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Beth Israel Malden, MA Halacha Guidebook 5776

Written by: **Rabbi Yitzchak Zev Rabinowitz** Edited by: Matthew Garland

### **Sukkot**

#### **Sukkah Basics**

The sukkah is our temporary dwelling place for the week of Sukkot. We eat meals in it (weather permitting), and many people - particularly in warmer climates - sleep in it, as well!

To keep you on track while building your own sukkah, here are a few halachic guidelines that you'll need to keep in mind: a Sukkah consists of walls and S'chach (the Sukkah roof).

1. Your sukkah should have at least 3 walls. The walls have to be at least 10 tefachim (handbreadths) high—approximately 38 inches. It is preferable to have four walls.

2. You may use any material for the walls as long as your sukkah can withstand normal winds. If you use canvas walls, make sure to tie your walls securely to the framework.

3. Decorate your sukkah. If the decorations fall down, you may re-hang them only on Chol HaMoed (the intermediary days of Sukkot), and you may not use them for anything else until after Simchat Torah. Hanging decorations should be within four tefachim—approximately 14 inches—of the s'chach.

4. Your s'chach must be "all natural". The s'chach must be made from material that grew from the ground, but is detached and is not subject to the laws of tumah (ritual impurity). This means that the pieces of the s'chach cannot be considered a k'li (utensil).

5. Use appropriately sized s'chach. You can't use something that is more than four tefachim wide (approximately 14 inches) for s'chach.

6. Don't waterproof your sukkah's roof. The s'chach should not be thick enough to provide protection from a heavy rain. You should be able to see the stars through the s'chach, but if not, it is still kosher.

7. Location: under the open sky! Your sukkah should not be built under any tree branches or under a ledge or overhang. If it is, contact the Rabbi.

#### 4 Important Rules About The Sukkah

1. Men are obligated to eat in the sukkah. Women, very small children and those who are ill are exempt.

2. On the first and second nights of Sukkot, we are obligated to eat bread in the sukkah. When you perform the mitzvah of sukkah, have in mind that the mitzvah is a commemoration of the Exodus from Egypt and that the sukkah commemorates the heavenly clouds with which G-d surrounded the Jews to protect them at the time. You should eat slightly more than a kebetza (literally the volume of an egg - volume of 200 ml). During the rest of Sukkot, if you eat more than a kebetza of bread or cake, you are obligated to eat it in the sukkah.

3. You recite the blessing of "leshev ba'sukkah" whenever you are obligated to eat in the sukkah. A woman who eats in a sukkah has fulfilled the mitzvah (even though she is exempt) and may make the blessing.

4. Light the Yom Tov candles in the sukkah. You may bring candles into the house to make space, but should leave some in the sukkah. Caution: Please be careful when placing open flames within your sukkah and keep flammable materials away from the candles.

What to do if it rains on Sukkot:

**Rain On the First Night of Sukkot** - If it rains on the first night of Sukkot, you should wait an hour or two for the rain to stop in order to perform the mitzvah of eating in the sukkah. If after this time the rain has not stopped, or the family or guests can't wait any longer, then do the following even as it is raining: Make Kiddush in the sukkah. Wash your hands and make hamotzi in the sukkah, and eat a kazayit (literally the volume of a large olive - volume of 50 ml) of bread. Do not say the blessing for eating in the sukkah (leshev basukkah). Then you may eat the rest of the meal and recite bircat hamazon in the house. If the rain stops during the meal, enter the sukkah, make the blessing of leshev basukkah, and eat a piece of bread larger than a kebetza and recite the bircat hamazon in the sukkah. If the rain stops after reciting bircat hamazon in the house, you should wash again and in the sukkah eat a piece of bread larger than a kebetza with the blessing, and recite bircat hamazon. If the rain continues, you should wait as long as you are able. If you feel very tired you may go to sleep for the night.

**Rain On All Other Nights of Sukkot** - If it rains on the second night, you should wait for a short time. If the rain continues, you may make Kiddush and begin the meal in the house. If at the end of the meal it is still raining, eat a kazayit of bread in the sukkah without a blessing over the sukkah and recite bircat hamazon. If the rain stops, follow the laws for the first night. Other nights, if rain enters through the s'chach to the extent that you would leave the room if the same amount of rain were to come in your house, you are not obligated to eat in the sukkah. Even if the sky is overcast and it is sure to rain you are obligated to eat in the sukkah, until the rain actually falls. If the rains stops you are not obligated to return to the sukkah to eat if you have already begun eating in the house. If you have made hamotzi in the sukkah but have not already begun eating in house, then you must return to the sukkah and eat the meal there. Upon returning to the sukkah you do not repeat the blessing over the sukkah until the next time you eat bread or cake. If the rain has stopped but it is still dripping throughout the entire sukkah, if it is difficult to go to another sukkah you may eat in the house.

#### **The 4 Species (Arba Minim)**

**What Are The 4 Species?** On Sukkot, we are obligated to perform the mitzvah of taking the "arba minim (four species)"—the lulav, etrog, hadassim and aravot. The lulav consists of the lulav branch with three hadassim (myrtle branches) and two aravot (willow branches) attached to it. Place the hadassim on side of the lulav corresponding to your dominant side (the right, for most of us) with the spine of the lulav facing towards you, and slightly higher than the aravot, which you place on your weaker side. There should be at least a tefach (approximately three to four inches) between the tip of the lulav and the tips of the hadassim and aravot. Typically a lulav comes with a holder made from woven lulav leaves into which you place the hadassim and aravot. This holder is positioned near the bottom of the lulav so that when you grasp the lulav you are grasping the hadassim and aravot as well. Take care that the tops of the lulav, hadassim and aravot aren't broken off and that they don't become dry and white. On the etrog, take care that the

pitum - the protrusion at the opposite end from the point where it is detached from the tree - does not fall off.

How To Use The 4 Species Take the lulav in your dominant hand (the right, for most of us) with the spine towards you and the etrog upside down in your other hand (the left, for most of us). The first time we perform the mitzvah, we say two brachot: 1) "...al netilat lulav", and 2) Shehechyanu. For the rest of Sukkot, we say only the first one. After reciting the brachot, turn the etrog right side up, and wave it along with the lulav in each of the four directions, as well as up and down. The procedure for waving is to hold the lulav and etrog away from your body and shake them, then bring them back close to your chest and shake them again. Do this three times for each direction, in the following order: in front of you, to your right, to your back, to your left, upwards towards the front, and downwards towards the front. Some people hold the lulav and etrog straight up and down during the shaking, others point them horizontally to the direction in which they are shaking. We do not take the four minim on Shabbat. On the first day of Sukkot, the four minim must belong to you to fulfill the mitzvah. For the rest of Sukkot, you are able to fulfill the mitzvah by borrowing them. What do you do if you don't own your lulav and etrog on the first day? You can have a friend give you his lulav and etrog, making it yours. Make sure that if you give your lulav and etrog to a friend that you use a legal condition called "al m'nat l'hachzir" - "on condition of return". That means that if you give it to your friend, he only acquires ownership if he intends to give it back to you as a gift afterwards (and then does give it back). The same is done with the synagogues' lulav and etrog. Women are exempt from this mitzvah, but if they perform it, they have fulfilled the mitzvah and may recite the brachot. Throughout the recital of Hallel at Shacharit, we hold the lulav and etrog and wave them in the manner mentioned above when we say "Hodu la'Shem" and "Ana Hashem ho'shia na" After Mussaf of each day of Sukkot, a Torah is removed from the Ark and brought to the bimah in the middle of the synagogue. Each person takes his lulav and etrog in hand and begins the prayers of "Hoshanot", and continues to say the Hoshanot as they walk around the bimah one time. On Shabbat we recite the Hoshanot prayer with the Ark open but do not remove a Torah. Everyone recites the prayer by their seat. The Last Days The seventh day of Sukkot is Hoshana Rabba. On this day we beseech G-d to bless us with a year of ample rain. The Pesukei D'Zimra (first section of shacharit) are the same as we say on Shabbat or Yom Tov (with the exception of "Mizmor L'Todah, which we say, and "Nishmat", which we don't). At the Hoshanot prayer we circle the bimah seven times. We continue reciting more Hoshana prayers after we finish circling the bimah. At one point, we put down the lulav and etrog and take in hand a bundle of aravot. After concluding these prayers we beat the bundle on the ground three times. The eighth day of the holiday is called Shemini Atzeret. Women recite the bracha "shehechyanu" at candle lighting and men recite it at Kiddush. We recite the Yizkor prayer after the Torah reading in the morning. In Mussaf of Shemini Atzeret, we begin saying "mashiv ha'ruach u'morid ha'geshem" in the second bracha of the Amidah. The ninth day is Simchat Torah. At night and by day we celebrate the completion of the yearly reading of the Torah. The Torah scrolls are removed from the Ark and we dance "hakafot" (circuits) around the shul.

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**The Mitzvah of Chinuch: Lessons from the Mitzvos of Tishrei**  
**Rabbi Mordechai Willig** Rosh Yeshiva, RIETS; Rabbi, Young Israel of Riverdale, Bronx, NY

There are a number of mitzvos that are unique to the month of Tishrei: shofar, fasting on Yom Kippur, sukka and lulav. While listening to the shofar is relatively easy for a child to perform, the other three mitzvos can be more challenging for children. As we explore the Talmudic discussions surrounding these three mitzvos, we can learn an important principle

regarding chinuch (training) and the nature of a child's obligation to perform mitzvos.

## 1. Sukka

"Rabbi Yehuda said: There was an incident involving Hilani the queen in Lod who had a sukka higher than twenty cubits. The rabbis frequented the sukka and didn't say anything to her. [Chachamim] said to [Rabbi Yehuda]: Is that a proof [that a sukka can be higher than twenty?]? Hilani was a woman and women are exempt from the mitzva of sukka. [R. Yehuda] said to them: Did she not have seven children? Furthermore, everything that she did was in accordance with the rulings of the rabbis. Why does it say, "Furthermore, everything that she did etc."? This is what R. Yehuda meant: If you tell me that the children were minors and minors are exempt from the mitzva of sukka, since there were seven children, it is impossible that there wasn't at least one who wasn't dependent on his mother [and therefore obligated to sit in the sukka]. And if you tell me that the obligation regarding a child who isn't dependent on his mother is only rabbinic in nature and she didn't follow rabbinic law, come and hear, furthermore, everything that she did was in accordance with the rulings of the rabbis." Sukka 2b

Hilani the queen had a sukka higher than twenty amos in which her educable sons sat. Since she was scrupulous even regarding rabbinic obligations, such as training a child that he be accustomed to mitzvos (Rashi), her actions can be seen as proof that a sukka higher than twenty amos is valid.

R. Akiva Eger, Gilyon Hashas ad loc., asks a powerful question (tzarich iyun gadol). Tosafos Yeshanim, Yoma 82a, state that Hilani's obligation to train her children was a "mitzva b'alma," a mere voluntary good deed, implying that there is no obligation of chinuch on the mother. This seems to contradict the Gemara's statement that Hilani was rabbinically obligated to train her sons. How can Tosafos Yeshanim state that her obligation was a mitzva b'alma?

The Kehillos Yaakov, Sukka no. 2, answers that there are two obligations of chinuch. The first is an obligation on the father. This is evidenced by his ability to impose the status of a nazir on his son, in order to train him for mitzvos (Nazir 28b). The Mishna states that a mother cannot impose the status of nazir on her son. The Gemara, Nazir 29a, explains that the difference between the father and the mother is that the father has an obligation to train his son in mitzvos. It is clear from the Gemara that only a father is obligated in this aspect of chinuch.

A second obligation of chinuch emerges from a comment of Tosafos, Berachos 48a-b. Tosafos cite Rashi that only the father is obligated to train his son. The son has no inherent obligation to perform the mitzvos. Tosafos disagree with Rashi and prove that the son himself is also obligated to perform the mitzvos when he reaches the age of chinuch. Therefore, in addition to the father's obligation to train his children, the children also have their own obligation to perform mitzvos.

The Kehillos Yaakov suggests that Hilani, as a "mitzva b'alma," saw to it that her sons would fulfill their inherent obligation to sit in the sukka. When the Gemara states that Hilani was scrupulous regarding rabbinic obligations, it is referring to her arranging that her sons fulfill their rabbinic mitzva properly. Arranging for her sons to fulfill their mitzva was a voluntary good deed, a mitzva b'alma.

## 2. Lulav

"R. Zeira said: Don't give (as a gift or sale) to a child [the four species] on the first day of Sukkos. Why not? Because a child can legally acquire but he cannot sell (or give a gift) and [the adult] will be attempting to fulfill the mitzva with a lulav that is not his." Sukka 46b

Why would someone want to give the four species to a child as a gift? Ostensibly because on the first day of Sukkos, one must own the four species in order to fulfill the mitzva. There is a famous dispute as to whether a father can fulfill the mitzva of chinuch on the first day of Sukkos by lending his lulav to his son. As a matter of practical halacha, the Mishna B'rura (658:28 and Sha'ar Hatziyun 34) cites the Magen Avraham, Pri Megadim and Chayei Adam, who rule that the father does not fulfill the mitzva of chinuch since

one cannot fulfill the mitzva on the first day with a borrowed lulav (Shulchan Aruch, OC 658:3). Only one later authority (Bigdei Yesha cited in Sha'ar Hatziyun 35) disagrees.

However, the Mishna B'rura is inclined to be lenient based on early authorities, specifically the Mordechai (Sukka 759) and Ra'avan, the source of the ruling in Shulchan Aruch, OC 658:6, who state that it is fine (shapir dami) if the son takes the lulav without acquiring it. The Mishna B'rura explains (Sha'ar Hatziyun 36) that the mitzva of chinuch is on the mitzva itself, but not on the details of the mitzva.

Rav Moshe Feinstein (Igros Moshe, YD 1:234) explains that in order to accustom the son to perform mitzvos after becoming bar mitzva, a borrowed lulav suffices. However, if the nature of chinuch is that the son fulfills the mitzva properly, the son must own the lulav himself.

The Ritva (Sukka 2b) cites a "mistaken" view that permits chinuch with a borrowed lulav. The Gemara that rules that a sukka which is too high is invalid for chinuch (in the case of Hilani) clearly rejects this view.

We can answer as follows: The father's obligation is to train his son. Any sukka or lulav suffices to accustom the son to perform mitzvos. However, the son's own obligation is to fulfill the mitzvos properly. Hilani, as a mother, only had a mitzva to assist her sons to perform their own obligation. Hence, an invalid sukka would have achieved nothing for Hilani. This is why the Gemara focused specifically on having a valid sukka. A father has the additional mitzva of training the child to become accustomed to performing mitzvos. This aspect of chinuch can be achieved even if the lulav is borrowed. Therefore, it is preferred that the son own the lulav in order to achieve both aspects of chinuch. However, there is an aspect of chinuch that is achieved even with a borrowed lulav.

### 3. Yom Kippur

The Gemara (Yoma 82a) discusses chinuch for boys and girls regarding fasting on Yom Kippur. The Rambam (Sh'visas Asor 2:10) writes: "A boy of 9 or 10 years should be trained for a few hours. How so? If he normally eats in the second hour of the day, he should eat in the third hour. If he normally eats in the third, he should eat in the fourth. Depending on the energy of the son, the number of hours should be increased. An 11 year old, whether a boy or a girl, should complete the fast because of the rabbinic mitzva to train the child to perform mitzvos."

The implication is that only a boy should fast for a few hours, but when they reach the age when they can fast the whole day, both boys and girls should fast. Rabbeinu Mano'ach ad loc., based on the language of the Gemara, Yoma 82a, (trei chinuchei havu), notes that there are two types of chinuch. One is a general obligation on all fathers to teach their sons Torah and to train them in mitzvos. We see from the Gemara (Nazir 29a) which states that a father can only impose the nazir status on his son, not his daughter, that this general obligation doesn't apply to daughters. Therefore, there is no requirement for a daughter under 11 to fast at all. At age 11, there is a rabbinic obligation on boys and girls to fast the entire Yom Kippur. Boys and girls are treated equally. Both must fast according to rabbinic law. When the Rambam wrote that "a boy of 9 or 10 years should be trained for a few hours," he did not write "because of the rabbinic mitzva." There is no rabbinic mitzva to fast for a few hours. The mitzva is to fast all day and perform the mitzva according to all of its laws.

Rabbeinu Mano'ach's explanation reflects our earlier analysis. The Torah paradigm of teaching and training is limited to fathers and their sons (Kiddushin 29b). This allows for a borrowed lulav or a partial fast. The more rigorous obligation that applies equally to boys and girls is fulfilled only by fulfilling the mitzva according to all of its laws. Daughters age 11 are obligated to fast all day on Yom Kippur and mothers have a mitzva b'alma to ensure that their daughters and sons fulfill this obligation and perform all of the details associated with the mitzva.

The Ran (Yoma 3b) notes that a boy must fast all day two years before bar mitzva, and a girl only one year before bas mitzva: "Even though a girl reaches maturity a year before a boy, the rabbis did not want to impose a greater stringency on a girl because the primary obligation is for a boy, as it

states in Maseches Nazir, one must train one's son to perform mitzvos and there is no obligation to train one's daughter."

The Ran adds that the year before bar or bas mitzva, there is a special status of "mufla hasamuch l'ish," which means that vows taken in that year are binding (Nida 45b-46a).

Perhaps what the Ran means is that a child's fast requires an acceptance for it to be meaningful. A girl, whose obligation is a function of the technical requirement to fast, begins only at age 11, when she is old enough to take a vow and old enough for her acceptance of the fast to be meaningful. For a boy, a fast at the age of 11 provides for two years of general training. At age 12, when he is old enough for his acceptance of the fast to be meaningful, he fasts all day, not to train but to fulfill his technical obligation.

In summary, a father is obligated to train his son, based on the Torah paradigm of teaching him Torah, even if the mitzvos can't be performed with all of their details. An additional aspect applies equally to sons and daughters, who are personally required to fulfill all details of the mitzva. Fathers and mothers alike are supposed to ensure and facilitate their complete observance of mitzvos.

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### **Shabbos-Chol Hamoed or Shabbos and Chol Hamoed Rabbi Brian Gopin**

One of the greatest struggles we have as balei batim is to separate kodesh from chol – when we are at work and engrossed in חול של דברים it is very difficult to bring ourselves to drop those endeavors and engage in דברים של קדש. But what does the halacha have to say about separating kedushos? Should we attempt to bring different kedushos together or keep those separate as well? One area where I believe this concept comes to fruition is with regards to how we view Yom Tov, Chol Hamoed or Rosh Chodesh that fall on Shabbos as will be explained.

The Gemara in ביצה ז' states the following:

תנו רבנן יום טוב שחל להיות בשבת בית שמאי אומרים מתפלל שמנה [ואומר] של שבת בפני עצמה ושל יו"ט בפני עצמה וב"ה אומרים מתפלל שבע מתחיל בשל שבת ומסיים בשל שבת ואומר קדושת היום באמצע רבי אומר אף חותם בה מקדש השבת ישראל והזמנים

The Sages taught the following baraita: In the case of a Festival that occurs on Shabbat, Beit Shammai say: One must recite an Amida prayer that includes eight blessings, inserting two additional blessings between the standard opening three and concluding three. As for the two middle blessings, one recites one for Shabbat as an independent blessing and a second for the Festival as an independent blessing. And Beit Hillel say: One must pray an Amida comprising only seven blessings, i.e., the three opening ones, the three concluding ones, and one in between. One begins the middle blessing with Shabbat and concludes it with Shabbat, and he recites a passage referring to the sanctity of the day of the Festival in the middle. Rabbi Yehuda HaNasi says: He even concludes this blessing with mention of both Shabbat and the Festival, saying: Who sanctifies Shabbat, the Jewish people, and the seasons

Rav Soloveichik (in מפני הרב עמ' פו) explained that according to Beis Shammai it is clear that they view Shabbos and Yom Tov as two separate and distinct kedushos which require separate berachos, one for Shabbos and one for Yom Tov. However, what is the opinion of Beis Hillel? Do they agree that when Shabbos and Yom Tov coincide that there are really two separate kedushos yet we only say one beracha since the theme of the beracha (namely, the holiness of the day and that of Bnei Yisrael) is the same for both Shabbos and Yom Tov? Or perhaps Beis Hillel fundamentally disagree with Beis Shammai and is of the opinion that when Shabbos and Yom Tov come together there is a new kedusha which is a combination of both kedushos and would thus require one beracha for both days?

Rav Soloveichik continues that this might be a disagreement between Rashi and the Behag in a Gemara in ברכות מט where the Gemara asks, how can we recite the beracha on Shabbos Yom Tov והזמנים when we are told that when we recite ברכת המזון we should not conclude the third beracha בירושלים since we are not able to conclude our berachos with two themes (אין חותמים בשתיים)? The Gemara answers according to Rashi's girsa: והכא חזא היא התם תרתין כל חזא וחדא באפי נפשה, with regards to the kedushas ha'yom, there is only one praise of Hashem as opposed to ברכת המזון which have two praises and so, one is not permitted to recite such a beracha. The Behag had a different girsa in that gemara: הני תרתין קדושי גינהו ומודה רבי דחתמינן בהו בשתיים אבל נחמה חזא מילתא היא וחדא בעי למחתם, namely, with regards to Shabbos and Yom Tov, there are two kedushos present and it is appropriate to conclude the beracha with multiple kedushos, unlike ברכת המזון where the third beracha is talking about comfort and as such, one should only conclude with that one theme. What is clear from the girsa of the Behag is that when Shabbos coincides with Yom Tov there are two separate kedushos which are distinct and remain separated, and perhaps Rashi who rejects this girsa felt that when Shabbos and Yom Tov come together there is a new single kedusha which encompasses parts of both days.

Rav Meir Simcha M'dvinsk1 brings a Gemara in צ ובחים דף which seems to prove that when Shabbos and Yom Tov co-exist there is a new kedusha and not that there are separate kedushos.

איבעיא להו תדיר ומקודש איזה מהם קודם תדיר קודם משום דתדיר או דלמא מקודש קדים דקדיש תא שמע תמידין קודמין למוספין ואף ע"ג דמוספין קדישי אטו שבת למוספין אהנאי ת"ש מוספי שבת קודמין למוספי ראש חודש אטו ראש חודש למוספין לתמידין לא אהנאי דידיה אהני למוספי שבת לא אהני

The Gemara wants to know when there is a korban which is brought more often than another one which is holier (מקודש) than the first which korban should be offered first. The Gemara first brings a proof that the korbanos which are sacrificed more often should be brought first from the fact that the Korban Tamid (which is brought twice daily) is offered before the Korban Mussaf even though the Korban Mussaf is more kadosh since it is only brought on Shabbos and Yom Tov. The Gemara responds that this is not a good proof because Shabbos affects both the Korban Mussaf and the Korban Tamid; not only is the Korban Mussaf considered elevated because of the holiness of Shabbos, but the Tamid itself gets an elevated status as well since it is brought on Shabbos. Then the Gemara brings another beraisa which says that the Mussaf of Shabbos comes before the Mussaf of Rosh Chodesh (which is considered more מקודש than Shabbos because Rosh Chodesh is called a Moed) which seems to imply that a korban which is תדיר should come before the מקודש. The Gemara similarly responds that the kedusha of Rosh Chodesh not only affects the Mussaf of that day but also affects the Shabbos Mussaf to elevate the status of that korban as well. Rav Meir Simcha says that it is clear from this Gemara that when two kedushos come together like Rosh Chodesh and Shabbos, we don't assume that the kedushos are distinct and separate, rather they are fused to elevate the day with a heightened kedusha.

Rav Soloveichik2 used this to answer a difficulty with the Rema3 who writes that when a Yom Tov falls on Shabbos one should mention Shabbos in the middle of יעלה ויבוא (i.e. יעלה ויבוא פלוני וכו'). The Mishnah Berurah writes that we don't follow this opinion nowadays. The Mishnah Berurah asks on the Rema that the whole tefilah of יעלה ויבוא is based on the passuk in Parshas B'haaloscha ובראשית חדשיכם וכו' והיו "וביום שמחתכם ובמועדיכם ובראשית חדשיכם וכו' והיו" and in that Pasuk there is no mention of Shabbos so how can the Rema write that one should add Shabbos to this tefilah? Rav Soloveichik answered that perhaps the Rema assumed like the שמה אור שמה that when Shabbos and Yom Tov coincide there is a new elevated kedusha that requires one to mention both Shabbos and Yom Tov in יעלה ויבוא. Perhaps the לבוש who questioned the Rema believed that even when Yom Tov falls

out on Shabbos they are considered two separate kedushos and therefore, there should be a mention of Yom Tov but not Shabbos.

I believe that there are a number of issues that might relate to this discussion of whether we view Yom Tov or Rosh Chodesh or Chol Hamoed falling out on Shabbos as one new kedusha or whether they are considered two distinct kedushos which happen to fall on the same day:

Rav Moshe Feinstein זצ"ל was asked the following question by an individual who was in jail on שבת ראש חודש and was going to be freed later that day yet did not have a siddur and did not know the tefilah prayer by heart. The individual wanted to know what tefilah he should say. Rav Moshe paskened that the person should just recite the regular mussaf of Shabbos and later that day when he would be freed he should go back and just recite the regular weekday Rosh Chodesh mussaf (and not יצרת). Rav Moshe felt that since he already said the regular Shabbos mussaf there was no need to mention it again and the only requirement left was for him to recite the regular Rosh Chodesh mussaf. Rav Asher Weiss in his weekly shiur5 brings many achronim who question this pesak and would require the individual to repeat the regular שבת ראש חודש Mussaf later on (i.e. אתה יצרת). Perhaps Rav Moshe was assuming that when Shabbos and Rosh Chodesh coincide the day is still a Shabbos day which has an additional element of Rosh Chodesh added to it and therefore, when one mentions Shabbos he has fulfilled his obligation of the Shabbos Mussaf and all that remains is to mention Rosh Chodesh. The other achronim, however, believed that Shabbos and Rosh Chodesh create a new day of Shabbos-Rosh Chodesh which requires one to mention both days within his Mussaf tefilah and if he left out one of the tefilos he would be required to mention both days again.

Similarly, Harav Eliyahu Bakshi Doron6 discusses a case of יו"ט שחל בשבת where a person mistakenly recited the regular Friday night Kiddush and then when he repeated his Kiddush he only recited the regular weekday Yom Tov Kiddush. Rav Bakshi Doron was asked whether the individual should now recite a third Kiddush to include both Shabbos and Yom Tov. In his teshuva Rav Bakshi Doron says that this question should be based on how we view Shabbos and Yom Tov when they fall out on the same day: do we say that they are two separate kedushos where each requires a Kiddush – and a third Kiddush in our case would not be required – or do we say that there is a new elevated kedusha of Shabbos-Yom Tov which requires one Kiddush mentioning both Shabbos and Yom Tov? According to the אור שמה a third Kiddush would be required to ensure that the Shabbos-Yom Tov day is mentioned.

The Mishnah Berurah7 writes that if a sick person is required to eat on Yom Kippur which falls on Shabbos he would not be required to recite Kiddush before eating. The Sha'ar Ha'tziyon ט"ק כט brings the opinion of R' Akiva Eiger who says that since Kiddush is min ha'torah he must recite the Kiddush before eating. Apparently, the Mishnah Berurah believes that since there is an obligation to fast on Yom Kippur there should be no obligation to make Kiddush. If so, why would R' Akiva Eiger require a Kiddush to be recited? Perhaps this disagreement is based on the issue mentioned above: when Shabbos and Yom Kippur coincide do we say that there is a new kedusha made up of both the kedushas Yom Kippur and Shabbos – if so, we would say that since there is no obligation of Kiddush on Yom Kippur there should be no such obligation on Shabbos-Yom Kippur and a sick person would not recite Kiddush if they were to eat (Mishnah Berurah). However, if Shabbos and Yom Kippur are considered separate kedushos then we would say that even though the obligation of Kiddush on Yom Kippur does not exist, nevertheless, the obligation of Kiddush on Shabbos is still present which would require the sick person to recite Kiddush (R' Akiva Eiger). Every Motsai Shabbos we make a beracha on besamim to make up for the יתירה נשמה which has left us at the conclusion of Shabbos. The Shulchan

אגרות משה או"ח ד' סימן ע אות יד 4

פרשת נח תשע"ב 5

שו"ת בניו אב ח"ג סימן יז 6

תריח: כט 7

אור שמה הלכות עבודת יום הכיפורים ד: א 1

נפש הרב עמל קפג 2

אורח חיים תפזג: 3

Aruch<sup>8</sup> writes that when Yom Kippur falls out on Shabbos one does not make a beracha on besamim as part of the havdallah because, according to the Shulchan Aruch there is no נשמה יתירה on this Shabbos because of the fast. The Mishnah Berurah (שם ס"ק ה) brings achronim who argue and say that one should make a beracha on the besamim at havdallah<sup>9</sup>. What is the basis for this machlokes? Perhaps the disagreement of whether there is נשמה יתירה on this Shabbos relates to our question above: if the kedusha of Shabbos and Yom Kippur are joined into one elevated kedusha then it would make sense to say that there would be no נשמה יתירה (and no besamim would be required in havdallah) but if we were to understand that this day has two separate kedushos then even though there should be no נשמה יתירה because of Yom Kippur, nevertheless, since the kedusha of Shabbos remains intact perhaps there would in fact be a נשמה יתירה present which would require besamim for havdallah.

Does one recite חזירות אשת חיל on a Yom Tov which falls on Friday night? The Mateh Ephraim (סימן תקפג ס"ק א) writes that one should sing these zemiros on Rosh Hashannah which falls on Shabbos. However, the א"ק א writes that our minhag is not to recite these songs on Yom Tov which falls on Shabbos. If one were to understand that the kedushos of Shabbos and Yom Tov are both distinct kedushos on this day then the obligation to recite zemiros will remain but if there is a new fused kedusha then perhaps we can understand why we should not say zemiros on this day. There is a discussion which comes up in shul every Shabbos Chol Hamoed when the chazzan gets up for Mussaf – do we say the extra line אדיר אדירנו in kedusha? There is not a lot written on this topic and it is not clear from the poskim (or from the various Artscroll publications) what we should do. The Ezras Torah luach makes a distinction between Sukkos where we should recite this line while on Pesach there is no mention of אדיר אדירנו. At first glance there is no reason to say this line – on Shabbos we never add אדיר אדירנו to our kedusha and neither on Chol Hamoed, so why would there be a minhag to add this into our mussaf on Shabbos Chol Hamoed? Perhaps if we were to assume that when Chol Hamoed falls on Shabbos there is an elevated kedusha which is a combination of both kedushos then there would be a reason to add in this tefillah.

Another interesting difference would be with regards to the nusach that the chazzan should recite in the Shabbos Chol Hamoed Mussaf when reading the Pesukim related to Shabbos: should he continue with the Yom Tov nusach throughout the chazaras ha'shatz, even for the parts related to Shabbos, or should he change the nusach to the Shabbos nusach for those sections? I thought that this would relate to our discussion as well: if the kedusha of Shabbos and the kedusha of Yom Tov are fused into one new kedusha then the chazzan should use the nusach of Yom Tov even for those paragraphs which relate to Shabbos since both Shabbos and Yom Tov gain an elevated status of Shabbos-Yom Tov. But if one were to assume that the day of Shabbos and Chol Hamoed are considered two separate kedushos then it would be appropriate for the Chazzan to recite the Yom Tov nusach for the Yom Tov tefilos and change to the Shabbos nusach for those paragraphs related to Shabbos.

<https://yated.com/sukkos-yom-tov-jewish-unity/>

### **Sukkos: The Yom Tov of Jewish Unity**

**Rabbi Yaakov Feitman** - Sep 28, 2017

There are many similarities between Pesach and Sukkos. Both begin with a seudah – a festive meal – which families and often friends eat together. In fact, Chazal (Sukkah 27a) note that since both take place on the fifteenth of their respective months, Nissan and Tishrei, they share certain halachos because of their common dates. Yet, only of Sukkos does the Gemara a bit later (Sukkah 27b) state that “it would have been appropriate for all of

Yisroel to dwell in one sukkah. Two Chassidic giants, the Sefas Emes (Balak 5651) and the Sheim MiShmuel (Balak 5672) understand this statement to refer to the unity of Klal Yisroel. Yet, this seems to beg the question, for it would have been just as easy to declare that all of Klal Yisroel could share the same Seder. Yet, clearly the Gemara derived this statement from a posuk (Vayikra 23:42) which speaks only of Sukkos, despite all the other commonalities between the two Yomim Tovim. What exactly is this quality of Sukkos that brings us all together?

My rebbi, Rav Yitzchok Hutner zt”l (Maamorei Pachad Yitzchok 14-15), offers a profound insight into this quality of Sukkos. He had already explained in many maamorim the surprising juxtaposition between Yom Kippur and Sukkos. On the surface, it would seem that there is no reason for Sukkos to follow immediately after Yom Kippur. We left Mitzrayim in Nissan and entered immediately into the Ananei Hakavod – the Clouds of Glory – which we commemorate on Sukkos. Therefore, most of our early meforshim are puzzled by the delay in celebrating the great miracle of these protective clouds until Tishrei, a few days after Yom Kippur.

Rav Hutner (Pachad Yitzchok, Yom Kippur 8:8; Maamorei Pachad Yitzchok, Sukkos 7, 98:15, 106) often quoted the Vilna Gaon (commentary to Shir Hashirim 1:4) that on Sukkos we celebrate the Clouds of Glory that returned after the sin of the Eigel, not the original ones. Therefore, we commemorate them after Yom Kippur, since they were restored by our teshuvah.

Based upon this revelation, Rav Hutner explained that Sukkos unifies all of Klal Yisroel, since there is a promise that eventually all of Klal Yisroel will repent (see Rambam, Hilchos Teshuvah 7:5). Each individual who does teshuvah benefits from this divine promise and connects his own transformation to the soul of the nation. For this reason, the song of the baalei teshuvah (see Sukkah 56b), which took place at the Simchas Bais Hashoeivah, had to be in the Bais Hamikdash, the only place in the world that represents each and every Jew.

Rav Hutner adds that for this reason, as well, it was Dovid Hamelech who “established the power of teshuvah” (Moed Koton 16b), since he was the ultimate king of Klal Yisroel and the “king’s heart is the heart of all of Yisroel” (Rambam, Hilchos Melachim 3:6). Rav Hutner concludes that it is therefore only natural that all of Klal Yisroel should sit in one sukkah, since it is their common and joint teshuvah that informs and enables the repentance of each and every Jew.

Rav Yosef Tzvi Dushinsky zt”l, the rov of Chust and Yerushalayim (Drashos Maharitz, 2:4) adds that “it is appropriate for Klal Yisroel to all sit together when they have achieved mutual love and respect with no hatred or rancor between them at all.

More recently, Rav Nosson Gestetner zt”l (Lehoros Nosson, Moadim 3:352) suggests that when the simple Jews would eat in the sukkah with the tzaddikim, they were elevated by being in the presence of their holiness. He adds that this explains the tradition of the Arizal to bless the Arba Minim in the sukkah (see Mogein Avrohom 651:17), since each of the four species represents a different level of Jew, but the sukkah unifies them despite their differences.

Interestingly, the Mishnah Berurah (637:2) quotes the Gemara which states that potentially all of Klal Yisroel could share a sukkah as the source of our permission to eat in a borrowed sukkah, as opposed to the Arba Minim, which we must own on the first day of the Yom Tov.

The Klausenberger Rebbe zt”l (Shefa Chaim, Sukkos 2:128) adds an important dimension to this concept. Sukkos follows Yom Kippur because we have forgiven each other and are now living in peace and tranquility. At that point, we are all capable of sharing the same holy space of the sukkah, since we are, in fact, unified and there are no barriers between us. He sees this as reflecting the Gemara (Sanhedrin 7a) which describes one of the Talmudic generations during which everyone so loved each other that many people could share one bed and a blanket without fights or resentment, since each person cared only about his neighbor’s comfort and contentment.

A dramatic and inspiring example of this in our time may be seen in the

<sup>8</sup> אורח חיים תרכ"ג: 8

<sup>9</sup> 13ת"א פסקי תשובות אורח חיים writes that some have the minhag to make the beracha on the besamim only after he drinks from the cup of wine so as to avoid any possible hefsek (since there is a disagreement whether one should recite this beracha at all).

following story. Rav Moshe Feinstein zt"l was approached by someone for a letter attesting to his qualifications as a shochet. Rav Moshe tested the man on the laws of his craft and wrote him a glowing letter of approbation. Some of Rav Moshe's talmidim expressed shock at his kindness, since this man had vilified Rav Moshe publically several times that year because of his disagreement with one of his rulings. "Rebbe," one of them asked, standing up for his kavod, "how can you write this man a positive letter when he has shamed you so horribly?" Rav Moshe looked surprised. "But a Yom Kippur has passed since. Surely he has repented like every good Jew. I have forgiven him and surely heaven has done the same."

That is the power of Yom Kippur and that is why all Jews can sit together without anger or resentment toward one another.

The Sefas Emes (Sukkos 5662, page 192) grants us an insight into the interplay between the Arba Minim and the sukkah based upon these concepts. He teaches that while the sukkah represents our joining with Hashem after the splintering caused by the sin of the Eigel, there is another dissolution that is brought about because of sins between man and man. The healing of this rift is symbolized by the joining of the Arba Minim, which, when brought into the sukkah, cause the name of Hashem to be imprinted upon us all (see Sukkah 9a). A careful reading of the Sefas Emes reveals his novel look at the Arba Minim, the lulav, esrog, hadassim and aravos. The Gemara only mentions that Hashem's name is emblazoned upon the sukkah, but the Sefas Emes adds that it becomes part of the Arba Minim as well. This indicates to us that not only does Hashem forgive us after Yom Kippur and allows us entry into His holy abode, but He actually uplifts us as well to the point where we bear His Name upon ourselves. This is truly a great consolation after the estrangement of sin and punishment. The Arba Minim, especially when we hold them in the sukkah, as mentioned earlier in the name of the Arizal, become the source of our incredible simcha, as Rabbeinu Yonah writes (Shaarei Teshuvah 4:8), "to demonstrate our joy at Hashem's acceptance of our teshuvah."

All of this adds a new dimension to the famous anecdote about Rav Levi Yitzchok of Berditchev. His sukkah was always filled with tzaddikim and talmidei chachomim, but at each meal there were also people of a much lower caliber. In fact, he was often asked why he insisted on inviting guests into his sukkah whom most people would not allow into their homes. His recorded answer is that when Moshiach arrives, he will invite some people to the unique sukkah of the Livyoson. "When they stop me at the door," declared the humble rov of Berditchev, "because I am unworthy, I will show them that I, too, allowed everyone into my sukkah. Perhaps this will allow me entry into that great sukkah as well."

It may be that the holy Berditchever was alluding to a deeper symbolism in his sukkah as well. As we learned from the Sefas Emes, bringing the Arba Minim into the sukkah represents "making Klal Yisroel into one agudah," a unified nation who carries the Name of Hashem on each individual. Rav Levi Yitzchok gave this disembodied concept a reality by hosting his own human Arba Minim. The Four Species, too, vary in their positive traits, but each contributes a dimension to the total mitzvah of the day. So does every Jew, and Rav Levi Yitzchok demonstrated the beauty of this conglomeration by seating what appeared to be the lowest souls with the holy Ushpizin and their contemporary counterparts.

We, too, can more securely assure our own place in the Livyoson sukkah by reaching out to our fellow Jews, whether they be esrog-like or lowly aravah. Undoubtedly, Moshiach will be pleased by our bringing all together and invite us to the geulah sheleimah bimeheirah beyomeinu.

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**In My Opinion SUKKOT**  
**Rabbi Wein's Weekly Blog**

Living here in Israel allows one to gain a deeper appreciation of the holidays of the Jewish calendar. In their deepest sense, they were all meant to be observed here in Israel. Perhaps that is what our rabbis intended when they cryptically said that the observance of the Commandments of the Torah that the Jewish people have fulfilled and continue to practice in the Diaspora is really a training exercise for their true adherence when the Jewish people return to the land of Israel.

This observation is certainly true regarding the holidays of Israel and is especially true regarding the holiday of Sukkot, that we are about to celebrate. Perhaps no other holiday of the year so symbolizes the attachment of the Jewish people to the land of Israel, as does this holiday of Sukot. It is a combination of the weather at this time of the year and the beauty and abundance of the agricultural products that are used for the observance of the holiday. And, this bounty fills our holiday tables and the Yom Tov menu reflects a spirit of rejuvenation that the population feels long after the hot summer in the days of judgment.

In Israel, leaving one's home to dwell for the week of Sukot in the outside booths that dot the landscape throughout the country is seen as a sign of the concept of redemption of the Jewish soul, reflected in our attachment to our ancient homeland and the gifts of the Lord to the Jewish people.

The Jewish people are in reality the most cosmopolitan group of human beings that the world has ever seen. There is almost no country or area of the world where the Jewish people have not been present or visited. We have been everywhere on this globe and yet despite repeated efforts to make ourselves feel at home wherever we are, there is a gnawing feeling of restlessness that underlies the mansions and seeming security that we have built for ourselves wherever we have dwelled.

From my own personal experience, I can attest that even though I was well settled in my previous places of residence in the United States – for which I am eternally grateful to that great country for allowing the Jews freedom and opportunities never granted to them before in our long history of the exile – I never truly felt at home until I was able to settle here in Jerusalem and in the land of Israel.

I do not mean this short essay to be a rah-rah appeal for immigration to the Jewish state. But, I feel that only here in Israel can a Jew live a truly Jewish life in every facet of meaning that those words may contain. And to me, the holiday of Sukot is the ultimate proof of this statement. Many Jews arrive here to spend the holiday and I notice that the common thread of conversation and feeling regarding this holiday is the attachment that it engenders within them and to the feeling of being at home.

It is somewhat ironic that this feeling of being at home is inspired by a holiday that bids us to leave our homes and live a temporary existence outside of our usual comforts and conveniences. But I feel that that is in the great message that this holiday of Sukot teaches us. Our comfort zone and feeling of security is not dependent upon the physical dwelling or place in the world where we reside.

Many a mansion and palace are filled with heartbreak, disappointment, strife and dysfunction. If one does not feel happy and secure on the inside, the outside will never provide him or her with that feeling of happiness and security. The rabbis always felt that a shack in Jerusalem was worthier and more protective than a great palace elsewhere.

It is this feeling that has driven millions of Jews to gather here from the four corners of the world to build a renewed and vital Jewish state. Not all of us came here willingly or voluntarily. Almost all of us have the right and ability to leave if we wish. Nevertheless, the level of satisfaction of life and of our existence here in Israel is one of the highest in all the world, much higher than the level of happiness exhibited in other seemingly more prosperous and less dangerous places on the globe. That is the triumph of the message of the holiday of Sukot.

Shabbat shalom

Chag Sameach

ולקחתם לכם ביום הראשון פרי עץ הדר כפת תמרים וענף עץ עבת וערבי נהל (ויקרא 23:40)  
In his sefer Derech Hashem (4:8), the Ramchal writes that when we fulfill the mitzvah of taking the four species on Sukkos, it inspires fear in the hearts of gentiles who see us holding them, as the Torah says (Devorim 28:10), “All of the nations of the world will see that the Name of Hashem is proclaimed over you, and they will fear you,” as the four species correspond to Hashem’s 4-letter Ineffable Name (Bais Yosef Orach Chaim 651). Although the Gemora in Menachos (35b) interprets this verse as referring to the mitzvah of tefillin and the fear that it inspires in non-Jews, the Ramchal extends this concept to the four species as well.

The Ramchal’s insight is supported by the wording of the יהי רצון (may it be Your will) prayer that many have the custom to recite prior to taking the four species, in which we say יהי רצון עלי ויראו מגשת אלי – the nations of the world will know that the Name of Hashem is called upon me, and they will be afraid to approach me. While this is a fascinating explanation, it begs the question: What in fact is so intimidating about the four species and tefillin that inspires fear in gentiles when they see us performing these mitzvos?

Additionally, the Midrash teaches (Vayikra Rabbah 30:2) that on Rosh Hashana, the Jewish people and the nations of the world come before Hashem for a court case. There is no way for us to discern who won, but when the Jewish people emerge carrying their lulavim and esrogim, this indicates that they were victorious. This Midrash is difficult to understand. On Rosh Hashana, Hashem judges each individual based on whether he has done more mitzvos or more sins; similarly, each nation is judged, and so too the entire world. However, no mention is made of a judgment between the Jewish people and the nations of the world. What is the nature of the court case between them on Rosh Hashana?

Rav Yehuda Wagschal of Yeshivas Mir in Yerushalayim explains that the court case is rooted in a much earlier disagreement which dates back to Yaakov and Eisav, who fought over the blessings that their father Yitzchok intended to give. Eisav felt that he was entitled to receive them, but Rivka recognized that Yaakov deserved them and helped him scheme to receive them, which caused Eisav to hate him and to want to kill him. What was the subject of the disputed blessings? They were material in nature, as Yitzchok blessed Yaakov, “May G-d give you of the dew of the heavens and of the fatness of the earth, and abundant grain and wine” (Bereishis 28:28). Why did Yaakov, who spent his time engrossed in Torah study, need to be blessed with physical bounty instead of with spiritual success?

Rav Wagschal explains that Yitzchok was well aware of Yaakov’s superiority to Eisav. Nevertheless, he wished to give the blessings to Eisav with the intention that he would channel his material success to help support Yaakov in his service of Hashem. Rivka didn’t disagree in concept with Yitzchok’s plan, but she recognized that Eisav viewed physical pleasures as an end to be enjoyed unto themselves, and if he received his father’s blessings, he would keep all of the bounty for himself. Therefore, she had no choice but to arrange for the blessings to be given to Yaakov, who understood that material success is not an end, but a means of enabling a person to better serve Hashem. This is the fundamental dispute between the Jewish people, who embrace Yaakov’s worldview that the pleasures of this world are a vehicle for spirituality, and the nations of the world, who follow Eisav’s path and seek to live an Epicurean existence. On Rosh Hashana the two sides present their claims to Hashem.

In addition to commanding us to take the four species on Sukkos, the Torah instructs us to rejoice with them before Hashem in the Temple. In explaining the rationale behind this mitzvah, the Sefer HaChinuch (324) writes that the mere sight of the four species engenders natural feelings of happiness; the Torah commands us to elevate these feelings and use them for spiritual rejoicing. Similarly, we refer to Sukkos in our prayers as זמן שמחתינו – the time of our happiness – as it is celebrated at the time of the gathering of the crops. Therefore, the Torah commands us to channel the natural feelings of

joy that we experience upon seeing the successful harvest and direct them toward the performance of mitzvos.

With this introduction, Rav Wagschal explains that the reason that non-Jews become afraid when they see us holding the four species is that on a deeper level, the four species represent a challenge to their entire worldview. The nations of the world follow in the ways of Eisav, who viewed the physical world as an end unto itself, and when they see us rejoicing with the four species and elevating them by using them in our service of Hashem, their very essence feels threatened, as they realize that this world belongs to us as Yaakov’s descendants.

The mitzvah of tefillin serves a similar purpose, as we say in the יהי רצון (may it be Your will) prayer prior to putting on tefillin: לשעבד בזה תאור – ומחשבות לבנו לעבודתו – tefillin serves to subjugate our desires and thoughts to the service of Hashem, not to eradicate our desires, but to elevate them to a higher purpose. Therefore, the Gemora teaches that when non-Jews see us wearing tefillin, they become frightened.

Each Rosh Hashana the Jewish people and the nations of the world come before Hashem to litigate their dispute about who rightfully deserves this world and its associated blessings. The Midrash teaches that the result of this judgment is only clarified when the Jewish people emerge with their lulavim and esrogim, which symbolize the triumph of our worldview of elevating the physical world by channeling natural pleasures for the service of Hashem.

Although the Torah equally commands us to take all four species, in practice the lulav, hadasim, and aravos are bundled together, while the esrog is held separately and is brought together with the other three species only to perform the mitzvah of shaking them. Why isn’t the esrog somehow bundled with the other three species? The Vilna Gaon explains that Hashem doesn’t want us to simply tie the four species together and hold them, but rather He wants the Jew who is taking the four species to himself become part of the bundle, as he connects the esrog to the other three species.

Similarly, Rav Wagschal points out that the tefillin shel rosh contains the letters ו and ד from Hashem’s name ו-ד-ש-ו, while the tefillin shel yad has the letter י. It is only through the wearer’s body that all three of the letters are linked and joined together to complete Hashem’s name. Because the mitzvos of taking the four species and wearing tefillin enable our physical bodies to be uplifted through becoming an integral component of the mitzvah fulfillment, they therefore inspire fear and trepidation in the nations of the world.

The issues of Parsha Potpourri in 2018 are generously dedicated לז"ל אסתר בת ניסים יצחק ושמה ז"ל  
This week’s issue is also dedicated לז"ל ליבא בת משה ראובן ז"ל לז"ל ר' אליעזר חיים בן יהודה יצחק ורבקה  
מעניא ז"ל לרפ"ש יעקב יוסף בן חיה שרה

from: Chanan Morrison <ravkooklist@gmail.com>

to: Rav Kook List <Rav-Kook-List@googlegroups.com>

date: Sep 22, 2018, 5:02 PM

subject: **[Rav Kook Torah] Succoth and the Land of Israel**

Succoth and the Land of Israel In 1907, Rav Kook wrote a Halachic treatise entitled Eitz Hadar, discussing the etrogim grown in Eretz Yisrael and the importance of avoiding grafted etrogim. He advocated the use of etrogim in Eretz Yisrael as a way for world Jewry to strengthen its connection to the land of Israel and support its fledgling communities.

Underlying Connections

Our world is an alma d’peruda, a reality split into conflicting realms: physical and spiritual, secular and holy, that of compassion and that of strict justice. Yet there always exists a hidden connection that unites these divisions, some intermediary stage or shared level that combines both aspects. This principle is set down by the Torah’s esoteric teachings and is confirmed by our own examination of the world around us.

This fundamental truth provides a comprehensive view of the world and gives us insight into the universe’s underlying unity.

Two Categories of Mitzvot

For example, the Sages noted in Kiddushin 36b that all mitzvot fall into two categories. The first category consists of mitzvot hatluuyot ba’aretz, mitzvot

that can only be fulfilled in the land of Israel, such as Shemitah (the Sabbatical year) and ma'aserot (tithing of fruits and vegetables). The second category consists of those mitzvot that are incumbent even outside of Israel, such as prayer and Torah study. What binds and unites these two types of mitzvot?

We may discern the inner connection between them from the words of the Ramban in his commentary to Gen. 26:5 and Deut. 11:18. The Ramban explained that the root of all mitzvot - even those that are incumbent outside of Israel - is in the land of Israel. Performance of mitzvot outside the Land does not fulfill their inner purpose, but rather is a means to enable the Jewish people to return to their land. These mitzvot guard over the holiness of the Jewish people, so that when they return to Eretz Yisrael they will not need to re-invent their culture and spiritual path. They will not return to the land of Israel as a young nation, newly arrived on the stage of history, but will continue their ancient traditions. This bold idea is already found in the Sifre on Deut. 11:18:

“Even though I exile you from the Land, distinguish yourself with mitzvot. Then they will not be new to you when you return [to the land of Israel].” From here we see that both categories of mitzvot share a common dimension, one that is connected to the land of Israel.

In the material world, the most basic form of wealth is real estate. “One who does not possess land is not a person” (Yevamot 63a). This is even more evident with regard to nations. Even if a nation expresses itself in higher realms - culture, arts and sciences, and so on - it still requires a fundamental basis in land and agriculture. Land may be compared to the roots of a great tree. Without the beauty of its branches and fruit, the tree is just an ugly stump. “Agriculture,” the Sages noted, “is the lowliest form of work” (ibid.). Nonetheless, these roots give life to the entire tree; they are the foundation for all of its produce and beauty.

This idea also holds true in the spiritual realm. All mitzvot share a common denominator - mitzvah-performance in the land of Israel. Thus even our spiritual riches are rooted in the dimension of land.

#### The Four Species

But is there a specific mitzvah that combines and unites aspects of both categories of mitzvot? To find a mitzvah that bridges these two categories, we will need a mitzvah that, on one hand, is a personal obligation, incumbent also on those not living in Israel; on the other hand, it should be clearly connected to the land of Israel, so that the special qualities of Eretz Yisrael are recognizable in it.

The mitzvah of the Four Species - arba'ah minim - is a perfect match for these criteria. It is obligatory on every individual, even outside of Israel. At the same time, the Four Species remind us of Eretz Yisrael and the harvest, its foliage and beautiful fruit. “Take for yourself a fruit of the citron tree, a palm frond, myrtle branches, and willows of the brook” (Lev. 23:40).

#### Succoth and the Land of Israel

In fact, the holiday of Succoth as a whole is integrally connected to the sanctity of the land of Israel and our joy in its fruit. The Sages ruled that an extra month may be added to the year to ensure that Succoth will fall out during the harvest season (Sifre 192).

The connection of the Succoth holiday to Eretz Yisrael is especially strong in the etrog fruit. In the land of Israel it is easy to fulfill this holy mitzvah with joy and beauty. Maimonides suggested that one reason that the Torah chose this particular fruit was its wide availability in Eretz Yisrael (Guide to the Perplexed 3:43).

In the Diaspora, however, this mitzvah can be difficult and costly. The great effort and expense to attain etrogim in the cold and distant lands of our exile reminds us of the desirability of our beloved homeland, a land that suits the special qualities of our soul. When Rabbi Yochanan ben Zakkai instituted special decrees to commemorate the Temple after its destruction, he specifically chose the mitzvah of the Four Species, extending its performance from one day to seven to emulate the way it was performed in the Temple (Rosh Hashanah 30a). It is due to this special connection to Eretz Yisrael

that great scholars throughout the generations went to great lengths to acquire an etrog grown in the land of Israel.

#### Etrogim and Settling the Land

In recent years it has been exposed that the vast majority of etrogim grown outside of Israel come from lemon trees grafted with etrog branches. These grafted etrogim, despite their superficial beauty, are not fit for fulfilling the mitzvah of arba'ah minim.

In our days, the kosher etrog has become another way for us to express our love for the land of Israel. The agricultural settlements in Israel now provide etrogim that are supervised to ensure they do not come from grafted trees. It is providential that we should be best able to fulfill this precious mitzvah, connected to the holiday closely bound to the land of Israel, by favoring the produce of the Holy Land. Additionally, as more etrogim of Eretz Yisrael are purchased, our fellow Jews working the land will be able to plant new orchards. Thus, by buying etrogim from Israel, we can all share in the mitzvah of building and settling the land of Israel - a mitzvah on par with the entire Torah (Sifre Re'eih, Tosefta Avodah Zarah 5:2).

(Silver from the Land of Israel (now available in paperback). Adapted from the Introduction to Eitz Hadar.)

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<http://rabbikaganoff.com/may-i-smell-my-esrog-and-hadasim-on-sukkos-2/>  
2018 - There are many articles on the RabbiKaganoff.com website that discuss a variety of topics germane to Sukkos and its observances. They can be found using the search words sukkah, esrog, Yom Tov, chol hamoed or hallel.

#### May I Smell my Esrog and Hadasim on Sukkos?

**By Rabbi Yirmiyohu Kaganoff**

Although this question may seem trivial, it is indeed a serious shaylah that requires explanation. Sometimes, one may smell an esrog, while at other times one may not. Why is this true? Also, when it is permitted to smell an esrog, do I recite a bracha beforehand? If I do, which bracha do I recite?

We may ask similar questions regarding the hadasim, although the answers are not always the same. May I smell my hadasim, and which bracha do I recite before smelling them?

In order to explain the background to these questions, I first need to explain two very different areas of halacha, one concerning the laws of muktzah, and the other concerning the laws of brachos on fragrances.

#### MUKTZAH

The Gemara teaches us the following: One may not smell (during Sukkos) the hadas that is set aside for the mitzvah, but one may smell the esrog. The Gemara asks, “Why is there a difference between the hadas and the esrog?” The Gemara replies that since the main use of a hadas is for fragrance, it becomes muktzah, and one may not smell it. But since the main “use” of an esrog is for food, one may not eat it, but one may smell it (Sukkah 37b). This is the explanation of what the Gemara means.

This Gemara teaches that an item used for a mitzvah becomes muktzah machmas mitzvah; that is, designated solely for its specific mitzvah and not for a different use. This category of muktzah is different from the more familiar types of muktzah in several ways:

1. As the Gemara teaches elsewhere (Sukkah 9a), this type of muktzah is prohibited min Hatorah, whereas other forms of muktzah are prohibited only miderabbanan.
  2. These items are muktzah only to the extent that one may not use them, but one may move them. This is different from most types of muktzah, which one may not move on Shabbos or Yom Tov.
  3. These items are muktzah only with regard to their primary, normal purpose: for example, one may not smell a hadas that is muktzah machmas mitzvah because the primary purpose of a hadas is for fragrance. However, one may use it (or them) for a secondary use, and that is why, according to the Gemara, one may smell the esrog. (A person who is interested in purchasing a fragrant item would consider buying hadasim, not an esrog.)
  4. This type of muktzah is prohibited even on Chol Hamoed, whereas other types of muktzah are prohibited only on Shabbos and Yom Tov.
- Thus, it would seem that we may answer the original question I asked: May I smell my esrog and hadas on Sukkos? And the answer is that I may smell my esrog, but I may not smell my hadas, because it is muktzah for its mitzvah.

However, the Shulchan Aruch (Orach Chayim 653:1) rules that I should also avoid smelling my esrog on Sukkos. Why does the Shulchan Aruch prohibit something that the Gemara explicitly permits?

The answer to this question takes us to the other topic -- when does one recite a bracha before smelling a fragrance? Although the Gemara explicitly permits smelling an esrog

on Sukkos, the Gemara does not mention whether one recites a bracha before smelling it.

Indeed, the Rishonim dispute whether one is required to recite a bracha before smelling an esrog. Rabbeinu Simcha, one of the late baalei Tosafos, rules that one may not recite a bracha before smelling an esrog that is being used for the mitzvah on Sukkos, whereas the Ravayah, an early Ashkenazi posek, rules that one must recite a bracha. The later poskim conclude that this dispute is unresolved, and that, therefore, one may not smell an esrog during Sukkos, when reciting a bracha would be a question. This topic requires some explanation: Why should an esrog on Sukkos be different from an esrog any other time of the year?

#### FRAGRANCES THAT ARE NOT FOR THE PLEASURE OF SMELL

One recites a bracha only on a fragrance that is *avida lereicha*, literally, “made for fragrance” (Shulchan Aruch, Orach Chayim 217:2). In the words of the Chazon Ish (Orach Chayim 35:1), “Anything whose current purpose is not for aroma is not considered a fragrance” (regarding recitation of a bracha). Therefore, one does not recite a bracha before smelling a deodorizer, even if it has an extremely pleasant fragrance, since its purpose is not aroma, but to mask unpleasant odor. Similarly, smelling the tantalizing aroma of a food or food flavoring does not warrant a bracha, since its purpose is not enjoyment of their aroma, per se. (I have written several other articles germane to the brachos on fragrances, which are available on the RabbiKaganoff.com website; to find them, use the search word fragrance.) Furthermore, when the halacha rules that one is not required to recite a bracha, one is not permitted to recite the bracha, as doing so constitutes a bracha *l’vatalah*, a bracha recited in vain.

#### EXAMPLE:

When showing a house that is for sale, some people toast cinnamon in the oven or open essential oils and other fragrances around the house to make the house more appealing. Since the purpose of these fragrances is to give the house a pleasant aroma and not to entice people to smell or purchase the fragrance, one does not recite a bracha.

Based on the foregoing introduction, we can now explain the above-quoted dispute whether to recite a bracha before smelling an esrog on Sukkos. Rabbeinu Simcha contends that although one may smell an esrog on Sukkos, and it is not prohibited due to its being *muktzah*, this does not warrant making a bracha. The esrog on Sukkos is still primarily intended for the mitzvah, and not for fragrance; therefore, smelling it does not require a bracha. In Rabbeinu Simcha’s opinion, reciting a bracha in this case constitutes a bracha *l’vatalah*.

The Ravayah disagrees, maintaining that since it is permitted to smell an esrog, it is considered to be meant for fragrance, and requires one to recite a bracha before smelling it (Mordechai, Sukkah #751; Tur Orach Chayim 653).

This dispute places us in a predicament. The halacha is that one may not benefit from something in this world without first reciting a bracha, and if, indeed, one is required to recite a bracha before smelling an esrog, then one may not smell it without reciting a bracha (Brachos 35a; Hagahos Smaq 193:11). On the other hand, if one is not required to recite a bracha before smelling it, then one may not recite the bracha, and doing so involves reciting a bracha in vain, a bracha *l’vatalah*.

Since we are not in a position to resolve this dispute, the poskim contend that one should avoid smelling the esrog used for the mitzvah during Sukkos (Shulchan Aruch 653), even though there is no *muktzah* violation in smelling it. Furthermore, one may smell the esrog if he first recited a bracha on a different fragrant fruit.

#### ESROG ON SHABBOS

As I mentioned above, Rabbeinu Simcha contends that an esrog is not considered *avida lereicha*, meant for fragrance, and therefore one does not recite a bracha before smelling it. Does this halacha apply the entire week of Sukkos, or only when I pick up the esrog to fulfill the mitzvah? What if I smell the esrog on Shabbos, when there is no mitzvah to perform, or I pick it up on a day of Sukkos after I have already fulfilled the mitzvah? Do I recite a bracha before smelling it, according to his opinion?

Let us compare this shaylah to the following case:

Someone who enters a spice merchant’s store recites a bracha, because the owner wants customers to smell his wares so that they will purchase them (Berachos 53a). If these items are in his warehouse, where he is not soliciting customers, one does not recite a bracha (Magen Avraham 217:1).

Why does one recite a bracha on the spices in the store, but not on those that are in the warehouse? This is because the spices in the store are there to be smelled and enjoyed, and are therefore *avida lereicha*. However, the spices in the warehouse are not meant to be smelled – therefore, they are not *avida lereicha*. Note that we are discussing the same spices, and the only difference is where they are located.

#### PUTTING INTO YOUR HAND

Let’s assume you are back in the spice merchant’s warehouse or in a flavor factory, and you know that you do not make a bracha on the incredible fragrance that is wafting through the air. What happens if you approach some of the spices to take a pleasant whiff, or you pick up some of the spice in order to smell it? Do you recite a bracha?

The poskim dispute what to do in this case. The Mishnah Berurah (217:1) contends that whenever you do something to smell the fragrance, such as moving towards the source of the fragrance in order to smell it, picking it up, or putting some into your hand, you should recite a bracha. Any such act makes the fragrance *avida lereicha*.

However, the Chazon Ish disagrees, maintaining that if you will return the spice afterwards to the storage bin in the warehouse, it is not *avida lereicha*, and you do not recite a bracha (Chazon Ish, Orach Chayim 35:1). The Chazon Ish agrees that if the manufacturer has samples available that he wants people to smell and buy, one does recite a bracha on them, and he also agrees that if you remove some of the spices to smell and will not return them, you do recite a bracha.

#### SPICES IN THE KITCHEN

There is a common, practical difference in halacha between the approaches of these two Gedolim regarding kitchen spices. Suppose you want to enjoy the smell of the cinnamon or the oregano on your kitchen shelf. According to the Mishnah Berurah, if you remove a container from the shelf to smell it, you recite a bracha on the spice, even though you intend to return the spice to the shelf after smelling it, and it will eventually be added to food. (By the way, the poskim dispute which bracha one recites before smelling cinnamon. The accepted practice is to recite *borei minei besamim*.) However, according to the Chazon Ish, you do not recite a bracha on this spice, unless you no longer intend to cook with it. Someone who wants to avoid the dispute should sprinkle a little bit of spice into his hand and make a bracha on that. Since you are neither going to return this spice to the container nor cook with it, according to all opinions, one recites a bracha before smelling it.

Some poskim explain that this opinion of the Chazon Ish is the reason for the widespread minhag to set aside special *besamim* for *havdalah* on Motza’ei Shabbos (Shemiras Shabbos Kehilchasah, Vol. 2 pg. 262).

#### WHAT ABOUT MY ESROG ON SHABBOS?

A dispute similar to the one quoted above exists concerning smelling my esrog on Shabbos, or picking up the esrog to smell it after I have fulfilled the mitzvah for the day.

The Magen Avraham rules that I recite a bracha before smelling the esrog under these circumstances, even according to Rabbeinu Simcha. Therefore, in his opinion, one may pick up the esrog specifically to smell it, and one recites the bracha before smelling it. However, the Taz implies that one may not smell the esrog anytime during Sukkos. According to the Chazon Ish’s analysis of the subject, one can explain the Taz’s approach as follows: Since the esrog is meant for the mitzvah, it is not considered *avida lereicha* that warrants a bracha, unless one permanently makes it into a fragrance. Thus, if an esrog became *pasul*, or for some other reason can no longer be used for the mitzvah, it will be called *avida lereicha* and warrant a bracha. Under any other circumstance, it remains a *safek bracha*, and one should not smell it until Yom Tov is over. One may recite a bracha and smell it on Shemini Atzeres or Simchas Torah, since it no longer serves any mitzvah purpose. Thus, it appears that the dispute between the Magen Avraham and the Taz is identical to the dispute between the Mishnah Berurah and the Chazon Ish.

#### WHICH BRACHA DO I RECITE ON AN ESROG?

Everyone agrees that one may smell an esrog that will no longer be used for the mitzvah, and that one must recite a bracha before smelling it. In such a case, which bracha do I recite?

Chazal established five different brachos that relate to scent, each for a different category of fragrance.

1. *Borei shemen areiv*, “The Creator of pleasant oil,” is recited only on the fragrant oil extracted from the balsam tree (Mishnah Berurah 216:22). Because this tree was important and grew in Eretz Yisroel, Chazal established for it a special bracha (Rabbeinu Yonah, Brachos 43a).

2. *Hanosein rei’ach tov ba’peiros*, “He who bestows pleasant fragrances in fruits” (Shulchan Aruch, Orach Chayim 216:2). We recite this bracha before smelling fragrant, edible fruits and other foods (Rama 216:14). Some poskim rule that the proper text for this bracha should be in past tense: *Asher nasan rei’ach tov ba’peiros*, “He who bestowed pleasant fragrances in fruits” (Mishnah Berurah 216:9). This is the bracha one recites before smelling an esrog.

Many poskim state that the custom today is to not make a bracha on smelling a fruit, unless it has a pronounced aroma (see Vezos Haberacha pg. 174). For this reason, one should be certain that the esrog one holds has a strong, pleasant fragrance before reciting a bracha. If one is uncertain, one may smell the esrog first to see that it is fragrant, and then, if it is fragrant, recite the bracha *hanosein rei’ach tov ba’peiros* and smell it again.

3. *Borei atzei besamim*, “The Creator of fragrant wood (or trees).” One recites this bracha before smelling fragrant, woody plants and trees, or their leaves, flowers, wood, or oils. *Hadasim* are certainly in this category. Although we mentioned above that it is prohibited to smell a *hadas* that is being used for the mitzvah on Sukkos, *hadasim* that one does not intend to use for the mitzvah may be smelled on Sukkos, and he should recite this bracha before smelling them.

Incidentally, the correct bracha to recite before smelling citrus blossoms or flowers is Borei atzei besamim, since the flower is not edible.

4. Borei isvei besamim, "The Creator of fragrant grasses." We recite this bracha before smelling non-woody plants, their parts or extracts. Before smelling a fragrant hyacinth, narcissus, or lily one recites this bracha. The custom among Sefardim is to recite this bracha before smelling mint, although, for reasons beyond the scope of this article, Ashkenazim recite borei minei besamim before smelling mint.

5. Borei minei besamim, "The Creator of different types of fragrances." This is the "catch-all" bracha for all fragrances, the equivalent of reciting a shehakol on food. Sometimes, it is the preferred bracha, and sometimes it is the bracha used to resolve uncertainties. Although I have not seen poskim discuss this case, it would seem to be permitted to recite a bracha on an item whose bracha is borei minei besamim and have in mind to include the esrog and then be able to smell the esrog. This would provide a method whereby one could smell one's esrog on Yom Tov, according to all opinions. Question: Why did Chazal create a unique bracha prior to smelling aromatic fruits?

Answer: Whenever one benefits from this world, one must recite a bracha. Thus, Chazal instituted brachos that are appropriate for fragrances. However, the other brachos on fragrance are not appropriate for smelling fragrant foods, since they praise Hashem for creating fragrances, whereas fruits are not usually described as fragrances, but as foods that are fragrant. Therefore, Chazal needed to establish a special bracha for aromatic fruits (see Beis Yosef, Orach Chayim end of Chapter 297).

Conclusion

The Gemara (Berachos 43b) teaches, "How do we know that one must recite a bracha on a fragrance? Because the pasuk (Tehillim 150:6) says, 'Every neshamah praises Hashem,' - What exists in the world that the soul benefits from, but not the body? Only fragrance."

Because fragrance provides some physical pleasure, but no nutritional benefit, the sense of smell represents an interface between the spiritual and the physical. Similarly, we find that we offer korbanos as rei'ach nicho'ach, a fragrance demonstrating one's desire to be close to Hashem. We should always take advantage of the opportunity to smell fragrant items as a steppingstone towards greater mitzvah observance and spirituality.

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Rabbi Yakov Haber

### The Mitzvos of Sukkos and the Great Partnership

Without doubt, Sukkos is filled with more mitzvos than any of the other holidays - from the sukka to the arba'as haminin practiced everywhere to the nisuch hamayim and arava in the mikdash (later universalized by the early prophets (Sukka 44a-b)). Interestingly, the Talmud (ibid. 43a, 44a) derives these mitzvos from fundamentally different types of sources. The primary mitzvah of the four species is derived from an explicit verse, "And you shall take on the first day, the fruit of a beautiful tree..." (Vayikra 23:40). Their taking in the beis hamikdash is derived from a derasha on the verse, "And you shall rejoice before Hashem for seven days" (ibid.). Chazal understand the phrase "before Hashem" as a reference to the mikdash. The mitzvah of arava and nisuch hamayim are derived from halacha l'Moshe miSinai, "pure Torah sheb'al peh". To be sure, all of the mitzvos are always informed by a combination of Torah shebichsav and Torah sheb'al peh, but the conglomeration of all the different combinations - straightforward pesukim = pure Torah shebichsav, dersahos = a combination of the written and oral Torah, and halacha l'moshe misinai = pure Torah sheb'al peh - in one festival is certainly notable. Homiletically, perhaps we can suggest an insight highlighting a central feature of Sukkos which serves as the culmination of all the festivals of Tishrei. Our relationship with HaKadosh Baruch Hu is first and foremost one of created to Creator, or servant to King. This is fundamental to our status of total dependency - both in our initial creation and our continued existence - on Hashem Yisborach. However, Hashem has chosen to partner with man in creation. One of many passages which indicates this partnership is the statement that "there are three partners" in the creation of a new child (Nidah 31a); the parents provide the body and Hashem provides the soul. In reality, there is an unequal partnership, as the parents are merely utilizing all of the tools G-d granted them combined with the complex rules of the natural world He created. Nonetheless, our Sages reflect Hashem's will by referring to this as a partnership. Similarly, Rav Chaim Volozhin (Nefesh HaChaim 4:10-11) quotes the Zohar that Hashem created the world with speech, and those who study Torah continue to create the world with speech - "if not for my eternal Covenant, the laws of Heaven and Earth would not have been formed" (Yirmiyahu 33:25) which the Talmud (Pesachim 68b) interprets to mean, "would cease to exist." [1]

One of the most far-reaching areas of human partnership with the Divine is in the realm of Torah sheb'al peh study and analysis. The opinions of mere mortals - even though

their modus operandi is to merely use the Sinaitic-principles of Torah analysis to arrive at an educated theory of "what Hashem would have said about this case had he revealed it at Sinai" - become part of Torah. "Eilu v'eilu divrei Elokim Chayim" (Eiruvin 13b). Rav Chaim Ya'acov Goldwicht zt"l, founding Rosh HaYeshiva of Yeshivat Kerem B'Yavneh would often highlight this concept through Kiddush Hachodesh where the Beis Din's ruling is binding even if mistaken or even if deliberately in error (Rosh Hashana 25a). He would also often quote the Talmud Yerushalmi which indicates that on the thirtieth day of Elul which might be declared Rosh Hashana down below, the heavenly court gathers with its myriad prosecuting and defending angels ready to commence, but Hashem awaits the declaration of Rosh Chodesh on earth. If it is not forthcoming, the Supreme Judge dismisses the court and declares that the Day of Judgment will have to take place the next day since Beis Din did not sanctify the month on the first day! With this endowed power, man is not just passively acted upon but becomes an actor in the drama of creation and history.

We attempt to realign with our Maker's will on Rosh HaShana; Hashem's Shechina descends to and visits our shuls and homes to be the vehicle of cleansing us from sin. This is followed by the overflowing joy of Sukkos in which Hashem, so to speak, invites us into His house - as the verse recited daily from the beginning Elul through Shemini Atzeres states: "for he shall hide me in His sukka on a day of evil" (Tehillim 27:5). Our relationship is hopefully restored: Hashem visits us; we visit Him. What more fitting demonstration of this mutual connection which G-d, in His infinite kindness, bestows on lowly man than the mitzvos of Sukkos which are taken from the fixed, Divinely dictated Torah shebichsav, halacha l'Moshe miSinai - the oral tradition preserved by the Jewish people, and the dersashos, which, through human analysis bridge the two. May we merit bringing the teshuva of the Yamim Noraim and the joy of the re-establishment of our partnership with our Creator to the rest of the year!

[1] Many other sources for this concept of partnership exist. See, for example, several essays in Rav C. Y. Goldwicht's Asufas Ma'arachos at length.

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