



## 7 REBBES | 7 INSIGHTS YOM KIPPUR

This Shabbos, Tishrei 13, marks the Yom Hilula (Yartzheit) of the Rebbe Maharash.

All men and Bochorim are invited to join a shiur on Shabbos afternoon learning a Maamar of the Rebbe Maharash 5634 which discusses the inner dimension and power of the Sukkah.

Between Mincha and Maariv Shabbos afternoon in Kollel.

## CHOL HAMOED LEARNING

The Yerushalmi teaches that Chol Hamoed was given to us in order to increase Torah learning, without having the distraction of work.

The Kollel will be hosting a Chol Hamoed learning program. Stay tuned for details.

## CBD LUNCHTIME SHIUR

JBD together with Kollel Menachem hosted a successful Pre-Rosh Hashana lunchtime shiur in the CBD on the Paradox of Prayer.

Participants enjoyed a catered lunch while listening to a shiur exploring the issue of what we should really be thinking about in our High Holiday prayers.

## KOLLEL PUBLICATION

The Kollel Rosh Hashana journal of Divrei Torah was distributed to local shules and minyanim and was well received.

A collection of Torah thoughts produced by Kollel Menachem

אין בית המדרש בלא  
**חידוש** Chiddush



Rabbi Gordon's Wednesday night Nach shiur

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## Nourishing waters of Torah

The second line of Shiras Haazinu reads: *My lesson (lit. portion) will drop like rain, My word will flow like dew. Like Seirim on vegetation (Deshe) and like Revivim on grass (Eisev).*

The verse refers to the teachings of the Torah which Hashem refers to as My portion or My words. The words of Torah are poetically described using the metaphor of rain. Just as the words of Torah descended from heaven to give nourishment to the earth, so did the Divine wisdom of Torah descend into our world to provide spiritual nourishment.

The intention of the metaphor, says Rashi, is to teach us that just as rain gives life to the world, so too does Torah. Without Torah, the world cannot endure. The Ohr Hachayim goes one step further to describe the Posuk as an assurance that only when the Jewish people study Torah, the rains will be forthcoming.

The Torah describes two types of rains and two types of herbage. The word Seirim related to the hebrew for 'hairs' refers to light rains, thin like strands of hair. The Revivim refers to the heavy rain drops. Concerning the plant life, Deshe refers to young blades of grass which have just budded from the ground, whereas Eisev describes fully grown blades.

All plants need some form of water to survive, but the needs of each plant differs. For some plants light rains will not suffice to sustain them adequately. For others, particularly the young saplings, heavy rains and storms may actually be destructive. Hashem in His great mercy ensures that each type of plant receives the type of rains that it needs to grow and flourish.

Similarly the obligation of Torah study applies to everyone. However, like the plants of the field we differ in our abilities to learn and understand the Torah's teachings. Learned scholars who resemble the mature, fully grown blades of grass are able to

internalise much more, including the deeper and more 'heavy' sections of Torah.

The inexperienced or young soft blades who are still growing may only be able to ingest smaller quantities of lighter material. These 'lighter rains' will foster the young students development until he too will one day be ready for the true expanse and depth of Torah. The only definite conclusion is that each person is expected to learn to the capacity of what they are able to understand.

This is the beauty of Torah: It speaks to each person at their level and everyone can benefit and enjoy its wisdom. This is why, says Rabbi Herzog, the Torah is likened to a song. Unlike other realms of study and sciences where one needs to be a 'maven' to appreciate the content, music (the right kind) appeals to any ear, from the least musical individual to Mozart himself!

The Tzemach Tzedek explains that the light drops refer to the teachings of the Mishna, whereas the heavier drops are the teachings of the Talmud. The Mishna takes the form of a code of rulings with little explanation or logical reasoning and is thus considered to be 'lighter'. In contrast, the Talmud is a heavy 'raindrop' of complex logical arguments, rationale and explanations. The esoteric wisdom of the Kabbalah lies in a separate realm altogether.

We might not all be on the level to master a Daf of Talmud yet, but we can certainly learn a few lines of Chumash or Mishna, attend a Shiur or two, or spend some time reading English Torah books on our own. We must imbibe the refreshing waters of Torah to ensure not only that we grow as healthy Jews, but to ensure our very survival as a Jew! And just like maintaining plants, we need to water our souls with Torah on a regular, if not daily basis, constantly increasing our Torah intake.

1. Sukkah 9b

2. Sukkah 9b הא ד"ה

3. Siman 613 Quoting Riv"א

4. ד"ה גרסינן 4b

5. OC 626:1

6. ד"ה ו"א

7. OC 626:10

8. According to Rashi, as long as the Sukkah has more shade than sunlight, there would be no issue.

9. Mordechai quoting Rabbeinu Peretz

10. Shaar Hasukkah Shaar 4 83

11. This is derived from the Mishna that beams from a roof that has no ceiling can be made Kosher by doing an action on these beams for the purpose of the Sukkah such as removing the nails from each beam.

12. OC 626:6

13. OC 626:12

14. OC 626:17. Mishna Berura references Acharonim who dispute the view of the Baal Haitur that removing the tiles is a sufficient action to render the wooden beams as Kosher Schach.

15. Magen Avraham ibid, Shulchan Aruch Harav OC 626:13 and Mishna Berura ibid.

16. 626:17

17. Minchas Yitzchok 8:56

18. See Piskei Teshuvos 626:8 which brings an alternate understanding.

19. OC 626:12

20. See Mishna Berura ibid

21. It is not clear why the Alter Rebbe does not bring this Chumra earlier. There are possible reasons to distinguish between the cases.

22. It is not clear whether this only works where the Schach is sitting right on top of the pergola beams or louveres or whether it can be slightly elevated. There is grounds to say that if the Schach is within 3 Tefachim of the beams/louveres, we would apply the concept of Lavud and see it as being directly on top.

## Sukkah on a louvered pergola

Rabbi Yonason Johnson

*I have a metal pergola with a louvered roof. Can I use this to build my Sukkah and what concerns should I be aware of?*

### A Sukkah under a tree

The Mishna<sup>1</sup> rules that one who makes a Sukkah underneath a tree, it is as though they had made their Sukkah in a house and it is Posul.

The Gemara discusses under what circumstances the tree is able to invalidate a Sukkah and there are different approaches in the Rishonim how to interpret the conclusion of the Gemara.

According to Rashi, if the Sukkah itself has enough Schach so that it has more shade than sunlight, the Sukkah is Kosher, as long as the tree branches are not thick and allow more sun than shade to pass through. This is also the opinion of Tosfos<sup>2</sup>.

According to the Raviya (Avi Haezri)<sup>3</sup>, even if the Sukkah itself has more shade than sun, the branches of the tree (even if they are sparse), cancel out the Schach that is directly below them. The rationale is that since the Shade in that area would be coming from the tree anyway, the Schach of the Sukkah in that area is irrelevant and therefore it is treated as though it was not there. This is also the view of the Ra"n<sup>4</sup>.

The practical difference would be where the Sukkah had more shade than sunlight, but there are enough branches over the Sukkah that if the area below them was disregarded, the Sukkah would no longer have more Shade than sun. According to Rashi the Sukkah would still be Kosher. According to the Raviya the Sukkah would be Posul.

The Shulchan Aruch<sup>5</sup> brings both of the opinions as Yesh Omrim (there are those who say), without clearly ruling like either one. Biur Halacha<sup>6</sup> writes that according to the general rule (Klal), when the Mechaber quotes two opinions as Yesh Omrim, the Shulchan Aruch's ruling is like the second opinion. In this case it is the stricter opinion of the Raviya.

The Alter Rebbe presents both opinions and concludes<sup>7</sup> that the primary opinion is that of the Raviya. Nonetheless, in a Shaas Hadechak (pressing situation), such as where no other Sukkah is available, one can rely on the opinion of Rashi and deem such a Sukkah Kosher.

### A Sukkah under roof beams

Based on the stricter opinion<sup>8</sup>, the Tur brings a discussion about building a Sukkah underneath a roof, once the tiles have been removed. The

tiles sit on a wooden lattice structure (cross beams), which remains above the Sukkah even after the tiles are removed.

Rabbeinu Yechiel and other Rishonim<sup>9</sup> consider these cross beams or lattice to be Schach Posul, just like the branches of the tree. Therefore, they would invalidate any Schach directly beneath them and could potentially invalidate the Sukkah. The Tur notes that if the Sukkah has a full covering of Schach with no gaps of sunlight, it is unlikely that the lattice would be enough to invalidate the Sukkah.

The Baal Haitur<sup>10</sup> writes that even according to the stricter opinion of Raviya, there is no concern because in this case, the wooden beams have become Kosher Schach. Not only do these beams no longer affect the Schach beneath them, one may even sit underneath them<sup>11</sup>.

The Acharonim explain his rationale; the wooden beams are technically Kosher Schach material. They are only invalid because they were not placed on the roof for the purpose of Schach. Removing the tiles for the sake of the Sukkah is considered as doing an 'action' in the beams to designate them for the purpose of Sukkah.

The Shulchan Aruch rules like the Baal Haitur, writing that one who builds a Sukkah underneath a roof where the tiles have been removed (for the purpose of Sukkah), the Sukkah is Kosher even though the support beams remain in place.

This is also the ruling of the Acharonim, including the Magen Avraham<sup>12</sup>, the Alter Rebbe<sup>13</sup> and the Mishna Berura<sup>14</sup>.

### Pergola beams

But all of the above applies when the roof had tiles that were removed for the purpose of Sukkah. If there were no tiles and the roof was built with wooden beams (e.g. a pergola), no action has been performed to render these beams as Kosher Schach and they remain Posul and can invalidate the Schach of a Sukkah that is built beneath them<sup>15</sup>.

Even this only applies when the Sukkah is built beneath the roof. If the Schach is placed above the lattice, the pergola lattice does not affect the Schach.

### Distance between the beams

In all of the above, the Bach brings an additional stringency. If the beams are less than 3 Tefachim (Approx. 24cm) apart, we apply the principal of Lavud and see the beams as being joined together as one wide beam. A beam that is wider than 4 Tefachim (32cm) is Rabbinically invalid because of Gezeiras Tikra – it resembles a roof.

The Mishna Berura<sup>16</sup> writes that in order to be Yotzai according to all opinions i.e. the Bach, one should ensure that the beams are spaced out more than 3 Tefachim apart.

Based on this Bach and Mishna Berura, there are Acharonim<sup>17</sup> who write that one should not build their Sukkah underneath washing lines or electric cables and the like, if the cables or wires are less than 3 Tefachim apart. Since the wires are Schach Posul, if we apply the concept of Lavud, we would treat the entire areas between the wires as being Schach Pasul as well and it would cancel out the Schach of the Sukkah below<sup>18</sup>.

The Alter Rebbe<sup>19</sup> does not bring the Chumra of the Bach when discussing the Sukkah that is built beneath the beams once the roof has been removed.

However when discussing the case of a Sukkah built beneath a pergola, where the beams are invalid Schach, the Alter Rebbe writes that this is only problematic where the Sukkah is built beneath the Schach. If the Schach is placed above the pergola beams, the Sukkah is Kosher *even though the beams are within 3 Tefachim of one another*.

He explains that we do not say Lavud to view the beams as being joined together because we only say Lavud when there is an empty gap between the beams. When the Schach is placed in between or directly on top of the beams, it prevents the beam being 'joined'<sup>20</sup>.

This implies that the Alter Rebbe does indeed agree in principal with the stringency of the Bach if there was nothing in between<sup>21</sup>.

### Answer

In the case of your louvered metal Pergola roof: The metal roof is Schach Pasul. Additionally, even when open, the louvres are within 3 Tefachim of one another. One should not place the Schach or build the Sukkah below the louvres as this will create a problem akin to the Sukkah under a tree.

If the Schach is placed directly above or in between the louvres (provided that there will be more shade than sun), we do not apply the principal of Lavud and do not treat the louvres as being joined<sup>22</sup>.

There is an additional concern of Maamid – that the Schach should not be supported by something which itself is Posul as Schach. Therefore one should put wooden beams across the louvres to support the Schach.

Sources on reverse