



# HALACHIC DIGEST

## סוכות שחל בשבת תשפ"ד

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לעילוי נשמת הרב יצחק בן הרב אליעזר צבי זאב ז"ל צירקינד

### TOPICS:

- The Succah
- Arba Minim
- The Days of Yom Tov & Chol Hamoed

### The Succah

"בסכת תשבו שבעת ימים גו' למען ידעו דורותיכם כי בסוכות הושבתי את בני ישראל בהוציא אותם מארץ מצרים"  
 The Torah tells us to (a)<sup>1</sup>build a Succah using (b) S'chach made only for shade, like the ענני הכבוד in the desert<sup>2</sup> and that (c) the Succah is holy. Just as Hashem's Name rests on the Kodshim in the Bais hamikdash, so too His Name rests on the Succah<sup>3</sup>. (Which is why you cannot remove anything from the walls or S'chach for personal use<sup>4</sup>). The Baal Shem Tov said that *Succah*, like *mikvah*, refines you and draws down Divine light. The Mezritcher Maggid said that just as a *mikvah* purifies, so *Succah* elevates<sup>5</sup>.

#### 1. Constructing a Succah

1. Although one may eat in someone else's Succah, each family should have their own Succah if possible<sup>6</sup>
  - a. Because the Succah replaces living in your home, and people generally tend to have their own homes.

<sup>1</sup> שוע"ר סי' תרכ"ה

<sup>2</sup> שוע"ר סי' תרכ"ה ורסתרכו"ו. שו"ע סי' תרל"ה

<sup>3</sup> סוכה ט. ועי' פרש"י שם ושוע"ר תרל"ה:א

<sup>4</sup> שוע"ר סי' תרל"ה:ה

<sup>5</sup> ספר השיחות תש"ט ע' 296

<sup>6</sup> ראה שוע"ר תרל"ט:י, לקו"ש ח"כ ע' 267 הע' 10

- b. Building a Succah is a mitzvah and is best performed yourself (primarily placing the S'chach<sup>7</sup>), rather than through an agent<sup>8</sup>. (In fact the effort from building the Succah is a Tikun for certain transgressions a person may have done<sup>9</sup>).
2. If one cannot build a Succah on his own he should at least put up some of the S'chach himself<sup>10</sup>.
3. If an agent does it, it is best to verbalize "You're my agent to build the Succah L'Shem Mitzvah"<sup>11</sup>.
4. One should ideally have his Succah built by a Jew, especially the S'chach<sup>12</sup>.
  - o If a goy put up the s'chach, a Jew should add (or remove and replace) S'chach in an area of the Succah the size of a Tefach by tefach<sup>13</sup>, which was not yet covered - or even a thin piece of S'chach if it covers the length or width of the Succah<sup>14</sup>.
5. Begin constructing (or at least discussing) the Succah on Motzei Yom Kippur and try complete it the next morning<sup>15</sup>. Some construct the walls before Yom Kippur, and the S'chach after<sup>16</sup>.
6. The walls are constructed first, then the S'chach is put on. If the order was reversed, the S'chach may have to be lifted and placed back down. A Rav should be consulted<sup>17</sup>.
7. Some<sup>18</sup> decorate the Succah with vessels, tapestries, and fruits - especially of the Shivas HaMinim species - walnuts, almonds, olives, and wine to beautify the mitzvah<sup>19</sup>.
  - o It is forbidden to carve pessukim on fruit or the like and hang them as decorations<sup>20</sup>.
  - o The decorations should hang within 4 Tefachim<sup>21</sup> of the S'chach<sup>22</sup>.
  - o If the decorations are within 4 tefachim of the S'chach, you may sit under them<sup>23</sup>.
  - o Regarding using or touching the decorations on Succos, see below

#### Location of the Succah

8. The s'chach resembles the clouds of the Sh'china in the Midbar<sup>24</sup>. Therefore:
  - o The S'chach must be directly under the sky; not under a roof or tree<sup>25</sup>.
  - o The Succah should be erected in a pleasant location with no foul odor<sup>26</sup> e.g. not near the garbage<sup>27</sup> (note: if there is a foul odor there is a problem with saying a Brocho<sup>28</sup>).

<sup>7</sup> כף החיים תרכה:יא

<sup>8</sup> משנה קידושין מא. ופרש"י שם, תבואות שור סי' כ"ה סק"ד, נטעי גבריאיל סוכות פ"א אות י"ב

<sup>9</sup> אלף המגן תרכד סקט"ו

<sup>10</sup> כף החיים תרכה:יא, ונטעי גבריאיל שם הע' כ"ג

<sup>11</sup> ראה כף החיים שם

<sup>12</sup> אלף המגן תרכו-תרמד:ד, וחיד"א בס' כף אחת

<sup>13</sup> approx. 8-9.6 CM

<sup>14</sup> משנה ברורה סי' תרל"ו סק"ד

<sup>15</sup> מ"ב סי' תרכ"ה סק"ב בשם הפמ"ג, ושוע"ר סי' תרכ"ה

<sup>16</sup> נטעי גבריאיל סוכות פ"א אות ג

<sup>17</sup> ראה נטעי גבריאיל סוכות פי"ב, צ"צ חידושים על הש"ס ע' ר"ט

<sup>18</sup> סוכה י. ופרש"י שם, ושוע"ר תרלח:יא, משנ"ב סק"א. וראה ס' המנהגים חב"ד דאין זה מנהג חב"ד ועי' שם הטעם

<sup>19</sup> שבת קלג, ב

<sup>20</sup> שוע"ר תרלח:כ ובנוגע שעטנז ראה שם, סעי' כא

<sup>21</sup> 32 cm / 12.5 inches according to Rav Avraham Chaim Naeh; 38.4 cm / 15.1 inches according to Chazon Ish

<sup>22</sup> שוע"ר תרכ"ז:ו, מ"ב תרכ"ו סקט"ו

<sup>23</sup> שם

<sup>24</sup> שוע"ר תרכו:א וראה שלחן המלך ע' רכה ואילך

<sup>25</sup> שם

<sup>26</sup> אלף המגן שם, ג

<sup>27</sup> פרמ"ג משב"ז תרל סק"א

<sup>28</sup> שם

- The materials used should have a pleasing scent<sup>29</sup>, because a Succah is a holy place<sup>30</sup>. However, even if the materials used have an unpleasant odor, it is nonetheless permitted to sit in and make a bracha L'chatchilah<sup>31</sup>. as long as the odor is not outright repulsive<sup>32</sup>.
- One may not erect a Succah
  - On someone else's property without consent
  - In a location that will inflict damage upon your neighbors e.g. by blocking their window
  - In which one cannot eat, drink, walk leisurely, and sleep comfortably without any pain because it is not called a place of residence. However, if you are not afraid to sleep there at night, it is kosher.
  - On public property such as a city street or a public thoroughfare<sup>33</sup>. Some permit building a Succah on public property where authorization from the city is received (since the main concern is building without consent), but it must not be built in a hazardous area or blocking pedestrian traffic.
- If you did build your sukkah in one of these locations, do not bentch לישב בסוכה.

### Under a tree

Schach must be detached from the ground. If it is under a tree, that part of the Succah is possul even if the tree is high up<sup>34</sup>.

9. Any S'chach directly under the tree is possul. If the rest of the Succah has sufficient Kosher S'chach without the possul S'chach, so that there is more "shade than sun", the succah is Kosher.
  - Note - if the possul S'chach under the tree is the size of 4 Tefachim across the width or length of the Succah, the Succah may be possul.
10. It is best to cut any hanging branches before Yom Tov to avoid a Shailah. If not, a Rav should inspect the Succah<sup>35</sup>.
11. To cut a fruit bearing tree involves the prohibition of בל תשחית and סכנה, so one should have a non-Jew cut it (and best to specify that he is not acting as your agent)<sup>36</sup>.
12. One may not place S'chach on the Succah by cutting high branches of a tree on top of the Succah and have them fall onto the Succah. This is called תעשה ולא מן העשוי - ie the Succah must be made directly by a human<sup>37</sup>. In order to qualify as S'chach they must be placed by hand on the Succah. If you did the former way, you would need to rectify it by lifting each branch, and placing it back down.
13. If the branches of the tree extend over the Succah only when the wind blows, it is best to cut them as well before Yom Tov. Bedieved, according to some Poskim, you may still sit under them
14. For the same reason it's best not to erect a Succah under a laundry line with clothing on it.

<sup>29</sup> שוע"ר תרכט: כא

<sup>30</sup> אלף המגן שם בקונט"א סק"ה-ו

<sup>31</sup> שוע"ר שם

<sup>32</sup> פרמ"ג סי' תרל משב"ז סק"א

<sup>33</sup> ראה נטעי גבריאל סוכות פ"ד, פסקי תשובות סי' תרל"ז אות ג'. ואם מתיירא לישון שם ראה בשוע"ר סי' תר"מ:ו. ביאור הלכה סי' תר"מ

<sup>34</sup> ד"ה המתירא ויש בזה אריכות באחרונים

<sup>35</sup> שם, ג

<sup>36</sup> ראה פסקי תשובות תרכ"ו הערה 3, שם אות ח

<sup>37</sup> שו"ת הר צבי או"ח ה"ב סי' קא-קב וראה ס' פסקי תשובות תרכט אות יב

<sup>37</sup> שוע"ר תרכ"ו: י"א ותרכט: כ, משנ"ב תרכ"ג, וראה בית יוסף תרכ"ו ד"ה ומ"ש שבעל העיטור (קטע ד"ה ולפי זה מתניתין) "אע"פ שכשקוצצן" הם מתנענעין ונופלים על הסכך לא מהני משום דבעינן נענוע בידים

### Under a pre existing frame (pergola)

15. A Succah under beams that are each 4 tefachim wide, is possul, like under a tree.<sup>38</sup> Note - Even 2 beams together are 4 tefachim with minimal space in between, that may still be a problem<sup>39</sup>
16. You may erect a Succah under a pre existing frame e.g. a pergola where the frame supports the S'chach on top of it, as long as (a) there must be more shade than sun from the kosher s'chach without the beams and (b) individual beams should be less than 4 Tefachim wide, and (c) you need walls for the Succah<sup>40</sup>.
17. If the above conditions are not met, and one wants to use (part of) the frame of the pergola itself for S'chach, a Rav should be consulted.

### Under a "shlock"

18. If one has a prebuilt Succah cover, you must make sure that it is open when you place the schach. Only afterwards can you put on the cover, so that the Succah is not תעשה ולא מן העשוי<sup>41</sup> ie YOU made it, and not then it only became kosher after you took off the Succah cover
19. If the Succah was mistakenly built while the cover was closed, the cover should now be opened and the schach has to be lifted a little and placed back down, so that it is regarded as if you built it now<sup>42</sup>. Make sure each piece of Schach is entirely lifted<sup>43</sup>.
20. On Succos while the cover is closed the Succah is not kosher and one doesn't fulfill their obligation and the brocho לישב בסוכה cannot be said<sup>44</sup>.
  - However if it's raining to the extent that one would have to go inside, it is preferable to sit in a Succah which has a closed covering rather than eating in one's house<sup>45</sup>.
21. When yom tov begins it is proper to have the cover open so as to receive the holiness of the Succah with the opening of Yom Tov. Likewise it's proper to have it open as much as possible through the Chag and not just when eating in it<sup>46</sup>.
22. A (manual) cover/shlock with hinges, may be opened and closed on Shabbos and yom tov<sup>47</sup>.

## 2. The S'chach

1. The S'chach should cover the Succah so that there is more shade than sunlight, but not so dense that you can't see the stars. Some cover with S'chach densely and then make a hole through the S'chach to be able to see the stars.
2. If the S'chach is so dense that rain cannot go through, the Succah is Possul. Mats that are made with a mechanism that prevent rain from coming in, are Possul according to many opinions<sup>48</sup>.
3. The S'chach should be put on the Succah specifically with the intention for shade. Placing the S'chach with the intention of using it for other reasons (e.g. for privacy, storage) is Possul.
4. If there is an overhang over the Succah, or any obstruction in the MIDDLE of the Succah, eg. a high tree that is the width of 4 Tefachim<sup>49</sup> that covers the whole width or length of the Succah, the Succah may be Possul.

<sup>38</sup> שוע"ר תרכ"ג

<sup>39</sup> 'ראה פסקי תשובות סי' תרכ"ו אות ה

<sup>40</sup> 'פסקי תשובות תרכ"ו אות ט

<sup>41</sup> שוע"ר תרכ"ג

<sup>42</sup> שו"ע שם סעי' ב' ועי' שוע"ר סי' תרכ"ג

<sup>43</sup> מטה אפרים תרכ"ג

<sup>44</sup> שוע"ר שם, כא

<sup>45</sup> שו"ע תרכ"ג יט (מג"א סק"ג שם) ועי' פרמ"ג א"א סק"ה שם, ובא"א תרכ"ג ט וראה פסקי תשובות תרכ"ג אות ז

<sup>46</sup> מטה אפרים תרכ"ג

<sup>47</sup> שוע"ר תרכ"ג

<sup>48</sup> ראה פסקי תשובות סי' תרכ"ט אות י"ז

<sup>49</sup> approx. 32 cm / 12.5 inches according to Rav Avraham Chaim Naeh; 38.4 cm / 15.1 inches according to Chazon Ish

5. However if the overhang is on the *side* of the Succah (right near the wall), we consider it an extension of the wall, as if the wall “bended”. It can then extend to 4 *amos*<sup>50</sup> away from the wall.
6. For example, if the middle of the ceiling in a room opens for a Succah, it is kosher if the opening is less than 4 amos from the wall. This is called a bent wall. But you cannot sit under the overhang itself.
7. If there is an overhang the size of more than 4 Tefachim SQUARED, one may not sit under that part of the Succah. According to some Poskim, even it's the size of 3 Tefachim squared<sup>51</sup>, one should not sit under that area. (Note: if you have a tiny Succah, the minimum size of 2.5 (or 3) feet squared or smaller, the halachos are more strict).
8. The above applies when there is an overhang. If there is an open area with no S'chach at all, the size of 3 tefachim going across the entire Succah, even if it's on the side (near the wall), the Succah may be Possul.
9. If there is an open area of 3 Tefachim in the middle, if it's wider than 1 Tefach and across the entire Succah, or if it's wide enough to cover a person's head or majority of his body, one should not sit under that area.

### The Material for the S'chach

The Possuk<sup>52</sup> says “חג הסוכות תעשה... באספך מגרנך ומיקבך”. We learn from this possuk that the unused parts of the harvested grain and wine, i.e. the stalks and twigs, are kosher for S'chach. Also, anything similar to stalks and twigs that are no longer attached to the ground<sup>53</sup> and cannot become Tamei, are kosher for *S'chach*<sup>54</sup>.

Thus the materials that could be used for Schach need to meet the criteria of:

- 1) Something that grows from the ground
- 2) It has been disconnected from the ground.
- 3) It isn't a vessel or utensil which can become tamei.

Leather, cement, all food, wood products that were cut or shaped or hollowed for the purpose to be used as a vessel or utensil, are unfit to be used as Schach.

Bamboo poles, although hollowed, are kosher, since they grow naturally.

Similarly straight wood pipes, wood beams (that are meant to be used for construction only<sup>55</sup>) would be kosher (as long as they are very small that they would not be used for roofing<sup>56</sup>)<sup>57</sup>.

- Bamboo mats specifically designed for Succah, are kosher for *S'chach* but require a *hechsher*<sup>58</sup>
- Strips of lumber (“2 by 4”s) may support the *S'chach* (*Ma'amid*) but not as *S'chach* itself<sup>59</sup>.
- Reeds, straw, or wooden slats that are woven into mats for the purpose of sitting or sleeping upon etc are possul because they can become tamei.

### Tying down the S'chach

- The *S'chach* needs to be able to withstand average winds<sup>60</sup>.

<sup>50</sup> 6.4 feet according to Rav Chaim No'eh; 7.6 feet according to the Chazon Ish

<sup>51</sup> 24 cm, or 28.8 cm

<sup>52</sup> דברים טז, יג

<sup>53</sup> שוע"ר תרכט:כ

<sup>54</sup> שוע"ר תרכט: א-ג

<sup>55</sup> שוע"ר תרכט:לב

<sup>56</sup> שם ד-ה

<sup>57</sup> שם סעי' כט-לג

<sup>58</sup> ראה ס' פסק"ת סי' תרכט אות ו

<sup>59</sup> ראה ס' פסק"ת סי' שם אות ד

<sup>60</sup> שו"ע תרכח:ב ומשנ"ב סק"י"ב

- If it can withstand such winds but you wish to tie it down in the unlikely event of a hurricane, you may tie it down with any material. This is because it is kosher even without being tied. Still, the S'chach may not be nailed down as this makes it a permanent ceiling while Torah wishes it to be a temporary dwelling<sup>61</sup>.
- If the S'chach cannot withstand average winds unless it is tied down, then it can only be tied down with strings made of natural materials that did not undergo any processing or restructuring; strings of metal for example, would be prohibited.
- *Chachamim* prohibited *lechatchila* tying the *s'chach* to the beams underneath it or tying the *s'chach* to the Succah itself, using anything that can receive *tumah* or that doesn't grow from the ground<sup>62</sup>. The reason for this *gezaira* was that one should not come to use the tying materials (i.e. the rope or metal) as *s'chach* itself.
- Therefore, string that binds together bamboo S'chach mats must be of material that is kosher for *S'chach*<sup>63</sup>

### 3. The Walls

- If the walls are significantly lower than the *S'chach* vertically, it's Kosher as long as they are at least 10 *tefachim* high from the ground, and within 3 *tefachim* from the ground.
- Horizontally the walls should be within 3 *tefachim* of the *s'chach*.

### **Sturdiness of the Walls**

The walls must be able to withstand average winds at this time of year. If a Succah is made of canvas or cloth, it needs to be fastened securely on all sides so as not to flap in the wind. In addition, one should tie strings of wires around at least 3 walls of the Succah.

- The wires should be less than 3 *tefachim* (9.4 inches) apart from each other, reaching from the ground to 10 *tefachim* (2.63 or 3.2 feet) from the ground. That means you need to have at least 4 wires within those 2.63 (or 3.2) feet from the ground.
- The reason for this is that a kosher Succah wall only has to be 10 *tefachim* high, and only 3 walls are needed.
- Technically, a wire every 3 *tefachim* constitutes a kosher wall (*lavud*). Whilst we would not permit a Succah with wires only unless it was all four walls, in our case the combination of the wires on three walls and the canvas together makes the Succah kosher. Some Mehadrin canvas Succos already come with this.
- However some opinions disqualify canvas Succahs unless one made these *lavud* strings on all 4 walls, or there are 3 regular strong walls.

### **The Material for the Walls**

- Any material may be used for the walls.
- However, the *S'chach* should not be placed directly onto something that is *mekabeil tum'ah* e.g. metal, (or something that does not grow from the ground).

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<sup>61</sup> ראה ס' פסק"ת שם אות יא

<sup>62</sup> שם

<sup>63</sup> שם

- If the wall is metal, place some wood or bamboo between the metal and the *S'chach*.
- Bedieved the Succah is kosher even if it rests directly on metal.<sup>64</sup>

### The Structure of the Walls

- A fence with criss cross wires, both vertical and horizontal within 3 *tefachim* of each other (i.e. a chain link fence) is a kosher Succah wall.
- However, if the wires of the fence are one way only - **either** vertical **or** horizontal, the Succah would only be kosher if a full four walls were put up; the minimum three would not suffice as they would otherwise. (Note the Chazon Ish is more *machmir*)

### How Many Walls

- A Succah really only needs three walls - two adjoining complete walls plus a third wall that does not have to be complete. (There are many details in how to make this third wall).
- It is mehudar to have four full walls.
- It is perfectly okay to use walls of adjacent buildings as part of the Succah.
- Circular Succos are fine too as long as the walls cover no less than 180 degrees.

### Floor

- If the Succah is not on cement, some make a special floor, and others davka don't. If eating on grass, make sure no liquid spills onto the grass on Shabbos or Yom Tov.
- Note: sweeping a dirt floor, or even a paved floor (not a porch etc), is prohibited on Shabbos or Yom Tov

### Decorations

1. Decorations that fall off on Shabbos or Yom Tov are *muktzah*.
2. During Chol hamo'ed too they may not be used for any purpose other than the Succah.
3. Should decorations or *S'chach* fall on the table during Shabbos or Yom Tov, they may be removed even though they are *muktzah* since you need the space for eating in the Succah.<sup>65</sup>

### Eruv for Shabbos

Remember to put up an *Eruv* between the house and the Succah if you are in an area with no *Eruv*. If the *eruv* encloses houses or apartments with residents who are not eating together in the same succah, an Eruv Chatzeiros is also required. As there are many common problems with the way people make an eruv it is advisable to ask a Rav to assure that yours is correct.

### If your Succah fell

1. If your Succah was built but fell on Yom Tov you should ask a goy to put it back up on Yom Tov. To tell a goy to build a Succah on Yom Tov in the first place is forbidden.
2. If it fell on Shabbos you should go to someone else's Succah.

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<sup>64</sup> Note – according to the Chazon Ish, no part of the walls may be made of material that is *mekabeil Tum'ah*, just like the *S'chach*. In his opinion you could not have any metal in the walls, not even nails. And the walls must be fastened with non-metal e.g. rope.

<sup>65</sup> Shulchan Aruch Orach Chayim 638, 309:5, 310:7

- o However if there is no other Succah available you can have a goy put it back up
- o It is best to have the goy put up the Succah in a temporary manner, e.g. using boards held in place with a stack of chairs on either side. (A Jew would be prohibited to do this).

## Sitting in the Succah

### The Mitzvah

- Throughout Succos (including Shmini Atzeres except for those who have an alternative *minhag*) the Succah should be your home for meals, learning, entertaining guests and sleeping – unless one is מצטער. If it rains, one is exempt as below.

### If it Rains

- On the first two nights of Succos, eating in the Succah (after dark) is a must. If it rains on either of these nights, one must delay making Kiddush as long as possible taking into consideration the needs of the family, the children, and the lateness of the hour, in the hope that the rain will stop sufficiently to enter the Succah; the mitzvah of Succah is too important to be canceled simply because of inconvenience. Should the rain persist on either of these two nights without any chance of clearing:-

#### **A. On the first night:**

1. Recite Kiddush, wash and eat a *kezayis* of challah in the Succah.
2. You make a bracha *Layshayv BaSuccah* even in the rain<sup>66</sup>. The reason is that on the first night, even a מצטער is obligated to sit in the Succah<sup>67</sup>. (Some hold not to say<sup>68</sup>)
3. Complete the meal in the house.
4. Make a mental note when you start that you intend to finish your meal in the house.
5. Note – in order to bentch in the house, you must eat a little challah in the house too.
6. On Yom Tov the total amount of challah you have to eat (in Succah and house combined) should be more than a כביצה.

#### **B. On the second night:**

1. Make Kiddush and eat in the house.
2. At the end of the meal, before *bentching*, eat a *kezayis* of challah in the Succah.

- If on the first two nights you could not start your meal in the Succah under any circumstances, but then, as time passed, the weather improved, you must stop and continue your Seudah in the Succah, make the *bracha Layshayv BaSuccah* (if you didn't yet) and bentch in the Succah.
- Therefore, when you go eat in the house because of the rain, keep in mind that you may end up finishing in the Succah.

#### **C. The rest of Succos:**

1. If substantial rain streams through the *S'chach*, you need not remain in the Succah.
2. Try your best to use the Succah, but you are not expected to do the impossible

<sup>66</sup> שו"ע תרל"ט סי"ה

<sup>67</sup> משנ"ב תרל"ט סקל"ה

<sup>68</sup> See Mishnah Berura תרל"ט סקל"ה for the 2 opinions. Some do not say *Layshayv BaSuccah*. (They recommend to substitute the *bracha* instead with "*Brich rachmana Malka d'alma asher kideshanu...*" so as not to recite G-d's Name in vain. Make sure to say it after beginning eating so it should not be a *hefsek*).



3. Still, the Minchas Elazar has a teshuva on why to remain in the Succah even in the rain. If the Master spills water in the servant's face, the servant should not run away but remain there subdued. Likewise we should remain in the Succah even in the rain.

### What Constitutes a Meal that must be eaten in the Succah?

Those who are *machmir* take care not to have anything outside of the Succah except water. The *mehadrin* do not even drink water outside the Succah.

However, the strict Halacha is as follows:

- *Hamotzi* and *mezonos*, over a כביצה must be eaten in a Succah, with a bracha *Layshayv BaSuccah*.
- When drinking wine, or other beverages over which social gatherings take place e.g. tea or coffee
  - If you're snacking, you don't need a Succah.
  - If you are sitting down to an official "social gathering" or "coffee break", you need to be in the Succah, but you do not bentsh *layshayv BaSuccah*.
  - With regard to the wine of Havdala, see below.
- When eating meat, fish, eggs, or cheese
  - If you're snacking, you don't need a Succah.
  - If this is your meal, it should be eaten in a Succah but you do not bentsh *layshayv BaSuccah*.
    - Note - According to Shulchan Aruch HaRav, even if it is your meal, it does not require a Succah.
- Fruits, vegetables and water
  - Any amount may be eaten outside of the Succah.

### Who is Exempt from the Succah?

- a. The sick who feel discomfort in the Succah.
- b. The traveler, if no Succah is available.
- c. Women, though not obligated to sit in a Succah, make the bracha *Layshayv BaSuccah* when sitting in the Succah. (Sfardim should consult a Rav first)
- d. If it is raining according to the details above.
- e. Boys under the age of chinuch (five or six years old) may be fed outside the Succah.
  - Over 5 or 6, the mitzvah of Chinuch mandates that the father make sure that his son does not eat outside the Succah.
  - His mother and anyone else need not stop him if they see him eating outside the Succah. They may even place food in front of the child. But they should not tell him specifically to eat outside the Succah and obviously not force-feed him outside the Succah.

### The Bracha of *Layshav BaSuccah*

The Bracha is recited throughout Succos (excluding *Shmini Atseres*), as detailed above.

1. On the first night, you first bentsh *Layshayv BaSuccah* and then *shehecheyanu*. On the second night, first *shehecheyanu*. Others say *Layshayv BaSuccah* first even on the second night.
2. One who makes Kiddush says *Layshayv BaSuccah* after Kiddush - Everyone else, after *hamotzi*.
3. You always make *hamotzi* first. Then *Layshayv BaSuccah*. Then you eat.
4. If one started eating but forgot to say the bracha, it may be recited at any time during that meal.

### Ushpizin

1. Leaving one's permanent home to dwell in the Succah's less comfortable accommodations is an act of *emuna* and according to the Zohar, makes us worthy of a visit by the *Ushpizin* – Avraham, Yitzchak, Yaakov, Moshe, Aharon, Yosef and Dovid.
2. Each night a different one leads. Some extend an invitation to them as printed in the Siddurim.
3. The *Ushpizin* should be the subject of *divrei Torah* of that day's ushpiz guest.

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## **ARBA MINIM**

### **The Basics of Purchasing Arba Minim**

- It is best that every family obtain its own set. But one may buy Arba Minim together with a partner if necessary . When one uses a shul's Esrog he should contribute something to its cost so that it is considered his personal property. In these cases, it is best that each one say that he is giving his part as a present to the other partners, during the time that they fulfil the Mitzvah.
- Since the Arba Minim are *passul* if any of them were stolen, one should be careful to purchase them only from a reliable source.
- Likewise one should, lechatchila, make sure to pay the full amount owed on his purchase so he has full ownership before Yom Tov.
- One should not buy any of the Arba Minim from a minor (who is selling his own merchandise).
- As there's so many laws regarding the 4 Minim, many people ask a Rav to inspect their 4 Minim.
- All the Arba Minim should be beautiful in its appearance and in the way it grows.

#### **Esrog:**

- An *esrog* may not have been grafted (*murkav*) with another tree e.g. a lemon. You should buy from a seller that is G-d fearing, that he obtained it from a kosher orchard. Some only buy an esrog from a particular geographical area e.g. Kalabria in Italy (Yanover esrogim), as they have a *masores* for those orchards. Additionally, this area is called משמני הארץ. Nowadays, even these Esrogim need to be bought from experts who are G-d fearing who verified that the Esrogim were not grafted. Each should follow his *masores*.
- Some esrogim, like Yanover Esrogim do not necessarily grow with *pitams* in the first place, which is perfectly acceptable. However, if an Esrog had a *Pitam* that broke off, it would often be *passul*. A Rav should be consulted because it depends when it was broken and other factors.
- The *esrog* should be as clean as possible, without any spots or discolorations. There are many laws regarding the different spots and discolorations on the Esrog. A Rav should be consulted.
- Ideally the Esrog should already be yellow and not still green.
- The Esrog should be complete without any holes etc.
- The minimum size of an Esrog is at least the size of an egg.
- You may not hold more than one Esrog.

#### **Lulav:**

- The minimum length of the spine (only the actual spine, which is the thick green part, not total length of the leaves that extends) of the Lulav should be 4 *tefachim*<sup>69</sup>
- It should be fresh and green, not dry

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<sup>69</sup> 15.12 inches/ 32 cm according Rav Avraham Chaim Naeh; or 12.6 inches / 40cm according to the Chazon Ish.

- The Lulav should be straight.
- The tip of the Lulav has to be intact.
- According to the Shulchan Aruch Harav, the majority of the leaves of the Lulav have to be completely straight, and not at all bent on the top. Others hold that if the *leaves* (not the spine) are a *little* bent it is ok. (Some are even mehader to get a Lulav that the tip of the leaves are a little bent in (called a kneppel”), ensuring that the tip is not split).
- *Lechatchila* the top leaf on the Lulav (called *tyomes*) must be complete with no opening on the top at all.
- Some are makpid to take a Lulav that has a brown film covering (called “moch”), since this ensures that the top of the lulav is not split, and that the tip of the Lulav is intact. Others are makpid to take one without the “moch”.
- *Bedieved* if it was split, it would depend how much it was split and if it was on the first two days of Succos or the rest of the days.
  - On the first two days, as long as the majority of the middle leaf till the spine was not split, you are *yotzeh bedieved* and you may use it *lechatchila* if you do not own another Lulav. You would not need to take a Lulav from a friend. If the majority of the leaf were split, you are not *yotzeh*.
  - On the rest of Succos even if split completely till the spine, you are *yotzeh* (even *lechatchila*).
- You are limited to one *lulav* only.

#### **Hadassim:**

- Minimum three hadassim. (in extenuating circumstances one hadass is enough)
- One can add extra *hadassim* as desired in multiples of three, to beautify the mitzvah.
- *Hadasim* must be at least three *tefachim* long<sup>70</sup>.
- They should be *meshulashim* (all 3 leaves growing at the same height). One should try to get Hadasim that all 3 Tefachim are Meshulashim. If not it is kosher as long as the majority of the 3 Tefachim are Meshulashim. By Hadasim, there are many small groups of leaves towards the top, and towards the bottom the groups of leaves are bigger and spread apart. According to the Shulchan Aruch harav, you counts *the overall amount of groups of 3 leaves* within the 3 Tefachim, and the majority of that amount has to be meshulashim. According to the mishna berura, you measure the majority of the (3 tefachim on the) twig, and the groups of 3 leaves within that area have to be meshulashim.
- It is best that one should inspect himself the leaves to see that they are Meshulashim.

#### **Aravos:**

- No more and no less than two *aravos*.
- They must be at least 3 *tefachim* long.
- They should be fresh  
One should try to get Aravos that are the leaves are still on and complete. However as long as the majority of the leaves within the 3 Tefachim are still on it is kosher. If the majority of the leaves have dried out or fallen off, the Arava is *passul*. Often there is a need to replace them over Succos due to the fact that they tend to dry out quickly.
- The top of the twig cannot be cut.

#### **Owning a Lulav and Esrog**

- On the first (and second day)<sup>71</sup>, the lulav must be owned by the person *bentching* it. So, when you give it to someone else to *bentch*, it must be a gift with the condition that he returns it after. It is proper to actually verbalize this when giving it.

<sup>70</sup> 9.45 inches / 24 cm according to Rav Chaim Na'eh, or 11.34 inches / 28.8 cm according to Chazon Ish

<sup>71</sup> *This year, the first day is Shabbos and there is no lulav, but it applies on the second day too*

- o Children - When you give a child under bar mitzvah, you face a problem because halachically a child can acquire a gift but cannot give a gift. So if you give him your lulav he cannot give it back to you as a gift. You will now not be able to bentch lulav on the second day nor would anyone be *yotzeh* after him.
  - To overcome this, some suggest lending it to him.
  - Others say the mitzvah of chinuch must be done the way the adult would do it, so lending is no good.

There are various *minhagim* in how to act practically.

- Reb Moshe Feinstein suggests buy each child his own set, if one can afford it.
- Others rely on lending theirs to the child.
- There are other ideas beyond the scope of our discussion. (In Eretz Yisroel, you simply have the child bentch after you are done on the first day. Of course if you have two children, the first child cannot give it to the second one either).

### Binding the Arba Minim

- The spine of the lulav should face you always.
- One *minhag* binds the three *Hadassim* to the right of the Lulav as it faces us and the two *Aravos* to its left. Another *minhag* has one *arava* on either side of the Lulav as it faces us. Outside of that is one *hadass* on each side and a third *hadass* in the middle.
- The spine of the *lulav* (*the actual spine, not the leaves that extend*) must always be at least one tefach higher than the *hadassim* and *Aravos*, and from the rings which are on the Lulav. The *hadassim* should be a little higher than the 2 *aravos*. You may need to cut the bottom of the *hadassim* or *aravos*. Make sure you cut them from the bottom, not from the top, and that you still have the required size (minimum 3 *tefachim* for *hadassim* and *aravos*)
- According to the Ari Zal you should bind the *Arba minim* on Erev Yom Tov in the Succah.
- It is best to bind the *Arba minim* yourself, or at least by another man over bar mitzvah.

### Holding the Arba Minim

- The Lulav should always be in your right hand and the esrog in the left including during *Hoshanos*. People don't know this and hold them both in one hand to be able to hold the Siddur comfortably but this is incorrect.
- Left-handed people take the lulav in the left and the esrog in the right. (Some recommend following both ways and shaking the lulav the other way afterwards, to follow all opinions).
- All four of the *Arba Minim* must be grasped together at once and in the manner in which they grow (*derech g'dilasam*).

### Bentching Lulav

- There are various *minhogim* about the most opportune time to bentch lulav.
  - o On the one hand you want it to be immediately before hallel, without any hefsek.
  - o On the other hand, you want it to be in the Succah.
  - o Another factor is "*zrizin makdimin*", rushing to do the mitzvah as early as possible.
 Therefore, there are different customs as to when to *bentch*
  - o Some bentch right before hallel even if there is no Succah.
  - o Others bentch before hallel only if there is a Succah.
  - o Others bentch before davening in the Succah even if there is a Succah in the shul.
- One should not eat and drink before bentching lulav, not even tea or coffee.
  - o Women who plan to bentch lulav should not eat a full meal with hamotzi before lulav if they are not weak, but may drink and eat mezonos even lechatchila.

## Arba Minim Brachos

There are numerous *minhagim*.

- ***Minhag One*** - Pick up the Esrog with the *Pitam* facing downward and the stem (where it was cut from the tree) facing upward. *Bentch Al Netilas Lulav*. On the first day (or the first time you use the Lulav which is the second day this year, since the first day is Shabbos), add *Shehecheyanu*. Upon the conclusion of the *Bracha*, turn the Esrog over with the *Pitam* now facing upward. Hold the Esrog and Lulav together.
- **Another *minhag*** is to recite the *bracha* holding only the Lulav but with the Esrog unwrapped ready to be picked up immediately upon completing the *bracha*<sup>72</sup>.

## Na'anu'im

There are numerous *minhagim*.

- ***Minhag One*** - You face eastward (*Mizrach*) and gently shake three times pointing in each of the following directions: Front (*Mizrach*), Right (*Darom*), Back (*Ma'arav*), Left (*Tzafon*), Above (*Ma'alah*), Below (*Mattah*). Never turn the Lulav over.
- **Another *minhag*** of *na'anu'im* advanced by the *Ari haKadosh* and adopted mainly by Chassidim: Right (*Darom*), Left (*Tzafon*), Front (*Mizrach*), Above (*Ma'alah*), Below (*Mattah*), Back (*Ma'arav*) - (Orach Chayim 651:10).
- Take care not to wave the Lulav too forcefully - the upper leaves could separate widely, splitting the tip of your Lulav and rendering it potentially *passul*.

## Hoshanos

- If you don't have *arba minim*, borrow from someone who does and circle after they do.
- An *avel* for parents does not circle the bima during the full 12 months. He should let someone who does not have his own set of *arba minim* circle with his set.

## Keeping the Lulav Fresh

- The Lulav may be placed back into the water if you wish to keep it there, even on Yom Tov. You can even add water on Yom Tov (not on Shabbos), up to 50% of what is there already. But the water may not be changed.
- Note that usually, the Lulav can be kept fresh if covered, even without water.

## Arba minim after Succos

- The *Arba Minim* and *S'chach* may not be disposed of in the regular garbage but should rather be burned or disposed of in another respectful way. Often, there is a special pick up arranged with the sanitation department for *S'chach*.
- If you must put them in regular garbage, bag them separately in a non-see-through bag and dispose.
- Some gather the Lulavim in shul and burn them when baking Matzos, or with the burning of the *chametz* while the Esrogim are made into jam after Yom Tov.

## Simchas Yom Tov

- It is a *mitzvah d'oraissa* to make one's wife and children joyous on Yom Tov. This is accomplished by buying her an outfit or jewelry; and for the kids something exciting too.
- It is imperative that we ensure that our fellow Yidden have everything they need to celebrate Yom Tov.

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<sup>72</sup> Shulchan Aruch Orach Chayim 651:5

- It is important to have a 24-hour candle (or a gas fire) lit so that you have an existing flame to light candles from on the second night and to cook if needed.
- Every day of Yom Tov (and chol hamoed), one should drink a *reviis* of wine.
- Simchas Bais Hashoeva is celebrated with great *simcha* nightly on Succos.

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## THE DAYS OF YOM TOV

### First Evening of Succos Leil Shabbos

- Before lighting candles, extra Tzedaka is given, for two days of Yom Tov.
- Candles should be lit before sunset (or 18 minutes before) like on an *Erev Shabbos*.
- Two *brachos* are said when lighting candles: טוב ושל שבת ושל יום טוב and שהחיינו
  - If you mentioned Yom Tov, but forgot to mention Shabbos, or vice versa, you should immediately correct it by reciting טוב ושל שבת ושל יום טוב. If a few seconds have already passed, there is a debate if the bracha should be repeated. Because it is unresolved, nothing further should be done to avoid the possibility of reciting a superfluous blessing<sup>73</sup>
  - If you forgot שהחיינו, have in mind to fulfill your obligation when you hear שהחיינו recited later during kiddush.
- It is best to light candles in the Succah and to leave them there after lighting. If there are safety concerns or there is no space for the candles, you may move them into the house. But first use the light of the candles for something so that there was a purpose to the lighting here.
  - If you can, leave at least some of them there.
  - Either way, it is important if at all possible, that the candles be in a place from which they can be seen whilst making Kiddush.
  - First *bentch Layshayv BaSuccah* and then *shehecheyanu*.
- *Kabbolas Shabbos* begins from *Mizmor LeDovid*
- *Sholom Aleichem* and *Alshes Chayil* are recited softly.
- Kiddush begins *Yom Hashishi* and continues into the Yom Tov Kiddush with Shabbos additions. *Bentch layshayv BaSuccah*.
  - *If you recited a Yom Tov Kiddush and forgot to mention Shabbos at all, or you recited a Shabbos kiddush and forgot to mention Yom Tov at all*
    - *If you did not yet pronounce Hashem's name at the end of the bracha, return to asher bachar banu.*
    - *If you did pronounce Hashem's name, start again with a Yom Tov kiddush and add the references to Shabbos.*
    - *If you ended the bracha mekadash haShabbos veYisrael vehazmanim, you have fulfilled your obligation and should not repeat kiddush, even though the rest of your kiddush was exclusively for Shabbos or exclusively for Yom Tov*
- **If it Rains** see above
- We dip the challah in honey. Some dip later in salt as well.

### First day Yom Tov, Shabbos

- Do not bentch Lulav.

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<sup>73</sup> ספק ברכות להקל

- o The lulav and the species attached to it are muktzah on Shabbos and may not be handled. The esrog is NOT muktzah because it can technically be used on Shabbos to enjoy its fragrance even though practically smell the Esrog on Succos presents a shaila whether one can make a bracha on it or not

### Second night of Succos

- o Before lighting Yom Tov candles or before performing any other melachah that is permissible on Yom Tov but not on Shabbos, say *Vatodi'einu* in Maariv. Or at the very least, recite *Baruch hamavdil bein kodesh l'kodesh*.
- o Only after nightfall (*tzeis*) and reciting *Vatodi'einu* or *Baruch hamavdil*, may preparations for the second day begin.
- o If you forgot *Vatodi'einu*
  - o If you realized before reaching Hashem's name at the conclusion of the bracha, return to *Vatodi'einu*, and then continue from there through *Vatiten lanu* even if you already recited those sections.
  - o If you already recited Hashem's name at the conclusion of the bracha, you may not return, but conclude the Amidah as usual.
- o Light candles from a flame that was lit before Succos. If you did not light, it is permissible to ask a Goy to light for you and light from that candle.
- o Candles should be lit after it is dark, and close to the time of the meal, and fire taken from a pre-existing flame. Two *brachos* are said: *שהחיינו* and *להדליק נר של יום טוב*
- o Those that are not eating at home do not forget to light candles.
- o We make havdala and Kiddush together, known as *יקנה"ז*. We do not make a bracha on *besamim*. We do not look at the fingernails by the candle, we merely look at the Yom Tov candles.
- o On the second night, first *shehecheyanu* and then *layshayv baSuccah*.

### Second day Succos

- Wake up early to perform the mitzvah of lulav at the earliest opportunity, especially for the first time. The mitzvah of lulav may only be performed after sunrise
- One should not eat before fulfilling the mitzvah of lulav
- It is a hiddur to recite the blessing over the lulav in a sukkah.
  - o If it is raining, it would seem preferable to delay shaking the lulav — but only until chatzos (midday)—in the hope that the rain will cease and the mitzvah can be performed in a sukkah

### Motzei Yom Tov Chol hamoed Havdala

- *Ata chonantanu, yaale veyavo*
- If you forgot *יעלה ויבוא* repeat Shmone Esrei.
- *Havdala* with no candle nor *besamim*
- There are differences of opinion regarding saying the *bracha Layshayv BaSuccah* on the Havdalah wine alone. Therefore, after *Havdala*, some say you should *bentch Layshayv BaSuccah* and others say not to. There are those who resolve this by eating *hamotzi* or *mezonos* after *havdala* since they require *Layshayv BaSuccah* according to all.

### Chol hamo'ed

- o After the first time bentching Lulav, bentch Lulav with one bracha only.
- o No *shehecheyanu* – unless, for whatever reason, this is your first time bentching *Lulav*.

## Simcha on Chol Hamo'ed

The main simcha of yom tov in the times of the beis hamikdash was eating the meat of the korban shlamim. Nowadays as well, there is a mitzvah to eat a כזית of meat each day. Meat is best, but bedieved, chicken is also considered meat.

1. Although there is no obligation to eat hamotzi, many say it is proper to eat bread every day of yom tov. .
2. We drink a רביעית of wine every day.
3. Some hold that women too should drink wine - or grape juice.
4. One should preferably wear yom tov clothing on chol hamo'ed.
5. The table should have a yom tov tablecloth on.

## General Principles of מלאכה

The default setting in halacha is that Chol hamo'ed has the same prohibitions as Yom Tov, for both men and women. E.g.

1. Laundering (except baby clothes), haircuts and nail cutting are forbidden.
2. Writing, printing, taking professional pictures
3. buying things for after yom tov
4. fixing things around the house e.g. a broken chair etc
5. going to work

Exceptions permit certain forms of work e.g. -

1. Work necessary for the sake of Chol hamoed or Yom Tov - צורך המועד eg a trip for family enjoyment of chol hamoed
  2. Financial loss (but not loss of profits) - דבר האבד eg going to work if you will lose your job or your existing clients
  3. In case of tremendous need - צורך גדול - eg for a mitzvah, medical emergency, need for food, for the sake of a deceased person
- The above forms of work are only permitted if you didn't knowingly plan to push them off davka to chol hamo'ed.
- Actions that are Rabbinically forbidden on yom tov (eg. Driving a car) are permitted on chol hamo'ed.
  - Asking a non Jew to do melacha which is forbidden to do on chol hamo'ed is forbidden, unless it's for a mitzvah e.g. a goy may not build your house for you or fix your car if you may not do it yourself.

# A freilechen Yom Tov!

## May we merit to celebrate Simchas Bais Hasho'eva in Yerushalayim habenuya!