



Overview

Siman 632 Seif 2:

Empty space, whether in a large sukkah or whether in a small sukkah, is the same in that it invalidates the sukkah at a width of three tefachim in the middle as well as on the side. If it is less than three tefachim wide the sukkah is valid and combines to complete the minimum quantity of schach but one may not sleep under that area. This is true if the empty space runs the full length of the sukkah or if it is large enough to contain one's head and the majority of his body but if it is smaller the sukkah is valid since every sukkah will have gaps. Invalid schach invalidates at four tefachim empty space at three tefachim only when it divides the sukkah into two and no part of the sukkah retains the minimum size with the minimum number of walls but if the minimum size sukkah remains in one place, that place is valid and even outside of that place if it is connected from the sides.

- ❖ Taz explains that empty space is treated more stringently since it is more obvious. (M.B. 10)
- ❖ Ran writes that that it is invalid whether it is large enough to contain "his head or the majority of his body." (M.B. 12)
- ❖ The sukkah had only three walls and invalid schach or empty space runs the length of the sukkah and therefore invalidates the entire sukkah since each side contains only a wall and a half. (M.B. 13)
- ❖ In other words the invalidation runs the width of the sukkah and the minimum size sukkah remains against the middle wall. (M.B. 14)
- ❖ If empty space is separates the outer part is invalid since the principle of dofen akumah does not apply to empty space. (M.B. 15)
- ❖ In other words, sometimes even the outer space is valid if it is connected to the valid inner space and they can combine to contain the minimum size sukkah. Bikurei Yaakov questions whether the inner and outer sections may combine to make a valid sukkah. One may not sit beneath the empty space or invalid schach. (M.B. 16)

Siman 673 Seif 3:

Invalid schach less than four tefachim and empty space less than three tefachim do not combine to invalidate a sukkah. Therefore, if three tefachim of airspace are diminished even with invalid schach, it is valid. This is true in a large sukkah but in a small sukkah that contains only seven tefachim by seven tefachim if the empty space and invalid schach combined equal three tefachim the sukkah is invalid.

- ❖ In other words even if the invalid schach runs the length of the sukkah the empty space next to it does not combine with it to invalidate the sukkah. (M.B. 17)
- ❖ Since in a small sukkah empty space and invalid schach invalidate at a width of three tefachim they are able to

Halacha Highlight

Empty space in the schach

Shulchan Aruch Siman 632 Seif 2

בשלשה טפחים פסולה בפחות משלשה כשרה

At three tefachim it is invalid but at less than three tefachim it is valid

Shulchan Aruch (סעי' ב') discusses the invalidation of empty space in schach. In contrast to invalid schach which invalidates when there are four tefachim of invalid schach, empty space invalidates the sukkah when there is three tefachim of empty space. Rema explains that a sukkah is invalidated by three tefachim of empty space when that space runs down the center of the sukkah cutting the sukkah into two parts leaving each part with only a wall and a half. Shulchan Aruch also rules that when the empty space is less than three tefachim the sukkah is valid but one may not sleep under that space. Rema explains that this ruling applies when the gap runs the entire length of the sukkah.

Rema also rules that if the gap is large enough to contain one's head and the majority of one's body one should not sleep beneath that spot. Mishnah Berurah (סי' י"ב) citing Ran and Ritva assert that the correct wording is "one's head or the majority of one's body. It is evident that this is the correct wording since it is unreasonable to imagine a case where one's head and majority of his body would not be three tefachim. Chazon Ish (סי' קמ"ד סק"ה) maintains that one should not sleep beneath empty space that contains even a majority of one's head or body but certainly a space of less than a tefach is nothing to be concerned about. Sefer Moadim U'Zemanim (ח"ו סי' ע"א) writes that although there is nothing to be concerned about if one is not sitting or sleeping in the empty space that is less than three tefachim, nevertheless, one who adds a board or a stick so that one should not have a gap running the entire length of the sukkah will be blessed (פסקי תשובות אות י"ב והע' 60).

combine and invalidate the sukkah. (M.B. 18)

Siman 673 Seif 4:

If there are two tefachim of invalid schach and another two tefachim of invalid schach and empty space less than three tefachim in the middle it is uncertain whether the two sections of invalid schach combine to invalidate the sukkah.

- ❖ Therefore, if it could be repaired it should be but if not one may sit there but should not recite the beracha. (M.B. 19)
- ❖ If the two sections are not four tefachim combined it is not considered closed due to lavud since lavud does not apply to generate a stringency. (M.B. 20)