

# Sukkot on the Go?

## Traveling During Sukkot

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For many families, *yom tov* in general and *chol ha-moed* specifically have become sacrosanct times for visiting family or for taking family excursions. However, traveling on Jewish holidays presents a variety of dilemmas. On *Pesach*, travelers must contend with what to eat on the road, while on *sukkot* they must contend with where to eat. Despite the recent innovations in *sukkah* technology, where to eat and sleep en route can still be worrisome.

Our discussion will focus on the *halachot* pertaining to the traveler, and will address the following questions:

- Are there any exceptions to the obligation to eat in a *sukkah* for the traveler?
- If yes, why? Under what circumstances may they be utilized?
- May one embark on a journey knowing that there will be no *sukkah* along the way?
- Is there a difference between snacking versus eating a meal?

### The Traveling Exemption

*Those who travel by day are exempt from the sukkah by day, but are obligated at night. Those who travel at night are exempt from the sukkah at night, but are obligated by day. Those who travel both by day and by night are exempt from the sukkah both by day and by night. Those who are traveling for a mitzvah purpose are exempt from the sukkah both by day and by night, as was the case with R. Hisda and Rabbah bar R. Huna, when they would travel on the Sabbath of the festival to the home of the Reish Galuta they would sleep on the riverbanks of Sura. They defended their actions: We are engaged in a mitzvah mission and are exempt from the sukkah.*

**Sukkah 26a**

הולכי דרכים ביום פטורין מן הסוכה ביום וחייבין בלילה, הולכי דרכים בלילה פטורין מן הסוכה בלילה, וחייבין ביום. הולכי דרכים ביום ובלילה פטורין מן הסוכה בין ביום ובין בלילה. הולכין לדבר מצוה פטורין בין ביום ובין בלילה, כי הא דרב חסדא ורבה בר רב הונא, כי הוו עיילי בשבתא דרגלא לבי ריש גלותא הוו גנו ארקתא דסורא, אמרי אנן שלוחי מצוה אנן ופטורין.  
**סוכה כו.**

The Gemara distinguishes between the regular traveler and one traveling for a *mitzvah* purpose. The regular traveler is exempt from *sukkah* only during the day but obligated at night, while the *mitzvah* traveler is exempt both by day and by night.

- Why is the *mitzvah* traveler exempt both by day and by night?

Traveling for a *mitzvah* purpose serves to exempt the traveler because of the principle of “one already engaged in a *mitzvah* is exempt from a secondary *mitzvah*”.

- Why is the regular day traveler exempt by day and why is the night traveler exempt by night?

*Tosfot* resolve this question:

*This is derived from the principle of teishvu ke'ain ta'duru; just as one who lives in a house is not restricted from traveling [one who lives in a sukkah is not restricted from traveling.] This is also the reason why one who is uncomfortable was exempted from the sukkah because of teishvu ke'ain ta'duru, for no one dwells in an unpleasant environment.*

**Tos. Sukkah 26a s.v. Holchei**

כל זה נפקא מתשבו כעין תדורו  
שכשם שאדם בביתו אינו נמנע  
מלצאת לדרך וכן מצטער דפטרן לעיל  
מן הסוכה היינו מתשבו כעין תדורו  
דאין אדם דר במקום שמצטער.  
תוס' שם ד"ה הולכי דרכים.

In explaining the dispensation granted the traveler, *Tosfot* invoke the principle that “dwelling [in the *sukkah*] should be similar to living [in the home].” The verse states, “You shall dwell in *sukkot* for seven days; all that are born in Israel shall dwell in *sukkot*.” (Lev. 23:42) The language used to describe dwelling in the *sukkah* is “*teishvu*.” R. Baruch ha-Levi Epstein, *Torah Temimah* ad. loc. n. 168, claims that the unique connotation of “*teishvu*” is a permanent dwelling.<sup>49</sup> Hence the Gemara, *Sukkah* 28b, derives from the usage of the word “*teishvu*” regarding the *sukkah* dwelling that the *sukkah*-lifestyle must resemble a permanent-house-lifestyle. This means that the fine dishes and linens used in the home must be transferred to the *sukkah*, and all activities normally performed in the home should be performed in the *sukkah*. This obligation is referred to as *teishvu ke'ain ta'duru*.

Therefore, any compromised or uncomfortable dwelling in the *sukkah* undermines the nature of the *mitzvah*, which is patterned after the normal cushy home-style dwelling. *Tosfot* argue that traveling is a normal activity for which people abandon their permanent home. Hence, one may leave the *sukkah* as well in order to travel.

- Why is the daytime traveler only exempt by day, but not by night? Why does the principle of “*sukkah*-dwelling like home-dwelling” not exempt such travelers from the *mitzvah* even at night?

<sup>49</sup> R. Epstein claims that “*teishvu*” can most literally be understood as “sitting.” In that light, he vindicates the opinion of *Rambam*, *Hil. Hametz u-Matzoh* 6:12 cited by the *Shulchan Aruch Orakh Hayyim* 643:1, that in order to properly fulfill the blessing recited prior to eating in the *sukkah*, “*leishaiv ba-sukaah*” one must be sitting as opposed to standing.

R. Mordekhai Jaffe, *Levush Malkhut* sec. 640, argues that the principle of *teishvu ke'ain ta'duru* is actually active even at night, and daytime travelers may dwell along the way without a *sukkah*. However, when the traveler finishes for the day he must seek search for and sleep in a *sukkah* if one is available. In contrast, the traveler is not obligated to search for a *sukkah* during the day.

It is interesting to note, that while the explanation of *Tosfot* is clearly the normative approach, R. Joseph Engel, *Gilyonei ha-Shas* ad. loc., cites R. Samuel Eliezer ha-Levi Edels, *Maharsha, Taanit* 10b, who expands this halachah into a global exemption freeing the traveler from all positive *mitzvot* and not specifically the mitzvah of *sukkah*. Clearly *Maharsha* feels that this dispensation accorded the traveler is not because of *teishvu ke'ain ta'duru* which is local to *sukkah*, but rather for some other reason.

R. Engel proposes that *Maharsha* must suppose that all travelers are too preoccupied with the turbulence of travel that they are not physically able to fulfill the *mitzvot*. This would endow them with the status of an *oneis* - one who is incapable of performing a given mitzvah, and therefore not held accountable. While this approach is provocative, R. Engel claims it is not sustained by the sources. The Gemara states that the traveler is “exempt” from the mitzvah of *sukkah*; according to *Maharsha*, the traveler is not technically “exempt” from the mitzvah of *sukkah*, rather he is simply unaccountable for it.

## Business or Pleasure?

Are all travelers included in the exemption from *sukkah*?

When *Rashi* elucidates the aforementioned passage in the Gemara, he curiously adds, “A traveler - for business purposes.” This seems to include travelers for business, but exclude travelers for pleasure. Hence, R. Moshe Feinstein writes:

*Regarding traveling for pleasure to a place were there will be no sukkah would seem to me to be prohibited, for the dispensation given to travelers in the Gemara Sukkah 26a etc. is only when they are traveling for business which is a real need. Business universally causes all people to leave their house, and therefore in this context as well one is allowed to leave the sukkah. However, to travel for pleasure inherently fulfills no pressing need. It is irrelevant that he would have left his house to travel for pleasure, since it is only satisfying a desire and giving pleasure; he is not leaving for any purpose.*

*You should note, a person may many times decide to sleep outdoors because he enjoys it more than sleeping indoors. Would that be sufficient grounds to sleep outside of the sukkah because he would leave his house under the same circumstances? If yes, why did Rava state that only one who is uncomfortable is exempt from the sukkah; he should rather have said that one who enjoys the*

ובדבר לצאת לטיול ולתענוג בעלמא  
למקום שלא יהיה לו סוכה מסתבר  
לע"ד שאסור דהולכי דרכים שאיתא  
בסוכה דף כ"ו וכו' כשהולכין למסחר  
וכיוצא שהוא צורך ממש וגם הוא לכל  
אדם שבשביל זה היה צריך לצאת גם  
מביתו שלכן באופן זה מותר לצאת  
מהסוכה, אבל לטיול ולתענוג בעלמא  
שאינו לזה שום צורך אינו כלום מה  
שבשביל תאותו והנאותו היה יוצא  
מביתו כיון שלא היתה יציאתו אף  
מביתו לצורך. והגע עצמך אדם שיש  
הרבה פעמים שישן בחצרו תחת כפת  
השמים משום שנהנה בזה יותר מבבית  
הכי יפטר מסוכה משום שמביתו יצא  
בשביל זה, וא"כ למה אמר רבא  
מצטער פטור מן הסוכה הי"ל לומר מי  
שנהנה לישב בחצר יותר מבבית

outdoors more than indoors is exempt from the sukkah....

Moreover, Magen Avraham 640:14 writes, that one who will not sleep well in the sukkah, and will be tired the next day, and as a result will not be able to do the mitzvot properly, is exempt from the sukkah. The implication is that for the enjoyment of restful sleep alone, one would not be allowed to leave the sukkah for the house.

Furthermore, in times of anger, God punishes those who search to be excused from the positive commandments. This has its source in the Gemara, Menahot 41a, which recounts that even though R. Ketina wore garments that were excluded from tzitzit for pleasure, and not for the purpose of avoiding the mitzvah, [he was punished]. Therefore, it is prohibited to leave the sukkah in order to travel for pleasure.

**Iggerot Moshe OH, III, no. 93**

והסוכה פטור מן הסוכה ... וגם מפורש במג"א סימן תר"מ ס"ק י"ד דאם אין יכולין לישן כל כך בטוב בסוכה ויהיו יגעים למחר ולא יוכלו לקיים המצוה כראוי פטורין, הרי דבשביל הנאת השינה יותר אסור וכו'. וגם בלא זה הא נענשין על עשה בעידן ריתחא כשמבקש טצדקי למיפטר מהמצוה כשמבקש טצדקי למיפטר מהמצוה כדאיתא במנחות דף מ"א אף באופן שהיה לו הנאה בלבשת בגדים הפטורין מציצית דודאי לא בכונה ליפטר מציצית לבש רב קטינא לסדינא וסרבלא הפטורין מציצית. לכן מסתבר דליך לטויל ולתענוג למקום שליכא סוכה אסור.  
**אגרות משה או"ח ה"ג סי' צ"ג**

R. Feinstein posits that the exemption afforded the traveler only pertains to the business traveler or one traveling for some other *mitzvah* purpose. Therefore, he concludes that it is prohibited to travel for pleasure when that entails forgoing the mitzvah of *sukkah*. R. Feinstein bases his position on two main arguments.

First, traveling for pleasure would not be subsumed within the reason for exempting travelers of *teishvu ke'ain ta'duru*. Despite the fact that people regularly leave their own homes to take vacations, since the traveler is not compelled to leave the *sukkah*, it should not be included in *teishvu ke'ain ta'duru*.

Second, the Gemara, *Menahot* 41a, implies that punishments are doled out to those who squander opportunities to perform positive commandments. The Gemara records that R. Ketina was reprimanded by the Rabbis for wearing linen garments, which are exempted from the *mitzvah* of *tekhelet*. Similarly, traveling for pleasure during *sukkot* would be punishable because it involves conscious forgoing of a *mitzvah*.

R. Yosef Sholom Elyashiv criticizes R. Feinstein's contention:

R. Moshe Feinstein in *Iggerot Moshe* makes a very original statement, that the exemption of travelers from the mitzvah of *sukkah* is reserved to those traveling for business.

He has two primary arguments, the first is that it is not included within *teishvu ke'ain ta'duru* etc. His reasoning is difficult to understand. Since today it has become commonplace to travel for pleasure, why should it be different than traveling for business? Since it is the normal way to do so, it should be incorporated within *teishvu ke'ain ta'duru* and be exempted from *sukkah*.

והנה הגר"מ פיינשטיין זצ"ל באגרות משה יצא בחידוש גדול דהולכי דרכים דפטורים היינו דוקא בדרך סחורה וכו', וכתב זאת משני טעמים, חדא דזה לא הוה בכלל תשבו כעין תדורו וכו', ולכאורה דבריו אינם מובנים, דמכ"מ כיון דהיום הדרך הוא לצאת לטויל א"כ מאי גרע מסחורה, דכיון דהוה דרכו הוה בכלל תשבו כעין תדורו ופטור מהסוכה.

Additionally he argues to obligate pleasure travelers in *sukkah* based on the Gemara, Menahot 41a, regarding *tzitzit*, etc. However, the issue at hand seems unrelated to the proof text. There, [R. Ketina] wore linen garments, which are exempt from *tzitzit*, for an extended period of time. This gave the impression that he was trying to avoid the *mitzvah*. Here, however, [the traveler] was in the *sukkah* and only temporarily excused himself for a trip, and it says, *teishvu ke'ain ta'duru*. This is comparable to one who steps outside of the *sukkah* to converse with a friend, who would not be accused of avoiding the *mitzvah*.

When it was stated [by Rashi] that the travelers were on business, it was not exact, and not meant to exclude traveling for pleasure. Moreover, the other *rishonim* do not explain [like Rashi], but rather are silent.

**He'arot le-Masekhet Sukkah p. 114**

עוד טעם כתב לחייב בסוכה מטעמא דהגמ' במנחות (מא.) לגבי ציצית וכו', ולכאורה אין הנידון דומה לראיה כלל, דהתם הרי לבש לתקופה ארוכה סדין שפטור מציצית א"כ מראה עצמו כמפקיע המצוה, אבל כאן היה בסוכה ורק באקראי יוצא גם לטיול, ותשבו כעין תדורו כתיב. ודמי לשח עם חבריו חוץ לסוכה דלא נאמר דיש כאן הפקעת עשה וכו'. ונראה דמש"כ הולכי בדרך סחורה לא בא לאפוקי הולכים בטיול בעלמא והא דנקיט סחורה לאו דוקא נקט, ועוד דהרי הראשונים לא פירשו כן כלל אלא סתמו.  
**ס' הערות למס' סוכה עמ' קי"ד**

R. Elyashiv sees no basis for R. Feinstein's allegation that the traveler must be forced to travel in order to be included in *teishvu ke'ain ta'duru*. Logically, even one traveling for pleasure should be included within *teishvu ke'ain ta'duru*, since most people normally travel in that manner away from their home. Additionally, he argues that temporarily traveling outside of the *sukkah* should not be compared with R. Ketina who regularly avoided the *mitzvah* of *tzitzit* by donning only linen garments.

Hence, R. Elyashiv is not opposed to temporarily traveling for pleasure to a place where there is no *sukkah*, but R. Feinstein would not allow such travel.

## Business Class

As R. Elyashiv notes, even though R. Feinstein's position is supported by *Rashi*, the other *rishonim's* silence on the issue is curious. R. Elyashiv does not develop the point further. However, in light of the *rishonim's* comments in another context, perhaps their silence here could be more significant.

The Gemara, *Shabbat* 19a, states that one is not allowed to embark upon a boat voyage during the three days prior to Sabbath unless it is for a *mitzvah* purpose. In defining what constitutes a *mitzvah* purpose, *Mordekhai, Sabbath* sec. 258, cites the opinion of *R. Tam* that traveling for livelihood is considered a *mitzvah* purpose. R. Menahem Mendel Kasher, *Divrei Menahem*, II p. 246, finds midrashic basis for this opinion:

"Six days you shall work" (Ex. 20:9), *Rebbi* said, this constitutes another command: in the same way that Israel was commanded in the positive commands of Sabbath, so too they are commanded to work [during the week].

**Mekhiltah de-Rashbi Ex. 20:9**

ששת ימים תעבוד, רבי אומר הרי זו גזירה אחרת, שכשם שנצטוו ישראל על מצות עשה של שבת כך נצטוו על המלאכה. מכילתא דרשב"י שמות כ:ט

R. Eliezer said, how great is work, for the same way Israel was commanded regarding Sabbath, they were commanded as well regarding work, as it says, “Six days you shall labor, and finish all your work” (Deut.5:13).

**Avot de-R. Natan, ch. 21**

רבי אליעזר אומר גדולה היא מלאכה שכשם שנצטוו ישראל על השבת כך נצטוו על המלאכה שנאמר ששת ימים תעבוד ועשית כל מלאכתך.  
אבות דר' נתן נו"ב פכ"א

Rema codifies this comment of R. Tam that travel for business is permitted within three days of Sabbath. Rema adds a comment of Ravyah, *Sabbath* sec. 198 p. 261, that it is permitted to embark on a boat within three days of Sabbath for visiting friends :

There are those who say, anytime one travels for business or to see a friend it is considered a mitzvah purpose. It is only considered optional traveling when traveling solely for pleasure.

**Rema, OH 284:4**

יש אומרים כל מקום שאדם הולך לסחורה או לראות פני חבירו חשוב הכל דבר מצוה ואינו חשוב דבר הרשות, רק כשהולך לטייל.  
רמ"א או"ח סי' רמ"ח סע' ד'

Assuming the definition of “mitzvah purpose” for Sabbath and for *sukkah* is the same, R. Feinstein’s position becomes untenable. The Gemara *Sukkah* cited previously said that *mitzvah* travelers and generic travelers can be exempt from *sukkah*. If business trips are considered *mitzvah* travels, then generic traveling must by default refer to pleasure trips. Hence, the other *rishonim* were silent because they felt that even a pleasure traveler is exempt from *sukkah*.

However, *Beit Yosef, Orakh Hayyim*, 248, disagrees with R. Tam and argues that earning a livelihood is not a *mitzvah*, since if earning a livelihood were a *mitzvah* then the entire population will continually be exempt from *mitzvot* due to the principle of “one engaged in a *mitzvah* if exempt from performing other *mitzvot*.”<sup>50</sup> Rashi may have shared the *Beit Yosef*’s attitude, and therefore defined the generic traveler as one traveling for business, as opposed to one traveling for a genuine *mitzvah* purpose. Strangely, R. Feinstein’s approach is only viable within the position of *Beit Yosef* but not within the position of *Rema*.

R. Feinstein tacitly defends his position when he writes elsewhere, *Iggerot Moshe, Orakh Hayyim*, I, no. 127, that the entire prohibition to begin a voyage close to Sabbath is only rabbinic. This is evidenced by the fact that there is a leniency for a *mitzvah* traveler. If beginning a voyage was a bona fide Biblical prohibition, it could not be dismissed simply because the violator has a commendable itinerary. (This point is also made by the *Taz*, 284:5.) Because traveling close to Sabbath is only a rabbinic prohibition, even minimal *mitzvot* may be sufficient to suspend the prohibition. Hence, for R. Feinstein, it is impossible to extrapolate to other areas of halakhah

<sup>50</sup> R. Kasher ad. loc. rebuts the attack of *Beit Yosef*. He explains that everyone is obligated to cease work in order to fulfill *mitzvot*. The rule that “one engaged in a *mitzvah* if exempt from performing other *mitzvot*.” only applies when it is impossible to perform both *mitzvot*. One who could interrupt his first *mitzvah* to do the second *mitzvah*, then return to the first *mitzvah* having lost nothing, is not permitted to avoid the second *mitzvah*. However, one traveling to do a *mitzvah* is outside of his or her normal surroundings, and would not be able to pause activities and then resume them willy nilly.

from the fact that business is a *mitzvah* regarding traveling close to Sabbath . [See R. Hershel Schachter, *Be'ekvei ha-Tzon*, pg. 153, who disagrees with R. Feinsstein's assertion].

In truth, the entire discussion regarding exemptions from the *sukkah*, relates only to those activities which absolutely require a *sukkah*. While it is commendable to perform all of one's regular activities in the *sukkah*, only eating a meal or sleeping demand a *sukkah*. *Shulhan Arukh, Orakh Hayyim*, 639:2 states that eating less than a *ke-beitzah* - "an egg's worth," of bread, or less than a *ke'viat seudah* - "a meal's worth," of grain items (such as cookies or cake) constitutes a snack, and may be eaten outside the *sukkah*.<sup>51</sup> Bearing this in mind, we can suggest that even those who choose to follow the stringent opinion of R. Feinstein may be lenient with regards to eating halachic "snacks" while traveling on any extended trip. To assume otherwise might constitute a double stringency.

## The Last Leg

*Rema* ad. loc. also cites the position of *Ravyah* that visiting a friend is considered a *mitzvah* purpose. If a comparison can be made, (R. Feinstein's latter stance notwithstanding,) traveling to visit family would also exempt one from the *mitzvah* of *sukkah* while traveling. However, even in the original context of traveling prior to Sabbath, *Rema* expresses hesitation regarding this ruling; therefore to extend it to other areas is tenuous. Nonetheless, traveling to visit parents, where the *mitzvah* of honoring one's parents is present, should universally be viewed as a *mitzvah* purpose, and would exempt the traveler from the *sukkah* while on the road.

*Shulhan Arukh, Orakh Hayyim*, 248:4, writes in the context of taking a boat trip before Sabbath, that traveling to the Land of Israel is considered a *mitzvah* purpose. *Magen Avraham*, 248:15, cites a dispute amongst the authorities whether this is limited to those moving to the Land of Israel permanently, or even applies to those merely vacationing there. The position that even a visit constitutes a *mitzvah* is based on the statement of the Gemara, *Ketubot* 111a, that one who walks four cubits in the Land of Israel is awarded atonement for his sins. R. Abraham Pyetzkovski, *Piskei Teshuvah*, II, p. 73-74, promotes a compromise position, and distinguishes between visiting for less than thirty days or twelve months versus visiting for a longer period of time.<sup>52</sup>

In application to the present discussion, relocating entirely to the Land of Israel during *sukkot* is considered by all authorities a *mitzvah* trip. However, to only visit the Land of Israel would be subject to a dispute amongst the *poskim*. According to R. Elyashiv going to the Land of Israel should be no worse than any pleasure trip which exempts one from the *mitzvah* of *sukkah* while traveling. However, for R. Feinstein, who believes that only business and *mitzvah* travel can excuse the traveler from the *sukkah*, traveling to the Land of Israel would be subject to the this argument cited by *Magen Avraham*.

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<sup>51</sup> *Mishne Berurah*, 639:15, cites the dissenting opinion of *Magen Avraham* that grain products also have the *ke-beitzah* standard which is a smaller amount than a *ke'viat seudah*.

<sup>52</sup> This opinion is also cited by R. Hershel Schachter, "The Mitzvah of Yishuv Eretz Yisrael," *The Journal of Halacha and Contemporary Society* 8, p. 25. Interestingly, R. Schachter reports that R. Bezalel Zolti suggested that the dispute cited by *Magen Avraham* depends on another dispute between *Rambam* and *Ra'avad* about whether the prohibition to allow non-Jews to live in Israel includes visits and tours or is limited to permanent residents only.

In summary, while the Gemara exempts travelers from the *mitzvah* of *sukkah*, there is a dispute between R. Feinstein and R. Elyashiv whether only the business or *mitzvah* traveler is excluded, or any traveler. By extension, in interpreting the Gemara's distinction between the generic traveler and the *mitzvah* traveler R. Feinstein expresses a more constricted view of "*mitzvah* travel." He identifies the business traveler as the generic traveler, presumably excluding business trips from the category of *mitzvah* travel. This might imply that traveling to visit friends has no unique status whatsoever, while others might view both business travel and social visits as *mitzvah* related travel.