

HALOCHOSCOPE

This week's question:

After rain, *sechach* might still be wet and dripping. May one sit in such a *sukah*, since it is not actually raining? May one wipe the *sechach* with a towel on *Yomtov* or *Shabbos*?

The issues:

A) Sitting in the *sukah* in the rain

B) *Muktzeh*, in relation to the *sechach*, the rainwater and the soggy towel

C) *Libun*, laundering; *Sechitah*, concern about squeezing the towel or the *sechach*

A) Sitting in the *sukah* in the rain

While it is raining one should not remain in the *sukah*. Two reasons are given for this. Most poskim cite *mitztaer*, one who is in discomfort is exempt from the *mitzvah* of *sukah*. One should really dwell in the *sukah* the way he dwells in his home. One does not tolerate discomfort in his home. This concept is generally referred to as “*taishevu keain taduru*”, dwell exactly as you live at home. At the point that normal people would leave the room due to discomfort, one should leave the *sukah*. If an individual is uncomfortable enough at a lower tolerance level, he is personally exempt. If an individual maintains that he has a higher tolerance level, theoretically he could remain in the *sukah*. However, he could not recite a *brocha*. *Mitztaer* is measured by normal standards. Furthermore, the *Yerushalmi* describes someone who remains when exempt as a *hedyot*, something akin to a fool, who does not listen to the Rabbis. Some poskim maintain that he is actually in violation of the *mitzvah*; his remaining there mocks the concept of *taishevu keain taduru*.

There is another reason given by the poskim to leave the *sukah*. The Talmud says that when it rains on *Sukos*, Hashem is rejecting our *mitzvah*. It is compared to a servant giving wine to his master, and the master throwing back in the servant's face. This view would consider it a form of heresy to remain in the *sukah* during the rain, if it has reached the point that normal people leave the room in discomfort. The person remaining seems to have refused to accept the rebuke of Hashem. Rather, he should go back into his house and accept the rebuke, and think about how to appease Hashem. He could have penitent thoughts, thinking about what he did to deserve the rejection of his *mitzvah*. There is some debate about the meaning of this reason. It could mean that the presence of rain itself is a sign of rejection. Or it could mean that the rain causes the discomfort, which in turn makes the *sukah* unbearable and exempts one from performing the *mitzvah*. Ultimately, the *mitzvah* has been rejected.

The Talmud debates the meaning of the term and 'he' poured the jug in 'his' face. Is the servant pouring the jug on his master's face, meaning that his service is found wanting? Or is the master pouring it back on the servant's face, meaning that the entire service is being rejected? While either way it is considered a bad sign, the issue is how to explain

the curse. One suggested difference could be how to remedy the situation. If the former is the problem, one should reflect on his appreciation of the *mitzvah* of *sukah*. If it is the latter, he should focus on his entire relationship with his Master.

A third outside consideration must be taken into account. If indeed one really feels discomfort, but tolerates it in the mistaken thought that he is doing a *mitzvah*, he is also violating the *mitzvah* of *simchas Yomtov*, to enjoy *Yomtov*. This applies especially at mealtimes. It also means that one must enjoy his meal with family members. If one person's stringency makes other family members miserable, as well as diminishing his own joy, it violates this many times over. Thus, if one family member claims to be comfortable, or wants to practice stringency, he may not do so if other family members feel normal discomfort. However, if normal people would not feel the discomfort, but a family member is still uncomfortable, that member would stay inside while the others fulfill the *mitzvah* of *sukah*. In that instance the *simchas Yomtov* of that member and its broader implications for the rest, cannot override the *mitzvah* of *sukah* for the others.

The *simcha* issue can be offset by an opposing *simcha* issue. If the individual will feel a lack of *simcha* while eating indoors, some say that he may legitimately claim that he prefers the wet *sukah*. Those who follow this view also maintain that they are not *mitztaer* enough to be considered a *hedyot*. This practice is followed by many *Chasidic* communities. The consensus is that he may not recite a *brocha* based on this. There is concern that the norm for *mitztaer* is still paramount for the *brocha*.

The first reason applies at any time one feels discomfort. Therefore, after the rain has stopped, he could still feel the discomfort due to the drips from the *sechach*. He might not feel that discomfort, if the *sechach* does not drip so much, or if the main discomfort beforehand was due to the rain coming through, rather than the occasional drips. According to the second reason, if it is interpreted to mean that the mere presence of rain is a sign of rejection, after the rain stops this no longer applies. [If the rejection depends on the discomfort which causes the exemption from the performance, this could still apply after the rain stops. If the drips cause the discomfort, one is still being rejected.]

The poskim discuss what to do after the rain stops. If one is able to sit in his *sukah* in comfort, he is obliged to do so. If he feels that he can tolerate the discomfort personally, he is even obliged to recite the *brocha*. If his personal *sukah* is drenched, he should find a *sukah* nearby that is livable. This indicates that one should not ideally sit in a *sukah* after the rain, if the *sechach* is dripping. The poskim seem to discount the reasoning that is based purely on Hashem's rejection of our *mitzvah*. It might still be applied while the rain is falling, as an additional reason to *mitztaer*. However, it is possible that the rain itself serves as a sign after it falls as well as during the shower. [See Sukah 28b-29a, Poskim. Tur Sh Ar OC 639:5-7 640:4, commentaries. Nitei Gavriel 52:15, 53:, notes.]

B) Muktzeh

Muktzeh affects three areas here. The *sechach* is *muktzeh* on *Yomtov* for one reason, and on *Shabbos* for an additional reason. The water could be considered *muktzeh*. By wetting the towel, one could be causing it to become *muktzeh*.

Sechach is plain wood or branches. These have no permissible uses on *Shabbos*. Therefore they are considered *muktzeh machmas gufo*. They may not be moved, or used

for some improvised usage on *Shabbos*. On *Yomtov*, such branches could have a use as fuel, since burning wood is permitted, especially to cook with. However, *sechach* is also *muktzeh lemitzvaso*, set aside specifically for the mitzvah use. The material has been designated for the duration of *Sukos* to serve as *sechach*. The Talmud derives from a *passuk* that the *sechach* and other parts of the *sukah* is dedicated to Hashem exclusively. Therefore, one may not take some to use for other uses. The Talmud allows a stipulation before *Yomtov* begins, to allow one to take some of the decorations, such as to use grapes for eating. However, many poskim maintain that this stipulation would not help for the *sechach*. Since it is *muktzeh lemitzvaso*, one could not use it for anything else. Thus it also becomes *muktzeh* to move, like anything that has no permissible uses.

In fact, this type of *muktzeh* is seen as more serious than other types. Most types of *muktzeh* are considered high-level Rabbinical institutions. This type is based on a Scriptural reference. An additional issue arises with the *sechach*. It serves as a roof for the *sukah*. Removing it from the roof involves *sosair*, dismantling a building. Though moving it around need not involve *sosair*, such as when there is a surplus, the possibility adds to the *muktzeh*. This type of *sosair* might not be considered a Scriptural *melacha*. A *sukah* is temporary. However, in terms of rendering the *sechach muktzeh* on *Shabbos* or *Yomtov* due to this, it applies anyhow.

The rainwater involves two possible issues. The Talmud discusses whether fresh rain is *nolad*, 'newly born'. Anything that was not on one's mind for usage when *Yomtov* began, because it did not exist, is not *muchan*, 'prepared', and is *muktzeh*. Assuming rainwater is not *nolad*, and may be moved, the second issue is its permissible uses. If it is clean and fit to use for drinking (even for a dog) or washing a dish, it is not *muktzeh*. If it is dirty, it is useless for permissible uses, and is *muktzeh*. Depending on the cleanliness of the *sechach*, this water would most likely be drinkable for a dog.

Using a non-*muktzeh* utensil in a way that it will become *muktzeh* is also an issue. If the water is indeed *muktzeh*, by using a towel to absorb the rainwater one makes it unusable for its previous uses. This is known as a *bitul kli maihaichano*, or making a *graf shel rai'i*, chamber-pot. However, if the water is not *muktzeh*, this immediate issue does not arise. Nonetheless, a separate issue arises. The only way that the water will be usable once it is absorbed is by squeezing it out. This is forbidden. Therefore, one could say that the water becomes *muktzeh* and renders the towel *muktzeh*. However, we do not consider the water a separate entity if it is not already *muktzeh*. If the towel is so soaking wet that it oozes the water anyhow, a dog could lap it up without squeezing.

Assuming there is no issue with the towel or the rainwater, the question about the *sechach* remains. One may not move the *sechach* directly, such as to shake it off. One could do *tiltul min hatzad*, moving it indirectly, as long as one does not dismantle the roof. Wiping a towel across it is no worse than *tiltul min hatzad*, especially if the *sechach* is heavy enough that it will not necessarily move. [See *Shabbos* 42b-47b 122b-126b 128a-b 141a 142b-143a *Eruvin* 45b *Beitza* 2a 30b 35b 36b *Sukah* 9a, Poskim. *Tur Sh Ar OC* 308-312 338:8 518:8 638, commentaries. *Nitei Gavriel* 53:6.]

C) *Libun; Sechitah*

Libun, laundering, is a forbidden *melacha* on *Shabbos* and *Yomtov*. Wetting any

cloth item with water raises the issue of *libun*. The poskim discuss using a towel to wipe the hands. They invoke the concept of *derech lichluch*, in a dirtying manner. Using a towel in this manner is the opposite of *libun*. The towel is not being cleaned by the water wiped on to it. Rather it is unwanted used water and spoils the clean towel.

Sechitah is a forbidden *melacha*. One kind of *sechitah* is akin to threshing. It removes the wanted item from the material that traps it. This applies to squeezing fruit or a cloth that absorbed wine or a desired liquid. The other type of *sechita* is akin to a laundering process, squeezing wet clothing to dry it. The issue arises when one uses a sponge or towel to wipe something very wet. The concern is that one will inevitably squeeze the towel. If our questioner benefits from the towel being dry, the second form of *sechita* arises. If the water is drinkable, a condition for the permissibility of the entire effort, the first issue arises. Since it is drinkable, one need not intend to squeeze it out to be in violation. It is a *psik raisha*, inevitable by-product of one's action. Some also raise the *sechitah* issue when the *sechach* is a woven mat. If a sponge has a handle, there is no concern with squeezing the sponge. Similarly, in our case, one could hold a dry part of the towel.

The Talmud debates removing a cloth plug from a beer-barrel. The poskim conclude that if the cloth is so wet that the liquid will ooze out with no pressure at all, there is no issue of *psik raisha*. On the other hand, the poskim discuss whether using any towel involves a *psik raisha* of squeezing. After a few uses, the towel might be wet enough that wiping hands also squeezes the water out. Since this type of squeezing involves *libun*, the same dispensation of *derech lichluch* may be applied.

In our case, on the one hand we do not want to consider the rainwater filthy, to avoid *muktzeh*. On the other hand, we need to consider it undesirable, to be able to apply *derech lichluch*. Can we rely on both contradictory ideas? We find that used water, from dirty dishes or even certain laundry, is fit to be given to animals to drink. This arises when it has absorbed meat and dairy flavor, and this usage could be considered a form of forbidden benefit. Thus, water might not be considered fit to launder, but still fit for a dog to drink. [See Shabbos 141a 142b 143b-145a 147a-b, Poskim. Tur Sh Ar OC 302:9-12 320:17-18, commentaries.]

In conclusion, provided one will not be squeezing the *sechach* or the towel, the surface water may be wiped of the *sechach*. One should try not to move the *sechach*.

On the parsha *May Hashem open for you His good store, the heavens, and give your land rains in their right time ..[28:12] [Se Targum Yonasan]* When listing the curses, the Torah mentions lack of rain. Rains in the wrong time are also considered a curse, but this is derived from the *Navi*. There can be two wrong times: too late to be any help, and at an inconvenient time, like on *Sukos*. The former is a real curse and punishment for neglecting Hashem. The latter is perhaps a sign that we do not work hard enough to serve Hashem, but are not totally neglectful. This concurs with the Talmudic view that we are not attentive enough to the *mitzvah* of *Sukah*.

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(Carmel), whose *yahrzeit* is the 24th of Elul. ☞

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