injected its venom into it.
  - (7) And thus eliminate the venom.
  - (8) Since the use of a filter is not allowed.
  - (9) The strainer, i.e., the one that receives the filtered water.
  - (10) Sc. the strainer.
  - (11) In the strainer. B.K. 115b, cf. B.B. 97b.
  - (12) Lit., 'for the Most High'.
  - (13) I.e., the blind, the lame and the sick, mentioned by the prophet in the earlier part of the verse.
  - (14) Mal. I, 8; sc. would you offer to God what is rejected by man? As those objectionable offerings (cf. prev. n.) were condemned by the prophet as unsuitable, so is any objectionable thing (such as liquid that was exposed and possibly contaminated by venom) to be condemned as unsuitable for any divine service.
  - (15) **בֵּית הַשּׂוֹאֵבָה**. The exact meaning of the term which also appears in the form **שׂוֹבָה** (v. D.S. a.l.) is not clear. For a full discussion of the ceremony v. Feuchtwanger S., MGWJ. LIV-45]. For the details v. infra.
  - (16) Therefore when one of the Intermediate Days was a Sabbath it was performed on five days only.

## Talmud - Mas. Sukkah 50b

GEMARA. It was stated, Rab Judah and R. Ina differ, one of them taught Sho'ebah<sup>1</sup> and the other taught Hashubah.<sup>2</sup> Mar Zutra observed, He who teaches, Sho'ebah is not in error, and he who teaches Hashubah is not in error. He who teaches Sho'ebah<sup>1</sup> is not in error, since it is written, And ye shall draw water in joy,<sup>3</sup> and he who teaches Hashubah is not in error, since R. Nahman stated, It is an important precept, dating from the very Creation.<sup>4</sup>

Our Rabbis taught, The flute-playing overrides the Sabbath; so R. Jose b. Judah; but the Sages ruled, It does not override even the Festival. R. Joseph explained, The dispute<sup>5</sup> concerns only the song that accompanied the sacrifices,<sup>6</sup> since R. Jose is of the opinion that the essential feature of the [Temple] music is the instrument, in consequence of which it is a Temple service which overrides the Sabbath, whereas the Rabbis are of the opinion that the essential feature of the [Temple] music is the vocal singing, in consequence of which the [playing of the instruments] is not a Temple service and does not, therefore, override the Sabbath; but with regard to the singing at the Festival of Water-Drawing, all agree that it is a mere expression of rejoicing and does not, therefore, override the Sabbath.

Whence, said R. Joseph, do I derive that the dispute concerns only that?<sup>7</sup> From what has been taught, If vessels of ministry were made of wood, Rabbi declares them invalid and R. Jose b. Judah holds them to be valid.<sup>8</sup> Now do they not differ on this principle, that he who declares them valid is of the opinion that the essential feature of the [Temple] music is the instrument<sup>9</sup> and [its validity may, therefore,] be deduced from that of the reed-flute of Moses,<sup>10</sup> while he who holds them to be invalid is of the opinion that the essential feature of the Temple music is the vocal singing<sup>11</sup> and its validity, therefore, cannot be deduced from that of the reed-flute of Moses? — No; both of them may agree that the essential feature of the [Temple] music is the instrument, but in this case they differ on the question whether we may deduce what it is possible [to manufacture from another material] from that which it is impossible [to manufacture from another material].<sup>12</sup> He who declares them valid is of the opinion that we do deduce that which it is possible [to manufacture from another material], from that which it is impossible [to manufacture from another material],<sup>13</sup> whereas he who holds them to be invalid is of the opinion that we do not deduce the possible from the impossible.<sup>14</sup> And if you wish you may say that all are in agreement that the essential feature of the [Temple] music is the vocal singing,<sup>15</sup> and that<sup>16</sup> we do not deduce the possible from the impossible,<sup>15</sup> but in this case they differ on the question whether, in making the deduction concerning the candlestick,<sup>17</sup> we apply the principle of 'the general and the particular' or the rule of 'extension and limitation'.<sup>18</sup> Rabbi applies the principle of 'the general and the particular' while R. Jose b. Judah applies the principle of 'extension and limitation'. Rabbi applies the principle of the 'general and particular' [thus:] And thou shalt make a candlestick<sup>19</sup> is a general statement, of pure gold<sup>19</sup> is a particular, of beaten work shall the candlestick be made<sup>19</sup> is again a general statement; [the instruction thus consists of] two general [statements] with a particular [statement between], in which case it includes only such things as are similar to the particular [statement],<sup>20</sup> so that as the particular is specified to be of metal, so must all [vessels] be of metal. R. Jose b. Judah applies the principle of 'extension and limitation' [thus:] And thou shalt make a candlestick<sup>19</sup> is an extension, of pure gold<sup>19</sup> is a limitation, of beaten work shall the candlestick be made<sup>19</sup> is again an extension. The text thus gives two extensions with a limitation between in which case it includes everything [and excludes but one thing]. What does it include? All materials, and what does it exclude? [Only]<sup>21</sup> earthenware.

R. Papa stated,

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(1) 'Water-drawing'.

(2) 'Important'. The phrase would thus mean 'The Important Rejoicing of the Temple'. [This reading would support the

variant hashe'ubah **השאובה** (v. n. 1) with which it could easily be confused].

(3) Isa. XII, 3.

(4) When, as stated supra 49a, the Pits were created to receive the libations.

(5) Between R. Jose and the Sages.

(6) When the libation of wine was offered in connection with the continual morning and evening offerings (cf. 'Ar. 10a).

(7) Whether the vocal organs or the instruments are the essential features of the Temple music.

(8) Sot. 14b.

(9) And it may, therefore, be regarded as a Temple vessel.

(10) Which was made of wood (cf. 'Ar. 10b). Tradition dated this reedpipe from Moses. As that pipe was made of wood so may all musical instruments of the Temple be made of wood.

(11) So that the instrument cannot be regarded as one of the Temple vessels.

(12) It was impossible (as explained in 'Ar. 10b) to make the best of pipes of anything but reeds. All other vessels, however, can be made from metal.

(13) Hence he allows all vessels to be made from wood as was the reed-pipe of Moses.

(14) Hence it is only the pipe, which (as stated supra) cannot be satisfactorily made of other materials, that may be made of wood, but not any other vessels which can well be made of metal.

(15) No deduction, therefore, may be made from Moses' reed-pipe.

(16) Even if it were to be insisted that the essential feature of the music was the instrument.

(17) Of the sanctuary, which is regarded as the prototype of all the other vessels.

(18) Two methods of homiletics, the former employed by R. Ishmael, the latter by R. Akiba. Cf. Sanh., Sonc. ed., vol I, p. 301, n. I.

(19) Ex. XXV, 31.

(20) Cf. P.B. p. 13.

(21) Since according to the principle of extension and limitation, only the most remote is excluded.

## **Talmud - Mas. Sukkah 51a**

[This dispute<sup>1</sup> is] on the same principle as the one between the following Tannas concerning which we have learnt,<sup>2</sup> [The instrument players in the Temple] were the slaves of the priests; so R. Meir. R. Jose says, They were the families of Beth Ha-Pegarim, and Beth Zipporia who hailed from Emmaus<sup>3</sup> and were married into the priestly stock.<sup>4</sup> R. Hanina b. Antigonus says, They were Levites.<sup>5</sup> Now do they<sup>6</sup> not differ on the following principles: He who says that they were slaves is of the opinion that the essential feature of the [Temple] music was the vocal singing,<sup>7</sup> while he who says that they were Levites holds the opinion that the essential feature of the [Temple] music was the instrument?<sup>8</sup> — But do you understand this? What then is the opinion upheld by R. Jose? If he is of the opinion that the essential feature of the [Temple] music was the singing, then even slaves [should be allowed to play the instruments],<sup>9</sup> and if he is of the opinion that the essential feature was the instrument, should not then only Levites [be allowed to play] but not Israelites?<sup>10</sup> But the fact is that all agree that the essential feature of the [Temple] music was the vocal singing, but it is on this that they differ: One Master holds that the practice was as he stated<sup>11</sup> while the other Master holds that the practice was as he stated.<sup>11</sup> In what respect could this<sup>12</sup> matter? — In respect of taking the fact that a man stood upon the platform<sup>13</sup> as proof of honourable descent<sup>14</sup> or [as proof that he is eligible for] tithes.<sup>15</sup> He who says that they were slaves is of the opinion that the fact that [one's ancestor] stood upon the platform is proof neither of honourable descent nor that [he is eligible for] tithes;<sup>16</sup> he who says that they were Israelites [of honourable family] is of the opinion that we accept the standing upon the platform as proof of honourable descent, but not [of eligibility for] tithes;<sup>17</sup> while he who says that they were Levites is of the opinion that the standing upon the platform is accepted as proof in regard to both honourable descent and [eligibility for] tithes.<sup>18</sup>

R. Jeremiah b. Abba, however, maintains<sup>19</sup> that the dispute<sup>20</sup> concerns only the music<sup>21</sup> at the Water-Drawing, since R. Jose b. Judah is of the opinion that even an added expression of Rejoicing<sup>22</sup> overrides the Sabbath, while the Rabbis are of the opinion that an added expression of Rejoicing

does not override [either] the Sabbath [or the Festival], but as regards the music which accompanied the sacrifices, all agree that it is [an integral part of] the Service and overrides the Sabbath.

An objection was raised.<sup>23</sup> [It was taught,] The music which accompanied the Water-Drawing overrides the Sabbath. So R. Jose b. Judah. The Sages, however, rule that it does not override even the Festival. Is not this a refutation of R. Joseph?<sup>24</sup> — It is indeed a refutation.

Can we also say that they<sup>25</sup> dispute only concerning the music which accompanied the Water-Drawing, but that with regard to the music that accompanied the sacrifices all<sup>26</sup> agree that it overrides the Sabbath, and this<sup>27</sup> would, therefore, constitute a double refutation of R. Joseph?<sup>28</sup> — [No.] R. Joseph could answer you, They dispute concerning the music that accompanied the Water-Drawing and the same applies also to [that which accompanied] the sacrifices, and the reason that they expressed their different views with regard to the Water-Drawing was in order to acquaint you with the extent of the view of R. Jose b. Judah, viz., that even the music of the Water-Drawing overrides [the Sabbath]. Was it not, however, stated, THIS REFERS TO THE FLUTE-PLAYING AT THE PLACE OF THE WATER-DRAWING, WHICH OVERRIDES NEITHER THE SABBATH NOR ANY FESTIVAL DAY, [from which we can infer that] this [playing] does not override the Sabbath, but the playing which accompanied the sacrifices does override [the Sabbath]?<sup>29</sup> Now whose view is it? If you were to say that it is that of R. Jose b. Judah, did he not state that the playing which accompanies the Water-Drawing also overrides the Sabbath?<sup>30</sup> Consequently it must be, [must it not,] the view of the Rabbis, and thus<sup>31</sup> arises a double refutation of R. Joseph?<sup>32</sup> It is indeed a refutation.

What is the reason of him who stated that the essential feature of the [Temple] music was the instrument? — Because it is written, And Hezekiah commanded to offer the burnt-offering upon the altar. And when the burnt-offering began, the song of the Lord began also, and the trumpets together with the instruments of David, King of Israel.<sup>33</sup> What is the reason of him who stated that the essential feature of the Temple music was the vocal singing? — Because it is written, It came even to pass, when the trumpeters and the singers were as one, to make one sound to be heard.<sup>34</sup> As to the other also,<sup>35</sup> is it not written, ‘and Hezekiah commanded etc.’?<sup>36</sup> — It is this that was meant: The song of the Lord began’ vocally ‘together with the instruments of David, King of Israel’, which were but to sweeten the voice. And as to the other one too,<sup>37</sup> is it not written, ‘it came even to pass, when the trumpeters and singers were as one’?<sup>38</sup> — It is this that was meant: ‘The singers’ performed in the same manner as ‘the trumpeters’. Just as the trumpeters [performed] with instruments, so did the singers [perform] with instruments.

MISHNAH. HE<sup>39</sup> WHO HAS NOT SEEN THE REJOICING AT THE PLACE OF THE WATER-DRAWING HAS NEVER SEEN REJOICING IN HIS LIFE. AT THE CONCLUSION OF THE FIRST FESTIVAL DAY OF TABERNACLES THEY<sup>40</sup> DESCENDED<sup>41</sup> TO THE COURT OF THE WOMEN<sup>42</sup> WHERE THEY HAD MADE A GREAT ENACTMENT.<sup>43</sup> THERE WERE THERE GOLDEN CANDLESTICKS WITH FOUR GOLDEN BOWLS ON THE TOP OF EACH OF THEM AND FOUR LADDERS<sup>44</sup> TO EACH, AND FOUR YOUTHS DRAWN FROM THE PRIESTLY STOCK IN WHOSE HANDS WERE HELD JARS OF OIL CONTAINING ONE HUNDRED AND TWENTY LOG WHICH THEY Poured INTO THE BOWLS.<sup>45</sup>

FROM THE WORN-OUT DRAWERS AND GIRDLES OF THE PRIESTS THEY MADE WICKS AND WITH THEM THEY KINDLED THE LAMPS; AND<sup>46</sup> THERE WAS NOT A COURTYARD IN JERUSALEM THAT WAS NOT ILLUMINED BY THE LIGHT OF THE PLACE OF THE WATER-DRAWING.

MEN OF PIETY AND GOOD DEEDS<sup>47</sup> USED TO DANCE BEFORE THEM

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- (1) Whether the vocal singing or the instrumental playing was the essential feature of the Temple service.
- (2) Cur. edd. in parenthesis 'it was taught'.
- (3) Near Tiberias.
- (4) Because they were Israelites of pure and honourable descent (cf. Kid. IV, 5).
- (5) V. 'Ar. 10a.
- (6) The three Tannas just mentioned.
- (7) As this was done by the Levites, slaves were allowed to play the instruments.
- (8) Hence only the Levites were allowed to play it.
- (9) Supra n. 5.
- (10) Why then does he allow Israelites.
- (11) Lit., 'thus'.
- (12) The type of the instrument players.
- (13) Dukan, the platform upon which the Levites stood in the Temple during the singing of the Psalms (cf. 'Ar. II, 6).
- (14) Lit., 'whether we raise one from the dukan to (an honourable) pedigree'. The Jews were proud of their lineage and investigated the descent of the women whom they wished to marry for four generations back. (V. Kid. IV, 4 and 5).
- (15) I.e., that he is a Levite.
- (16) Hence it is permitted even for slaves to take part.
- (17) Honourable Israelites only were, therefore, allowed to participate.
- (18) Levites only were, therefore, allowed to ascend the platform.
- (19) Contrary to the view of R. Joseph supra 50b.
- (20) Of R. Jose b. Judah and the Rabbis.
- (21) Sc. the instrument playing.
- (22) Even if it is not an integral part of the Service.
- (23) To R. Joseph's view.
- (24) Who stated that R. Jose agreed that the music at the Water-Drawing did not override the Sabbath.
- (25) R. Jose and the Sages.
- (26) Even the Sages.
- (27) Since he submitted that the Sages hold that this music does not override the Sabbath.
- (28) Both with regard to the Water-Drawing and the sacrifices. In the case of the former he maintained that R. Jose holds that it does not override the Sabbath, while here it is shown that according to R. Jose it does override it; while in the case of the latter he maintained that the Sages hold that it does not override the Sabbath, from here it might be inferred that according to their view it does.
- (29) Apparently we can.
- (30) While here it is stated that it does not override it.
- (31) Since the Rabbis here admit that the music at the sacrifice overrides the Sabbath while R. Joseph maintained that according to their view it does not override it.
- (32) V. p. 240, n. 11.
- (33) II Chron. XXIX, 27. Thus the other instruments no less than the trumpets sounded at the time of sacrifice, make 'the song of the Lord'; v. next note.
- (34) II Chron, V, 13, where no instrumental music is mentioned. 'The trumpeters' refers not to the players of the instruments that accompanied the singing, but to those who sounded the trumpets at the time of sacrifice. Hence it was 'the singers' alone who made here the music (V. Rashi).
- (35) Who holds that the vocal music was an essential feature of the Temple service.
- (36) Which proves that the instruments were an essential.
- (37) Who stated that the instruments were an essential feature.
- (38) Which, as shown supra, implies that the music was only vocal.
- (39) Separate edd. of the Mishnah read, 'They said: He who' etc.
- (40) The priests and Levites.
- (41) The fifteen steps (mentioned later in our Mishnah) that led from the Court of the Israelites.
- (42) Cf. Mid. II, 5.
- (43) The Gemara infra explains this.
- (44) To ascend to the top, since they were fifty cubits high (v. infra).

(45) This is explained in the Gemara infra.

(46) Owing to the considerable height of the lamps (cf. prev. n.) and the high altitude of the Temple mount on which the court was situated.

(47) Or 'miracle workers', lit., 'men of work' (cf. Sot. IX, 15).

## **Talmud - Mas. Sukkah 51b**

WITH LIGHTED TORCHES IN THEIR HANDS,<sup>1</sup> AND SING SONGS AND PRAISES. AND LEVITES WITHOUT NUMBER WITH HARPS, LYRES, CYMBALS AND TRUMPETS AND OTHER MUSICAL INSTRUMENTS WERE THERE UPON THE FIFTEEN STEPS LEADING DOWN FROM THE COURT OF THE ISRAELITES TO THE COURT OF THE WOMEN, CORRESPONDING TO THE FIFTEEN SONGS OF ASCENTS<sup>2</sup> IN THE PSALMS.<sup>3</sup> IT WAS UPON THESE<sup>4</sup> THAT THE LEVITES STOOD<sup>5</sup> WITH THEIR INSTRUMENTS OF MUSIC AND SANG THEIR SONGS. TWO PRIESTS STOOD BY THE UPPER GATE WHICH LEADS DOWN FROM THE COURT OF THE ISRAELITES TO THE COURT OF THE WOMEN, WITH TWO TRUMPETS IN THEIR HANDS. WHEN THE COCK CROWED THEY SOUNDED A TEK'AH [LONG DRAWN-OUT BLAST], A TERU'AH [TREMULOUS NOTE] AND AGAIN A TEK'AH.<sup>6</sup> WHEN THEY REACHED THE TENTH STEP THEY SOUNDED A TEK'AH, A TERU'AH AND AGAIN A TEK'AH. WHEN THEY REACHED THE COURT<sup>7</sup> THEY SOUNDED A TEK'AH, A TERU'AH AND AGAIN A TEK'AH.<sup>8</sup> AND WHEN THEY REACHED THE GROUND<sup>9</sup> THEY SOUNDED A TEK'AH, A TERU'AH, AND AGAIN A TEK'AH.<sup>10</sup> THEY PROCEEDED, SOUNDING THEIR TRUMPETS, UNTIL THEY REACHED THE GATE WHICH LEADS OUT TO THE EAST. WHEN THEY REACHED THE GATE WHICH LEADS OUT TO THE EAST, THEY TURNED THEIR FACES FROM EAST TO WEST<sup>11</sup> AND PROCLAIMED, OUR FATHERS<sup>12</sup> WHO WERE IN THIS PLACE [STOOD] WITH THEIR BACKS TOWARD THE TEMPLE OF THE LORD, AND THEIR FACES TOWARD THE EAST, AND THEY WORSHIPPED THE SUN TOWARD THE EAST,<sup>13</sup> BUT AS FOR US, OUR EYES ARE TURNED TO THE LORD'. R. JUDAH STATED, THEY USED TO REPEAT [THE LAST WORDS] AND SAY 'WE ARE THE LORD'S AND OUR EYES ARE TURNED TO THE LORD'.

GEMARA. Our Rabbis taught, He who has not witnessed the rejoicing at the place of the Water-Drawing has never seen rejoicing in his life. He who has not seen Jerusalem in her splendour, has never seen a desirable city in his life. He who has not seen the Temple in its full construction has never seen a glorious building in his life. Which Temple?<sup>14</sup> — Abaye, or it might be said, R. Hisda, replied, The reference is to the building of Herod.<sup>15</sup> Of what did he build it? — Rabbah<sup>16</sup> replied, Of yellow and white marble. Some there are who say, With yellow, blue and white marble. The building rose in tiers<sup>17</sup> in order to provide a hold for the plaster. He<sup>18</sup> intended at first to overlay it with gold, but the Rabbis told him, Leave it alone for it is more beautiful as it is, since<sup>19</sup> it has the appearance of the waves of the sea.

It has been taught, R. Judah stated, He who has not seen the double colonnade<sup>20</sup> of Alexandria in Egypt<sup>21</sup> has never seen the glory of Israel. It was said that it was like a huge basilica, one colonnade within the other, and it sometimes held<sup>22</sup> twice the number of people that went forth from Egypt.<sup>23</sup> There were in it seventy-one cathedras of gold, corresponding to the seventy-one members of the Great Sanhedrin,<sup>24</sup> not one of them containing less than twenty-one<sup>25</sup> talents of gold, and a wooden platform in the middle upon which the attendant of the Synagogue stood with a scarf in his hand. When the time came to answer Amen,<sup>26</sup> he waved his scarf and all the congregation<sup>27</sup> duly responded. They moreover did not occupy their seats promiscuously, but goldsmiths sat separately, silversmiths separately, blacksmiths separately, metalworkers separately and weavers separately, so that when a poor man entered the place he recognized the members of his craft and on applying<sup>28</sup> to that quarter obtained a livelihood for himself and for the members of his family.<sup>29</sup>

Abaye stated, Alexander of Macedon<sup>30</sup> slew them all. Why were they so punished? — Because they transgressed this verse: Ye shall henceforth return no more<sup>31</sup> that way,<sup>32</sup> and they did return. When he<sup>33</sup> came and found them reading from The Book, ‘The Lord will bring a nation against thee from afar’,<sup>34</sup> he remarked, ‘I<sup>35</sup> should have brought my ships in a ten days’ journey, but as a strong wind arose the ships arrived in five days’! He, therefore,<sup>36</sup> fell upon them and slew them.

AT THE CONCLUSION OF THE FIRST FESTIVAL DAY etc. What was the GREAT ENACTMENT? — R. Eleazar replied, As that of which we have learnt. Originally [the walls of the Court of the Women] were smooth,<sup>37</sup> but [later the Court] was surrounded with a gallery, and it was enacted that the women should sit above and the men below.<sup>38</sup>

Our Rabbis have taught, Originally the women used to sit within [the Court of the Women] while the men were without, but as this caused levity, it was instituted that the women should sit without and the men within. As this, however, still led to levity, it was instituted that the women should sit above<sup>39</sup> and the men below.

But how could they do so?<sup>40</sup> Is it not written, All this [do I give thee] in writing as the Lord hath made me wise by His hand upon me?<sup>41</sup> — Rab answered, They found a Scriptural verse and expounded it:

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- (1) Throwing them up and catching them again, and performing this feat with four or eight torches throwing up and catching one after the other (Rashi).
  - (2) So with sep. edd. of the Mishnah. Cur. edd. omit ‘SONGS OF’ and insert ‘ASCENTS’ in parenthesis.
  - (3) Pss. CXX-CXXXIV.
  - (4) And not at the side of the altar where they performed at the time of the offering of the sacrifices.
  - (5) At the festivities of the Water-Drawing.
  - (6) This was a call to proceed to draw the water of libation from Siloam.
  - (7) Sc. the floor of the Court of the Women.
  - (8) The last sentence is deleted by Elijah Wilna.
  - (9) Elijah Wilna adds, ‘of the court’.
  - (10) Cur. edd. enclose the last sentence in parenthesis.
  - (11) Thus facing the Temple.
  - (12) In the days of the first Temple.
  - (13) Cf. Ezek. VIII, 16.
  - (14) Lit., ‘what is it (to which the reference is made)’. There were the Temples of Solomon, Nehemiah and Herod.
  - (15) Herod rebuilt the Temple. For a full description cf. Josephus, Ant. XV, 11 v. also B.B. 4a.
  - (16) Cur. edd. in parenthesis, ‘Raba’.
  - (17) Lit., ‘he brought out an edge and brought in an edge’.
  - (18) Herod.
  - (19) On account of the variegated hues of the marble.
  - (20) \*\* i.e., the basilica-synagogue.
  - (21) From the foundation of the city by Alexander the Great in 332 B.C.E., the Jews formed an important section of the population with their own places of worship and other rights and privileges.
  - (22) Cur. edd. in parenthesis, ‘600,000 X 600,000’.
  - (23) I.e., 1,200,000.
  - (24) Bah read ‘elders’ for ‘members of... Sanhedrin’.
  - (25) The reading ‘twenty-one myriads’ of cur. edd. is deleted by Elijah Wilna.
  - (26) When e.g., the Reader concluded a benediction.
  - (27) To whom owing to the huge size of the Synagogue, the reader's voice was inaudible.
  - (28) For employment.
  - (29) [Whether this is to be identified with the beautiful Synagogue mentioned by Philo is not certain. Krauss S., Synagogale Altertumer, p. 261ff argues that this basilica was no Synagogue but a trading mart where the Jews would

also hold services.]

(30) Var. lec., Trajan (Elijah Wilna). [Trajan is the name given in J. Suk. V, I, and the reference is to the massacre of the Jews in Alexandria under Trajan in 116 recorded by Eusebius. V. Derenbourg, Essai, p. 410ff and Graetz, Geschichte IV, p. 117ff.]

(31) Sc. to Egypt.

(32) Deut. XVII, 16.

(33) The tyrant.

(34) Ibid. XXVIII, 49.

(35) Lit., 'that man'.

(36) Finding in the Scriptural verse and in the kindness of the elements that his expedition was providential.

(37) [So Rashi on basis of reading תלוקה; var. lec. תלוקה '(the floor spacing) was divided (into two sections)'. V. D.S.].

(38) Cf. Mid. II, 5.

(39) On the gallery.

(40) Alter the original structure of the Temple.

(41) I Chron. XXVIII, 19, referring to the construction of the First Temple.

## Talmud - Mas. Sukkah 52a

And the land shall mourn, every family apart; the family of the house of David apart, and their wives apart.<sup>1</sup> Is it not, they said, an a fortiori argument? If in the future<sup>2</sup> when they will be engaged in mourning and the Evil Inclination will have no power over them,<sup>3</sup> the Torah<sup>4</sup> nevertheless says, men separately and women separately, how much more so now<sup>5</sup> when they are engaged in rejoicing and the Evil Inclination has sway over them.<sup>6</sup>

What is the cause of the mourning [mentioned in the last cited verse]?<sup>1</sup> — R. Dosa and the Rabbis differ on the point. One explained, The cause is the slaying of Messiah the son of Joseph,<sup>7</sup> and the other explained, The cause is the slaying of the Evil Inclination.

It is well according to him who explains that the cause is the slaying of Messiah the son of Joseph, since that well agrees with the Scriptural verse, And they shall look upon me because they have thrust him through, and they shall mourn for him as one mourneth for his only son;<sup>8</sup> but according to him who explains the cause to be the slaying of the Evil Inclination, is this [it may be objected] an occasion for mourning? Is it not rather an occasion for rejoicing? Why then should they weep? — [The explanation is] as R. Judah expounded: In the time to come<sup>9</sup> the Holy One, blessed be He, will bring the Evil Inclination and slay it in the presence of the righteous and the wicked. To the righteous it will have the appearance of a towering hill, and to the wicked it will have the appearance of a hair thread. Both the former and the latter will weep; the righteous will weep saying, 'How were we able to overcome such a towering hill!' The wicked also will weep saying, 'How is it that we were unable to conquer this hair thread!' And the Holy One, blessed be He, will also marvel together with them, as it is said, Thus saith the Lord of Hosts, If it be marvellous in the eyes of the remnant of this people in those days, it shall<sup>10</sup> also be marvellous in My eyes.<sup>11</sup>

R. Assi stated, The Evil Inclination is at first like the thread of a spider, but ultimately<sup>12</sup> becomes like cart ropes, as it is said, Woe unto them that draw iniquity with cords of vanity, and sin as it were with a cart-rope.<sup>13</sup>

Our Rabbis taught, The Holy One, blessed be He, will say to the Messiah, the son of David (May he reveal himself speedily in our days!), 'Ask of me anything, and I will give it to thee', as it is said, I will tell of the decree etc. this day have I begotten thee, ask of me and I will give the nations for thy inheritance.<sup>14</sup> But when he will see that the Messiah the son of Joseph is slain, he will say to Him, 'Lord of the Universe, I ask of Thee only the gift of life'. 'As to life', He would answer him, 'Your



father David has already prophesied this concerning you', as it is said, He asked life of thee, thou gavest it him, [even length of days for ever and ever].<sup>15</sup>

R. 'Awira or, as some say, R. Joshua b. Levi, made the following exposition: The Evil Inclination has seven names. The Holy One, blessed be He, called it Evil, as it is said, For the imagination of man's heart is evil from his youth.<sup>16</sup> Moses called it the Uncircumcised, as it is said, Circumcise therefore the foreskin of your heart.<sup>17</sup> David called it Unclean, as it is said, Create me a clean heart, O Lord,<sup>18</sup> which implies that there is an unclean one. Solomon called it the Enemy, as it is said, If thine enemy<sup>19</sup> be hungry, give him bread<sup>20</sup> to eat and if he be thirsty give him water to drink.<sup>21</sup> For thou wilt heap coals of fire upon his head, and the Lord will reward thee;<sup>22</sup> read not, 'will reward thee'<sup>23</sup> but 'will cause it to be at peace with thee.'<sup>24</sup> Isaiah called it the Stumbling-Block, as it is said, Cast ye up, Cast ye up, clear the way, take up the stumbling-block out of the way of my people.<sup>25</sup> Ezekiel called it Stone, as it is said, And I will take away the heart of stone out of your flesh and I will give you a heart of flesh.<sup>26</sup> Joel called it the Hidden One, as it is said, But I will remove far off from you the hidden one.<sup>27</sup>

Our Rabbis taught: 'But I will remove far off from you the hidden one',<sup>27</sup> refers to the Evil Inclination which is constantly hidden in the heart of man; and will drive him into a land barren and desolate<sup>28</sup> means, to a place where there are no men for him to attack; with his face toward the eastern sea,<sup>28</sup> [implies] that he set his eyes against the First Temple<sup>29</sup> and destroyed it and slew the scholars who were therein; and his hinder part toward the western sea<sup>28</sup> [implies] that he set his eyes against the Second Temple and destroyed it and slew the scholars who were therein. That his foulness may come up and his ill-savour may come up<sup>28</sup> [means] that he leaves the other nations in peace and attacks only Israel.<sup>30</sup> Because he hath done great things.<sup>28</sup> Abaye explained, Against scholars<sup>31</sup> more than against anyone;<sup>32</sup> as was the case when Abaye heard a certain man saying to a woman, 'Let us arise betimes and go on our way'. 'I will', said Abaye, 'follow them in order to keep them away from transgression' and he followed them for three parasangs across the meadows. When they parted company<sup>33</sup> he heard them say, 'Our company is pleasant, the way is long'.<sup>34</sup> 'If it were I',<sup>35</sup> said Abaye, 'I could not have restrained myself', and so went and leaned in deep anguish against a doorpost, when a certain old man<sup>36</sup> came up to him and taught him: The greater the man, the greater his Evil Inclination.

R. Isaac stated, The [Evil] Inclination of a man grows stronger within him from day to day, as it is said, Only

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(1) Zech. XII, 12.

(2) The time alluded to in the text cited.

(3) So that levity is least to be expected.

(4) Sc. Scripture, in the statement 'and their wives apart'.

(5) At the festivities of the Water-Drawing.

(6) And undue levity is most likely.

(7) The precursor of the Messiah ben David, the herald of the true Messianic age.

(8) Zech. XII, 10.

(9) The Messianic age.

(10) E.V., 'Should it'.

(11) Zech. VIII, 6.

(12) If the man continues to yield to temptation.

(13) Isa. V, 18.

(14) Ps. II, 7 and 8.

(15) Ps. XXI, 5.

(16) Gen. VIII, 21.

(17) Deut. X, 16; the heart is the supposed seat of the Evil Inclination.

- (18) Ps. LI, 12.  
 (19) The Evil Inclination.  
 (20) Sc. the study of the Torah.  
 (21) Sc. the study of the Torah.  
 (22) Prov. XXV, 21 and 22.  
 (23) Yeshalem lak.  
 (24) Yashlimenu lak.  
 (25) Isa. LVII, 14.  
 (26) Ezek XXXVI, 26.  
 (27) Joel II, 20; E.V., 'northern one'.  
 (28) Ibid.  
 (29) Synonymous with sea (cf. Rashi).  
 (30) Lit., 'the enemies of Israel', a euphemism.  
 (31) Who are 'great' men.  
 (32) Does the Evil Inclination act.  
 (33) Each one having had to go in a different direction.  
 (34) Sc. much as they would have liked to go together they must part company since they had to go in different directions.  
 (35) Lit., 'he who hates me', euphemism.  
 (36) Tradition identifies the anonymous old man with the spirit of Elijah.

## Talmud - Mas. Sukkah 52b

evil all the day.<sup>1</sup> R. Simeon b. Lakish stated, The Evil Inclination of a man grows in strength from day to day and seeks to kill him, as it is said, The wicked watcheth the righteous and seeketh to slay him;<sup>2</sup> and were it not that the Holy One, blessed be He, is his help, he would not be able to withstand it, as it is said, The Lord will not leave him in his hand, nor suffer him to be condemned when he is judged.<sup>3</sup>

The school of R. Ishmael taught, If this repulsive wretch<sup>4</sup> meets thee, drag him to the Beth Hamidrash.<sup>5</sup> If he is of stone, he will dissolve, if of iron he will shiver into fragments. 'If he is of stone he will dissolve', for it is written, Ho, every one that thirsteth come ye to the water<sup>6</sup> and it is written, The waters wear the stones.<sup>7</sup> 'If he is of iron, he will shiver into fragments', for it is written, Is not my word like as fire? Saith the Lord, and like a hammer that breaketh the rock in pieces?<sup>8</sup>

R. Samuel b. Nahmani citing R. Johanan stated, The Evil Inclination entices man in this world and testifies against him in the world to come, as it is said, He that delicately bringeth up his servant from a child shall have him become a man<sup>9</sup> at the last,<sup>10</sup> for according to the Atbah<sup>11</sup> of R. Hiyya a witness<sup>12</sup> is called<sup>13</sup> manon.<sup>14</sup> R. Huna pointed out an incongruity: It is written, For the spirit of harlotry hath caused them to err,<sup>15</sup> but is it not also written, [For the spirit of harlotry] is within them?<sup>16</sup> First it only causes them to err, but ultimately it enters into them. Raba observed, First he<sup>17</sup> is called a passer-by, then he is called a guest, and finally he is called a man,<sup>18</sup> for it is said, And there came a passer-by<sup>17</sup> to the rich man, and he spared to take of his own flock and of his own herd, to dress for the guest<sup>17</sup> and then it is written, but took the poor man's lamb and dressed it for the man<sup>17</sup> that was come to him.<sup>19</sup>

R. Johanan remarked, There is a small organ in man which satisfies him when in hunger and makes him hunger when satisfied,<sup>20</sup> as it is said, When they were starved<sup>21</sup> they became full etc.<sup>22</sup>

R. Hana b. Abba stated: It was said at the schoolhouse, There are four things of which the Holy One, blessed be He, repents that He had created them, and they are the following: Exile, the Chaldeans, the Ishmaelites and Evil Inclination. 'The Exile', since it is written, Now, therefore, what

do I here, saith the Lord, seeing that My people is taken away for naught etc.;<sup>23</sup> ‘the Chaldeans’, since it is written, Behold the land of the Chaldeans — this is the people that was not;<sup>24</sup> ‘the Ishmaelites’, since it is written, The tents of the robbers<sup>25</sup> prosper, and they that provoke God are secure since God brought them with His hand;<sup>26</sup> ‘the Evil Inclination’, since it is written, [And I will gather her that is driven away] and her that I have afflicted.<sup>27</sup>

R. Johanan remarked, Were it not for [the declarations in] the following three Scriptural verses,<sup>28</sup> the feet of the enemies of Israel<sup>29</sup> would have sunk. One is the verse, And her that I have afflicted;<sup>30</sup> the other is the verse, Behold, as the clay in the potter's hand, so are ye in My hand, O House of Israel;<sup>31</sup> and the third, And I will take away the heart of stone out of your flesh, and I will give you a heart of flesh.<sup>32</sup> R. Papa observed, [This may be derived] from the following verse also, And I will put My spirit into you.<sup>33</sup>

And the Lord showed me four craftsmen.<sup>34</sup> Who are these ‘four craftsmen’? — R. Hana b. Bizna citing R. Simeon Hasida replied: The Messiah the son of David, the Messiah the son of Joseph, Elijah and the Righteous Priest.<sup>35</sup> R. Shesheth objected,<sup>36</sup> If so, was it correct to write, These<sup>37</sup> are the horns which scattered Judah,<sup>38</sup> seeing that they came to turn [them] back?<sup>39</sup> — The other answered him, Go to the end of the verse: These then are come to frighten them, to cast down the horns of the nations, which lifted up their horns against the Land of Judah, to scatter it<sup>40</sup> etc. Why, said R. Shesheth to him, should I argue with Hana in Aggada?<sup>41</sup>

And this shall be peace: when the Assyrian shall come into our land, and when he shall tread in our palaces, then shall we raise up against him seven shepherds and eight princes among men.<sup>42</sup> Who are the ‘seven shepherds’? — David in the middle, Adam, Seth and Methuselah<sup>43</sup> on his right, and Abraham, Jacob and Moses<sup>44</sup> on his left. And who are the ‘eight princes among men’? — Jesse, Saul, Samuel, Amos, Zephaniah, Zedekiah, the Messiah, and Elijah.<sup>45</sup>

FOUR LADDERS etc. A Tanna taught, the height of a candlestick was fifty cubits.

AND FOUR YOUTHS DRAWN FROM THE PRIESTLY STOCK IN WHOSE HANDS WERE HELD JARS OF OIL CONTAINING ONE HUNDRED AND TWENTY LOG. It was asked: Were there one hundred and twenty log for<sup>46</sup> all of them or one hundred and twenty log for each? — Come and hear: With jars of oil in their hands, each of thirty log making a total of one hundred and twenty log.

A Tanna taught, And they<sup>47</sup> were superior<sup>48</sup> to the son of Martha the daughter of Boethus.<sup>49</sup> It was said of the son of Martha the daughter of Boethus, that he<sup>50</sup> could take<sup>51</sup> two sides of a huge ox which cost one thousand zuz and walk with them,<sup>52</sup> heel to toe,<sup>53</sup> but the Sages would not permit him to do so because In the multitude of the people is the King's glory.<sup>54</sup> In what respect, however, were they<sup>55</sup> superior? If you will say because of the weight do not those<sup>56</sup> weigh more?<sup>57</sup> — The fact is that in that case there was an ascent every four [cubits length of which rose only to a height of about one cubit]<sup>58</sup> so that it was far from being perpendicular, while here there were ladders which were almost perpendicular.<sup>59</sup>

AND THERE WAS NOT A COURTYARD IN JERUSALEM. A Tanna taught,

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(1) Gen. VI, 5; as the days go on the evil increases.

(2) Ps. XXXVII, 32.

(3) Ibid. 33.

(4) The Evil Inclination.

(5) The schoolhouse, i.e., overcome it by your application to study.

(6) Isa. LV, 1; sc. the Torah.

- (7) Job XIV, 19.
- (8) Jer. XXIII, 29. [This can also be rendered: 'like the hammer which the (granite) rock (against which it is struck) breaketh; the Evil Inclination being compared to an iron hammer and the Beth Hamidrash to a granite rock, v. Tosaf.].
- (9) מַנּוּן E.V., 'master'.
- (10) Prov. XXIX, 21.
- (11) A form of arrangement of the letters of the alphabet in groups of two, each group corresponding to the numerical value of ten (e.g. ב"ה, א"ט) or a hundred (e.g. כ"פ, י"צ) while nun which in the tens has no corresponding letter is grouped with he which in the units has no corresponding letter.
- (12) סַהַדָּה sahadah.
- (13) Since the letters נ and ו correspond to ט and ד and each נ corresponds to a ה.
- (14) מַנּוּן. מ = ט, נ = ה, ו = ד, ן = ה.
- (15) Hos. IV, 12; the cause of the error thus being external.
- (16) Ibid. V, 4; i.e., internal.
- (17) Sc. the Evil Inclination.
- (18) Sc. an inmate, an occupier of the house.
- (19) II Sam. XII, 4.
- (20) The more one yields to one's passions the more mastery they gain. Cf. 'the appetite comes with the eating'.
- (21) Kemar'itham, apparently compared with the rt. of ra'ab ('to hunger') or ra' ('bad', 'lean'). E.V. 'fed'.
- (22) Hos. XIII, 6.
- (23) Isa. LII, 5.
- (24) Ibid. XXIII, 13; i.e., it were better if they had never existed.
- (25) Identified with the Arabs (Ishmaelites) who dwell all their lives in tents.
- (26) Job XII,6 E.V., 'in whatsoever God bringeth into their hand'.
- (27) Mic. IV, 6; by creating the Evil Inclination.
- (28) Which imply that God is responsible for the sins of His people.
- (29) Euphemism for Israel.
- (30) Mic. IV, 6; by creating the Evil Inclination.
- (31) Jer. XVIII, 6.
- (32) Ezek. XXXVI, 26.
- (33) Ibid. 27.
- (34) Zech. II, 3.
- (35) Identified in Gen. R. XLIII with Melchizedek. [MS.M. reads: Melchizedek. He represented the best type of Monotheist of the non-Jewish race].
- (36) [Read with MS.M.: demurred, מִתְקִיף לָהּ ].
- (37) Presumably 'the craftsmen'.
- (38) Zech. II, 4, Which shows that it refers to enemies of Israel.
- (39) MS.M.: to rehabilitate them.
- (40) Zech. ibid., which shows that the 'horns' refer to the enemies of Israel and not to the craftsmen.
- (41) He admitted defeat at the hands of an expert in homiletics.
- (42) Mic. V, 4.
- (43) Non-Jews.
- (44) Jews.
- (45) The Yalkut and Ein Jacob have Elijah before Messiah. Cf. Mal. III, 23.
- (46) Cf. Bah.
- (47) The youths, who were able to carry the heavy weight of oil mentioned.
- (48) In strength.
- (49) Boethus was the High Priest whose daughter Martha married Joshua b. Gamala, the institutor of the school system in Palestine, and who with her wealth bribed Agrippa II to appoint him High Priest, c. 64. She was a widow when she married Joshua and the reference here may be to a son of her first marriage.
- (50) Who was a priest.
- (51) Up the ascent to the altar.
- (52) Despite their heavy weight.

(53) I.e., in a stately and slow manner.

(54) Prov. XIV, 28; one ox had to be carried by twenty-four priests (cf. Yoma 26b).

(55) The youths, who were able to carry the heavy weight of oil mentioned.

(56) The two sides of an ox.

(57) Than thirty log.

(58) The total length of the ascent being thirty-two cubits and the height of the altar only nine cubits.

(59) Needing greater physical effort to ascend them even though the weight one carried was less.

## Talmud - Mas. Sukkah 53a

A woman could<sup>1</sup> sift wheat by the illumination of the place of the Water-Drawing.

MEN OF PIETY AND GOOD DEEDS, etc. Our Rabbis have taught, Some of them, used to say,<sup>2</sup> 'Happy our youth that has not disgraced our old age'. These were the men of piety and good deeds. Others used to say, 'Happy our old age which has atoned for our youth'. These were the penitents. The former and the latter, however, said, 'Happy he who hath not sinned, but let him who hath sinned return and He will pardon him.'<sup>3</sup>

It was taught, Of Hillel the Elder, It was said that when he used to rejoice at the Rejoicing at the place of the Water-Drawing, he used to recite thus, 'If I am here, everyone is here; but if I am not here, who is here?'<sup>4</sup> He also used to recite thus, 'To the place that I love, there My feet lead me: if thou wilt come into My House, I will come into thy house; if thou wilt not come to My House, I will not come to thy house, as it is laid, In every place where I cause My name to be mentioned, I will come unto thee and bless thee'.<sup>5</sup>

He<sup>6</sup> moreover once saw a skull floating upon the face of the water. 'Because', he said to it, 'thou didst drown others, they have drowned thee, and they that drowned thee shall be drowned too'.<sup>7</sup>

R. Johanan stated, A man's feet are responsible for him; they lead him to the place where he is wanted.<sup>8</sup>

There were once two Cushites<sup>9</sup> who attended on Solomon, and these were Elihoreph and Ahyah, the sons of Shisha, scribes,<sup>10</sup> of Solomon. One day Solomon observed that the Angel of Death was sad. 'Why', he said to him, 'art thou sad?' — 'Because', he answered him, 'they<sup>11</sup> have demanded from me the two Cushites who sit here'.<sup>12</sup> [Solomon thereupon] gave them in charge of the spirits<sup>13</sup> and sent them to the district of Luz.<sup>14</sup> When, however, they reached the district of Luz<sup>15</sup> they died. On the following day he observed that the Angel of Death was in cheerful spirits. 'Why', he said to him, 'art thou cheerful?' — 'To the place', the other replied, 'where they expected them from me, thither didst thou send them!'<sup>16</sup> Solomon thereupon uttered the saying, 'A man's feet are responsible for him; they lead him to the place where he is wanted'.

It was taught: They said of R. Simeon b. Gamaliel that when he rejoiced at the Rejoicing at the place of the Water-Drawing, he used to take eight lighted torches [and throw them in the air] and catch one and throw one and they did not touch one another;<sup>17</sup> and when he prostrated himself, he used to dig his two thumbs in the ground, bend down,<sup>18</sup> kiss the ground, and draw himself up again,<sup>18</sup> a feat which no other man could do, and this is what is meant by Kidah.<sup>19</sup>

Levi showed in the presence of Rabbi what Kidah is and as a result, became lame.<sup>20</sup> But was this the cause of his [lameness]? Did not R. Eleazar in fact state, One should never cast reproach against Providence, for a great man cast reproach against Providence and was as a result rendered lame, and he was<sup>21</sup> Levi?<sup>22</sup> Both the former and the latter were the cause [of his lameness].<sup>23</sup>

Levi<sup>24</sup> used to juggle in the presence of Rabbi<sup>25</sup> with eight knives, Samuel before King Shapur<sup>26</sup> with eight glasses of wine,<sup>27</sup> and Abaye before Rabbah<sup>28</sup> with eight eggs or, as some say, with four eggs. It was taught: R. Joshua b. Hanania stated, When we used to rejoice at the place of the Water-Drawing, our eyes saw no sleep. How was this? The first hour [was occupied with] the daily morning sacrifice; from there [we proceeded] to prayers; from there [we proceeded] to the additional sacrifice, then the prayers to the additional sacrifice, then to the House of Study, then the eating and drinking, then the afternoon prayer, then the daily evening sacrifice, and after that the Rejoicing at the place of the Water-Drawing [all night]. But it cannot be so!<sup>29</sup> For did not R. Johanan rule, He who says, 'I take an oath not to sleep for three days' is to be flogged<sup>30</sup> and he may sleep forthwith?<sup>31</sup> — The fact is that what was meant was this: 'We did not enjoy a proper sleep', because they dozed on one another's shoulder.

FIFTEEN STEPS. R. Hisda said to a certain Rabbi who was arranging his Aggadas before him,<sup>32</sup> 'Have you heard in correspondence to what David composed his fifteen Songs of Ascent?'<sup>33</sup> — 'Thus', the other replied, 'said R. Johanan: When David dug the Pits<sup>34</sup> the Deep rose up and threatened to submerge the world, and David thereupon uttered the fifteen Songs of Ascent and caused its waves to subside'. But if so, [asked R. Hisda,] ought it not to be Songs of Descent, instead of Ascent? — 'Since you have reminded me', the other replied '[I may say that] it was stated thus: When David dug the Pits, the Deep arose and threatened to submerge the world. "Is there anyone", David enquired, "who knows whether it is permitted to inscribe the [Ineffable] Name

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(1) Cf. Tosaf. a.l.

(2) In the course of their praises.

(3) Tosef. Sukkah IV, 2.

(4) Ibid. IV, 3; 'I' referring to God (Rashi) or Israel (T.J. cf. Tosaf. a.l.).

(5) Ex. XX, 21; all the personal pronouns in the passage referring to the divine presence.

(6) Hillel.

(7) Cf. Aboth II, 6; an expression of the idea of Divine Retribution.

(8) By Death.

(9) 'Ethiopians' or (with Rashi) 'handsome men', as the Rabbis render the noun in Num. XII, 1.

(10) I Kings IV, 3.

(11) In heaven.

(12) Sc. death has been decreed against them.

(13) Over whom Solomon had dominion (cf. Meg. 11b, on I Chron. XXIX, 23).

(14) To save them from death. V. Gen. XXVIII, 19 and Judg. I, 23. Owing probably to the identification of this word with the one meaning 'the indestructible bone of the vertebra' (Lev. R., XVIII) tradition says that the Angel of Death had no power in Luz (v. Sot. 46b).

(15) And were still at the gate.

(16) It was decreed that they should die at the gate of Luz.

(17) A form of juggling.

(18) While still leaning on them.

(19) A form of prostration mentioned in Scripture, translated 'bowed their heads' (Ex. IV, 31). The feat consisted in the leverage of the body without bending or using the hands.

(20) The tremendous strain dislocated his thigh.

(21) Lit., 'and who was he?'

(22) V. Ta'an. 25a.

(23) His reproach of God was the Divine cause, and his attempt to perform Kidah the occasion. Cf. 'the ox dropped whets the knife' (Shab. 32a).

(24) On the occasion of the Rejoicing at the Water-Drawing.

(25) R. Judah I, the Patriarch, who was always in a melancholy mood, sorrowing for Israel's suffering and persecution, and whom his disciples were anxious to cheer.

(26) Shapur I, King of Persia, with whom Samuel was on such terms of friendship that the latter was sometimes called

King Shapur, cf. B.B. 115a (Sonc. ed., p. 475. n. 8).

(27) Without spilling any of their contents.

(28) Cur. edd. in parenthesis 'Raba'.

(29) That they had no sleep during all the days devoted to the rejoicings of the Water-Drawing.

(30) For taking a false oath, since it is impossible to go three days without sleep.

(31) Shebu. 25a.

(32) [MS.M.: before R. Johanan].

(33) Pss. CXX-CXXXIV.

(34) R. Johanan disagrees with the previous view that the Pits were a natural formation dating from the Creation.

## Talmud - Mas. Sukkah 53b

upon a sherd, and cast it into the Deep that its waves should subside?" There was none who answered a word. Said David, "Whoever knows the answer and does not speak, may he be suffocated". Whereupon Ahitophel<sup>1</sup> adduced an a fortiori argument to himself: "If, for the purpose of establishing harmony between man and wife, the Torah said, Let My name that was written in sanctity<sup>2</sup> be blotted out by the water,<sup>3</sup> how much more so may it be done in order to establish peace in the world!" He, therefore, said to him, "It is permitted!" [David] thereupon inscribed the [Ineffable] Name upon a sherd, cast it into the Deep and it subsided sixteen thousand cubits. When he saw that it had subsided to such a great extent, he said, "The nearer it is to the earth, the better the earth can be kept watered" and he uttered the fifteen Songs of Ascent and the Deep reascended fifteen thousand cubits and remained one thousand cubits [below the surface]'. Ulla remarked, Deduce therefrom that the thickness of the earth's surface is one thousand cubits.<sup>4</sup> But do we not see that one has but to dig a little for the waters to emerge? — R. Mesharsheya answered, That<sup>5</sup> is due to the high level<sup>6</sup> [of the source] of the Euphrates.<sup>7</sup>

TWO PRIESTS STOOD BY THE UPPER GATE WHICH LEADS DOWN etc. R. Jeremiah asked, [What is meant by] 'THE TENTH STEP'? Does it mean that they descended five [of the fifteen] and stood upon the remaining ten, or rather that they descended ten and stood upon the five? — It cannot be decided.<sup>8</sup>

Our Rabbis taught, Since it is said, And their faces toward the east,<sup>9</sup> is it not obvious that their backs were toward the Temple of the Lord?<sup>9</sup> What then is the import of the statement, 'their backs were toward the Temple of the Lord'? It teaches that they uncovered themselves and committed there a nuisance.

WE ARE THE LORD'S AND OUR EYES ARE TURNED TO THE LORD etc. But can it be so? Did not R. Zera in fact rule, He who repeats Shema', Shema'<sup>10</sup> is as though he said Modim, Modim [and he is silenced]?<sup>11</sup> — The fact is that it was this that they used to say, "They worshipped the sun toward the east" but as for us we give thanks unto the Lord, and to the Lord do our eyes hope'.<sup>12</sup>

MISHNAH. THEY NEVER SOUNDED LESS THAN TWENTY-ONE BLASTS IN THE TEMPLE,<sup>13</sup> AND NEVER MORE THAN FORTY-EIGHT. EVERY DAY THEY BLEW TWENTY-ONE BLASTS<sup>14</sup> IN THE TEMPLE, THREE AT THE OPENING OF THE GATES,<sup>15</sup> NINE AT THE DAILY MORNING SACRIFICE,<sup>16</sup> AND NINE AT THE DAILY EVENING SACRIFICE. AT THE ADDITIONAL SACRIFICES<sup>17</sup> THEY SOUNDED AN ADDITIONAL NINE; AND ON THE EVE OF THE SABBATH THEY ADDED SIX, THREE AS A SIGN TO THE PEOPLE TO CEASE FROM WORK AND THREE TO MARK A DISTINCTION BETWEEN THE HOLY AND THE PROFANE.<sup>18</sup>

ON THE EVE OF THE SABBATH IN THE INTERMEDIATE DAYS OF THE [SUKKOTH] FESTIVAL, THERE WERE [THEREFORE] FORTY-EIGHT BLASTS, [VIZ.,] THREE AT THE

OPENING OF THE GATES,<sup>15</sup> THREE AT THE UPPER GATE,<sup>19</sup> THREE AT THE LOWER GATE,<sup>20</sup> THREE AT THE WATER-DRAWING, THREE AT THE ALTAR,<sup>21</sup> NINE AT THE DAILY MORNING SACRIFICE, NINE AT THE DAILY EVENING SACRIFICE, NINE AT THE ADDITIONAL SACRIFICES, THREE AS A SIGN TO THE PEOPLE TO CEASE FROM WORK, AND THREE TO MARK A DISTINCTION BETWEEN THE HOLY AND THE PROFANE.<sup>18</sup> GEMARA. Our Mishnah does not agree with R. Judah, for it has been taught: R. Judah ruled, The minimum number of blasts is seven, and the maximum sixteen.<sup>22</sup> What is the basic principle of their dispute? — R. Judah is of the opinion that Teki'ah, Teru'ah and Teki'ah<sup>23</sup> are counted as one, and the Rabbis<sup>24</sup> are of the opinion that the Teki'ah and the Teru'ah are separate and distinct notes. What is the reason of R. Judah? — Scripture says, And ye shall sound a Teki'ah Teru'ah,<sup>25</sup> which clearly proves that the Teki'ah and the Teru'ah are regarded as one.<sup>26</sup> And the Rabbis?<sup>27</sup> — That verse is required to teach that the Teru'ah must be preceded and followed by a sustained blast.<sup>28</sup> What then is the reason of the Rabbis? — Because it is written, And when the congregation is to be gathered together, ye shall sound a Teki'ah, but not a Teru'ah.<sup>29</sup> Now if you could imagine that the Teki'ah and the Teru'ah form one note, would the Divine Law say, 'Perform one half of the commandment, but not the other half'?<sup>30</sup> And R. Judah?<sup>31</sup> — That sounding was a mere signal.<sup>32</sup> And the Rabbis? — It was indeed a signal, but the Divine Law<sup>33</sup> made it into a commandment.

Whose view is followed in that which R. Kahana stated, There must be no interval whatever between the Teki'ah and the Teru'ah?<sup>34</sup> — In agreement with whose view [you ask]? In agreement with that of R. Judah.<sup>35</sup> But<sup>36</sup> is not this obvious?

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(1) The teacher of David. Cf. Aboth VI, 3 (the Baraitha of R. Meir).

(2) On a scroll. V. Num. V, 23.

(3) Ibid.

(4) Below which are 'the depths beneath'.

(5) The water near the surface.

(6) Lit., 'ladder'.

(7) The Euphrates was reputed to have the highest source of all (Babylonian) rivers, v. Bek. 55a and Obermeyer, p. 56.

(8) Teku, v. Glos.

(9) Ezek. VIII, 16. V. our Mishnah.

(10) In order to avoid any suggestion of Dualism, it was rigidly forbidden to the Reader to repeat the word Shema' (Deut. VI, 4), or the word modim ('we give thanks') in the 'Amidah. (Ber. 33b).

(11) Here also he appears to repeat the word God twice.

(12) [Since each mention of the name of the Lord has reference to a different context, the suggestion of dualism does not arise].

(13) On any day.

(14) I.e., seven quavering sounds (teru'ahs) each of which was preceded and followed by a sustained one (teki'ah).

(15) Of the Temple court.

(16) When its libations were offered the Levites sang, and the blasts were blown at three intervals in the songs. At each interval there was one quavering blast preceded and followed by a sustained blast (cf. Tamid VII, 3).

(17) On New Moons, Sabbaths and Festivals.

(18) The Holy Sabbath and the profane weekdays.

(19) The Nikanor Gate; v. Mishnah supra 51b.

(20) That led out to the East.

(21) When they set the willow-branches at the side of the altar, v. supra 45a.

(22) Tosef. Sukkah IV, 10. In Zuckermendel's edition, the reading is thirteen instead of sixteen.

(23) The Teki'ah is a long drawn out sound and the Teru'ah a tremulous, quavering note.

(24) In our Mishnah.

(25) Num. X, 5; E.V., 'And when ye blow an alarm'.

(26) So Rashal. Cur. edd. in parenthesis, 'And it is written, an alarm they shall blow. How is this possible? By regarding the Teki'ah and the Teru'ah as one'.



- (27) How, in view of this text can they maintain that the Teki'ah and the Teru'ah are regarded as separate blasts?
- (28) Since in this verse Teki'ah precedes Teru'ah, and in another it follows it (cf. R. H. 34a). Cur. edd. in parenthesis insert, 'And whence does R. Judah deduce the necessity of a sustained blast preceding and following the Teru'ah? — He deduces it from the expression, a second time' (Num. X, 6).
- (29) Num. X, 7; E.V., 'Ye shall blow, but ye shall not sound the alarm'.
- (30) Hence their opinion that the Teki'ah and the Teru'ah are independent blasts.
- (31) How, in view of this argument, does he justify his statement?
- (32) For the camp. As it had no religious significance its incompleteness did not matter.
- (33) By commanding its use.
- (34) 'Ar. 10a.
- (35) Who regards the three notes as one.
- (36) Cur. edd. in parenthesis, 'if R. Judah'.

## Talmud - Mas. Sukkah 54a

— [No.] As it might have been said that it is also in agreement with the view of the Rabbis, and that its purpose<sup>1</sup> was to exclude the view of R. Johanan who laid down that if a man heard the nine Teki'ahs<sup>2</sup> in nine hours<sup>3</sup> during the day he has still fulfilled his obligation, therefore he informed us [that it agrees only with the view of R. Judah]. Might it not be suggested that it is indeed so?<sup>4</sup> — If it were so,<sup>5</sup> what could be meant by 'no interval whatever'?

ON THE EVE OF THE SABBATH IN THE INTERMEDIATE DAYS OF THE FESTIVAL etc. But [the sounding of the trumpet] on the tenth step<sup>6</sup> he does not mention. In agreement with whose view then is our Mishnah? — It is in agreement with that of R. Eliezer b. Jacob, for it has been taught: Three blasts on the tenth step. R. Eliezer b. Jacob ruled, Three at the altar. He<sup>7</sup> who ruled three on the tenth step omits the three at the altar; and he<sup>8</sup> who ruled three at the altar omits the three upon the tenth step.

What is the reason of R. Eliezer b. Jacob? — Since one sounded the trumpet for the opening of the gates, why should one sound it on the tenth step? Is it not a gate!<sup>9</sup> It is, therefore, preferable that the trumpet should be sounded at the altar. The Rabbis, however, are of the opinion that since one sounds the trumpet for the Water-Drawing,<sup>10</sup> why should one sound it at the altar?<sup>11</sup> It is, therefore, preferable to sound it upon the tenth step.<sup>12</sup>

When R. Aha b. Hanina came from the South, he brought a Baraitha with him [which read:] And the sons of Aaron the priests shall blow with trumpets.<sup>13</sup> Surely there was no need to state explicitly 'shall blow', since it is already written, Ye shall blow with the trumpets over your burnt-offerings and over the sacrifices of your peace-offerings.<sup>14</sup> Why then was it stated, 'shall blow'? [To teach you that] the sounding of the trumpets is throughout in accordance with the number of the additional offerings.<sup>15</sup> He<sup>16</sup> taught this [Baraitha] and he also explained it to mean that the trumpet is to be sounded<sup>17</sup> for every single additional offering.<sup>18</sup>

We have learnt, ON THE EVE OF THE SABBATH IN THE INTERMEDIATE DAYS OF THE FESTIVAL THERE WERE [THEREFORE] FORTY-EIGHT BLASTS. Now if it were so,<sup>19</sup> why was it not stated<sup>20</sup> that on the Sabbath of the Festival<sup>21</sup> it was possible to have fifty-one blasts?<sup>22</sup> — R. Zera answered, Because the trumpet was not sounded at the opening of the gates on the Sabbath.<sup>23</sup>

Who is this, Raba exclaimed, who is not concerned about the flour [he grinds out]?<sup>24</sup> [The answer is untenable], firstly, because we have learnt EVERY DAY<sup>25</sup> and, secondly, even if there were<sup>26</sup> the same number,<sup>27</sup> it should still have been stated that 'on the Sabbath of the Festival they blew forty-eight blasts' since from this statement one could make two deductions, that of R. Eliezer b.

Jacob<sup>28</sup> and that of R. Aha b. Hanina.<sup>29</sup> The fact, however, is, Raba explained, [that the reason<sup>30</sup> is] because the trumpet was not sounded for the Water-Drawing on the Sabbath,<sup>31</sup> so that<sup>32</sup> the number was diminished much.<sup>33</sup>

But<sup>34</sup> why was not the New Year that fell on a Sabbath mentioned<sup>35</sup> seeing that on it there are three additional sacrifices: The additional offering of the New Year, the additional offering of the New Moon, and the additional offering of the Sabbath?<sup>36</sup> — It was necessary to teach the instance of the eve of the Sabbath in the Intermediate Days of the Festival in order to inform us that the law is in agreement with R. Eliezer b. Jacob.<sup>37</sup> Was it then asked why the one was not mentioned instead of the other? [The question in fact is] why is not the one mentioned as well as the other?<sup>38</sup> — [The Tanna of our Mishnah] might have mentioned some and omitted others. But what else did he omit to justify this omission also?<sup>39</sup> — He omitted the instance of the eve of Passover.<sup>40</sup>

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(1) In stating that there must be 'no interval'.

(2) Of the New Year (v. R.H. 34b).

(3) I.e., at long intervals.

(4) That R. Kahana's statement agrees also with the view of the Rabbis and excludes only that of R. Johanan.

(5) That in agreement with the Rabbis, short intervals are permitted.

(6) Of the Temple court; v. Mishnah supra 51b.

(7) Sc. the Rabbis.

(8) R. Eliezer.

(9) Of course it is.

(10) The rejoicing at which is the real cause of all the extra soundings of the trumpet on the Festival (Rashi).

(11) I.e., where the sounding might appear to be due to the willow-branch ceremony.

(12) Which makes it more evident that it is specially sounded on account of the Water-Drawing, as no other rite is connected with the tenth step.

(13) Num. X, 8.

(14) Num. X, 10.

(15) This is explained presently.

(16) R. Aha b. Hanina.

(17) The prescribed number of blasts.

(18) If the day is, for instance, both a Sabbath and a Festival, the prescribed number of nine blasts must be sounded for each of the two additional offerings.

(19) As R. Aha b. Hanina interpreted.

(20) In giving the maximum number possible.

(21) Since there are two additional sacrifices, that of Sabbath and that of the Festival.

(22) Three more than on the Sabbath eve (according to R. Judah) on account of the second additional offering, after deducting the special six sounded on Sabbath eve.

(23) So that there were three less than on the Sabbath eve.

(24) A criticism of R. Zera: 'He does not care what answer he gives'.

(25) Including the Sabbath day. If on the Sabbath no blasts were sounded at the opening of the gates the number on that day would have been less than the number so given in our Mishnah.

(26) On the Sabbath and on the Sabbath eve.

(27) Forty-eight.

(28) That the blowing of the trumpets was upon the altar and not on the tenth step, as our Mishnah goes on to explain.

(29) That the trumpet was sounded for every additional offering.

(30) Why the Sabbath was not mentioned.

(31) Since the water was drawn on the Sabbath eve (v. supra 48b).

(32) On the Sabbath.

(33) Those of the upper gates and the lower gates and the altar, besides those that served as a sign to cease work and to mark the distinction between the holy and the profane.

(34) According to R. Aha who maintains that each additional offering was accompanied by additional blasts.

(35) Among the maxima in our Mishnah.

(36) Making a total of forty-eight: The twenty-one daily blasts and the twenty-seven for the three additional sacrifices.

(37) As stated supra, that no blasts were sounded on the tenth step.

(38) Lit., 'let him teach this and let him teach that'.

(39) The answer that he mentioned some and omitted others is valid only if it can be shown that other instances beside the one under discussion have also been omitted.

(40) The sacrifice of the Paschal Lamb was performed by three groups of the people, each one reading the Hallel three times and sounding three blasts on the trumpet each time, making a total of twenty-seven blasts (cf. Pes, 64a). which added to the twenty-one blasts sounded daily, amounts to forty-eight.

## Talmud - Mas. Sukkah 54b

If [the omission is to be justified] on account of the omission of the eve of the Passover, [the latter, it may be pointed out], is no omission, for this statement<sup>1</sup> is made according to<sup>2</sup> R. Judah who stated, Never in the life of the third group did they reach the verse, I love the Lord, for he heareth my voice,<sup>3</sup> since the people composing the group were few in number.<sup>4</sup> But<sup>5</sup> did you not say that the earlier part of our Mishnah is not in agreement with R. Judah?<sup>6</sup> — Is it not possible that our Tanna agrees with R. Judah on one point<sup>7</sup> though he disagrees with him on another point?<sup>8</sup> What else then was omitted that we might say that this also was similarly omitted? — The other omission was the eve of the Passover which fell on the eve of a Sabbath, when six blasts are to be subtracted<sup>9</sup> and six<sup>10</sup> are to be added.

AND NEVER MORE THAN FORTY-EIGHT. No? But is there not the eve of the Passover which falls on the Sabbath, on which, if the statement is in agreement with R. Judah, there were fifty-one blasts, and if it is in agreement with the Rabbis<sup>11</sup> there were fifty-seven?<sup>12</sup> — [Our Mishnah] mentioned only those which recur annually, but does not mention the case of the eve of the Passover which falls on the Sabbath, since it does not occur every year. Does then the eve of the Sabbath in the Intermediate Days of a Festival occur every year? May it sometimes not happen at all, this being the case<sup>13</sup> when, for instance, the first day of the Festival coincides with the eve of the Sabbath?<sup>14</sup> — No, when the first day of the Festival would coincide with the eve of the Sabbath, the Festival is postponed.<sup>15</sup> What is the reason?<sup>16</sup> — Because if the first day of the Festival were to fall on the eve of the Sabbath, when would the Day of Atonement [of that year] be? On the [previous] Sunday.<sup>17</sup> Therefore it is postponed.<sup>18</sup>

But do we postpone it? Have we not in fact learnt, The fats [of offerings performed on] the Sabbath<sup>19</sup> may be offered on the Day of Atonement,<sup>20</sup> and R. Zera furthermore stated, When I was<sup>21</sup> in the school of Rab in Babylon<sup>22</sup> I used to say that that which has been taught, 'If the Day of Atonement fell on the eve of the Sabbath, they did not sound the trumpet,<sup>23</sup> and if it fell at the conclusion of the Sabbath<sup>24</sup> they did not recite the Habdalah'<sup>25</sup> is agreed to by all,<sup>26</sup> but when I came up to Palestine<sup>27</sup> I found R. Judah the son of R. Simeon b. Pazzi that he sat at his studies and taught that it was in agreement with R. Akiba only?<sup>28</sup> — This is no difficulty since the one statement<sup>29</sup> is according to the Rabbis<sup>30</sup> and the other<sup>31</sup> according to 'the Others',<sup>32</sup> for it has been taught, 'Others' say, There cannot be more than four weekdays' difference between the Pentecost of one year and the next, and between one New Year and the next,<sup>33</sup> and if the year was prolonged,<sup>34</sup> there would be five days.<sup>35</sup>

An objection was raised.<sup>36</sup> If New Moon fell on the Sabbath, the Psalm of the New Moon<sup>37</sup> supersedes the Psalm of the Sabbath.<sup>38</sup> Now if the law were [as R. Aha stated], why<sup>39</sup> should not one say both that of the New Moon and that of the Sabbath?<sup>40</sup> — R. Safra replied: What is meant by 'supersedes'? That it<sup>41</sup> supersedes it<sup>42</sup> in the sense of taking precedence over it. But why? [Does not then] that which is constant take precedence over that which is not constant?<sup>43</sup> — R. Johanan answered, [The New Moon Psalm was given precedence] in order that people should know that the

New Moon has been fixed<sup>44</sup> at its proper time.<sup>45</sup> Do we then use this<sup>46</sup> as a distinguishing sign? Do we not in fact use another distinguishing sign, as we have learnt:<sup>47</sup> 'The fats<sup>48</sup> of the Daily Morning offering were placed on the lower half of the Ascent [of the altar] on its east side,<sup>49</sup> while those of the additional offerings were placed on the lower half of the Ascent on its west side;<sup>50</sup> while those of the New Moon were placed beneath the rim of the altar below,'<sup>51</sup>

- (1) The maximum of forty-eight blasts on the eve of the Passover.
- (2) Lit., 'this according to whom'.
- (3) Ps. CXVI,1; sc. they did not complete the Hallel even once. The number of blasts in their case was, therefore, no more than three.
- (4) Pes. 64a; most of the people having joined the first, or the second group. Only in the case of these two groups, the offering of whose sacrifices took longer than the singing of the Hallel, owing to their large number, it was necessary to read it a second and a third time.
- (5) For the reading cf. Rashal. Cur. edd., 'surely we have established'.
- (6) Who, contrary to our Mishnah, enumerates a minimum of seven and a maximum of sixteen (v. supra 53b). Now is it likely that the latter clause will be in agreement with his view while the earlier one is not?
- (7) As regards the Passover eve.
- (8) The number of blasts. As this is, of course, possible the instance of the eve of the Passover could not obviously have been cited and, consequently, could not be regarded as an omission.
- (9) From the blasts for the third group, in agreement with R. Judah's statement.
- (10) Of the blast common to every Sabbath eve, the three for ceasing work and the three that served as a mark of distinction between the holy and the profane.
- (11) Who, contrary to R. Judah's statement, maintain that the Hallel was recited three times by the last group also.
- (12) Six more, three for each repetition of the Hallel.
- (13) Lit., 'and how is this to be imagined?'
- (14) The Water-Drawing does not override the first day of the Festival if it is a Sabbath, and the following Sabbath is already the Eighth Day of Solemn Assembly on which the Water-Drawing ceremonial no longer took place.
- (15) By one day. The previous month of Ellul is made to have thirty days instead of twenty-nine, so that the Friday which would have been the fourteenth of Tishri is the thirteenth of the month.
- (16) For the postponement of the first day of the Festival, and consequently, the first of Tishri by one day.
- (17) Since the first day of the Festival is on the fifteenth of Tishri and the Day of Atonement is on the tenth of that month.
- (18) The Day of Atonement was not allowed to fall on a Sunday on account of the difficulties involved. (V. R.H. 20a).
- (19) Sc. the daily evening sacrifice.
- (20) Which immediately follows it. (Shab. XV, 5).
- (21) [So MS.M. V. Shab. 114b, cur. edd. 'we were'.]
- (22) R. Zera was a Babylonian who emigrated to Palestine.
- (23) To warn the people to cease work, since in any case no work was done on that Friday on account of the sanctity of the Day of Atonement.
- (24) Since the Day of Atonement is no less holy than the Sabbath day.
- (25) The prayer of 'distinction' between a holy day and a weekday and between one holy day and another.
- (26) Sc. by R. Ishmael and R. Akiba.
- (27) Lit., 'there'.
- (28) Shab. 114b. Now in any case both the Mishnah and the Baraitha cited prove that the Day of Atonement may fall on a Sunday. How then could it be maintained that if it were to fall on a Sunday it must be postponed?
- (29) Our Mishnah which implies that there is no Intermediate Sabbath every year.
- (30) Who allow the addition of an extra day to Ellul to meet certain exigencies. Hence the postponement.
- (31) The Baraitha which implies that the Day of Atonement can fall on a Sunday.
- (32) Sc. R. Meir who allows no addition of any extra day to a month to meet certain exigencies and, consequently, no postponement.
- (33) I.e., if in one year it falls on a Sunday, in the next it must be on a Thursday, since the twelve months consist of 29 and 30 days alternately or  $6 \times (29 + 30) = 354$  days  $= 354/7$  weeks  $= 50$  weeks and 4 days.

- (34) By the addition of an extra month.
- (35) The additional intercalated month being always twenty-nine days, R.H. 6b.
- (36) Against R. Aha's view (supra p. 54a) that the trumpet was sounded separately for every additional offering of the day.
- (37) Ps. CIV.
- (38) Ps. XCII.
- (39) Since the sounding of the trumpet accompanied the singing of the Psalms.
- (40) I.e., a separate Psalm for each additional offering, in the same manner as there was a separate sounding of the trumpet.
- (41) The Psalm for the New Moon.
- (42) The Sabbath Psalm.
- (43) It is a general principle that that which has the more common incidence takes precedence over that of the less common occurrence. Why then should not the Sabbath Psalm take precedence over that of the New Moon?
- (44) By the Great Beth din in Jerusalem.
- (45) Not every one can see the birth of the New Moon, and the fact that its Psalm was given preference served as an assurance of the official recognition of the date.
- (46) The precedence of the Psalm.
- (47) Cur. edd. in parenthesis, 'it was taught'.
- (48) The term here refers to all parts of the sacrifice.
- (49) Var. lec. 'west side'.
- (50) Var. lec. 'east side'. So also Maimonides.
- (51) Var. lec. 'on the rim of the altar above'. V. Shek. VIII, 8.

## Talmud - Mas. Sukkah 55a

and in connection with this R. Johanan stated that [the reason for this<sup>1</sup> was] that people should know that the New Moon has been fixed at its proper time? — Two distinguishing signs were made, so that some might see the one while others might see the other.<sup>2</sup>

An objection was raised<sup>3</sup> [from what] Raba b. Samuel learned: Since it might have been presumed that as the trumpet is sounded for the Sabbath on its own<sup>4</sup> and for the New Moon on its own<sup>5</sup> it is also sounded for each additional offering separately.<sup>6</sup> Scripture, therefore, teaches explicitly, And on your New Moons.<sup>7</sup> Is not this then a refutation of R. Aha? — It is indeed a refutation. But how is the inference<sup>8</sup> made? — Abaye answered, Scripture says, 'And on your New Moons', whereby all the months are compared with one another.<sup>9</sup> R. Ashi answered, It is written, 'your month'<sup>10</sup> and it is written 'On the beginnings of.'<sup>11</sup> What month is it that has two beginnings? It is, you must say, that of the New Year,<sup>12</sup> and the Divine Law nevertheless says, 'your month'<sup>10</sup> viz., that it is to be regarded as one.

Moreover it has been taught: What did they recite on the first day of the Intermediate Days?<sup>13</sup> Ascribe unto the Lord, O ye sons of might.<sup>14</sup> On the second day what did they recite? But unto the wicked God saith.<sup>15</sup> On the third day what did they recite? Who will rise up for me against the evil-doers?<sup>16</sup> On the fourth day what did they recite? Consider, ye brutish among the people.<sup>17</sup> On the fifth day what did they recite? I removed his shoulder from the burden.<sup>18</sup> On the sixth day what did they recite? All the foundations of the earth are moved;<sup>19</sup> and if the Sabbath occurred on any of these days<sup>20</sup> 'are moved'<sup>21</sup> is to be superseded.<sup>22</sup> R. Safra assigned to them<sup>23</sup> the mnemonic Humbahi.<sup>24</sup> R. Papa assigned to them the mnemonic Humhabi;<sup>25</sup> and the mnemonic for you<sup>26</sup> is 'the escort of the scribes'.<sup>27</sup> Now is not this a refutation of R. Aha b. Hanina?<sup>28</sup> — It is indeed a refutation.

But did not R. Aha b. Hanina quote both a Scriptural verse and a Baraita [in support of his view]?<sup>29</sup> — Rabina answered, [The meaning of the Baraita is] that the trumpet blasts are

lengthened.<sup>30</sup> The Rabbis of Caesarea in the name of R. Aha<sup>31</sup> stated, It<sup>32</sup> means that the number of the trumpeters is to be increased.

And we who keep two days [of the Festival], how do we proceed?<sup>33</sup> — Abaye ruled, The [paragraph for the] second day is to be omitted.<sup>34</sup> Raba ruled, [That of] the seventh day is omitted.<sup>35</sup> It was taught in agreement with Raba: If the Sabbath falls on one of them<sup>36</sup> ‘are moved’<sup>37</sup> is omitted.

Amemar instituted in Nehardea<sup>38</sup> to go back and repeat the previous portions.<sup>39</sup>

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- (1) The special place for the New Moon sacrificial pieces.
  - (2) Lit., ‘he who saw one saw it’ etc.
  - (3) To R. Aha's view.
  - (4) Sc. when it is an ordinary Sabbath.
  - (5) Sc. when it occurs on a weekday.
  - (6) Even when Sabbath and New Moon occur on the same day.
  - (7) Num. X, 10. This is explained presently.
  - (8) From Num. X, 10 (cf. prev. n.).
  - (9) Sc. whatever Festivals the day of the New Moon may have, the number of trumpet blasts is always to be the same, i.e., they are to be sounded for one additional offering only.
  - (10) Num. X, 10; i.e., the written form being defective it may be rendered as a sing.
  - (11) The plural form, *ibid.* E.V., ‘In the beginnings of your months’.
  - (12) Since its first day is both New Moon and New Year.
  - (13) Of Tabernacles, when the additional sacrifice was being offered.
  - (14) Ps. XXIX, 1. Sc. all the Psalm in which this verse occurs.
  - (15) Ps. L, 16. Sc. the whole Psalm (cf. prev. n.).
  - (16) Ps. XCIV, 16. From this verse to the end of the Psalm (Rashi).
  - (17) Ps. XCIV v, 8. Sc. vv. 8-15 (Rashi).
  - (18) Ps. LXXXI, 7. Sc. all the Psalm.
  - (19) *Ibid.* LXXXII, 5. Sc. all the Psalm.
  - (20) When Ps. XCII had to be read.
  - (21) Sc. Ps. LXXXII which is allotted to the last day.
  - (22) The Psalm that is superseded by the Sabbath Psalm is read on the Sunday and is followed on the subsequent days by the other Psalms in the order given, so that the Psalm for the last day is always the one completely superseded.
  - (23) The Psalms mentioned.
  - (24) A fictitious word composed of the first letters of the verses quoted.
  - (25) Making Ps. LXXXI precede Ps. XCIV, 8-15.
  - (26) To remember who made Humbahi his mnemonic, and who Humhabi.
  - (27) Or ‘school teachers’ whose quarters are frequented by many people, men and women. Sadra is the Aramaic for ‘scribe’ or ‘school teacher’, and ‘ambuha’, (‘an escort’) is similar in sound to Humbahi. The mnemonic thus suggests that ‘Safra said humbahi’.
  - (28) Who ruled *supra* that for every additional offering of the day there were special blasts, thus requiring also special Psalms while here it is ruled that one Psalm superseded the other.
  - (29) How then could such an authoritative statement be refuted?
  - (30) Not as R. Aha b. Hanina interpreted it. The Baraitha merely says that ‘they sound according to the additional offerings’. The explanation that it means separate blasts for each additional offering is R. Aha's alone and his own interpretation might well be refuted.
  - (31) Not to be confused with R. Aha b. Hanina.
  - (32) The Baraitha.
  - (33) The paragraphs of the sacrifices (v. Num. XXVIII) are to be read on the respective days. Since, owing to doubt, two days instead of one, are kept as the first day of the Festival, thus diminishing the Intermediate Days by one, which of the paragraphs is to be omitted?
  - (34) And the others then follow in order.

(35) That of the second to the sixth being moved one day forward.

(36) The days of Tabernacles.

(37) Sc. Ps. LXXXII, i.e., the Psalm of the seventh, which is the last day.

(38) In the case of the Pentateuchal texts dealing with the respective sacrifices on the different days of the Festival, that are included in the additional prayers of the respective days.

(39) Lit., 'to skip'. Sc. on the first day of the Intermediate Days, concerning which there is doubt whether it is the second or the third day of the Festival, the paragraphs relating to the second and the third (Num. XXIX, 17-22) are recited; on the second day which might be the third or the fourth, the paragraphs relating to the third and the fourth (ibid 20-25) are recited; on the third day, which might be the fourth or the fifth, the paragraphs relating to the fourth and fifth (ibid. 23-28) are recited, and so on. None of the paragraphs is thus omitted. This is the custom followed nowadays.

## **Talmud - Mas. Sukkah 55b**

MISHNAH. ON THE FIRST FESTIVAL DAY OF TABERNACLES THERE WERE OFFERED THIRTEEN BULLOCKS, TWO RAMS AND ONE HE-GOAT.<sup>1</sup> FOURTEEN HE-LAMBS<sup>2</sup> THEREFORE<sup>3</sup> REMAINED FOR THE OTHER EIGHT COURSES OF PRIESTS. ON THE FIRST DAY, SIX<sup>4</sup> OFFERED<sup>5</sup> TWO EACH AND THE REMAINING [TWO] ONE EACH.<sup>6</sup> ON THE SECOND DAY<sup>7</sup> FIVE [COURSES]<sup>8</sup> OFFERED<sup>5</sup> TWO EACH AND THE REMAINING [FOUR] ONE EACH.<sup>6</sup> ON THE THIRD DAY<sup>9</sup> FOUR [COURSES]<sup>10</sup> OFFERED TWO EACH AND THE REMAINING [SIX] ONE EACH.<sup>11</sup> ON THE FOURTH DAY<sup>12</sup> THREE<sup>13</sup> OFFERED TWO EACH AND THE REMAINING [EIGHT] ONE EACH.<sup>11</sup> ON THE FIFTH DAY<sup>12</sup> TW<sup>13</sup> OFFERED TWO EACH AND THE REMAINING [TEN] ONE EACH.<sup>11</sup> ON THE SIXTH DAY<sup>12</sup> ONE<sup>13</sup> OFFERED TWO AND THE REMAINING [TWELVE] ONE EACH.<sup>11</sup> ON THE SEVENTH DAY<sup>14</sup> ALL WERE EQUAL.<sup>15</sup> ON THE EIGHTH DAY<sup>16</sup> THEY AGAIN CAST LOTS<sup>17</sup> AS ON THE OTHER PILGRIM FESTIVALS. IT WAS ENJOINED THAT [THE COURSE] THAT OFFERED BULLOCKS ON ONE DAY SHOULD NOT OFFER THEM ON THE MORROW, BUT THAT THEY SHOULD TAKE THEIR TURNS IN ROTATION.<sup>18</sup>

GEMARA. Must we say that our Mishnah<sup>19</sup> represents the view of Rabbi, and not that of the Rabbis, since it has been taught, For the bullock which is offered on the Eighth Day lots are cast as at first,<sup>20</sup> these are the words of Rabbi, but the Sages ruled, One of the two courses which did not have a third turn in the bullocks<sup>21</sup> offered it? — You may even say that it represents the view of the Rabbis,<sup>22</sup> for do not two courses also require<sup>23</sup> the casting of lots?<sup>24</sup>

Whose view is followed in that which has been taught, All the courses repeated<sup>25</sup> a second and a third time, with the exception of two courses who repeated a second time but not a third one?<sup>26</sup> Must we say that it follows that of Rabbi, and not that of the Rabbis?<sup>27</sup> — You may even say that it follows that of the Rabbis, but the statement that<sup>28</sup> they did not repeat a third time refers to the bullocks of the Festival.<sup>29</sup> What then does this<sup>30</sup> teach us?<sup>31</sup> — It is this that we were taught, that he who offered bullocks on the one day shall not offer them on the morrow, but they must all take their turns in rotation.

R. Eleazar<sup>32</sup> stated, To what do those seventy bullocks<sup>33</sup> [that were offered during the seven days of the Festival] correspond? To the seventy nations.<sup>34</sup> To what does the single bullock [of the Eighth Day] correspond? To the unique nation.<sup>35</sup> This may be compared to a mortal king who said to his servants, 'Prepare for me a great banquet'; but on the last day he said to his beloved friend, 'Prepare for me a simple meal that I may derive benefit from you'.

R. Johanan observed, Woe to the idolaters, for they had a loss and do not know what they have lost.<sup>36</sup> When the Temple was in existence the altar atoned for them, but now<sup>37</sup> who shall atone for them?

MISHNAH. AT THREE PERIODS IN THE YEAR<sup>38</sup> ALL THE COURSES OF THE PRIESTS SHARED EQUALLY IN THE FESTIVAL SACRIFICES<sup>39</sup> AND IN THE DIVISION OF THE SHEWBREAD.<sup>40</sup> ON PENTECOST<sup>41</sup> THEY USED TO SAY TO THE PRIEST,<sup>42</sup> 'HERE IS UNLEAVENED BREAD FOR YOU,<sup>43</sup> HERE IS LEAVENED BREAD'.<sup>44</sup> THE COURSE OF PRIESTS WHOSE PERIOD OF SERVICE WAS FIXED [FOR THAT FESTIVAL WEEK]<sup>45</sup> OFFERED THE DAILY OFFERING, VOW-OFFERINGS AND FREEWILL-OFFERINGS AND ALL OTHER CONGREGATIONAL OFFERINGS,<sup>46</sup> AND IT OFFERED THEM ALL.<sup>47</sup>

GEMARA. But are not the emurim<sup>48</sup> the Most High's?<sup>49</sup> - R. Hisda replied, [The meaning is], that which is prescribed [to be offered] on the Festivals.<sup>50</sup>

Our Rabbis taught, Whence do we know that all the courses share equally in the sacrifices of the Festival? Since Scripture explicitly stated, And come with all the desire of his soul . . . and minister.<sup>51</sup> As it might be said that the same applies to all the days of the year Scripture explicitly teaches 'From one of thy gates'<sup>52</sup> [meaning this:] I have said so, [saith the Lord], Only when all Israel enter<sup>53</sup> by one gate.<sup>54</sup>

AND IN THE DIVISION OF THE SHEWBREAD. Our Rabbis taught, Whence do we know that all the courses share equally in the division of the shewbread?

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- (1) As prescribed in Num. XXIX, 13 and 16, a total of sixteen beasts.
  - (2) Ibid. 13.
  - (3) Since there were twenty-four courses (v. Ta'an., Sonc. ed., pp. 136 and 142f) of priests all of whom were entitled to share in the Festival sacrifices, and sixteen of these were occupied with the sixteen beasts (ct. n. 7).
  - (4) Of the eight courses.
  - (5) Of the fourteen lambs.
  - (6) A total of fourteen.
  - (7) When the number of bullocks was reduced by one (cf. Num. XXIX, 17), and only fifteen courses were occupied with the twelve bullocks, two rams and one he-goat.
  - (8) Of the remaining (24 — 15 = ) 9.
  - (9) When the number of bullocks was again reduced by one. From the second day to the seventh day the number was reduced by one on each successive day (v. Num. XXIX, 17-32).
  - (10) Of the remaining (24 — 14 = ) 10.
  - (11) A total of fourteen.
  - (12) Cf. p. 267, n. 15 mut. mut.
  - (13) Cf. p. 267, n. 16.
  - (14) When the number of beasts, seven bullocks, two rams, fourteen he-lambs (Num. XXIX, 32) and one he-goat (ibid. 34) was equal to the number of the courses of priests.
  - (15) Sc. each course offered one beast.
  - (16) When there was but one bullock, one ram and seven he-lambs to be offered (Num. XXIX, 36) a number that did not suffice to provide even one beast for each course of priests.
  - (17) As prescribed in Yoma 22a.
  - (18) So that twenty-two of the courses had three turns with the bullocks and only two had no more than two turns (cf. Rashi a.l.).
  - (19) Which states ON THE EIGHTH DAY THEY AGAIN CAST LOTS, presumably for all the twenty-four courses.
  - (20) Sc. by all the twenty-four courses, as if the Festival has just begun, and not merely by those who had only two turns in the bullocks (cf. prev. n. but one).
  - (21) Cf. supra n. 8.
  - (22) The Sages.
  - (23) To determine which of them should have the privilege of offering the bullock of the Eighth Day.
  - (24) Of course they do.
  - (25) The offering of a bullock during the seven days of Tabernacles.



- (26) Tosef. Suk. IV, 15.
- (27) Since according to the Rabbis, who regard the offering of the bullock of the Eighth Day as connected with the offerings on the previous seven days, only one course did not offer a third time.
- (28) Lit., 'what'.
- (29) But not to the bullock of the Eighth Day.
- (30) The statement that twenty-two repeated three times and two repeated only twice.
- (31) Is it not obvious that seventy bullocks divided among twenty-four courses means that twenty-two offered three each and the remaining two courses two each?
- (32) Cur. edd. in parenthesis, 'Eliezer'.
- (33) Cf. prev. n. but one.
- (34) Seventy is the traditional number of Gentile nations, and the seventy bullocks are offered to make atonement for them.
- (35) Israel.
- (36) By their destruction of the Temple.
- (37) That it is no longer in existence.
- (38) Passover, Pentecost and Tabernacles.
- (39) Sc. those prescribed for respective Festivals. The word used is emurim which usually signifies that part of the sacrifice which is burnt upon the altar. The Gemara explains this infra.
- (40) If there was a Sabbath during the Festival. Cf. Lev. XXIV, 5-9. The shewbread was removed from the table and distributed among the priests on the Sabbath day (cf. Men. 52b).
- (41) If it happened to be on a Sabbath.
- (42) When he was given his share.
- (43) Sc. shewbread. The twelve loaves of the shewbread were unleavened.
- (44) The two loaves prescribed as a Pentecost offering. These were leavened. Each priest must receive a share from the leavened as well as from the unleavened. It is not enough to give him a larger share in the one to make up for the share due to him in the other (cf. Kid. 53a, Men. 73a).
- (45) Each course officiated in turn for one week during which they offered and received the dues from all the sacrifices of that week.
- (46) That have not been prescribed for the Festival. It is only in the sacrifices that were prescribed for the Festival in question that all the courses have an equal share.
- (47) This apparently superfluous statement is explained in the Gemara infra.
- (48) Rendered in our Mishnah SACRIFICES (cf. supra p. 269, n. 14).
- (49) Burnt upon the altar. How then can they be shared among the priests?
- (50) R. Hisda connects emurim with amur 'stated', 'declared', referring to the sacrifices prescribed to be offered by individuals on a Festival; the festive peace-offerings of the breast and shoulder belonged to the priests, and the burnt-offerings brought on appearing in the Temple of which the hide was given to the priests. V. Hag., Sonc. ed., p. 2, nn. 1-2.
- (51) Deut. XVIII, 6, 7. 'Levite' in this verse refers to the priests. On all other days the offering belonged to the officiating course (cf. Lev. VII, 9).
- (52) Deut. XVIII, 6; emphasis on 'one'.
- (53) I.e., into the one city of Jerusalem.
- (54) Sc. during the Festivals.

## **Talmud - Mas. Sukkah 56a**

From Scripture which teaches, They shall have portion to portion to eat,<sup>1</sup> meaning, as the division of the service [is equal for all], so is the division of the food.<sup>2</sup> Now what food [could this mean]? If you will say that it means the sacrifices, do we not deduce that from a different verse,<sup>3</sup> It shall be the priest's that offers it?<sup>4</sup> Consequently<sup>5</sup> it must refer to the shewbread. As one might assume that the same applies also to obligatory offerings that are offered on the Festival, though not on account of the Festival,<sup>6</sup> Scripture explicitly teaches, Except for that which is sold<sup>7</sup> according to the fathers' houses;<sup>1</sup> now what is it that the fathers have sold to each other? [The week allotted to each course,

each one having agreed] ‘I shall be in charge in my week and you in your week’.<sup>8</sup>

ON PENTECOST THEY USED TO SAY TO THE PRIEST etc. It was stated, Rab ruled, [The benediction of] the Sukkah<sup>9</sup> [comes first]<sup>10</sup> and then that of the season.<sup>9</sup> Rabbah b. Bar Hana ruled, [The benediction of] the season [is first] and then that of the Sukkah. ‘Rab ruled, [The benediction of] the Sukkah [comes first] and then that of the season’, since the obligation of the day is more important. ‘Rabbah b. Bar Hana ruled, [The benediction of] the season [is first]’, since that which is more constant<sup>11</sup> precedes that which is less constant.<sup>12</sup> Must we say that Rab and Rabbah b. Bar Hana differ on the same principles as those on which Beth Shammai and Beth Hillel differed? For our Rabbis have taught, These are the points of difference between Beth Shammai and Beth Hillel with regard to [the ritual at] a meal: Beth Shammai rule that one<sup>13</sup> recites the benediction of the day<sup>14</sup> and then the benediction over the wine, whereas Beth Hillel rule that one recites the benediction over the wine and then the benediction of the day. ‘Beth Shammai rule that one recites the benediction of the day and then the benediction over the wine’, since it is the day which is the cause of the wine being brought,<sup>15</sup> and [moreover] the sanctification of the day comes before the wine is brought,<sup>16</sup> ‘whereas Beth Hillel rule that one recites the benediction over the wine first and then the benediction of the day’, since the wine is the cause of the sanctification being recited.<sup>17</sup> Another reason: The benediction over wine is more common,<sup>18</sup> and the benediction of the day less common,<sup>19</sup> and that which is more common takes precedence over that which is less common.<sup>20</sup> Now must we say that Rab<sup>21</sup> is in agreement with Beth Shammai and Rabbah b. Bar Hana<sup>22</sup> with Beth Hillel? — [No,] Rab can answer you, I may uphold my view even according to Beth Hillel, for Beth Hillel maintain their ruling only in that case, since the wine is the cause of the sanctification being recited, but not in this case, since even if there were no benediction of the season, do we not say [the benediction of] the Sukkah?<sup>23</sup> And Rabbah b. Bar Hana can answer you, I may maintain my view even according to Beth Shammai, for Beth Shammai gave their ruling only in that case, since it is the day which is the cause of the wine being brought, but not in this case, since even without a Sukkah do we not recite [the benediction of] the season?<sup>24</sup>

We have learnt, ON PENTECOST THEY USED TO SAY TO THE PRIEST, ‘HERE IS UNLEAVENED BREAD FOR YOU, HERE IS LEAVENED BREAD’. Now here, surely, the leavened bread is the essential feature [of the Festival]<sup>25</sup> and the unleavened bread an unessential one,<sup>26</sup> and yet it teaches, ‘HERE IS UNLEAVENED BREAD FOR YOU, HERE IS LEAVENED BREAD’. Is not this then a refutation of Rab?<sup>27</sup> — Rab can answer you, This point is one in dispute between Tannas; for it has been taught [elsewhere], ‘Here is unleavened bread for you, here is leavened bread’. Abba Saul, [however] stated, [They said,] ‘Here is leavened bread for you, here is unleavened’.

R. Nahman b. R. Hisda expounded: The law is not according to Rab who said, [First the benediction of] the Sukkah and then [that of] the season, but first [is the benediction of] the season and then [is that of] the Sukkah. R. Shesheth the son of R. Idi however, laid down, First [the benediction of] the Sukkah and then [that of] the season; and the law is that the benediction of Sukkah is first and then follows that of the season.

THE COURSE OF PRIESTS WHOSE PERIOD OF SERVICE WAS FIXED etc., AND ALL OTHER CONGREGATIONAL OFFERINGS. What does [this]<sup>28</sup> include? — It includes the bullock brought as a result of a transgression caused by the forgetfulness of the congregation<sup>29</sup> and the he-goats brought as an atonement for idolatry.<sup>30</sup>

AND IT OFFERED THEM ALL. What does this include? — It includes the slack season<sup>31</sup> of the altar.<sup>32</sup> MISHNAH. IF A FESTIVAL FELL NEXT TO THE SABBATH, EITHER BEFORE OR AFTER IT,<sup>33</sup> ALL THE COURSES SHARED EQUALLY IN THE DISTRIBUTION OF THE SHEWBREAD. IF ONE DAY INTERVENED BETWEEN THEM,<sup>34</sup> THE COURSE WHOSE

PERIOD OF SERVICE WAS FIXED [FOR THAT WEEK] TOOK TEN [OF THE] LOAVES, WHILE THEY THAT WERE DETAINED<sup>35</sup> TOOK TWO.<sup>36</sup> ON ALL OTHER DAYS OF THE YEAR THE INCOMING COURSE TOOK SIX LOAVES AND THE OUTGOING COURSE SIX.<sup>33</sup> R. JUDAH STATED, THE INCOMING COURSE TOOK SEVEN AND THE OUTGOING FIVE.<sup>33</sup> THE INCOMING COURSE DIVIDED IT IN THE NORTH, AND THE OUTGOING IN THE SOUTH.<sup>33</sup> [THE COURSE OF] BILGAH<sup>37</sup> ALWAYS DIVIDED IT IN THE SOUTH,<sup>33</sup> SINCE THEIR RING<sup>38</sup> WAS IMMOVABLE<sup>39</sup> AND THEIR ALCOVE<sup>40</sup> WAS BLOCKED UP.

GEMARA. What is meant by BEFORE and what by AFTER? If you will say that BEFORE refers to the First Day of the Festival and AFTER to the Last Day of the Festival,<sup>41</sup> is not then [the Sabbath referred to] the very Sabbath of the Intermediate Days? But the fact is that BEFORE refers to the Last Day of the Festival and AFTER refers to the First Day of the Festival.<sup>42</sup> What is the reason?<sup>43</sup> — Since the one course<sup>44</sup> had to arrive early<sup>45</sup> and the other had to leave late,<sup>46</sup> the Rabbis made the provision<sup>43</sup> in order that they<sup>47</sup> might have their meals together.

#### IF ONE DAY INTERVENED.

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- (1) Deut. XVIII, 8.
  - (2) Lit., 'eating'.
  - (3) Lit., 'from there'.
  - (4) Lev. VII, 9, i.e., the priest who offers it is entitled to its dues.
  - (5) Since it cannot refer to the ordinary sacrifices.
  - (6) Obligatory offerings which happen to be offered on the Festival, but are not prescribed for the Festival.
  - (7) E.V., 'his due'.
  - (8) I.e., that each course shall officiate for one week in rotation. Hence it is only in the sacrifices that are specially prescribed for the Festival that all the courses have an equal share.
  - (9) Cf. P.B. p. 232.
  - (10) If one did not recite the benediction of the season when the Sukkah was made in consequence of which (cf. supra 46a) the benedictions of Sukkah and the season have to be recited on entering the Sukkah for the first time during the Festival.
  - (11) The benediction of the season is recited at all Festivals.
  - (12) That of Sukkah is recited during Tabernacles only.
  - (13) In the course of the recital of the kiddush on Friday nights (cf. P.B. p. 124).
  - (14) The Sabbath.
  - (15) If not for the Sabbath there would have been no need at all to bring wine.
  - (16) I.e., the Sabbath is automatically sanctified at sunset.
  - (17) Without it the sanctification (kiddush) is not said.
  - (18) It has to be said whenever one drinks wine.
  - (19) It occurs only once in seven days.
  - (20) Ber. 51b.
  - (21) Who laid down that the obligation of the day is more important.
  - (22) Who holds that the more constant takes precedence.
  - (23) Of course we do. Hence it takes precedence on account of the precedence of the obligation of the day.
  - (24) We do; and since the latter is more constant it takes precedence.
  - (25) Since it is prescribed for the ritual of the day (cf. Lev. XXIII, 17).
  - (26) It is the ordinary shewbread of the previous Sabbath.
  - (27) Since that which is constant, though unessential is mentioned first.
  - (28) The addition of ALL OTHER.
  - (29) V. Lev. IV, 13 — 14. If the congregation as a whole erred on the Festival through the forgetfulness of a law.
  - (30) Committed during the Festival.
  - (31) פ"ק Lit., 'summer time' or 'summer fruit'. V. Shebu., Sonc. ed., p. 50, n. 3.
  - (32) When there were not sufficient private offerings to supply the altar, freewill-offerings were offered from the public

funds.

(33) The Gemara infra explains this.

(34) The Sabbath and the Festival.

(35) If the Festival fell, for instance, on a Thursday, and the outgoing course instead of leaving on Friday remained over the Sabbath.

(36) Since they could have left on the Friday which was an ordinary weekday, if they wanted.

(37) V. I Chron. XXIV, 14.

(38) Which was on the north side.

(39) And useless. Twenty-four rings were attached to the floor of the Temple court, corresponding to the number of courses, to hold the necks of the animals sacrificed by each course respectively. Since Bilgah was debarred from officiating (v. infra) their ring was fixed and made immovable.

(40) A sort of niche in which were kept the sacrificial instruments etc. (cf. Mid. IV, 7).

(41) I.e., the first day fell on Friday or the last day fell on Sunday.

(42) I.e., the last day fell on Friday or the first day on Sunday. There was no Intermediate Sabbath, since the Sabbath either immediately preceded the first day or immediately followed the last.

(43) That the outgoing course received a share in the shewbread.

(44) The incoming.

(45) Before the Sabbath.

(46) After the Festival.

(47) The two courses.

## **Talmud - Mas. Sukkah 56b**

But why the extra two?<sup>1</sup> - R. Isaac answered, They were a reward for the closing of the doors.<sup>2</sup> But [why should not the outgoing course] say to the other, 'Less for less'?<sup>3</sup> — Abaye replied, 'A young pumpkin [in hand] is better than a full-grown one [in the field]'.<sup>4</sup>

Rab Judah stated, In the same manner<sup>5</sup> they<sup>6</sup> divided the additional offerings.<sup>7</sup>

An objection was raised: 'The outgoing course offered the Daily Morning Sacrifice and the additional offerings, and the incoming course offered the Evening Daily Sacrifice and the censers';<sup>8</sup> but it does not state, [does it,] that they divided the additional offerings? — That Tanna<sup>9</sup> does not deal with the question of division.

Rab objected, But the Tanna cited at the school of Samuel does deal with the question of division, and yet does not mention the division of the additional offerings, for at the school of Samuel it was taught: The outgoing course offered the Daily Morning Sacrifice and the additional offerings; the incoming course offered the Daily Evening Sacrifice and the censers; four priests entered there,<sup>10</sup> two from one course and two from the other and they divided the shewbread. But it does not mention that they divided the additional offerings. Is not this a refutation of Rab Judah? It is indeed a refutation. THE INCOMING COURSE DIVIDED IT IN THE NORTH. Our Rabbis taught, The incoming priests divided their shares in the north in order that it should be seen that they were the incoming course, and the outgoing priests divided theirs in the south, so that it should be seen that they were the outgoing course.<sup>11</sup>

[THE COURSE OF] BILGAH ALWAYS DIVIDED IT IN THE SOUTH. Our Rabbis taught, It happened that Miriam the daughter of Bilgah<sup>12</sup> apostatized and married an officer of the Greek<sup>13</sup> kings. When the Greeks<sup>14</sup> entered the Sanctuary,<sup>15</sup> she stamped with her sandal upon the altar, crying out, 'Lukos! Lukos!<sup>16</sup> How long wilt thou consume Israel's money! And yet thou dost not stand by them in the time of oppression!' And when<sup>17</sup> the Sages heard of the incident, they made her ring<sup>18</sup> immovable and blocked up her alcove.<sup>19</sup>

Some however, say that the course [of Bilgah] was dilatory in coming<sup>20</sup> and [that of] Jeshebeab his brother<sup>21</sup>, entered with him and served in their stead. Although the neighbours of the wicked have no profit [from their proximity]<sup>22</sup> the neighbours of Bilgah<sup>23</sup> did have profit, since [after the imposition of the penalty, the course of] Bilgah always<sup>24</sup> divided their shares in the south, while that of his brother Jeshebeab did it<sup>25</sup> in the north.<sup>26</sup>

It is well according to him who stated<sup>27</sup> that his<sup>28</sup> course was dilatory in coming, since for this reason the whole course might well be penalized; but according to him who stated<sup>29</sup> that it was Miriam the daughter of Bilgah who apostatized, do we [it may be objected] penalize [even a] father on account of his daughter?

Yes, replied Abaye, as the proverb has it, 'The talk of the child in the market-place, is either that of his father or of his mother'.<sup>30</sup> May we then penalize the whole course on account of her father or mother? — 'Woe', replied Abaye, 'to the wicked, woe to his neighbour';<sup>31</sup> it is well with the righteous and well with his neighbour; as it is said, Say ye of the righteous, that it shall be well with him, for they shall eat the fruit of their doings'.<sup>32</sup>

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- (1) The question concerns R. Judah. Why, according to him, does the incoming course receive two more loaves than the outgoing one?
  - (2) The incoming course had to close the Temple Gates which the outgoing course had left open.
  - (3) Lit., 'take off for take off', sc. you take one less now and when it is your turn to go out, the next incoming course will in its turn be one less.
  - (4) Proverb. Cf. 'A bird in the hand is worth two in the bush'.
  - (5) As the shewbread.
  - (6) The outgoing and incoming courses.
  - (7) Of the Sabbath, sc. both had equal shares in the skills of the offerings.
  - (8) Of frankincense. Before these were burnt the shewbread could not be eaten.
  - (9) Of the Baraitha cited.
  - (10) The Temple courtyard.
  - (11) Tosef. Sukkah IV.
  - (12) Of the course of Bilgah, although her father's name also might have been Bilgah (v. infra).
  - (13) Sc. Syrian Greek.
  - (14) Cf. prev. n.
  - (15) In 168 B.C.E., during the persecutions of Antiochus IV that culminated in the same year in the Maccabean revolt. [Buchler, *Priester*, p. 76, n. 3 places this incident during the Roman wars, the terms Greek and Roman being frequently interchangeable in the Talmud].
  - (16) \*\*, 'Wolf', name for the altar. [For this expression applied to the altar, with an allusion to its construction and situation rather than to its voraciousness, v. Gen. R. XCIX and Brull, *Jahrbucher* I, p. 63].
  - (17) After the Maccabean victory.
  - (18) Sc. that of her course.
  - (19) The justice of the penalty is discussed infra.
  - (20) When it was their turn to take charge of the Temple service.
  - (21) Cf. I Chron. XXIV, 13.
  - (22) Cf. 'woe to the wicked, woe to his neighbour' (Neg. XII, 6, Num. R. XVIII, 5 and infra).
  - (23) Sc. the course of his brother Jeshebeab.
  - (24) Even on entering.
  - (25) Even when leaving.
  - (26) Cf. Tosef. Suk. III. The north was deemed to be superior to the south.
  - (27) As a reason for the penalty imposed on the course of Bilgah.
  - (28) Bilgah's.
  - (29) As a reason for the penalty imposed on the course of Bilgah.
  - (30) Parents are held responsible for the character and upbringing of their offspring.

**(31)** The neighbours of the wicked suffer with him.

**(32)** Isa. III, 10. The verse is omitted in some editions since it does not conclusively prove Abaye's statement. It may have been quoted merely in order to conclude the Tractate with a happy Scriptural verse.