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from: **Rabbi Ephraim Z. Buchwald** <ezbuchwald@njop.org> via njop.ccsend.com date: Mon, Sep 16, 2013 at 5:17 PM subject: Weekly Torah Message from Rabbi Ephraim Z. Buchwald
Sukkot 5774-2013

"Half for You, and Half for G-d" by, Rabbi Ephraim Z. Buchwald

In parashat Emor, the Torah states that creative labor is forbidden on the first and seventh day of the festival of Passover. While the verses specifically speak of Passover, the prohibition of performing creative labor applies to all the holidays, including Sukkot, Shavuot and Rosh Hashana as well. Yom Kippur, however, differs, since it is similar to Shabbat, with much stronger restrictions.

Biblically, Passover and Sukkot are seven and eight day festivals respectively, that have sacred first and last days. These days may be divided into three, the first day, the five or six intervening days (Chol HaMoed) and the final day of the festival. In the Diaspora, two additional rabbinic festival days are added. Thus, the first two days of the holiday are sacred, followed by four or five days of Chol HaMoed, and the two final days, which are sacred as well.

The Torah states in Leviticus 23:7-8, "Ba'yohm ha'ree'shochn mik'rah ko'desh yee'yeh la'chem, koh'l m'leh'chet ah'voh'dah loh ta'ah'soo...ba'yohm ha'sh'vee'ee mik'rah ko'desh, koh'l m'leh'chet ah'voh'dah lo tah'ah'soo." On the first day, there shall be a holy convocation for you. You shall do no laborious work...on the seventh day, shall be a holy convocation; you shall do no laborious work. What is the definition of "M'lechet ah'voh'dah," laborious work? According to Rashi, it means work that is regarded as necessary and essential, that if not done, will result in significant losses. According to the Ramban, it means work that is burdensome, such as labor in the factory or a field. Thus, laborious work is forbidden on a festival.

According to all opinions, preparation of food, which is regarded as pleasurable work, including such labors as slaughtering and cooking, is permitted on the festivals that fall on weekdays.

The rabbis have extended the permission to cook and bake on the festivals, declaring that all work associated with cooking and baking is permitted, even not for the purpose of food preparation. Therefore, carrying non-food items in a public thoroughfare or lighting a fire from an existing flame for non-cooking purposes are permitted on the festivals and Rosh Hashana. But, those works that are usually done in advance, such as hunting, are prohibited.

The Torah teaches that there are two primary aspects to the nature of the festivals of Israel. It is a special mitzvah to rejoice on the festivals, as it is written in Deuteronomy 16:14, "V'sah'mach'tah b'cha'geh'chah," You shall rejoice on your festivals. Another important aspect regarding the nature of the holidays is found in Numbers 29:35, "Ah'tzeret teeh'yeh lah'chem," that the festivals must be regarded as a holy convocation for you, the celebrants.

There is a significant difference between these two features of the festivals. Rejoicing on a festival is a personal commandment, with no limits. But, even though the verse in Numbers 29:35 defines the holy convocation as "lah'chem," for yourselves and for your needs, a second verse in Deuteronomy 16:8, "Ah'tzeret lah'Hashem Eh'loh'keh'cha," asserts that the festivals must be regarded as a holy convocation not only for your sake, but for the L-rd, your G-d.

Our rabbis, Pesachim 68b, distinguish between these two features. Rabbi Eliezer maintains that the essence of the festival defines the personal commandment. Therefore, Rabbi Eliezer feels that rejoicing on the festival is not an obligation, but voluntary, thus one may choose to rejoice or not to rejoice. Whereas Rabbi Joshua posits that the personal commandments define the essence of the festival, maintaining that rejoicing on the festival is an obligation. Therefore, the obligation to observe a convocation to the L-rd, your G-d, should only apply to half the festival, in order to ensure that there is sufficient time for personal joyous celebration.

Maimonides in Mishneh Torah, Hilchot Yom Tov 6:19, rules, that the Talmudic dictum (Pesachim 68b) of "Chetz'yo lah'chem, v'chetz'yo la'Hashem," that half the festival belongs to the individuals, and half the festival belongs to G-d, should be followed during the entire festival, including the intermediary days. Even though eating and drinking on the holidays is considered a positive commandment, a person should not eat and drink all day long. Rather, the proper practice should be that community members rise early to pray and to read the Torah in the synagogue, and then return to their homes to eat and drink. The rest of the day should be spent studying Torah in the houses of study.

The Code of Jewish Law determines that it is a mitzvah to divide the festivals in half, half devoted to study and half to the eating and drinking. The Mishnah Berurah even rails against cantors who prolong the prayer services with extra singing, taking away from the individual joy that those who observe the festivals are required to experience. The festivals of Sukkot and Simchat Torah are wonderful opportunities to rejoice with family and friends and to bond with the Al-mighty.

Chag Samayach!

May you be blessed.

The first days of Sukkot will be observed this year on Wednesday evening and all day Thursday and Friday, September 18th, 19th and 20th, 2013. The intermediary days (Chol HaMoed) are observed through Wednesday, September 25th. On Wednesday evening, the festival of Shemini Atzeret commences, and is celebrated on Thursday, September 26th. The final day of the festival, Simchat Torah, begins on Thursday evening, September 26th and continues through Friday, September 27th.

Kol Torah Webmaster Sep 30 (7 days ago) to TABC Kol Torah

Below and attached please find the Sukkot Unity Issue, a combined effort of TABC, MTA, and DRS:

“The Mitzvah to Sleep in a Succah”
by Rabbi Michael Taubes (MTA)

The Torah tells us that during the seven days of the Yom Tov of Succos, each Jew is required to dwell in a Succah (Vayikra 23:42). The Gemara in Succah (28b) explains that this pasuk, specifically the word “teishevu,” which here means not “you shall sit” but rather, as the Yerushalmi in Succah (2:10, 11a in Vilna edition) points out, “you shall live” (see Korban HaEidah *ibid.*, s.v. *viyeshavtem*), is to be understood as commanding us “teishevu ke’ein taduru,” meaning that one must live in one’s Succah during this holiday as one normally lives in one’s home all year long. The Gemara (*ibid.*) then says that this is the source for the statement in the Mishnah on that same page that for the seven days of this Yom Tov, one must treat his Succah as his permanent dwelling place and his home as his temporary dwelling place; the Gemara then adds that one ought to take all of his finest utensils and put them in the Succah, where he should eat, drink, learn, and spend most of his time. The Rambam (Hilchos Succah 6:5) and the Shulchan Aruch (Orach Chaim 639:1) rule accordingly. The Gemara earlier in Succah (26a) indicates that one may also not sleep outside of the Succah for even a short period of time; the Rambam (*ibid.* No. 6) and the Shulchan Aruch (*ibid.* No. 2) rule this way as well.

Interestingly, it is clear from that Gemara that the obligation to sleep in the Succah is actually more stringent than the obligation to eat and drink in the Succah in at least one respect. The Mishnah in Succah (25a) states that one may eat or drink outside of the Succah in a “casual” manner, that is, on an “incidental” or “irregular” basis (*ara’i*), meaning, in effect, that one may have a light snack outside of the Succah; the Rambam (*ibid.*) and the Shulchan Aruch (*ibid.*) rule accordingly. The Shulchan Aruch then lists certain specific types of food and drinks that one may eat outside of the Succah; the Mishnah Berurah (*ibid.* No. 12,13) elaborates upon this, citing different opinions, but it is clear in any event that one may consume certain types and certain quantities of food and drinks outside of the Succah as long as this consumption can be classified as an “*achilas ara’i*,” a casual or irregular meal. The aforementioned Gemara in Succah (26a) states clearly, however, that it is forbidden to sleep at all, even to take a “casual” nap (“*sheinas ara’i*”), outside of the Succah.

As for the question of why one may sometimes eat and drink outside of the Succah, but one may never sleep outside of the Succah at all, even for a short period of time, the Gemara (*ibid.*) offers two suggestions. One is that the Chachomim were concerned that one may end up sleeping considerably longer than he intended or expected to, as Rashi (*ibid.*, s.v. *yeradem*) explains, meaning that unlike regarding eating, which one can control, when it comes to going to sleep, one may originally plan to take only a brief nap, but because sleeping is not always under a person’s own complete control, he may end up falling into a deeper or more “regular” kind of sleep (“*sheinas keva*”). They therefore enacted a decree against even dozing outside the Succah. The other answer is that one cannot really distinguish between a “regular” sleep and a “casual” sleep in the same way that one can distinguish between a “regular” meal and a “casual” meal, because, as Rashi (*ibid.*, s.v. *Rava*) explains, sometimes a person needs only a short nap which will suffice to refresh and invigorate him, in which case this would be considered for him to be a “regular” kind of sleep. Even a “light” sleep thus has the same status as a regular sleep; it is therefore prohibited even to just doze off outside the Succah. The Mishnah Berurah (*ibid.* No. 11) quotes from the Pri Megadim (Mishbetzos Zahav *ibid.* No. 5) that perhaps just closing one’s eyes for a few moments would be allowed outside the Succah, but Rav Tzvi Pesach Frank, in his *Mikraei Kodosh* on Succos (I:33), writes that it appears from the Ba’al HaMaor in Pesachim (26b-27a in the pagination

of the Rif) and from the Tashbatz (Shu”t HaTashbatz I:100, s.v. *tzarich*, at the end) that even this might be prohibited, at least MideRabbanan.

In view of the apparent importance of sleeping in the Succah during the holiday of Succos, one may ask why many people, especially in this part of the world, who are generally meticulous about mitzvah observance are lenient about this aspect of the mitzvah of Succah and do not sleep in the Succah at all. The Mordechai in Succah (No. 741, 24a in the pagination of the Rif) suggests that any such person who does not sleep in the Succah is presumably concerned about the cold (in those places where it is indeed generally cold on Succos) and is therefore classified in the category of either one who is ill (though not with a life threatening illness) or in the category of one who is terribly uncomfortable (“*mitzta’er*”) when inside the Succah. One who is in either of these two categories is exempt from the mitzvah of Succah, as explained by the Gemara (*ibid.*) and codified by the Rambam (*ibid.* No. 2) and by the Shulchan Aruch (Orach Chaim 640:3,4). This suggestion to defend the practice of those who do not sleep in the Succah based on the cold (see also Meiri, *Beis HaBechirah* to Succah 26a, s.v. *shomrei*, at the end) is cited by the Ramo (*ibid.* 639:2), who then adds another reason to justify this practice, at least for married people. He explains that since, as noted above, the mitzvah of Succah requires that one live in the Succah in the same manner in which he normally lives at home, the mitzvah would call for a married man to sleep in the Succah only if he could do so together with his wife, since he normally sleeps together with her in their home. If, however, it is not practical for a man to sleep together with his wife in the Succah, because of concerns about privacy and the like, the man is exempt from sleeping in the Succah altogether, because the Succah does not then serve its function as a proper dwelling place (“*dirah*”) for this purpose. The Ramo (*ibid.*) does conclude, however, that it is certainly preferable to be stringent and sleep together with one’s wife as usual in the Succah if it is possible to insure appropriate privacy.

The Machatzis HaShekel (*ibid.* No. 8) asserts that the source for the initial, more lenient ruling of the Ramo is a Gemara in Erchin (3a) which implies that any time that it is not possible for a man and his wife to be together in the Succah, the man is exempt from the mitzvah of Succah. The Vilna Gaon (Biar HaGra *ibid.*, s.v. *veli nireh*), however, challenges this derivation, saying that this not in fact what that Gemara means to imply. The Magen Avraham (*ibid.* No. 8) also questions this leniency of the Ramo, but from a different perspective; he concludes instead that if a married man is unable to sleep together with his wife in the Succah, he is exempt because he is a *mitzta’er*, that is, he is uncomfortable going to sleep without his wife, and a *mitzta’er*, as explained above, is exempt from the mitzvah of Succah. The Taz (*ibid.* No. 9) likewise challenges the leniency of the Ramo, and posits instead that since the Mishnah and the Gemara earlier in Succah (25b) explain that someone who is involved in another mitzvah is exempt from the mitzvah of Succah, a ruling accepted by the Rambam (*ibid.* No. 4) and the Shulchan Aruch (*ibid.* 640:7), a married man is exempt from sleeping in the Succah because there is a mitzvah for him to make his wife happy on Yom Tov, as part of the mitzvah of Simchas Yom Tov, described elsewhere by the Rambam (Hilchos Yom Tov 6:17,18) and in the Shulchan Aruch (Orach Chaim 529:2). This mitzvah, the Taz explains, implies among other things that a man must spend time and just be together in the same room with his wife. If, therefore, a man wishes to fulfill this mitzvah properly, but his wife is not sleeping in the Succah because she herself is completely exempt from the mitzvah of Succah, as stated by another Mishnah in Succah (28a) and as codified by the Rambam (Hilchos Succah 6:1) and the Shulchan Aruch (Orach Chaim 640:1), then he too is exempt from the mitzvah of sleeping in the Succah so that he will be able to fulfill his mitzvah of Simchas Yom Tov.

Rav Yaakov Ettlinger, in his *Bikurei Yaakov* (a commentary on the halachos of the holiday of Succos as presented in the Shulchan Aruch,

printed in the back of his Aruch LaNer on Succah) writes, however (ibid. 639:18), that there is no aspect of the mitzvah of Simchas Yom Tov which specifically requires a man to sleep together with his wife, and that sometimes a woman may not object in any case to her husband sleeping elsewhere, in which case the man must indeed sleep in the Succah. He thus rejects the suggestion of the Taz; he also rejects the aforementioned suggestion of the Magen Avraham, as he maintains that a man does not automatically become classified as a mitzta'er in the Succah just because he can't be there with his wife. The Mishnah Berurah (ibid. No. 18) states similarly that if one is not truly a mitzta'er when he is apart from his wife, then he is not exempt from sleeping in the Succah. The Bikurei Yaakov therefore concludes that one who wants to be meticulous should certainly sleep in the Succah, even without his wife, especially in light of the fact that it may be safely assumed that righteous Jewish women really want their husbands to perform this mitzvah – and all mitzvos – properly.

The Eishel Avraham, commenting on the concern of the Ramo (ibid. No. 2) about a man being able to be together with his wife, notes that this entire leniency does not apply to unmarried men, unless they are simply placed automatically in the category of the majority of men, who are indeed married. Perhaps with all of this in mind, the Aruch HaShulchan (ibid. No. 13) concludes that the only real basis for excusing people from sleeping in the Succah is the cold weather, which could be dangerous and which thus renders each person a mitzta'er. As noted by the Kaf HaChaim (ibid. No. 43), though, if the weather is not a problem one is required to sleep in the Succah; this would certainly seem to be true if one is not married or if one's wife does not object to his sleeping there. It should be noted, in conclusion, that even if one does sleep in the Succah, he does not recite a berachah before going to sleep there, as pointed out by Tosafos in Berachos (11a, s.v. shekevar), because the berachah recited when eating in the Succah covers all Succah activities. The Shulchan Aruch (ibid. No. 8) thus rules that a berachah is recited only when eating in the Succah.

Rabbi Yochanan Zweig via capalon-newmail.capalon.com Sep 16 to rabbizweig
Torah.org Homepage Rabbi Zweig on the Parsha by Rabbi Yochanan Zweig

Sukkos A Fresh Start

You shall take for yourselves on the first day..." (23:40)

The Tur records a custom among Ashkenazim to fast on the eve of Rosh Hashana.¹ As the source for this custom, he cites a Midrash which questions why the Torah identifies the time for taking the lulav as "the first day" - "bayom harishon"; should the day not be identified as the fifteenth of the month? The Midrash concludes that the first day of Sukkos is "rishon l'cheshbon avonos" - "the first day for the accounting of our sins" and therefore Sukkos is identified as "yom harishon".

The Midrash offers the following parable: There was once a city that owed the king a large sum of money in taxes. As a result of the residents' failure to pay, the king marched against the city with an armed garrison. Prior to reaching the city, a delegation consisting of the elders of the community was sent to appease the king. After meeting with the delegation the king discharged one-third of the debt, but still continued to advance. Fearing for their safety, the city sent a second delegation comprised of common-folk to meet with the king. They succeeded in convincing him to discharge another one-third of the debt. However, the king continued to advance towards the city. Finally, all of the residents of the city emerged from their homes to beseech the king, who had already reached the city gates, to deal with them kindly. Moved by this display, the king discharged the remaining one-third of the debt. Similarly, the Jewish people amass a large number of sins throughout the year. On the eve of Rosh Hashana the men of distinction fast and

Hashem absolves the nation of one-third of their sins. During the "asere y'mei teshuva" - "ten days of repentance", another one-third of the sins are absolved. The entire nation fasts on Yom Kippur, absolving them of their remaining transgressions. With the onset of Sukkos a new account of sins for the year begins.

Why is Sukkos, rather than the day immediately following Yom Kippur identified as the "first day for the new accounting"? Furthermore, Sukkos appears to play no part in Bnei Yisroel's atonement. Why does the Midrash use this parable to extol the virtue of Sukkos?

The Beis Yoseif asks why the fast on the eve of Rosh Hashana appears to have the same efficacy as the fast of Yom Kippur, the holiest day of the year, each one discharging one-third of the sins.²

The Bach notes that there are three chapters concerning aspects of Sukkos recorded in the Torah, sitting in the Succah, bringing the festive offerings and finally, taking the four species. Why does the Torah specifically choose the four species to relate the message that Sukkos is the "first day for the new accounting"?

In English common law a person who defaulted on a debt was subject to incarceration. However, in the modern era almost every civilized society has bankruptcy laws which allow a person to discharge debts that he is unable to repay by declaring bankruptcy, protecting him from his creditors. What is the logic behind the institution of bankruptcy? Why would society allow a person to sidestep accountability for his actions?

A person who is mired in debt, unable to extricate himself from his predicament, eventually ceases to be a productive member of society and becomes a liability. By allowing this person to discharge his debt either partially or completely, we are enabling him to stand on his own two feet, once again contributing as a productive member of society. Great care must be taken however, to ensure that this institution is not abused. The potential danger of a person using bankruptcy as a crutch to protect him from his own negligence and irresponsible behavior always exists.

It is a mistake to think that Hashem forgives us only because of His great benevolence. What we must realize is that His absolution is not a crutch upon which we can continuously rely, to discharge our irresponsible behavior. Rather, we are given a respite so that we can become, once again, functioning members of society, earning our keep, unburdened by our great number of transgressions. If we fail to view atonement in this manner, instead of being a tool which allows us to become responsible for our actions, it will have the opposite effect. Atonement becomes a crutch which breeds irresponsibility.

If a person is responsible for at least a portion of his debts, the danger of bankruptcy being used to encourage irresponsible behavior is smaller than if the entire debt were discharged. Therefore, although Yom Kippur discharges the same amount of sin as Rosh Hashana eve, there exists a great difference between the two absolutions. After Rosh Hashana a person is still responsible for a portion of his sins. On Yom Kippur, when complete absolution occurs, the danger of misusing atonement is greater, and only a day such as Yom Kippur can afford such a service to the Jewish people.

For atonement to be complete it must be accompanied by a commitment to begin paying our debts and accepting responsibility for our actions. Sukkos is the time when new responsibilities are placed upon us and therefore serves as the litmus test for the veracity of our commitment. Consequently, Sukkos is identified as "the first day for the accounting of our sins".

The Ran cites the Yerushalmi which disqualifies a dried-out lulav based upon the verse "lo hameisim yehallelu kah" - "the dead cannot praise Hashem".⁴ The lulav is a symbol of freshness and vitality, reflecting the new lease on life that we have gained following Yom Kippur. We therefore use the lulav as the tool to praise Hashem for His beneficence. The Torah most appropriately delivers the message concerning the beginning of a new accounting in the chapter of the four species which symbolize this concept.

1.Orech Chaim #582 2.Ibid 3.Ibid 4.Sukkah29b
Moving Fast Into The Garden

The Midrash relates that bringing together the "arba'ah minim" - four species on Succos, represents the notion that all of Bnei Yisroel are one and should be viewed as such regardless of their level of commitment to Judaism. The "esrog" - citron has both a taste and a fragrance, thus representing those amongst Bnei Yisroel who possess Torah knowledge and good deeds. The "lulav" - palm branch, which lacks fragrance but has a taste contained in the dates produced by the palm tree, depicts those Jews who possess Torah knowledge but lack good deeds. The "hadas" - myrtle branch possesses a fragrance but lacks a taste, reflecting those Jews who practice good deeds but do not engage in the study of Torah. The "aravah" - willow branch has neither a taste nor a fragrance, representing those amongst Bnei Yisroel who have no Torah knowledge and do not engage in good deeds.¹

We do not use the dates produced by the palm in the performance of the mitzva, rather the branch of the tree, which is tasteless. Therefore, why is the lulav branch considered to have a taste?

Citing the Maharil, the Ramah teaches that we should begin building a Succah as soon as Yom Kippur concludes, thereby moving immediately from the fulfillment of one mitzva to the fulfillment of another.² Why must we move immediately to the mitzva of Succah rather than charity, Torah study, or any other mitzva?

The Talmud derives the laws pertaining to the construct of the Succah from the clouds which arose from the Garden of Eden.³ What is the connection between the Garden of Eden and the Succah?

The Talmud relates that when Bnei Yisroel received the Torah on Shavuot, they reached the level of Adam prior to the sin in the Garden of Eden. However, when they committed the sin of the Golden Calf, Bnei Yisroel returned to the level of Adam after he was banished from the Garden for having eaten from the Tree of Knowledge. On Yom Kippur Bnei Yisroel received atonement for the sin of the Golden Calf, and they should have gone into Eretz Yisroel, built the Beis Hamikdash, and once again attained that special closeness with Hashem. However, instead they committed the sin of the spies which resulted in the death of that entire generation.⁴

Succos represents the time period when, after having received atonement on Yom Kippur, we enter the Garden of Eden, i.e. the Succah. This is the reason why the construct and decor of the Succah, as well as the four species which we are commanded to take in it are made to resemble a garden. Immediately after Yom Kippur we are preoccupied with building the Succah, displaying our desire to attain this elevated level of closeness with Hashem by joining him in the Garden of Eden.

The Midrash teaches that one of the characteristics of the Garden of Eden was that the bark of the fruit trees tasted of the fruit.⁵ Taking the branch of the palm tree to represent the taste of the dates is reflective of the notion that we are recreating our existence in the Garden of Eden.

1. Vayikra Rabbah 30 2.Orach Chaim Hilchos Yom Hakippurim 224:4 3.Succah 11b 4.Avodah Zarah 5a 5.See Rashi Bereishis 1:11 To Support Project Genesis- Torah.org

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Chatzitzot When Taking the Lulav by Rabbi Howard Jachter

Introduction We are familiar with the Halacha that when we immerse in a Mikva our bodies must be free of Chatzitzot (barriers between the water and our bodies, such as bandages), and our hands must be free of Chatzitzot during Netilat Yadayim. In this issue, we will examine the debate whether hands must be free of Chatzitzot during Netilat Lulav.

General Background Regarding Chatzitzot The general rules regarding Chatzitzot are as follows: On a Torah level, something constitutes a Chatzitzot only if it covers the entire body (in the context of Tevila) or the entire hand (in the context of Netilat Yadayim) and is something that most people would not want to remain on their bodies for a long period of time.

Chazal greatly expanded the parameters of what constitutes a Chatzitzot. They decreed that even if the objectionable item is only on a minority of the hand it is considered a Chatzitzot. They also decreed that even if the item is not objectionable it is viewed as a Chatzitzot if it covers a majority of the hand. See the Rambam for a more detailed presentation of these rules (Hilchos Mikvaot 1:12).

It is often difficult to determine if something is objectionable (Makpid Alav). Moreover, it is sometimes surprising to discover which items the Shulchan Aruch views as objectionable. For example, the Shulchan Aruch (Yoreh Deah 198:10) states that a bandage on a wound constitutes a Chatzitzot. Even though the person wants the bandage to be on his hand now, he will eventually want it to be removed (see Badei Hashulchan 198:87 for further discussion of this issue). Similarly, rings on one's fingers are considered Chatzitzot because people remove their rings when working with messy things, such as dough (O.C. 161:3).

Chatzitzot and Netilat Lulav The Gemara (Sukkah 37a) presents two disputes between Rabba and Rava regarding Chatzitzot in the context of Netilat Lulav. The Gemara records that Rabba instructed the people who assembled the Arba Minim not to place any decorative items on the part of the Lulav where one takes the Lulav. Otherwise, he explained, there would be a Chatzitzot between one's hand and the Lulav. Rava challenged this ruling, arguing that nothing that comes to beautify an item can constitute a Chatzitzot.

The second dispute concerns placing a glove on one's hands when taking the Lulav. Rabba ruled that it is not a proper taking of the Lulav, while Rava believes that it is a proper taking of the Lulav. Tosafot (s.v. D'b'ina) notes that the Gemara (Sukkah 42a) states that even Rava agrees that if the intervening item does not contribute to the dignity of the Netilat Lulav, then it is not a proper taking of the Lulav. The Gemara's example of a barrier that detracts from the dignity of the Netilah is taking a Lulav that is encased in a container. The Halacha follows the opinion of Rava (Shulchan Aruch O.C. 551:7).

Rishonim - Tosafot vs. Ran Two distinct explanations of this passage of the Gemara appear in the Rishonim. Tosafot (Sukkah 37a, s.v. Ki and s.v. D'b'ina) explains that the concern for Chatzitzot in regard to Lulav is identical to the concern for Chatzitzot in the context of Tevila and Netilat Yadayim. The Ran (18a in the pages of the Rif, s.v. Lo), on the other hand, draws a very delicate distinction. He explains that fundamentally there is no concern for Chatzitzot regarding Netilat Lulav. Only when the Torah specifically indicates that there is concern for Chatzitzot (such as regarding Tevila) must we be concerned with Chatzitzot. The concern in the Gemara regarding Lulav is that the intervening items not impede the taking of the Lulav. Thus, if there is an intervening item that does not contribute to the dignity of the Netilat Lulav, then one is considered as if he did not properly take the Lulav.

Small Chatzitzot - Rama vs. Gra The Gemara discusses large barriers that fully block the Netila, such as a Lulav encased in a container or a

person wearing gloves while taking the Lulav. The Rama and the Vilna Gaon debate the question of small barriers such as rings and Band-Aids. The Rama (O.C. 551:7) records that although the practice is to remove Tefillin and rings before taking the Lulav, this is not necessary because the Tefillin and rings cover only a small portion of the hand.

The Vilna Gaon (Biur Hagra O.C. 551:7, s.v. V'nahagu) notes that the Rama is in accordance only with the Ran's explanation of Sukkah 37a. The Ran believes that since Chatzitza is fundamentally not a concern regarding Lulav, only large barriers impede the act of taking the Lulav. Smaller items, such as rings, are not significant and do not impede the taking of the Lulav. However, according to Tosafot's understanding of Sukkah 37a, the general rules of Chatzitza apply to the taking of a Lulav. The Vilna Gaon asserts that according to Tosafot, just as a ring constitutes a barrier regarding Tevila and Netilat Yadayim, so too it is considered a Chatzitza in regard to Netilat Lulav.

Accordingly, the Vilna Gaon rules that the removal of Tefillin and rings before Netilat Lulav is not merely a custom, but a required act. A ramification of this dispute is a case in which removing the Chatzitza creates difficulty (such as removing a Band-Aid that covers a recent wound). The Vilna Gaon would say that one must remove the Chatzitza as required by Halacha. The Rama might waive the practice to remove barriers in case of difficulty, as we sometimes say that a Minhag is not intended to apply in a case of difficulty.

Rav Soloveitchik's Defense of the Rama Rav Yosef Dov Soloveitchik (as recorded by Rav Hershel Reichman, Reshimot Shiurim Sukkah 37a p. 176) defends the Rama from the criticism of the Vilna Gaon. The Rav seeks to demonstrate that the Rama's ruling is in harmony with Tosafot's understanding of Sukkah 37a. The Rav explains that a ring or bandage constitutes a Chatzitza only in regard to Tevila or Netilat Yadayim because the entire body or hand must come in contact with the water. However, the Halacha does not require that the entire hand take the Lulav. Thus, the section of the hand covered by the bandage may be ignored (Dal Mehacha) and does not constitute a Chatzitza.

Conclusion - Aruch Hashulchan vs. Mishna Berura The dispute between the Rama and the Vilna Gaon has yet to be resolved. The Aruch Hashulchan (O.C. 551:20) rules in accordance with the Rama, while the Mishna Brura (551:36) rules in accordance with the Vilna Gaon. One should consult his Rav for a ruling on this matter.

Postscript Interestingly, the Rama indicates that it was common for men to wear rings. Indeed, Rav Chaim David Halevi, z"l, (the Chief Rabbi of Tel Aviv who recently passed away) cites other sources that demonstrate that it was common for men to wear rings. Rav Halevi thus concludes (Teshuvot Aseh Lecha Rav 5:94) that there is no Halachic objection to a man wearing a wedding band. However, Rav Moshe Feinstein (Teshuvot Igrot Moshe Even Haezer 4:32:2) writes that although it is not forbidden, it might be inappropriate for a God-fearing individual to wear a wedding ring. Presumably, this is because it mimics the practice of married women to wear a wedding ring.

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the laws of THE FESTIVALS THE LAWS OF YOM TOV
by Rav David Brofsky [Ram Midreshet Lindenbaum]
Shiur #30: Yom Tov Shenit (2)

Introduction

Last week, we discussed the institution of Yom Tov Shenit. We noted that before there was an established calendar, the Beit Din in Jerusalem would declare which day was the first of the month, Rosh Chodesh, based upon the testimony of witnesses who saw the new moon. They would then send out messengers to inform the outlying communities which day was declared to be Rosh Chodesh so that they could then properly observe the festivals. Communities located too far from

Jerusalem to be informed of the precise day of Rosh Chodesh would observe two days of Yom Tov out of doubt.

After the establishment of a set calendar, sometime during the late Amoraic period, these remote communities were instructed to continue to follow the "custom of their forefathers" and observe two days of Yom Tov, lest a foreign government make a decree against the Jewish People that would somehow affect their ability to observe the festivals in their proper time. We learned that the Rambam maintains that only communities within a ten day journey from Jerusalem and which historically received the messengers of Beit Din may observe one day of Yom Tov. Some therefore question whether nowadays, according to the Rambam, even communities in Israel that were established after the Talmudic era should observe two days. The Ritva, however, insists that the Rabbis drew a clear line: communities within the Land of Israel observe one day of Yom Tov, while Diaspora communities observe two.

Finally, we noted that although the halakha is in accordance with the Ritva, some question whether some areas of the current State of Israel, such as Eilat and the southern Negev, are within the boundaries of the Land of Israel regarding the observance of one day of Yom Tov. This week, we will discuss a question that has received much attention in recent years: how many days must one observe if he lives outside of Israel but is visiting Israel during Yom Tov, intending to return thereafter to his home in the Diaspora? Conversely, how many days must an Israeli keep if he visits a Diaspora community for Yom Tov and intends to return to this home in Israel?

We will begin by discussing a resident of the Diaspora, a ben Chutz La-Aretz, who visits Israel.

A Visitor to Israel - Two Days

The Rishonim and Acharonim differ regarding a ben Chutz La-Aretz who visits Israel for the Festivals. His status will determine not only whether or not he may perform melakha on the second day of Yom Tov, but how he prays, whether or not he lays tefillin, when he recites havdala, and sometimes whether or not he must prepare an eiruv tavshilin.

Last week, we mentioned that some view the practice of Diaspora communities to observe two days of Yom Tov as fundamentally a custom. If so, we might compare this case to one in which a person who observes one custom visits a place where they keep a different custom. The Mishna (Pesachim 50a) discusses a case in which a person travels from one place to another:

One who goes from a place where they work to a place where they do not work, or from a place where they do not work to a place where they do work – we lay upon him the restrictions of the place from which he departed and the restrictions of the place to which he has gone. A man must not act differently [from local custom] on account of the quarrels [which would ensue].

The Mishna teaches that one who travels from one place to another should retain the customs of his place of origin, and not violate the customs of his destination, in order not to cause "machloket." R. Ashi (51a) explains that this refers only to one who intends to return to his place of origin. However, one who does not intend to return to his place of origin should accept the customs of his new home, even in private. Indeed, the Rosh (4:4), for example, adds that one may accept upon oneself the customs of his new place, regardless of whether they are more lenient or more stringent than his original customs.

R. Yosef Karo, in his Responsa (Avkat Rochel 26), concludes that: One who leaves Eretz Yisrael to Chutz La-Aretz and has intention to return, it is as if he were still in Eretz Yisrael; similarly, one who comes from Chutz La-Aretz to Eretz Yisrael with the intention to return is in the category of one who lives in the Diaspora.

Interestingly, the question posed to R. Karo assumed that one who visits Eretz Yisrael should observe two days, as R. Karo notes is customary,

and asks regarding the appropriateness of holding public prayers when the population does not observe Yom Tov Sheni. R. Karo rules that a visitor to Israel should observe a full two days of Yom Tov, and sanctions holding public Yom Tov Sheni prayers. The Rabbis were only concerned that deviating from the minhag ha-makom may lead one to violate a prohibition, such as a prohibited melakha, which is not a fear in this case.

Most contemporary Poskim accept this view (see, for example Mishna Berura 496:13, Iggerot Moshe, Orach Chaim 4:101, Minchat Yitzchak 4:1-4, 9:54, Minchat Shlomo 1:19, and others, as we shall see below). Those authorities who accept this ruling must grapple with a host of questions. Let us assume for now, as R. Karo rules in the Shulchan Arukh (496:3), that the same principle would apply to one who leaves Eretz Yisrael and visits Chutz La-Aretz.

First, these authorities must determine who is considered to be “ein da’ato lachzor,” one whose intention is not to return to his place of origin. Often, one’s intention is not clear, even to the person himself. In addition, other factors may be considered in determining whether one’s relocation, or intent to return, is taken seriously.

For example, the Poskim discuss one who leaves Eretz Yisrael with his family in order to work, but intends to return to Israel. The Magen Avraham (497:7) cites the Radbaz, who maintains that one who relocates with his wife and children cannot be considered to have in mind to return to his place of origin. R. Moshe Feinstein (Iggerot Moshe 3:74), however, insists that nowadays, when traveling from one place to another is much simpler, whether we consider one to have relocated depends on his intentions, and not on the mere fact that he moved with his wife and children. We must still determine whether one who relocates for an extended period of time for business purposes or studies is still considered to be a resident of his place of origin.

The Poskim also discuss whether students who come to study in Israel must observe Yom Tov Sheni. Although students have traveled to Eretz Yisrael for centuries in order to learn Torah, this phenomenon has increased dramatically over the past forty years.

R. Chaim Yosef David Azulai (1724–1806), known as the Chida, discusses this question in his responsa, Chayyim Sha’al (1:55). He cites a well-known debate among his predecessors regarding whether students who come to study in Israel with the intention of returning to Chutz La-Aretz should observe one or two days. He notes that although a number of prominent rabbis from Tzfat ruled that these students should observe two days, the great rabbis of Jerusalem, including R. Yaakov Chagiz (1620–1674) in his Halakhot Ketanot (4), rule that an unmarried man should observe one day, as he may eventually find a spouse and stay in Israel. R. Ovadia Yosef (Yechave Da’at 1:26; Yabi’a Omer 6:40) rules accordingly. Alternatively, the Magen Avraham (468:12) writes that a student who comes to Eretz Yisrael to study for two to three years must still observe two days of Yom Tov.

Many Poskim reject applying a broad, lenient ruling to any student who comes to Israel to study, as most of them intend to return to their place of origin to study or work. We might still question, however, whether a student who comes to Israel to study or work without any specific plans to stay or leave (open-ended) must observe one or two days of Yom Tov. Some rule that this person, either because of his lack of financial independence or due to his indecisiveness regarding whether he intends to stay in Israel, must observe two days. Others rule that this student should observe one day, but should refrain from performing melakha on the second day of Yom Tov. Some insist that he should observe only one day of Yom Tov. (See Piskei Teshuvot 296:26, who presents these opinions.)

In addition to determining how to gauge “intent,” the Poskim who agree with the Avkat Rochel must also determine how to define a resident of Eretz Yisrael. On the one hand, one who still resides in Chutz La-Aretz but decides to move to Eretz Yisrael, and even one who already sold his

house and property, is still considered to be a ben Chutz La-Aretz and must observe two days until he actually moves to Israel (Iggerot Moshe, Orach Chaim 4:108).

On the other hand, does living in Eretz Yisrael for a certain amount of time automatically define one as a “resident”? The Arukh Ha-Shulchan (496:5) suggests that one who lives in a certain place for more than twelve months is considered to be a resident of the new place (see mishna, Bava Batra 7b). This notion is also found in a responsa from the Geonim (Responsa Geonei Mizrach U-Ma’arav 39), and in other Acharonim (see Tzitz Eliezer 9:30). Others (Magen Avraham 468:12; see also Seridei Eish 2:161, for example) reject this rationale. R. Shlomo Zalman Auerbach (Minchat Shlomo 1:19:7) offers another criterion: one who spends all three festivals (Pesach, Shavuot and Sukkot) in Israel should observe only one day of Yom Tov. Many Poskim deny any objective residency criterion, ruling that whether one observes one or two days of Yom Tov depends solely on his intention to stay in Eretz Yisrael or to return to Chutz La-Aretz.

In addition to determining whether one should observe one or two days of Yom Tov, these Poskim are confronted with new halakhic questions, which do not appear in the Talmud. For example, may one who observes two days of Yom Tov in Eretz Yisrael ask a Jew who observes one day to do a melakha on his behalf? Generally, amira le-nachri is prohibited, but do the same laws apply to this scenario?

R. Azulai, in his commentary to the Shulchan Arukh, the Birkei Yosef (496:4; see also Sha’arei Teshuva 496:3), cites a debate regarding whether a visitor to Israel may ask a resident to perform a melakha on Yom Tov Sheni. Similarly, R. Shlomo Kluger (1783–1869), in his comments to the Shulchan Arukh, the Chochmat Shlomo, records an incident that occurred on Simchat Torah (Yom Tov Sheni), in which the Rabbis asked a visitor from Israel to cover himself with a tallit and fix a mistake in the Sefer Torah. R. Kluger insists that this ruling was mistaken, as it is prohibited to ask any person to perform melakhot on Yom Tov Sheni. R. Moshe Feinstein (Iggerot Moshe, Orach Chaim 3:73) concurs. He notes that one should not compare our case to one who accepts Shabbat early, who may ask another Jew who has not yet accepted Shabbat to do a melakha (263:17). The Shemirat Shabbat Ke-Hilkhata (chapter 31, note 80) records that many are lenient regarding this question, and R. Shlomo Zalman Auerbach (Minchat Shlomo 1:19:3) attempts to justify this practice.

In summary, the Rishonim and Acharonim cited above all maintain that fundamentally, one who visits Israel from abroad should observe the custom of their place of origin and observe two days of Yom Tov. They debate, however, how to determine when one is considered to have moved to Israel and other related questions. Interestingly, R. Yosef Karo himself omits this ruling in his Shulchan Arukh, discussing only one who travels from Eretz Yisrael to Chutz La-Aretz.

A Visitor to Israel - One Day

Other authorities, however, rule that one who visits Israel nowadays must only observe one day of Yom Tov.

Rabbi Tzvi Hirsh Ashkenazi (1660–1718), in his Responsa, the Chakham Tzvi (167), rules that one visiting Israel should observe only one day of Yom Tov. He writes:

It seems clear to me that regarding the issues of the festivals, they should behave like one of the residents of Israel, and this is not considered to be a case of [one who must observe] the stringencies of the land from which he came... The entire time they are in the land of Israel, even for a temporary stay, since the location determines [their status], they are not subject to [the laws of] keeping the stringencies of their original place. The Chakham Tzvi writes that the principle of observing the stringencies of one’s place of origin does not apply in this case. Yom Tov Sheni is not a personal custom observed by the inhabitants of a certain area, but rather a custom dependent upon the specific place. Indeed, in ancient times, one who visited Israel for the festivals would certainly observe

one day of Yom Tov, as a visitor to Eretz Yisrael had no doubt as to the proper day of Yom Tov. Indeed, one who observes a second day of Yom Tov, according to the Chakham Tzvi, risks violating bal tosef, the prohibition of adding mitzvot to the Torah.

R. Shneur Zalman of Liadi (1745–1812), also known as the Baal Ha-Tanya, cites both this ruling and the view of R. Yosef Karo in his Shulchan Arukh Ha-Rav (496:11) and implies that he sides with the view of the Chakham Tzvi. Furthermore, elsewhere (496:11; Mahadura Tinyana 1:8) he rules that one who travels from Eretz Yisrael to Chutz La-Aretz must observe a full two days of Yom Tov, leading some to believe that conversely, one who visits Eretz Yisrael must observe only one day.

Incidentally, the Chakham Tzvi does not address the opposite scenario of a resident of Israel who visits the Diaspora on Yom Tov. Although some assume that the Chakham Tzvi would certainly require one who visits Chutz La-Aretz to observe two full days, R. Tzvi Pesach Frank (Har Tzvi 3:78) disagrees. He suggests that nowadays, after the calendar has been established, Chutz La-Aretz is not viewed as a place of inherent doubt regarding the proper day to observe Yom Tov, and a visitor would not be required to observe two full days of Yom Tov.

R. Chaim Soloveitchik (Reshimot Shiurim, Sukka, p. 226), R. Avraham Yitzchak Ha-Kohen Kook, and other Poskim (see opinion cited in Minchat Yitzchak 8:59) adopt this opinion.

Visitors to Israel - "A Day and a Half"

The Sefer Ir Ha-Kodesh Ve-Hamikdash (19:11) records that R. Shmuel Salant (1816–1909), the former Ashkenazic Chief Rabbi of Jerusalem, agreed with the opinion of the Chakham Tzvi. He even felt that R. Yosef Karo omitted his ruling from the Avkat Rochel in the Shulchan Arukh because he changed his mind and held that all visitors should observe one day of Yom Tov in the land of Israel.

However, in deference to the popular custom and the ruling of R. Yisrael of Shklov (1770–1839), a student of the Vilna Gaon who immigrated to Eretz Yisrael who became the head of the Ashkenazic communities of Tzfat and Jerusalem and authored the Pe'at Ha-Shulchan, R. Salant recommends observing what later became known as a "day and a half." He writes that one should hear havdala from a resident after the first day of Yom Tov, one should lay tefillin on the final Yom Tov Sheni, and that one should recite weekday prayers on the second days of Yom Tov.

This position has been adopted by numerous Poskim, although they differ as to the extent to which one should observe Yom Tov Sheni. While some suggest that one should merely refrain from melakhot, others recommend that one should fulfill the positive commandments, such as the mitzvot of the second seder, hearing the berakhot from another person. R. Soloveitchik and R. Aharon Lichtenstein also rule that one visiting Eretz Yisrael, including students who come to study but intend to return, should refrain from performing melakhot on the second day of Yom Tov.

An Israeli visiting Chutz La-Aretz for the Festival

How many days must a resident of Israel visiting Chutz La-Aretz observe? The Shulchan Arukh Ha-Rav (496:11; Mahadura Tinyana 1:8), as mentioned above, based on a kabbalistic understanding of Shabbat and Yom Tov, rules that one should observe a full two days of Yom Tov in Chutz La-Aretz. Other Chassidic authorities (see Avnei Nezer, Orach Chaim 424, Minchat Elazar 3:59) are also inclined to rule that a visitor in Chutz La-Aretz should observe two full days. They acknowledge, however, that it is not customary for visitors to observe a full two days of Yom Tov.

R. Yosef Karo rules in the Shulchan Arukh (496:3):

Residents of Eretz Yisrael who come to Chutz La-Aretz are forbidden to perform melakha on Yom Tov Sheni in a town (yishuv), even if he has the intention to return. The entire time he has not reached the town, even if he does not have the intention to return, it is permitted [to perform

melakha] since he had not established himself to be like them [the residents of the new town].

In other words, when a visitor reaches a town, which the Mishna Berura (5) defines as a town with Jewish population, he must refrain from doing melakha. However, if he is not in a populated area or an area not populated by Jews, he may perform melakha.

As we discussed above, one must determine how to establish one's status as a resident of Eretz Yisrael and how to assess whether one truly intends to return to Eretz Yisrael. The Poskim discuss whether Israeli families who travel to Chutz La-Aretz for business or as emissaries for the government or a Jewish agency, who intend to return to Israel after their allotted time abroad, should be considered to be benei Chutz La-Aretz or benei Eretz Yisrael. (See, for example, Har Tzvi 2:78 and Yechave Da'at 3:35; Sefer Yom Tov Sheni Ke-Hilkhato, p. 83)

According to this ruling, one who visits Chutz La-Aretz should refrain from doing melakha on Yom Tov Sheni in order to avoid deviating from the local norm. Therefore, he also should dress in Yom Tov clothing (Chayei Adam 103:4). However, he should pray, silently, the weekday prayers, and lay tefillin in private.

The Rishonim disagree as to whether he must observe these stringencies in private as well. Rashi (Pesachim 52a, s.v. ba-yishuv) implies that work is only prohibited in public, where others can see. Tosafot (52a, s.v. ba-yishuv) explain that work is prohibited in private as well.

Although the Taz (496:4) rules in accordance with Rashi, the Magen Avraham (496:2) and Mishna Berura (9) accept the position of Tosafot.

Even those who are stringent permit one to perform melakhot that the observer would assume are permitted. For example, when Yom Tov falls out on Thursday, a visitor may cook on Friday without having made an eiruv tavshilin, as the observer will assume that he prepared an eiruv tavshilin. Similarly, one may move a keli she-melakhto le-issur, as the observer may assume that he is moving the muktzeh for a permitted purpose. R. Moshe Feinstein suggests that one may turn on a light privately, as many set their lights on a Shabbat clock. One may shower on Yom Tov Sheni, even in a manner prohibited on Yom Tov, as the observer will assume that he showered in a permissible manner. Unfortunately, many Israeli who visit Chutz La-Aretz for Yom Tov are not careful regarding this matter. Even those who permit performing melakhot in private do not permit driving or other public violations of Yom Tov Sheni.

Let us conclude with an interesting question, at times relevant to travelers from Israel. May an Israeli fly from Israel after Yom Tov ends there and arrive in Chutz La-Aretz on Yom Tov Sheni? First, is an airport, even one located within the area of a town with Jewish inhabitants, considered a yishuv? Some Poskim prohibit taking such a flight, as landing in an airport would be a violation of the local custom in Chutz La-Aretz. Others view an airport, even within the vicinity of a city with a Jewish population, as "extra-territorial" – and therefore one would be permitted to land and stay in the airport. However, one would certainly not be permitted to drive to a yishuv with Jewish residents, as that certainly deviates from the public observance of Yom Tov. (See Piskei Teshuvot 496:10 and Sefer Yom Tov Sheni Ke-Hilkhato 3:3.)

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Do I One or Two?– What Determines Whether One Observes a Second Day of Yom Tov?

Rabbi Kaganoff

Question #1: Zev is studying in Yeshiva in Eretz Yisroel and has decided that he wants to settle there, although his parents, who support him, live in Flatbush. How many days of Yom Tov should he observe? Question #2: Avi and Rutie, who are native Israelis, have accepted teaching positions in chutz la'aretz for two years, but certainly intend to

return to Eretz Yisroel afterwards. Must they observe both days of Yom Tov while they are in chutz la'aretz? Question #3: Meira, studying in seminary in Israel, is baffled. "Some of my friends who have decided to stay in Eretz Yisroel were told to keep two days Yom Tov, others were told to keep one, and still others were told not to do melacha on the second day, but otherwise to treat it as a weekday. I have been unable to figure out any pattern to the answers they receive. Can you possibly clarify this for me?" Indeed, Meira's confusion is not unusual since poskim differ greatly concerning what guidelines determine whether one observes one day of Yom Tov or two. Before analyzing this dispute, we need some background information on how the calendar was established in the era of the Sanhedrin: **THE HALACHIC MONTH** All months in the Jewish calendar are either 29 or 30 days long, reflecting the amount of time that it takes for the moon to revolve around the earth, which is somewhat more than 29½ days. Therefore, Rosh Chodesh, the first day of the new month, is always either the 30th or the 31st day following the previous Rosh Chodesh. What determines whether a month is 29 days or 30? The Torah commands the main Beis Din of the Jewish people, or a Beis Din specially appointed by them, to declare Rosh Chodesh upon accepting the testimony of witnesses who observed the new moon (Rambam, Hilchos Kiddush HaChodesh 1:1, 7; 5:1). The purpose of having eyewitnesses was not to notify the Beis Din of its occurrence; the Beis Din, which had extensive knowledge of astronomy, already knew exactly when and where the new moon would appear and what size and shape it would be (Rambam, Hilchos Kiddush HaChodesh 2:4; Ritva on the Mishnah Rosh Hashanah 18a). Rather, the Torah required the Beis Din to wait for witnesses in order to declare the 30th day as Rosh Chodesh. If no witnesses to the new moon arrived on the 30th day, then the 31st day becomes Rosh Chodesh, regardless of the astronomical calculations (Mishnah Rosh Hashanah 24a). **DETERMINING YOM TOV** The date of all Yomim Tovim is determined by Rosh Chodesh, or, more specifically, by either Rosh Chodesh Tishrei or Rosh Chodesh Nissan (Mishnah Rosh Hashanah 21b). (Shavuot, which occurs on the fiftieth day after Pesach, is therefore also dependent on Rosh Chodesh Nissan [Yerushalmi, Rosh Hashanah 1:4].) Therefore in earlier days, even someone fully versed with all the astronomical information would be unable to predict which day was actually Rosh Chodesh, since Rosh Chodesh was not based exclusively on calculation, but on observation and the decision of the Beis Din (Rambam, Hilchos Kiddush HaChodesh 5:1-2). Since the calendar printers could not go to press until the Beis Din had declared Rosh Chodesh, calendar manufacture in those times would have been a difficult business in which to turn a profit. Perhaps this is why people mailed out so few fundraising calendars in the days of Chazal! **KEEP INFORMED** A major concern of Chazal was how to alert the Jewish communities, both inside and outside Eretz Yisroel, when to observe Rosh Chodesh and Yom Tov. How indeed did the Beis Din do this? **THE MOUNTAINTOP ALERT** No, this is not the name of a rural West Virginia newspaper. Rather, this refers to the system Beis Din used to disseminate the day they had declared Rosh Chodesh. A representative of Beis Din would climb a mountain peak on the night after the declaration of Rosh Chodesh and wave a long torch in a prearranged pattern. When a second agent posted on a far off summit saw the light of the burning torch, he in turn waved a long torch from his peak. This heralded the news to a crest on his horizon, where a third agent began waving his torch. Although this ancient system was less effective than telephone or e-mail, it worked so efficiently that Jewish communities as distant as Bavel knew that very night that the 30th day had been declared Rosh Chodesh, and were able to observe the Yomim Tovim on the correct day (Mishnah Rosh Hashanah 22b; Ritva on the Mishnah 18a). **A TORCH-LESS NIGHT** The torch system was used only if Rosh Chodesh was declared on day 30. If no witnesses arrived in Beis Din on the 30th, making Rosh Chodesh on the 31st day, no mountaintop torches were ignited. Thus, the distant communities knew:

Torches the night after the 30th meant that the previous day had been Rosh Chodesh; no torch that night meant that the next day was Rosh Chodesh. To paraphrase Paul Revere: "One if by day, none if tomorrow." This signalling system functioned excellently until the Cusim, an anti-Semitic people who settled in Eretz Yisroel, disrupted it by deliberately kindling torches on the night after the 30th day even when Beis Din had not declared the previous day Rosh Chodesh. The Cusim's goal was to cause Jews to observe Yom Tov a day early and thereby desecrate the true Yom Tov (Mishnah Rosh Hashanah 22b). Now the Beis Din needed to resort to a different approach, appointing human runners to notify people of the proper day of Yom Tov. Obviously, these runners could not cover vast distances as quickly as the previous torch system, and it took considerably longer to notify people of the day of Rosh Chodesh – what previously took hours, now took weeks. Although the human express successfully informed Jewish communities as distant as Syria of the correct dates of the upcoming Yomim Tovim, the runners did not always reach the more distant Babylonian communities in time for Yom Tov (Mishnah Rosh Hashanah 18a). These communities were now unsure whether the Roshei Chadashim of Nissan and Tishrei had been on the 30th day or the 31st, and were therefore uncertain which day was Yom Tov. Out of doubt, they observed Yom Tov on both days — this was the origin of observing two days of Yom Tov in the Diaspora, Yom Tov Sheini shel Galuyos (Rambam, Hilchos Kiddush HaChodesh 3:11). (By the way, after the destruction of the Beis HaMikdash, the main Beis Din was not located in Yerushalayim, but wherever the Nasi of the Jewish people resided. This included several other communities at various times of Jewish history, including Teverya, Yavneh, and Shafram [Rosh Hashanah 31b].) **WHICH COMMUNITIES KEPT TWO DAYS?** Whether a town observed one or two days of Yom Tov depended on whether the runners could arrive there in time. Since the runners did not travel on Shabbos or Yom Tov, any place further than ten travel days from the main Beis Din was forced to observe two days of Sukkos. On the other hand, the runners announcing Rosh Chodesh Nissan had two extra travel days before the onset of Pesach. **OBSERVING TWO DAYS OF SUKKOS AND ONE OF PESACH?** Theoretically, one could have numerous different communal practices depending on the community's distance from the main Beis Din. For example, a town located more than ten days journey from the Beis Din but less than twelve, would be informed of the correct day of Rosh Chodesh before Pesach, but not before Sukkos. Theoretically, this town would observe two days of Sukkos and one day of Pesach. Even more commonly, many communities would observe two days at the beginning of Yom Tov, but only one at the end, after being notified of the correct date of Rosh Chodesh. However, since Chazal did not want a variety of different practices, they instituted that any place that could not reliably expect the messengers before Sukkos should observe two days Yom Tov on all Yomim Tovim even for those when they certainly knew which was the correct day of Yom Tov (Rosh Hashanah 21a). Thus, although everyone knew which day to observe Shavuot, as it always falls fifty days after Pesach, every community that kept two days of Sukkos was required to observe two days of Shavuot. (Because of the danger involved in people fasting for two consecutive days, Chazal ruled that people needed to observe only one day of Yom Kippur and could assume that Elul was only 29 days long [see Rosh Hashanah 21a].) **INCREASED PERSECUTION** During the later times of the Gemara, Roman persecution made it impossible to continue declaring Rosh Chodesh based on testimony, and Hillel II instituted a calendar based purely on calculation without observation (Rambam, Hilchos Kiddush HaChodesh 5:2-3). Now a knowledgeable Diaspora Jew could make the same calculation as the Jews in Israel and the original rationale for observing two days of Yom Tov no longer existed. Nevertheless, Chazal required the Diaspora communities to continue observing two days of Yom Tov. **WHY KEEP TWO DAYS?** Why did

Chazal require these communities to observe two days of Yom Tov if the original reason for this practice had ceased to exist? Chazal were concerned that at some time in the future, persecution might render it impossible for Jews to be aware which day was Yom Tov (Beitzah 4b). Observing two days of Yom Tov reduces the possibility that they might violate Yom Tov or eat chometz on Pesach as a result of an error in calculation. Although this concern also existed in Eretz Yisroel, Chazal did not require the communities there to observe two days Yom Tov since the practice was never instituted there. However, since the Diaspora communities were already observing two days of Yom Tov, Chazal continued this practice, albeit for a new reason. As a result, the Jewish communities of Israel observe one day of Yom Tov and those of the Diaspora observe two. **WHO KEEPS TWO DAYS OF YOM TOV?**

Although whether a community observed one day of Yom Tov or two should depend on whether it was within ten travel days of the main Beis Din, certain villages near the Beis Din were off the messengers' route and consequently did not find out in time. As a result, these communities observed two days of Yom Tov even though they were within Eretz Yisroel (Rambam, Hilchos Kiddush HaChodesh 5:9). Some Rishonim contend that even today many communities in Eretz Yisroel must observe two days of Yom Tov (Rambam, Hilchos Kiddush HaChodesh 5:9). The accepted practice is that all Eretz Yisroel observes only one day of Yom Tov since that was the practice of most places in Eretz Yisroel when the calendar was dependent on observation (Ritva, Rosh Hashanah 18a; Minchas Shelomoh 2:44). Thus far, we have discussed the rules governing whether a community observes two days of Yom Tov or not. However, all the questions mentioned at the beginning of this article deal with how many days of Yom Tov an individual must observe. **A FISH OUT OF WATER — VISITING CHUTZ LA'ARETZ**

What is the halacha if an Eretz Yisroel resident finds himself in chutz la'aretz for Yom Tov? Must he observe two days of Yom Tov because of local custom, or may he follow his hometown practice of observing one day? The Shulchan Aruch (496:3) rules as follows: "People who live in Eretz Yisroel who are in chutz la'aretz are forbidden to perform melacha (forbidden work) on the second day of Yom Tov even if they intend to return to Eretz Yisroel." No one should know that they are not observing Yom Tov, and for this reason, they must wear Yom Tov clothes (Shu"t Radbaz #1145; Magen Avraham). According to most opinions, they may not perform work even in private (Shu"t Radbaz #1145; Magen Avraham; Chayei Odom 103:3; Gra"z; Mishnah Berurah; Aruch HaShulchan, all based on Tosafos to Pesachim 52a s.v. BiYishuv. However, Shu"t Mabit 3:149 and Taz [496:2] are lenient.) However, since it is technically not Yom Tov for them, they pray according to the practice of Eretz Yisroel on this day, even donning tefillin, although they must do so in private (Shu"t Radbaz #1145; Shu"t Avkas Rocheil #26).

A CHUTZNIK IN THE KING'S PALACE — VISITING ERETZ YISROEL Does a chutz la'aretz resident visiting Eretz Yisroel observe one day Yom Tov or two? According to most opinions, a chutz la'aretz resident visiting Eretz Yisroel must continue to observe two days Yom Tov until he or she assumes residence in Eretz Yisroel (Shu"t Avkas Rocheil #26; Shaarei Teshuvah 496:2; She'eilas Yaavetz #168; Birkei Yosef 496:7). One prominent posek contends that a chutz la'aretz resident visiting Eretz Yisroel does not observe the second day of Yom Tov. His reasoning is that observing two days of Yom Tov is a carryover from when people in chutz la'aretz were unable to determine which day was definitely Yom Tov. In that era, if someone from chutz la'aretz visited Eretz Yisroel, why would he observe two days of Yom Tov if he knew that the second day was not Yom Tov (Shu"t Chacham Tzvi #167)? (The Chacham Zvi himself forbids observing the second day of Yom Tov in Eretz Yisroel because of concerns about bal tosf, adding to the mitzvah, a topic we will leave for a different time.) Although the Chacham Tzvi's argument seems logical, almost all other halachic authorities reject his conclusion. It should be noted that even the

Chacham Zvi's son, Rav Yaakov Emden followed the majority opinion unlike his father (She'eilas Yaavetz #168. However, note that the Gra"z 496:11 cites the Chacham Tzvi's approach as the primary opinion.) May people from chutz la'aretz organize a second-day Yom Tov minyan? This is an old dispute that continues to this day. Although many poskim object to the practice, contending that one should not act publicly differently from local practice, the custom to have second-day Yom Tov minyanim in Eretz Yisroel is mentioned favorably by Rav Yosef Karo, the author of the Shulchan Aruch, as a well-established practice (Shu"t Avkas Rocheil #26). In most communities today it is the norm for chutz la'aretz visitors to conduct second day Yom Tov minyanim, and even to advertise them. **A TEMPORARY RESIDENT** At the beginning of this article I mentioned several common situations where it is not obvious whether one should comport himself as a resident of Eretz Yisroel or of chutz la'aretz. What determines whether one should observe two days of Yom Tov? Whether one observes two days of Yom Tov depends on whether one is considered a Diaspora resident or not, concerning which we find a wide range of halachic opinion. Here is a sampling of the opinions: **ONE YEAR** Some contend that one who plans to stay for a year should consider himself a resident of his new domicile even if he intends to return eventually (Aruch HaShulchan 496:5; Shu"t Avnei Nezer, OC 424:27). These authorities compare this law to the following Mishnah (Bava Basra 7b): "You can force someone to contribute to the construction of the walls and reinforcements of a city... How long must he be in the city to consider him a resident? Twelve months. And if he purchased a residence he is considered a resident immediately." The Gemara (Bava Basra 8a) compares this law to similar responsibilities for tzedakah and some other mitzvos. According to this approach, Avi and Rutie, who will be teaching in chutz la'aretz for two years, certainly follow all the practices of chutz la'aretz for Yom Tov (see also Shu"t Yechaveh Daas 3:35). **LONG TERM INTENT** On the other hand, a different early authority ruled that time is not the factor in deciding whether one is considered a resident of Eretz Yisroel or of chutz la'aretz, but one's long term intent. If one's plans are to return to Eretz Yisroel, one should daven according to Eretz Yisroel practice, even if one is in chutz la'aretz for several years. Someone in Eretz Yisroel who intends to return to chutz la'aretz should observe two days Yom Tov. However, this halachic authority included one main exception to his rule: If one travels with one's family and establishes a livelihood in his new locale, he should consider himself a resident of where he is now, since people tend to remain in a place where their livelihood is secure (Pri Chodosh, Orach Chayim 468 s.v. vira'isi). However, many authorities judge contemporary circumstances differently from those of earlier generations. Since today people travel and even relocate relatively easily, the fact that one's family and livelihood is currently in one location does not automatically make one a permanent resident of that place for the purposes of determining whether one observes one day of Yom Tov or two. Because of this consideration, Rav Moshe Feinstein ruled that someone studying in kollel in Eretz Yisroel should keep two days Yom Tov unless both he and his wife have decided to remain in Eretz Yisroel (Shu"t Igros Moshe, OC 3:74). Rav Moshe has several other published teshuvos on the subject, each person's case being someone different, and in each case Rav Moshe determines whether the person should be considered a resident of Eretz Yisroel or one of chutz la'aretz. **ALWAYS YOM TOV IN ERETZ YISROEL** Rav Shlomoh Zalman Auerbach (Minchas Shelomoh 1:19:7) issued the following ruling: He contends that someone who owns a residence in Eretz Yisroel that he uses for every Yom Tov need keep only one day of Yom Tov while in Eretz Yisroel, even though he lives in chutz la'aretz the rest of the year. Rav Shlomoh Zalman's logic is that this individual no longer has the custom of keeping two days of Yom Tov since he is always in Eretz Yisroel for Yom Tov. **A YESHIVA BACHUR WHO INTENDS TO REMAIN IN ERETZ YISROEL** What is the halachic status of a yeshiva

bachur studying in Eretz Yisroel whose family lives in chutz la'aretz, but who intends to remain in Eretz Yisroel long-term? Can he establish a different custom from his family? In answering a different question, the Magen Avraham (468:12) contends that a yeshiva bachur who is in one place for two or three years does not take on the customs of his yeshiva town. On the other hand, other sources quote that accepted practice is that a yeshiva bachur from chutz la'aretz attending a yeshiva in Eretz Yisroel observes only one day of Yom Tov (Shaarei Teshuvah 496:2). Are these two sources in dispute? Rav Moshe Feinstein contends that they are not, explaining that a student who is financially dependent on parents who have not accepted his decision to remain in Eretz Yisroel should follow their practice, whereas if he is financially on his own, or they agree to support him in Eretz Yisroel, he observes only one day of Yom Tov (Shu"t Igros Moshe, OC 2:101). Others disagree, contending that if he might remain in Eretz Yisroel, he need observe only one day of Yom Tov. According to this approach, the Magen Avraham considered him a resident of his parents' town only if he is certain that he is returning there after his Yeshiva years (Shu"t Yabia Omer 6:oc:40; Shu"t Yechaveh Daas 1:26). "A DAY AND A HALF" A colloquial expression has developed referring to someone as observing Yom Tov for "a day and a half." This term does not mean that the person observes Yom Tov for 36 hours. It means that the rav who paskined felt uncertain whether he/she should be observing one day Yom Tov or two, and therefore ruled that he/she should not perform any melacha on the second day of Yom Tov, but should daven and observe it otherwise as a weekday. We can now begin to comprehend Meira's question: "Some of my friends have been told to keep two days of Yom Tov, others were told to keep one, and still others were told not to work on the second day but otherwise to treat it as a weekday. I have been unable to figure out any pattern to the answers they receive." Truthfully, there is a very wide range of opinion what determines whether one observes one day of Yom Tov or two. Thus, Meira's confusion is very understandable. Each friend's rabbi may be applying completely different criteria to determine how many days of Yom Tov to observe, and that is why Meira cannot figure out any pattern. Obviously, someone should ask his or her rav what to do and follow his instructions. The Torah refers to the Yomim Tovim as Moed. Just as the Ohel Moed is a meeting place between Hashem and the Jewish people, so too a moed is a meeting time for Hashem and His people (Hirsch, Vayikra 23:3 and Horeb). Perhaps being more distant from Hashem in chutz la'aretz necessitates an extra day to celebrate our unique relationship with Him!

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Yehezkel's Unique Prophecy of the War of Gog

Rabbi Hayyim Angel

Professor of Bible, Yeshiva University

Introduction

On Shabbat Hol HaMo'ed Sukkot we read Yehezkel's prophecy of the War of Gog as the Haftarah. In this essay, we will consider several facets of this prophecy in its natural context in Sefer Yehezkel. The oracles of Gog in Yehezkel chapters 38-39 form a dramatic climax to a series of prophecies of restoration following the destruction of the Temple in 586 B.C.E. Some time after Israel returns to her land from exile, a coalition headed by King Gog from the land of Magog will invade Israel. God will dramatically intervene and defeat the coalition. God's name then will be

sanctified before all humanity. In rabbinic literature, this cataclysmic event is referred to as "the war of Gog and Magog." In the biblical text, however, Gog is the name of an otherwise unknown king² who hails from the land of Magog—one of Yaphet's sons (Bereshit 10:2). Like Gog, the land of Magog plays no role elsewhere in Tanakh. This prophecy is commonly understood as messianic. Identifications of the enemies have changed with historical times, depending on the perceived threats of the era coupled with the hope that the messianic age was near. For example, some commentators (e.g. Abarbanel, Malbim) identified these events with great wars between Christianity and Islam. In 1977, Rabbi Moshe Eisemann explained the prophecy to allude to Nazi Germany.³ In 1971, Ronald Reagan, then governor of California, offered a different slant: Ezekiel tells us that Gog, the nation that will lead all of the other powers of darkness against Israel, will come out of the north. Biblical scholars have been saying for generations that Gog must be Russia ... But it didn't seem to make sense before the Russian Revolution, when Russia was a Christian country. Now it does, now that Russia has become communistic and atheistic, now that Russia has set itself against God. Now it fits the description of Gog perfectly.⁴ Despite the best efforts of commentators and politicians, however, Rambam prudently cautions that we cannot ascertain Gog's identity until the Mashiah comes (Hilkhos Melakhim 12:2). In this essay, we will consider the passage in its broader context in Sefer Yehezkel. We begin with several central issues in Yehezkel chapters 38-39. We then analyze the unique role of this prophecy in the larger unit of Yehezkel's prophecies of restoration and the book as a whole. Chapters 38-39 The armies of Gog invade Israel not as a punishment for sins, but rather to plunder a redeemed and peaceful nation. God intervenes, thereby demonstrating His power and glory to the nations and to Israel. Like the original exodus from Egypt, Israel will be entirely passive, while God acts in history as Redeemer. The timing of the expected fulfillment of this prediction is the subject of debate: After a long time (mi-yammim rabbim) you shall be summoned; in the distant future (be-aharit ha-shanim) you shall march against the land... Yehezkel 38:85 This shall happen on that distant day (be-aharit ha-yamim)... Yehezkel 38:16 The expressions of distance in time may indicate a period considerably later than the prophet. Additionally, this prophecy has not yet been fulfilled. Consequently, many midrashim and later commentators understand the prophecy to refer to the messianic era. However, it is possible that Yehezkel predicts events that could have transpired shortly after he prophesied. Yehezkel links this prophecy to his other prophecies of restoration in chapters 34-37, and it appears that he expects those predictions to occur shortly (see 39:8).⁶ It is possible that there was potential for all of Yehezkel's prophecies to have been fulfilled during his lifetime, even if they did not occur and were instead deferred to the messianic era.⁷ Commentators also puzzle over the uniqueness of the prophecy of Gog. Yehezkel appears to state that his prophecy is the fulfillment of a long history of earlier prophecies: Thus said the Lord God: Why, you are the one I spoke of in ancient days through My servants, the prophets of Israel, who prophesied for years in those days that I would ... Several commentators attempt to locate earlier biblical prophecies that anticipate this prophecy. For example, Yeshayahu predicts the downfall of Assyria (Yeshayahu chapter 10), Tzefaniah predicts a Day of the Lord against wicked nations (Tzefaniah 1:14-18), and Yirmiyahu predicts a northern invader (Yirmiyahu 1-6). However, a king Gog is never mentioned in these earlier prophecies. Yirmiyahu's northern enemy, Babylonia, invaded in Yirmiyahu's lifetime as a punishment for Israel's sins. As discussed above, it is unclear if Yehezkel intended his prediction to be fulfilled immediately, and the invasion of Gog was not cast as a punishment for Israel's sins. More decisively, Yehezkel predicts that God will rescue Israel from Gog, whereas Yirmiyahu correctly expected the northern invader to inflict great destruction. It is evident that there is no direct precedent for

Yehezkel's prophecy of Gog in Tanakh, even though several of its themes and formulations occur in earlier prophecies. Hellenistic and rabbinic sources likewise recognized that there is no clear textual precedent for the war of Gog, so they inserted it into earlier texts. In the Torah, Bilam predicts "ve-yarom me-Agag malko" ("their king shall rise above Agag" [Bemidbar 24:7]). Instead of "Agag," the Septuagint reads "Gog." Similarly, the Septuagint inserts Gog into a prophecy of Amos regarding a locust plague: This is what my Lord God showed me: He was creating [a plague of] locusts at the time when the late-sown crops were beginning to sprout—the late-sown crops after the king's reaping (ahar gizzei ha-melekh). Amos 7:1 In the place of "ahar gizzei ha-melekh" ("after the king's reaping"), the Septuagint reads "ahar Gog ha-melekh" ("after King Gog"). Rather than inserting Gog into actual verses, one Sage in the Talmud suggests that Eldad and Medad (Bemidbar 11:26-29) prophesied regarding Gog: R. Nahman said: They prophesied concerning Gog and Magog, as it is said (Yehezkel 38:17): "Thus said the Lord God: Why, you are the one I spoke of in ancient days through My servants, the prophets of Israel, who prophesied for years in those days that I would bring you against them!" Sanhedrin 17a8 R. Nahman identifies Eldad and Medad's prophecy with Yehezkel's prophecy of Gog specifically to explain the elusive earlier biblical precedent to which Yehezkel appears to refer. Perhaps the most likely reading of Yehezkel 38:17 is that Yehezkel is not referring back to his predecessors who predicted Gog. Rather, he is predicting what people will exclaim when his own Translations of Talmudic passages taken from Soncino.

prophecy is fulfilled in the future: "this is what Yehezkel had predicted long ago!" Rashi, Kara, Radak, and Yehiel Moskowit⁹ adopt this reading. If their reading is correct, then Yehezkel's prophecy of Gog is indeed groundbreaking, and Yehezkel does not claim otherwise. In addition to the cataclysmic war, Yehezkel prophesied that the God-Israel relationship will then achieve its ideal state. The prophecy of Gog concludes: I will never again hide My face from them, for I will pour out My spirit (eshpokh et ruhi) upon the House of Israel—declares the Lord God. Yehezkel 39:29 Additionally, this change in Israel's spiritual fortunes contrasts with their previous state, when God hid His face as a result of Israel's sinfulness: And the nations shall know that the House of Israel were exiled only for their iniquity, because they trespassed against Me, so that I hid My face from them and delivered them into the hands of their adversaries, and they all fell by the sword. When I hid My face from them, I dealt with them according to their uncleanness and their transgressions. Yehezkel 39:23-24 Gog and its Precedents in Sefer Yehezkel Although there is no direct biblical precursor to Yehezkel's prophecy of Gog, the prophecy draws substantially from earlier passages in Yehezkel. Yehezkel parallels Gog with contemporaneous nations who represent arrogance and evil. Similar to Gog, God also places hooks in Egypt's mouth (29:4; 38:4), a sign of divine power over that arrogant nation. Edom represents all evil nations who harm and plunder Israel. As part of the process of restoration, God will punish Edom and restore Israel (35:1-36:5). Yehezkel recapitulates these elements in the final war of Gog. Redemption of God's name occurs only when arrogance and evil are defeated—not only when Israel is redeemed. Gog in the Context of Yehezkel's Prophecies of Restoration Yehezkel's prophecies of restoration envision a better leadership (ch. 34), Edom's ultimate defeat (ch. 35-36), the return of Jews to their land and God's purification of the nation (ch. 36), God's revival of "dead" Israel (37:1-14), and the reuniting of the northern and southern kingdoms (37:15-28). These prophecies are followed by the war of Gog (ch. 38-39). Generally speaking, prophets speak of Israel's restoration as the final stage in the redemption process. If there are troubles, they precede the redemption. Following this dominant prophetic view, Rambam (Hilkhot Melakhim 12:2) takes for granted that the war of Gog will be an earlier stage of Israel's redemption. Yehiel

Moskowitz lists rabbinic sources that similarly place the war of Gog before the final redemption. In Yehezkel's prophecy, however, Gog's coalition invades to plunder a redeemed nation (38:8, 11, 14). This positioning is unique in prophetic literature. However, Yehezkel's presentation fits his consistent perspective that the primary redemption is not of Israel, but rather of God. Even after Israel returns to her land, God cannot ultimately be redeemed until all human evil is eliminated.¹⁰ Several midrashim poignantly capture the love, patience, and anguish that God experienced during His banishment from Jerusalem in Sefer Yehezkel: R. Aha said: "God's Presence may be likened to a king who left his palace in anger. After going out, he came back and embraced and kissed the walls of the palace and its pillars, weeping and exclaiming: 'O the peace of my palace, O the peace of my royal residence, O the peace of my beloved house! O peace, from now onward let there be peace.'" Ekhah Rabbah Prologue 25 "Being bound in chains" (Yirmiyahu 40:1): R. Aha said: If it is possible to say so, both He and Jeremiah were bound in chains. As a parallel it is written (Yehezkel 1:1), "I was among the captives." Ekhah Rabbah Prologue 34

On a deeper level, Sefer Yehezkel may be considered an "autobiography" of God during the period of the destruction. God goes into exile (chapters 8-11), driven away by Israel's sins. God must redeem Israel in order to sanctify His name even if Israel does not merit redemption (ch. 20, 36). The book's climactic vision is of a rebuilt Temple with God's Presence returning to it (ch. 40-48). The prophecy of Gog, which involves the eradication of human evil coupled with the worldwide sanctification of God's name, fits the unique message of the book. God is at the center of exile and redemption. Therefore, Israel's exile and restoration are ancillary to this process, rather than central to it.

It is fitting that the Kaddish prayer derives its opening formula, Yitgaddal ve-Yitkaddash, from the conclusion of chapter 38: Thus will I manifest My greatness and My holiness (ve-hitgaddilti ve-hitkaddishti11), and make Myself known in the sight of many nations. And they shall know that I am the Lord. Yehezkel 38:23 The Kaddish is a prayer for the sanctification of God's name as a result of divine exile after the Temple was destroyed. One Talmudic passage captures this spirit when discussing the Kaddish and its significance:

Yosei entered into one of the ruins of Jerusalem to pray. Elijah appeared. ... He asked me, "What did you hear in this ruin?" I replied: "I heard a divine voice, cooing like a dove, and saying: 'Woe to the children, on account of whose sins I destroyed My house and burnt My temple and exiled them among the nations of the world!'" He said to me: "...Not in this moment alone does it so exclaim, but three times each day it says this! And more than that, whenever the Israelites go into the synagogues and schoolhouses and respond: 'May His great name be blessed (yehei shemei ha-gadol mevorakh),' God shakes His head and says: 'Happy is the King who is thus praised in this house! Woe to the Father who had to banish His children, and woe to the children who had to be banished from the table of their Father!'" Berakhot 3a Throughout his book, Yehezkel conveys glimpses of divine heartbreak and anger, but also an eternal hope for the future manifestation of God's glory. The ultimate redemption occurs when God returns to a rebuilt Temple and purified nation and land, with all human evil eradicated. When this occurs, God's name is sanctified and Yehezkel's vision of redemption has been fulfilled.

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The Last Eight Pesukim in the Torah

Rabbi Daniel Z. Feldman

Rosh Yeshiva, RIETS • Rabbi, Ohr Saadya, Teaneck NJ

It would be quite an unusual autobiography that is so comprehensive that it describes the author's own death and burial; by the time the author has been buried, he has probably stopped writing. The Chumash, however, defies this premise: while not an autobiography, it was transcribed by one of its major protagonists, Moshe Rabbenu, who was nonetheless apparently able to record his own passing¹ and then continue writing for seven more pesukim (verses).

The Talmud² addresses this anomaly, and records two approaches in response: According to R. Yehudah (or R. Nechemia), these pesukim were actually not written by Moshe, but by Yehoshua. However, R. Shimon objects, noting that Moshe is instructed to “take the sefer haTorah,”³ and that description would not be used if even one letter were missing. Rather, he asserts, until this point, G-d spoke, and Moshe repeated and wrote; from here until the end, G-d spoke and Moshe wrote the words “bi-dema.”

The common translation of bi-dema in this usage is that it means “with a tear,” indicating that Moshe was crying, understandably, while receiving and transcribing the prophecy of his impending death. Some rishonim⁴ indicate that the tear was actually the writing material, rather than ink; the Maharsha suggests Moshe did not want to use formal ink to write something that had not yet taken place and which could have the appearance of falsehood (mechzi ki-shikra).⁵

Others,⁶ however, understood the term dema differently, as indicating dimua, or intermixture. In this view, Moshe wrote the words, which had not yet been actualized, in a jumbled form that would not be intelligible to the reader. Commenting along similar lines, the Gaon of Vilna⁷ maintained that the two views in the Talmud were compatible, in that Moshe did write the words in their initial form, while Yehoshua rearranged the letters into a legible form and thus “wrote” them as well.⁸

The Talmud continues by asserting a halakhic implication of the fact that, whichever opinion is accepted, there is something unique about these eight pesukim. As such, they are granted a unique halakhic treatment: “yachid korei otam.” The first of many mysteries contained in this brief phrase is a very basic one: what does it mean?

This simple question is not so simply answered. In fact, there are no fewer than six interpretations among the rishonim, some of which are reflected in halakhic practice to some degree, some of which have no such practical expression, some of which contradict each other, and all of which must be studied and explicated in order to arrive at a perspective on how Chazal and the rishonim related to this mysterious last passage of the Torah.

1. According to the RiMigash, cited in the Shittah Mekubetzet to Bava Batra, the intent is that these verses must be read together with earlier verses, without breaking before them (ein mafsikin bahem).⁹ In this reading, the word “yachid” would mean “together” (yachad) [with other verses]. The reason for this, says the Ri Migash, is so as not to call attention to Yehoshua's authorship. While he does not expand on this, presumably the intent is that since the status of these pesukim is essentially, for practical purposes, the same as the rest of the Torah, it is unhelpful to confuse the populace by highlighting the irrelevant difference in their transcriptive history.

2. The Shittah Mekubetzet, before citing that view of the Ri Migash, also records in his name a completely opposite opinion, with an equally contrary rationale: The verses must be read separately, so that it would be highlighted that Yehoshua wrote them. In this reading, yachid means “alone.”¹⁰

3. Tosafot¹¹ quotes the view of R. Meshulam that to read these pesukim “yachid” means that only the one receiving the aliyah should

read from the Torah, without the accompaniment of an appointed ba'al keriyah, in contrast to contemporary practice, in which both men read together. Rabbenu Tam, however, objects to this understanding, as it was not the practice in Talmudic times to have the simultaneous reading by two people; the contemporary usage of this method is only to prevent embarrassment on the part of an oleh who may not be capable of reading from the Torah, and is not a fundamental aspect of the reading itself. As such, it is unlikely that this is the intent of the Talmud's statement.¹²

4. Rabbenu Tam himself advocates another view, that “yachid” would mean the section should be read as one unified whole, without breaking it up into, for example, two sections of four pesukim. This is also the position expressed by Rashi in his commentary to Menachot and is recorded in Shulchan Arukh.¹³

5. The view of the Rambam¹⁴ has received the most halakhic and analytic attention of all the opinions on the matter. In his understanding, “yachid” is used to mean the individual, as opposed to the community, i.e. a minyan.¹⁵ Thus, as opposed to the rest of the Torah, these verses can be read without the presence of a minyan. This view is also cited by the Shittah Mekubetzet to Menachot.¹⁶

The Ra'avad objected to this opinion (preferring instead the interpretation “shelo lihafskik bahem”¹⁷ and mentioning also a practice to follow the view associated with R. Meshulam). He considered the Rambam's opinion to be “very strange” (inyan zarut hu m'od) and asks a terse question: ve-ha-tzibur heikhan halkhu?—where did the minyan go?

However, as the Kessef Mishneh notes, the Ra'avad's position invites its own questions. Why is it so inconceivable that the minyan has “gone”—could individuals not have simply walked out (a possibility even more feasible when considering that it is Simchat Torah!)? Further, it is also possible that the Rambam is addressing a scenario in which there never was a minyan to begin with, and the question is whether at least these pesukim may be read from the Torah.

A number of acharonim¹⁸ explain the Ra'avad's objection by noting some relevant halakhic background. There is a prohibition to leave a synagogue in the middle of the service, when doing so will render the minyan deficient. However, if this were to happen, the remaining members of the erstwhile minyan would be permitted to continue the service.¹⁹ Thus, the Ra'avad's question may be, since even other sections of the Torah may continue even after the quorum is lost, apparently maintaining a “din tzibbur” (the halakhic status of a minyan) even without the actuality of a minyan, “where did the [status of the] minyan go? This point is actually explicit in the Sefer HaManhig,²⁰ which notes that continuing to read from the Torah at that point would not constitute any kind of a deviation, as this is the rule with all sections of the Torah.²¹

As such, the acharonim who discuss this position offer suggestions as to what indeed distinguishes this section in the view of the Rambam. One possibility is that the general rule is that the service may only continue without a quorum if there is at least a majority of a minyan remaining, which is the position of the Ran²² and recorded in Shulchan Arukh.²³ Accordingly, it is possible that while the rest of the Torah requires a majority to remain, this section may be read with even a smaller group remaining, or perhaps even one man, a literal “yachid.”²⁴

Another possible distinction revolves around the question, raised by the Kessef Mishneh,²⁵ as to whether, if part of the minyan leaves, the license to continue extends to all of the keriyat haTorah that day, or only to an aliyah that has already been started. Perhaps the permissibility to continue only applied in the time when the entire keriyat haTorah was bracketed by one set of berakhot. When each aliyah is given its own set of berakhot, it may not be permissible to start a new aliyah without a full minyan. If so, the license to read the last eight pesukim as a separate aliyah without a minyan would be unique. The Magen Avraham²⁶ maintained that only the basic seven aliyot can be completed if the

original minyan is no longer there; thus, a scenario can easily be envisioned where it would not be permitted to read this section, if not for its unique status, without a minyan.

Aside from the halakhic implications, it is necessary to understand the conceptual basis for the Rambam's view. Rav Soloveitchik²⁷ noted that the Rambam, when recording the unique status of these pesukim, focuses on a different explanation for that status than does the Talmud. The Talmud states that the pesukim are treated differently "hoeil v'ishtani," "since they were differentiated [presumably in their transcription]. The Rambam instead attributes the distinction to the fact that the meaning of the pesukim is relevant only after the death of Moshe. R. Soloveitchik also noted the fact that for the rest of the Torah "G-d spoke, and Moshe repeated and wrote," while for these pesukim, "G-d spoke and Moshe wrote." He explained that in general, Moshe could only write that which he had relayed to the people as a commandment; only thusly did the content achieve the status of "Torah." Subsequently, it was written down, and became "Torah SheB'Khtav." The last eight pesukim, however, could not undergo such a process, as they were not yet factually realized.

Accordingly, these pesukim did not attain the sanctity of "Torah SheB'Khtav," essentially for the reason highlighted by the Rambam.²⁸ This, in turn, impacts the requirement for a minyan. The need for a minyan in order to read from the Torah (distinct from the general need to have a minyan for a "davar she-bi-kedushah²⁹) is to evoke a representation of the entire population of Israel, which was present when the Torah was originally given.³⁰ However, as these eight pesukim were excluded from that process, they are similarly exempted from the requirement of minyan.³¹

Following this approach, R. Mordechai Willig³² suggested that this can also explain the view of R. Meshulam cited above. He suggests that even in Talmudic times, there was a practice to have two men read the Torah simultaneously, to evoke the original roles of G-d and Moshe.

However, since these pesukim did not involve Moshe speaking, this passage should be exempted from that practice.³³

6. While the Rambam's position may be the view that is most discussed, there is still one as yet unmentioned view that may have the most expression (at least, in a visible manner) in contemporary halakhic practice.³⁴ The Mordechai³⁵ understood "yachid" in the sense of "meyuchad," i.e. "distinguished" or "singular" and thus ruled that "yachid korei otam" means that this aliyah should be given to a talmid chakham.³⁶ This does correlate with contemporary practice, which includes these pesukim in the honor known as "chatan Torah."³⁷

Despite the correlation with practice, the Chakham Tzvi³⁸ found the Mordechai's position to be baffling. Whichever Talmudic approach is accepted regarding the history of these pesukim, it seems clear that any differential status vis-a-vis the rest of the Torah would render these pesukim inferior, not superior. Why, then, should this aliyah be considered a distinguished one? It would seem, in relative terms, to have the lowest status of any aliyah in the Torah.³⁹

R. Meir Dan Plotzki, in his Kli Chemdah,⁴⁰ endeavors to explain the view of the Mordechai. He asserts that at this point, with the passing of Moshe Rabbenu, it is conceivable that despair may fall upon the Jewish people. Moshe has died, and his leadership and prophecy were unique in Jewish history. It is possible to come to the conclusion that his influence has died as well, and the Jews will never again benefit from G-d's providence as they did when Moshe was physically alive. The truth, however, is that Moshe's uniqueness notwithstanding, his torch has been passed to those who uphold his teachings, first to Yehoshua and then to all of those who have followed in that path until this very day. Thus, it is appropriate that the aliyah containing these words be given to a contemporary personification of these ideals, a teacher and student of Torah who can display the fact that the ideals and messages of Moshe live on.⁴¹

This perspective lends additional significance to the reading of this section on Simchat Torah. As the cycle of the Torah is completed, it is possible to get the impression that the Jews of our time are so far removed from the time of the giving of the Torah, and from Moshe's leadership, that we cannot attain the level of that generation. It is also noteworthy that there appears to be a debate among the rishonim as to why exactly Ve-Zot Ha-Berakhah is read on Simchat Torah

While it seems self evident that the last parshah of the Torah should be read at the end of the cycle of the reading of the Chumash, and this is indeed expressed by rishonim and poskim,⁴² there is another perspective also found in rishonim, that this section is read at the end of Sukkot to fulfill the requirement of reading from the Torah something that is relevant to the Yom Tov (mei-inyano shel yom).⁴³ In this understanding, the yearly cycle of the festivals should end with the public berakhah of Moshe to the people. For this reason, too, it seems important to emphasize that Moshe's influence survives his physical passing. It is an appropriate time to be reminded that Moshe's legacy continues to reverberate in the souls of the Jewish people, and for that inspiration to guide us as we usher in a new year.

1 Devarim 34:5. 2 Bava Batra 15a, Menachot 30a. 3 Devarim 31:26. 4 See, for example, Ritva and Rama to Bava Batra, and Rashi to Bava Batra, .s.v. ho'il. 5 Chiddushei Aggadot LaMaharsha, Bava Batra 15. The Maharsha also understands Moshe's lack of verbal repetition as a function of this issue. This comment has led some to suggest that dishonesty is less of an issue in writing than in speech; however, the Maharsha's intent was presumably to note that while there was never a concern for actual dishonesty, since the words would come true, but since they had not yet come true, they appeared false when spoken out loud, a concern that would not apply to written words meant to be read later. See the citation of the Maharsha in R. Shalom Mordechai HaKohen's Da'at Torah, Orach Chaim 156; see also Sefer HaMidot of R. Nachman of Breslov, Emet 5 (compare, however, Ha'arot of R. Natan of Breslov). For an innovative interpretation of the Maharsha's comments, see R. Yitzchak Sternhill, Kokhvei Yitzchak 3:2:8 and 9. See also R. Meir Dan Plotzki, Kli Chemdah, Parshat VeZot HaB'rakhah; R. Chizkiyahu Fish, Titten Emet L'Yaakov 8; R. Eliezer Yehudah Waldenberg, Responsa Tzitz Eliezer 15:12; R. Shimon Gabel, Kli Golah and Sofrei Shimon to Berachot 43b; and see also R. Yehudah Assad, Responsa Yehudah Ya'aleh, Yoreh Deah 316. See as well R. David Avraham Mandelbaum, Pardes Yosef HaChadash al HaTorah, Devarim, II, pp. 1381-1382. For an extensive analysis of the Maharsha's comments in this context, see R. Dov Gedaliah Drexler in the journal Beit Aharon Ve-Yisrael XVIII:2 (104) pp. 26-35. [Some suggest that the dema was used instead of ink to address issues of Shabbat; see R. Avraham Yitzchak Glick, Resp. Yad Yitzchak, I, 136.] 6 See Rama MiFanu, Asarah Ma'amarot, Ma'amar Chikur Ha-Din, ch. 13, as cited by M'lo HaRoim to Bava Batra; note, however, Pardes Yosef HaChadash, p. 1383-4. 7 Cited in Aderet Eliyahu. 8 See R. Mordechai Gifter, Pirkei Torah, II, pp. 334-340, who expands on this approach and explains how it can be harmonized with the text of the Talmud, which clearly implies the two views are in conflict with each other. See also R. Yitzchak Sorotzkin, Gevurot Yitzchak al HaTorah, II, 318. 9 This could have been read to be the view of Rashi as well, who uses the same Hebrew phrasing in Bava Batra. However, the phrase is somewhat ambiguous and could also sustain other readings; note, for example, that Rabbenu Tam, cited below, uses similar phrasing to indicate a different view, which he understands to be in agreement with Rashi; indeed, Rashi to Menachot, s.v. yachid, takes this position explicitly. The Ra'avad, cited below, prefers an interpretation that uses this phrase as well. 10 See also Sefat Emet to Menachot. 11 Menachot 30a, s.v. shmonah pesukim; Megillah 23b, s.v. tana. 12 See Toldot Yitzchak al HaTorah to Devarim, where it is recorded that in Provence the custom was in accordance with R. Meshulam. 13 O.C. 428:7; see Mishnah Berurah #21. 14 Hilkhhot Tefillah 13:6. 15 See also Torat Chaim to Bava Batra. See also Yechezkel From, in Beit Yitzchak 5741/5742, pp. 175-178. 16 30a, #22. 17 See above, footnote 9. 18 See, for example, R. Shlomo Wahrman, Orot Chag HaSukkot # 59 (and She'erit Yosef, IV, 32); R. Ya'akov Betzalel Zolty, Mishnat Ya'avetz, O.C. 72; R. Ya'akov David Ilan, Masa Yad al HaTorah, v. I, Parashat VeZot HaBerakhah; Gevurot Yitzchak al HaTorah, II, 317. 19 See Megillah 23b and Tosafot, s.v. ein, citing the Yerushalmi; Mishneh Torah, Hilkhhot Tefilah 8:6. 20 Hilkhhot HaChag, 62. 21 See also Pri Chadash, OC 428. 22 Megillah 14b in pages of the Rif, s.v. yerushalmi. 23 Orach Chaim 55:2. It is possible, as noted in some of the above cited works, that this question is premised on a conceptual question: is the ability to continue without a full quorum reflective of the fact that a davar she-b'kedushah need only start with a minyan, but not necessarily maintain one for the derivation of the service (which

would allow continuing even with a minority of the quorum remaining), or, rather, that a tzibur maintains its status as long as it retains a majority of its initial members. (See Responsa Teshuvah MeiAhavah, I, 31). R. Akiva Eiger (O.C. 55), assuming that a majority of a minyan is necessary, queried whether it must be six out of the original 10, or is it also viable to have five remaining, and then add a new man to the group to make six; this question is presumably intertwined with the previous one (see Masa Yad, *ibid*). 24 See also Keren Orach to Menachot. 25 Hilkhos Tefillah 8:6. 26 143:1. 27 Quoted by R. Mordechai Willig, “B’Inyan Keriyat HaTorah,” in Beit Yosef Shaul, Vol IV (5754), pp. 163-164 and R. Herschel Schachter, Nefesh HaRav, pp. 321-322. 28 Rav Soloveitchik also suggested that this is the real reason Moshe cried: not for his impending death, which is the way of all flesh, but because of the realization that not all of the Torah would attain full sanctity at his hands. Compare also Chiddushei HaGriz, Menachot 30a, and Gevurot Yitzchak al HaTorah, II, 319. See also R. Avraham Yitzchak Baruch Gerlitzky, in the journal Kovetz He’arot U’Biurim, (Ohalei Torah) Vol XX, pp. 9-13. 29 See R. Baruch Shimon Deutsch, Birkhat Kohen, 120. However, note Mishneh Torah, Hil. Tefillah 8:4, and Kesef Mishneh 8:5. 30 See Yerushalmi Megillah 4:1 and Rosh, Megillah 4:1, regarding the obligation to read from the Torah in an atmosphere of eimah. 31 See Pirkei Torah, *ibid*, for a similar approach, drawing on the position of the Rama MiFanu cited above. Note also that R. Moshe Shternbuch (Moadim UZemanim, VI, 79, and Responsa Teshuvot Ve-Hanagot IV, 73) asserts that the Rambam’s intent was not that one can fulfill the obligation of the reading of the Torah without a minyan, but that it is permissible to read this section of the Torah without a minyan, and without fulfilling any obligation. For an alternative explanation of the Rambam’s opinion, see R. Yekutiel Yehudah Halberstam, Responsa Divrei Yatziv, likkutin ve-hashmatot, #22. 32 Beit Yosef Shaul, *ibid*, pp. 164-168. 33 A similar approach is considered by R. Yechezkel Lichtman in the Journal Ohel Moshe, 5753, pp. 38-39. For a different approach, see R. Ya’akov Ariel, Responsa B’Ohalah Shel Torah, II, 9:3. 34 See R. Yom Tov Zanger, Ma’adanei Yom Tov, III, 41, who considers an actual case that was brought to him for a ruling, and is unwilling to rely on the Rambam for practical purposes. 35 Halakhot Ketanot 955. 36 See Ta’anit 10a. 37 The Rama (O.C. 669) quotes the notion of granting this aliyah to a Torah scholar as a “yesh omrim,” but the later literature emphasizes the idea more strongly (see Sha’ar Ephraim, Dinei Keriyat Simchat Torah, and Avnei Shoham [Shlomowitz], Chelek Chag HaSukkot, #113). Responsa K’naf Renanah, 76, suggests that the practice is less important in the contemporary era when the *oleh* does not actually read aloud from the Torah, but certain distinctions should still be granted to this aliyah, such as not having more than one *oleh* share the aliyah (as is commonly done on Simchat Torah with the earlier aliyot). 38 Responsa #13. 39 See R. Yonatan Eibshutz, Ya’arot Dvash, I, p. 34, who understands this in the context of the earlier practice of only reciting berakhot at the beginning and at the end of the kri’at haTorah. Due to the unique character of the last eight pesukim, they required their own bracketing berakhot, and therefore should have a distinguished individual at the beginning, to parallel the kohen’s aliyah at the beginning of a standard keriat haTorah. 40 Parashat VeZot HaBerakha. 41 A parallel approach can be found in Resp. Yad Yitzchak, I, 136, who writes that in truth, these pesukim were worthy of being sanctified fully by Moshe, but could not be for technical reasons. To make this point, the verses should be read by a Torah scholar. It is interesting also that the Kli Chemdah also endeavors to explain the Rambam’s view, that no minyan is necessary, in a way that does not render these verses inferior. He suggests that while a minyan is normally necessary during keriyat haTorah in order to evoke the Shekhinah, this is not needed for these pesukim, because, since Moshe did not repeat them, there was no interference between G-d’s original expression of these words and their bestowal upon the Jews, and thus the Shekhinah is present on its own as a result. (Compare the extensive comments in Netivot HaChaim, netiv 12.) 42 See Chiddushei HaRan, Megillah 31b, s.v. le-machar, and Birkei Yosef, O.C. 668. 43 See Ran to the Rif, Megillah 11a s.v. le-machar. The Meshekh Chakmah (Hadran at the end of Chumash) notes that this would be read even when a triennial cycle of Torah reading was used and the Chumash was not being completed that day; see his explanation there. See also R. Ephraim Greenblatt in the journal Noam, pp. 208-211 (and see also his comments, pp. 212-217, concerning the eight pesukim).

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וחג האסף בצאת השנה באספך את מעשיך מן השדה (שמות 23:16)

The Torah initially refer to Sukkos as חג האסף – the festival of the ingathering – and not by its more well-known name, “Sukkos,” which is not used in conjunction with the festival until much later (Devorim 16:13). Additionally, the commentators point out that if the Yom Tov of Sukkos commemorates the Ananei HaKavod (Clouds of Glory) that surrounded and protected the Jews in the wilderness, seemingly it should logically be celebrated in the spring when the Clouds of Glory first began to escort the Jews after their Exodus from Egypt, not in the fall when we are commanded to observe it.

The Vilna Gaon answers the second difficulty by explaining that although the Ananei HaKavod first appeared in the month of Nissan, they subsequently departed after the sin of the golden calf. It wasn’t until 15 Tishrei, five days after the forgiveness of Yom Kippur, that the Clouds returned, this time to remain for the duration of the 40 years that the Jews traveled through the desert. It is this return of the Clouds of Glory that we commemorate by celebrating the holiday of Sukkos at this time.

Using this insight, the Meshech Chochmah resolves the first question by explaining that at this point in time, the Jewish people still had not sinned with the golden calf and the original Clouds of Glory were still present. The reason for celebrating Sukkos in the fall was not yet applicable, and the Torah had to refer to it by an alternate name based on the ingathering of the yearly harvest. In Parshas Re’eh, on the other hand, the clouds had already disappeared and returned, and it was appropriate to refer to the holiday at that time as Chag HaSukkos, the festival which commemorates the restoration of the Clouds of Glory.

ולקחתם לכם ביום הראשון פרי עץ הדר (ויקרא 23:40)

In discussing the mitzvos of Sukkos, the Torah commands us to take four species: lulav, esrog, hadasim, and aravos. However, none of the species are referred to in the verse using the names by which we know them. The esrog is called a פרי עץ הדר, the fruit of a beautiful tree. Commenting on this verse, the Medrash (Vayikra Rabbah 30:10) cryptically remarks that this refers to Avrohom. How is this Medrash to be understood, and in what way is Avrohom comparable to an esrog?

As mentioned, the Torah isn’t clear about the identity of the four species we are commanded to take. In attempting to identify the beautiful tree to which the Torah is referring, one of the proofs offered by the Gemora in Sukkah (35a) involves a play on the word הדר. Although the word means “beautiful,” by switching the vowels it can be reinterpreted to mean “dwells.” In other words, the Torah commands us to take a fruit which dwells on the tree from year to year. Unlike other fruits, which grow, blossom, and fall off of the tree in the span of a few months, an esrog remains on its tree from year to year.

Rav Yissochar Frand explains that the Gemora is symbolically teaching us that an esrog represents consistency and dependability, traits in which Avrohom excelled. In Parshas Chayei Sorah, the Torah (24:1) records that Avrohom was old and בא בימים – coming with his days. This peculiar expression is difficult to understand. What does it mean to come with one’s days? The Zohar HaKadosh explains that each day of a person’s life which is used properly is deposited in his celestial bank account. The Torah testifies that Avrohom was consistent in using every day of his life to serve Hashem, and as a result, he came with all of his days to Olam Haba.

In Parshas Vayeira (Bereishis 22:4), the Torah records that on the third day of traveling, Avrohom raised his eyes and saw the location where he was to perform the Akeidah. The Medrash Tanchuma (22) questions why Hashem waited three days to show the place to Avrohom? The Medrash answers that He did so to prevent the nations of the world from arguing that Avrohom was overcome by a momentary burst of emotion and slaughtered his son. Instead, Avrohom had three days to carefully and rationally consider the consequences of his actions. Even

so, he passed this and nine other trials (Avos 5:3) to which Hashem subjected him with flying colors, demonstrating the reliability and consistency associated with the esrog.

The Maharal cites a fascinating Medrash, which discusses which is the most important and all-encompassing verse in the Torah. The first opinion proposes (Devorim 6:4) שמע ישראל ד' אלקינו ד' אחד – Hear O Israel, Hashem is our G-d, Hashem is One. The next opinion argues that even more important is (Vayikra 19:18) ואהבת לרעך כמוך – You shall love your neighbor as yourself. Each of these positions is understandable and not surprising.

The last opinion unexpectedly suggests that the most important verse is (Shemos 29:39) את הכבש האחד תעשה בבקר ואת הכבש השני – one lamb you shall offer in the morning, and one lamb you shall offer in the afternoon. Although important, how could this verse, which describes one of the daily sacrifices, possibly be compared to the other verses which discuss fundamentals of Judaism?

The Maharal explains that this verse is referring to the Korban Tamid – the Continual Offering. This offering was brought every day of the year, once in the morning and once in the afternoon. Regardless of anything which transpired in the Temple and independent of any other offerings which needed to be brought, the Korban Tamid was offered day-in and day-out, day after day, year after year. As such, it is the ultimate symbol of consistency, which is a fundamental concept in Judaism, so essential that it is mentioned in the same breath as the Shema and the obligation to love our fellow man.

We live in a society which bombards us each day with new obligations and new distractions. As a result, excuses, explanations, and requests for extensions have become commonplace and accepted. While they keep us out of trouble at work and in our interactions with others, we should realize that Judaism holds us to a higher standard. The next time we catch ourselves justifying our inability to perform a mitzvah due to extenuating circumstances, let us remember the importance of the Korban Tamid and strive to achieve the consistency of Avrohom and the esrog.

Mashiv haruach u'morid hageshem

The Gemora in Taanis (4b) rules that although Sukkos corresponds to the time when we begin to need rain for the success of the crops, we don't begin to pray for rain on Sukkos itself because rain on the holiday is considered a curse. We must wait an additional two weeks after the end of Sukkos to allow sufficient time for those who ascended to the Temple for Sukkos to return home without getting wet.

According to this logic, we should similarly stop praying for rain two weeks before Pesach to allow people to ascend in dry travel conditions. Why do we continue praying for rain up until Pesach, praying for something which if answered would significantly impede the ability of people to ascend to the Beis HaMikdash with their Pesach sacrifices?

Rav Yosef Shalom Elyashiv suggests that this is due to the power of inertia. The issue of those traveling to Yerushalayim is one which must be taken into account, but it is not compelling. Therefore, when Sukkos comes at the end of the summer, when we haven't been praying for rain, this consideration is sufficient to delay the change in our prayers to begin petitioning Hashem for rain. On the other hand, when Pesach arrives at the end of the winter, when we are currently asking for rain, this argument isn't strong enough to cause us to alter the status quo and cease our prayers prematurely.

Rav Shlomo Zalman Auerbach explains the difference with a practical observation. When people go to the Temple for Sukkos, they haven't yet taken out their winter wardrobes and travel in clothes which are ill-suited to protect them from the rains on their return journey, so we must give them sufficient time to return home before we begin to ask for rain. On the other hand, when people ascend to Yerushalayim for

Pesach, they are properly outfitted in their winter gear which will be able to stand up to any inclement weather they encounter, and we are therefore permitted to continue our prayers for rain.

Finally, Rav Chaim Kanievsky posits that the answer lies in a psychological difference. The verse in Tehillim (55:15) states בבית ברגש – in the House of Hashem (the Temple) we will walk with feeling. It is pointed out that the letters in the word ברגש are short for ברד, רוח, גשם, שלג – hail, wind, rain, and snow. This hints that when one merits traveling to the Beis HaMikdash, his excitement and enthusiasm is so great as to allow him to overcome the greatest of hurdles and to travel in even the most inclement weather. As a result, we are permitted to continue praying for rain in the weeks before Pesach because those ascending to Yerushalayim won't be deterred by the rains. After Sukkos, on the other hand, people are returning to their homes without the emotional charge and would find the rains tremendously burdensome, so we have no choice but to delay our petitions.

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