

# SEPHARDIC INSTITUTE

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בס"ד

## Halakhot of Sukkot

### I. Introduction

The festival of Sukkot – when we move our “official” residence into transient and insubstantial quarters – commemorates the extraordinary care and protection that Hashem bestowed upon the Israelites during their perilous wandering through the wilderness. In the first instance it refers to the forty years of travel through the desert upon leaving Egypt until reaching the Promised Land. It is also a reminder of the special providence Hashem has extended Israel throughout its history traveling through the “Wilderness of the Nations” (Ezek. 20:35).

Sukkot is one of the *shalosh regalim* (the three festivals, the other two being Pesah and Shabu`ot) regarding which the Torah prescribed a national pilgrimage to the central sanctuary to celebrate the occasion.

The first day of Sukkot and the eighth day, (actually “a festival for itself” that is attached to Sukkot, called Shemini Asseret), are days of *yamim tobim*, full festival occasions on which work is prohibited except that connected to *okhel nefesh* (food preparation, see our Halakhot of Yom Tob). The six intermediate days are *hol hamo`ed*, that is, the “non-holy” days of the festival, days (of course excluding Shabbat) on which work may be performed with certain restrictions. In the Diaspora, Sukkot begins with two days of *yom tob* and concludes with two days *yom tob* of Shemini Asseret, with five intermediate days.

### II. Mitzvah of Sukkah

It is a commandment of the Torah to reside in a sukkah all seven days of Sukkot. A sukkah refers to a booth generally constructed for temporary or modest dwelling, such as might be provided for cattle (Gen. 33:17) or for an orchard watchman (Isa. 1:8). The

*sekhakh* (the covering, possibly related to the word sukkah) possesses the most detailed specifications for the sukkah’s halakhic acceptability. Residence primarily comprises eating and sleeping but also includes other activities one does at home such as reading, resting and social conversation.

The berakha recited for this mitzvah concludes with the words *lesheb basukkah*, “to dwell in a sukkah.” Although one performs a mitzvah whenever residing in the sukkah during the seven days of Sukkot, the blessing is not recited except upon partaking of a significant minimum measurement of bread or *mezonot* and in that case even if the individual spent only a few minutes in the sukkah.

Less than *kebessa* of bread (the volume of an average egg, see below) may be eaten outside the sukkah; more than that requires a sukkah and the berakha of *lesheb basukkah*.

Cake, crackers, cookies and other baked *mezonot* items may be eaten outside the sukkah as long as one does not eat an amount that is considered having “established a meal” of the *mezonot*. This measure is considered by some authorities to be the volume of three average eggs, which requires reciting *hamosi*, *birkat hamazon* and eating in a sukkah with the berakha of *lesheb basukkah*. The volume of four average eggs of such *mezonot* products definitely requires the above. In practical halakha there is a dispute concerning these measurements; some rabbis consider a *kebessa* volume to amount to approximately two ounces of weight of bread or cake while others consider such volume to amount to not more than one and one-third ounces of weight of bread or cake.

In the case of cooked *mezonot* products such as pasta and cereals the halakha is different. One who eats the

above minimum measure of these should be in a sukkah and recite *lesheb basukkah* despite the fact that they do not require the berakhot of *hamosi* and *birkat hamazon* regardless of how much quantity is eaten, even when they comprise a “regular” meal, but *mezonot* and *al hamihya*.

Fruits, vegetables and drinks are permitted outside the sukkah in any quantity. Whoever is careful to eat and drink in the sukkah even when partaking of less than the measure that requires sukkah is praiseworthy. It is proper to eat *mezonot* items that are of at least a *kebessa* in the sukkah even though they do not require *lesheb basukkah*.

When reciting the blessings, one first recites *hamosi* then *lesheb basukkah*. On yom tob or Shabbat, since there is *qiddush*, *lesheb basukkah* is attached to the *qiddush*. If one forgot to recite it at the beginning of his meal, he may do so as long as he is still within the meal, even if he no longer intends to eat bread.

On the first night of Sukkot, one is required to eat at least a *kazzayit* of bread in the sukkah. (*Kazzayit* is dependent on the *kebessa*, but one ounce is surely adequate.) In the Diaspora this applies to the second night also.

There are four berakhot in the *qiddush* of the first two nights of Sukkot: the first is on the wine, the second commemorates the festival, followed by *lesheb basukkah* and *sheheheyanu*. On the second night the order of the third and fourth blessings are reversed as explained below.

The *sheheheyanu* in the *qiddush* on all first nights of festivals expresses gratitude for being alive to fulfill the mitzvah of celebrating the festival. On Sukkot it also applies to the mitzvah of construction of the sukkah (even if the individual reciting the *qiddush* did not build or does not own the sukkah he is in). Therefore, on the first night it is recited after *lesheb basukkah*, to cover both mitzvot. On the second night, *sheheheyanu* is only for the festival, recited because of the “doubt of the day” that used to apply and which the rabbis had long ago prescribed that we recite. As far as construction of the sukkah is concerned, the *sheheheyanu* of the first night would cover it even if the first night were not really the festival, as the sukkah was already completed.

Although these considerations derive from a situation that no longer obtains we do not have the authoritative national Bet Din to bring the halakha into alignment with the reality.

### III. Exemptions From the Mitzvah

Women are not required to eat in the sukkah, as it is one of the positive commandments governed by time from which they are exempt. If they choose to eat in the sukkah they fulfill a mitzvah. However, they should not recite the *lesheb basukkah* berakha, as they cannot properly say *vesivanu* (“He commanded us”). This principle applies to all such cases in which women are exempt but choose to fulfill the mitzvah. Since the blessings include Hashem’s name the established text cannot be modified without an authoritative national Bet Din.

In cold or inclement climates one need not sleep in the sukkah. One should not sleep in the sukkah if it is dangerous, for “danger is more serious than a prohibition.”

A sick person who is discomforted when eating in the sukkah, even if his illness is not life threatening, is exempt. The sick person’s attendant is also exempt.

When it is raining hard enough to interfere with the normal use of the sukkah as a room in one’s home, one is exempt and may then eat bread outside the sukkah. If, nonetheless, one chooses to eat in the sukkah, he is not allowed to recite the berakha on the sukkah. The rabbis consider a person who does so *hedyot*. Similarly, other adverse conditions in the sukkah that cause one significant discomfort, such as extreme cold or bad odor not under one’s control, also exempt one from the sukkah.

If one began his meal indoors because it was raining, and the rain stopped while he was in the midst of the meal, he does not have to move to the sukkah or refrain from bread during the rest of the meal. Once he was exempt at the beginning of the meal he is exempt for the whole meal.

On the first night of Sukkot, since eating in the sukkah is a specific mitzvah from the Torah, the halakha is different. If it rains before one fulfilled the mitzvah of eating in the sukkah, and the individual is

prepared to begin his meal, he should wait a reasonable amount of time (a half hour in most cases) to see if the rain stops or if there is a sign of stopping. If it does not stop, and there is no sign of stopping, he may then eat with bread in the house. Even the first night there is no mitzvah to eat in the sukkah while disturbed by rain. If the rain stopped after one began or completed his meal, he should enter the sukkah to eat at least a measure of bread with the berakha of *lesheb basukkah*. However, if the rain stopped after one went to bed to sleep for the night, it is not then necessary to go to the sukkah.

Travelers during Sukkot are exempt from sukkah during their journeying times and may eat bread outside a sukkah providing they are traveling for purposes of business or a mitzvah. Those traveling for pleasure are not exempt from sukkah and even if a sukkah is not available in their vicinity they should refrain from eating the measure of bread that requires a sukkah.

#### IV. The Sukkah

A sukkah must be at least ten *tefahim* (handbreadths) high, approximately thirty-five inches. In times past, when it was common to sit on the floor, this height was adequate. The maximum height for a sukkah is twenty *amot* or “cubits” (an average person’s forearm, approximately twenty-one inches). Thus, the maximum acceptable height for a sukkah is about 35 feet. If it were higher, an individual sitting in the sukkah might not sense being under the *sekhakh* covering.

A sukkah must have at least two walls and part of a third. In a standard rectangular sukkah, two walls must extend for at least seven *tefahim* each (24½ inches) while the third must extend at least over four *tefahim* (14 inches).

Sukkah walls may be constituted of any material providing they are strong enough to withstand a wind normal for the particular locale during the Sukkot season. The commercial canvas walls common in our times are acceptable providing they are fastened well all along their width on top and bottom. It is preferable they not flutter more than three *tefahim* off center.

The Sukkah must be covered with *sekhakh* that shades the majority of the area of the sukkah.

*Sekhakh* must be:

1. Of a material that grows from the ground
2. Detached from the ground
3. Able to remain for seven days without decomposing
4. Not subject to the laws of ritual impurity, thus excluding receptacles, vessels and foodstuffs.

The most usual materials for *sekhakh* are bamboo, evergreens and thin wooden slats. It is acceptable to use bamboos spliced into thin strips and interlaced to make a “mat,” providing it was made for overhead covering or at least not for a floor mat (which involves a technical point associated with a potential defilement).

*Sekhakh* should not be so solid that heavy rain cannot penetrate the sukkah. It is preferred to contain some sufficiently porous spots so that some stars may be visible through it.

An air gap in the *sekhakh* of less than three *tefahim* (10½ in.) does not invalidate the sukkah, but one should not eat under such a gap. Invalid *sekhakh* of less than four *tefahim* (14 in.) in the midst of kosher *sekhakh* does not invalidate the sukkah and one is permitted to eat underneath such a spot. In a minimum-size sukkah (of seven *tefahim*) these two lenient regulations are inapplicable, as there would not be enough space remaining for a kosher sukkah.

A ceiling area that extends into the sukkah from a side wall may have invalid *sekhakh* (such as a regular roof) up until four *amot* (seven feet) without invalidating the sukkah. The reasoning is that the part of the ceiling connected to the wall may be considered a continuation of the wall (a curved wall). However, the invalid *sekhakh* area is not considered part of the sukkah; thus, there must be a minimum size of sukkah without it. When eating in such a sukkah one must be under the valid *sekhakh*.

A sukkah should not be built under any projection (e.g. a ledge, an overhang or trees). If part of the sukkah is under a projection, that part is invalid and one should not eat in that spot.

It is a mitzvah to decorate the sukkah. Decorations may be attached to the *sekhakh* even though the decorations are made of material that is invalid for *sekhakh*. Decorations within four *tefahim* of the *sekhakh* are subordinate to and annulled to it and one may eat under such decorations.

## V. The Four Species - Lulab, Etrog, Hadas and Araba

The Torah prescribes taking four specific species of greenery on the first day of Sukkot (items representative of the beauty and productivity of the land of Israel) and rejoicing. The Talmud defines these as etrog (citron), lulab (palm branch), hadas (myrtle branches) and araba (willow branches). Rejoicing with these items was undoubtedly associated with their symbolism and the time being toward the end of the harvest season (Lev. 23:39). In the central sanctuary the celebrating with the four species was performed all seven days of Sukkot. The rabbis extended the mitzvah to all seven days everywhere.

This mitzvah is performed once daily, during daytime only, by lifting the four species together. This is the minimal, technical requirement. In the spirit of the law one would hold the four species in his hands while singing and chanting prayers, particularly the *hosha`not*. The mitzvah is not performed on Shabbat as the rabbis feared it would lead to carrying.

Women are not obligated in this mitzvah as it is a positive mitzvah governed by time. They may choose to perform it, but without a berakha.

One lulab, three hadasim and two arabot should be bound together, so that the three species comprise a single unit. It is customary to bind them with lulab leaves. The binding should preferably be done before *yom tob* so that the binding material could be cut to size and knots made. If done on *yom tob* it may only be done in an inferior manner, without cutting and without proper knots.

In fulfilling the mitzvah, one takes the three species bound together in his right hand, recites the berakha, then takes the etrog in his left hand (even if left-handed) and while holding the four species together, waves them. The central spine of the lulab (*shidra*)

should face towards the person. The berakha is recited just before taking the etrog in hand in accordance with the rule that berakhot on mitzvot are recited just before fulfillment. If preferred, one may hold the etrog upside down before the berakha and turn it right side up after the berakha, as the mitzvah is not fulfilled until the four species are held right side up. Right side up means the point of detachment from the tree is to the bottom.

On the first day two berakhot are recited: *al netilat lulab* and *sheheheyanu*. On the rest of the days only the first berakha is recited. While waving, one should silently request G-d to provide beneficial rains and dew and helpful winds during the coming year. One should have *kavanah* (focused thoughts) for the land of Israel, the country he is in and, in a general way, the world-at-large.

The Torah indicates that we should each take our own set of four species וּלְקַחְתֶּם לָכֶם. This applies to the first day; on the other days he may borrow a set from another. On the first day if one does not have his own set, someone may present him with a “gift” with the understanding that it will be returned. If the congregation owns its own set, there is an assumed general consensus. Each member is considered a partner and each is understood to relinquish his share on behalf of whoever wishes to say the berakha.

There is a technical problem involved with the giving of the lulab set to children on the first day. Halakhically, a child can acquire property when an adult gives it to him, but cannot give over property. Therefore, an adult should be careful not to transfer his lulab set to a child as a “gift” on the first day before all the adults who intend to say a berakha on that set that day have done so.

The lulab must measure at least four *tefahim* (14 in.); hadas and araba stalks must measure at least three *tefahim* each (10½ in.). An etrog must be at least the volume of an average egg.

An etrog from which even a small amount is missing is invalid. This includes the node from which the *pitum* protrudes. Etrogim that grow naturally without such a node are acceptable. The upper portion of an etrog (the upper slope until the top) should be very presentable, without flaws such as discoloration or

“scales.” Flaws on the lower portion of the etrog are not as serious and its acceptability depends on the extent of the flaw.

Proper hadas has three or more leaves protruding from the same horizontal line all along its stem. At the minimum, it should be “tripled” for at least four and one-half inches along its stem, which is the majority of the *bedi'avad* measurement of hadas. If all the leaves dry up to the extent that they no longer are green but “whitish,” it is invalid.

Proper araba has smooth-edged leaves. If the majority of the leaves dry up or fall off, it is invalid.

Whatever is invalid because of “missing,” poor appearance or blemishes is only invalid the first day.

Hadas and particularly araba spoil relatively quickly. To preserve them, it is helpful to wrap them in a large sheet of aluminum foil, wet newspaper or a damp towel and refrigerate.

A halakhic principle is to “beautify the mitzvot.” Since the etrog is defined as the Biblical *hadar* (beautiful), it is especially appropriate to seek a presentable one.

## VI. Shemini Asseret

The festival of the eighth day (and the ninth day in the Diaspora), Shemini Asseret, is a separate festival in most respects. Thus, the halakhot of sukkah and the “four species” do not apply to it.

It is customary to eat in the sukkah on the first day of Shemini Asseret without reciting the berakha on the sukkah. This is based on the practice of conducting as they did before establishment of a set calendar, when they had the doubt regarding the day, i.e. perhaps the eighth day is really the seventh day and still Sukkot, even though we now know it is the eighth day.

The reason we do not recite the berakha on sukkah because of the “doubt” that they had is that in the evening it would be recited in the *qiddush*, thus creating a totally inappropriate situation: we would have mentioned Shemini Asseret and then explicitly contradicted our declaration with the blessing of *lesheb basukkah*. The mere sitting in the sukkah does

not create a contradiction as people sometimes choose to eat outdoors independently of the festival.

However, since the day is Shemini Asseret which does not require sitting in the sukkah, slight discomfort permits eating indoors, as the mitzvah to be joyous in celebrating the festival is from the Torah and the custom to comport in accordance with the “doubt of the day” that they had before the set calendar cannot override it.

We begin reciting *mashib haru'ah umorid hageshem* (acknowledging that the time for rain in Israel has arrived) in the amida of musaf of Shemini Asseret. If one mistakenly recited *morid hatal* he does not repeat the amida, as dew is appropriate all year long. We do not begin *barekh alenu* in the amida (that includes the *ten tal umatar* request for rain) until December 4<sup>th</sup> or 5<sup>th</sup>.

## VII. Simhat Torah

Simhat Torah is celebrated on Shemini Asseret; in the Diaspora it is celebrated on the second day. On this day we conclude the annual reading of the Torah and begin reading it anew. It is appropriate to then rededicate ourselves to increasing our study of the Torah this time around.

We read from three *Sifre Torah*. In the first we conclude the Torah, in the second we begin Beresheet and in the third we read the maftir for the day. Although we normally recite *qaddish* after a required reading of each Sefer Torah of yom tov or Shabbat, the custom is not to recite *qaddish* after concluding the Torah so as not to interrupt between concluding and beginning again.

Three *hatanim* (grooms of the Torah) are designated for the readings. The *Hatan Me'ona* reads the portion of the Torah that precedes the concluding portion, the *Hatan Torah* concludes, while the *Hatan Beresheet* reads from the beginning of the Torah.

It is customary to give many aliyot on this day, including to children to increase their love for the Torah. Very young children are sent up in groups with an older child leading them in the berakha. The extra aliyot are generally given before the aliya of *Hatan Me'ona*, although some have the custom to

send up the *Hatan Me'ona* as *hamishi* (before the extra aliyot).

A special celebration is made in honor of the Torah. The rabbis and the public dance with the Torah and circle the Torah seven times with singing and dancing both at night and by day. If the streets are clean and it does not cause friction with neighbors, it is permitted to take the Sefer Torah outdoors to increase the celebration.

### VIII. Prayers

*Ya'ale veyabo* is recited in each amida. If one omitted it during hol hamo'ed, when a weekday amida is recited, and did not realize it until having concluded the amida, he repeats the amida since he made no mention of the special day. If he realized the omission after *hamahazir shekhnato lesiyon* but before beginning *modim* he should say it there. If he realized after that point but before concluding the amida, he should return to *rese* and repeat from that point on, which includes *ya'ale veyabo*. On yom tob, if mention of the festival was made in the amida independently of *ya'ale veyabo*, one does not need to repeat.

Complete Hallel with a berakha is recited after the amida of *shahrit* each day of the nine days. The lulab set is waved on each of the days of Sukkot except Shabbat (that is, on six days) during the recital of certain verses in Hallel. While waving, which should be done in all six directions, one should silently pray for a year of adequate rain and dew.

*Hosha'not* are recited daily after Hallel for the seven days of Sukkot. A Sefer Torah is placed on the tebah and each individual circles around it while holding a set of the four species. Our custom is to bring the Sefer Torah to the tebah before *Barukh She'amar*. On Shabbat, as the four species are proscribed, *hosha'not* are not recited. Some recite special *hosha'not*

composed especially for Shabbat but do not bring out a Sefer Torah for them.

Specified selections are read from the Torah each morning. The minimum number of aliyot on yom tob is five plus maftir and an haftara (a portion from the prophets) is read. The number of aliyot on hol hamo'ed is four.

Each day of Sukkot, before arbit and in the morning prayers, we chant Psalms 42 and 43, expressions of yearning for the sanctuary, for G-d's manifestation and His vindication of the righteous. On Shemini Asseret we chant Psalm 12, which bemoans the presence of slanderous and unfaithful individuals in society and looks forward to G-d's intervention on behalf of the innocent.

Musaf is said daily.

The last day of hol hamo'ed is *Hosh'anah Rabbah*. Some have a custom to stay up all that night and read the complete books of Debarim and Tehillim and pray for one more chance to merit forgiveness.

After shahrit of *Hosha'nah Rabbah* seven sections of *hosha'not* are recited, during each of which the congregants circle the Sefer Torah on the tebah.

At the conclusion of musaf, five arbot, bound together, are beaten five times on the ground with a silent prayer that G-d should grant us a year during which the earth yields its produce abundantly.

Tefillin are not donned for all nine days.

*Ya'ale veyabo* is recited in birkat hamazon throughout the festival including the intermediate days.

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