

YESHIVAT HAR ETZION  
ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)  
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**TALMUDIC METHODOLOGY**  
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**Lecture #11: Seeing the Sukka**

The first *mishna* of *Sukka* disqualifies a *sukka* whose *sekhakh* is higher than twenty *amot* above the ground. The *mishna* does not provide a reason for this invalidation, but the *gemara* provides three. The first suggestion, offered by Rabbah, claims that *sekhakh* higher than twenty *amot* is not visible to the human eye. Rabbah asserts that *sekhakh* must be visible based on his reading of a *pasuk* in *Emor*, which urges us to reside in a *sukka* "so that future generations will realize that *Hashem* sheltered us in *sukkot* when we left Egypt." On the surface, it seems that the Torah merely LINKS the mitzva of *sukka* to the historical providence in the desert, and this linkage should in no way affect execution of the mitzva itself. Rabbah, however, claims that the memory of *Hashem's* providence cannot be merely MENTAL or ABSTRACT; it isn't sufficient to perform the mitzva while recognizing the linkage. Instead, an EXPERIENTIAL component should trigger the memory; by looking at the *sekhakh*, we recall *Hashem's* miracles. *Sekhakh* that is placed too high is not readily VISIBLE and the mitzva is not performed correctly.

An immediate question presents itself: Does Rabbah believe that such a *sukka* itself is invalid for the performance of the mitzva, or does he think that inability to discern *sekhakh* clearly merely crimps the performance of the mitzva? Put in classic *gemara* language, is the height problem a *pesul* in the *cheftza* of the *sukka*, making it entirely invalid, or is the *sukka* itself suitable but sitting in it without noticing the *sekhakh* is a flawed performance of the mitzva?

A *nafka mina* would result in a situation in which a person consciously looks at *sekhakh* that is higher than twenty *amot*. Would he fulfill the mitzva, because he did, in fact, see the *sekhakh*, or would we disqualify such a *sukka* in

any event, since the *sukka* cannot enable a mitzva with visual contact? A similar question would surround a *sukka* whose *sekhakh* is higher than twenty *amot* but which possesses an *amaltara* (some element or adornment which attracts attention). The *gemara* in *Eiruvin* (3a) states that such items attract attention even if an item is placed higher than twenty *amot*. Can an *amaltara* validate a *sukka* whose *sekhakh* is too high? (See the *Sefat Emet* for an elaboration of this question.)

The simple reading of Rabbah's statement, "the human eye cannot behold items above twenty *amot*," suggests that the *sukka* ITSELF is valid but the mitzva is defective. Rashi's comment, however, suggests otherwise: "Build a *sukka* whose residence is identifiable." By articulating Rabbah's opinion in this manner, Rashi may have been claiming that a *sukka* whose *sekhakh* is placed too high is itself an invalid *sukka*. A similar perspective may emerge from the comment of Rabbenu Chananel, who claims that "any *sukka* which is not identifiable as a *sukka* of a mitzva IS NOT CONSIDERED A SUKKA."

Perhaps this question stems from an interesting textual issue. The simple reading of the *gemara* suggests that Rabbah derives his novelty from the phrase "*le-ma'an yeid'u*" (so that they will remember [the Providence during the Exodus from Egypt]). The *gemara* cites those who disagree with Rabbah (and explain the higher than twenty *amot* disqualification in a different manner) and asserts that those dissenting opinions interpret the phrase as merely obligating future generations toward the mitzva of *sukka*. The phrase does not add an additional halakhic feature of visual contact to the definition of the mitzva.

The *Sefer Hamikhtam* cites an interesting variant text of Rashi for the source of Rabbah. The conclusion of the "*le-ma'an yeid'u*" phrase includes the word "*doroteichem*" (so that your GENERATIONS should recall). The word though is written without a 'vav' after the first letter 'daled.' Though the word is actually read as '*doroteichem*' (your GENERATIONS) it can also be read as '*diratchem*' (your residence). This reading would yield the following meaning: so that your residence should 'know' or so that you should recognize [the miracles] THROUGH your residence. By altering the word from '*doroteichem*' to '*diratchem*' the *pasuk* may be indicating that the ability to discern *sekhakh* and recall the mitzva is an internal feature of a valid *sukka*-residence.

The question of whether the need to see the *sekhakh* is a condition for the mitzva performance or a qualification of the actual *sukka* may impact a related question. Does Rabbah require optic visibility or merely general recognition? It is clear that according to Rabbah, mere abstract understanding is insufficient; the *sukka* itself must trigger the memory of *Hashem's* miracles. But in what manner should the *sukka* trigger this memory? Must the person actually make eye contact with the *sekhakh* or is general recognition of sitting under the *sekhakh* sufficient? The *pasuk* that Rabbah interprets suggests that general sensation is sufficient – “*le-ma’an yeid’u*,” “so that they should KNOW.” In fact, the comments of Rashi and Rabbenu Chananel cited above speak about the *sukka* being identifiable, not about visual contact.

Alternatively, the syntax of Rabbah’s *derasha*, “a *sukka* higher than twenty *amot* is impermissible since the eye does not behold it,” indicates that actual vision is necessary. In fact, Rabbenu Bechaye, in his commentary to *Parashat Re’eh*, claims that the word “*sukka*” stems from the etymological root of “seeing.” Perhaps, then, Rabbah required actual eye contact with the *sekhakh*. In contrast to Rashi and Rabbenu Chananel, the Meiri clearly maintains that actual vision of the *sekhakh* is necessary and that a *sukka* less than twenty *amot* high will allow at least periodic glancing at the *sekhakh*.

*Tosafot* in *Sukka* (2a) raise an interesting question based on a *gemara* in *Eirivin* (3a). The *gemara* in *Eirubin* cites Rabbah, who invalidates a *sukka* whose *sekhakh* is only partially within the twenty *amot* limit. If Rabbah's only concern was the ability to make visual contact with the *sekhakh*, then partial *sekhakh* within range should be sufficient.

Perhaps we can solve *Tosafot's* question based on Rashi’s view of Rabbah's *halakha*. Rabbah did not require visual contact with the *sekhakh*, but rather general recognition of its presence. Had optic contact with the *sekhakh* been required it may have been sufficient to facilitate contact with even a strand of *sekhakh*. As long as a representative *sekhakh* lies within eyesight the *sukka* should be valid and *Tosafot's* question is compelling. If, however, the *sekhakh* must be ‘sensed’ and ‘recognized,’ perhaps the primary *sekhakh* which provides halakhic shelter must be within twenty *amot* range. Merely positioning a few

stalks of *sekhakh* under twenty *amot* may not be sufficient. To facilitate this sensation, the actual *sekhakh* which provides shelter and shade must be within sensing distance. *Sekhakh* – as well as the element that allows carrying within a *mavui* on *Shabbat* (a *korah*) - requires actual visual contact, but it can be placed in a location which will allow it to be identified. The difference between a *sukka* (for which all the *sekhakh* must be located low enough) and a *mavui* (for which it is sufficient to locate even part of the *korah* within twenty *amot*) is that the former is an individual experience and will not be properly sensed unless all the *sekhakh* is identifiable, whereas the latter is a public symbol and will be easily recognized.

We have raised two independent questions regarding the height limitation for the *sekhakh* of a *sukka*. If the *sekhakh* is higher than twenty *amot*, is the *sukka pasul* or is the mitzva impaired? Must the *sekhakh* actually be seen or is it sufficient for it to be recognized? It is possible that the two questions are related. If the twenty *amot* height impairs the mitzva but does not invalidate the *sukka*, perhaps it is because we require actual visual contact with the *sekhakh*; part of the ACTION of the mitzva requires looking at the *sekhakh* itself. However, if the twenty *amot* height is not only a qualifier of the mitzva but defines the anatomy of the *sukka* itself, we might not require the ability for actual visual contact with the *sekhakh*; a *sukka* that facilitates general awareness of the *sekhakh* may be sufficient.

A third question about Rabbah's position pertains to which aspect of the *sukka* must be sensed or seen. The *gemara* (*Sukka* 2b) claims that the height problem applies only to a *sukka* whose walls do not reach the *sekhakh*. As long as the walls are aligned along the vector of the *sekhakh*, the *sukka* is valid, provided that the *sekhakh* is within the twenty *amah* height. If, however, the walls of the *sukka* touch the *sekhakh*, the *sukka* is valid even if the *sekhakh* is above twenty *amot*. The *gemara* explains that in this instance, the eyes can trace the *sekhakh*. Presumably, the *gemara* assumes that since the walls and *sekhakh* connect, a person's eyes will easily follow the walls all the way up to the *sekhakh*. Based on this simple reading, we should likewise validate a *sukka* if there is an *amaltara* or any other artificial element that trains the eye upon the *sekhakh*. Tosafot seem to adopt this reading and therefore question why similar solutions are not employed for *mavui* correctors or Chanukah candles that are too high. Why not station the candles higher than twenty *amot* but physically

connected to a wall? As long as the eyes focus upon the wall, they will follow its height and reach the *neirot!* Tosafot provide a technical answer to explain why eyes will not necessarily trace a wall to the candles or the *korah*.

Perhaps a different solution lies in understanding the status of the walls of a *sukka*. In a famous position, the Rambam claims that the walls are actually part of the *sukka* and endowed with the unique holiness that permeates the *sukka*. Perhaps the height of twenty *amot* was not stated as a mere qualification of the manner of PERFORMING the mitzva – ensuring that a person scan the *sekhakh* during his meal – but rather as a dimension of the *sukka* itself. Perhaps the twenty *amot* set a limit beyond which partial walls cannot extend up until the *sekhakh*. The area above twenty *amot*, beyond the visibility of a human being, constitutes an entirely different realm as far as a *sukka* is concerned. If the walls connect to the *sekhakh*, however, and we are not forced to imaginarily extend walls, the twenty *amah* height does not impair the *sukka*. This would suggest that the twenty *amah* height is a structural flaw in the *sukka* according to Rabbah. It would also presume that the allowance of walls taller than twenty *amot* if they connect to the *sekhakh* is a scenario unique to *sukka* but irrelevant to Chanuka candles or *mavui* correction. Walls do not allow eyesight above twenty *amot*. If the walls connect to *sekhakh* and we do not require the virtual extension of walls, the *sukka* can be validated.