The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שס"ג סעיף ג'-ה'

Overview

Siman 363 Seif 3:

If a *mavoi* has three partitions but the fourth side is breached, it can be permitted with a *lechi* regardless of its thickness and width and it must be placed by the entrance to the *mavoi* and must be ten *tefachim* tall. It may be made from any material, even animals provided that it is bound with ropes to the wall of the *mavoi* on pegs that extend from the wall so that the animal cannot crouch so that it should not be less than ten *tefachim* tall. (Even if a person was bound there he can serve as a *lechi*).

- The reason a *mavoi* is repaired more easily than a yard is that the more residential the area, the more real the walls must be. Therefore, a yard which is residential requires more real walls than a *mavoi* which is not residential. (M.B. 13)
- These are wide *tefachim* rather than compact *tefachim*. Ten *tefachim* is effective even if the walls of the *mavoi* are 20 *amos* high. (M.B. 16)
- Rema refers to where he was not informed he was being used as a *lechi* and thus he must be bound in place since otherwise he will walk away. Some are stringent even when he is aware out of concern that he will forget and walk away. (M.B. 17)

Siman 363 Seif 4:

If there is a small section of wall on the fourth side it is considered a *lechi*, provided that it is a *tefach* wide.

- Although it was not erected to serve as a *lechi* it is valid since even a *lechi* that came into existence on its own is valid. (M.B. 18)

Siman 363 Seif 5:

A *lechi* that will not remain standing when the wind blows is not considered a *lechi*.

- The same is true regarding a *tzuras hapesach*. Even if the wind does not cause it to fall but merely moves it, it is invalid. (M.B. 20)
- If the bottom of the *lechi* does not move because it is fastened with a nail or string but the section above ten *tefachim* moves, it is valid. (M.B. 21)

Halacha Highlight

A *lechi* that blows in the wind

Shulchan Aruch Siman 363 Seif 5
לחי דאי נשיב ביה זיקא לא מצי קאי
A *lechi* that cannot stand if the wind blows

Shulchan Aruch (סע' ה') rules that a *lechi* that cannot stand when the wind blows is not considered a *lechi*. Mishnah Berurah (סק"כ) notes that this ruling is true even if the wind does not cause the *lechi* to fall to the ground altogether. Rather, if the wind causes the *lechi* to move it is invalid. Chazon Ish (מובא דבריו במ"ב מהד' עוז והדר המבואר בציונים והערות אות כ"ב) writes that a *lechi* that moves in the wind is invalid only if the wind moves the *lechi* so far that it become invalid as a result, for example, the wind blows the top of the *lechi* so that the top no longer reaches a height of ten *tefachim*. However, if the wind moves the *lechi* but does not disqualify it as a result of that movement, there is no reason to think that the *lechi* becomes invalidated. Sefer Emek Beracha (סוכה סי' י"ט) infers the same principle from Rambam's commentary to Mishnah. When Rambam explains the Mishnah regarding one who constructs a *sukkah* between trees in a manner in which the trees serve as a wall of his *sukkah*, he explains that the branches must be strong enough that the wind cannot blow them down to the ground an nullify them from their state of being valid.

Mishnah Berurah (ס"ק כ"א) suggests that when the bottom of a *lechi* is secured, e.g., nailed in place or bound in place with a rope so that it does not move in the wind, even though the top of the *lechi* may move from its place, it remains valid. In other words, if the bottom ten *tefachim* of the *lechi* remain firmly in place but the part of the *lechi* higher than ten *tefachim* moves in the wind, the movement of the upper part of the *lechi* does not invalidate the *lechi*. The reason is that *halachically* we can look at the upper part of the *lechi* as though it is non-existent and as long as a valid *lechi* remains in place, the *lechi* is valid.