The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תר״ל סעיף ה׳

Overview

Siman 630 Seif 5:

When a valid *sukkah* is constructed with two walls at a right angle and a *tefach* board that forms a *tzuras hapesach* the *sukkah* is valid even if the two walls have numerous gaps without a *tzuras hapesach* so that all of the gaps combined are larger than the closed space. (The only restriction is that there may not be gaps in the corners since the walls must form a right angle) **There may not, however, be a gap that is ten *amos* but if the gap has a *tzuras hapesach* it is valid even if it is larger than ten *amos*. According to Rambam even if a gap more than ten *amos* has a *tzuras hapesach* it is invalid unless the *sukkah* has more closed space than open space.** The custom nowadays is to make complete walls since not everyone is expert in the *halachos* of walls. Someone who does not have an abundance of material should make three complete walls rather than four that are not complete.

- Shulchan Aruch means that when one adds the gaps in the two walls with the open space on the two open sides there will be more open space than closed space. If, however, there is more open space than closed space in the two walls the *sukkah* is invalid. Additionally, the open space refers to gaps larger than three *tefachim*. (M.B. 22)
- The closed space must be at least four tefachim. (M.B. 23)
- Gaps in the corners are problematic even if one constructs a tzuras hapesach. (M.B. 24)
- The only issue is to leave a gap in the corner that connects the two solid walls but in the other three corners the sukkah would not be invalidated. (M.B. 25)
- The walls should be complete without employing lavud or tzuras hapesach to validate the sukkah. R"itz Gai'us writes that it is preferred for a sukkah to have three complete walls with no gap other than the doorway. (M.B. 28)

Halacha Highlight

Sukkah walls

Rema Siman 630 Seif 5

ונהגו עכשיו לעשות מחיצות שלמות

And the custom nowadays is to construct full walls

Rema writes that nowadays common custom is to construct complete walls since many people are not expert in the *halachos* related to constructing a *halachic* partition. Therefore, one who has a limited supply of materials should construct three full walls rather than four partial walls. Mishnah Berurah (ס"ק כ"ח) clarifies that one should not rely upon the principle of *lavud* or the principle of *tzuras hapesach* to validate a *sukkah*. Aruch HaShulchan (סע' כ"א) also mentions that the current custom is to construct complete walls since many people are not expert in the laws of constructing halachic walls. Additionally, one should make sure that his *schach* is adjacent to the walls. In the event that one does not have sufficient material for even three full walls he should construct his *sukkah* according to the parameters spelled out by the *Poskim*.

Be'er Heitev (סק"ו) cites Maharil who reports that Maharash marked off the panels of his *sukkah* so that each one would be placed in the same position year after year. This is based on Yerushalmi (Shabbos 12:3) which teaches that the beams of the Mishkan were marked so that the beam that was originally placed on the northern side of the Mishkan would always remain on the northern side of the Mishkan. Biur Halacha (ד"ב לעשות) cited Bikurei Yaakov who observes that he never saw someone who has particular about this matter and even questions the proof that was derived from the Yerushalmi.

Mishnah Berurah (ס"ק כ"ח) cites R"itz Gei'us who writes that it is a preferred fulfillment of the *mitzvah* if the walls of the *sukkah* are closed without any opening other than the entrance to the *sukkah*. Sha'ar HaTzion (סי' תר"מ סק"נ בשם מג"א) writes that it is our custom nowadays to construct a *sukkah* that has four walls.

Stories to Share

Rebuilding the Sukkah?

ש"ע ס' תר"ל, ה': "דאין הכל בקיאין בדין המחיצות..."

Today's amud continues to discuss the complex halachos of building a kosher sukkah. The Rema concludes that a sukkah of four—or even three—full walls is superior to a kosher sukkah which lacks them. Since these halachos are so easy to confuse it means that if one makes a little mistake, his sukkah is invalid.

One family found how easy it is for a sukkah which looks good to be invalid. They had a sukkah constructed from three full walls of sliding trisim. Although they could be slid out of place, they kept them as they ought to be, hardly moving them at all.

On Shabbos Chol Hamoed, they had over a couple with their young child. As they were speaking, the child managed to unfasten the sukkah and quickly slid the trisim out of place. The third wall had vanished in a matter of seconds. Normally this would not have fazed them in the slightest since they would have slid the trisim back into place. The problem was that it was Shabbos. How could they slide the trisim into place if this constitutes the melachah of boneh, building on Shabbos? But they had no other sukkah they could go to and did not know what to do.

When this question reached Rav Yosef Shalom Elyashiv, zt"l, he ruled that they could slide the trisim back into place. "This is similar to the halachah that one may cover and uncover a sukkah that has a sliding roof, even on Yom Tov. Since this is made to be slid in and out of place at all times, it is no different than a door which is opened and closed. Replacing such a roof is not boneh and neither is sliding these trisim back into place."

דולה ומשקה, ע' ס"ח