The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תרכ״ט סעיף א׳-ג׳

Overview

Siman 629 Seif 1:

***Schach* must come from something that grew from the ground has been detached from the ground and is not susceptible to *tumah*. Something that does not sprout from the ground may not be used for *schach* even if it "grows" from the ground and is not susceptible to *tumah*. For example, animal hides that were not treated so that they are not susceptible to *tumah* or metal may not be used for *schach*.** (Dirt may also not be used for *schach*.)

- Shulchan Aruch refers to something that is nourished from the ground even though it does not sprout from the ground. (M.B. 3)
- *Schach* must sprout from the ground but ground is not usable for *schach*. (M.B. 2)

Siman 629 Seif 2:

One may not use items that are susceptible to *tumah* for *schach*. For example, spits, bed boards and utensils may not be used for *schach* even if they broke and do not retain the size necessary to make it susceptible to *tumah*.

- Shulchan Aruch refers to a metal spit but later authorities assume that it refers to wooden spits with metal tips. (M.B. 5)
- Even though the bed is not complete it may not be used for *schach* since it comes from a complete utensil. (M.B. 6)
- Even a utensil that is susceptible to Rabbinic *tumah* may not be used for *schach*. (M.B. 7)
- Once something was susceptible to *tumah* Chazal decreed that it may no longer be used for *schach*. Utensils that were only susceptible to Rabbinic *tumah* and then broke may be used for *schach*. (M.B. 8)

Siman 629 Seif 3:

Arrows that do not have a receptacle are valid for *schach* but those that have a receptacle are not valid for *schach*.

- Once the arrow was inserted in a metal tip it may no longer be used for *schach*. (M.B. 10)
- Reeds that are hollow are valid *schach* even though they possess a receptacle since it is not made for storage. (M.B. 10)
- A wooden utensil that is wide enough to support something is Rabbinically susceptible to *tumah*, therefore, one should not use a broken handle for *schach* but Bikurei Yaakov is lenient if one has no other *schach*. (M.B. 10)

Halacha Highlight

Using a broken utensil for *schach*

Shulchan Aruch Siman 629 Seif 2

ואפילו אם נשברו שלא נשאר בהם שעור קבלת טומאה

Even if they broke so that they do not retain the size to be susceptible to *tumah*

Shulchan Aruch (סע׳ ב׳) writes that something that is susceptible to *tumah* may not be used for *schach*. As such one may not use wooden spits, bed rails or utensils for *schach*. Even if these utensils broke in a manner that they are no longer susceptible to tumah they may not be used for *schach*. The reason is out of concern that one may use a broken piece of a utensil that is still susceptible to tumah. Mishnah Berurah (סק״ח) writes that if the utensil was only susceptible to Rabbinic *tumah* in the first place it may used for *schach* if it is broken. The rationale is that its original *tumah* was only Rabbinic and the disqualification of a utensil after it breaks is a Rabbinic injunction and we do not prohibit items that involve two layers of Rabbinic injunctions (אין גוזרין גזירה לגזירה). Mishnah Berurah, however, is inconsistent about this matter because in another place (סק״י) he remarks that one should not be lenient to use a broken utensil that was only susceptible to Rabbinic *tumah* unless it is a pressing circumstance. In yet another comment (סי״ק כ״ה) he implies that it is invalid altogether (ע׳ שו״ת מנחת יצחק ח״א סי׳ פ״ב).

Aruch HaShulchan (סע׳ ה׳) writes that in his opinion if one broke the utensil with the intent that it should no longer be susceptible to tumah and consequently usable for *schach*, one could be lenient. Teshuvas Shevet HaLevi (ח״ג סי׳ צ״ה אות א׳) questions this ruling but does not issue a definitive ruling against Aruch HaShulchan. Rav Shlomo Zalman Auerbach (הליכות שלמה פ״ח סע׳ א׳) rules that if one takes a utensil that was susceptible to *tumah* and breaks it in order to make *schach* and the pieces are broken in a manner that they are not recognizable that they came from the original utensil they may be used even *l'chatchila* for *schach*. Once it is not recognizable that these pieces came from a utensil the rationale for the injunction no longer applies.

Stories to Share

A Business Plan

ש״ע סי׳ תרכ״ט, א׳: ״ואינו מקבל טומאה...״

Finding the right s'chach can be a time-consuming affair. Some use mats, but some authorities prohibit their use. And they are usually not a long-term solution—most people wind up buying a new set every few years. Bamboo works well, but it is easy to get splinters while putting it up and taking it down.

When one businessman contemplated the various problems, he decided to find a better alternative. As we find on today's amud, all he essentially needed to do was find something which grows and make sure that it was never a vessel. After much thought he had what seemed a novel idea: why not manufacture a round wooden rod sanded smooth? In this manner one would have all the advantages of bamboo without the splinters. He figured that he was onto something good, but obviously needed haskamos.

When Rav Nissim Karelitz, zt"l, was approached about this he ruled that it is forbidden to use such s'chach. "Although it is true that theoretically using broomsticks manufactured specifically for s'chach should be permitted as you reasoned, it is still not proper to use them. It seems exceedingly likely that people will mistake such rods for others that are manufactured for brooms. These are bona fide vessels which may not be used for s'chach."

Rav Karelitz added, "If many people would use such rods for s'chach this would be a question which requires careful thought. But since no one uses such things at this time, it is hard to believe that confusion will not be the natural result of such an initiative. One should therefore avoid using such a thing to cover his sukkah."

חוט שני, סוכות, ע׳ ר״י״ד