

# PATUR FROM SUKKAH

## פטור מסוכה

Joe was hired to take care of Rabbi Leibowitz, who was extremely elderly and needed care 24/7. Up until three years ago, Rabbi Leibowitz was at the forefront of leadership in his community. He taught Torah, lead communal affairs, took care of the less fortunate, and was like a father to everyone in his town. However, time had taken its toll on Rabbi Leibowitz, who now needed help with everything.

Joe was Jewish, but knew nothing about Judaism. However, due to his new job, Joe was learning a ton. Joe was amazed by the knowledge and easygoing demeanor of Rabbi Leibowitz. Joe couldn't get over the fact that Rabbi Leibowitz was always smiling, and never had anything bad to say, whether pertaining to his health, or another person. He was always upbeat, happy, and a wealth of knowledge. He was having a profound effect on Joe.

It was the holiday of Sukkos, and Rabbi Leibowitz was adamant about eating in the Sukkah. He explained to Joe the importance of the mitzvah of Sukkah, and its meaning. All this was great, until they began their meal the first night of Sukkos. As they were eating, the temperature dropped significantly. It was comfortable for most of the family, but not for Rabbi Leibowitz. His old and frail body could not take that kind of cold. Rabbi Leibowitz told Joe to bring him inside and that's where he would finish his meal. When Rabbi Leibowitz was inside and warm, he told Joe to go back out to the Sukkah to finish his meal. "I might be exempt from the Sukkah," said Rabbi Leibowitz, "but you aren't, Joe." Joe didn't understand what he was saying, so Rabbi Leibowitz began to explain...

## Questions to Consider

- Why do we sit in a Sukkah on Sukkos?
- Are there times when one is exempt from sitting in the Sukkah?
- If yes, why is one exempt in these cases?

## Sources

- [1] Parshas Emor: Vayikra 23:42-43
- [2] Rashi, ibid.
- [3] Rashbam, ibid.
- [4] Gemara Sukkah 26a
- [5] Ritvah on Sukah 25a
- [6] Shulchan Aruch: Orach Chaim 640:4
- [7] Mishnah Brurah, ibid. 14

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## Parshas Emor: Vayikra 23:42-43 [1]

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בַּסֻּכּוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים כָּל הָאֶזְרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֻּכּוֹת. לְמַעַן יָדְעוּ דוֹרֹתֵיכֶם כִּי בַּסֻּכּוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל בְּהוֹצִיאִי אוֹתָם מֵאֶרֶץ מִצְרַיִם אֲנִי ה' אֱלֹהֵיכֶם.

You shall sit in Sukkot for seven days. All citizens in Israel shall sit in Sukkot. In order that your generations will know that I placed the children of Israel in Sukkot when I took them out of the land of Egypt; I am Hashem your G-d.

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### Rashi, ibid. [2]

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כי בסוכות הושבתי 5 ענני כבוד

(That I placed... in Sukkot) The clouds of glory

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### Rashbam, ibid. [3]

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למען ידעו דורותיכם : פשוטו כדברי האומרים במסכת סוכה סוכה ממש. וזה טעמו של דבר. חג הסוכות תעשה לך באוסף מגרנך ומיקבך באוסף את תבואת הארץ ובתיכם מלאים כל טוב דגן ותירוש ויצהר, למען תזכרו כי בסוכות הושבתי את בני ישראל במדבר ארבעים שנה בלא יישוב ובלא נחלה, ומתוך כך נתנו הודאה למי שנתן לכם נחלה ובתיכם מלאים כל טוב, ואל תאמרו בלבבכם כחי ועוצם ידי עשה לי את החיל הזה. וכסדר הזה נמצא בפרשת עקב תשמעון וזכרת את כל הדרך אשר הוליךך ה' אלהיך זה ארבעים שנה וגו' ויאכילך את המן וגו'. ולמה אני מצוה לך לעשות זאת? כי ה' אלהיך מביאך אל ארץ טובה [וגו'] ואכלת ושבעת [וגו'] ורם לבבך ושכחת את ה' וגו' ואמרת בלבבך כחי ועוצם ידי עשה לי את החיל הזה וזכרת את ה' אלהיך כי הוא הנותן לך כח לעשות חיל. ולכך יוצאים מבתים מלאים כל טוב בזמן אסיפה ויושבין בסוכות לזכרון שלא היה להם נחלה במדבר ולא בתים לשבת. ומפני הטעם הזה קבע הקב"ה את חג הסוכות בזמן אסיפת גורן ויקב, לבלתי רום לבבם על בתיהם מלאים כל טוב פן יאמרו ידינו עשו לנו את החיל הזה.

The simple explanation of this passuk is like the ones who say in tractate Sukkah that it was in real booths [that G-d placed the Jews in the desert] (as opposed to the clouds of glory). And this is the reason for it: "You shall make for yourselves a holiday of Sukkot when you bring in from your granary and your wine-press." When you gather in the produce of the land and your houses are full of all good – grain, wine, and oil. [This is all] in order that you remember that I placed the children of Israel in booths in the desert for 40 years without a place of settlement and without a heritage, and therefore you must give thanks to the One that gave you a heritage and houses full of good and don't say in your hearts "my strength and the might of my hand did all of this might."

And this is the order it's found in in the Parsha of Eikev, "And you shall remember the whole way that Hashem your G-d led you on these 40 years... and fed you the Manna, etc." And why do I [G-d] command you to do this? "Because Hashem your G-d is bringing you to a land of good and you will eat and be satisfied. And your heart will become arrogant and you will forget Hashem... and you will say in your hearts, 'my strength and the might of my hand did all of this might.'"

And therefore we leave our houses full of good during the time of ingathering and we sit in Sukkot to remember that there was no heritage in the desert and no houses to sit in. This is why G-d established the holiday of Sukkot during the time of gathering in the grain and wine, so that your heart will not become arrogant because of the houses full of all good, lest they say, "Our hands did this might."



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## Gemara Sukkah 26a [4]

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The ill and their assistants – Our Rabbis taught: “The ill person mentioned here does not mean someone whose life is in danger, but even an ill person whose life is not in danger. Even if his eye hurts or he has a headache. Rabbi Shimon ben Gamliel says, ‘I once had a pain in my eye in Caesarea and the great Rabbi Yose permitted me and my assistants to sleep outside the Sukkah.’”

Rav permitted Rav Acha Bardela to sleep in a four-poster bed in the Sukkah because of the insects.

Rava permitted Rabbi Acha bar Ada to sleep outside of the Sukkah because of the smell of the ground. This is Rava according to his own opinion, because Rava says that one who is uncomfortable is exempt from the Sukkah. But we learned (in our Mishnah) that the ill and their assistants are exempt from the Sukkah – the ill yes, but not one who is uncomfortable? They said, by an ill person his assistants are also exempt; an uncomfortable person is exempt but his assistants are not.

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## Ritvah on Sukkah 25a [5]

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הַחֹלִין וּמִשְׁמֵשִׁיָּהֶן פְּטוּרִין מִן הַסּוּכָה. אִסְיָקְנָא (לִקְמֵן כִּי עִ"א) אִפִּילוּ  
חֹשׁ בְּרָאשׁוֹ בִּלְבַד וּמִצְטַעֵר בַּה פְּטוּר. וְטַעְמָא מִשּׁוּם  
דְּכָתִיב (וַיִּקְרָא נֹג, מִב) תִּשְׁבוּ כַעֲיֵן תְּדוּרוֹ וְאֵין דִּירָה בְּמִקּוֹם  
שֶׁמִּצְטַעֵר וְכֵן הִיא הַמִּצְוָה

**“The ill and their assistants are exempt from Sukkah.”** – We conclude that even if he only has a headache and is uncomfortable he is exempt. And the reason it because it says, *“You shall live”* – similar to the way that you live, and people don’t live in a place where they are uncomfortable. And that is the mitzvah.

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## Shulchan Aruch: Orach Chaim 640:4 [6]

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מצטער פטור מן הסוכה, (יד) הוא ולא משמשיו (טו) אבל בלילה ראשונה  
אפילו מצטער חייב לאכול שם כזית) (כל בו). איזהו מצטער, (טז) זה שאינו יכול  
לישון בסוכה מפני הרוח או מפני הזבובים והפרעושים וכיוצא בהם (יז) או  
מפני הריח. ודוקא שבא לו הצער במקרה אחר שעשה שם הסוכה, אבל  
אין לו לעשות סוכתו לכתחלה במקום הריח או הרוח ולומר מצטער אני:

One who is uncomfortable is exempt from Sukkah – him, but not his assistants (Rama: but on the first night, even an uncomfortable person is obligated to eat an olive's-worth of bread there). Who is "an uncomfortable person"? It's one who can't sleep in the Sukkah because of the wind or because of the flies and fleas and similar things, or because of the smell. And it's only if the discomfort came by happenstance after he made the Sukkah there, but one cannot intentionally make a Sukkah in a place where the smell or wind will bother him and claim that he is uncomfortable. (Rama: and one who intentionally makes a Sukkah in such a place where he is too uncomfortable to eat or sleep... he does not fulfill the mitzvah in such a Sukkah.)

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## Mishna Brurah, ibid. 14 [7]

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(יד) הוא ולא משמשיו. דהיינו, שאם הם רוצים לאכול או לישון חייבים לכנוס  
לתוך הסוכה. ולכאורה נראה דאם הוא שכיר אצלו לשמשו וגם בכל השנה אינו אוכל  
וישן בביתו כי אם אצלו, רשאי גם היום לעשות כן, והוא דומיא דשומרי גנות ופרדסים  
המבואר לקמן בסימן זה:

*"Him and not his assistants."* – Meaning, those that want to eat or sleep have to enter the Sukkah. And at first glance it seems that if he is paid to serve him and also all year round never eats or sleeps in his own home but by [the one who pays him], it is also permissible today to do this....

