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An Analysis of Two Essential Sukkah Stories

by Rabbi Chaim Jachter

Introduction

Occasionally Chazal seek to impart a message by relating a story. The message of a Mishnah that relates a story is often more powerful and memorable than a Mishnah that teaches only pure Halacha. The Mishnah's story is even more powerful when the characters are great sages whose words we regularly study and now have the opportunity to learn from their actions in addition to their words. In this essay we shall analyze two stories that are presented in the Mishnah towards the end of the second chapter of Masechet Sukkah. An analysis of these stories will greatly enhance our appreciation of the Mitzvah of Sukkah.

Eating a Snack Outside the Sukkah

The Mishnah (Sukkah 25a) teaches that one is permitted to eat a snack ("Achilat Arai") outside the Sukkah. The subsequent Mishnah (Sukkah 26b) relates that Rabban Yochanan ben Zakai was given a small quantity of food to taste and that he asked that the food be brought to the Sukkah for him to eat. Similarly, Rabban Gamliel was offered two dates to eat and some water to drink and he requested that these items be brought to the Sukkah for him to eat. On the other hand, when Rabi Tzadok was offered a snack to eat on Sukkot he chose to eat it outside the Sukkah in accordance with the rule articulated in the previous Mishnah.

The Gemara (Sukkah 26b-27a) explains that the stories in the Mishnah teach that one has options regarding snacking outside the Sukkah. One option is to follow the baseline Halacha and eat snacks outside the Sukkah. Another legitimate and Halachically meaningful action is to be Machmir (strict) and refrain from consuming even small amounts of food outside the Sukkah. The Rambam (Hilchot Sukkah 6:6) and the Shulchan Aruch (Orach Chaim 639:2) codify these both approaches as entirely legitimate Halachic options. It is important to note that the Halacha presents both obligatory activities and

optional tasks. This is important to note as the Chumash presents two models regarding Mitzvot. One model is Moshe Rabbeinu relaying to us Hashem's command us to observe various Mitzvot. The second model is the Avot voluntarily observing Mitzvot. Rav Kook refers to these phenomena respectively as Torat Moshe and Torat Avraham.

Rav Yehuda Amital once stated in a talk to alumni of Yeshivat Har Etzion that the Halacha presents us with these two models within many Mitzvot that we observe. For example, we must keep Shabbat from sunset on Friday evening until nightfall on Saturday evening. However, the Halacha also requires that we supplement Shabbat by adding Tosefet Shabbat. Although there are some basic parameters regarding the requirement of Tosefet Shabbat, every individual is essentially given the option to decide how much he should add to Shabbat. Similarly, in regards to the Mitzvah of Sukkah, there are both non-negotiable obligations and areas of options for each person to decide what is appropriate for him.

The Mishnah's Connection to Churban Bayit Sheini

When studying this Mishnah with the TABC Y9 Gemara Shiur of 5763, we noticed that the characters in this Mishnah are central rabbinic characters involved in the stories surrounding the destruction of the second Beit HaMikdash (see Gittin 55b-56b). We wondered about the connection between the issue of eating snacks outside the Sukkah and Churban Bayit Sheini.

I suggested that perhaps this Mishnah implicitly presents a remedy to the spiritual malaise that was responsible for Churban Bayit Sheini. Chazal (Yoma 9b) state that the sin of Sinnat Chinnam (baseless hatred) caused the destruction of the second Beit HaMikdash. The Netziv in his introduction to Sefer Bereishit elaborates on this point. He writes that the Jews of the time were very pious and assiduously studied Torah. However, they regarded anyone who differed from them in their style of Yirat Shamayim as a heretic.

Our Mishnah presents a remedy to this spiritual malady as it presents two equally legitimate and viable options in the manner in which one may observe the Mitzvah of Sukkah. We do not regard either option as "too frum" (Mechzei K'yuhara") or "too liberal" or "too modern".

Joshua Strobel suggested another approach to this Mishnah. He noted that the aforementioned Gemara in Gittin records that Rabi Tzadok fasted for forty years before the Churban in an effort to convince Hashem to relent and not destroy the Beit HaMikdash. He also noted that Rabban Gamliel and Rabban Yochanan ben Zakai did not fast in the manner of Rabi Tzadok. The Mishnah in Sukkah, on the other hand, presents a contrasting situation where Rabban Gamliel and Rabban Yochanan ben Zakai were strict about a matter of eating and Rabi Tzadok was lenient about a matter of eating.

The Mishnah might be teaching a lesson regarding balancing our actions and emotions. Rav Yosef Adler cites Rav Yosef Soloveitchik's explanation of the Shvil Hazahav (moderate path) that the Rambam vigorously advocates in Hilchot Deot. The Rav explains that the Shvil Hazahav is not achieved by being moderate about every issue. Rather one is considered a moderate if the sum total of his actions represents a moderate path. In other words, even a moderate is sometimes aggressive and sometimes passive. One achieves the desired status of a moderate if the aggregate of his actions represents a balanced approach to life's challenges.

Our Mishnah presents such a model of moderation as Rabi Tzadok who was strict in the context of fasting before Churban Bayit Sheini was lenient regarding eating a snack outside the Sukkah. On the other hand, Rabban Gamliel and Rabban Yochanan ben Zakai who were lenient regarding fasting before the Churban were strict regarding eating a snack outside the Sukkah.

The Story of Shamai and his Grandson

The Mishnah (Sukkah 28a) relates a story that when Shamai's daughter-in-law gave birth to a boy, Shamai would remove part of the roof of the room of the newborn and placed Schach on the opening so that the infant would be in a Sukkah. Many Rishonim and Acharonim wonder what Shamai sought to accomplish by doing this. What could the newborn child derive from the fact that he technically was "sitting" in a Sukkah? Recall that a minor is not

obligated in Mitzvot. Rather, the parents are obligated to train the child to lead a life of Torah and Mitzvot (Mitzvot) after his or her Bar or Bat Mitzvah. Accordingly, it is difficult to determine what Shamai was seeking to impart to his infant grandson. See the Otzar Meforshai HaTalmud (Sukkah 1:973) for a list of authorities who grapple with this problem and a summary of many of their approaches.

Rav Soloveitchik's Explanation of Shamai

Rav Yosef Dov Soloveitchik (cited in Reshimot Shiurim to Masechet Sukkah p.104) cites the ceremony of Hakhel as a precedent for Shamai. The Torah (D'varim 31:12-13) commands all Jews to congregate in the Beit HaMikdash for the Hakhel ceremony during Sukkot of the post-Shemittah year. The Torah specifically commands men, women, and children to attend this magnificent event. The Ramban (ibid) understands the Gemara (Chagigah 3a) as teaching that even infants should be brought to Hakhel in order to "bring merit to those who bring them." The Rav suggests that the newborn did not benefit from his being in a Sukkah. Shamai, however, did benefit from his constructing a Sukkah for his newborn grandchild.

Rav Soloveitchik's insight teaches at least two vital lessons in Torah Hashkafa (outlook). First is that Chinuch of children (and others) has the potential to benefit not only the child but also the parent. Indeed, one communal Rav stated in a talk that he delivered at the 5762 convention of the Rabbinical Council of America that the introduction of "Kiruv programs" in his Shul not only attracted previously non-observant Jews to live Torah lives but also breathed life into many peoples' otherwise moribund spiritual lives. Those who engaged in the outreach benefited as much and if not more than the people they were seeking to impact. Chazal (Makkot 10a) express this point by recording Rabi Yehuda HaNasi's observation that "I have learned much from my Rebbeim, and even more from my colleagues, but I learned the most from my students".

Etan Ehrenfeld added that this Mishnah also highlights the role of a grandfather in the Chinuch of his grandchildren. Indeed, Rav Soloveitchik emphasized numerous times in his Shiurim the role of a grandfather in the Chinuch of his grandchildren and the Rav fulfilled this teaching with his grandchildren, as he stated publicly. The Rav quoted in this context the title that the Rambam (Hilchot Kriat Sh'ma 1:4) gave Yaakov Avinu – "the grandfather." Indeed, I have heard the Rav quoted as saying that the Jewish people are known as B'nai Yisrael and not B'nai Avraham or B'nai Yitzchak because Yaakov Avinu is the only one of the Avot whom we find in the Chumash who engaged in the Chinuch of his grandchildren. I believe that I once heard that the Rav explains that Yaakov Avinu is awarded the title "the grandfather" for this reason as well.

David Ginsberg, though, questioned Rav Soloveitchik's explanation of Shamai's actions. The Rambam (Hilchot Chagigah 3:6) compares the Hakhel ceremony to the giving of the Torah at Mount Sinai (see Rav Menachem Leibtag's Shiur to Parashat Vayeilech, www.tanach.org, where he fully develops this point). Thus, it is appropriate to summon infants to Hakhel because Hakhel parallels the Mount Sinai experience when the entire nation, including infants, gathered to receive the Torah. Accordingly, it does not seem appropriate to extrapolate from the Hakhel experience that one should involve an infant in any other Mitzvah. One might answer that since the Mitzvah of the Sukkah commemorates Am Yisrael's residing in Sukkot during our forty-year sojourn in the desert, it is appropriate to involve an infant in the Mitzvah of Sukkah since infants also resided in Sukkot during our years in the Midbar.

Other Explanations of Shamai

The Rashash (Sukkah 28a) cites the Maharshal's explanation of Shamai's actions. He explains that Shamai did not make the Sukkah for his infant grandson. Rather, Shamai had a grandson who was of an age that he could appreciate the significance of a Sukkah. This little boy, however, was still highly emotionally attached to his mother who had just given birth to another child and remained with his mother in the room when she tended to her newborn infant. Shamai made the Sukkah for the older child who was in

the same room as the infant, not for the infant who could not yet appreciate the Mitzvah of Sukkah. The Rashash finds textual support in our version of the Mishnah that does not state that Shamai's daughter-in-law gave birth to a boy. Instead, it merely states that she gave birth, lending credence to the Maharshal's claim that the older sibling was in the house simply because he wished to be with his mother who was confined to the house tending to her newborn. The sex of the newborn was irrelevant because even if it were a girl (recall that women are excused from the Mitzvah of Sukkah) Shamai would have made the Sukkah for the older sibling.

My Talmidim were somewhat less than satisfied with this explanation since "Ikhar Chaser Min HaSefer", there is not much direct evidence in the Mishnah for this seemingly speculative interpretation. Etan Ehrenfeld responded, though, that the Gemara (Sukkah 28b) specifically states in connection with the Shamai story "Chisurei Mechsara," that something is missing in the text of the Mishnah that we are left to infer independently. Etan suggests that perhaps the Maharshal felt that there is "Chisurei Mechsara" about other aspects of the Shamai story that the Mishnah leaves us to infer independently.

Finally, the Talmidim noted that there is no conclusive "rational" explanation for Shamai's actions. Accordingly, there is much room left for a "Chassidic" or mystical explanation that there is something so special about being in a Sukkah that even a newborn can be spiritually nurtured in that unique environment.

Conclusion

In matters of secular law only the technical arguments made by judges and legal scholars are relevant. The scholars' and judges' personal behavior has no impact in the determination of the law. Thus, for example, if the nine Supreme Court justices were to sell Cuban cigars on the steps of the Supreme Court Building in Washington one afternoon, selling the cigars would not thereby be rendered a legal activity. However, seeing Rav Yosef Dov Soloveitchik drinking "non-Chalav Yisrael" milk in the Yeshiva University cafeteria, or scrupulously adhering to the Rambam's ruling that one wash his hands before engaging in Tefillah, or teaching women Gemara at Yeshiva University's Stern College does establish a precedent for his Talmidim regarding these matters. Similarly, the stories told about our great sages from all generations teach us volumes on how to think and conduct ourselves as Torah Jews.

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Rabbi Wein's Weekly Blog

SUCCOT

All of us sense a feeling of spiritual deflation immediately after the exalted atmosphere of Yom Kippur. To have to plunge immediately and directly into the icy waters of everyday life is much too challenging a task. We have just been given an entire day to nurture our souls and to exist as angels without the necessity of fulfilling the requirements of our bodies. So the Lord, so to speak, allows us a more gradual descent into our physical, everyday lives. We are asked to forego the comforts and solidness of our homes for a period of time, to dwell in a succah, exposed to the heavens and to the natural world.

It is again, like Yom Kippur itself, a place of the soul and not of the body. For the succah, no matter how elaborate and luxurious we attempt to make it, remains a temporary and exposed environment. The body is aware of this situation and is somewhat discomfited by it. The soul revels in it. Thus the soul hangs on to the last vestiges of Yom Kippur through Hoshana Rabbah, before our bodies return to complete dominion over our lives.

Perhaps that is also one of the reasons that the day of Hoshana Rabbah is considered as being a High Holy Day and not only as an intermediate day of

Succot. Though none of the restrictions of Yom Kippur are present on that festival day or throughout any of the joyous days of Succot, the spiritual atmosphere of Yom Kippur is still present, for we are living amongst holy clouds and not in physically strong structures.

Jews the world over are willing to spend sizeable amounts of money in the fulfillment of the commandments of the holiday of Succot. We are all aware that the price of a lemon or of an orange or any citrus fruit at the local green grocer is rather negligible. Not so the price of an Etrog! It is not the fruit itself that makes it so valuable to so many. It is the ability to fulfill the will of God through an etrog – itself a gift of God’s bounty – that makes it so valuable... as to be almost priceless.

All of the physical instruments that we use throughout our lives are the means through which our souls remain connected to our Creator. Just as the value of an etrog lies in what lies behind the etrog – in what it represents and Who ordained its use on the holiday of Succot, would that we would view everything in life, all of our goods and possessions, friends and families and our society generally, with such a perspective.

In essence that is the basis of Jewish thought and the moral code of the Torah. On Yom Kippur it is realized and confirmed for us on Succot. And it is that spirit of understanding our role in this world of eternal values that truly occasions within us the joy and happiness that radiates from the holiday of Succot.

Chag Sameach
Rabbi Berel Wein

from: Torah Musings <newsletter@torahmusings.com>

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<https://rabbipruzansky.com/2017/10/02/the-end-of-the-three-day-yom-tov/>

The End of the “Three-Day Yom Tov”

Rabbi Steven Pruzansky

Posted on October 2, 2017

It is official: the phrase “three-day Yom Tov” has been banned from these parts, never to be uttered again. The reason is simple. There is no such thing. There can be a one day Yom Tov (Shavuot in Israel), a two day Yom Tov (Rosh Hashana everywhere or Shavuot in the exile), a seven day Yom Tov (Pesach in Israel), and eight day Yom Tov (Succot/Shmini Atzeret in Israel or Pesach in the exile) and even a nine day Yom Tov (Succot/Shmini Atzeret in the exile). But there cannot be a three day Yom Tov, even though many use the term to describe the recent celebration of Rosh Hashana followed by Shabbat and the upcoming (in the exile) celebrations of Succot and Shmini Atzeret on Thursday and Friday followed by Shabbat.

Years ago, we banned from use the Purim expression “sending Mishloach Manot.” Obviously, one cannot “send the sending of manot;” just send them and be done with it. What we send are “manot,” period.

So there is no “three day Yom Tov” but rather two days of Yom Tov followed by Shabbat. Lest you think I am overly persnickety (just overly; a little persnickety would do everyone some good), please note that the difference is more than semantics.

The expression “three day Yom Tov” conjures up thoughts of drudgery that doesn’t seem to end – cleaning, cooking, eating, cooking, eating, cleaning, and then more eating – with many hours of shul attendance sprinkled in to get us out of the dining room. Some dread three whole days without their electronic devices – no phone, no internet, no texting, and no news updates. That is actually a good way to break the Smartphone addiction that has left many people – especially young people – almost incapable of carrying on a conversation with a live human being right next to them, a human being with whom the interlocutor has to make eye contact and enunciate words in full sentences, wait for a response and answer again.

Nonetheless, since there cannot be a “three day Yom Tov,” what should we call the celebrations of two-day holidays followed by Shabbat?

Rav Eliezer Melamed hinted at the answer which, if understood properly, can revolutionize our lives:

“shelosh yamim shel kedusha,” or in our parlance, “three days of holiness,” or even just “three holy days.” (Note: not three holidays; it doesn’t sound the same nor convey the same meaning.) Three Holy Days. Say it again: “Three Holy Days.” It has a nice ring to it. Rolls off the tongue.

The notion of “Three Holy Days” is a far cry from the implications of the “three day... (banned phrase).” In the first instance, “Three Holy Days” reminds us that these days are not identical in their obligations and observances but are all defined by varying degrees of holiness. Yom Tov and Shabbat are not the same and the distinctions should be noted. Secondly, “Three Holy Days” communicates a love of mitzvot and a desire to rejoice in our service of G-d, as if the purpose of these days is not just to eat and eat (and cook, serve and clean) but to internalize the profound ideas of Torah and Jewish nationhood that have sustained us for thirty-seven centuries. A “three day Yom Tov” (I can’t believe I just wrote that) is feared, a source of anxiety and trepidation, but “Three Holy Days” should be anticipated by all serious Jews with excitement and merriment. Who would not want to be immersed in Torah, Mitzvot and G-d’s presence for three full days, if not more? Who would eschew three consecutive days doing nothing but indulging our souls? Even the meals of the “Three Holy Days” have tremendous spiritual significance.

“Three Holy Days” marks this period of time, and which we will enjoy again this coming Shavuot, as opportunities to saturate our souls with the experiences that develop them and therefore our entire lives. There is little that we do during the working days of the week that has as considerable an influence on our souls as does our proper observance and celebration of the “Three Holy Days.” Our children and grandchildren will be shaped and inspired by what they see, hear, feel and experience far more than anything that happens outside this time.

If they perceive that the “Three Holy Days” are a burden, and involve chores and preparations that weigh down and even dispirit the adults in their lives – if, indeed, they are educated with the banned expression “Three Day-you-know-what” – then they will absorb this lesson quite well and chafe under the loss of work time and regret the hours they could have otherwise spent sharing the inanities of their daily lives on social media.

But if they learn the lofty phrase “Three Holy Days” they will understand the great blessings that we enjoy, of finding our true happiness in Mitzvot and divine service, and they will seek to surround themselves with holiness, holy things and holy moments. There is no better time for this than Succot, during which we enter into a mitzvah with our entire bodies and bask in the divine presence.

So long live the “Three Holy Days” – and Chag Sameach to all!

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Aliyah Laregel

By Rabbi Yirmiyohu Kaganoff

The website RabbiKaganoff.com contains dozens of articles on a wide range of Yom Tov related topics that can be found under the headings Sukkah, Esrog, Yom Tov, Hallel, Chol Hamoed, Eruv Tavshillin. The enclosed article discusses a different aspect of Yom Tov observance, that of...

Question #1: Yizkor on Simchas Torah?

“Is there a reason why Yizkor is recited in Eretz Yisroel in the middle of the Simchas Torah davening?”

Question #2: No Aliyah Laregel

“Someone once told me that when the Beis Hamikdash is rebuilt, the mitzvah of Aliyah Laregel will be optional. How can that be?”

Question #3: Women and Yaaleh Veyavo

“If a woman forgot Yaaleh Veyavo in bensching of Yom Tov, does she repeat the bensching?”

Introduction:

Although we cannot observe the beautiful mitzvah of Aliyah Laregel until the Beis Hamikdash is rebuilt, many halachic observances and customs result from the laws associated with this mitzvah. The questions above reflect some of those practices.

The mitzvah of Aliyah Laregel

The mitzvah of Aliyah Laregel is mentioned several places in the Torah. In parshas Ki Sissa (Shemos 34:23), the Torah states: Shalosh pe'amim bashanah yeira'eh kol zechurcha es penei Ha'adon Hashem, Elokei Yisroel, “Three times a year shall all your males appear in the Presence of the Lord, Hashem, the G-d of Israel,” and a similar posuk appears in parshas Mishpatim (Shemos 23:17). In parshas Re'eih (Devorim 16:16), the Torah specifies that the three times are Pesach, Shavuos, and Sukkos. In this last place, the Torah concludes with the following statement: “Three times a year, all your males shall appear before Hashem, your G-d, in the place that He will choose, and you should not appear before Hashem emptyhanded. Each man should bring with him according to the bounty that Hashem your G-d has provided you.”

This last verse teaches that the mitzvah is not only to ascend to Yerushalayim and to the Har Habayis (the “Temple Mount”), but also to bring korbanos when we come. It also states that a wealthier individual is obligated to spend more on his korbanos than a pauper (Mishnah, Chagigah 8b).

Three mitzvos

When the Tosefta (Chagigah 1:5) and the Gemara (Chagigah 6b) discuss the details of Aliyah Laregel, they refer to it as three mitzvos: “The Jewish people were commanded three mitzvos when they were oleh regel,” that is, traveling to the Beis Hamikdash grounds on Yom Tov required three specific mitzvah actions:

1. From the words of the above-quoted posuk, “You should not appear before Hashem emptyhanded,” we derive that one is required to offer a korban olah when we appear in the Beis Hamikdash, called an olas re'iyah. This korban is completely consumed on the mizbeiach, except for its hide, which is given to the kohanim as one of the gifts that the Torah provides.
2. The mitzvah of offering special korbanos shelamim in honor of the festival, called Chagigah or shalmei chagigah. Some of the meat of this korban goes to the kohanim, but most of it goes to the owners who serve it as part of their Yom Tov meals while in Yerushalayim. Any tahor Jewish person is permitted to eat from this korban.
3. The mitzvah of simcha, which includes offering korbanos and eating their meat on each day of the festival, including chol hamoed. Since meat of korbanos may be eaten only in Yerushalayim, this means that, at the time of the Beis Hamikdash, the entire Jewish people spent the whole Yom Tov, including all the days of chol hamoed, in Yerushalayim.

One fulfills this latter mitzvah with any animal korban from which one is permitted to eat, including other korbanos that one must offer anyway (Mishnah, Chagigah 7b). In other words, one may wait to bring his other required korbanos, such as firstborn animals, maaser beheimah, donated shelamim offerings, and chata'os until Yom Tov, and offer them then, while one is in Yerushalayim anyway. When he offers them on Yom Tov, he may fulfill the requirement of consuming shalmei simcha with the meat of these korbanos. (In the case of chata'os and similar korbanos, this approach can be used only by kohanim, since no one else is permitted to consume them.)

Rules of Har Habayis

One is required to be completely tahor when ascending the Har Habayis and to do so with complete awe of the sanctity of the place, and to act appropriately. Among the specific laws that apply on Har Habayis is a prohibition against wearing shoes and of carrying one's wallet or moneybelt. Exempt from Aliyah Laregel

Notwithstanding the words of the Torah that all the males should ascend the Har Habayis three times a year, Chazal derive that there is a long list of men who are exempt from fulfilling the mitzvos of re'iyah. This list includes:

1. Difficulty in walking

Anyone who has difficulty walking is exempt from the mitzvah of Aliyah Laregel. This includes the elderly, the ill, someone with a lameness or injury in his legs, and even those who are unused to walking without shoes, since one is prohibited from wearing shoes on the Har Habayis (Chagigah 4a). Someone who can walk there only because he uses a prosthesis is also exempt from the mitzvah (Chagigah 3a; 4a). Similarly, someone who has discomfort in one leg, even if he has no discomfort in the other leg and can still walk, is also exempt (Chagigah 3a).

2. Vision impaired

Anyone whose vision is impaired is exempt from the mitzvah. This includes someone who can see out of only one eye (Chagigah 4b).

3. Hearing impaired

Someone who cannot hear, but can speak, or someone who can speak but not hear is exempt from the mitzvah of re'iyah, although they are obligated in simcha and indeed all other mitzvos of the Torah (Chagigah 2b). Also, someone who does not hear in one ear is exempt from re'iyah (Chagigah 3a). All three of these categories of people who are exempt from the mitzvah of Aliyah Laregel and of offering the olas re'iyah and the shalmei chagigah are still obligated in the third mitzvah mentioned above, of partaking in korbanos simcha (Rambam, Hilchos Chagigah 2:4, based on Gemara Chagigah 4a). This is, of course, assuming that they went to Yerushalayim for Yom Tov, because one may eat these korbanos only there.

4. Tamei

People who are tamei are exempt from fulfilling the mitzvah of Aliyah Laregel (Gemara Chagigah 4b; Tosefta Chagigah 1:1). Someone who is tamei is required to make himself tahor in order to fulfill the mitzvah of Aliyah Laregel. However, if he did not purify himself or was unable to do so, he is now exempt from the mitzvah, since as long as he is tamei he may not enter the Beis Hamikdash grounds. Indeed, someone who is tamei cannot fulfill the mitzvah of Aliyah Laregel, since he is not allowed to enter the Beis Hamikdash grounds (Rambam, Hilchos Chagigah 2:1).

There is a major difference between the various categories of exemptions from Aliyah Laregel. People excused from the mitzvah for medical reasons may perform the mitzvah, and if they do so, they will be rewarded as einam metzuvim ve'osim, those who perform a mitzvah that they are not obligated to perform. However, someone who is tamei is forbidden to participate in Aliyah Laregel, since doing so would cause him to violate the sanctity of the Beis Hamikdash. He should try to make himself tahor as soon as possible.

5. Uncircumcised

There are specific situations in which someone is not obligated to have a bris milah performed, because of the danger that is involved. Although such a person is exempt from the mitzvah of bris milah, he is still not circumcised, and, as such, he is exempt from several of the Torah's mitzvos, including the mitzvah of Aliyah Laregel. Similar to the person who is tamei, this individual is forbidden to observe the mitzvah.

Children

Although a child is not required to observe any mitzvah, Chazal required the father to see to it that he observe most mitzvos, in order to acquaint himself with keeping them. In this context, we find a dispute between Beis Shammai and Beis Hillel. Both schools hold that a father is required to have his minor son accompany him on the mitzvah of entering the Beis Hamikdash on Yom Tov. The question is: From what age is the father obligated to do so?

According to Beis Shammai, the father is obligated to do so from when the child is old enough to ride his father's shoulders, when the father walks from Yerushalayim to the Har Habayis.

According to Beis Hillel, the child is required to accompany his father only if he can walk the distance from Yerushalayim to Har Habayis while holding his father's hand. Thus, a child too young to walk that distance, but able to

travel it on Dad's shoulders, is exempt from the mitzvah according to Beis Hillel and obligated according to Beis Shammai. As is usually the case, the halacha accords with Beis Hillel (Rambam, Hilchos Chagigah 2:3). We should be aware that the responsibility of a father to train his child to perform a mitzvah is only when the child will be obligated to fulfill that mitzvah when he becomes an adult. Thus, regarding the mitzvah of Aliyah Laregel, should the child fit any of categories 1-3 above that exempt an adult from this mitzvah, the father is not obligated to bring the child with him when he is *oleh regel* (Rambam, Hilchos Chagigah 2:3).

Smelly professions

There are certain professions that leave their artisans with a malodorous odor. Tanners and copper smelters, for example, are surrounded by substances whose ill fragrance sometimes permeates their clothing and hair. Are they obligated in the mitzvah of Aliyah Laregel, or do we say that since their attendance might adversely affect other people required to observe the mitzvah that they are exempt? This question is discussed by the Gemara (Chagigah 4a). The Rambam (Hilchos Chagigah 2:2) concludes that they are required to clean themselves and their clothes fully and fulfill the mitzvah of Aliyah Laregel.

Yizkor and Aliyah Laregel

I mentioned previously the *posuk* from parshas Re'eih (Devorim 16:16), in which the Torah specifies that each person is obligated to donate according to the bounty that Hashem has provided him. At this point, I want to address one of our opening questions:

"Is there a reason why Yizkor is recited in Eretz Yisroel in the middle of the Simchas Torah davening?"

To answer this question, we need to explore the history of this prayer. Yizkor is a custom that began among Ashkenazim in *chutz la'aretz* and is recited four times a year: on Yom Kippur, the eighth day of Pesach, the second day of Shavuos and on Shemini Atzeres. Why specifically on these four days? On all of these days, there was a custom to make donations to *tzedakah*, and, at one point, there became established an idea of reciting a prayer that the *tzedakah* donated should serve for the benefit of one's departed parents and other relatives. On Yom Kippur, it is obvious why special donations were made to *tzedakah*, but why specifically on the three days of Yom Tov mentioned above, as opposed to the other days of Yom Tov?

The answer is that in *chutz la'aretz*, the reading for these three *yomim tovim* -- the eighth day of Pesach, the second day of Shavuos and Shemini Atzeres -- is in parshas Re'eih, and the last *posuk* of the reading states: "Each man should bring with him according to the bounty that Hashem your G-d has provided you." Although the literal meaning of the *posuk* refers to the amount one should spend on the *korban olas re'iyah*, it certainly can be understood to include gifts for *tzedakah*, and indeed that became an accepted practice. The people made donations to *tzedakah*, but decided to have them as an *iluy neshamah*, an elevation for the souls of their departed relatives. (By the way, in some German communities, there was no *minhag* of Yizkor and instead, they observed a different practice on those days, called *matanas yad*.)

When the Ashkenazim began returning to Eretz Yisroel in the nineteenth century, they realized that in Eretz Yisroel, there is no eighth day of Pesach or second day of Shavuos, and the day that is called Shemini Atzeres in *chutz la'aretz* is called and observed as Simchas Torah, when we read parshas Vezos Haberacha and the beginning of Bereishis. Thus, parshas Re'eih is never read on Yom Tov.

Because people did not want to lose this beautiful *minhag* of reciting Yizkor, they continued to observe the practice on the day of Yom Tov closest to those days, that is, on the seventh day of Pesach, Shavuos, and on Simchas Torah.

Beloved servants

We have discussed some of the laws of the mitzvah of Aliyah Laregel, a topic that we will continue to discuss in a future article, when we will *iy"H* answer the remaining of our opening questions. Contemplating this special

mitzvah of Aliyah Laregel should give every one of us *chizuk*. Consider that Hashem Yisborach commanded us to come to the Beis Hamikdash "in order to be seen." The message here is that we are His beloved servants and He desires to see us, as it says in the Gemara (Chagigah 4b), "A servant whom his master desires to see." Furthermore, the Gemara describes Klal Yisroel as "the servant whom the master desires to eat at his table."

May we soon merit fulfilling this mitzvah in the third Beis Hamikdash, may it be rebuilt speedily, and that Hashem should look upon us favorably! Wishing all of our readers, together with all of Klal Yisroel, a good Yom Tov!

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Rav Shlomo Aviner Shlit" a Laws of Dwelling in a Sukkah

Obligation:

1. During all seven days of Sukkot (eight days outside of Israel), one's house should serve as his temporary dwelling and his Sukkah as his permanent dwelling. He should eat, drink, sleep and live in the Sukkah, day and night, just as he does the rest of the year in his house (Shulchan Aruch, Orach Chaim 639:1).
2. There is an obligation to sleep in the Sukkah, even for a nap. The law of sleeping in the Sukkah – for men – has a greater foundation in Halachah than does eating in the Sukkah. The basic halachah is that except for the first night (and the second night outside of Israel), there is no obligation to eat in the Sukkah unless one is eating foods made from flour such as bread, cakes or noodles. In contrast, there is an obligation to sleep in the Sukkah, even for a nap. Our Rabbi, Ha-Rav Tzvi Yehudah Ha-Cohain Kook, would remind his students of the importance of sleeping in the Sukkah. When he was in Switzerland in the cold and snow, he would not forgo even one night of sleeping in the Sukkah (Sefer Rabbenu - on the Life of Ha-Rav Zvi Yehudah Ha-Cohain Kook, p. 187).
3. Because of the great holiness of the Sukkah, it is proper to limit non-holy discussions and speak words of holiness and Torah in the Sukkah, and all the more so one must be cautious to refrain from speaking *Lashon Ha-Ra* (Mishnah Berurah *ibid.* #2).
4. At the beginning of the Laws of the Sukkah, the Bach explains that there are three *Mitzvot* which one does not fulfill in the proper manner if he does not elucidate the reason for performing them. They are: *Tzitzit*, *Tefillin* and Sukkah. During Sukkot, Maran Ha-Rav Kook would mention this idea and explain at the length the reason for dwelling in the Sukkah (Siddur Olat Re'eiyah vol. 1, p. 11 in the notes of our Rabbi, Ha-Rav Tzvi Yehudah).
Eating in the Sukkah:
5. The order of Kiddush on the first night is: The blessing on the wine, the Kiddush, the blessing of "Leshev Ba-Sukkah" and Shehechyanu. On the second night outside of Israel, Shehechyanu is recited before the blessing of "Leshev Ba-Sukkah" since the Shehechyanu applies to the holiday and not the fulfillment on the mitzvah of dwelling in the Sukkot which was performed the previous night for the first time (*ibid.* 661:1 and in the Rama and Mishnah Berurah #1).
6. On the first night of the holiday (and the second night outside of Israel), one must eat an olive-size piece of bread in the Sukkah, just as one must eat an olive-size piece of Matzah on the first night of Pesach. And similar to eating Matzah, one should not eat on Erev Sukkot from noon onward in order to approach eating in the Sukkah with an appetite, one should not eat on the first night until it is definitely night-time and one should eat the bread before midnight (*ibid.* 639:3 and in the Rama).
7. It is forbidden to eat more than an egg-size piece of bread or foods made from flour such as cookies, cakes or noodles outside of the Sukkah. But if one eats meat, fruit or vegetables there is no obligation to eat in the Sukkah. One who glorifies the mitzvah to eat even snacks (not containing flour) in the Sukkah is praiseworthy (*ibid.* 2).

Those Exempt from Dwelling in the Sukkah:

8. Women and children are exempt from the Sukkah. A boy who reaches the age of education is obligated in the mitzvah of Sukkah so he can be educated about the Mitzvot (ibid. 640:1).

9. One who is distressed is exempt from the Sukkah whether he is sick, too cold or too hot, bothered by the wind, flies, bees or mosquitoes, etc. as long as the Sukkah was not constructed in a place where there would certainly be a hardship. Therefore, if it is raining to the extent that the rain would spoil a cooked dish – even if you do not currently have such a dish there – one may go into his house. This applies to all days of Sukkot, but on the first night (and on the second night outside of Israel) one is required to eat an olive-size piece of bread in the Sukkah even if it is raining (ibid. 639:5 and in the Rama). If it is raining on the first night (and on the second night outside of Israel), some authorities say that it is proper to wait until midnight to see if the rain will cease. Others explain that one should wait an hour or two in order not to impinge on the joy of the holiday (Mishnah Berurah ibid, #35). If the rain does not stop, one should recite Kiddush, eat an olive-size piece of bread in the Sukkah without the blessing of "Leshev Ba-Sukkah" and eat in his house. If the rain stops during the meal, he should go out to the Sukkah and finish it there (Shulchan Aruch and Rama ibid. and Mishnah Berurah #36).

During the remaining days of Sukkot, if one is eating in the Sukkah, and it begins raining so that he goes inside his house to eat, he may remain inside until the end of the meal, even if it stops raining (ibid. 6). If one is sleeping in the Sukkah, he need not wait until the extent that the rain would spoil a cooked dish in order to go inside his house since even a little rain is distressing when sleeping (ibid. 7 in the Rama). If he went to sleep at night in the house due to rain, he may remain in the house until the morning (ibid. 7).

10. It is permissible to take trips on Chol Ha-Moed Sukkot, and to sleep and eat outside the Sukkah, if a Sukkah cannot be easily found. One who is strict not to lose out on the mitzvah of Sukkah even once is praiseworthy (Shut She'eilat Shlomo 1:238 and 2:149).

Prayers in the Sukkah:

11. There is a custom to welcome in each night one of the seven spiritual guests called "Ushpizin." According to Ashkenazic tradition, the order of the Ushpizin is: Avraham, Yitzchak, Yaakov, Yosef, Moshe, Aharon and David. According to Nusach Sefard, the order is: Avraham, Yitzchak, Yaakov, Moshe, Aharon, Yosef and David.

12. When departing from the Sukkah at the end of Sukkot, some say: May we merit to dwell in the Sukkah of the Leviathan" (ibid. 667:1 in the Rama). And the Aderet – Ha-Gaon Ha-Rav Eliyahu David Rabinowitz Te'omim – the Rav of Jerusalem and Maran Ha-Rav Kook's father-in-law, would say: May we also merit in the coming year, may it be good for us, to fulfill the mitzvot of Sukkah and the Four Species, the rejoicing on Holiday and all of its parts according their proper halachic prescriptions, and fulfill all of the Mitzvot from now until next year, may it be good to us and all Israel, amen (Tefillat David, p. 110 and Nefesh David, p. 197, 211).

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Succoth: Completing the Days of Awe – Rav Kook Torah

We rejoice on all of the holidays, but Succoth contains an exceptional measure of joy. In fact, this is the most prominent aspect of the holiday. Succoth is identified in the prayers as z'man simchateinu, "the Season of our Joy."

Why does this holiday of rejoicing immediately follow the High Holidays, Rosh Hashanah and Yom Kippur - a solemn period of introspection and penitence?

Restoring Joy

The process of purifying deeds and refining character traits naturally entails a certain dampening of the spirit. As we struggle to overcome negative personality traits, it is natural to lose some of life's innate spontaneity and joy. The corrective process of teshuvah [repentance] can have the undesirable side effect of impairing the soul's positive and creative forces.

This phenomenon is analogous to a patient who underwent arduous chemotherapy treatment in order to eliminate a cancerous growth. The therapy in fact eradicated the deadly growth, but it also weakened healthy powers of the body.

Therefore, the holiday of Succoth - a time of elevated spirits and holy rejoicing - immediately follows the introspective Days of Awe. The Succoth festival restores the soul's wholesome sense of joy in life, and, in fact, completes the process of repentance and atonement.

(Silver from the Land of Israel (now available in paperback), pp. 87-88.

Adapted from Olat Re'iyah vol. II, p. 368)

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Shabbat Shalom: Sukkot 5778

Rabbi Shlomo Riskin

Efrat, Israel – "...in order that your ensuing generations will know that I had the People of Israel live in sukkot when I took them out of the land of Egypt. I am the Lord, your God" [Lev. 23:43].

One of the most colorful and engaging holidays of the Jewish year is Sukkot. Growing up, my children looked forward to this festival more than to any other – despite the interrupting rains we often endured in Manhattan during the Israeli harvest season.

Indeed, there is a great deal of pageantry in building and living in a new habitation for an entire week: the earthy greens and yellows of the vegetative ceiling (s'chach) from whose openings we must be able to see the sky, the magnificently decorated make-shift walls emblazoned with fruits and vegetables, colorful depictions of Holy Temple celebrations bringing together past glories and future hopes, and the renderings alluding to our special sukkah guests, Abraham, Isaac, Jacob, Moses, Aaron, Joseph and David.

Beyond the spectacle, however, what is the message of this mitzvah of dwelling in the sukkah?

This question is especially important when you consider that according to Rabbi Chaim Soloveitchik of Brisk, this mitzvah must be performed with specific intention and understanding, based on the Biblical verse: "...in order that your ensuing generations will know that I had the People of Israel live in sukkot when I took them out of the land of Egypt. I am the Lord, your God" [Lev. 23:42-43].

I believe we can find an answer by looking at the curious Talmudic case of the person who feels discomfort in the sukkah [Sukkah 26a]. Generally speaking, we do not find discomfort serving as the basis for an exemption from a Biblical mitzvah. Sukkah is the notable exception, with Jewish law defining discomfort as the wind or the flies making it impossible to sleep in the sukkah, or rain spoiling the soup you are about to eat in the sukkah [Shulchan Aruch, Orach Chayyim 640:4].

What is it about the mitzvah of sukkah that renders it incompatible with discomfort?

If, as Rabbi Akiva famously maintains [Talmud, Sukkah 11b], the sukkah symbolizes the desert huts in which the People of Israel dwelt in the desert, there must certainly have been uncomfortable invasions by desert creatures and a pounding hot sun that would have made sitting in such a sukkah incredibly uncomfortable. Nevertheless, so did the People of Israel live for forty years.

Only if we maintain, like Rabbi Eliezer [ibid.], that the sukkah represents the Divine clouds of glory that protected and accompanied the people throughout the long desert sojourn, impervious to any foreign element of annoyance, would it make sense to rule that one who is uncomfortable need not sit in our sukkot today.

I would like to suggest, however, that we might view these two opinions not as being in disagreement, but rather as providing complementary perspectives. That is to say, even if the sukkot in the desert were actual make-shift huts whose occupants were vulnerable prey to all the hazards of difficult desert living conditions, if those who lived in them felt that they were living under Divine protection, they were impervious to discomfiture. I believe that this is the message of the Holy Zohar: "It was taught to the nations of the world that anyone who has a share in our holy nation and our holy land will dwell in the shadow of Divine faith and receive the sacred guests who will bring joy in this world and in the world to come" [Emor, 2:78].

Whether your sukkah is a silo or a sanctuary depends on whether or not you feel that your nation and your land are under the loving protective covering of the Divine, come what may.

It is told that Rabbi Levi Yitzchak of Berditchev would sit in the sukkah and continue to eat, sing and study Torah even during the worst rain storms. One of his disciples cited the halakhic principle: "If rains fall, one must (leave the sukkah) and go into the house... Anyone who is freed from the commandment of sukkah (because he is uncomfortable) and still does not leave it, will not receive any reward; he is considered a commoner (Greek, idiot)" [Shulchan Aruch, Orach Chayyim 639].

Rabbi Levi Yitzchak countered: anyone dwelling under the Divine Rays of Splendor who can nevertheless feel uncomfortable is truly a commoner!" Perhaps the deepest message of the sukkah is that true joy and comfort stems not from a fancy palatial residence replete with expensive oak furnishings and chandeliers, but rather from familial love and togetherness within the backdrop of our Biblical guests and under the protection of a loving God. As the Talmud teaches, "When our love was strong, we could lie on [an area as small as] the blade of a sword, and there was sufficient room; now that our love is no longer strong, a bed of 60 cubits (90 feet / 27 meters) is not large enough" [Talmud, Sanhedrin 7a].

Shabbat Shalom

<http://www.jpost.com/Jewish-World/Jewish-Features/The-extraordinary-history-of-the-etrog-2179>

The extraordinary history of the etrog

ARI GREENSPAN and ARI Z. ZIVOTOFKY

Oct. 16, 2005

It should be simple. The holiday of Succot approaches and you buy the four species mandated by the Torah. The lulav (palm branch) with its accompanying willow and myrtle stems are easily chosen. But choosing the etrog is an entirely different matter. For the most mehudar (exquisite) etrog, you need to spend time studying the hundreds of yellow lemon-like fruits at your local etrog dealer. Who would have thought that behind this fine, fragrant, and beautiful fruit is a history of political intrigue, worldwide business domination, and acerbic religious disputes that left a sour taste in the mouths of many?

The phrase used by the Torah to describe the etrog is *pri etz hadar* or "the fruit of a beautiful tree" (Lev. 23:40). Modern Hebrew for all fruit of the citrus family (lemon, orange, etc.) is "hadar."

The oral tradition from Sinai is very clear: the fruit we take today and have used for thousands of years is the etrog, or citron, known scientifically as *Citrus Medica*, (because of its medicinal uses, or *Citrus Media*, attributed to its Persian origin).

The etrog is also called "Adam's apple," or "paradise apple," and is one of the suggested candidates for the fruit of the Tree of Knowledge in the Garden of Eden.

That was all fine and dandy for Jews living in the Holy Land and Persia, where the etrog was well-established. Prof. Ari Schaffer of the Volcani Institute for Agricultural Research in Beit Dagan cites Maimonides's thesis presented in his *Guide for the Perplexed* that the Torah's mandate of these particular four species is that "they were plentiful in those days in Eretz Yisrael, so that everyone could easily get them."

Schaffer also notes that the etrog specifically fulfills the symbolic role of the plant growing largely on the coastal plains of Israel and demanding much water, as part of the ritual of the four species which represent water-loving plants in the various ecological habitats of Israel (palm - desert; willow - river beds; myrtle - mountains; etrog - plains). The etrog was unique in the ancient period as a tree that required intense irrigation (hadar was even interpreted in the Talmud as "hydro," the water tree), unlike native Israeli fruit trees such as the fig, date, grape, and pomegranate.

This ritual coincides with the other water rituals of Succot, including the water libations, because both thanks and prayers are specifically offered for rain during this period. In fact, the history of the citrus fruit has its roots in the Far East. Botanical historians followed the etrog from its origins in the Far East westward. Jewish tradition holds that the etrog was transmitted from father to son from the time of the giving of the Torah. One thing is sure: by the time of Alexander the Great in 332 BCE, it was well-rooted as the first citrus fruit in the western world. The fruit is described in detail by the great Greek naturalist Theophrastus, a contemporary of Alexander, and extolled for its medicinal value as well as its fragrance.

The Jews, however, constantly used it on the joyous holiday of Succot. An unusual event occurred during the Simchat Bet Hasho'eva, the joyous celebration of water libation during the intermediate days of the holiday.

During the first century BCE, Alexander Yanai, the sixth and last of the Maccabean ruler high priests, had angered the Pharisee population by his Hellenized, military behavior. The outrage at this soldier priest climaxed when he brazenly expressed Sadducee beliefs by pouring the water libation on his feet (Succah 4:9), and he was pelted with etrogim by the multitudes gathered on the Temple Mount in Jerusalem. With the dispersion of the Jews to the four corners of the earth, the heretofore unknown fruit went with them. For why would a fruit with almost no pulp, little known benefit, that needs copious quantities of water and care, and that is particularly fragile find itself being grown in orchards on the perimeter of the Mediterranean Sea?

It was clearly to enable the fulfillment of the precept commanded in the Torah. It appears in the Peloponnesus (southern Greece) and Mauritania in the first and second centuries. From Israel westward we find it transplanted to Egypt, Libya, Tunisia and Morocco. Going north, it was dispersed to Lebanon, Syria, Greece and Italy.

Jewish art and coins

We find numerous examples of the etrog on mosaic floors and frescoed walls of synagogues from the Roman and Byzantine period. Sometimes it appears with the lulav and other times alone.

It's such an important Jewish icon that it is also found on numerous coins of the Great Revolt in the year 66 CE, and is a common theme on the coins of the Bar Kochba rebellion of 132-135 CE. In fact, its appearance in non-Jewish art is considered to be a sign of Judaizing influences. Even the well-known belt or "gartle" around the middle of the fruit which is especially chosen by many hassidim can be seen to be prevalent 2,000 years ago, based on depictions on coins of the first and second centuries, as well as various synagogue mosaics.

The "gartle" can already be observed on the fruitlet only days after the flower opens, and is caused by the ring of anthers in the flower physically constricting the fruitlet, much like a rotund hassid tying a gartle around his belly.

One of the most interesting testimonies from a Bar Kochba period coin is the representation of the Four Species showing a single etrog, a single lulav, a single willow branch and a single myrtle branch, rather than the two willows and three myrtles we are accustomed to. This is in accordance with the opinion of Rabbi Akiva, Bar Kochba's supporter, that "just as the etrog and lulav are single, so too are the willow and myrtle." The use by Bar Kochba of the etrogim on his rebellion coins is all the more poignant when we discover that one of the very few letters found intact in the caves of the Judean desert by Yigal Yadin was written by Bar Kochba himself, and deals with his army and its supply difficulties.

"Shimon to Yehudah Bar Menashe: Kiryat Arabaya. I have sent two donkeys. You shall send two men with them to Yehonatan bar Be'ayan and to Masabla. They shall pack and bring back to you palm branches and etrogim. You should send others from your place to bring back myrtles and willows. See that they are tithed. Send them all to my camp. Our army is large. Peace."

High finance and the etrog

It would seem that as long as Jews stayed in the moderate climate on the shores of the Mediterranean, there was no difficulty obtaining etrogim for the holiday. As people moved north into France, Germany, Poland and Russia, however, the temperature-sensitive tree could not exist and tremendous problems ensued. In fact, the halachic literature is replete with cases of only one etrog being available to fulfill an entire community's need.

The commercial aspect regarding the Jews' willingness to buy these fruits at any price was not lost on the non-Jews. In 1329, victorious Guelph Florence prohibited the republic of Pisa from engaging in the etrog trade, keeping the lucrative business for

itself. Empress Maria Theresa (mid-18th century) demanded a huge annual tax of 40,000 florins from the Jews of Bohemia for the right to import their etrogim. The local Jewish community was often in charge of etrogim sales, and a small tax was levied in order to help with communal expenses. The fledgling Ashkenazi community of Jerusalem in the first half of the 19th century was prohibited from engaging in the etrog trade.

One of the early etrog dealers in Palestine to break the Sephardic monopoly was Rabbi Yaakov Sapir, for whom the Jerusalem Hills moshav Even Sapir is named. He describes how "when I came from the holy city of Tzfat, may it be rebuilt, to Jerusalem, the holy city, may it be rebuilt, in the year 1835, the entire business was in the hands of the Sephardic community. A great rabbi, who was in charge of the fund, would send two people in the month of Av every year, who were born in Israel, to bring the necessary number of etrogim. In those days, 500 etrogim was more than enough."

Grafted etrogim

The etrog tree is very delicate, requiring constant care. It starts to bear fruit after about five years, but because it is vulnerable to a number of diseases, particularly those of the root system, they rarely live more than 10 or 15 years.

The solution is to graft an etrog onto a base of another citrus tree, most often a lemon tree, thus using the hearty base of the lemon to nourish the etrog.

A grafted-citron tree, known as a murkav, has a life expectancy of 30 to 35 years, is more durable, and requires less care. After just a few years, the place where the two trees were joined becomes difficult to detect, and it is then virtually impossible to determine if a tree is pure or grafted. At times the graft union is below ground level, adding difficulty to the diagnosis.

No mention is made in the Talmud, early commentators, Maimonides, or even the Shulchan Aruch about the halachic status of a grafted etrog, despite the fact that the technique of grafting was known from before the talmudic period.

Not only were they familiar with the general principal of grafting, but Maimonides even discusses grafting etrogim, albeit not in the context of Succot but rather related to the pagan rituals that often accompanied the grafting procedure.

This silence by the rabbis on the suitability of murkav fruit may be because they did not commonly graft etrogim, possibly because there were not yet any other citrus plants in Israel on which to graft them, since the second citrus fruit to be introduced into the Middle East, the lemon, makes its appearance only in the Middle Ages. Or the omission may be because such an etrog would actually not have been problematic in their eyes. The first discussion of a concern over an etrog murkav is by scholars of the Holy Land and Italy in the 16th century, who probably personally witnessed what was by then a widespread procedure. Rabbi Meir Katzenellenbogen, known as the Maharam mi'Padua (1482-1565, Padua, Italy) and Rabbi Moshe Alshich (1508-ca. 1593 Safed), a student of Rabbi Joseph Karo, the author of the Shulchan Aruch, or Code of Jewish Law, were among the first to discuss and prohibit the grafted etrog.

Although these are the earliest recorded prohibitors, from these sources it is clear that the phenomenon already had established roots, positions on its use were known, and most likely the use of such etrogim was widespread.

Over the centuries, while it was generally held that a murkav was unacceptable, the search for a reason offered fertile ground for a plethora of suggestions as to its invalidation.

Some of these reasons are:

1. Due to the fact that the fruit must be whole and not missing a piece (chaser), the grafted etrog is considered as being partially from each fruit and therefore not complete.
2. Possibly the identity of a fruit is determined by the trunk of the tree on which it appears, meaning that a grafted etrog is not even considered to be an etrog but rather a lemon.
3. Because the fruit consists partially of a lemon, using it for the mitzvah entails adding an additional species, which violates the prohibition of bal toshif (adding onto mitzvot).
4. Interspecies grafting of any kind is a biblical prohibition, and using the progeny of an illicit act for a mitzvah is "repugnant to God."

Most authorities are willing to apply this rationale even if the grafting was done by non-Jews. However, it is actually not clear whether the etrog and lemon are in fact considered distinct species according to halakha.

Over the past few hundred years, following the prohibition of grafted etrogim, various physical, botanical characteristics have been proposed to distinguish between the grafted and pure etrog: the murkav is smooth like the lemon, while the etrog is rough and bumpy; the grafted etrog has a protruding stem, while the pure one has a recessed stem; the real etrog has a very thick skin and almost no pulp, while the grafted one has a thin skin like the lemon and a liquidy pulp; finally, the pure citron has seeds that lie longitudinally (i.e. parallel to the long axis), while in the murkav the seeds lie latitudinally (horizontally).

The important 19th-century authority, the Chatam Sofer, greatly minimized the utility of these late, non-talmudic signs.

In lieu of anatomical markers to identify an ungrafted etrog, he demanded the existence of an unbroken mesorah, tradition, as is required in order to identify kosher birds. He did, however, grant weight to two other signs that have their roots in the Talmud. The etrog is described as the only tree in which the fruit and the tree have the same taste. In addition, the etrog is considered unique in that the fruit will stay on the tree past its "season" and continue to grow and thrive year-round.

Prof. Eliezer Goldschmidt of The Hebrew University of Jerusalem's faculty of agricultural, food, and environmental quality sciences, and a world expert on etrogim, has studied the history of the etrog as well as the morphological and genetic effects of grafting. He concludes that genetically, grafting has no effect on the etrog fruit, and that the fruit growing on a branch of the etrog scion (the stem portion of the tree) will remain the same etrog irrespective of the tree used as the stock (the root portion of the grafted tree).

Interestingly, some of the most recent scientific research in the field of plant molecular biology suggests that in certain cases there can actually be a transfer of genetic material across graft unions in plants. But nevertheless, from a scientific view, a grafted etrog has the same makeup as a non-grafted one.

The etrog wars

As the Jewish population of northern Europe proliferated, the need to import etrogim from far away, namely the Italian and Greek coasts and neighboring islands, grew, and the possibility of graft increased. In fact, the non-Jewish merchants understood the fortunes that could be made, and actually turned the grafted etrogim into an exquisitely beautiful fruit.

The unparalleled experts were the islanders of Corfu.

No one knows exactly when etrog orchards first started in Corfu, but the Corfu etrog appears to have first been sold in Sephardic lands in the mid-18th century. By the last decades of the 18th century, these beautiful etrogim were introduced to the Ashkenazim.

Corfu etrogim were characterized by their stunning appearance, relatively steep price, and by the retained stigma (pitam), taken by many as a sign that they had been grafted. This led to questions regarding their fitness.

Not everyone, however, agreed that a murkav is unkosher. The Hungarian rabbi Meir ben Isaac (b. 1708), in his work *Panim Me'rot*, concludes that since a murkav has all the properties of a pri etz hadar it should be kosher. The Rashban (Rabbi Shlomo Tzvi Schick) permitted buying etrogim of questionable lineage from the local etrog merchant, a widow, because supporting her is a greater hiddur than the fear of grafted etrogim. Throughout the first half of the 19th century, Corfu etrogim were widely distributed and, for many, were the preferred variety. A large number of Sephardic rabbis were wary of the potential for fraud but accepted etrogim from Corfu as long as they had local rabbinic validation.

In Poland and Lithuania, there was also widespread use of the Corfu etrog, although the rabbinic reaction was mixed, but rarely equivocal. People either preferred the Corfu beauty and were willing to pay the premium price or held it to be part lemon and invalidated it totally.

In 1846, all heck broke loose, and what would be probably the most ferocious and acrimonious halachic debate of 19th-century Europe burst forth. This fascinating piece of Jewish history was the subject of a recent in-depth study by Prof. Yosef Salmon of Ben Gurion University.

Behind the initial salvo was Alexander Ziskind Mintz, a learned resident of Brody who earned his livelihood from selling etrogim. He had actually achieved a monopoly the previous year on citrons from Parga on the Ionian coast of Greece, near Corfu. He published a booklet titled *Pri Etz Hadar* that prohibited the etrogim of Corfu and the surrounding areas such as the Albanian coast. It seems that a former partner of his had broken off and set up shop in these new areas. In order to stop him, Mintz solicited and received the support of many of the great rabbis of the time, all of whom were included in this slender volume. Their claim was that the exceptional beauty of the Corfu fruit was actually what damned it. A real etrog could never be as perfect as a grafted one. In parallel, a minor brouhaha erupted over the etrogim from Corsica that were also suspected of being grafted.

The chief rabbi of Corfu, Rabbi Yehudah Bibias, countered that he had personally checked the local etrogim and they were not grafted. Furthermore, he argued that grafting in the warm climate of Corfu is actually detrimental to the fruit.

Numerous rabbis lined up behind the Corfu etrogim, as did many consumers who continued to prefer the attractive Corfu product.

From that time onwards, all etrogim were sold with rabbinic supervision reading "kosher with no concern of being grafted." Yet the argument persisted, engendering many letters and responses.

Fortunes hung in the balance. Various rabbinical prohibitions over the years were either observed or ignored, but everybody agreed on one thing - the beauty of the Corfu fruits was unsurpassed.

The farmers of Corfu fought back, found supporters among the Hassidim, and a number of times even dumped thousands of citrons into the ocean to create a shortage to raise the price. The temptation for a beautiful etrog was so great that despite the rabbinic ban, Jews continued to purchase those etrogim.

In 1876, the debate was reignited with the publication of a broadside signed by 117 Polish rabbis banning the Corfu etrog, and so once again the rabbi of Corfu defended "his" product.

Two additional factors conspired to doom the Corfu etrog. In 1891 the Greek population of Corfu, never known for their love of Jews, became involved in a blood libel. The Avnei Nezer wrote of "the etrogim of Corfu that are in the hands of the uncircumcised Greeks, known through their writings to be Amalekites, may their names be erased." From as far away as Newark, New Jersey, a call was issued to ban Corfu etrogim. A broadside was issued there in 1892 which described the importers of Corfu etrogim to the United States as "traders in the blood of Israel" who, "since there is hardly a man in Europe who will touch them, bought these etrogim dripping with the blood of the children of Zion."

The second factor was the Israeli etrog crop. There had always been a small, local etrog industry in the Land of Israel. The tradition on the kashrut of the etrogim from Tiberias, Safed, Shechem and Jaffa was very old. Some of the orchards had been planted by Rabbi Yosef Karo in Safed, some 300 years earlier.

In fact, Rabbi Chaim Wax, in his *Nefesh Haya*, published in the mid-19th century, tells us that the entire concern over grafted trees began from the year 1851.

He writes: "Originally all of the land was under the control of the Sultan, and nobody had the right to plant trees, and if he did the extracts were the Sultan's. Who would plant a tree if one knew the fruits would not be theirs? However, there was a garden belonging to the king, and in it no falsity was practised. In 1851 though, permission was granted to plant trees if a tax was paid to the king, and since then there has been an increase in the fakers and grafters."

The orchards in the Land of Israel were all in Arab hands, and etrogim were relatively inexpensive. In the mid 19th century local Sephardim entered the etrog trade, and soon thereafter the Ashkenazim accused them of peddling grafted etrogim. The Ashkenazim too started selling etrogim. After several decades of bitter fighting, Israeli etrogim garnered the strong support of chief rabbi Avraham Kook. Kook suggested raising kosher etrogim in Israel, and making the Land the leading supplier of etrogim.

"The future, my brother, is with the kosher etrog, with the power of kashrut, and only with the kosher etrog will we win the battle of those who are against us, the Corfu mamzer [etrogim]."

There was even a famous trip across Israel on donkey by the leading rabbis of Jerusalem at the end of the 19th century in search of non-grafted etrogim. The journey was described in all the newspapers.

There is the quaint description of their sojourn among the Arab orchardists, and how they dug around the base of the trees looking for the graft scar. Originally the Israeli etrogim were of significantly poorer quality, but Kook, in an effort to boost sales, published a text extolling the virtues of using specifically etrogim from the Land of Israel on Succot.

So too the famed Lithuanian authority Rabbi Yechiel Epstein included in his Halakhic work, *Aruch Hashulchan*, a plug for Israeli etrogim, not only because he said they are unquestionably kosher, but because of the importance of buying from the Land of Israel. Rabbi Hezekiah Modena (19th century, Israel) writes: "If Israel's etrogim are not the loveliest on earth, they will be the loveliest in Heaven."

Over time, the Israeli etrog became "lovelier on earth," and has won the etrog wars. Today Israel is the world's leading supplier of etrogim for Succot, and most Jewish communities worldwide pride themselves in using the holy fruit from the Holy Land. There are a few exceptions to this unifying theme of world Jewish ritual usage. One interesting exception is the Chabad sect, which adamantly uses etrogim of the Diamante variety from Calabria, near the southern portion of the boot of Italy.

Schaffer relates that Chabad followers are known to pass on the legend that when Moses received the commandment during the wanderings through the desert to take the etrog, he naturally looked around the desolation around him, bewildered, and asked the Almighty, "From where am I supposed to take them?"

And the Almighty took Moses upon a cloud and flew him around the world until he landed in Calabria, where he picked the first etrogim used by Jews for the ritual of Succot. And to this day they preserve the custom of using Calabrian etrogim.

The modern etrog

Nothing, of course, will stop the bickering about whose etrog is the genuine article, and today in Israel several "breeds" are grown.

Some have posited that the "Yemenite etrog" is the closest to the "original" fruit used by the Jews in days of old.

It is large, without pulp, and edible, indicating to its supporters that the lemon has not been grafted with it. It is still grown in the orchards of Yemen in the same primitive ways as of old. Today, it is also cultivated by Jews of Yemenite ancestry in Israel. Others vote for the etrogim of the Atlas Mountains in Morocco, grown by Berber tribesmen in primitive and ancient conditions.

Prof. Eliezer Goldschmidt pointed out in an article in *T'chumin* that there is simply no way to tell if an etrog today is a descendent of a grafted tree or one that naturally cross pollinated years ago.

Nonetheless, he and his colleagues in a recent study compared the DNA of 12 etrogim from a variety of sources and found great similarities, indicating that "all the currently acknowledged types of citrons appear to be 'true,' authentic citrons."

Despite the DNA evidence that these are all one species, business is booming for all, as there are still buyers who prefer only one of the various types.

Ari Greenspan is a dentist in Jerusalem and Ari Zivotofsky teaches neuroscience at Bar Ilan University. Together they have been "halachic adventurers" for over 20 years.

<http://rabbisacks.org/sukkot-time-extract-koren-sacks-sukkot-mahzor/>

Sukkot For Our Time

(A thought for Sukkot from the Koren Sacks mahzor)

Of all the festivals, Sukkot is surely the one that speaks most powerfully to our time. Kohelet could almost have been written in the twenty first century. Here is the ultimate success, the man who has it all – the houses, the cars, the clothes, the adoring women, the envy of all men – who has pursued everything this world can offer from pleasure to possessions to power to wisdom and yet who, surveying the totality of his life, can only say, in effect, "Meaningless, meaningless, everything is meaningless."

Kohelet's failure to find meaning is directly related to his obsession with the "I" and the "Me": "I built for myself. I gathered for myself. I acquired for myself." The more he pursues his desires, the emptier his life becomes.

There is no more powerful critique of the consumer society, whose idol is the self, whose icon is the "selfie" and whose moral code is "Whatever works for you." This is the society that achieved unprecedented affluence, giving people more choices than they have ever known, and yet at same time saw an unprecedented rise in alcohol and drug abuse, eating disorders, stress related syndromes, depression, attempted suicide and actual suicide. A society of tourists, not pilgrims, is not one that will yield the sense of a life worth living. Of all things people have chosen to worship, the self is the least fulfilling. A culture of narcissism quickly gives way to loneliness and despair.

Kohelet was also, of course, a cosmopolitan: a man at home everywhere and therefore nowhere. This is the man who had seven hundred wives and three hundred concubines but in the end could only say, "More bitter than death is the woman." It should be clear to anyone who reads this in the context of the life of Solomon, that Kohelet is not really talking about women but about himself.

In the end Kohelet finds meaning in simple things. Sweet is the sleep of a labouring man. Enjoy life with the woman you love. Eat, drink and enjoy the sun. That ultimately is the meaning of Sukkot as a whole. It is a festival of simple things. It is, Jewishly, the time we come closer to nature than any other, sitting in a hut with only leaves for a roof, and taking in our hands the unprocessed fruits and foliage of the palm branch, the citron, twigs of myrtle and leaves of willow. It is a time when we briefly liberate ourselves from the sophisticated pleasures of the city and the processed artefacts of a technological age and recapture some of the innocence we had when we were young, when the world still had the radiance of wonder.

The power of Sukkot is that it takes us back to the most elemental roots of our being. You don't need to live in a palace to be surrounded by clouds of glory. You don't need to be rich to buy yourself the same leaves and fruit that a billionaire uses in worshipping God. Living in the sukkah and inviting guests to your meal, you discover – such is the premise of Ushpizin, the mystical guests – that the people who have come to visit you are none other than Abraham, Isaac and Jacob and their wives. What makes a hut more beautiful than a home is that when it comes to Sukkot there is no difference

between the richest of the rich and the poorest of the poor. We are all strangers on earth, temporary residents in God's almost eternal universe. And whether or not we are capable of pleasure, whether or not we have found happiness, nonetheless we can all feel joy.

Sukkot is the time we ask the most profound question of what makes a life worth living. Having prayed on Rosh Hashanah and Yom Kippur to be written in the Book of Life, Kohelet forces us to remember how brief life actually is, and how vulnerable. "Teach us to number our days that we may get a heart of wisdom." What matters is not how long we live, but how intensely we feel that life is a gift we repay by giving to others. Joy, the overwhelming theme of the festival, is what we feel when we know that it is a privilege simply to be alive, inhaling the intoxicating beauty of this moment amidst the profusion of nature, the teeming diversity of life and the sense of communion with those many others with whom we share a history and a hope.

Most majestically of all, Sukkot is the festival of insecurity. It is the candid acknowledgment that there is no life without risk, yet we can face the future without fear when we know we are not alone. God is with us, in the rain that brings blessings to the earth, in the love that brought the universe and us into being, and in the resilience of spirit that allowed a small and vulnerable people to outlive the greatest empires the world has ever known. Sukkot reminds us that God's glory was present in the small, portable Tabernacle Moses and the Israelites built in the desert even more emphatically than in Solomon's Temple with all its grandeur. A Temple can be destroyed. But a sukkah, broken, can be rebuilt tomorrow. Security is not something we can achieve physically but it is something we can acquire mentally, psychologically, spiritually. All it needs is the courage and willingness to sit under the shadow of God's sheltering wings.

I wish you all a Chag Sameach and continued blessings for the year ahead. *Last year, Rabbi Sacks delivered a keynote shiur to mark the launch of the Koren Sacks Sukkot Mahzor. The shiur was entitled 'Lessons from Kohelet' and looked at the continued relevance of the book of Kohelet, particularly given the way we often live our lives in the 21st century. To watch a recording of the shiur, please click*

<https://www.youtube.com/watch?v=lvL5LjRK054>. Or to listen to the shiur as a podcast, please click <https://itunes.apple.com/gb/podcast/office-of-rabbi-sacks/id796183168?mt=2>.

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Parsha Parables By Rabbi Mordechai Kamenetzky

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Drasha

Just Desserts

Rabbi Mordechai Kamenetzky

The Talmud in Tractate Avodah Zarah talks about the future. It details for us a scenario that will occur after the final redemption, when the G-d of the Jews and His Torah are known and accepted by all of mankind. The entire world will see the great reward meted to the small nation that endured an incessant exile while following the Torah scrupulously. Then the idol-worshippers from other nations will line up before G-d and complain, "what about us?" Had we been given the Torah we, too, would surely have kept it! Why are you only rewarding the Jewish people?" The Talmud tells us that G-d makes a deal. "All right," He tells them. "I'll give you one easy mitzvah. If you observe it correctly, fine. However, if you do not, then your complaints are meaningless.

The Talmud tells us He will give them the mitzvah of Sukkah. G-d will then take out the sun in all its glory and the protection of the Sukkah will be no match for its rays. These idol-worshippers, predicts the Talmud, will kick the walls of the Sukkah and flee in disgust.

There are many mitzvos in the Torah. 613 to be exact. And there are quite a number of difficult ones. Some are conducive to despair and disheartenment without a broiling sun. Why, then, was the mitzvah of Sukkah chosen to be the cause celebre that differentiates our commitment to that of an idolator? Rabbi Paysach Krohn, in his first book of the Magid Series tells the story of a Reb Avraham who was about to enter a restaurant one late spring afternoon. Upon entering, he noticed a familiar vagrant Jew, known to all as Berel the beggar, meandering outside.

Reb Berel, rumor had it, was a formidable Torah scholar back in the old country, but had his life shattered physically and emotionally by Nazi atrocities. He was a recluse, no one knew exactly where or how he lived: but he bothered no one, and not too many people bothered with him.

Reb Avraham asked the loner to join him for a meal. He was about to make a business trip up to Binghamton and figured that he might as well prepare for the trip with more than a hot meal – he would begin it with a good deed.

Reb Berel gladly accepted the offer; however, when it came time to order, he asked for nothing more than two baked apples and a hot tea. Reb Avraham's prodding could do nothing to increase the poor man's order. "All I need are two baked apples and a steaming tea," he insisted.

Reb Avraham's trip to Binghamton was uneventful until the rain and the darkness began to fall almost simultaneously. As if dancing in step, the darker it got, the heavier the deluge fell. All Reb Avraham remembered was the skidding that took him over the divider and into oncoming traffic on Route 17 in Harriman, New York. He came to shortly after two tow trucks had pulled his wrecked car from a ditch and lifted him to safety. Refusing hospitalization, he was driven to a nearby motel that was owned by the Friedmans, a Jewish couple who were readying the place for the summer migrations.

Mr. Friedman saw the battered Reb Avraham and quickly prepared a comfortable room for him. His wife quickly prepared a little something for him to eat. She brought it out to a shocked and bewildered Reb Avraham. On her serving tray were two baked apples and a glass of steaming tea.

When the Jews left Egypt, they had nothing to look at in the vast desert but faith. They built simple huts, almost in declaration: "Hashem we will do ours, we are sure You will do yours." And those simple huts, those Sukkos, protected them from the heat, the cold, the wind, and the unknown. Hashem tells the prophet Jeremiah to tell his folk, "I remember the kindness of your youth as you followed Me in an unsowed desert." (Jeremiah 2:2)

Perhaps when the final redemption arrives, it will again be the simple Sukkah that will stand as the protectorate and advocate of the People who stood for 2,000 years in the face of idolators, who invited the Jews to join them... or die. So, when we enter the Sukkah this year, let us remember that it is only a small Sukkah stop on a long journey home. And when we arrive there, the Sukkah will be there once again to greet us as it was more than 3,300 years ago in the Sinai Desert. After all, it's nice to be served at the end of a 2,000-year-long journey with just desserts.

*Dedicated by Dr. and Mrs. Blair Skolnick
Gut Yom Tov!*

Parabolic Reflections: Many people wrote to me about the first words of my Yom Kippur drasha in which I labeled Yom Kippur, "the penultimate day of repentance." They correctly commented that penultimate does not mean the final day, rather it means the next to last. That so, they responded, Yom Kippur is the ultimate day of repentance. Good News. According to many commentaries the final — final day of judgement is Hoshana Rabbah. (That is when the messengers go out to do their job) So perhaps we can call Yom Kippur, PENultimate. Otherwise, I do apologize, consider it a slip of the pen! Have a wonderful Yom Tov Copyright © 1997 by Rabbi M. Kamenetzky and Project Genesis, Inc. The author is the Dean of the Yeshiva of South Shore. Drasha © 2017 by Torah.org.

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Rabbi Daniel Stein

The Unity of the Sukkah and the Daled Minim

According to Chazal, both of the mitzvos that we perform on the holiday of Sukkos, taking the daled minim, the four species, as well as dwelling in the sukkah, represent achdus, unity. The Medrash compares the esrog, which has an appetizing taste and a pleasing aroma, to Jews who possess both Torah learning and the performance of mitzvos; the lulav, the date palm, which has a positive flavor but no fragrance, to those Jews who have Torah learning but lack good deeds; the hadasim, the myrtle, which has fragrance but no taste, to Jews who perform mitzvos but lack the learning of Torah; and the aravos, the willow, to those Jews who lack both Torah learning and as well as good deeds. During Sukkos we bind all of these species together to underscore the necessity of uniting all Jews together under the mutual banner of serving the Ribbono Shel Olam. Similarly, the Gemara (Sukkah 27b) derives from the pasuk "Every citizen in Yisrael shall dwell in sukkos" (Vaykira 23, 42), that all of the people of Israel could theoretically dwell in one sukkah for the sukkah need not be owned by those sitting within it. Undoubtedly, all of Klal Yisrael inhabiting one sukkah, coexisting under the same roof for seven consecutive days, would be a powerful statement of unity, and achdus. However, in actuality these two symbols of achdus, correspond to two distinct forms of unity. In Parshas Vayechi, Yaakov Avinu twice summons all of his children before his death, "Gather, and I will tell you what will happen to you at the end of days. Gather and listen, sons of Yaakov, and listen to Yisrael, your father" (Breishis 49, 1-2). The Sfas Emes explains that Yaakov beseeched his children to gather together in a show of unity two times, corresponding to two discrete types of achdus. There is the achdus of individuals who don't necessarily enjoy each other inherently, however, they share a common goal and agenda which breeds a bond born out of convenience and expediency. Much like siblings who gather sparingly only to honor their parents. This is the unity being described in Yaakov's latter plea "Gather and listen, sons of Yaakov, and listen to Yisrael your father." However, in Yaakov's first call for achdus, which provided no further context other than a directive to "gather", he was hoping for a deeper and more profound kind of unity, which is the aspiration of every parent. He was yearning for the genuine achdus of loving siblings, who sincerely like each other, and for whom honoring their parents is not an anchor, but a pretext, or an excuse to see and spend time with each other.

The Chofetz Chaim observes that even though the daled minim signify the virtue of achdus, the esrog is not tied together with the other minim, and is generally held in a different hand from the other species. It only joins with the other species in order to perform and fulfill the mitzvah of daledminim. Therefore, while the mitzvah of daled minim represents unity, it is the type of achdus generated by those who possess a shared and collective goal, and unite expressly for that purpose. Whereas the achdus of the sukkah is entirely different. All of Klal Yisrael can theoretically sit in one sukkah but there is certainly no mitzvah to do so. When many Jews choose to sit in the same sukkah together, they are bound together not by a communal obligation or common objective, but rather by a mutual fondness for one another. Rav Dov Weinberger (Shemen Hatov) suggests that the Arizal and the Shelah Hakadosh advised to take the daled minim in the sukkah each morning of Sukkos in an attempt to fuse these two notions of achdus together.[1] While we long to forge an honest and adoring relationship with one another, we also desire for that relationship to be grounded in a unified vision, mission, and purpose. Even the most loving relationships that are not founded in substance and shared beliefs can become temperamental and indecisive. We aspire to engender a genuine affection among all Jews and to reinforce that friendship with a harmonious resolve and determination to serve Hashem. Despite the fact that both the sukkah and the daled minim remind us of the different strands of achdus, neither mitzvah calls for absolute uniformity, in

fact they both allow and even lobby for diversity. Within the achdus of the daled minim there seems to be a pecking order and each species has its own assigned seat. The esrog is held in the right hand while all of the other species are in the left hand. The lulav is in the center and rises above the rest. The hadassim are positioned on the right of the lulav, but must be shorter than the lulav and taller than the aravos. The aravos should be on the left of the lulav and cut to be the shortest species in the bundle. How can a symbol of unity and togetherness be so rigidly segregated? Moreover, the Gemara (Sukkah 28a) derives from the very same pasuk, "Every citizen in Yisrael shall dwell in sukkos", which previously emphasized the universality of the sukkah, that women are exempt from the mitzvah of sukkah. How can the sukkah, which is purported to be a bold symbol of inclusivity, have exceptions or exclusions? Rav Yitzchok Menachem Weinberg, the Tolna Rebbe (Heimah Yenachamuni) explains that the sukkah and the daled minim teach us that true achdus must never come at the expense of legitimate diversity, but rather demands that we find common ground and build relationships despite our differences.

In fact, Yaakov Avinu seems to undermine his own impassioned appeal for unity amongst his children, by subsequently blessing each one of his children differently, as the pasuk states "each man according to his blessing he blessed them" (Breishis 49, 28), potentially sowing the seeds of jealousy and resentment in the future. For this reason, the pasuk concludes, "he blessed them", which according to Rashi was meant to convey that all of the children were included in each one of the blessings. What then was the purpose of giving each their own individualized berachah in the first place? The Imrei Emes cites the Chiddushei Harim who suggests that Yaakov was training his children to realize that accentuating their individual roles and abilities, should never be an obstacle to unity, but the very foundation upon which genuine achdus must be built. Only when we appreciate and celebrate the differences that inherently exist between us, can we begin to form the bonds of true achdus and join together properly in the service of Hakadosh Baruch Hu!

[1] However, see Rav Tzvi Pesach Frank, *Mikraei Kodosh (Sukkos Vol. 2 Sec. 20-21)* and Rav Herschel Schachter, *Nefesh Harav (pg. 217)* who raise certain objections to this practice.

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The Great Hadassim Scam

By Rabbi Yair Hoffman

September 28, 2017

Halachic Musings

"Psst . . . Hey, Buddy, wanna buy some arba minim? I got lulavs, esrogs, and some good hadassim for you."

The hadas, or myrtle, is a woody evergreen plant with essential oils that is indigenous to the Mediterranean area. But watch out! Many know that the nickname for iron pyrite is "fool's gold." Few people, however, know that there are non-kosher hadassim out there called "fool's hadassim," or "hadas shoteh."

There is a scandal having to do with hadassim that has not been adequately addressed. When "photocopied mezuzos" were being sold at Jewish sefarim stores and Judaica shops, the sofrim and rabbanim got together and pulled the plug on it. When falsified kosher certifications were printed on non-kosher cheese in Canada this past summer, the Canadian authorities were able to find it and stop it. Yet, for some reason, the scam involving non-triple-leaved hadassim has never been fully revealed or addressed.

The Problem

What is the hadassim scam? It is a fact that is only whispered among talmidei chachamim, but very many of the hadassim that are sold are not kosher—and never were. Most of the hadassim being sold are unkosher because they do not fit the halachic requirement of meshulashim—three leaves emerging

from the same circumference of the twig.

The Gemara in Sukkah 32b explains that the word “avos” used to describe the hadas plant means that the leaves are braided. In order for something to be considered braided, three strands are required.

Judaica stores that sell the hadassim (and of late the makeshift street-corner arba’ah minim dealers) should inform the consumer that the majority of hadassim are actually non-kosher—or they should stop selling the problematic ones altogether.

Several Violations

There are three or four areas in which halachah is being violated by the sale of these non-kosher hadassim. First, the people who are innocently buying the arba’ah minim with hadassim that are pasul are not fulfilling the mitzvah of arba’ah minim. They could be spending \$150 on an esrog only to find that they did not fulfill the mitzvah at all since the hadassim were pasul.

The second violation is that of berachah levatalah. Those people with hadassim that are not meshulash are reciting blessings incorrectly.

The third violation is that of lifnei iver—putting a stumbling block before the blind.

And finally, the fourth possible violation: Many Rishonim are of the opinion that a non-triple-leaved hadas is actually considered a different halachic genus. If that is the case, then there is also a violation of bal tosef—the prohibition of adding to the Torah. This violation would even be violated if someone had merely added one extra hadas to three fully kosher ones. Other Rishonim hold that the violation involved in using a hadas shoteh—fool’s hadas—is not that it’s a different halachic species or genus, but that it is not hadar, beautiful.

How is it possible that the fool’s hadas is considered a different genus? The Mishnas Yaavetz explains that it is possible for two different genera to emerge from the same parent. There is also the idea that sometimes a male offspring is permitted while a female offspring would be forbidden.

Defining Meshulash

Nearby is an illustration drawn by the author of three types of hadassim leaves that come together. There are three levels of leaves in the illustration. Level (b) is considered meshulash according to all Rishonim (see Tur 646). Level (a) is considered meshulash according to some Rishonim (Tosfos Sukkah 32b “t’lasa”). Level (c) is completely non-kosher.

The Ran’s opinion is that the entire hadas must be meshulash. Ideally, the Shaar HaTziyun says, we should follow this view. However, the Shulchan Aruch 646:5 states that if the majority of the hadas is meshulash, the hadas is kosher b’dieved. According to the simple understanding of this halachah, the hadas must be 3 tefachim (handbreadths) in length, and the majority of the hadas—which must be greater than 1.5 tefachim—must be meshulash.

In practical terms, according to Rav Moshe Feinstein, zt”l, there must be 5.4 inches of meshulash hadas. According to the Chazon Ish, there must be 6 inches. And according to Rav Chaim Na’eh, zt”l, there must be 5 inches.

How To Measure

The Meshulash Portions

The ruling of the Acharonim is that the area that is meshulash does not need to be consecutive, as long as it constitutes the majority of the total hadas (see PMG MZ 646:9 and Shulchan Aruch HaRav #3). Some Acharonim even imply that it is kosher even if the hadas is bigger than 3 tefachim and the meshulash area is only slightly more than 1.5 tefachim (see Bikkurei Yaakov #14). The Mishnah Berurah is concerned, however, for the first view.

We mentioned above that according to the simple understanding of the halachah, one would need to have more than 1.5 tefachim of meshulash for the hadas to be kosher. This is the way the Chazon Ish indicates that the halachah may be. There is, however, a possibility that we do not calculate meshulash by mere distance, but rather by the number of leaf levels. That’s right—when it says majority of the hadas, it could mean that out of 29 leaf levels, only 15 of them need to be meshulash, and since the leaf levels are shorter and thus more numerous toward the top of the hadas, maybe we have a majority of leaf levels.

The Shulchan Aruch HaRav clearly implies that a majority of the number of leaf levels is how we calculate the requirement of meshulash. Those that follow Lubavitch custom can calculate by the number of leaf levels. If you happen to have purchased a semi-problematic set of hadassim, then ask your rav.

There are other halachos that may render a hadas invalid, such as the top wood missing or if it is too dried out and withered. There is even a problem of a grafted hadas, if one knows clearly that it was grafted. This article has dealt solely with the concept of meshulash.

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