

LEHRHAUS

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Does Peri Etz Hadar Mean Etrog?

David Moster 1

Something to Lose: Eviatar Banai and the Sukkot Paradox

Sarah Rindner 7

Can I Use Zip Ties to Hold Down My Sekhakh?

Dan Margulies 10

Yeshiva University President Rabbi Ari Berman's Opening Shiur

Shlomo Zuckier 20

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DOES *PERI ETZ HADAR* MEAN ETROG?

DAVID MOSTER

On the first day [of Sukkot] you shall take a *peri etz hadar*, palm fronds, branches of leafy trees, and river willows, and you shall be happy before the Lord your God for seven days. (Leviticus 23:40)

The verse above directs one to take a *peri etz hadar* on Sukkot. There is a consensus in Rabbinic literature that *peri etz hadar* refers to the etrog, but how do we get from the actual words *peri etz hadar* to the etrog? Although the question might seem straightforward, there are actually multiple approaches to this question, as seen in disagreements about how to translate this phrase. There are two keys to understanding these differences that will guide us as we analyze Rabbinic texts from different time periods, different geographies, and different languages. I will offer my own interpretation at the end.

The first key is a grammatical ambiguity inherent to the phrase *peri etz hadar*. In Biblical Hebrew, there is no preposition corresponding to the English word “of.” The of-relationship is expressed by juxtaposing two nouns in what is called a construct chain in English, or *semikhut* in Hebrew. For example, when “fruit” (*peri*) is juxtaposed with “womb” (*beten*) we get “fruit of the womb” (*peri beten*). In some instances, three nouns are juxtaposed, such as our own “fruit” (*peri*) + “tree” (*etz*) + “beauty” (*hadar*). The ambiguity is whether the third noun (*hadar*) is modifying the first noun (*peri*) or the second noun (*etz*). If *hadar* modifies *peri*, the fruit is meant to be beautiful (“beautiful fruit from a tree”). If *hadar* modifies *etz*, the tree is meant to be beautiful (“fruit from a beautiful tree”). A similar phenomenon, albeit backwards, occurs in the English phrase “big etrog tree.” If the tree is meant to be big (a “big tree of etrogim”), one would expect a large tree with many etrogim on it. If the etrog is meant to be big (a “tree of big etrogim”), one would expect a tree with Yemenite etrogim, which can be larger than footballs and weigh more than ten pounds. Both scenarios match a “big etrog tree.”

The second key to understanding *peri etz hadar* in Rabbinic texts regards a historical-halakhic matter. Some aspects of Jewish life are so ancient and well-established it is difficult to imagine them not being biblical. The etrog is one of these cases. Everyone agrees the words *peri etz hadar* refer to the etrog, but do they literally *mean* etrog? In other words, is the etrog mentioned explicitly in the Torah or is the identity of the fruit known from a tradition passed down from Moses on Sinai? Those who are content with it being a tradition translate *hadar* according to its plain-sense meaning as “beauty” or “majesty,” but those who are not content with it being a tradition translate it as “etrog.” Translating *hadar* as “etrog” makes the fruit just as biblical as the Sabbath, Passover, Menorah, etc.

We are now ready to analyze each and every interpretation in light of (1) the grammatical ambiguity of “*hadar* tree” versus “*hadar* fruit” and (2) the historical/halakhic matter of Sinai tradition versus Torah law. We will use the grammatical ambiguity as a framework for organizing these interpretations.

I. *Hadar* Tree

This approach understands the tree to be *hadar* but not the fruit. The Bavli attributes the following interpretation to Rabbi Yehudah ha-Nasi, the redactor of the Mishnah:

Do not read the word *hadar* (beauty), rather read the word *ha-dir* (the animal pen). Just as an animal pen contains large and small ones, perfect and blemished, so too [the etrog tree has] large and small [fruit on it], perfect and blemished. (*Sukkah* 35a)

Rabbi Yehudah is pointing to a unique characteristic of the etrog tree, namely, the tree’s year-round production of fruit. Most trees produce their fruit all at once, meaning all the fruits are roughly the same size as they mature. The etrog tree, which is continually producing new fruit, has large and small fruits at the same time. This is like an animal pen, which has large animals together with their offspring. The emphasis of *hadar/ha-dir* is not on the fruit but on the tree, which is the “animal pen.” Rabbi Yehudah ha-Nasi’s understanding is “fruit of the *hadar* tree,” which he interprets midrashically to mean “fruit of the animal pen tree.”

This approach can also be found in Targumim such as Neofiti, Pseudo-Jonathan, and the Targum fragments from the Cairo Genizah. In these texts, *peri etz hadar* is translated into Aramaic as “fruits of a praiseworthy tree, etrogim” (*peirei ilan mishabbah trugin*). The word “praiseworthy” (*mishabbah*), which is singular, must be modifying “tree” (*ilan*), which is also singular. It cannot be modifying “fruits” (*peirei*), which is in the plural. For these Targumim, the tree is praiseworthy (*ilan mishabbah*), not the fruit.

This approach was taken by a number of subsequent interpreters. Saadia Gaon (882 – 942) translated *peri etz hadar* into Judeo-Arabic as “fruit of the etrog tree” (*thamar shajar alatraj*). For Saadia Gaon, the etrog tree (*etz hadar*) is mentioned by name in the Torah itself. Rabbi Samson Raphael Hirsch (1808-1888) interpreted *etz hadar* as “a tree whose external appearance and unique features distinguish it above others, a tree of exceptional beauty.” The tree is *hadar*, not the fruit. Rabbi David Zvi Hoffmann (1843 – 1921), who had a PhD in Near Eastern languages, wrote: “Therefore, beyond any doubt, [the Rabbis] had an accepted tradition that the ‘beautiful tree’ (*etz hadar*) is the tree which is called etrog in Aramaic.” Again, the focus is on the tree. Rabbi Joseph Hertz (1872 – 1946), the Chief Rabbi of the United Kingdom from 1913-1946, took a tree-focused approach when he translated *peri etz hadar* as “fruit of goodly trees.” In 1981, Rabbi Aryeh Kaplan (1934 – 1983) [translated](#) *peri etz hadar* as “fruit of the citron tree,” and in 1996, the translators of the [Artscroll Tanach](#) did the

same, translating *peri etz hadar* as the “fruit of a citron tree.” For these last two translations, the etrog tree (*etz hadar*) is not merely a tradition but is literally mentioned in the Torah.

II. Hadar Fruit

The second approach understands the fruit to be *hadar* but not the tree. According to Targum Onkelos (ca. 2nd to 5th centuries), the translation of *peri etz hadar* is “the fruits of the tree, etrogim” (*perei ilana etrogin*). Here Onkelos translates *hadar* as etrog, meaning the etrog is sourced biblically and not in an oral tradition. He also separates the tree (*etz*) from *hadar* by translating *etz* in the determined state (*ilana*). This means *hadar* is not modifying tree (*etz*) but is in apposition to *peri*. This grammatical nuance means the fruits are *hadar* but not the tree. The translation of *peri etz hadar* is “the fruits of the tree, etrogim” (*peri ilana, etrogin*).

This *hadar*-fruit approach was attributed to Ben Azzai (2nd century):

Hadar means “the dweller” [*ha-dar*] on its tree all year round. (Sifra, *Emor* to Leviticus 23:40; cf. B. *Sukkah* 35a, Y. *Sukkah* 3:5)

Ben Azzai is pointing to the same botanical trait as Rabbi Yehudah ha-Nasi above, that the etrog fruit stays on its tree all year round. Whereas Rabbi Yehudah ha-Nasi focused on the tree, Ben Azzai focuses entirely on the fruit, which is “the dweller.” Ben Azzai’s understanding of *peri etz hadar* is “*hadar* fruit that comes from a tree,” which he interprets midrashically to mean “the dweller fruit that comes from a tree.”

[Vayikra Rabbah](#) takes a similar approach when it discusses the wisdom of King Solomon:

[Solomon] was perplexed by the four species, as it says, “three things are beyond me... four I cannot fathom” (Proverbs 30:18). The [four] things that [Solomon] wished to understand were the four species of the lulav bundle. [He asked:] “*peri etz hadar*, who said that it is an etrog? All trees (*ilanot*) make beautiful fruit (*perot hadar*)!” (*Leviticus Rabbah* to 23:40)

By separating the “trees” (*ilanot*) from the “beautiful fruit” (*perot hadar*), this *midrash* is clarifying that the fruit is beautiful (*perot hadar*), not the tree. It also asserts that the plain-sense meaning of *peri etz hadar* has nothing to do with the etrog (“All trees make beautiful fruit!”). The etrog is associated with Leviticus 23:40 because of tradition alone.

More than a half millennium later, this approach would be taken by Rabbi Abraham Ibn Ezra (1089 – 1167). According to Ibn Ezra,

We believe that the words of our sages do not contradict the words of the Bible... The sages passed down a tradition that *peri etz hadar* is the etrog, for in truth there is no tree-fruit (*peri etz*) more beautiful (*hadar*) than it.

Ibn Ezra introduces two ideas here. First, he clarifies that the etrog is a tradition as opposed to the plain-sense meaning of the biblical text. Second, by separating the word tree (*etz*) from the word beautiful (*hadar*), Ibn Ezra is disambiguating the original Hebrew. The tree-fruit (*peri etz*) is beautiful, not the tree itself. Ibn Ezra's translation would be "beautiful tree-fruit," or "beautiful fruit from a tree."

III. *Hadar* fruit and *hadar* tree

There is a group of commentators that did not choose between *hadar* fruit or *hadar* tree. For these commentators both were *hadar*. According to the Yerushalmi, Rabbi Shimon bar Yoḥai (2nd century) took this approach.

"And you shall take for yourselves *peri etz hadar*." This refers to a tree whose fruit is *hadar* and whose tree is *hadar*. The taste of its fruit is like the taste of its tree. The taste of its tree is like the taste of its fruit. Its fruit is similar to its tree. Its tree is similar to its fruit. And what is this? This is the etrog. (*Yerushalmi Sukkah* 3:5)

Rabbi Shimon bar Yoḥai equates the fruit (*peri*) with its tree (*etz*) five times in this brief passage. Both the fruit and the tree are *hadar*. The syntax underlying this interpretation is "*hadar* fruit from a *hadar* tree" (*peri hadar* from an *etz hadar*).

Ramban (Rabbi Moses ben Nahman, 1194 – 1270) took a similar approach by translating *hadar* as etrog.

It appears to me that the tree called etrog in Aramaic is called *hadar* in Hebrew... the tree and the fruit are called by the same name, as is the custom with the majority of fruits such as the fig, the nut, the pomegranate, the olive, etc., and so both the tree and the fruit are called etrog in Aramaic and *hadar* in Hebrew.

As a proper noun meaning etrog, *hadar* has the ability to modify both the tree, which is called *hadar*, and the fruit, which is called *hadar*. Ramban's interpretation is "*hadar* fruit from a *hadar* tree," or better, "etrog fruit from an etrog tree." Like Targum Onkelos and Saadia Gaon, Ramban views the etrog identification as Scriptural as opposed to being a tradition from Sinai. As mentioned above, this approach was also taken by the much later Rabbi Aryeh Kaplan and the translators of the *Artscroll Tanach*.

IV. Conclusion

Two decisions are implicitly made in every Rabbinic interpretation of *peri etz hadar*. The first is whether the fruit is *hadar*, the tree is *hadar*, or if both are *hadar*. The second is whether the identification of *hadar* as the etrog stems from an oral tradition from Sinai or whether it is explicit in the biblical text. If it is an oral tradition, then *hadar* means "beauty," but if it is explicit in the text, then *hadar* means "etrog."

How would I [interpret](#) *peri etz hadar*? Like Rabbi Abraham Ibn Ezra. That is, the etrog is a Rabbinic tradition and *peri etz hadar* means “beautiful fruit (*peri hadar*) from a tree (*etz*),” or “tree-fruit (*peri etz*) that is beautiful (*hadar*).” These two translations, which are identical in meaning, emphasize that the fruit is beautiful, not the tree. Although Ibn Ezra never mentioned it, there is evidence for translating this way. The phrase *peri etz* exists individually in Biblical Hebrew and means “tree-fruit.” Tree-fruit is mentioned on the sixth day of creation (Genesis 1:29), in the Egyptian plague of locusts (Exodus 10:15), in the laws of tithes (Leviticus 27:3), and in one of Ezekiel’s prophecies (Ezekiel 36:30). The very similar phrase *peri kol etz*, which means “all tree-fruit,” is attested to twice, in Nehemiah 10:36 and 10:38. Thus, *peri etz* “tree-fruit” is a unique and individual phrase.

Why is this important? There is another phrase that can shed light on our ambiguity. The term *nega tzara’at*, “leprosy affliction,” is a unique phrase that appears by itself thirteen times in the Bible. When a third noun is added, such as *beged* /garment in Leviticus 13:59, we arrive at the same ambiguity as *peri etz hadar*. Does *beged* modify *nega* or does it modify *tzara’at*? Luckily, another verse, Leviticus 13:47, disambiguates for us: “a garment (*beged*) that has a leprosy affliction (*nega tzara’at*).” The phrase *nega tzara’at* stays intact. There are other examples of this phenomenon (e.g., *shemen-mishhat kodesh* and *berit-melah olam*), but what is important for us is that *peri etz* “tree-fruit” is to remain intact. The interpretation is “beautiful fruit (*peri hadar*) from a tree (*etz*),” which can also be written as “tree-fruit (*peri etz*) that is beautiful (*hadar*).” The tree-fruit is beautiful, not the tree itself.

This grammatical interpretation is bolstered by the context of Leviticus 23, which ties the annual festivals to the agricultural cycle. The *omer* ritual marks the beginning of the barley harvest at Passover time; the two loaves are offered on Shavuot to commemorate the end of the wheat harvest; and Leviticus 23 even contains harvesting laws such as *peah*, “the corner,” and *leket*, “gleanings” (v. 22). Sukkot is also tied to agriculture, taking place “when you have gathered in the bounty of your land” (v. 39). The holiday is elsewhere called the “festival of ingathering” (Exodus 23:16; 34:22). What “bounty” was “gathered in” during the seventh Hebrew month, which correlates to our September and October? Tree-fruit. At the time of Sukkot, the grapes, figs, dates, and pomegranates were either ripe for harvest or already harvested, and the olive harvest was just beginning. These ripe tree-fruits were most likely the *peri etz hadar* of Leviticus 23:40. While this interpretation is what I consider the plain-sense meaning of the text (*pshat*), an ancient tradition says otherwise. As Ibn Ezra put it, “The sages passed down a tradition that *peri etz hadar* is the etrog, for in truth there is no tree-fruit (*peri etz*) more beautiful (*hadar*) than it.”

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SOMETHING TO LOSE: EVIATAR BANAI AND THE SUKKOT PARADOX

SARAH RINDNER

Eviatar Banai is an Israeli rock musician who comes from a well-known family of performers. He is also a *ba'al-teshuva*, a returnee to faith, and his songs reflect the various stages of the religious journey he has undergone in the public eye. In his mesmerizing new song “Pergola” he reflects upon many of the personal changes he has undergone - musical fame, self-affiliation with the Haredi community, and the material accoutrements that accompany both developments. Many of the lyrics read as ironic, such as references to certain trappings of a bourgeois lifestyle (a “Hyundai Santa Fe,” his “crazy mortgage,” and eating “Kosher sushi” in the tony Jerusalem neighborhood of Shaarei Chesed). He describes his fame in equally wry terms - poking fun even at the way people praise his religiosity and his contributions to the Israeli cultural landscape. Indeed, the song’s repeated refrain, “*yesh li mah li-hafsid*,” “I have something to lose,” points to the potential downside of success. One can become, as Banai sings, “a slave to the body, a slave to fear.” The more we have, the more we are vulnerable to our fears of losing it all.

Yet the music video which accompanies this song provides an intimate portrait of Banai’s own family, who share Banai’s bourgeois lifestyle with him, but also elevate it and turn it from a subject of irony into a source of visual beauty. A child with *peyot* racing down an alley on a bicycle, or strumming an electric guitar, a family in full Haredi regalia frolicking on the beach. This life is built on the same edifice of financial success and greater religiosity of which Banai is wary. It seems, then, that to separate external luxuries and internal spirituality is not simple. It is also not clear that Banai is aiming for such a clean separation.

The chorus of the song raises the possibility of “going outside,” of leaving complicated modern trappings to engage in a simpler, more elemental kind of existence. “I will bring wine, I will bring a ray of sunshine,” sings Banai, “I will bring bread, I will bring wood and water” (אני אביא יין, אביא קרן שמש, אני אביא לחם, אביא עץ ומים). These lines, especially when heard in Hebrew, have a Biblical cadence to them. They recall someone who is making offerings to God, not necessarily in a formal Temple context, but perhaps in the more homegrown way we associate with the book of Genesis. Alternatively, these elements may also obliquely allude to the holiday of Sukkot, a time when we specifically “go outside,” drink wine, eat bread, and sit in structures made from trees that filter in sunshine. Water too is an important part of the ritual landscape of Sukkot, coinciding with the anxious beginning of the rainy season in Israel, which affects the coming year’s crops (as in *m. Rosh Hashana* 1.2). A [pergola](#) itself may also recall Sukkot, as it is a lattice roofed structure that can easily be converted to a *sukkah* with the addition of some natural greenery or bamboo.

Like the life that Banai describes in “Pergola,” there are contradictory elements at the heart of the Sukkot holiday. On the one hand, the *sukkot* themselves are meant to recall the fragile temporary dwellings the Jews resided in when they were wandering in the desert (Lev. 23). Leaving our permanent homes to voluntarily enter this vulnerable setting, we are reminded of the fleeting nature of all our material accomplishments and of our ultimate dependence on

God. This element of the holiday is reinforced by the book of Ecclesiastes, which is read every year on Sukkot. Ecclesiastes reminds us that “all is vanity,” it asks the question: מַה-יִתְרוֹן, לְאָדָם: בְּכָל-עֲמָלוֹ--שִׁיעַמְל, תַּחַת הַשֶּׁמֶשׁ, “What value is there for a man in all of his toil beneath the sun?” (Eccl. 1:3). The book, like the *sukkah* itself, reiterates the idea that much of what we believe to be permanent, our homes, our possessions and so forth, are in fact as ephemeral as breath itself (*hevel*).

At the same time, Sukkot is a [harvest festival](#), like Thanksgiving or Oktoberfest, or specifically, a time when the summer harvests were processed in advance of the rainy season. While Ecclesiastes reminds us that everything we toil for is in vain, Sukkot is also a celebration of the fruits of our labor. In Rabbinic literature, Sukkot is “*Zeman Simhateinu*,” “the Time of our Rejoicing,” and many aspects of the holiday, both Biblically and Rabbinically, have an explicitly joyous dimension. While the *sukkah* is meant to recall a fragile desert dwelling, *sukkot* are traditionally decorated in a beautiful manner, with furnishings and paraphernalia that are meant to recall one’s actual home.

Similar, in a way, to “Pergola,” the themes of Sukkot emphasize the ultimate meaninglessness of material possessions while simultaneously celebrating physical bounty with great joy. At the center of this paradox lies the “feast,” which appears prominently in the song and of course characterizes the holiday itself. At the climax of his song, Banai imagines a kind of feast, “I will bring wine... I will bring bread.” The *sukkah* by definition is a site of feasting, as one is traditionally obligated to eat all of one’s holiday meals in the *sukkah*. A feast, where a meal is both shared and consumed, is a physical experience fundamentally focused on food and aesthetics. Yet, the communal-social element of the feast, and the sanctification of the meal through blessings and other means, suggests that it is ultimately impossible to hoard one’s bounty and keep it to oneself forever. While Ecclesiastes advocates for a kind of abnegation of the physical, the Sukkot holiday elevates these physical elements and transforms them into instruments of communal cohesion and spiritual growth. It is possible that Eviatar Banai did not intend to touch on all of the complex ritual and theological elements of Sukkot in his catchy song. Nevertheless, “Pergola” may help unpack some of the deeper messages of our most joyous Jewish holiday.

The lyrics along with a rough translation may be found below. Please be warned that some of the contemporary Hebrew idioms don’t translate easily into English:

יש לי מה להפסיד, יונדאי סנטה פה, מתוק בפה, מתלבש יפה
מאה שלושים מטר בית, משכנתא מטורפת, שכונת רמות, וילה שתי קומות
סושי כשר בשערי חסד, מקום קבוע בבית כנסת,
פרגולה למעלה, פרגולה למטה.

יש לי מה להפסיד, עוצר ברחוב לתמונות, מלא מחמאות, זאפות מלאות
גם עושה קידוש ה', תפקיד בתרבות בישראל, אלבומי זהב,
פלייליסט לכיס של הגב.
אור יקרות, אני שלט חוצות, אוטם אוזניים, כרס לברכיים
פרגולה למעלה, פרגולה למטה.

אני אביא יין אביא קרן שמש, אני אביא לחם אביא עץ ומים.
בואי החוצה בואי נצא

יש לי מה להפסיד, נעליים שפיץ שחור, על השטיח הכחול, עצים גזומים עגול.
ויש גם תחרות, אנ'לא יכול להפסיד, סתם לתת להם לעקוף, נגן חזק בתוף
עבד לגוף, עבד לפחד, פרי של שקר, תהום בלי חקר
פרגולה למעלה, פרגולה למטה.

I have something to lose, a Hyundai SUV, candy on my tongue, nice clothes.
One big, fancy house, a huge mortgage, a two-storey villa in Ramot.
Kosher Sushi in Shaarei Chesed, a permanent seat in the synagogue.
A pergola above and a pergola below.

I have something to lose, stopping in the street for pictures, they are full of compliments, I
fill up [Zappa](#)
I also sanctify God's name, play a role in Israeli culture, the gold albums.
I'm on every playlist.
I've got a halo 'round my head; I'm on billboards, in headphones; with a potbelly.
A pergola above and a pergola below.

I'll bring wine, I'll bring a ray of sunshine, I'll bring bread, I'll bring wood and water.
Come outside, let's go.
Come outside, let's go.

I have something to lose, shiny black shoes, on the blue carpet, with manicured trees circling
around.
And there's a competition, I can't lose, just let them pass me by, play the drums harder.
A slave to the body, a slave to fear, the fruit of deception, an unexplored abyss.
A pergola above and a pergola below.

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CAN I USE ZIP TIES TO HOLD DOWN MY SEKHAKH?

DAN MARGULIES

Last year, I received a frantic call the day before Sukkot. The query came from neighbors who while busily erecting their sukkah. They needed to know: “Can we use zip ties to hold down our sekhakh? We read in the [OU guide](#) at shul that it’s not allowed!” The halakhic recommendations prepared by Rabbi Eli Gersten and reviewed by Rabbi Yaakov Luban in 2013 include the following questions and answers that would seem to prohibit the use of plastic zip-ties:

Q: How should the schach be supported?

A: One should not rest schach directly on metal or plastic, but rather on wooden beams placed on top of the metal poles (Shulchan Aruch Orach Chaim 629:7). If one’s mats are woven with plastic wire, they must make sure that the schach is placed perpendicular to the wooden beams; otherwise the stalks are being supported exclusively by the plastic wire.

Q: Can one tie their schach mats to the sukkah with string?

A: Schach mats are notorious for blowing off of the sukkah. Therefore, the mats should be tied down. However, one should not tie the schach with wire or synthetic strings, but rather they should use cotton or hemp string or place heavy 2x4s on top of the schach to weigh it down.”

To my mind, there’s more to this matter. A thorough analysis of the parallel sugyot in both talmuds (m. Sukkah 2:2, y. Sukkah 52d (2:2), b. Sukkah 21b), as well as the attendant commentaries, offers an alternate take on the halakhic sources in defense of the more lenient practice, that it is allowed (even ab initio) to use zip-ties, and even metal wire to support the sekhakh of the sukkah.

In yeshiva shorthand, this issue is known as “maamid be-davar ha-mekabbel tumah,” that is, the question of the permissibility of supporting the sekhakh of the sukkah with a material (like metal) that is susceptible totumah (impurity). Or more broadly, a material (like plastic) that is unsuitable to be used as sekhakh. Besides the recommendations published by the OU, this Halakhah (among the numerous laws of the walls and roof of the sukkah) has become well-known, and is taken seriously (perhaps disproportionately seriously) by many Halakhah-abiding Jews.

Sekhakh for the sukkah is limited by several criteria (Rambam Hil. Sukkah 5:1, Shulchan Arukh, Orach Hayyim 629:1): the material must have grown from the ground (גדולו מן הארץ), must be detached from the ground (נעקר מן הארץ), and it must be not be susceptible to impurity (אינו מקבל טומאה) e.g. it cannot be food or any utensil (like a bowl or bed).

The Sugya

The Mishnah (m. Sukkah 2:2) presents a debate relevant to this issue between the anonymous first opinion in the Mishnah, that of the Sages, and Rabbi Yehudah:

הסומך סוכתו בכרעי המטה כשרה. רבי יהודה אומר: אם אינה יכולה לעמוד בפני עצמה פסולה.

One who leans his sukkah on bed-poles—it is suitable. Rabbi Yehudah rules: If it cannot stand on its own [i.e., without the bed-poles]—it is disqualified.

The Talmud Bavli (b. Sukkah 21b) expands and clarifies this debate between the Sages and Rabbi Yehudah, specifically explaining how it articulates legal principles applicable beyond the case of a sukkah built into bed-poles:

מאי טעמא דרבי יהודה? פליגי בה רבי זירא ורבי אבא בר ממל. חד אמר: מפני שאין לה קבע, וחד אמר: מפני שמעמידה בדבר המקבל טומאה. מאי בינייהו? כגון שנעץ שפודין של ברזל וסיכך עליהם. למאן דאמר לפי שאין לה קבע, הרי יש לה קבע; ומאן דאמר מפני שמעמידה בדבר המקבל טומאה, הרי מעמידה בדבר המקבל טומאה. אמר אביי: לא שנו אלא סמך, אבל סיכך על גב המטה כשרה. מאי טעמא? למאן דאמר לפי שאין לה קבע, הרי יש לה קבע; למאן דאמר מפני שמעמידה בדבר המקבל טומאה, הרי אין מעמידה בדבר המקבל טומאה.

What is the reason for Rabbi Yehudah's position? It is a debate of Rabbi Zeira and Rabbi Abba bar Mamal. One [Rabbi Zeira] says it is because it is not "fixed," and one [Rabbi Abba] says it is because he supports [the sekhakh] with a material which is susceptible to impurity. What [case] distinguishes between the [ir opinions]? Consider for example if he drove metal rods [into the ground] and covered them over [with sekhakh]. According to the one who says [Rabbi Yehudah disqualifies it] because it is not "fixed," behold this one is "fixed." And according to the one who says [Rabbi Yehudah disqualifies it] because he supports [the sekhakh] with a material which is susceptible to impurity, behold [here too] he supports [the sekhakh] with a material which is susceptible to impurity [i.e., metal]. Abaye said: They only stated [their opinion] in a case where he leaned [the sukkah against the bed-poles] but if he had covered over a bed [with sekhakh] it would be suitable [even according to Rabbi Yehudah]. What is the reason? According to the one who says [Rabbi Yehudah disqualifies it] because it is not "fixed," behold this one is "fixed." And according to the one who says [Rabbi Yehudah disqualifies it] because he supports [the sekhakh] with a material which is susceptible to impurity, behold [here] he does not support [the sekhakh] with a material which is susceptible to impurity.

The sugya as presented here in the Bavli avoids any discussion of the position of the Sages. It also avoids any attempt to prove that the Halakhah follows one opinion or another. The Rishonim, picking up on this lacuna, discuss this question in great detail.

The claim that the sukkah must be "fixed" is talmudic shorthand for a collection of tannaitic debates (collated and discussed on b. Sukkah 7b) about the permanence, sturdiness, and size of the sukkah. Rabbi Yehudah is one of the proponents of this approach (m. Sukkah 1:1 where he allows a sukkah taller than 20 amot), so Rabbi Zeira is justified in seeing that same criterion at play here. Importantly, the opinions who require that the sukkah be fixed are

mostly rejected in favor of the opinions allowing or even requiring the sukkah to be עראי —“casual/impermanent.”

Alfasi's codification (Sukkah 10a, §1010) mirrors the Talmud's cryptic formulation:

הסומך סוכתו בכרעי המטה כשרה. רבי יהודה אומר: אם אינה יכולה לעמוד בפני עצמה פסולה.

אמר אביי לא שנו אלא סמך, אבל סכך על גבי המטה – כשרה.

One who leans his sukkah on bed-poles—it is suitable. Rabbi Yehudah rules: if it cannot stand on its own—it is disqualified. Abaye said: They only stated [their opinion] in a case where he leaned [the sukkah against the bed-poles] but if he had covered over a bed [with sekhakh] it would be suitable [even according to Rabbi Yehudah].

Alfasi's goal in writing his code as an abridgement of the talmud text was to make the halakhic conclusions of the sugyot clear; it is surprising to see him quote the Mishnah in full (including the debate) and the statement of Abaye. The reader is left wondering whether Alfasi understood Abaye's statement to include a conclusive determination according to Rabbi Yehudah, or if Alfasi included it for some other reason.

Three Possible Approaches

There are basically three different approaches on how to rule in this sugya, taking into account both the Talmud and Alfasi's code—aligned logically along the three different opinions we have seen.

- 1) We rule like the Sages against Rabbi Yehudah
- 2) We rule like Rabbi Yehudah, and the reasoning for his ruling is that the sukkah must be fixed, like Rabbi Zeira
- 3) We rule like Rabbi Yehudah, and the reasoning for his ruling is that the sekhakh must not be supported by a material susceptible to impurity, like Rabbi Abba

The Halakhah follows the Sages: The first approach is taken by Rambam and Rabbi Zerahiah ha-Levi (“Baal ha-Maor”). Rambam expresses his opinion succinctly and clearly in his Commentary to Mishnah (2:2):

ר' יהודה סובר סוכה דירת קבע בעינן, וכבר נתבארה לך שטתו, ולפיכך מצריך שתהא יכולה לעמוד בפני עצמה... ואין הלכה כר' יהודה.

Rabbi Yehudah's opinion is that the sukkah must be fixed and his opinion has already been explained (see Rambam to m. Sukkah 1:1) therefore he requires that it be able to stand on its own ... and the Halakhah does not follow Rabbi Yehudah.

This conclusion is corroborated by the fact that Rambam does not address the case discussed in our Mishnah at all in his Mishneh Torah.

Usually, it is reasonable to assume that Rambam and Alfasi agree in their halakhic rulings without strong evidence to the contrary. After all, Rambam praises Alfasi's code in his introduction to his Commentary to Mishnah as "contain[ing] all the rulings and laws that are needed in our time." Rambam's father, Maimon, was a student of Ibn Megas himself a student of Alfasi. However, because Alfasi's ruling is so cryptic we are still left wondering. For Rambam, our Mishnah itself is enough proof that we rule against Rabbi Yehudah, according to the general rule of mishnaic debates "one against many, the Halakhah follows the many."

Why then did Alfasi quote the opinion of Abaye—itsself a compromise solution that addresses both the interpretations of Rabbi Zeira and the Rabbi Abba bar Mamal—if the Halakhah does not follow the opinion of Rabbi Yehudah at all?

This question is strong enough that Rabbi Zerahiah ha-Levi, a fierce opponent of many of Alfasi's halakhic rulings, understands Alfasi to have ruled according to Rabbi Yehudah (otherwise why cite Abaye's conclusion). He sides with Rambam against his understanding of Alfasi, although Rambam likely understood Alfasi to be aligned with his own ruling (see Sefat Emet Sukkah 21b s.v. sham).

The core of this approach lies in two principles 1) that we rule like the majority against Rabbi Yehudah and 2) the reasoning behind Rabbi Yehudah's ruling may very well be a principle rejected elsewhere in Sukkah. Thus, to reject Rabbi Yehudah's stringency here is to reject his approach globally, and we never even enter a discussion of supporting the sekhakh with a material susceptible to impurity.

The Halakhah follows Rabbi Zeira within Rabbi Yehudah: The second approach to how to understand the sugya and Alfasi's ruling is developed by Tosafot (s.v. she-ein) and Rosh (2:1) based on the parallel sugya in the Talmud Yerushalmi. The debate around Rabbi Yehudah's position as presented in the Yerushalmi takes a much more conclusive turn:

אמר רבי אימי משם שאין ממעי המיטה לסכך עשרה טפחים. אמר רבי [א]בא משם שאין מעמידין על גבי דבר טמא. והא תני 'מעשה באנשי ירושלם שהיו משלשלין מיטותיהן לפני חלונותיהן והיו מסככין על גביהן.' אין תימר משם שאין מעמידין על גבי דבר טמא הרי מעמידין על גבי דבר טמא הוי לית טעמא, אלא משם שאין ממעי המיטה לסכך עשרה טפחים.

Rabbi Immi said [the reason behind Rabbi Yehudah's ruling is] that there are not ten tefachim of space from the surface of the bed to the sekhakh. Rabbi [A]bba said [the reason behind Rabbi Yehudah's ruling is] that one should not support [the sukkah] on top of something

[that can become] tamei. And it was taught [in t. Sukkah 2:3]: ‘A case of people in Jerusalem who used to hang their beds out their windows and cover them with sekhakh.’ If you would say that the reason [for Rabbi Yehudah’s ruling] is that one should not support [the sukkah] on top of something [that can become] tamei, behold they used to support [their sukkot] on top of [beds] which can become tamei, thus that must not be the reason. Rather, it must be that [Rabbi Yehudah disqualifies it] because there are not ten tefahim of space from the surface of the bed to thesekhakh.

This parallel version of sugya presents another version of the debate about the rationale for Rabbi Yehudah’s position that sheds light on our reading of the Bavli. The first explanation of the problem R. Yehudah has with thesukkah, formulated in the Bavli (attributed to Rabbi Zeira) as “it is not fixed,” is explicated in the Yerushalmi (attributed to Rabbi Immi) as about the amount of airspace between the surface of the bed and the sekhakh.

Normally, the ten tefahim of vertical airspace are measured from the floor of the sukkah, disregarding any of the furniture brought into the sukkah; here because the sukkah is built into the bed-poles Rabbi Yehudah’s requirement of fixed-ness (i.e., sturdiness and size) requires that the ten tefahim begin from the top surface of the bed rather than from the floor. Abaye’s solution in the Bavli—building the sukkah around the bed rather than into it—makes perfect sense as to why it would address this concern because once the bed is no longer a part of the sukkah but only a piece of furniture in it, the idea to measure the ten tefahim from the surface of the bed no longer makes sense.

In addition, after recording the debate between Rabbi Immi and Rabbi Abba, the Yerushalmi quotes a proof against Rabbi Abba from the Tosefta; the case of the scrupulous Jerusalemites demonstrates that supporting thesekhakh on top of a bed is not problematic at all. Thus, for the Yerushalmi, within the opinion of Rabbi Yehudah, the correct interpretation must be that of Rabbi Immi and Rabbi Zeira—the problem is that the sukkah is not sufficiently fixed, as it needs ten tefahim from the surface of the bed to the sekhakh.

Rabbi Immi’s interpretation of the case quoted in the Tosefta (that it would be problematic to build a bed-sukkah with air space less than ten tefahim measured from the surface of the bed to the sekhakh) even appears in our text of the [Tosefta in situ](#) (though not in the version quoted by the Yerushalmi).

Tosafot and Rosh conclude that the flow of the sugya in both the Yerushalmi and the Bavli (when read as a direct parallel to the Yerushalmi) indicates that the Halakhah follows the opinion of Rabbi Zeira within Rabbi Yehudah. However, if the whole basis of Rabbi Yehudah’s approach is his internally consistent requirement that thesukkah be fixed—an opinion rejected in the Talmud elsewhere—how can the Halakhah accord with him here? Rosh suggests that there are two different standards of fixed-ness.

Although Rabbi Yehudah’s global insistence on a high level of fixedness was rejected by others, in this case, a more minimal standard (that there be ten tefahim from the surface of the bed to the sekhakh) was adopted even by his opponents. Just because the requirement

that there be ten tefachim from the surface of the bed to the sekhakh is an example of Rabbi Yehudah's position on fixed-ness does not mean that it should be rejected here.

The approach of Tosafot and Rosh, corroborated by responsa of Rashba 1:213 (also cited as n.216 of those originally attributed to Ramban) and of Terumat ha-Deshen n.91, is that which was presented by Rabbi Yosef Karo in his Beit Yosef (629 and 630, and see Darkhei Moshe ha-Arokh 629:7) and Shulhan Arukh (Orah Hayyim 630:13) as the conclusive Halakhah:

הסומך סוכתו על כרעי המטה והכרעים הם מחיצות אם יש בה גובה י' טפחים מן המטה לסכך, כשרה; ואם לאו, פסולה.

One who leans his sukkah on bed-poles, and the bed-poles are walls, if there are ten tefachim from the surface of the bed to the sekhakh, it is suitable. And if not, it is disqualified.

Because the approach of Rosh, based on the case from the Tosefta quoted in the Yerushalmi fundamentally rejects the interpretation of Rabbi Abba (that Rabbi Yehudah's disqualification is based on a concern of susceptibility to impurity) it follows that Rosh, and seemingly Shulhan Arukh are unconcerned with this criterion. However, from Shulhan Arukh, Orah Hayyim 629:7 it seems like Rabbi Yosef Karo is hedging his ruling to accommodate the stringency of the third approach:

יש להסתפק אם מותר להניח סולם על הגג כדי לסכך על גביו. הגה: לכן אין לסכך עליו; ואפילו להניחו על הסכך להחזיקו, אסור; וה"ה בכל כלי המקבל טומאה, כגון ספסל וכסא שמקבלין טומאת מדרס.

It is doubtful if it is permissible to rest a ladder on the roof in order to cover it over with sekhakh. Rema's Gloss: Therefore one should not cover it over with sekhakh, and it is even forbidden to place it on top of thesekhakh to secure it, and so too regarding any object that is susceptible to impurity, like a bench or a chair which are susceptible to midras-impurity.

The doubt expressed by Rabbi Yosef Karo, and more fully explicated by Rabbi Moshe Isserles in his gloss, is that the ladder is disqualified because it is susceptible to impurity—a concern that only makes sense within the third approach to our sugya, following the interpretation of Rabbi Abba.

The Halakhah follows Rabbi Abba within Rabbi Yehudah: The third approach to the sugya is developed by Raavad and supported by Ramban and Ran in their commentaries to Alfasi's code, as they characteristically rebut Rabbi Zerachiah Halevi's critique. Rabbi Zerachiah ruled in accordance with the Sages, understanding Alfasi to have ruled like Rabbi Yehudah. In response, Raavad and Ramban defend the position of Rabbi Yehudah as interpreted by Rabbi Abba—that it is unsuitable to support the sekhakh on a material that itself can become impure (and perhaps even more broadly, the material supporting the sekhakh must itself be suitable to be used as sekhakh, see Rosh 2:1).

This argument rests on two claims. The first is that the flow of the sugya (involved entirely in a discussion of Rabbi Yehudah's position) is evidence that the Halakhah follows Rabbi Yehudah, even against the rules followed by Rambam (that is even against the majority opinion of the Sages).

The second claim is that the Halakhah should consider the opinion of Rabbi Abba, not Rabbi Zeira, as authoritative. This is against the conclusion of the sugya as presented in the Yerushalmi, and disregards the proof brought from the Tosefta. Nonetheless, the argument is based on the fact that Rabbi Yehudah's requirement that the sukkah be "fixed" is rejected elsewhere (cf. b. Sukkah 2a, 3b, 7b).

If Rabbi Yehudah's position is adopted as authoritative here, it must be for a different reason, namely Rabbi Abba's rather than Rabbi Zeira's explanation. (This ignores the clever distinction suggested by Tosafot and Rosh that there is an agreed upon lower standard of fixedness that even Rabbi Yehudah's opponents concede to him, but again that is based on the Yerushalmi which is not being considered here.)

It is this position—that of Raavad, Ramban, and Ran—that would disqualify a sukkah built where the material supporting the sekhakh is itself susceptible to impurity, like a metal pole or wire. (Synthetic materials are excluded from laws of impurity, but could still be a problem if using any non-valid sekhakh item is prohibited, a possibility Rosh 2:1 refutes.) Because of their characteristic opposition to Rabbi Zerahiah ha-Levi's interpretations of Alfasi and his halakhic rulings, their defense of the position that he attributed to Alfasi may all be a back-and-forth about a straw-man. Alfasi (and Rambam as explained above) could respond to Rabbi Zerahiah's critique by saying, "I actually agree with you that the Halakhah follows the Sages against Rabbi Yehudah."

This would leave Raavad and Ramban's defense of this position divorced from the actual position of Alfasi. Further frustrating their interpretation is that it does not accord with the material from the Tosefta and Yerushalmi cited by Rosh in support of his interpretation. Nonetheless, because of the prominence of Ramban and Ran in particular (as well as the fact that Rabbi Joel Sirkis in his Bayit Hadash 629 s.v. 'od strongly endorsed this approach), it entered the halakhic conversation, and is proposed as a stringency for which to strive.

Modern Halakhic Codes

Rabbi Yosef Karo in Shulhan Arukh 629:7 claims, based on a responsum of Rashba (n.215 of those originally attributed to Ramban) that it is "doubtful" whether one can use a ladder (which is arguably susceptible to impurity) to secure and support the sekhakh. This indicates his willingness to adopt the approach of Raavad, Ramban, and Ran against the approach of Rosh that he seemingly endorses later in 630:13.

Rabbi Avraham Gombiner in Magen Avraham 629:9, citing Bayit Hadash, notes this apparent inconsistency between the rulings recorded in Shulhan Arukh in 629:7 and 630:13, resolving it by explaining that Rabbi Yosef Karo adopts the more stringent approach as a

stringency to be maintained ab initio when building the sukkah, but that post facto he adopts the more lenient approach, as above.

The reconciliation suggested by Magen Avraham is dismissed by Rabbi Eliyahu of Vilna (Beur ha-Gra 629:7) who strongly endorses the approach of Rosh that there is no problem of using a material susceptible to impurity to support the sekhakh.

Rabbi David Segal in Taz 629:10 understands the problem with the ladder as having nothing to do with it being a material which is susceptible to impurity supporting the sekhakh; rather the ladder is disqualified because it is 4tefahim wide, and thus understands the Shulhan Arukh as universally adopting the ruling of Rosh against Raavad, Ramban, and Ran.

The rulings of Rabbi Israel Meir Kagan in Mishnah Berurah and Rabbi Yehiel Mikhel Epstein in Arukh ha-Shulhan reflect these authors' general approaches to dealing with these sorts of unresolved debates among medieval and early-modern commentators. Mishnah Berurah (630:59) first notes the accepted opinion of Rosh and then the stringency of Ramban:

דאף דמעמיד ע"ג מטה שהיא מקבלת טומאה לא איכפת לן בזה דקבלת טומאה על הסכך נאמר ולא על הדפנות. ומ"מ לכתחלה נכון להזהר בזה כי יש מן הפוסקים שמחמירין בזה, מ"א בסי' תרכ"ט ח"ו.

Even though he supports [the sekhakh] on top of a bed which can become impure, we don't care, because [the criterion that it not be susceptible to impurity] was stated regarding the sekhakh and not the walls; nonetheless, ab initio it is proper to be careful regarding this because some of the poskim are strict, see Magen Avraham 629:8.

Mishnah Berurah adopts the more stringent approach either because he usually relies heavily on Magen Avraham (in this case traced back through Bayit Hadash to Ramban and Ran) or because he has a penchant suggesting legal interpretations that fulfill as many medieval approaches as possible. However, in his Shaar ha-Tziyyun n.60, he notes that although Alfasi, Rosh, and Rabbi Israel Isserlein (author of Terumat ha-Deshen) rejected the concern about the supporting material being susceptible to impurity, he nonetheless was concerned that Ran and Ritva's interpretation of Alfasi was correct.

The Mishnah Berurah offers that after he explored the issue further, he discovered that many (perhaps even the majority of medieval commentators) reject this concern including Rabbi Yitzhak ibn Ghiyyat (Hil. Sukkah §241), Rambam, Rabbi Zerahiah ha-Levi, Rid (b. Sukkah 21b), and Rabbi Zedekiah ben Abraham (Shibolei ha-Leket §344 quoting Rid; however he also quotes Sefer Ha-Ittur who rules like Rabbi Yehudah). He concludes his footnote with a hedging recommendation echoing Magen Avraham to be stringent even if the law truly

accords with the more lenient approach that would permit supporting the sekhakh with a material susceptible to impurity:

ובודאי יש לסמוך על דעת המקלין בזה, אכן לכתחילה נכון להזהר בזה לצאת ידי כל הדעות.

Certainly one can rely on the opinion of the lenient authorities in this matter; however, it is proper ab initio to be careful in this matter to fulfill the requirements of all authorities.

Arukh ha-Shulhan adopts a similarly characteristic approach to this question, cutting through the back-and-forth to a clear bottom-line recommendation based on the Yerushalmi, Rosh, and Beit Yosef. He discusses the position of Ran, as adopted by Rabbi Yoel Sirkis in his Bayit Hadash, and rejects it saying (Orah Hayyim 629:19):

למה לנו להחמיר ומה גם שכמה קושיות יש על שיטה זו ... וכיון שכן הוא גם הכרעת רבותינו בעלי הש"ע והאחרונים אין להחמיר בזה.

Why should we be stringent, and further there are several challenging questions against this approach ... and since this is the decision of our teachers the authors of the Shulhan Arukh and the later authorities one should not be stringent in this matter.

Although he sides more strongly with the permissive approach, using the powerful formulation “why should we be stringent,” he also engages with a bit of hedging (like Magen Avraham and Mishnah Berurah v.s.) in 630:35-36:

יש מי שחושש לבלי להעמיד בדבר המקבל טומאה ולכן נמנעים מלקבוע מסמורות בסכך הסוכה ונכון הוא ומ”מ בדיעבד אין זה פסול מפני דרוב רבותינו לא חשו לטעם מעמיד בדבר המקבל טומאה וכן הוא בירושלמי.

And there are those who are concerned not to support [the sekhakh] with a material that can become impure, and therefore they avoid nailing down the sekhakh of the sukkah [with metal nails], and it is commendable; nonetheless, post facto this does not disqualify [the sukkah] because the majority of our rabbis were not concerned with the opinion that disqualifies [a sukkah] because [the sekhakh] is supported with a material that can become impure, and it is thus in the Yerushalmi.

Although he mentions that many (including Bayit Hadash, Magen Avraham, and Mishnah Berurah) see the ab initio stringency as a necessity, and commends their stringency, he concludes that the majority opinion and that which was codified in Shulhan Arukh is to be lenient, and that this is sufficient.

Conclusion

In conclusion, this sugya presents a range of practical conclusions stemming from a debate that illustrates many of the key details of talmud study: juggling different rules of adjudication—do we follow the majority or the opinion most discussed?—balancing the

weight of Bavli and Yerushalmi, balancing the interpretations of different commentators, weighing how each of them is quoted and used by later authorities throughout the process of codification and super-commentary, and understanding the interplay between ab initio and post facto considerations.

Core pillars of halakhic jurisprudence—Rambam and Rosh—agree that there is no problem of using a material susceptible to impurity as a support for the sekhakh. This is also a plausible read of Alfasi and the Shulhan Arukh, leading me to agree with Arukh ha-Shulhan and the Vilna Gaon that regarding the practical Halakhah, one need not be overly concerned about this stringency.

Knowing that Raavad's comments may have been written largely as a reaction to Rabbi Zerahiah ha-Levi's comments, rather than to assert his own position and reading of the sugya and of Alfasi's ruling, I am less inclined to adopt the interpretation of Raavad and Ramban. That said, the suggestion to be stringent as much as possible ab initio could very well be what the Mishnah and Alfasi really meant, and that position is certainly understandable.

In the final analysis, I am not compelled to be so overly concerned with this question to extend this already arguable stringency beyond its explicit scope—materials susceptible to impurity—to any material disqualified for use as sekhakh, e.g. plastic zip-ties. It is a difficult claim to make from within the text, and it is an unnecessary stringency that makes sukkah construction more difficult and dangerous for hard-working Jews during an already busy time of year.

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YESHIVA UNIVERSITY PRESIDENT RABBI ARI BERMAN'S OPENING SHIUR

SHLOMO ZUCKIER

Below are my notes on the Shiur Petihah, the opening lecture that Yeshiva University's new president, Rabbi Ari Berman, offered to the morning learning program students in the Glueck Beit Midrash on Wednesday, September 9, 2017, the fall semester's first day of official learning.

YU is learning Tractate Sukkah this year, and thus the message tied together both the topic of study and the historic moment, "a new administration, perhaps a new era," in President Berman's words, as YU transitions into his leadership. These notes, I believe, retain the author's voice and language, including more than a few Hebrew and Aramaic phrases. This is not a verbatim transcript, but a rendering of the content, along with some supplementation of sources in relevant places.

Good morning, and welcome to all the *talmidim* of the Yeshiva! You started learning this morning at 9 AM, so you probably covered a lot of ground, and at least got to the first dispute in the Mishnah (*Sukkah* 2a):

סוכה שהיא גבוהה למעלה מעשרים אמה—פסולה, ורבי יהודה מכשיר

The *hakhamim* say that a Sukkah higher than 20 Amot is *pasul*, while Rabbi Yehuda says it's Kasher.

There are three reasons for this, and we'll focus on the third, offered by Rava (*Sukkah* 2a):

ורבא אמר: מהכא בסכת תשבו שבעת ימים. אמרה תורה: כל שבעת הימים צא מדירת קבע ושבו בדירת עראי. עד עשרים אמה אדם עושה דירתו עראי, למעלה מעשרים אמה אין אדם עושה דירתו עראי, אלא דירת קבע. אמר ליה אביי: אלא מעתה, עשה מחיצות של ברזל וסיכך על גבן הכי נמי דלא הוי סוכה? אמר ליה, הכי קאמינא לך: עד עשרים אמה, דאדם עושה דירתו עראי, כי עביד ליה דירת קבע נמי נפיק. למעלה מעשרים אמה, דאדם עושה דירתו עראי, כי עביד ליה דירת עראי נמי לא נפיק.

The *pasuk* says you should sit in Sukkot for seven days, that you should leave your permanent dwelling place and sit in a temporary dwelling place, a *dirat arai*, namely the Sukkah. Up to 20 *amot* people build temporary dwellings, the *gamara* reasons, not higher. Abaye asks about putting *sekhakh* on *mehitzot shel barzel*, iron walls, which would be permanent but short. We resolve that such as Sukkah is still valid, since the determining factor is the height at which one would generally build a temporary dwelling. For the case of a building more than 20 *amot*, even if its structure is temporary, we argue that *batla da'ato etzel kol adam*, and it is still invalid. The converse is true as well, that if it's shorter than 20 *amot* then even if it's solid there is no problem.

We find this idea that the Sukkah must be a *dirat arai*, a temporary dwelling, in several other places, not only in this dispute between Rabbi Yehuda and the *hakhamim*. One such example

appears on 3b (עד כאן לא קאמרי רבנן התם אלא לענין סוכה, דדירת עראי היא.) This is an important principle, that the Sukkah be temporary.

The problem, however, is that we have a contradictory Mishnah, which actually uses similar language to that of our Mishnah (*Sukkah* 28b) but in the opposite direction:

כל שבעת הימים אדם עושה סוכתו קבע וביתו עראי

All seven days a person makes his Sukkah permanent and his house temporary.

On the basis of this principle that the Sukkah must be permanent, there are several *halakhot* that apply here—one must eat, sleep, learn, Metayel in the Sukkah, bring in their nice *kelim*, utensils, and furniture. This is framed as positive obligations of what to do in the Sukkah, but it is also seen by Rishonim that *keva*, permanence, is definitional to Sukkah.

For that reason, one is Patur from sitting in the Sukkah if one is not comfortable (*Sukkah* 26a):

שומרי גנות ופרדסים פטורין בין ביום ובין בלילה, וליעבדי סוכה התם וליתבו! אביי אמר: תשבו כעין תדורו.

Those guarding fields are exempt from Sukkah, and don't need to set one up where they are, based on this principle of *teshvu ki-ein taduru*, that one sits in the Sukkah like one would live in a regular house. Since these huts would not be a normal mode of living, one is exempt from constructing them.

The idea of *teshvu ki-ein taduru* is a principle we find elsewhere as well, that we should treat our Sukkah like a regular house.

Rava says *mitztaer*, one who is uncomfortable, is *patur* from Sukkah (*Sukkah* 26a), and Rishonim generally (e.g., Tosafot to *Sukkah* 26a, s.v. *Holekhei Derakhim*) say it comes from the principle of *teshvu ki-ein taduru*. If you're in pain at home, you would leave to go elsewhere, and the same is true for the *mitzvah* of Sukkah. This all comes from the core principle of making the Sukkah be *keva*, a set place.

So it seems like there are two fundamental principles that are in conflict with one another—to have the Sukkah be *arai*, but also to make it *keva*. Which is it? *keva* or *arai*? Must a Sukkah be set or temporary?

The answer is that it depends on your perspective. When it comes to the *structure* of the Sukkah, that must be a *dirat arai*, a temporary dwelling. But in terms of how we *treat* the Sukkah, it has to be in a mode of *keva*. This is implicit in the language already—Rava talks about living in a *dirat arai*, about the nature of the *structure*, whereas it's *adam oseh sukkato keva*, that it's your *attitude* and how you treat the Sukkah that makes it *keva*.

Why is this so? Why should this be our definition of Sukkah? First of all, *Rahmana amar*, it's the Halakhah. But if we think about it further, what is the message of this Halakhah?

When I think about this, I think of a *Maharsha* in *Avodah Zarah* (3a):

והכונה שרמז להם במצות סוכה שהיה להם לקיים המצות בעוה"ז שדומה לסוכה ודירת עראי וק"ל:

He suggests that a Sukkah is similar to this world, that Sukkah is a metaphor for life. Our lives are *arai*, fleeting, our moments go quickly, we're all here for only a short period of time. But we try to turn this world into *Keva*, to make our moments count, to make the time that we are here meaningful and important.

If we understand this as a metaphor for what we're trying to do in life, and for the human condition, we can understand other aspects of Sukkah as well.

The Hakhamim teach us that, as opposed to Lulav, a Sukkah *sheulah*, a borrowed Sukkah, is *kesheirah* (Sukkah 27b). Why? From the *pasuk* of *כל האזרח בישראל ישבו בסכות* (Leviticus 23:42), teaching that *כל ישראל ראויים לישיב בסוכה אחת*, all of Israel can sit in the same Sukkah. We are all here together, all dwelling together, living in that same sense of *arai*, in the same human condition.

How do we do all of this? Through the *sekhakh*, the *ikkar* and central aspect of the Sukkah. The *sekhakh* represents the *Shekhinah* and *ananei ha-kavod*. What makes our Sukkah momentous, and what binds us, is that we are all *ovdei Hashem*, all trying to come close to the *Shekhinah*, to do God's will and come close to Him. We know before whom we are standing, that Hashem is with us. With that sense of *arai* before God, we can make the *arai* into *keva*.

I mention this on the first day of the new year, of a new administration, perhaps a new era. Because Yeshiva University is in many senses like a Sukkah. We're at a period that is *arai*. It's fleeting. You're here for only a few years, until you receive your degree, maybe you stay a bit longer for another degree, but your time here is short.

You could treat your experience like something that is fleeting—to get in and out, do it quickly, cut corners. People in Yeshiva University have been known to do that sometimes. You might move through this Yeshiva as quickly as possible. What I'd like to suggest is that the goal for each of us here, from this day moving forward, is to take advantage of your moment while you are here, to take advantage of your time at Yeshiva, to turn your *arai* into something *keva*.

And the way to do that is to follow the model of the Sukkah. We learn in the Sukkah, and you have an enormous opportunity to learn here at Yeshiva. You have perhaps the greatest group of Roshei Yeshiva in the world, all here for you to learn from in *shiurim* and other opportunities. You should take your learning seriously, your morning learning, and you should learn into the night, deep into the night.

Not only is turning *arai* into *keva* accomplished through the *ikkar* of learning Torah, but also through the secular studies, with the stellar faculty you have in the afternoon. You have the opportunity to broaden yourself and prepare for life through these classes, alongside the Torah learning.

But there's also the *akhilah* and *shetiyah* and *linah* of the Sukkah, and you should make sure to eat, drink, and sleep here. You shouldn't run out of Yeshiva University at every opportunity. You should stay here for Shabbat, rather than run out Thursday night before night seder. You should be here, dwell here, make this place *keva*, turn this place into your home

Moreover, Sukkah *sheulah* is *kesheirah*, a borrowed Sukkah is Kosher, because כל ישראל ראויים לישב בסוכה אחת, we can all sit in the same Sukkah. You will never have this opportunity again, to be with a thousand different types of Jews in one place. I encourage you, deeply, to view this institution as a yeshiva where we not only speak to each other but also learn from one another. We have a gathering of people from all different parts of the world—Ashkenazim, Sefardim ... we even have some Jews who aren't from the Five Towns! And we can learn from them, from speaking to them, from their thoughts and perspectives. Each person is different, created *be-tzelem Elokim*, which makes him *kadosh*, and we can connect to that holiness.

It won't necessarily be easy to do. We have a tendency to be divided. We sit at different tables, attend different shiurim, different Torah studies programs, but we need to come together as a Yeshiva—to come together and to learn with one another. You're going to set up *havrutot* deep into the night, but you should also take some time to set up *havrutot* with people not in your Shiur, not in your morning studies program. JSS, IBC, BMP, The Yeshiva Program—we should all be learning not only with but *from* one another. We are one Yeshiva, and we are all one *tahat kanfei ha-Shekhinah*.

Yeshiva University is here to bring Hashem into this world, to give you a chance to develop and mature in a profound way, to develop a relationship with *Ha-Kadosh Barukh Hu*. The *Shekhinah* needs to be present in this room. And when you're finished with Yeshiva University, you've turned this *arai* into *keva*, taken advantage of each moment you are here, and benefited greatly, you will leave the Sukkah and go into the outside world. And you will take everything you have learned here and spread it to the world—spread our values, our message, that כל ישראל ראויים לישב בסוכה אחת, and not only Kol Yisrael but all of humanity, can learn from the messages of Torah, and connect to Hashem. And it is upon you to gain from the Sukkah and ultimately to leave the Sukkah and have a wonderful impact on the world.

This is the first day of a wonderful journey. I look forward to thinking together with each of you about how we can grow, both to come closer to *Ha-Kadosh barukh hu*, and to spread His message to the world.

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