



The Mishna in Masekhet Sukka (27a) establishes the specific obligation to eat in the *sukka* on the first night of Sukkot. Beyond the general obligation to eat all of one's meals in the *sukka* throughout the festival, *Halakha* requires one to eat in the *sukka* on the first night. Whereas during the remaining days one who so wishes may refrain from eating amounts of food that require a *sukka*, and thus never eat in the *sukka*, on the first night there is an outright obligation to eat a meal in the *sukka*. (The Mishna also records a minority opinion that requires eating two meals each day in the *sukka*; *Halakha*, however, follows the view that only on the first night it is obligatory to eat a meal in the *sukka*.)

Maimonides, in codifying this *halakha* (Hilkhot Sukka 6:7), surprisingly establishes the volume of a *ke-zayit* (approximately 1 oz.) as the minimum required *shiur* (amount) for this obligation. Once a person has partaken of this volume of bread in the *sukka* on the first night of the festival, he has satisfied the requirement to eat a meal in the *sukka* on this night.

This comment seems puzzling in light of the previous passage in Hilkhot Sukka (6:6). There Maimonides rules that light snacks may be eaten outside the *sukka*, and he defines a "snack" as a bit more or a bit less than a *ke-beitza* – twice the volume of a *ke-zayit*. The question thus arises, if the amount of a *ke-zayit* does not suffice to require eating in the *sukka*, then how does one fulfill his obligation the first night with this amount? If the Torah requires "residing" in the *sukka* on the first night, and partaking of less than a *ke-zayit* does not technically constitute "residing," then how can one fulfill the first night's obligation with a *ke-zayit*? Indeed, the Ritva, in his commentary to Masekhet Sukka, cites authorities who require eating a full *ke-beitza* on the first night of Sukkot.

As Rav Soloveitchik explained, this issue relates to the precise halakhic classification of the unique obligation on the first night of Sukkot. This requirement could be understood in two ways. First, we might explain that generally "optional" *mitzva* of *sukka* becomes obligatory on the first night. The *mitzva* normally requires eating in the *sukka* only when one wishes to eat a meal, whereas on the first night one must eat a meal in the *sukka*. Alternatively, however, one might claim that this obligation stands independently of the general obligation of *sukka*. The Torah requires eating in the *sukka* on this night not as a detail within the general *mitzva* of *sukka*, but rather as a separate requirement that is not bound by the standard rules of *sukka*. Maimonides likely felt that this *halakha* is independent of the general *mitzva* of *sukka*, and he therefore does not apply to the meal on this night the details that obtain throughout the rest of the festival. Regardless of the amount of food by which the standard *mitzva* of *sukka* is defined, the special obligation of the first night requires eating only a *ke-zayit*.

Maimonides' position in this regard might affect the famous halakhic issue of whether one must eat in the *sukka* when rain falls on the first night. Normally, the advent of steady rainfall absolves one from the obligation to eat in the *sukka*, and thus during a

rainstorm one is permitted to eat a meal in his home. Does this exemption apply to the special obligation to eat a meal in the *sukka* on the first night? While intuitively we might assume it does, the above analysis of Maimonides' position might dictate otherwise. Since the unique obligation of the first night stands outside the rubric of the standard *mitzva* of *sukka*, it is not subject to the rules governing the standard *mitzva*. As such, one could conceivably argue that the obligation of the first night is unaffected by the rainfall exemption, and one must therefore partake of a *ke-zayit* of bread in the *sukka* on the first night even in inclement weather. This is, indeed, the practice of many when rain falls on the first night of Sukkot.

The rationale underlying Maimonides' conceptual approach to the first night's obligation likely involves the famous halakhic principle known as *teishvu ke-ein taduru*. As the Gemara (Sukka 27a) establishes, the *sukka* obligation is defined as requiring that one treat the *sukka* as his home. Maimonides perhaps held that by definition, this *mitzva* cannot impose an obligation to perform any given activity. Since this *mitzva* is defined in terms of transforming one's *sukka* into his home, it can demand only that he perform in the *sukka* that which he would have chosen to do in his home. If we do find an obligation to specifically conduct a meal in the *sukka* on the first night, this obligation must stand outside the halakhic framework of the standard *mitzva* of *sukka*, which, by definition, refers only to that which a person would have chosen to do of his own volition.