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GUEST CONTRIBUTOR

SUKKOT

Halachot of Dwelling in the Sukkah

INTRODUCTION

One of the most central mitzvot of Sukkot is the mitzvah to dwell in the sukkah. The Torah states that one should dwell in sukkot for seven days (Vayikra 23:42), and Chazal understand that our dwelling in the sukkah commemorates either Hashem's protecting us with the Clouds of Glory or the actual sukkot that Hashem provided for us in the wilderness after leaving Egypt (Sukkah 11b; see *Shulchan Aruch* [S.A.], *Orach Chaim* [O.C.] 625:1). In the rest of this article, we will summarize many of the key halachot concerning the proper fulfillment of this precious mitzvah. Readers are also welcome to contact the author at ozarowsk@gmail.com with questions.

BEFORE SUKKOT

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sukkah on Motzai Yom Kippur (Rema, O.C. 624:5), i.e., Monday night this year. Ideally, one should try to build the sukkah on the day after Yom Kippur (*Mishnah Berurah* [M.B.] 625:2). By Erev Sukkot, one should ensure the sukkah is complete and kosher (*Piskei Teshuvot* 651:1).

In order to have an appetite to fulfill the mitzvah of sukkah properly on the first night of Sukkot, one should not eat bread or other grain products after the tenth halachic hour (approximately 3:30 pm in Israel this year), similar to Erev Pesach (M.B. 639:27; *Chazon Ovadia, Sukkot* p.121). According to many *poskim*, one may eat small amounts of bread or grain products after this time (R. Asher Weiss, cited by R. Moshe Harari, *Mikraei Kodesh, Sukkot*, 9:77 and n.237). Some Sephardim are strict from halachic midday (*Ben Ish Chai, Ha'azinu* 3). Other foods may be eaten, but one should not become overly full (M.B. 471:3).

FIRST NIGHT OF SUKKOT

Before the meal begins on Friday night, the first night of Sukkot, it is customary to invite the “*Ushpizin*” (holy guests, beginning with Avraham) before Kiddush. The same is done on each subsequent night of Sukkot (Zohar, *Emor*; *Piskei Teshuvot* 643:1). Many have the custom to recite *Shalom Aleichem* and *Eishet Chayil*, like on every other Shabbat. Kiddush for Yom Tov is then recited, including *Vayechulu* and the references for Shabbat in the second *beracha*. This is followed by the *beracha* of *leishev basukkah* and then *Shehechyanu* (S.A. 643:1).

We will discuss below that men are obligated in the mitzvah of sukkah, while women are exempt because it is a timebound mitzvah. On the first night, there is an obligation for men to eat in the sukkah, while on the rest of Sukkot, there is no independent obligation to enter the sukkah if one is not eating there. Therefore, men, to whom the obligation applies, must eat at least a *k'zayit* of bread on the first night (approximately 28 cc, though some require more, as by matzah on Pesach), and preferably a *k'beitza* (approximately 55-60 cc), in the sukkah (S.A. 639:3; M.B. 639:22). The *k'zayit* should ideally be eaten within four minutes (*Piskei Teshuvot* 639:13; *Mikraei Kodesh* 9:67), though some permit eating continuously at any pace, even *lechatchila* (R. Yaakov Ariel, cited in *Oholei Halacha, Sukkot*, p.115; *Peninei Halacha, Sukkot* 3:3).

Before eating on the first night, one should have in mind to fulfill the mitzvah of dwelling in the sukkah and that it recalls how Hashem sheltered Israel in the wilderness with clouds of glory (M.B. 625:1).

THE PARAMETERS OF THE MITZVAH OF SUKKAH

The mitzvah of sukkah is expressed primarily through making the sukkah one's dwelling during Sukkot. Chazal explain that when the Torah says, "you shall dwell [*teshvu*] in sukkot for seven days, it means that one should live in the sukkah in the manner that he normally lives in his home (*Sukkah* 26a). Thus, the mitzvah applies to the activities that are considered part of normal dwelling, particularly eating and sleeping. Men are obligated in the mitzvah, while women are exempt because it is a time-bound mitzvah, though women may choose to fulfill the mitzvah as well. When they do so, Sephardic

women generally do not recite a *beracha*, while Ashkenazic women do, like men (S.A. 640:1; M.B. 640:1; *Chazon Ovadia*, p. 149).

The obligation to eat in the sukkah applies when eating more than a *k'beitza* (approximately 55-60 cc) of bread (S.A. 639:2), which is often calculated between one-half to two-thirds of an average slice of bread (*V'zot Haberachah, Berurim* 1). Many *poskim* apply the same rule to *mezonot* foods made from the five grains.

There is, however, a difference regarding the circumstances in which a *beracha* of *lei-shev basukkah* is recited. Sephardim generally recite the *beracha* on *mezonot* only when eating an amount of approximately 200 to 230 grams, which is considered a fixed meal (*Ohr L'tzion* 4:29). Ashkenazim, on the other hand, generally recite the *beracha* when eating more than a *k'beitza* of *mezonot* and remaining in the sukkah afterward; therefore, Ashkenazim should ideally remain in the sukkah for some time after eating to avoid uncertainty regarding the *beracha* (M.B. 639:16). As noted above, the same rules concerning the *beracha* apply to Ashkenazic women who eat *mezonot* in the sukkah.

Foods requiring *ha'eitz*, *ha'adama*, or *she-hakol* do not ordinarily require one to eat them in the sukkah. Nevertheless, it is proper

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to eat such foods in the sukkah when they are part of a meal, though without reciting a *beracha* on the sukkah (S.A. 639:2; M.B. 639:13, 15). Some *poskim* go further and maintain that when a person is making a meal without bread, he should not eat it outside of the sukkah even when it consists primarily of foods such as chicken, fish, and potatoes (*Oholei Halacha*, p. 93; *Teshuvot V'hanhagot* 1:371).

One who drinks wine outside of a meal is generally not required to do so in the sukkah. If, however, he establishes a fixed session for drinking, he should do so in the sukkah, although he does not recite *leishev basukkah* (S.A. 639:13). When reciting *Havdalah*, one should do so in the sukkah. Most *poskim* maintain that one does not recite *leishev basukkah* in this case unless he plans to eat bread or a large amount of *mezonot* afterward, though some disagree (M.B. 639:30; Piskei Teshuvot 639:10).

With regard to the order of the *berachot*, the *beracha* of *leishev basukkah* is recited after the *beracha* on the food but before eating (Rema 643:2). Some Sephardim stand, recite *leishev basukkah*, sit, recite the *beracha* on the food, and then eat (S.A. 643:2–3; *Yechaveh Da'at* 5:47). On Shabbat day, opinions differ as to whether *leishev basukkah* should be recited after Kiddush or

after *hamotzi* (M.B. 643:9). One who forgot to say *leishev basukkah* can do so while still in the middle of the meal, and Ashkenazim may even do so after *Birkat Hamazon* if one remains in the sukkah (M.B. 639:28; Chazon Ovadia, p.178).

Men are obligated to sleep in the sukkah, even for a short nap (S.A. 639:2), though according to most later *poskim*, one does not recite a *berachah* on sleeping or other activities alone without eating in the manner discussed above (S.A. and Rema 639:8 and M.B. there). For this reason, it is preferable to avoid dozing off in other locations on Sukkot to avoid this problem. Some, however, maintain that one need not wake someone who has fallen asleep outside the sukkah in some cases (see *Bikurei Yaakov* 639:34; *Sefer HaSukkah*, *Miluim* to ch.18).

One who recited a *berachah* in the sukkah and then leaves the sukkah for more than approximately an hour should recite another *berachah* when returning to the sukkah according to the guidelines given above for eating (M.B. 639:47; Shevet Halevi 10:2).

CASES WHEN ONE IS EXEMPT FROM THE SUKKAH

Although the sukkah should ideally be a person's primary dwelling during Sukkot, there are circumstances in which a person is exempt from eating or sleeping there. These exemptions are based on the principle known as *teshvu k'ein taduru* – the Torah requires a person to dwell in the sukkah in a manner similar to the way he normally lives in his home. Just as a person does not remain at home under circumstances in which he would normally leave, there are situations in which he is not required to remain in the sukkah.

One such exemption from the mitzvah of

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sukkah is granted to a person who is *mitzta'er*, meaning that he is suffering significant discomfort in the sukkah. The basic principle is that if the conditions would cause a person to leave his home under similar circumstances, he is not required to remain in the sukkah (S.A. 640:4; Rema 639:5). Examples can include significant rain, extreme cold, strong winds, unpleasant odors, or insects that make it genuinely difficult to remain in the sukkah. In the Diaspora, where Sukkot often falls during colder weather, this exemption is one of the reasons for the widespread custom not to sleep in the sukkah (see Rema 639:2).

Minor inconveniences do not exempt a person from the mitzvah. In addition, if one can easily remove the inconvenience, such as by using a fly trap, wearing a sweater, or bringing a blanket to sleep when the weather is a bit chilly, one would not be exempt (*Ohr L'tzion* 4:30; *Piskei Teshuvot* 639:17). One should also try to construct one's sukkah in a place where he expects to be comfortable (S.A. 640:4). In addition, if the same discomfort exists outside the sukkah, one remains obligated to stay in the sukkah (Rema 640:4). For example, a person who is uncomfortable because of the weather but would be equally uncomfortable inside his home would still be obligated in the mitzvah.

On the first night, the Rema holds that men are obligated to eat at least a *k'zayit* of bread in the sukkah, even when it is raining. Therefore, even in inclement weather, such as a strong rainstorm, one should try to recite Kiddush and eat at least a *k'zayit* in the sukkah (Rema 639:5; *Kaf HaChaim* 639:73). However, the *Shulchan Aruch* maintains that one is exempt from eating in the sukkah when it is raining, and many Sephardim adopt this

position (*Chazon Ovadia*, p.125). In such cases, no *beracha* on sukkah is recited according to all opinions (*Ibid.*; M.B. 639:35).

Another exemption from the mitzvah pertains to a person who is traveling during Sukkot. Such a person is exempt while in transit but should try to find a sukkah to use when lodging overnight somewhere, if possible. If no sukkah is available, a traveler may continue rather than interrupting his journey in order to find one (S.A. and Rema 640:7-8; M.B. 640:40-42). Some exempt even one traveling a short distance outside of the city during the day, if no sukkah is available nearby (M.B. 640:40; *Ashrei Ha'ish* 26:31). Many *poskim* do allow one to rest while traveling, such as on a bus or train, as is common during the year (*Piskei Teshuvot* 639:6).

The application of this exemption to recreational travel is more complicated. Some distinguish between someone traveling for business and someone traveling for pleasure and rule that one should not deliberately plan a pleasure trip to a place where there will be no sukkah (*Igrot Moshe*, O.C. 3:93). Other *poskim* are more lenient regarding recreational outings and trips, particularly when touring in Eretz Yisrael (see R. Asher Weiss and R. Dov Lior, cited in *Mikraei Kodesh*, Nis-pach 11; *Oholei Halacha*, p. 127). Ideally, trips should be arranged so that meals can be eaten in a sukkah when reasonably possible or in a manner that the men can eat only snacks and foods that do not require a sukkah. Nevertheless, there is a basis for leniency for those who eat normally on such trips.

A third exemption applies to those who are involved in the performance of a mitzvah. If such a person cannot sit in the sukkah while performing the mitzvah, they are exempt. However, if they can do so without any

difficulty, they should do so (S.A. 640:7; M.B. 640:38). Likewise, soldiers, police officers, or other security personnel are exempt from the mitzvah while they are on duty, though if a sukkah is nearby and eating there does not detract from their ability to perform their responsibilities, they should try to fulfill the mitzvah (Chazon Ovadia, p.196; Oholei Hala-cha, p.128).

SANCTITY OF THE SUKKAH

We will conclude our discussion by noting that since the sukkah has a degree of sanctity, one must treat it accordingly. Thus, trash or other undignified items, such as dirty clothing, a toolkit, and the like should not be kept in the sukkah (Rema 639:1), and washing dishes and changing children's diapers should not be done there (M.B. 639:9; Chazon Ovadia, p.129). Likewise, speech and behavior should be conducted with respect for its sanctity (M.B. 639:2). May we merit to keep our sukkah as a sanctified location and thereby elevate our Sukkot experience. ■

Rabbi Eli Ozarowski serves as editor of the *Tzurba M'Rabanan* English Series, an innovative, systematic learning program covering hundreds of major topics in the Shulchan Aruch from Tanach through modern-day halachic application. He is also the author of the OU's Torat Imecha Halacha Series. Rabbi Ozarowski received semicha from the Rabbi Isaac Elchanan Theological Seminary (RIETS) and holds an M.A. from the Azrieli Graduate School of Jewish Education and Administration. He lives in Mitzpeh Yericho with his wife, Zemira, who serves as Director of Women's Programming at OU Israel, together with their nine children.

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