The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תרכ"ז סעיף ג'-ד'

Overview

Siman 627 Seif 3:

If poles extend upwards from the legs of a bed it is prohibited to spread a sheet over those poles and sleep under that sheet even if it is not ten *tefachim*. If one pole extends from the middle of the bed by his head and another pole extends from the middle of the bed by his feet and a pole (a long piece of wood like the shaft of a spear) **extends from one to the other - one may spread a sheet over these poles and sleep under it since it does not have a roof that is a *tefach* wide as long as it is not ten *tefachim* high. Some maintain that one may sleep under this sheet even if it is ten *tefachim* high.**

- There are three case:
- *Kilah* (*seif* 2) is not permanent, therefore is prohibited only if it has a roof and is ten *tefachim* high
- *Kinofes* (a pole extends from each leg of the bed) is permanent, therefore, is prohibited even if it is less than ten *tefachim* since it has a roof
- *Naklitin* (one pole by his head and the other by his feet) is in between the other two cases and is prohibited if it is ten *tefachim* even though there is no roof. The second opinion maintains that even Rabbinically it is not prohibited if it does not have a roof. (M.B. 7)
- In Shulchan Aruch's first case the ten *tefachim* are measured from the top of the bed until the sheet. (M.B. 8)

Siman 627 Seif 4:

If one spread a sheet under the *schach* for decorative purposes – if it is within four *tefachim* of the *schach* the *sukkah* is valid but if it is more than four *tefachim* from the *schach* the *sukkah* is invalid. If the sheet is not decorative even though it is within four *tefachim* of the *schach* the *sukkah* is invalid. (One must be careful to hang decorations within four *tefachim* of the *schach*.)

- The same *halacha* of the sheet applies to any decoration that may not be used as *schach*. (M.B. 9)
- The sheet is subordinate to the *schach*. (M.B. 10)
- Once the sheet is more than four *tefachim* from the *schach* it is an independent entity and thus constitutes a separation between one's self and the *schach.* There is a disagreement whether decorations more than four *tefachim* from the *schach* are problematic if they are smaller than four *tefachim*. (M.B. 11)
- The effect that invalid decorations have on the *sukkah* is discussed in 632. (M.B. 12)
- In accordance with Rema's cautionary remark one should not suspend fruit or utensils that are unfit for use as *schach* if it is not within four *tefachim* of the *schach*. (M.B. 15)

Stories to Share

A Better Esrog

ש"ע סי' תרכ"ז, ד': "לנוי סוכה..."

It can be very difficult to find a superior esrog. Rav Yosef Shalom Eliyashiv, zt"l, held that an esrog should have a pitom on it. If one buys an esrog that has no pitum, how can one be certain that it didn't originally have one that fell off in the interim? Although Rav Shlomo Zalman Auerbach argues that it is normal for the pitom to fall off while the esrog is on the tree and therefore it is kosher, many are careful to buy only esrogim with a pitom.

One esrog salesman had a truly beautiful esrog that still had its pitom attached. His custom was to use all of his remaining unsold stock from before Sukkos to decorate his sukkah. Unfortunately, during the festival he dropped his esrog and it lost the pitom. Although this is kosher for the remaining days of sukkos, he felt very uncomfortable using it. While sitting in his sukkah he noticed one esrog in particular which decorated his walls. The esrog was very mehudar and was now superior to his old esrog. He wondered if he could use it for the remaining days. Although he was certainly allowed to touch the esrog, he understood that it was forbidden to use anything decorating a sukkah unless he had stipulated that he would use the decorations if he wanted to. Although he had made no stipulation, he wondered if there was a halachic way around this. How could he use an inferior esrog when he had a better one hanging in his sukkah?

When this question was brought to Rav Yosef Shalom Eliyashiv, zt"l, he supplied an excellent halachic solution. "If you are matir neder on the esrog, you can certainly use it!"

פסקי שמועות, ע' פ'

Halacha Highlight

Hanging decorations close to the *schach*

Rema Siman 627 Seif 4

ויש לזהר שלא לתלות שום נוי סכה רק בפחות מארבעה לסכה

And one should be careful not to hang any *sukkah* decoration unless it is less than four *tefachim* from the *schach*

Shulchan Aruch (סע' ד') rules that it is acceptable for one to spread out a sheet beneath his *schach* for decorative purposes as long as it is within four *tefachim* of the *schach*. Although a sheet is invalid *schach,* the *sukkah* remains valid since the sheet is subordinate to the *schach*(מ"ב סק"י) . Furthermore, it is even permitted to sit beneath the sheet. Rema adds that one should be careful to hang all of one's *sukkah* decorations within four *tefachim* of the *schach*. Mishnah Berurah (ס"ק ט"ו) explains that according to *halacha,* decorations hanging beyond four *tefachim* are problematic only if they are four *tefachim* wide. Nevertheless, one should be cautious and hang even decorations that are smaller than four *tefachim* within four *tefachim* of the *schach* out of concern that one will have so many decorations that they would combine to a size of four *tefachim*.

Sefer HaSukkah HaShalem (מילואים לפי"ד אות ג') raises the question of the *halacha* if part of a decoration is within four *tefachim* but then extends beyond four *tefachim*. He relates that he discussed the question with numerous *Poskim* who told him that arguments could be made to permit hanging decorations in such a manner and arguments could be made to prohibit hanging decorations in such a manner. Therefore, out of doubt he writes that one should adopt a stringent approach and hang his sukkah decorations in manner that the entire decoration is within four *tefachim* of the *schach*. According to Rav Avrohom Chaim Noeh four *tefachim* is 12.5 to 13 inches and according to Chazon Ish it is about 15.5 inches. There are some *Poskim* who adopted an even more stringent approach and did not hang any decorations from the *schach*. Chazon Ish, however, was not stringent to this degree and hung decorations from his *schach* (פסקי תשובות אות ד' והע' 11).