

קיצור הלכות סוכה

A Quick guide to the Laws of the Sukkah.

לעיי"נ ר' יחיאל נתן ב"ר שמאי פעלדמאן ז"ל.

The mitzvah of Sukkah is to remind us of how Hashem took care of us in the wilderness and provided us with huts to live in and Clouds of Glory protected us throughout those forty years. Sukkos is in the autumn rather than in the spring time so that it should be evident that one is leaving his house for the sake of the mitzvah. The Sukkah is a temporary structure and one must live in the Sukkah for all seven days of Sukkos as will be explained below.

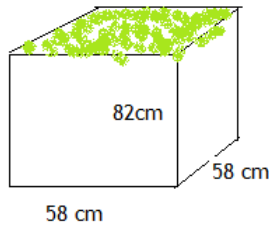
The Location of the Sukkah.

- The Sukkah must be under the open air and therefore may not be positioned under a roof, balcony or tree.
- One may not put a Sukkah in a place where there are foul odours.
- The floor of the Sukkah must be strong enough to withstand a person's weight.
- One does not need to own the Sukkah that he is using.
- One may not use a stolen Sukkah, similarly one may not use someone else's materials to build a Sukkah unless he has permission to do so.
- One should ideally not build a Sukkah on someone else's property without permission.
- One may enter someone else's Sukkah and use it without permission, as we assume that people agree to let others perform mitzvos with their property.
- However if there is a chance that the owner will come back during that time, one should not use it.
- The poskim try to justify how people can build their Sukkos in public areas (such as on the street) without getting permission from the relevant authorities.

The Size of the Sukkah.

The Gemara says that the minimum size of the Sukkah is enough for a single person to sit at a table. This is deemed to be 7 tefachim wide by 7 tefachim long and 10 tefachim wide. There are a number of opinions regarding how to translate Talmudical measurements into contemporary measurements.

- In practical terms this means that a Sukkah must be at least 58cm wide by 58cm long and 82cm high.



This is of course the minimum size for a Sukkah. Although there is no maximum length or width, a Sukkah may not be higher than 20 Amos which is 9.4 metres. The reason for this is that all structures above this height are permanent, and as such, although the Sukkah may be a permanent structure it must have some elements of temporariness to it. Moreover the Rabbis determined that above this height one has to crane his neck in order to notice the Schach and to realise that he is being covered by Schach and not by a roof.

- A Sukkah must be at least 10 Tefachim (78.36cm) high as less than this is not deemed to be fit for normal human habitation.

The Schach.

The Schach is the defining feature of the Sukkah, it must be made of natural substances and be thin enough to be able to see the stars through it. The flimsiness of the Schach should serve as a reminder that we are always under Hashem's protection and should not rely on physical things for security.

In order for the Schach to be kosher it has to fulfil the following criteria.

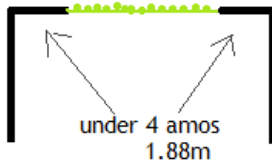
1. It must be from vegetation (i.e. something that grows from the ground) such as leaves, branches etc.
2. It must not be able to be *mekabel tumah*. This would exclude anything that has been made into a vessel (*kli*) such as a basket, ladder etc. One may not use an item of food as schach.
3. It must not be attached to the ground. A tree is may therefore not be used as schach.
4. It must not have been able to be *mekabel tumah* in the past and will not be in the future.
5. The Schach must not be made of planks wider than 4 Tefachim (31.34cm).
6. The form of the Schach must not be changed to the point that it is no longer recognisable as being from vegetation.
7. It cannot have a foul odour.

The first three criteria are min ha Torah and as such will always invalidate a Sukkah. The subsequent criteria are Rabbinical and as such if one has no other option, he can use such a Sukkah, however no bracha should be made on such a Sukkah.

- The Schach should provide cover so that there is more shade than light.
- If there are 4 Tefachim of pasul Schach in the middle of the Sukkah, the Sukkah is invalid.



- If there is less than 4 Tefachim of pasul Schach in the middle of the Sukkah, the Sukkah is kosher and one may even sit under the pasul piece.
- If the pasul Schach is at the side of the Sukkah, the Sukkah is valid unless there are 4 amos of pasul schach. However one may not sit under this area. This concept is known as 'Dofen Akuma' literally a bent wall. We view the pasul Schach as being part of the wall rather than the roof. This is the principle behind 'indoor sukkos'.



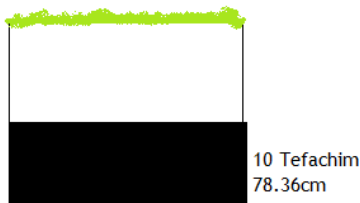
The walls.

Unlike the Schach, the walls do not have to be made out of any specific material. One can make them out of wood, plastic, stone, brick etc.

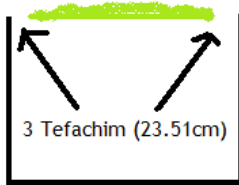
- Even if they have gaps of up to 3 Tefachim (23.51cm) they are still considered to be solid and continuous. This is known as Lavud.



- Once the walls are 10 Tefachim (78.36cm) high they do not actually have to reach the schach. Rather we view them as extending straight up to the schach. This is known as Gud Asik.



- Even if the Schach does not reach the wall it is kosher as long as it is within 3 Tefachim of the walls.



- One must take care that the walls do not move a Tefach (7.83cm) as a result of a normal gust of wind. This is a problem with canvas Sukkos. One way to remedy the situation is to have tight fitting straps at intervals of less than 3 Tefachim (23.51cm) reaching to a total height of 10 Tefachim (78.36cm).
- The Schach should not be resting on any metal poles (or anything else that is mekabel tumah). Bedieved such a sukkah would however be kosher.

Sitting in the Sukkah.

There is a Torah mitzvah to sit in the Sukkah for seven days. In Chutz LaAretz one should sit in the Sukkah on Shmini Atzeres as well. One should eat, sleep, relax and socialise in the Sukkah. Because of the holiness of the Sukkah it is proper to limit the amount of *divrei chol* that one says there. One should certainly be particular not to speak Lashon Hara in the Sukkah.

- One may have a snack outside the Sukkah. This includes water, drinks (other than wine), less than a Kebeitza of cakes or bread, fruit.
- One should not eat a meal outside of the Sukkah even if he is not eating bread or cake.
- It is praiseworthy to avoid eating or drinking anything outside of the Sukkah.
- One should sleep in the Sukkah.
- On the first night of Sukkos there is an obligation to eat a kezayis (ideally a kebeitza) of bread in the Sukkah. During the rest of Sukkos one is only obligated to sit in the Sukkah if he wishes to eat.
- One should wait until nightfall before making Kiddush on first night sukkos.

As with all time bound mitzvos, women are exempt from sitting in the Sukkah as it is a positive time bound mitzvah. Ashkenazi women may make the bracha of Leishev BaSukkah if they sit in the Sukkah.

- The bracha of leishev ba Sukkah is only made if one ate a kebeitza of bread.
- If one ate a kebeitza of cake he should make the bracha of leishev and should not leave the Sukkah immediately upon finishing the food, rather he should remain in the Sukkah for a while.
- If one ate a cooked dish made out of wheat, barley, rye, oats or spelt he should make the bracha of leishev.
- One does not make the bracha of leishev if he is only eating fruit, vegetables or shehakol foods, even if they are being eaten as a full meal.

Since one is meant to dwell in the Sukkah in a normal fashion, as if it was his house, if one experiences significant discomfort from sitting in the Sukkah he is exempt from doing so.

- If it is raining to the point that the food would get ruined, one should eat inside.
- Since there is an obligation to eat at least a kezayis of bread in the Sukkah on the first night once should wait for the rain to stop. If one has waited and the rain still has not stopped he should make Kiddush, wash and eat a kezayis and then go into the house. Since it is raining he should not make the bracha of Leishev.
- If the rain stops he should go back into the Sukkah to eat at least a Kezayis of bread and make the bracha of Leishev.
- Once one has moved inside, there is no need to return to the Sukkah after the rain has stopped.
- If one has to leave the Sukkah due to rain, he should not rush out, but rather he should go out in a humble fashion.
- If one remains in the Sukkah when he should leave he is called a fool as he is not fulfilling the mitzvah of simchas Yom Tov and is not honouring the Yom Tov either.
- One who is either unwell or looking after someone who is unwell is exempt from eating in the Sukkah.
- Although one should sleep in the Sukkah, in cold countries one does not have to do so if it would be uncomfortable for him to do so.