

## סוכה כו

A פטור is from תפילין except for during קריאת שמע and תפילה (today when in any case תפילין are only worn during שחרית, this does not apply). The רמ"א adds that if the סופר needs to do his work even during the time of קריאת שמע and תפילה, he is פטור (from ק"ש and תפילה) because of עוסק במצוה פטור מן המצוה, unless אפשר לקיים שניהם.

A person is פטור from sitting in the סוכה while travelling, as on סוכות there is a דין of תשובו כעין תדורו, and just as during the year as person is not expected to refrain from necessary travel, so too on סוכות. This speaks of when he is actually travelling, but when he goes to a house/hotel for the night (or during the day if he travels by night), he is חייב in the מצוה of סוכה. The רמ"א notes that if he cannot find a סוכה in his place of lodging, then he is פטור from סוכה there as well. The אגרות משה writes that this case is referring to a person who needs to go away, however, a person who is travelling for a vacation must ensure that he will have a סוכה to use at his destination, and if not, he should not vacation there, as a vacation does not fall under the exemption of הולכי דרכים.

People who guard the city--whether by day or by night--are פטור from סוכה while guarding.

People who guard gardens and fields (which is a whole day job) are פטור from the סוכה, as if it is known they go to the סוכה at certain times, גנבים will come to the field. If their guarding is

done from one spot, then they are חייב in the מצוה of סוכה.

Someone who is ill--not only חולה שאין בו סכנה, but a מיחש, such as a headache, where sitting in the סוכה will be difficult--is פטור from the סוכה as well as his attendant. יש מי שאומר that the attendants are פטור only when they are needed.

A מצטער is פטור מן הסוכה but not his attendants. On the first night of סוכות, a מצטער should eat a כזית in the סוכה. What is מצטער? If there is strong winds, or insects, or a bad smell that makes it difficult to sit in the סוכה, he is פטור. This is only true if a person did not build his סוכה in a place where he knew he would have such a problem, but the סוכה may not be built knowing that there will be such a problem. The משנה ברורה writes that if he is מצטער from sleeping, he is not פטור from אכילה unless he is specifically מצטער from eating. The רמ"א writes that if the סוכה was built in a place where he would be מצטער, then it is not a סוכה, as it is not ראוי לדירה.

Any food that one can be קובע סעודה on, must be eaten in the סוכה. Therefore, only foods that require a מוזנות or המוציא must be eaten in the סוכה (with a ברכה of לישב בסוכה preceding). One who is מקפיד to not eat or drink outside of the סוכה at all, even for a glass of water, הרי זה משובח. Regarding wine, while the שלחן ערוך writes that wine does not need to be drunk in the סוכה, the משנה ברורה writes that there are אחרונים who hold that one can be קובע סעודה on יין, and therefore it must be drunk in the סוכה. The חזון איש held that during הבדלה, the ברכה of לישב בסוכה is said over wine, as the מצוה of הבדלה, gives the יין a

קביעות. Some are נוהג to have in mind during the ברכה (of לישב) that they will eat a מזונות or המוציא immediately after (בסוכה) הבדלה. אכילת עראי may be eaten outside the סוכה; this includes even a ביצה of פת (anything more than a ביצה must be eaten in the סוכה).

It is אסור to sleep outside the סוכה, even a short nap, i.e, a שינת עראי, as we are worried he will fall into a deeper sleep. Today, רמ"א writes the being as how we live in cold countries we are מיקל about sleeping in the סוכה as we are מצטער. Another reason he notes, is that since we are not with our wives we are פטור, and that ideally, he should build a סוכה for his wife (or one that his wife can sleep in). The מגן אברהם and the גר"א are חולק on this and say that a person is not פטור from the סוכה just because his wife is not there.

While it is אסור to sleep while wearing תפילין, a person who falls asleep with his head between his knees may sleep a שינת עראי. A person holding his תפילין may not sleep a שינת עראי if he is holding his תפילין (as he may come to drop them).

A person who sees קרי while wearing תפילין should remove the תפילין by the רצועות.

A person should not sleep during the day, unless he needs an afternoon nap.

A person who forgot he was wearing תפילין and was then משמש with his wife, should not remove his תפילין--even by the

רצועות--until he washes his hands.