

HALACHIPEDIA

HOLIDAY EDITION

PRACTICAL GUIDE TO SUKKOT



SUKKOT
Student Organization of Yeshiva

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Preface

With Hakadosh Baruch Hu's chesed we merited to put together an exciting collection of halachot about building and living in the Sukkah. As we reach this milestone it is without doubt due to certain individuals who deserve proper recognition. Firstly, we would like to thank Rosh Yeshiva, Rabbi Mordechai Willig, who reviewed the Halacha's of the packet. Of course, we'd like to thank the writers and editors who spent time researching and clarifying important issues of Sukkot. The Halachipedia staff members who were instrumental in this publication include: Dubbin Hanon, Jeremy Perlow, Russel Spiewak, Ike Sultan, and Jonathan Tavin. The cover was designed by Ben Sultan. The printing was thanks to SOY and its prestigious board members.

Introduction

"You shall rejoice on your festival."¹ Sukkot, more so than other holidays, is clearly designated as a time of tremendous joy. In Birkat Ha'mazon and Shemona Esrei Sukkot is referred to as "the time of our happiness." What makes Sukkot such a joyous time more so than any of the other holidays? Also, in what way should one fulfill the mitzva of rejoicing on the festival?

The Rambam (Hilchot Yom Tov 6:18) writes that in order to properly fulfill the mitzva of rejoicing on the festival one must give to others. He writes sharply that one who merely tends to his physical desires on the festival while ignoring the needs of others around him is acting disgracefully. Clearly, such an individual does not properly fulfill the mitzva of rejoicing on Sukkot.

It is for this reason that Hashem commands us to dwell in sukkot: "In order that your generations should know that I had the children of Israel live in booths when I took them out of the land of Egypt."² Hashem requires that the Jewish people in every generation will recognize that He provided for them by 1) protecting them with the clouds of glory and by 2) taking them out of Egypt. When sitting in the sukkah we are required to recall these two aspects that depict Hashem's benevolence.³

Why would Hashem desire that we constantly recall the kindness He performed for us? On a basic level, recalling the kindness He performed for the Jewish people clearly helps us develop our relationship with Him. But on a deeper level, Hashem is providing us with a model intended for replication. By way of example, Hashem is showing us the importance of giving.

¹ Devarim 16:14

² Vayikra 23:43

³ Refer to section titled "Kavanot"

Specifically at this time of year, we have an extra opportunity to give. Sukkot is also known as “Chag Ha’asif” “the Festival of Gathering” for this is the time when Jewish farmers would gather their produce from the fields and rejoice by sharing their produce with the needy.

Today, many of us may not have produce that we bring in from our fields and we also might not know too many individuals in need of food. Yet this does not in any way detract from our responsibility to give. It is our obligation to find out what others around us might need and to help them fill these needs. It is our obligation to follow the model Hashem has provided for us and take on the role of givers.

In an attempt to assist this effort, we have put together this Sukkot packet with the hope that the words of Torah presented herein will provide us and our readers with the opportunity to become givers. By sharing these words of Torah with friends and family, it is our hope that this Sukkot we will all merit to properly fulfill the mitzva of “Ve’Samachta Be’chagecha.”

Chag Sameach!

I. Eating in the Sukkah on the First Night

1. On the first night of Sukkot, one should wait to recite Kiddush after tzet hakochavim.⁴
2. If it rains the first night of Sukkot, according to Sephardim, one is exempt from the sukkah and one should eat in the house. However, if one wants to be strict one may wait a little bit for the rain to stop. According to Ashkenazim, some poskim hold that one is not exempt from the sukkah and one should wait an hour or two for the rain to stop. If it does then one should eat in the sukkah, but if it doesn’t or doesn’t look like it is going to stop, one should recite Kiddush and eat a kezayit of bread in the sukkah without the bracha of Leshev ba’sukkah. Other poskim hold that one may recite Kiddush and eat a kezayit of bread without waiting for the rain to stop. Ideally, one should eat another kezayit of bread in the sukkah once it stops raining.⁵

⁴ Rama 639:3 writes that one shouldn’t eat in the sukkah before nightfall. Nitai Gavriel 38:12 adds that one should wait to say Kiddush as well.

⁵ Based on how the rishonim distinguish between the two gemaras that speak about the obligation to eat in the sukkah, we can analyze two important applications; firstly, one must determine if there is an obligation to eat in the sukkah anytime besides the first night, and secondly, one must determine if there is an obligation to eat in the Sukkah on the first night if it rains.

The Gemara Sukkah 27a cites the opinion of the Rabbis who say that it is only obligatory to eat a meal in the sukkah on the first night of Sukkot, based on a gezerah shavah between Pesach and Sukkot. However, the Gemara Brachot 49b states that on Yom Tov there is an obligation to eat a meal by day and night. Tosfot (Sukkah 27a s.v. Iy) and Rashba (Brachot 49b s.v. Tefillah and responsa 3:287) answer that the gemara Brachot was only speaking about the first night of Sukkot and Pesach and the rest of the days do not require a meal.

On the other hand, Rabbenu Yehuda (cited by Tosfot Brachot 49b s.v. Iy) answers that the gemara Brachot speaks about one’s obligation to have a meal each day and night of Yom Tov because of Simchat Yom Tov, and the Gemara Sukkah is speaking about a unique obligation on the first night to eat in the sukkah because of Sukkot. What exactly is unique about this obligation? Rabbenu Yehuda explains that if it rains on the first night one must still eat in the sukkah after the rain stops. The Rosh (Brachot 7:23) has another variation of the Rabbenu Yehuda; he states that one must eat in the sukkah even while it is raining.

According to the first approach, one only has to eat in the sukkah on the first night, while according to the second approach one has to eat in the sukkah each day and night of Yom Tov. Additionally, according to the first approach it is reasonable to assume that one doesn’t have to eat in the sukkah on the first night if it is raining (as the Rashba responsa 4:78 and Or Zaruah 2:301 actually hold), while according to the second approach one would have to eat in the Sukkah even if it is raining.

S”A 639:3-5 rules like the Rashba that one is not obligated to eat in the Sukkah besides the first night and one is not obligated to eat in the Sukkah on the first night if it rains. Chazon Ovadia (p. 100 and 122) rules like S”A in both instances. However, the Magen Avraham (188:7 and 639:10) and Mishna Brurah 639:23 hold that one is obligated to eat in the sukkah each day and night of Yom Tov. Also, the Rama 639:5 rules that one is obligated to eat in the sukkah on the first night if it rains.

3. The order of Kiddush is Hagefen, Kiddush hayom, Leshev ba'sukkah, and on the first night, Shehechyanu. The reason that Leshev follows Kiddush hayom is because we only sit in the sukkah due to the sanctity of the day. Also, we delay Shehechyanu until the end in order to ensure that it covers both the Kiddush hayom and the sukkah itself.⁶
4. If one didn't sit in the sukkah on the first night, but recited Kiddush with Shehechyanu indoors, one should repeat Shehechyanu the next time one eats in the sukkah. According to Sephardim one should not.⁷

II. Other Laws of Kiddush

1. According to Ashkenazim, if one plans to eat mezonot products after reciting the daytime Kiddush he should recite Leshev ba'sukkah before drinking the wine. According to Sephardim, no Leshev is recited for mezonot.⁸
2. Regarding one who plans on eating bread after the daytime Kiddush, some recite leshev before drinking the wine, whereas others recite Leshev only before eating the bread.⁹
3. According to Sephardim, it is proper to stand for Kiddush. The Ashkenazic practice, however, is to sit.¹⁰

Practically, the Rama 639:3 writes, that if it rains one should remain in the sukkah for Kiddush and eating of the first kezayit of bread. However, the Gra (ad loc.), in explaining the opinion of Tosfot, writes that eating in the sukkah while it is raining is worthless since it isn't considered a sukkah. Rather one should eat in the sukkah after it stops raining. Accordingly, the Tzlach (Brachot 49b) writes that a person should wait an hour or two for the rain to stop so that one can eat in the sukkah after it stops raining. The Mishna Brurah 639:35 agrees. However, the Shvut Yaakov 3:45 (cited by Shaarei Teshuva 639:13) writes vehemently against those who would wait until midnight to start the meal to wait for the rain to stop. He explains that either one is exempt from the sukkah altogether, like S"A, or one should eat in the sukkah while it is raining, but waiting to eat only detracts from Simchat Yom Tov. Rabbi Zvi Sobolofsky ("Eating In The Succah The first Night Of Succos and Hilchos Mitztaer" min 30-3) quotes Rabbi Mordechai Willig as having ruled that if it rains on the first night of Sukkot one may say Kiddush in the Sukkah without waiting for the rain to stop. Similarly, Rav Hershel Schachter ("Inyonei Sukkos 2" min 51-2) said that if it is raining the minhag is to say Kiddush without leshev ba'sukkah, eat a kezayit of bread in the sukkah, and then if it stops raining have another kezayit in the sukkah.

Chochmat Shlomo 639:5 writes that one is usually exempt from sitting in the Sukkah when it is raining because doing so would be causing oneself pain. On the first night, however, since it is a mitzvah to eat in the sukkah, that in and of itself is a reason why it would be considered an enjoyment and not a pain to eat in the rain.

⁶ S"A 643:1, Mishna Brurah 643:1

⁷ The Ran (Sukkah 22a s.v. VeIm) cites the Raavad who says that if one didn't eat in the sukkah on the first night and said shehechyanu indoors, one should say shehechyanu the next time one eats in the sukkah for the sukkah itself. This is codified by the Rama 641:1. Chazon Ovadia (p. 127), however, is concerned for the Bach (responsa 132) who argues that the bracha of shehechyanu can exempt a mitzvah even if it isn't present when the bracha was made. Seemingly, this is only relevant for the Rama under extenuating circumstances. See Eliyah Rabba 641:2.

⁸ Mishna Brurah 643:9, Chazon Ovadia p. 134

⁹ Mishna Brurah 643:9

¹⁰ The Rambam (Sukkah 6:12) writes that one should stand for kiddush and then sit for the bracha of leshev ba'sukkah. The Maggid Mishna (ad loc.) explain that the Rambam held that one should recite the bracha immediately prior to fulfilling the mitzvah of sitting in the sukkah. The Raavad (ad loc.), however, argues that the bracha is really made upon the eating and so it should be said sitting before eating. The Maggid Mishna and Rosh (Sukkah 4:3) agree with the Raavad and explain that the language of 'leshev ba'sukkah' doesn't refer to literally sitting but to dwelling as per the pasuk "BaSukkot Teshvu". S"A 643:2 holds like the Rambam and Rama (ad loc.) like the Raavad.

III. Kavanot

1. Hashem commanded the Jewish people to dwell in booths “in order that future generations know that I had the children of Israel live in booths when I took them out of the land of Egypt.”¹¹
2. Accordingly, one should have in mind when sitting in the sukkah that 1) Hashem commanded us to sit in sukkot as a remembrance to the fact that He took us out of Egypt and that, 2) at that time, He surrounded us with the clouds of glory in order to protect us. Nonetheless, as long as one intends to fulfill his obligation of sitting in the sukkah he has fulfilled the mitzvah ex post facto.¹²

IV. On Which Foods?

1. More than a k'beytzah of bread must be eaten in the sukkah and requires a bracha of Leshev ba'sukkah. If one has a meal of cooked mezonot, and according to some, even if one made a meal out of meat or fish, one should eat in the sukkah without a bracha. It is permitted to have drinks, fruits, and vegetables outside of the sukkah.¹³
2. The Ashekanzic minhag is that if one eats more than a k'beytza of pat ha'bah be'kisnin one should eat it in the sukkah with a bracha.¹⁴ The Sephardic minhag is that if one eats more than a k'beytza one should eat in the sukkah without a bracha.¹⁵
3. One who is careful to eat foods which do not require a sukkah in the sukkah is praiseworthy.¹⁶
4. When one is going to recite Leshev ba'sukkah, it is proper to say the bracha of Leshev before making the HaMotzei, however, the minhag is to recite it afterwards.¹⁷

<i>Key: N = does not require B = requires sukkah with bracha. R = requires sukkah without bracha</i> ¹⁸	More than the size of an egg	The amount one would eat as a meal
Bread	B	B
Cooked foods from the five grains	R ¹⁹	B

¹¹ Vayikra 23:43

¹² Mishna Brurah 625:1

¹³ S"A 639:2

¹⁴ Mishna Brurah 639:15

¹⁵ Chazon Ovadia p. 132

¹⁶ S"A 639:2

¹⁷ The Rosh (Sukkah 4:3) cites the practice of the Maharam Rotenberg to recite the bracha of Leshev ba'sukkah prior to making a Hamotzei on a meal he would eat in the sukkah. He explained that the Maharam held that one should recite a bracha for any use of the sukkah including sitting in there. Since one is technically obligated in the bracha prior to eating, one should recite that bracha first. However, the Rosh notes, the minhag is only to recite Leshev ba'sukkah when one eats a meal. If so, one should first recite Hamotzei to start the meal and then Leshev ba'sukkah. The S"A 643:3 codifies the opinion of the Maharam but also mentions the common minhag. Chazon Ovadia (Sukkot p. 172) writes it is proper to follow the Maharam. Nitai Gavriel 45:3 advises following the minhag.

¹⁸ The whole chart is taken from S"A 639:2 and Mishna Brurah 639:15 and 16 unless cited otherwise.

¹⁹ According to Magen Avraham it would require eating it in the sukkah, but achronim write one shouldn't recite a bracha. Chazon Ovadia (p. 136) agrees.

Pat Ha'ba Bi'kisnin	Ashkenazim: B ²⁰ Sephardim: R ²¹	B
Meat, fruits, vegetables, drinks	N ²²	N ²³

V. Other Laws of Eating and Sitting in the Sukkah

1. Anytime one “leaves completely” from the sukkah he must make a new bracha upon returning to the sukkah if he desires to eat foods requiring a Leshev ba'sukkah.²⁴ “Leaving completely” includes anytime a person plans on leaving the sukkah and not returning immediately thereby causing him to forget about the fact that he is planning on returning to the sukkah soon (“hesech ha'daas”).²⁵
2. When one is in the middle of his meal, even foods that typically do not require one to eat them in the sukkah require a sukkah.²⁶
3. If one recites Leshev ba'sukkah at any point while in the sukkah before “leaving completely” his bracha will cover the entire period of time he sat in the sukkah.²⁷
4. If one plans to sit or sleep in the sukkah for a significant period of time without eating foods that require a sukkah, one should not recite a bracha of Leshev ba'sukkah. Some poskim, however, assume that one can recite Leshev ba'sukkah.²⁸

VI. Exemptions from the Sukkah

1. Since living in the sukkah is a time-bound mitzvah women are not obligated to eat or sleep there. Nonetheless, Ashkenazic women should recite a bracha when eating in the sukkah, whereas Sephardic women should not recite a bracha.²⁹

²⁰ However, some poskim hold that one should not recite a bracha on this with the exception of the food eaten following kiddush which one undoubtedly considers a meal. Accordingly, one should ideally remain in the sukkah a short time span after eating in order that his bracha will not potentially be recited in vain.

²¹ Chazon Ovadia (p. 134)

²² Biur Halacha s.v. yayin writes that other achronim hold that wine requires a sukkah when drinking amongst others or when one drinks a reviyit.

²³ Beir Heiteiv writes that it is proper to be stringent and eat in the sukkah without a bracha. Chazon Ish (371) writes that it requires sukkah without a bracha (except drinks).

²⁴ Mishna Brurah 639:47

²⁵ Mishna Brurah 639:46. It may be that this only applies while one is in the midst of his meal, however if after birkat hamazon one leaves for even a small amount of time it could be that he is obligated to make a new bracha upon returning. However, the Shaar Ha'tziyun 639:91 concludes safek brachos le'hakel.

²⁶ Shaar Ha'tziyun 639:29 has a doubt that perhaps in middle of a meal, all foods become part of the meal and need to be eaten in the meal. Chazon Ovadia p. 145 is strict on this issue.

²⁷ Mishna Brurah 639:46

²⁸ The Gemara (Sukkah 45b) records a dispute whether one should recite one bracha of Leshev ba'sukkah for all of Sukkot or for each day. Tosfot (s.v. echad) explains that the opinion who says to make it each day really holds one should recite a bracha each time one enters the sukkah. The Rosh (Sukkah 4:3), Rif (22a), and Rambam (Sukkah 6:12) hold like the opinion who holds one should make it each time one enters the sukkah.

The Rosh *ibid.* notes that the minhag is only to recite the bracha when sitting down to eat in the sukkah since it is most permanent of one's actions in the sukkah. S" A 639:8 and Rama codify this minhag. Nonetheless, the Chaye Adam 147:15 and Mishna Brurah 639:45 write that if one enters the sukkah for a significant amount of time and doesn't eat, one should still recite a bracha since there's nothing to exempt that time spent in the sukkah. The Piskei Teshuvot (p. 377) cites a dispute whether we accept the Chaye Adam and suggests that one should avoid this situation by eating some food that requires a Leshev ba'sukkah.

2. Young boys are also exempt from living in the sukkah. Nonetheless, once a boy reach the age of chinuch, they are obligated to eat and sleep in the sukkah.³⁰
3. One who is sick for whom sitting in the sukkah is difficult is exempt. A sickness can be something as minor as a headache or eye pain.³¹
4. One who is suffering from sitting in the sukkah is exempt. For instance, if one cannot sleep in the sukkah because of the wind, because of the flies buzzing, because of the cold, or even because of a small amount of rain he is exempt. Additionally, one is only exempt from the sukkah due to suffering if leaving the sukkah will help alleviate his suffering.³²
5. Married men may also be exempt from sleeping in the sukkah if their wives are unable to join them in the sukkah.³³
6. If on Shabbat the lights in the sukkah go out one is not obligated to go to his friend's sukkah if this is difficult or uncomfortable; rather, he may eat his meal in his house.³⁴
7. If one feels crowded in the sukkah this does not constitute "suffering" and one must continue to live there.³⁵
8. In general, one cannot claim he is suffering and that he is therefore exempt from the sukkah if others typically would not suffer from experiencing the matter he is facing.³⁶
9. If one is involved in a mitzvah such as going to learn Torah³⁷ he is exempt from the mitzvah of sukkah.³⁸ Accordingly, those tending to the needs of the sick are exempt from the sukkah.³⁹
10. Travelers who are traveling for business or for pressing matters⁴⁰ are exempt from a sukkah as long as they are traveling.⁴¹ When they pause their journey, if they are unable to find a sukkah they are also exempt from sukkah then.⁴²
11. One who is exempt from the sukkah yet chooses to remain there does not receive reward for remaining in the sukkah and is foolish.⁴³

²⁹ The Beir Heiteiv 640:1 points out that eating in the sukkah has the same status as tekiyat shofar.

³⁰ S"A 640:2

³¹ Mishna Brurah 640:8 quoting from Gemara Sukkah 26a

³² S"A 640:4, Rama 639:2, 639:5, and 640:4

³³ The Rama 639:5 explains that if one's wife is unable to join him then this is not considered the "way one lives the rest of the year" and therefore, one is exempt. Nonetheless, the Mishna Brurah there quotes the Gra and the Magen Avraham who argue that the husband is only exempt from the sukkah due to suffering. The husband is not obligated to return to the sukkah to sleep there after having relations with his wife. The Rama writes that ideally one should strive to make arrangements so that one can sleep in the sukkah together with his wife.

³⁴ Rama 640:4

³⁵ *Ibid.* Mishna Brurah 640:26 however writes that a fastidious person for whom this is difficult is exempt.

³⁶ Rama 640:4. Nonetheless, the Mishna Brurah 640:29 writes that if one is a fastidious individual and other fastidious people of the same type would suffer from what he is undergoing, this would suffice to exempt him.

³⁷ Mishna Brurah 640:35

³⁸ The S"A 640:7 as explained by the Mishna Brurah feels that in such a case one is not required to enter a sukkah even when one reaches a resting point on his mitzvah journey, whereas the Rama writes that if this is not difficult and will not affect his ability to perform the mitzvah one should find a sukkah in which to eat and sleep.

³⁹ S"A 640:3 as explained by the Mishna Brurah. Note that this rule does not include those helping one who is mitztaer, but only the sick as defined above.

⁴⁰ Igrot Moshe and Yalkut Yosef as quoted in Piskei Teshuvot p. 385 no. 38 hold that these are the travelers referred to in the S"A, whereas those who travel for pleasure or without a real need and claim that they are exempt from sukkah are acting improperly.

⁴¹ S"A 640:8

⁴² Rama 640:8

VII. Sukkah Decorations

1. As part of the general concept of Hiddur Mitzvah, beautifying mitzvot, it is a mitzvah to beautify one's sukkah.⁴⁴
2. When hanging decorations from the schach one must ensure that the decorations remain within four tefachim (between 12.6 to 16 inches) of the schach.⁴⁵ Some say that the decorations are acceptable as long as they begin to hang within 4 tefachim of the schach.⁴⁶
3. If one places an artistic covering underneath his schach within four tefachim of the schach and his intention is to beautify the sukkah the sukkah is kosher. However, if the covering is placed above the schach or if it isn't to beautify the sukkah, the sukkah is invalid.⁴⁷
4. On Shabbat and Yom Tov one must ensure not to move any of the sukkah decorations because they are muktzah.⁴⁸ Additionally, one may not derive benefit from any of the decorations⁴⁹ from the beginning of Sukkot until after Simchat Torah.⁵⁰ On Chol Ha'moed one may move the decorations.⁵¹
5. Regarding any sukkah decorations, if one makes a stipulation before the first day of Sukkot begins that "he does not desire the decorations to become designated for a mitzvah during the entire period of twilight all the days of the holiday," then he may derive benefit from them the entire holiday and may move them on Shabbat and Yom Tov.⁵²
6. One must avoid writing any pesukim for the sole purpose of decorating his sukkah because it is forbidden to write pesukim unless it is a whole sefer.⁵³ Nonetheless, one may purchase printed pesukim to hang in his sukkah.⁵⁴

⁴³ Rama 639:7. The Biur Halacha 639 explains that one is only considered foolish if one became exempt while sitting in the sukkah and continued to sit there. This is particularly true with rain because Chazal compare rain on Sukkot to a servant who served his master water and had it splashed back in his face. Once the master demonstrated that he wasn't interested in the services, if the servant forces his master to allow him to serve him the servant would be foolish. That is why remaining in the sukkah when it rains is foolish. Nonetheless, if one is technically exempt not because of suffering, (i.e. if it began to rain and then the rain stopped and he is still in the middle of eating his meal inside) and he chooses to return to the sukkah he will receive reward.

⁴⁴ Shabbat 133b based on the pasuk "Zeh Eli VeAnvehu" - "This is my God and I will Beautify His Mitzvot". The Raavad (cited in Chidushei Anshei Shem, Brachos 38a, no. 2) suggests that Hiddur Mitzvah is a biblical commandment, whereas the Ritva (Sukkah 11b s.v. Vi'ee) holds that it is only rabbinic.

⁴⁵ Rama 627:4

⁴⁶ Chazon Ovadia p. 76, Rav Yakov Kamenetsky in Emet LeYacov (Siman 627)

⁴⁷ S"A 627:4. Chazon Ovadia p. 84 writes that if one's intention is to both beautify the sukkah and to protect oneself from the sun and rain the sukkah is kosher.

⁴⁸ Rama 638:2

⁴⁹ Although the S"A 638:2 writes that anything "hanging in the sukkah" is forbidden to derive benefit from, the Mishna Brurah there writes that this status also extends to other decorations hanging from the walls of the sukkah.

⁵⁰ Mishna Brurah 638:2

⁵¹ Mishna Brurah 638:24

⁵² S"A 638:2

⁵³ *ibid.*

⁵⁴ Piskei Teshuvot p. 363

7. Throughout the entire holiday, it is biblically forbidden to derive benefit from any of the essential materials used in building the sukkah. Regarding these materials, a stipulation will not permit one to derive benefit from them.⁵⁵

VIII. Kosher Schach

1. The most critical part of the sukkah is the schach, the natural covering of the sukkah which provides shade for the sukkah. There are three conditions for schach to be valid: it must be made from a material that grows from the ground, the schach must be detached from the ground, and impervious to impurity.⁵⁶ All of these are biblical requirements.⁵⁷
2. Metal, dirt, and animal hides are unfit for schach as they do not grow from the ground.⁵⁸
3. Since leaves and branches are attached to the ground, they are invalid schach. One should avoid constructing a sukkah under any tree or overhang.⁵⁹
 - a. If one already built his sukkah under a tree, one can rectify the situation by removing the branches hanging over his sukkah.⁶⁰
 - b. Branches or buildings near one's sukkah but not directly above it do not impact the validity of the sukkah even if they provide it shade.⁶¹
4. Material that is grown from the ground but is completely changed from its original form is unfit for schach.⁶² For example, paper and cardboard are unfit for schach.⁶³ This is a rabbinic invalidation.⁶⁴
5. Bamboo mats made for schach, according to most poskim, are fit for schach.⁶⁵

⁵⁵ Mishna Brurah 638:1 explaining S"A there. See Tosfot (Sukkah 9a s.v. minayin). The Rama 638:1 notes that the essential materials of the sukkah can't be used even if makes a stipulation that they should not be designated for a mitzvah.

⁵⁶ The Mishna (Sukkah 11a) indicates that schach must be grown from the ground, detached from the ground, and impervious to impurity. The source for these requirements according to the gemara (Sukkah 12a) is the pasuk (Devarim 16:13) which says that the schach should be made from the materials of the granary and winery. S"A 629:1 codifies this as halacha.

⁵⁷ Biur Halacha 629 s.v. tzomiach

⁵⁸ S"A and Rama 629:1, Yalkut Yosef Moadim p. 123, Chazon Ovadia Sukkot p. 14

⁵⁹ Rama 626:1, Mishna Brurah 626:11

⁶⁰ Rama 626:2

⁶¹ Biur Halacha 626:1 s.v. tachat ha'ilan

⁶² Rambam (Sukkah 5:4)

⁶³ Yalkut Yosef 629:14. Minchat Shlomo 112 entertains both the possibility that paper is unfit because it is altered from its original form and because perhaps it is susceptible to impurity.

⁶⁴ Mishna Brurah 629:12

⁶⁵ Tzitz Eliezer 10:29 strongly disapproves of using reed or straw mats because they are susceptible to impurity because they are usable for sleeping, sitting, or carrying items. These uses would invalidate the schach on a biblical level. He adds that even if the bamboo mat is designated to be used for schach there would be a rabbinic prohibition lest it be confused with materials that are unfit. Additionally, bamboo mats could be unfit since they appear similar to a real roof, which is a rabbinic invalidation. Rav Elyashiv (cited by Az Nidbaru) says that since the bamboo are tied together to form a mat they are considered one plank of wood, which is invalid as it could be confused with a roof.

Chazon Ovadia (p. 23) writes that bamboo mats that are strung together with organic materials or cotton are valid schach. He reasons that it is similar to the case of the mat which is used only for schach and is recognizable for that purpose. Therefore, the mats aren't susceptible to impurity. Also, it isn't similar to a roof as there are spaces between the planks and can be folded up. Rav Shlomo Zalman Auerbach (Halichot Shlomo p. 128) and Rav Hershel Schachter (הנהגות עניני יורה דעה, min 78-79:30) agreed.

6. According to many rishonim, it is permitted to use any materials for the walls of the sukkah and place the schach directly upon them. However, according to some rishonim, one may not place schach upon walls that would be invalid schach. Ideally, the halacha advises avoiding this issues; however, if that is very difficult one may be lenient.
 - a. For example, placing schach onto a metal frame should be avoided. Yet, one solution is to place the schach on top of wooden planks which rest on top of the metal frame.⁶⁶
7. One should ideally avoid tying the schach down with a material that would not serve as kosher schach if the schach would be unable to withstand regular wind independently.⁶⁷ However, some poskim always permit one to tie down schach with material that is only invalid as schach mi'derabanan.⁶⁸
8. One should not nail one's schach down.⁶⁹

Regarding the hemp string used to tie the bamboos together, Rav Ovadia (Chazon Ovadia p. 30) writes that using string made from organic material for schach is only invalid rabbinically according to the Rambam because it is altered from its natural form (or according to the Raavad because it is useable for clothing). Since it is only a rabbinic issue, Rav Ovadia reasons that it is permitted to use it in order to hold up or hold together the schach. See the next footnote regarding *maamid* regarding items that are rabbinically invalid. Accordingly, Rav Schachter ("Inyonei Sukkos" min 60-4) permitted using hemp or cotton strings to hold together the bamboo mats.

⁶⁶ The Mishna (Sukkah 21b) cites Rabbi Yehuda who holds that one may not use bed boards for sukkah walls unless the schach is held up by something else. The Gemara records a dispute regarding Rabbi Yehuda's reason; either it is because the sukkah isn't considered a suitable dwelling without additional poles for support or because the schach is being held up by something that is susceptible to tumah. The Raavad (Sukkah 10a), Ramban (Milchamot Sukkah 10a), and Ran (Sukkah 10a s.v. Matnitin) understand that the primary reason for Rabbi Yehuda is that one may use items that are susceptible to tumah to hold up the schach as a *gezerah* that one may come to use it as schach itself. The Rosh (Sukkah 2:1) writes that the halacha follows Rabbi Yehuda and his reasoning is that when the schach is placed on top of a bed, there is only a small area between the schach and the bed, which isn't suitable for use. The Trumat HaDeshen (responsa 91), Tur and S"A 630:13 agree. Lastly, the Baal HaMeor (Sukkah 10a) holds like the rabbanan and we shouldn't be concerned with either reason above.

Even according to the first group of rishonim there are two limitations. The Ran *ibid.* writes that it is permitted to place schach on top of stone walls because no one uses stones for schach and no one will make a mistake to think that it is kosher. Additionally, the Ramban *ibid.* writes that placing schach on top of poles on top of a bed is permitted since the bed is acting as a ground for the sukkah and isn't directly supporting the schach. Similarly, the Magen Avraham 629:9 permits using metal nails to support the poles of the sukkah since they don't directly support the schach. For example, the Bikkurei Yacov 629:15 writes that it is permitted to place schach on top of wooden poles on top of walls which are susceptible to impurity. The Chazon Ish (O.C. 143:2) argues that we can't distinguish between different layers of schach and simply state the top layer of kosher schach is supported by another layer that is in turn supported by an item that is susceptible to tumah. Rav Schachter ("Inyonei Sukkah", min 44-6, 62-4) noted that although the Chazon Ish's argument is reasonable, the minhag follows the Magen Avraham and allows placing schach on top of planks on top of a metal frame.

What's the halacha? Since S"A 630:13 holds like the Rosh, it would seem to be clear that it is permitted to use items that are susceptible to tumah to hold up the schach. However, S"A 629:7 has a doubt whether it is permitted to place a ladder on top of schach. The Magen Avraham 629:9 suggests an explanation in which he forbids using a ladder that is susceptible to tumah lechatchila and would only permit it after the fact. Mishna Brurah 630:59 writes that it is permitted, but it is proper to be concerned for the opinions that are strict.

Rav Ovadia Yosef (p. 24-5) writes that it is permitted to use a material that is only rabbinically invalid in order to hold up the schach since the entire issue of *maamid* is only a *gezerah*, so the rabbis would never have instituted a *gezerah l'gezerah*. This is based on the opinion of the Ritva (Sukkah 11b). Rav Schachter *ibid.* agreed, though he questioned it because this seems to fall into the category of a double d'rabbanan and not a *gezerah l'gezerah*.

⁶⁷ Be'tzel Ha'Chochma 5:44

⁶⁸ R' Vosner cited in the Beit Levi Cheilek 4, pg. 23

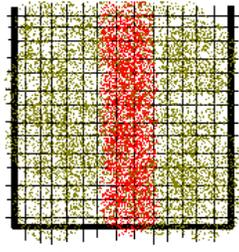
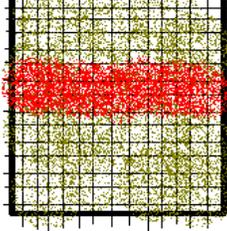
⁶⁹ Shaar Hatziyun 633:6

IX. Thickness of the Schach

1. The schach should be made such that a majority of the sukka is shaded.⁷⁰
2. Ideally, the schach should be thin enough that one can see large stars through the schach in at least one place in the sukka.⁷¹
3. Additionally, one should not make his schach so thick that if it were to rain heavily none of the rain would drip into his sukka.⁷² If one built his sukka with such a thick covering he should remove some of the schach.⁷³

X. Invalid Schach and Airspaces

1. If there are less than 3 tefachim of invalid schach in the middle of the sukka the sukka is valid and one may sit underneath that invalid schach. If there are between 3 and 4 tefachim of invalid schach, the sukka is valid, but one shouldn't sit underneath that schach.⁷⁴
2. 3 tefachim of airspace or 4 tefachim of invalid schach may invalidate the entire sukka. Anything less will not (refer to pictures).⁷⁵
3. One may not sit underneath an airspace the size of one's head or body⁷⁶ even if it is less than 3 tefachim. Also, one may not sit underneath an airspace that goes across the entire length of the sukka even if it is less than 3 tefachim.⁷⁷
4. If there is an airspace of 3 tefachim along a wall of the sukka that wall isn't considered part of the sukka. If less than two and a half walls remain, the sukka is invalid.⁷⁸

	
<p>This sukka is invalid because the invalid schach in the middle splits the sukka in two. Therefore, each half only has 2 walls which is insufficient (Mishna Brurah 632:2).</p>	<p>The invalid schach invalidates the entire area above the invalid schach. However, the area below is valid as long as there are 3 walls surrounding 7x7 tefachim of valid schach (Mishna Brurah 632:14-5).</p>

⁷⁰ S"A 631:1 and 4

⁷¹ S"A 631:3 writes that ideally the schach should be so thin that stars are visible. The Pri Megadim E"A 631:11 writes that it is sufficient as long as the stars are visible from one point in the sukka.

⁷² Mishna Brurah 631:5 quoting the Pri Megadim

⁷³ Mishna Brurah 631:6

⁷⁴ S"A 632:1, Rama 632:2, Mishna Brurah 632:3

⁷⁵ S"A and Rama 632:2

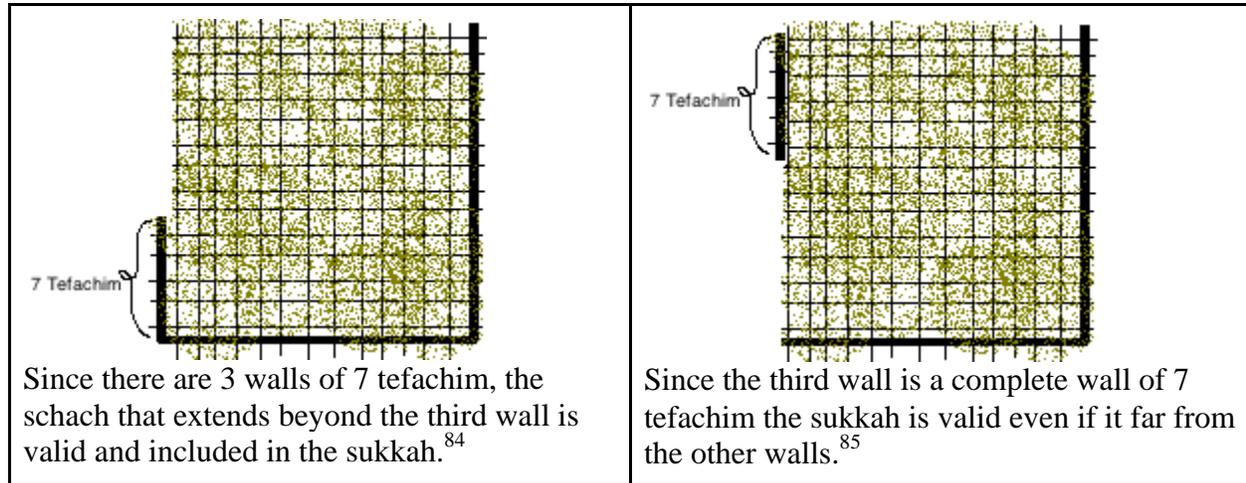
⁷⁶ While the Rama 632:2 writes "rosho ve'rubo" the Mishna Brurah 632:12 quotes the Ran and Ritva who hold either "rosho" or "rubo."

⁷⁷ S"A 632:2, Mishna Brurah 632:12

⁷⁸ S"A 632:2, Biur Halacha 632 s.v. avir

XI. Construction of Kosher Walls

1. A sukkah requires at least three walls (see pictures for common cases).⁷⁹ Some say that it is preferable to build a fourth wall.⁸⁰
2. The minimum length and width for a sukkah is 7 x 7 tefachim.⁸¹ According to most poskim, it is permitted to make a sukkah in different shapes as long as a sukkah of 7 x 7 tefachim is able to fit inside it.⁸²
3. A sukkah must be at least ten tefachim tall.⁸³



XII. Lavud and Gud Asik

1. Lavud is a halacha moshe mi'sinai that treats gaps with a width less than three tefachim as if they are non-existent.⁸⁶ Accordingly, the walls of one's sukkah must only reach within three tefachim of the ground.⁸⁷

⁷⁹ The Mishna Sukkah 2a states that a sukkah requires only three walls. The Gemara (Sukkah 6b) quotes a Tosefta (Sukkah 1:9) which records a dispute about how many walls are needed for a sukkah. The Rabbis hold that a sukkah requires two full walls and a third wall of at least a tefach, while Rabbi Shimon holds that a sukkah requires three full walls and a fourth wall of at least a tefach. The Shulchan Aruch 630:2 rules in accordance with the Rabbis.

⁸⁰ The Chaye Adam (146:3) writes that it is preferable to construct a sukkah of four complete walls, however, he agrees that this is not required.

⁸¹ The Gemara (3a) records three opinions regarding the minimum area of a sukkah. Rebbe believes that the minimum area is four amot by four amot. Beit Hillel maintains that a sukkah only needs to fit one's head and body, which is estimated to be about six by six tefachim. Beit Shammai rules that the sukkah must also be able to fit a small table, and thus must be at least seven by seven tefachim. The gemara rules in accordance with Beit Shammai, and this is codified in the S.A. 634:1. See Tosfot 3a s.v. di'amar for a list of cases where halacha accords with Beit Shammai.

⁸² The achronim discuss whether a sukkah that is longer than seven tefachim but narrower than seven (e.g. 5 by 10) is valid. The Mishna Brurah 634:1 writes that most achronim agree that this sukkah is invalid. Chazon Ovadia p. 11 agrees. Shulchan Aruch 634:2 writes that one may construct a sukkah of other shapes, such as a circle, as long as a sukkah of seven tefachim by seven tefachim can fit inside it.

⁸³ Mishna (Sukkah 2a), Rambam Hilchot Sukkah 4:1, Tur and Shulchan Aruch 633:8

⁸⁴ S"A 631:7, Mishna Brurah 631:15

⁸⁵ Chut Shani (Sukkah p. 225), cf. Rama 630:3

⁸⁶ Shabbat 97a and Sukkah 6b

⁸⁷ S.A. 630:9

2. Sephardim hold that one may create the walls of the sukkah by placing several poles within three tefachim of each other. This is true whether the poles are placed horizontally or vertically. Ashkenazim allow this only if one either one makes 4 walls with lavud or has cloth walls in addition to the 3 lavud walls.⁸⁸
3. If the walls of the sukkah are the requisite 10 tefachim tall but do not reach up to the schach the sukkah is valid. Nonetheless, the walls must be lined up with the schach or within 3 tefachim of the schach based on the principle of *gud asik mechitzta*.⁸⁹

XIII. Materials for Walls

1. All materials are valid for the walls of the sukkah.⁹⁰ Nonetheless, one should avoid using any material that emits a foul odor.⁹¹

⁸⁸ Kaf Hachaim 630:18 writes that one may create a sukkah with three walls by placing poles within 3 tefachim of each other, either horizontally or vertically. Chazon Ovadia pp. 5-6 agrees and thus allows building a sukkah on a porch enclosed on three sides by bars with less than three tefachim space between them.

However, Tosfot (Sukkah 16b s.v. *bifachot*) holds that one cannot create a wall completely based on lavud, meaning, one cannot make entire walls of either vertical or horizontal beams within three tefachim of each other. Magen Avraham 630:1 writes that Tosfot would validate a sukkah with walls made of only vertical or horizontal beams if the sukkah has four walls. Mishna Brurah 630:7 rules like this Magen Avraham, but in Shaar Hatziyun 630:49 he allows the use of vertical or horizontal beams to construct a three-walled sukkah when clothes are used to form the walls. In this case, even if one is strict to not use clothes, one can be lenient because the lavud walls would serve as backup if the clothes did untie. Chazon Ish 75:12 is strict even if one builds four walls with these beams, against the Magen Avraham.

⁸⁹ Shulchan Aruch 630:9 teaches based on the Gemara (Sukkah 16a) that the walls don't have to reach the schach, as long as they line up within three tefachim of the schach. Mishna Brurah 630:43 and Chazon Ovadia p. 12 write that this is based on the concept of *gud asik*, that is, we view the walls as extending upward.

The Gemara (Sukkah 6b) mentions that *gud asik* is a *halacha limoshe misinai*. The main discussion of it is in the Gemara (Sukkah 4b), where the gemara records a dispute as to whether one can build a sukkah without walls on the top of a flat roof. Rambam (Hilchot Sukkah 4:11) rules like R' Yaakov who holds that if the schach is aligned with the walls of the house, the sukkah is valid because we view it as if the walls of the building extend upward. If the schach is not aligned with the walls of the house, the sukkah is invalid. Rosh (Sukkah 1:6) disagrees and rules like the Chachamim that in either case the sukkah built without walls on a roof is invalid. Shulchan Aruch 630:6 quotes both opinions, but Mishna Brurah 630:30 is machmir for the Rosh.

So if we do not accept the application of *gud asik* to sukkah in that case, then why is a sukkah valid even if the walls do not reach the schach? The Steipler (Kehilot Yaakov Siman 4) suggests that perhaps there is no requirement for the walls of the sukkah to reach the schach. Rav Nissim Karelitz (Chut Shani Sukkot p. 228) explains that even though the Mishna Brurah was machmir for the Rosh, that was where the sukkah itself had no walls and we wanted to extend the walls of the building beyond the roof. However, in this case, the sukkah itself has defined walls and we are extending those. Rav Schachter (oral communication) gave a similar distinction.

Rabbi Akiva Eiger (responsa 12) questions the psak of the Shulchan Aruch based on a Ran (Sukkah 9a) who says that one cannot use lavud with another leniency. Therefore, in this case one cannot extend the walls horizontally using lavud since the walls are not lined up perfectly, and also extend them vertically using *gud asik*. The answer of the Steipler resolves this issue, as he claims that allowing a ten tefach wall that does not reach the roof is not based on *gud asik* and therefore, lavud may be used. See also Chazon Ish 77:7 for another resolution of Rabbi Akiva Eiger's question.

⁹⁰ The Mishna Sukkah 12a declares that all materials are valid for the walls. The Shulchan Aruch 630:1 codifies this. Interestingly, the Bach OC 630:1 writes that a pious person should be strict for the Or Zarua (Hilchot Sukkah 2:289:2 quoted by Hagahot Ashri 1:24) who holds that one should not use materials that one may not use for schach for the walls of the sukkah, such as materials that are susceptible to impurity. The Biur Hagra 630:1 questions the Hagahot Ashri, since the Yerushalmi he quotes as a proof, in fact says exactly the opposite. Biur Halacha s.v. Kol quotes two reasons that a pious person should be strict for the Bach, but quotes others who reject this stringency. Chazon Ovadia pp. 1-2 as well as Aruch Hashulchan 630:1-2 both say that most achronim do not hold of this

2. Accordingly, one may even form a sukkah outside of one's car by opening the doors on one side of the car and placing schach over them.⁹²
3. Nevertheless, many poskim forbid the use of plastic curtains, tarp, or canvas, which blow easily in the wind. This is not because of an issue with the material itself but because of an issue with it blowing in the wind. Therefore, it is recommended to tie cords within three tefachim of each other up to the height of ten tefachim to constitute a halachic wall along with the canvas.⁹³

stringency and allow one to use materials that are mekabel tumah for the walls. See the closely topic of *maamid* in the section of kosher schach.

⁹¹ Rama 630:1

⁹² R' Moshe Heinemann permits this (<http://www.jewishworldreview.com/1000/sukkah.car.html>). When building one's sukkah in this manner he should also ensure that 1) the doors of the sukkah reach within three tefachim of the ground, to accomplish this it may help to park near the curb (see section titled "Lavud") 2) the door on the opposite side of the car remains closed with the entire width of one's car measuring less than 4 amot (using dofen akuma—see S.A. 632:1) 3) one may not use the seat of the car as one's table even if he only plans to eat under the schach (see S.A. 634:4 where he writes that one whose table eats in the sukkah while his table is outside the sukkah is treated as if he did not eat in the sukka at all).

Placing schach over one's sunroof might also constitute as a kosher sukkah. This would depend on whether 1) the size of the sunroof is 7x7 tefachim 2) there exists 10 tefachim of usable space between the schach and the floor of one's car (see Aruch HaShulchan 633:10 who writes that the 10 tefachim must consist of usable space) 3) there exists less than 4 amot of space on all sides between the edge of the sunroof and the walls of one's car and 4) the surface one is eating from must be underneath the schach (S.A 634:4, as explained in the previous paragraph).

⁹³ In Gemara Sukkah 24b, Rav Acha Bar Yaakov states that a wall that cannot stand in the wind is not considered a valid wall. The Chazon Ish (Hilchot Eruvin 13:6) suggests that a wall is not valid only if it falls or sways more than three tefachim in normal wind. However, Rav Ovadia Yosef in Chazon Ovadia pp. 1-5 and Rav Shlomo Zalman Auerbach (Halichot Shlomo Sukkah 7:1 p. 97) hold that plastic curtains that sway in the wind even slightly are unfit for walls of a Sukkah. Rav Ovadia adds, based on Shulchan Aruch 630:10, that this is true even if one ties down the ends because we are concerned that the ties will loosen and that he will not notice. Rav Moshe Feinstein in Sh"t Iggrot Moshe 5:40 writes that one should not misinterpret the prevalence of these canvas sukkot as an endorsement of their validity. On the other hand, some achronim (Rav Sonnenfeld, Rav Menashe Klein, and Rav Shternbuch all cited in Piskei Teshuvot 630:9) justify the common practice to use canvas Sukkot since nowadays they are put together well, so the concern of the Shulchan Aruch that the ties may become loose no longer applies.

Despite his objection, Rav Moshe would allow a canvas wall if the canvas is sewn around a metal frame in such a manner that no part of the canvas sways more than three tefachim from the frame in a normal wind. Rav Hershel Schachter ("Inyonei Yom Kippur VeSukkot" min 72-80) explains that even though the Chazon Ish (Hilchot Eruvin 13:6) was lenient, most poskim are strict. Rav Schachter adds that in a situation of extreme need one could rely on the Chazon Ish.

Hilchot Chag Bichag pp. 87-90 and Rav Menashe Klein (Mishneh Halachot 5:77) recommend, therefore, to place poles or cords horizontally across the sukkah within three tefachim of each other up to a height of ten tefachim, and, combined with the canvas, this would be a perfectly valid sukkah. Rav Schachter (oral communication) agreed that such a sukkah would be valid even lechatechila.