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The Arc of the Moral Universe
Rabbi Lord Jonathan Sacks

In majestic language, Moses breaks into song, investing his final testament to the Israelites with all the power and passion at his command. He begins dramatically but gently, calling heaven and earth to witness what he is about to say, sounding ironically very much like "The quality of mercy is not strained", Portia's speech in *The Merchant of Venice*.

Listen, you heavens, and I will speak; Hear, you earth, the words of my mouth. Let my teaching fall like rain and my words descend like dew, like showers on new grass, like abundant rain on tender plants. (Deut. 32:1-2)

But this is a mere prelude to the core message Moses wants to convey. It is the idea known as *tzidduk ha-din*, vindicating God's justice. The way Moses puts it is this:

He is the Rock, His works are perfect, And all His ways are just. A faithful God who does no wrong, Upright and just is He. (Deut. 32:4)

This is a doctrine fundamental to Judaism and its understanding of evil and suffering in the world – a difficult but necessary doctrine. God is just. Why then do bad things happen?

Is He corrupt? No – the defect is in His children, a crooked and perverse generation. (Deut. 32:5)

God requites good with good, evil with evil. When bad things happen to us it is because we have been guilty of doing bad things ourselves. The fault lies not in our stars but ourselves.

Moving into the prophetic mode, Moses foresees what he has already predicted, even before they have crossed the Jordan and entered the land. Throughout the book of Deuteronomy he has been warning of the danger that in their land, once the hardships of the desert and the struggles of battle have been forgotten, the people will become comfortable and complacent. They will attribute their achievements to themselves and they will drift from their faith. When this happens they will bring disaster on themselves:

Jeshurun grew fat and kicked – You became fat, thick, gross – They abandoned the God who made them and scorned the Rock their Savior ... You deserted the Rock, who fathered you; And forgot the God who gave you birth. (Deut. 32: 15-18)

This, the first use of the word *Yeshurun* in the Torah – from the root *Yashar*, upright – is deliberately ironic. Israel once knew what it was to be upright, but it will be led astray by a combination of affluence, security and assimilation to the ways of its neighbours. It will betray the terms of the covenant, and when that happens it will find that God is no longer with it. It will discover that history is a ravening wolf. Separated from the source of its strength, it will be overpowered by its enemies. All that the nation once enjoyed will be lost. It is a stark and terrifying message.

Yet Moses is here bringing the Torah to a close with a theme that has been there from the beginning. God, creator of the universe, made a world that is fundamentally good: the word that echoes seven times in the first chapter of Genesis. It is humans, granted freewill as God's image and likeness, who introduce evil into the world, and then suffer its consequences. Hence Moses' insistence that when trouble and tragedy appear, we should search for the cause within ourselves, and not blame God. God is upright and just. The defect is in us, His children.

This is perhaps the most difficult idea in the whole of Judaism. It is open to the simplest of objections, one that has sounded in almost every generation. If God is just, why do bad things happen to good people? This is the question asked not by skeptics, doubters, but by the very heroes of faith. We hear it in Abraham's plea, "Shall the Judge of all the earth not do justice?" We hear it in Moses' challenge, "Why have you done evil to this people?" It sounds again in Jeremiah: "Lord, you are always right when I dispute with You. Yet I must plead my case before You: Why are the wicked so prosperous? Why are evil people so happy?" (Jer. 12:1).

It is an argument that never ceased. It continued through the rabbinic literature. It was heard again in the *kinot*, the laments, prompted by the persecution of Jews in the Middle Ages. It sounds in the literature produced in the wake of the Spanish expulsion, and echoes still when we recall the Holocaust.

The Talmud says that of all the questions Moses asked God, this was the one to which God did not give an answer.[1] The simplest, deepest interpretation is given in Psalm 92, "The song of the Sabbath day." Though "the wicked spring up like grass," they will eventually be destroyed. The righteous, by contrast, "flourish like a palm tree and grow tall like a cedar in Lebanon." Evil wins in the short term but never in the long. The wicked are like grass, the righteous like a tree. Grass grows overnight but it takes years for a tree to reach its full height. In the long run, tyrannies are defeated. Empires decline and fall. Goodness and rightness win the final battle. As Martin Luther King said in the spirit of the Psalm: "The arc of the moral universe is long, but it bends toward justice."

It is a difficult belief, this commitment to seeing justice in history under the sovereignty of God. Yet consider the alternatives. They are three. The first is to say that there is no meaning in history whatsoever. *Homo hominis lupus est*, "Man is wolf to man". As Thucydides said in the name of the Athenians: "The strong do as they want, the weak suffer what they must." History is a Darwinian struggle to survive, and justice is no more than the name given to the will of the stronger party.

The second, about which I write in my new book *Not In God's Name*, is dualism, the idea that evil comes not from God but from an independent force: Satan, the Devil, the Antichrist, Lucifer, the Prince of Darkness, and the many other names given to the force that is not God but is opposed to Him and those who worship Him. This idea, which has surfaced in sectarian forms in each of the Abrahamic monotheisms, as well as in modern, secular totalitarianisms, is one of the most dangerous in all of history. It divides humanity into the unshakably good and the irredeemably evil, giving rise to a long history of bloodshed and barbarism of the kind we see being enacted today in many parts of the world in the name of holy war against the greater and lesser Satan. This is dualism, not monotheism, and the sages, who called it *shte reshuyot*, "two powers or domains"[2], were right to reject it utterly.

The third, debated extensively in the rabbinic literature, is to say that justice ultimately exists in the world to come, in life after death. Yet though this is

an essential element of Judaism, it is striking how relatively little Judaism had recourse to it, recognising that the central thrust of Tanakh is on this world, and life before death. For it is here that we must work for justice, fairness, compassion, decency, the alleviation of poverty, and the perfection, as far as lies within our power, of society and our individual lives. Tanakh almost never takes this option. God does not say to Jeremiah or Job that the answer to their question exists in heaven and they will see it as soon as they end their stay on earth. The passion for justice so characteristic of Judaism would dissipate entirely were this the only answer.

Difficult though Jewish faith is, it has had the effect through history of leading us to say: if bad things have happened, let us blame no one but ourselves, and let us labour to make them better. It was this that led Jews, time and again, to emerge from tragedy, shaken, scarred, limping like Jacob after his encounter with the angel, yet resolved to begin again, to rededicate ourselves to our mission and faith, to ascribe our achievements to God and our defeats to ourselves.

Out of such humility, a momentous strength is born.

[1] Berakhot 7a. [2] Berakhot 33b.

<http://www.yu.edu/riets/>

Hoshana Rabba

Shiur Of Rabbi J.B. Soloveitchik

Boston, 1969

Transcribed and summarized by

Rabbi Dr. Nisson E. Shulman

I. The Torah commanded that within the precincts of the Holy Temple in Jerusalem the lulav and esrog should be taken on each of the 7 days of Sukkos. Beyond the Temple precincts it was taken in hand only on the first day. The source is Vayikra 23:40, "Ulekachtem lachem bayom harishon pri etz hadar... usemakhtem lifney hashem elokechem shivas yamim." While the lulav commandment seems to apply to the first day alone, our sages interpreted the command of simcha to mean by means of the lulav and esrog. Hence, that commandment was applied to each of the seven days. In the same way, the arava was taken in hand within the Holy Temple on each of the holiday's seven days, but outside its precincts it was taken only on the seventh day. The source of the arava commandment is the oral tradition (that does not diminish from its authority as a Torah commandment).

In the Beis HaMikdash there was special significance to taking the lulav on the first day and the arava on the seventh day, for only on those days did these respective mitzvot take precedence over the Shabbos. Thus, if Shabbos coincided with the first day, the lulav would be taken in hand. If it coincided with the seventh day, the mitzvah of arava applied. On the other days of the holiday, Shabbos took precedence over both of these mitzvot. The reasoning regarding lulav is obvious, for only on that day were both commands operative, "ulekachtem" and "usemachtem." Thereafter, only the "usemachtem" commandment remained. We do not know why the arava took precedence over the Shabbos on the seventh day (See Sukkah 42b).

In the Temple, the commandment of arava was fulfilled in two ways. They would decorate the altar with long aravos, which were so tall that their tops waved over it. At that time they would blow "hatzotzros," the trumpets. They would also, on each day of Sukkos, after fulfilling the mitzvah of the lulav and esrog, put them away and take the arava. We will later discuss what they did with the arava.

II. When the Holy Temple was destroyed, Rabbi Yohanan ben Zakkai decreed that these commandments should remain operative in remembrance, but with this difference, the lulav was maintained for each day of Sukkos except for Shabbos, and the arava applied only on Hoshana Rabba. On Hoshana Rabba, besides decorating the altar, might they also have taken the arava in hand while marching around it seven times? Otherwise, how can we consider the arava a remembrance of the Temple? What possible commemoration can there be for the decoration of the altar? However, if in the Beis HaMikdash we had marched around the altar with the arava as well,

then by our marching around the Sefer Torah on the bima today, we do, indeed, reflect the practice in the Temple. [It appears that arava on Hoshana Rabba was considered an even more important performance than the commandment of blowing the shofar on Rosh Hashanah, for the Talmud discusses organizing the calendar in such a way that Hoshana Rabba does not fall on Shabbos (See Sukkah 43b). It has no such discussion in connection with the shofar, which is not blown when Shabbos comes out on Rosh Hashanah. We do not know why Hoshana Rabba has so much prominence.]

Rav Yoseph (Sukkah 43b) questions the premise that today arava on Hoshana Rabba is in commemoration of the practice in the Beis HaMikdash, for that could only be true if arava in the Mikdash was taken in hand (netilah), and with it we marched around the altar. Rav Yoseph holds, however, that all they did in the Mikdash was beautify the altar by means of arava but did not march around the altar with it. Thus our custom of arava on the seventh day has nothing to do with the Beis HaMikdash since there is no longer any altar. As Rashi says; Vehashta deleka mizbeach, heicha nizkefa?" Abaye questions Rav Yoseph's statement by quoting the Mishnah that they would walk around the altar once every day and seven times on Hoshana Rabba. "Was it not with the arava (in hand)?" This is refuted: "No, the marching around the altar was with the lulav in hand."

The Talmud quotes a controversy on this issue, and concludes that they walked around the altar holding the arava. The Talmud cites an incident that took place in the Holy Temple. Dissident followers of Baitus who objected in principle to the oral tradition, tried to sabotage a Shabbos Hoshana Rabba service by burying the aravos which had been prepared from erev Shabbos under stones which on Shabbos are "muktzeh." Ordinary Jews came the next day, disregarded the prohibition of muktzeh, drew the aravos out from under the stones, and practiced "hibut arava." If the practice of arava was limited to decorating the altar (zekefa) alone, the beraita would not have used the term "hibut arava" which means either shaking or banging. (According to Rashi, the arava was waved in precisely the same fashion as the lulav. It is the Rambam who interprets "hibut" as "banging").

So the opinion of those who claimed that the hakafot were with the lulav in hand and without the arava is rejected. Arava remains with a dual aspect, "zekifa," decorating the altar, and "netila," taking the arava in hand and with it marching around the altar.

III. Rambam, Ch. VII Hilchot Lulav, Halakhah 20-22, has a slightly different view than that described above. He cites the Oral Tradition that in the Mikdash they brought an additional arava besides the one bound with the lulav, and describes how the mitzvah was accomplished. Each of the seven days they would bring branches of arava and stand them up around the altar with their tops bending over it. And while they brought these willow branches, they would blow tekiah, teruah, tekiah (with "hatzotzros," trumpets).

Blowing the trumpets in this fashion made it clear that arava was a fulfillment of a mitzvah (a "kiyum") rooted in the Mikdash itself. In effect, it was a mitzvah that the altar be decorated with aravos, for they blew the "hatzotzros" for those procedures dependent on the Mikdash, such as when they opened and shut the Mikdash gates. Whenever the fulfillment of the mitzvah is related to the sanctuary itself, it required the "hatzotzros." That is why, when they removed the aravos, they would say, "Yofi lecha mizbeach," How beautiful (this practice is for) the altar. If arava were a mitzvah incumbent upon the persona (kiyum gavra), then each person would have to approach the altar and erect an arava. But that was not the way it took place. The priests used to do it on behalf of everyone, for the Halakhah was that the altar had to be decorated with aravos.

When the Rambam describes the practice on those occasions when Shabbos coincided with Hoshana Rabba, however, he mentions two procedures: the erection of the arava decoration around the mizbeach, and the taking of the arava in hand; "ubaim haam venotim mimenu kederech sheosim bechol yom." So apparently the Rambam agrees that there are two "kiyumim" to

arava, one relating to the altar, that it be decorated with arava, the other relating to each person requiring him to hold an arava. Yet, when describing the daily practice, he indicates that they marched around the altar with their lulavim rather than with the arava (ibid. 23). Moreover, the Rambam assumes the hakafah must be part of Hallel, since they recited "ana hashem hoshiah na;" this could only apply to lulav. How do you explain this apparent contradiction to the Gemara above? The discussion in the Gemara seems to have rejected this view, holding that every day there was "hakafa" with the arava, not only on Hoshana Rabba. How does the Rambam explain this?

Apparently the Rambam held that even though there is a personal requirement (kiyum gavra) of "netilat arava," taking it in hand, this is not fulfilled by "hakafah," making a circuit around the altar. It consists rather of moving the arava, or smiting it ("nanuim" or "hibut") (See 22). Our practice on Hoshana Rabba of striking the arava on the floor (bench) or wall is, according to the Rambam, exactly what they did in the Beis HaMikdash. Just as we smite the arava on the wall or floor without a bracha on Hoshana Rabba, in the Beis HaMikdash they used to do this every day of the holiday. Thus, while according to Rashi, arava in the Temple was waved and held as we marched around the altar, and this is an extension of "netila," according to Rambam "hibut," smiting the arava, is the extension of "netilah." He derives this from the beraita's use of the word "hibut" "She'eyn baytusim modim shehibut haarava doche Shabbat." So, according to Rambam, the circuit of the altar was done only with the lulav, and never with the arava.

IV. Why is the Rambam so insistent about this? If you take the "hakafah" and relegate it to the arava, as Rashi does, then it turns out that arava has two communal "kiyumim" deriving from the altar: 1) that the altar be decorated with arava; 2) that the altar has a procession around it by means of the arava. The lulav is left with only one "kiyum gavra," the personal obligation of "netila," that of taking the lulav (4 minim) in hand, reciting a bracha and moving or waving it. The Rambam agrees that there is a dual aspect of the commandment of arava: one is a "kiyum mizbeach," a communal requirement dependent on the altar, the second is a personal responsibility, a "kiyum gavra." The "kiyum mizbeach" is that it be decorated by means of arava; the second is the personal responsibility of "hibut," that every person take an arava and strike it two or three times on the floor or on the wall.

According to the Rambam there were two aspects of the mitzvah of lulav as well: 1) the individual's requirement to hold the lulav in his hand for each of the seven days (and outside the Temple for the first day), and 2) the communal requirement, the "kiyum mizbeach" that on all seven days the altar be decorated with lulav, not by standing the lulavim up around the altar (as in the case of arava), but by means of a parade around the altar holding the lulav. For the arava, the medium of beautification of the altar is to erect them around it; for the lulav the medium is to make a circuit of the altar, holding the lulav in hand. This is not our individual duty, but a requirement of the altar and could therefore be performed by the priests on our behalf. It would seem, according to this then, that the mitzvah of "usemachtem" branches out, becoming - after the first day of Sukkos - a communal duty expressed by the lulav parade around the altar.

V. Today, we practice hakafah every day of Sukkos by walking around the bima upon which a Sefer Torah is held, making one circuit daily and seven on Hoshana Rabba. The Rambam stresses the custom today of circling the "tevah" and thereby means the Sefer Torah which it contained, so that the "tevah" represents the altar (ibid. 23).

According to Rashi, the whole institution of hakafot on days other than Hoshana Rabba makes no sense, because, according to his view, in Temple times there were no hakafot with the lulav, but only with the arava! Furthermore, the mitzvah of the arava is limited to the seventh day, so why should there be any hakafot altogether on the other days?

According to Rambam, however, it is logical. Circling makes sense on every day of Sukkos since it is not related to the arava but to the lulav with which - in the Temple - they would circle the altar on each day of the holiday. Thus,

according to the Rambam, circling with the arava is not done on any other day of Sukkos. The lulav parade each day of Sukkos today is in remembrance of the Temple. On Hoshana Rabba the situation changes, for there is then zecher leMikdash, not only by means of lulav, but by means of arava as well; lulav all the seven days, the arava on Hoshana Rabba, its exclusive day.

VI. On Hoshana Rabba we seek to accommodate both views, that of Rambam and that of Rashi. We circle with the lulav, for according to Rambam, besides the personal obligation of "netilah," taking the lulav, there is a communal obligation that the altar have a parade around it just like on every other day of Sukkos. As far as the mitzvah of arava is concerned, that is fulfilled with "hibut," striking the arava. Rashi, who holds that the circuit on every other day of Sukkos is with the arava, applies that to Hoshana Rabba as well, as a communal responsibility deriving from the altar. He also holds that the arava on Hoshana Rabba is also a personal obligation, fulfilled with "netila." Both Rashi and Rambam agree that on Hoshana Rabba there are seven circuits of the altar.

Rabbi Moses Isserles (Rama) therefore says that on Hoshana Rabba you pick up the arava together with the lulav. The Ari HaKadosh, however, maintains that for reasons rooted in Kabbalah one should not take the lulav and the arava at the same time. That is why on Hoshana Rabba we don't pick up the arava until we have put away the lulav. The four items of the mitzvah, lulav, arava, esrog, hadas, represent the complete name of Hashem of four letters, the Yod, He, Vav and He. This is expressed in the Yehi Ratzon, "Bring nigh each to the other and they should be as One in my hand." This name of G-d represents mercy, loving-kindness, "Hashem Hashem, Kel rachum vechanun." The arava is "din." That is why the arava should not be held together with the four varieties. (Rav Moshe Soloveitchik and Rav Chaim did, indeed, hold the lulav together with the arava).

VII. There are a number of rulings in the Mikdash that are reflected in current practice. For instance, a mourner does not participate in the hakafot. Some achronim question why a mourner should not participate since he is required to fulfill all commandments. The Gaon explains that it is because hakafah is a mitzvah mizbeach, a communal obligation regarding the mizbeach, and an avel does not send karbanot, and has no access to the mizbeach.

The Mishnah clearly indicates that in the Beis HaMikdash, Hoshana Rabba was the most outstanding day of Sukkos, particularly in relation to the arava. We do not know why this is so, although the Zohar elaborates about Hoshana Rabba in Parshat Noach and Parshat Pinhas. The Ramban, too, in Bamidbar (Shelach), in connection with the spies, on the passage "His protection was removed from them," indicates that the night of Hoshana Rabba is the last chance to influence our "gezar din," the final decree issued on Yom Kippur. Ramban therefore calls the night of erev Hoshana Rabba "leil hahatima;" no change in our "gezar din" can be made thereafter.

We do not know why the Talmud is silent about this element of Hoshana Rabba. But we do see that on Hoshana Rabba the ceremonial procedure changed in the Beis HaMikdash, and intensified seven-fold.

TorahWeb <torahweb@torahweb.org> 10:06 PM (1 hour ago) to weeklydt
Rabbi Yakov Haber

Sukkos: Two Types of Divine Providence [1]

"In order that all your generations should know that I caused the Children of Israel to dwell in booths when I took them out of Egypt" (Emor 23:43). In a well-known debate (Sukka 11b) R' Eliezer maintains that the booths refer to the Clouds of Glory. R' Akiva holds that they were actual huts set up at the various stops on the way to Eretz Yisrael. Surprisingly, Tur follows the position of R' Eliezer even though the halacha normally follows R' Akiva over R' Eliezer. Aruch LaNeir notes that in several places in the Midrashei Halacha the positions are presented switched where R' Akiva maintains that we commemorate the Clouds of Glory and R' Eliezer holds that we recall the actual booths. The Tur, then, does follow the accepted position of R' Akiva.

Perhaps we can propose another approach based on other sources related to the celebration of Sukkos.

The lulav is waved not only at the time of the b'racha but also during the Hallel. All agree that it is waved not only during the recital of "hodu LaShem ki tov" but also at "ana Hashem" (Sukka 37b). Beis Shammai maintain that we wave at ana Hashem hatzlacha na. Beis Hillel hold that we only wave at ana Hashem hoshi'a na. The halacha follows this latter view. What is the root of their debate?

The two aforementioned verses beginning with "ana" both plead with Hashem for help but in two different ways. "Ana Hashem hoshi'a na" asks for a "y'shua", a salvation. This word is used when G-d saves in a situation where those He is saving are not actively participating in their salvation. A classic example is the splitting of the sea. Moshe tells B'nei Yisrael, "Hisyatz'vu ur'u es y'shuas Hashem - stand and observe the salvation of Hashem" (B'Shalach14:13). You are not able to save yourselves at all; G-d will miraculously do so[2]. If someone, chas v'shalom, is terminally ill and the doctors have given up hope of medical intervention, the family will oftentimes say, "He needs a yeshua", i.e. only Hashem can save him now; human beings cannot do anything.

"Ana Hashem hatzlacha na" requests "hatzlacha", success. Asking for success addresses a situation where the one praying is acting to bring about the result in a natural way, but, realizing that no human effort can succeed without Divine assistance, he prays for it. A classic example of this is ShlomoHaMelech's declaration "Im Hashem lo yivneh bayis, shav am'lu bonav bo - If G-d does not build a house, its builders have toiled in vain" (Tehillim 127:1). The builders are engaging in acts of building. Hashem created a natural order in which gathering building blocks and adhesives leads to the rising of an edifice. But, Shlomo teaches us, that this too needs the Divine blessing of "hatzlacha". When a person is about to take a test or engage in a new business we bless him: "have hatzlacha", not "have a yeshua" (unless he hasn't studied or has no business kup!)

These two ideas represent two different forms of Divine providence. Throughout our lives we actively engage in beneficial physical activities, such as producing food, construction, pursuit of a livelihood, or seeking a spouse. We also pursue spiritual activities such as praying, studying Torah, performing mitzvos, and engaging in chessed. Judaism teaches us generally to be active and not just passively await Divine salvation[3]. Sifrei (Re'eh 123:18) on the promised blessing of "[Hashem] will bless you in all of your handiwork" comments, "I would think one should be idle (and G-d will supernaturally bless you), therefore the verse states 'in all of your handiwork'". But we recognize that we always still need Divine blessing, otherwise, no activity can succeed. Therefore we pray for "hatzlacha".

But there is another form of Divine providence - "yeshua". At times, we have no choice but to rely on miracles[4]. Oftentimes there are situations where no human intervention or activity can, by natural means, bring about the desired salvation. At these times, knowing that nothing is impossible for G-d we plead, "Hoshi'a na!"

It would appear that the debate between Beis Shammai and Beis Hillel revolves around the focus of the Sukkos holiday. Many have noted that the main theme of Sukkos is celebrating and inculcating into our religious mindset the concept of Divine providence and protection. (See Chag HaSukkot: The Festival of Divine Providence.) Divine providence expresses itself in two ways: within the natural order and transcending it. Most of the time, G-d operates in a hidden way seamlessly maneuvering within His natural system to bring about His desired result. Whether a person finds his or her spouse, gets the healing (s)he needs, connects with the right employer or the right Yeshiva, he is experiencing the first, "natural" type of providence. But sometimes Hashem intervenes in a way that defies the normal rules. Sometimes there are unexplainable medical miracles or unexpected and ultimately not understandable military victories. These belong to the second category of Divine providence. Which type of Divine providence is recalled, commemorated, and incorporated into our service of

G-d? Beis Shammai, by focusing on hatzlacha, seem to view the first type as the primary one commemorated, perhaps since this is more common and hence more relevant. Beis Hillel seem to hold that the second, the supernatural, unexplainable, yeshua type of providence is being recalled and re-enacted. On a simple plain, this is because the miracles of the Exodus and subsequent stay in the desert were supernatural and hence this aspect should be highlighted. Below we will propose a different explanation of Beis Hillel's view.

Upon reflection, we can perhaps suggest that this debate is rooted in different approaches that the progenitors of these two great yeshivos followed. The Talmud (Beitza 16a) teaches us that Shammai would "live Shabbos" all week. Every time he found a choice delicacy he would put it away for Shabbos. If he found an even better one, he would consume the first and put away the second. This way, Shabbos was always on his mind, in fulfillment of the simple meaning of "Zachor es yom haShabbos l'kad'sho". But Hillel is described as, "midda acheres hay'sa bo - he had a different characteristic". He followed the thrust of the verse "Baruch Hashem yom, yom - praise Hashem every day for its blessings". Therefore, he would immediately partake of whatever came his way, trusting that the One who provided it for him that day would provide an even nicer item for Shabbos. The Gemara then records that their respective schools taught in accordance with their Rosh HaYeshiva. What is the root of this debate? The poskim rule in this debate in accordance with Shammai[5] and explain that this is not a classic debate which would apply to all people. As the Talmud states concerning Hillel, "midda acheres hay'sa bo". Everyone in their life blends together the two middos of histad'lus, physical effort at achieving a goal, with bitachon, trust in G-d recognizing that ultimately all efforts are futile without Divine blessing. For Shammai, since he prepared for other aspects of his life as well, he had to do so for Shabbos. To rely solely on Hashem to provide for Shabbos would be a slight to kavod Shabbos by not actively preparing for it. Hillel apparently operated with less effort and more reliance on Providence in his other efforts as well and therefore, consistent with this attitude, was able to rely totally on Hashem to provide for Shabbos as well.[6] In essence, then, Shammai puts more emphasis on human histad'lus creating the "utensil" for the Divine blessing to occur. Put differently, he trusted that Hashem would cause him to be "matziach" - give success to his endeavors. Hillel put his trust in G-d that he would somehow bring about what he needed without any effort on his behalf, i.e. that He would send a "yeshua". It seems apparent that Shammai had greatly developed his midda of bitachon as well, but his bitachon expressed itself in the hatzlacharather than the yeshua model. Their conduct the whole year then is consistent with their view concerning where the lulav is waved in the Hallel.

Based on the above, perhaps we can answer why the Tur followed R' Eliezer's view. Since the halacha follows Beis Hillel that we wave the lulav at "hoshi'a na" this indicates that the main emphasis of Sukkos is the second type of hashgacha p'ratis, the yeshua model, even if year-round we generally follow the hatzlacha model. To create a consistency between the theme of lulav and sukka, the Tur ruled that the Sukkas commemorate the ananei hakavod, clearly an open miracle, a yeshua[7].

At first glance, the view of Hillel and his yeshiva is only relevant to the supernatural, historical event of the midbar experience or the select few who are granted that level of Divine providence. But perhaps the message of the emphasis on yeshua on Sukkos is that even hatzlacha assumes yeshua as well. Every human endeavor, thought, or action is itself based on a reoccurring Divine will. It is only G-d that creates and recreates "nature" constantly allowing it to function. Ideas themselves often are implanted within our minds by G-d without our even knowing it (see Targum Onkelos to Eikev8:18). Hence, according to Beis Hillel, the holiday celebrating Divine providence highlights that ultimately everything in the world comes from Divine salvation.

May our fulfillment of the mitzvos of sukka and lulav help us live our lives fully cognizant of, and in a manner consistent with, our realization of the pervasive role of Hashem's guidance in our individual and communal lives.

[1] The core of the ideas outlined here concerning the debate between R' Eliezer and R' Akiva is based on concepts delivered by my esteemed father-in-law, Rabbi Yitzchak Handel shlita at the bris of his first child, now my brother-in-law. Here the ideas are presented with expansions.

[2] True, the Jews were commanded to enter the Sea, but this was a demonstration of faith in G-d that he would save them, the merit of which caused the salvation. It was clearly not an act that would naturally cause the Sea to split.

[3] Much has been written and said on the appropriate blend of histadlus and bitachon and how active one should be in pursuing parnassa, especially for those engaged in full-time Torah study. See the debate in B'rachos (35b) between R' Shimon bar Yochai and R' Yishmael and the insightful series on yutorah.org by Rabbi Daniel Stein on Emunah and Bitachon. Here, we are discussing regular situations.

[4] Even Ben Gurion, the former Prime Minister of Israel, not coming from a Torah-observant perspective of belief, famously stated concerning events revolving around the State of Israel, "In Israel, in order to be a realist you must believe in miracles."

[5] See Mishnah Berurah to 250:2 and SS"K 42:4.

[6] In the language of Rav Soloveitchik zt"l (as heard from Mori v'Rabi Rav Schachter shlita) "We are all 'Shammai-niks'. We all buy insurance!" Also see Mishnah Berurah referenced in previous footnote who has a somewhat different formulation.

[7] It would be anomalous though that R' Eliezer who was a member of Beis Shammai would break this pattern. Perhaps this is a further proof to the version of the Midrashei Halacha quoted above which switches the positions. Copyright © 2015 by TorahWeb.org. All rights reserved.

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**Ear Ache on Shabbos
by Rabbi Ozer Alport**

<http://www.aish.com/tp/i/pp/169622316.html>

In the beginning of Parshas Ha'azinu, the Midrash (Devarim Rabbah 10:1) cryptically asks whether it is permissible to treat somebody who is suffering from an ear ache on Shabbos. The Midrash answers that the Sages have taught that saving a person's life takes precedence over the desecration of Shabbos. What is the connection between this Midrash and Parshas Ha'azinu (literally: "Listen")? Secondly, what is the intention of the Midrash, as ear aches are generally not life-threatening, and the law that one may desecrate Shabbos to save a person's life is a more general rule not specific to ear aches?

The Chasam Sofer explains the Midrash by noting that there is a legal dispute whether a person is permitted to confess his sins on Shabbos. Some maintain that it is permissible since it gives him pleasure to repent and atone for his transgressions, while others forbid it because the focus and emphasis on his misdeeds causes him anguish. Therefore, it is questionable whether it is permissible for somebody lecturing on Shabbos to rebuke the listeners. Even if he feels that they need to hear his reproof to inspire them to improve their ways, doing so on Shabbos may be forbidden because it causes them pain.

However, on the Shabbos preceding Yom Kippur, commonly known as Shabbos Shuva, which has the power to rectify all of the Shabbosim of the previous year (Mishnah Berurah 603:2), the rebuke which the speaker gives is classified as pikuach nefesh (life-saving) and permissible according to all opinions. Proof to this may be brought from the fact that Tosefos writes (Talmud - Menachos 30a d.h. mi'kan) that Moshe died at the time of Mincha on Shabbos. On his final day in this world, Moshe said the harsh words of

rebuke contained in Parshas Ha'azinu. Because Moshe realized that this was his final opportunity to do so, he considered the admonishment to be life-saving which was allowable even on Shabbos.

We may now understand the true intention of the Midrash and its connection to Parshas Ha'azinu. In discussing a person whose ear hurts him, the Midrash doesn't refer to a medical ailment but rather to a person who suffers anguish upon hearing words of rebuke. The Midrash questions whether it is nevertheless permissible to "cure" him on Shabbos by giving him needed words of reproof. The Midrash answers that although this question is normally subject to a dispute, in a case of pikuach nefesh - such as on Shabbos Shuva, when Parshas Ha'azinu is often read - it is certainly allowed, with the proof coming from the rebuke given by Moshe on Shabbos which is contained within the parsha!

* * *

WORDS IN THE PARSHA

How many words are there in Parshas Ha'azinu, and what is its significance? The Vilna Gaon (Genuzos HaGra) points out that there are 613 words in Parshas Ha'azinu, which corresponds to the number of mitzvot in the Torah, because Moshe alluded to the entire Torah in Parshas Ha'azinu.

* * *

SAVE THE WORLD, SAVE ONESELF

Rosh Hashana is the beginning of a 10-day period known as the Ten Days of Repentance. The Talmud (Rosh Hashana 18a) teaches that God is particularly close to us during this time, and it is therefore an auspicious time to repent for our mistakes.

In addition, the Noda BiYehuda suggests that this period presents another unique opportunity. If a person's transgressions are so great and include transgressions which can only be forgiven through death, we would think that repentance during this period is unable to help him because he is too far gone. However, even though it is true that his misdeeds may indeed be so great that his teshuva might not be able to help him, nevertheless it may be able to save the entire world, and as an amazing result, to save his own life as well.

Maimonides writes (Teshuva 3:2) that just as each individual is judged based on whether he has done more mitzvot or more sins, so too is each nation judged, and so too the entire world. In light of this, it is possible that even after this wicked individual does teshuva, he is still judged as possessing more sins than mitzvot and should be sentenced to die in the upcoming year. However, during the Ten Days of Repentance the entire world is being judged as well, and it is possible that the entire world together with all of this person's sins was considered just more than 50 percent wicked. His repentance, even though it is insufficient to save him, could be enough to take away his transgressions from the accounting of the entire world and switch the world from being destroyed to being saved.

Although that will certainly be beneficial for the rest of the world, we would assume that it's still too late for him because at the end of the day, his sins are still greater than his mitzvot. Since Maimonides writes that God first judges each individual, then each nation, and the entire world only at the end, we would think that even though he managed to save the entire world, his verdict was long-ago sealed that he must die for his sins.

However, the Noda BiYehuda maintains that even though this person is in fact deserving of death, the fact that his teshuva managed to save the entire world will cause his own personal verdict to be changed to life as well, adding that even if his judgment was already signed and sealed for death and even if God sealed it with an oath, his contribution to saving the entire world is enough to tear up his own decree and save him.

His novel proof for this fascinating claim is an episode in the Book of Shmuel in which Shaul swore in the name of God that whomever was singled out by a Heavenly lottery that he conducted to determine who had committed a certain sin would be put to death, even if it was his own son Yonason (1-Shmuel 14:39). After the lots indeed confirmed that Yonason

was indeed the guilty party, Shaul again repeated his death sentence together with the oath (14:44).

In response, the rest of the nation pointed out that even though Yonason had in fact violated Shaul's command and according to the strict letter of the law deserved to be killed for doing so, he had one redeeming point: His actions had saved the entire nation from the looming danger posed by the Philistine army, and as such, it wasn't right that he should be punished for his sin (14:45). Shaul accepted their argument and annulled Yonason's death sentence even though it included an oath. So too concludes the Noda BiYehuda will God do for somebody whose repentance is able to save the world during the Ten Days of Repentance.

* * *

APPEASING THE HARMED

The Shulchan Aruch rules (OC 606:1) that Yom Kippur will not atone for sins in which one has hurt another Jew until he has been appeased. Is a person required to pacify somebody who is upset at him without a legitimate cause?

The Talmud records that one of the rabbis felt insulted by one of the other rabbis and was upset. The other rabbi approached him in order to appease him. Based on the details of the original incident, the S'fas Emes (Yoma 87b) notes that the first rabbi had no legal basis for his feelings. Nevertheless, the second rabbi went to pacify him.

The S'fas Emes derives from here that one is required to appease his friend even if the ill feelings are not legally warranted. This is because there is a goal that everybody should make peace with one another before Yom Kippur, independent of whether the wounded party is justified in his feelings. On this topic, the Mishnah Berurah (606:3) rules that when asking forgiveness, a person is required to state explicitly what he did for which he is seeking forgiveness. If a person insulted another person (who suffered as a result of his speech) who is presently unaware of his actions, and asking him for forgiveness for this will make it known to him and cause him additional anguish, is one still required to do so?

The Chafetz Chaim (4:12) rules that in such a case, one is required to inform the victim that he spoke negatively about him and to beg him for forgiveness. However, Rabbi Yisroel Salanter argues that the gossip must carefully evaluate the situation and weigh the potential repercussions of doing so. In many situations, shattering the other person's ignorance and revealing to him the details of the insults and rumors that he spread about him will cause him even more pain. Instead, he recommends approaching the person and asking him for general forgiveness for anything harmful which he may have done to him or said about him, without specifying the details of his sin. (Moadim U'Zmanim 1:54, Shu"t Az Nidberu 7:66)

Rabbi Shlomo Zalman Auerbach (Shalmei Moed pg. 56) agrees that if the victim is unaware of the incident and would be upset by it, one should not inform him of it.

This article can also be read at: www.aish.com/tp/i/pp/169622316.html

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From: **Dr. Andrew Adler** <tygerajal@gmail.com>

Mashiv Haruach U'Morid Hageshem

Beginning with the repetition of the Musaf on Sh'mini Atzeret we begin reciting "masheev haruach umoreed hageshem", "he makes the wind blow and the rain fall" in our daily prayers. Masechet Ta'anit opens with the question "from when do we begin to mention the power of rain?" That is, when should we begin reciting "masheev haruach umoreed hageshem" in our davening? In the course of its discussion the gemorrah establishes several pertinent points. First, "masheev haruach umoreed hageshem" is not a request for rain but rather recognition of the power of rain. Second, since

this is not a supplication the rabbis determined that this passage is not inserted in the customary section of the Shmonei Esrai where we make our supplications but rather into the 2nd blessing of the Amidah which deals with the resurrection of the dead. And lastly, the gemorrah concludes that we should begin saying "masheev haruach umoreed hageshem" on Sh'mini Atzeret which happens to be 2 weeks before the actual rainy season begins on the 7th of Cheshvon?. It is also interesting to note that this prayer acknowledging the power of rain is initiated in our davening with almost yom kippur-like solemnity while the addition of tavn tal umatar, the prayer that actually asks hashem for rain begins with no particular fanfare at all.

These details raise a number of interesting questions. First, since "masheev haruach umoreed hageshem" is not request why add it to our davening at all? Second, why do the rabbis choose to use the word geshem rather than matar, when acknowledging the power of rain? In parshat Eikev where the intimate connection between adherence to mitzvot and the promise of rain is recorded, the torah never uses the word geshem to refer to rain – the torah uses the words matar, yoreh, and malkosh. In fact, there are only 2 places in the entire torah where the word geshem is used. In one instance it occurs in parshat Bechukosai immediately before the curses where it is used in the conventional sense for sustenance, but the other far more familiar reference to geshem is in connection with the mabul – the flood – where it is paradigmatic of a destructive force. Geshem in this context is a violent rain. And it is notable that when we pray for the blessing of rain later in the amidah we use the word matar not geshem. Third, if the intent of this passage is to recognize the power of rain, why mention ruach, the wind? Fourth, why the strange placement of the passage into the bracha for the resurrection of the dead which seems to have no obvious relationship to rain and finally if it does have some relationship to the upcoming rainy season why begin reciting "masheev haruach umoreed hageshem" on Sh'mini Atzeret, i.e. prior to the rainy season, rather than at the actual start of the rainy season?

We can gain some insight into these questions if we consider a drash approach to "masheev haruach umoreed hageshem" rather than the simple p'shat. The word geshem has the same root and appears to be related to the word gashmiut, that aspect of man that is influenced by and vulnerable to physical appetites and material temptations, that part of our being that is susceptible to the yetzer harah. And likewise the word ruach which in p'shat we translate as wind is related to ruchnius – spirituality. So looked at from that perspective when we say "masheev haruach umoreed hageshem" we are acknowledging that hashem can "masheev haruach" – return us to ruchnius – to a state of spirituality and "umoreed hageshem" – and bring down or remove our gashmiut, our state of physical materialism.

Relying on that perspective the questions raised above can be answered. First consider that we begin saying "masheev haruach umoreed hageshem" immediately after the cycle of regalim, a period time from pesach to Sh'mini Atzeret that is filled with spirituality and ruchnius; for 6 months we have one yom tov after another, numerous joyous rituals that elevate us and keep us constantly connected to hashem. And then, suddenly it's over – everyone has to go home, away from the bet hamikdash, away from Jerusalem. Suddenly, we no longer have the regalim to inspire us – it's a long stretch to pesach. Now our lives are no longer as intimately connected to hashem. The ruach quickly fades; we become preoccupied with worry about the next agricultural cycle. Our minds focus on feeding our families, making a living. It's a time when we are easily influenced by gashmiut and a time when we are prone to lapse into spiritual malaise. So, when we say "masheev haruach umoreed hageshem" from the drash perspective we recognize that it is through the power of hashem that we derive our ruchnius and shed our gashmiut and express our faith that we will soon again experience the spirituality that we felt during the cycle of regalim.

And finally, with that perspective in mind the idea of "masheev haruach umoreed hageshem" is entirely consistent with the theme of the bracha for tichiat hamesim – the resurrection of the dead. Besides declaring Hashem's

power to resurrect the dead the bracha also refers to somech noflim, matir asurim and rofeh cholim – each idea being emblematic of renewal. The entire theme of the bracha is renewal. So by reciting “masheev haruach umoreed hageshem” as we enter the “dark” months when there are no regalim to inspire us, we are acknowledging that only with hashem will we overcome our gashmiut and revive, renew and sustain our ruchnius. For what is tichiat hamesim if not the ultimate “masheev haruach umoreed hageshem” shedding our physicality and a reviving our spirituality?

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Sukkot and the Oral Tradition Rabbi Akiva Koenigsberg

Rambam, in the introduction to his Commentary to the Mishnah explains how the Mishnah is a collection of laws that comprise the Oral Tradition. These laws can be divided into five categories: explanations of Scripture received from Moshe, halakhah l'Moshe miSinai, laws derived from hermeneutical principles, gezeirot, and takanot. Before elaborating on the various categories of laws, he explains the difference between the first two categories that may be confused with one another.

What is the difference between the explanations of the Torah that we received from Moshe along with the Torah that was taught at Sinai and the laws which are called halakhah l'Moshe miSinai (an Oral Mosaic Tradition from Sinai)? Rambam explains that in the Talmud, there are no disputes regarding the explanations for Scripture that we received from Moshe. For example, there is no opinion that “an eye for an eye”¹ means to blind someone’s eye and no one disagrees that when the Torah states that one should take the fruit of a beautiful tree,² it means an etrog, or that the avot tree³ refers to a hadas.

Rambam preempts any question based on the Talmudic discussions and debates that we find regarding these received explanations. He explains that although these are received explanations that are not subject to dispute, they can be derived through hermeneutical principles.

And when you see in the Talmud [the Sages] deliberating and debating with one another in the course of the discussion and they bring proofs for one of these explanations and the like... This [debate] is not because the matter was unclear to them until they deduced them from these proofs. Rather we have undoubtedly seen from the time of Joshua until the present that the etrog was taken with the lulav each year, and there is no dispute [about that]. However, [the Sages] searched for the Scriptural teaching for the accepted interpretation.

According to Rambam, when we find discussions and disputes in the Talmud regarding these accepted explanations, and the different disputants offer different proofs for the explanations (from logic or derivations from Scripture),⁵ these disputes do not reflect an actual dispute or doubt regarding what the law is, but rather a dispute regarding how the law can be derived or proven from the Written Torah.

However, Rambam differentiates, that while these explanations were received from Moshe, they are not considered halakhah l'Moshe miSinai:

Although these [explanations] were received from Moshe, we do not say that they are halakhah l'Moshe miSinai. So we do not say that “the fruit of a beautiful tree” meaning etrog, is halakhah l'Moshe miSinai... Because, as we have already established, the rule that we follow is that all these explanations were received from Moshe. But as we have said they have allusions in Scripture or can be derived through some of the hermeneutical principles.

Since these explanations can be derived from Scripture they are not purely oral laws that are only known through the tradition from Moshe. And any matter that has no allusion in Scripture or no real basis and cannot be derived through the hermeneutical principles, only these laws are labeled halakhah l'Moshe miSinai.

Only laws which have no true derivation from Scripture are called halakhah l'Moshe miSinai. These laws have no dispute (even with regard to a source). However, sometimes we find ways to remember these laws by hanging them on the Written Torah (only after knowing them).

What is striking in Rambam’s discussion regarding these first two categories of Torah she’b’al peh (the Oral Torah) is the prominence of laws related to the holiday of Sukkot. When choosing examples of his first category, he employs the etrog and hadas to illustrate his point and elaborates on the discussion in the Talmud. Furthermore, when discussing the second category of laws called halakhah l'Moshe miSinai, he lists many such laws and a significant number of examples are laws related to the holiday of Sukkot:

And I will list for you here most of the laws that have been labeled halakhah l'Moshe miSinai and possibly all of them [are included in this list], in order that the accuracy of what I have said will be clarified to you that not even one of them has been derived

through any reasoning nor can any of them be deduced from a Scriptural verse except as a suggestive support, as we have explained... And these are the examples... [Laws of] gud, lavud, and dofen akumah are halakhah l'Moshe miSinai. Aravah, nisukh hamayim are halakhah l'Moshe miSinai.

Included on Rambam’s list are the following laws related to the holiday of Sukkot:

Gud is a principle of virtually extending a wall. As explained in Sukkah 4b, as long as we have a halakhic wall (minimally 10 tefachim), even if the wall starts from the ground, but does not go all the way up to the skhakh, we can imagine as if that wall extends all the way up (gud asik).⁶ The lavud rule considers any two parts that are within three tefachim of each other to have no gap. For example, if one wall of a sukkah is within three tefachim of the adjacent wall, the gap is considered closed and the walls are connected.⁷

Dofen akumah means crooked wall. The principle allows us to arrange the skhakh adjacent to a permanent overhang (with a width up to 4 amot) where the skhakh may be up to 4 amot away from the wall. However we can treat the overhang as a continuation of the wall so that the skhakh is considered to be adjacent to the wall and the sukkah is kosher.⁸

Aravah refers to the special ceremony performed with the aravah in the Beit Hamikdash during the week of Sukkot. As described in Sukkah 45a, they would take aravah branches and encircle the Mizbe’ach, then place the aravah branches on the side of the Mizbe’ach.

Nisukh hamayim was the special water libation brought in the Beit Hamikdash during the holiday of Sukkot in addition to the wine libation that was brought every day of the year.⁹

In addition to the prevalence of laws related to the holiday of Sukkot that illustrate the first two categories of the Oral Torah, for each of the remaining three categories we can also find examples from laws related to Sukkot.

Rambam summarizes the five categories starting with the two previously mentioned:

Category 1: Explanations received from Moshe which have some indication or possible derivation from Scripture. There is no dispute in these laws. Category 2: Laws that are labeled as halakhah l'Moshe miSinai. They have no real Scriptural basis. There is no dispute with these laws as well.

As we mentioned, Rambam himself refers to several laws related to the holiday of Sukkot when discussing these first two categories. The third category that Rambam mentions is laws that are derived through hermeneutical principles. These laws are subject to dispute because they are not received traditions from Moshe.

Category 3: Laws derived through hermeneutical principles and may have a dispute, as we mentioned... But the idea that one may think that even these laws which are subject to dispute were received from Moshe and the disputes arose due to an error in the transmission or forgetfulness, and that one opinion has the right tradition and the other erred in his tradition or forgot or did not fully listen to everything from his teacher, such an idea is extremely corrupted and bizarre.

Rambam is adamant that there are only disputes in laws that were not a received tradition.¹⁰ The disputes are often due to how each Tanna or Amora based his opinion on some logic or approach in applying hermeneutical principles. Rambam emphasizes that these laws that are subject to dispute are not received traditions from Moshe and we should not think that the disputes developed because some Sages made a mistake or forgot the tradition. When the Talmud states that “with the increase of disciples of Shammai and Hillel, who did not fully train themselves, dispute increased on Israel,”¹¹ it does not mean that the tradition became a matter of dispute. Rather they had different opinions in their logic or hermeneutical approach. Shammai and Hillel themselves had similar understanding, analysis and knowledge of principles so that their thinking was generally alike and they had very few disputes. However, their students, who did not have as thorough a grounding like Shammai and Hillel, had many more disputes since their thinking was not similar from one group to the other.

Rambam continues that we cannot fault them for not being as great as Shammai and Hillel. They just used their intellect as best as they could and they used different approaches and reached different conclusions. But they did not have disputes regarding laws that were explanations received from Moshe such that one side had the true tradition and the other a mistake.

Several laws of Sukkot are derived through hermeneutical principles. One example is the mandatory requirement to eat in the sukkah on the first night of Sukkot. This law is derived through the gezeirah shavah principle linking the usage of “fifteenth day” that the Torah states with regard to Pesach¹² and Sukkot.¹³ Just as eating matzah on the first night of Pesach is mandatory, so too eating in the sukkah on the first night is mandatory.¹⁴

The fourth category includes gezeirot:

Category 4: Laws that the Prophets and the Sages of each generation issued as a protection for the Torah laws... The Sages called these laws gezeirot... There can be disputes in these laws as well if one person thinks it is appropriate to make something

forbidden because of [the protection] of some [other law] and another does not ... But anytime that the prohibition is accepted by all, such a gezeirah cannot be revoked later. Gezeirot are not limited to prohibiting optional actions. Sometimes even a mitzvah can become forbidden to perform. The accepted practice is that we do not take the lulav on Shabbat.

This law is based on the gezeirah of Rabbah that we are concerned one may take the lulav to an expert to learn how to properly shake it.¹⁵ Finally, the fifth category of laws consists of the takanot:

Category 5: Laws that were made through investigation for the sake of maintaining social order among people ... or for matters that improve the religiosity in the world. The Sages called these laws takanot or customs. Since these takanot were universally agreed upon by the entire nation they cannot be violated under any circumstance.

Takanot were established to ensure proper civil conduct or religious observance. One example of a takanah that was established for religious observance relates to the mitzvah of taking the four species, including the lulav, on Sukkot.

According to Torah law, the lulav is taken in the Beit Hamikdash for all seven days of Sukkot. However outside of the Beit Hamikdash, the lulav would only be taken on the first day of the holiday. Nevertheless, the Talmud teaches that R. Yochanan ben Zakkai established the law that we take the lulav throughout the week of Sukkot even outside of the Beit Hamikdash.¹⁶

This law is universally observed to this day.

Thus we find that the laws of Sukkot encompass all five categories of Torah that Rambam delineates. In particular, in the category of halakhah l'Moshe miSinai, which is the most pure oral category of the Oral Tradition, there is a preponderance of laws related to the holiday of Sukkot.

Is this a coincidence or is there some significance to this? Yom Kippur is the date when the Jewish people received the second set of luchot. When Moshe started to feel sorry that he broke the luchot, Hashem comforted him and said:

Do not feel sorry about the first set of luchot that only had the 10 commandments. The second set of luchot that I am giving you [also] contain the halakhot, midrash, and aggadot (the Torah she'b'al peh). Shemot Rabbah 46:1

The Midrash indicates that with the second luchot, the Oral Law was more prominent than before.¹⁷ When we celebrate the holiday of Sukkot soon after Yom Kippur we are celebrating the receiving of the Torah in general and in particular the Torah she'b'al peh.¹⁸

Therefore it seems fitting that all categories of the Oral Torah are reflected in the mitzvot of Sukkot and that many laws from the category of halakhah l'Moshe miSinai are connected to the holiday of Sukkot.

Notes 1. Shemot 21:24 and Vayikra 24:20. 2. Vayikra 23:40. 3. Ibid. 4. The text of Rambam's introduction to the Mishnah is taken from R. Yosef Kapach's edition (Yerushalayim : Mosad ha-Rav Kook, 1963). The translation is a free translation partially based on Fred Rosner's translation (Northvale, N.J. : Jason Aronson, 1995). 5. Such as the discussion in Sukkah 35a, regarding the possible interpretations for "pri eitz hadar" based on deductive reasoning, or the discussion in Sukkah 32a regarding the possible interpretations for "anaf eitz avot." 6. See also Sukkah 18b and 22a for applications of gud achit, to virtually extend downwards. 7. See Sukkah 7a. 8. See Sukkah 4a. Note that one should not sit under the overhang since he is considered to be sitting under the wall of the sukkah instead of under the roof of the sukkah. 9. See Sukkah 48a-b. 10. See however, Ritva to Rosh Hashanah 16b. 11. See Sanhedrin 88b. 12. See Vayikra 23:6. 13. See Vayikra 23:34. 14. See Sukkah 27a. 15. See Sukkah 42b. 16. See Sukkah 41a. 17. See R. Tzadok haKohen of Lublin in Pri Tzaddik, Parshat Devarim and Machashavot Charutz 18. 18. The Midrash in Vayikra Rabbah 30:3 connects Sukkot to Yom Kippur explaining the mitzvah of taking the four species as a sign of victory in the successful atonement that we received on Yom Kippur.

Subject: [Yhe-holiday] Special Sukkot Package

YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM) YHE-HOLIDAY: SPECIAL SUKKOT 5776 PACKAGE In memory of our beloved talmid Yoni Jesner HY"D

**"May the Merciful One Rebuild for Us the Fallen Sukka of David"
Based on a sicha by Harav Yehuda Amital zt"l**

Adapted by Boaz Kallush Translated by Kaeren Fish

During the festival of Sukkot, we add into our blessing after meals the supplication, "May the Merciful One rebuild for us the fallen sukka of David," recalling the verse (Amos 9:11), "On that day I shall rebuild the fallen sukka of David." Why is this specific image chosen to depict Knesset Yisrael? Could the prophet not have used some other, more impressive or more stately image – such as, for example, a tower, based on the verse (Shir Ha-shirim 7:5), "Your neck is like an ivory tower"? The Maharal (Netzach Yisrael 35) explains as follows: "The kingdom of the House of David is called a 'sukka.' For every kingdom is called a 'house' ... because something that is a powerful reality in the world is called a 'house,' which is a

permanent structure. Accordingly, a kingdom is called a 'house,' because of the strength and permanence that it embodies... If a house collapses, the symbol that it originally represented is nullified. If it is rebuilt, then it is a new house. The builder is not regarded as having rebuilt the fallen house – an entity that has ceased to exist; rather, it is as though he built a new house from the start. A sukka, on the other hand, is not a complete, permanent structure. Therefore, if it falls, the idea of 'rebuilding' does apply to it, and it is easily restored to its original state. Likewise the kingdom of the House of David: by virtue of its potential for reestablishment following the fall of the kingdom, it is referred to as the 'fallen sukka of David.' At the time of its fall it belongs to the category of 'sukka,' for a sukka can be rebuilt, and indeed rebuilding it is a simple matter." The collapse of a house is absolute and final; it cannot be re-established. A sukka, on the other hand, can fall much more easily, but it can also be rebuilt. This is what characterizes Am Yisrael and the kingdom of Israel. A house is strong and stable, withstanding nature's storms – but if it falls, it cannot be rebuilt. A sukka is quite fragile; a wind that is just slightly stronger than usual is enough to blow it over. In a similar way, the kingdom of Israel is fragile; it cannot withstand storms and it can easily collapse – but it arises anew, re-establishing itself. The Midrash Tanchuma (beginning of parashat Nitzavim) offers a similar interpretation of the verse (Mikha 7:8), "Do not rejoice against me, O my enemy; though I fall, I shall arise; when I sit in darkness, the Lord shall be a light to me": "[The Torah declares,] 'You are standing this day, all of you...' (Devarim 29:9) – this is the meaning of the verse, 'The wicked are overthrown and they are no more, but the house of the righteous shall stand' (Mishlei 12:7): so long as the Holy One, blessed be He, beholds the deeds of the wicked and considers them [literally, 'turns them over'], they have no chance of revival... But Israel fall and then stand anew, as it is written, 'Do not rejoice against me, O my enemy; though I fall, I shall arise....' It also says, 'For I am the Lord; I do not change, therefore you, the sons of Yaakov, are not consumed' (Malakhi 3:6). Rabbi Chanina bar Papa taught: The Holy One, blessed be He, said, I have never smitten a nation and then repeated it, but you, the sons of Yaakov, are not consumed (lo kelitem), as it is written, 'I will spend (achaleh) My arrows on them' – My arrows are spent [exhausted, consumed], but [the sons of Yaakov] are not consumed. And thus Knesset Yisrael says, 'He has bent His bow and set me as a mark for His arrow' (Eikha 3:12): To what may we compare this? To a mighty warrior who places his target and then shoots arrows at it; the arrows are used up, but the target remains intact. Thus it is with Israel: so long as they undergo suffering, the suffering is eventually used up, while they still endure...." [This sicha was delivered on Shemini Atzeret 5762 (2001).]

YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH
The Mitzva to Dwell in a Sukka: Contrasting the First Night and the Rest of the Festival

by Rav David Brofsky

Teshvu Ke-Ein Taduru – How Many Meals Must One Eat in the Sukka? The Torah states, "And you shall dwell in sukkot for seven days" (Vayikra 23:42). The Rambam writes in his Sefer Ha-Mitzvot (positive commandment 168), "And He commanded us to dwell in the sukka for seven days during the Festival." The gemara (Sukka 28b) describes the ideal fulfillment of this mitzva: "You shall dwell" – similar to [normal] residence. From here [the Sages] said: Throughout the seven days [of the festival], the sukka must be regarded as one's principal abode, and the house merely a temporary residence. How so? If a person has pretty dishes, he brings them up to the sukka; attractive linens, he brings them up to the sukka; he eats, drinks, and enjoys himself in the sukka, and he studies in the sukka. In determining the nature of the mitzva to dwell in the sukka, we must first distinguish between the first night and the rest of the Festival. The gemara (Sukka 27a) cites a debate between R. Eliezer and the Sages regarding how often one must eat in the sukka. R. Eliezer says: A person is obligated to eat fourteen meals in the sukka, one during the day and one at night. And the Sages say: There is no defined number, except for the first night of the festival... What is R. Eliezer's reasoning? "You shall dwell" – similar to [normal] residence (teshvu ke-ein taduru). Just as [during] residence [in the house] – [one eats] one [meal] during the day and one at night, so too in the sukka – one [meal] during the day and one at night. The

gemara first relates that R. Eliezer maintains that the principle “teshvu ke-ein taduru” dictates that one must eat fourteen meals, two meals each day of the Festival, in the sukka. The gemara then cites the position of the Sages, who disagree. And the Sages: Like residence [in the house]. Just as [during] residence [in the house] – if he wishes, he eats, and if he wishes, he does not eat, so too in the sukka – if he wishes, he eats, and if he wishes, he does not eat. If so, even the first night of the festival as well! R. Yochanan said in the name of R. Shimon ben Yehotzadak: It is stated here “the fifteenth,” and it is stated regarding the festival of unleavened bread, “the fifteenth.” Just as in that case, the first night is obligatory and from then on it is optional, so too here – the first night is obligatory and from then on it is optional. And from where do we learn the law there? The verse states: “At evening shall you eat unleavened bread” (Shemot 12:18) – Scripture established it as an obligation. The Sages disagree with R. Eliezer on two points. First, they maintain that eating in a sukka is obligatory only on the first night of the Festival. Second, they apparently interpret the principle of teshvu ke-ein taduru differently than R. Eliezer. The Sages derive that one must eat in the sukka on the first night through a gezeira shavva, a textual comparison between the first night of Pesach, which occurs on the fifteenth of Nissan and upon which one is obligated to eat matza, and the first night of Sukkot, which is celebrated on the fifteenth of Tishrei. What do we learn from this comparison to the first night of Pesach? We might suggest that just as one must fulfill the mitzva of matza – that is, eating matza – on the first night of the seven days of Pesach, one similarly must fulfill the mitzva of sukka – dwelling in a sukka – on the first night of the seven days of Sukkot. Alternatively, the gemara may be deriving something much more specific: Just as one must fulfill a mitzva of “eating” on the first night of Pesach, so too one must fulfill a mitzva of “eating” on the first night of Sukkot. This second possibility is most intriguing. On the one hand, this obligation to eat may redefine the parameters of one’s obligation to dwell in the sukka on the first night, and, on the other hand, may even dictate that some of the laws that pertain to eating matza on the first night of Pesach must be observed on Sukkot as well. The distinction between these readings of the gemara has a number of halakhic ramifications. For example, the Ran (12b, s.v. matitin) questions how much bread one must eat in the sukka on the first night of Sukkot. He writes: And regarding the first day of the festival of Sukkot, we also learn that one is obligated to eat an amount that obligates eating in the sukka. For based on the law of Yom Tov, it would suffice to eat the quantity of an egg in a haphazard manner (arai) outside the sukka. And we learn also from the festival of Pesach that one is obligated to eat an amount that obligates eating in the sukka. It seems, therefore, that one is obligated to eat more than the amount of an egg. Generally, as we shall learn, only one who eats an amount slightly more than a ke-beitza (the volume of an egg) must eat in the sukka. The Ran suggests that the gezeira shavva teaches that one must fulfill the mitzva of sukka on the first evening. Therefore, one must eat an amount which obligates him to eat in the sukka -- more than a ke-beitza. The Ran then writes: But there are those who say as follows: Since we learn from the festival of Pesach, we learn entirely from it. Just as in that case the size of an olive [is all that is necessary for fulfilling the mitzva], so too here the size of an olive [is all that is required]. And even though on the other days of the festival [of Sukkot] the size of an olive is regarded as haphazard [eating], and it may be eaten outside a sukka, nevertheless on the first night, since Scripture established it as an obligation to eat in the sukka, it is regarded as a regular meal. The Ran cites those who believe that one must only eat an amount equivalent to the size of a ke-zayit, an olive, in the sukka on the first night, similar to the amount of matza that one must eat on Pesach. He implies, however, that this gezeira shavva may also redefine the parameters of dwelling in the sukka on the first night. Indeed, the Tur (639) explains that just as one must only eat a ke-zayit of bread in the sukka on the first night, one may not eat a kezayit of bread outside of the sukka. Once he eats in [the sukka] grain in the amount of an olive, he has fulfilled his obligation, even though the measure regarding [the prohibition] of eating outside a sukka is the amount of an egg. The first night is different, because the obligation is greater, so that even if he wishes to eat only the amount of an olive, he is forbidden to do so outside the sukka. Therefore, he fulfills therewith also the obligation of sukka. The Tur understands that not only is the mitzva the first night, fundamentally, a mitzva of “akhila” (eating), but that this itself defines eating a ke-zayit of bread as an akhilat keva, which must not be done outside of the sukka. Interestingly, the Ritva (27a), after citing the view obligating one to eat a ke-zayit of bread in the sukka on the first night, records the following: However, I heard in the name of one of the great scholars of the generation in France, who would obligate one to sleep in the sukka on the first night of Sukkot, even in the rain... as on the first night, the Scripture established that it is obligatory, from the gezeira shavva equated the fifteenth [of Nissan to the] fifteenth, from Chag Ha-Matzot. Clearly, this stringency implies that the Torah mandated “dwelling” in one’s sukka on the first night, and that the exemption of “falling rain” does not apply; this is a subject for another shiur. The Shulchan Arukh (639:3) rules that one should eat a ke-zayit of bread in the sukka on the first night of

sukkot. The Mishnah Berurah (22), however, writes that it is “proper” to eat more than a ke-beitza, in order to fulfill the view of those who are strict regarding this matter. The Rishonim raise other questions that may relate to our issue. For example, the Rishonim discuss what one must eat on the first night of Sukkot. Tosafot (27a, s.v. teshvu) maintain that the Talmud Yerushalmi (2:7) questions whether one must eat bread or whether minei targima (either a cooked grain dish, or meat and fish) would suffice. Although the Shulchan Arukh rules that one must eat a ke-zayit of “pat” (bread), the Acharonim (see Sha’arei Teshuva 5) discuss whether one may even eat a ke-zayit of baked grain products upon which one usually recites the blessing “borei minei mezonot.” The Mishnah Berurah (21) rules that one must eat a ke-zayit of actual bread. Seemingly, although generally one must sit in a sukka while eating minei targima (Sukka 27a; Shulchan Arukh 639:2), the poskim debate whether one must fulfill the mitzva of dwelling in a sukka on the first night, for which minei targima would suffice, or whether they must eat a meal, similar to the first night of Pesach, which would seemingly entail eating bread. The Rishonim and Acharonim even discuss whether some of the laws specific to Pesach should apply to the first night of Sukkot as well. The Hagahot Asheri (Rosh 3:20), for example, cites the comments of Rabbeinu Peretz to the Semak (93), who insists that based upon the gezeira shavva, one should not eat until it is completely dark. Similarly, R. Yaakov ben Yehuda Weil (Germany, 15th century), cites his teacher, the Maharil, who ruled that one should eat the ke-zayit of bread on the first night of Sukkot before midnight, similar to the matza, which must be eaten before midnight on the first night of Pesach. The Rema cites both of these views. In addition, the Magen Avraham (11) discusses whether one may recite the kiddush of the first night before dark. He first argues that theoretically, even one who accepts this stringency and rules that one must eat after dark should still sanction making kiddush before dark and then reciting the blessing of leishev ba-sukka and eating a kezayit of bread in the sukka after dark. He concludes, however, that since it is customary to recite the she-hechyanu said with the kiddush after the blessing of leishev ba-sukka, apparently the she-hechyanu is said upon the performance of the mitzva of sukka, and not just upon the building of the sukka and the festival itself. Therefore, one should not even recite kiddush until dark, when one may properly fulfill the mitzva of sukka the first night. Some suggest that the Taz (472:2) does not believe that kiddush must be recited after dark. The Bi’ur Halakha (s.v. lo yokhal) proposes that the Rema believes that outside of Israel, one may eat during bein ha-shemashot on the second night. Similarly, R. Yosef ben Meir Teomim (1727–1792), in his commentary to the Shulchan Arukh, the Peri Megadim (Mishbetzot Zahav 643 and Eshel Avraham 539:16; see also Bikkurei Yaakov 539) writes that due to the gezeira shavva comparing the first night of Sukkot and the first night of Pesach, one should not eat challot made from fruit juice, similar to the lechem oni (“poor man’s bread”) eaten on Pesach. Many Acharonim reject this extreme application of the gezeira shavva. In addition, the Yerushalmi (Sukka 2:7) questions whether, just as one should refrain from eating on the day before Pesach in order to fulfill the mitzva of matza when one is hungry, one should similarly not eat on the day before Sukkot so that one enter the festival while he is hungry. Tosafot (27a, s.v. teshvu) and the Rosh (3:15) cite this Yerushalmi, and the Or Zarua (301) writes that one should act accordingly. The Maharil adds that one should not eat from the sixth hour onwards on Erev Sukkot, similar to Erev Pesach. The Leket Yosher relates that his teacher, the Terumat Ha-Deshen, would not even sleep in the sukka on Erev Sukkot in order to ensure that he still desired sleeping in the Sukka that evening! R. Moshe Isserlis, in his commentary to the Tur, the Darkhei Moshe, cites the Maharil, and writes, “This seems to me to be a stringency without reason.” In his comments to the Shulchan Arukh (Rema), however, he writes that one should not eat during the day before Sukkot from noon onwards. Some Acharonim (Magen Avraham 12; Gra; see also Shulchan Arukh Ha-Rav 20) rule that one need only refrain from eating bread from the tenth hour onwards. The Mishnah Berurah (539:27) writes that the Acharonim concur that one need only refrain from eating from the tenth hour onwards, as we learn regarding hilkhos Pesach (471). Finally, the Rishonim also discuss whether the exemptions from the requirement to sit in a sukka, such as mitzta’er, apply on the first night of Sukkot as well. The Rashba (Responsa 4:78) writes that the exemptions derived from teshvu ke-ein taduru apply on the first night, and in the event of rain, one is exempt from sitting in the sukka. The Ran (12b), however, disagrees. Apparently, as we noted previously, the Ran (and Ritva, as cited above regarding sleeping in the sukka) believes that although the mitzva of the first night is to dwell in the sukka, this mitzva is absolute and not subject to the exemptions derived from teshvu ke-ein taduru. We will return to this point when we discuss the exemptions of mitzta’er and yardu geshamim. As we discussed previously, one should not only have in mind to fulfill the mitzva of sukka while eating bread the first night (mitzvot tzerikhot kavana; see Shulchan Arukh 60:4); one should also keep in mind the reasons for the mitzva of sukka -- the booths the Jewish people built for themselves in the desert and the ananei ha-kavod (Bach 625; Magen Avraham and Mishna Berura 625). The Mitzva of Dwelling in the Sukka after the First Night As

mentioned above, not only do the Sages disagree as to whether one must eat fourteen meals or only one meal in the sukka, they also seem to understand the principle of teshvu ke-ein taduru differently. The Sages explain: And the Sages: Like residence [in the house]. Just as [during] residence [in the house] – if he wishes, he eats, and if he wishes, he does not eat, so too in the sukka – if he wishes, he eats, and if he wishes, he does not eat... Just as there – the first night is obligatory, from then on it is optional, so too here – the first night is obligatory, from then on it is optional. The gemara implies that only the first night is obligatory, and the rest of the days are “optional.”

How are we to understand this passage, which implies that just as there is no specific mitzva or eat matza after the first night of Pesach, there is no inherent mitzva to enter a sukka during the remaining days of the festival unless one wishes to eat (an akhilat keva) or sleep (a sheinat arai)? Generally, we can distinguish between different mitzvot. There are those mitzvot which a person is under no obligation to fulfill, per se, unless he chooses to engage in a specific activity. For example, if one wishes to wear a four cornered garment, he must attach tzitzit to the corners. This type of mitzva is often referred to as a “mitzva kiyumit.” Alternatively, there are mitzvot that one must perform, in all circumstances, such as tefillin. This type of mitzva is often referred to as a “mitzva chiyuvit.” Indeed, the Minchat Chinukh (325) explains: There are two kinds of positive precepts: One that is an obligation upon every man of Israel like tefillin, etrog, and the eating of matza. Such a mitzva – if a person fulfills it, he does the will of the Creator, blessed and exalted be He, because this is what the King, blessed be He, decreed. And if he neglects the mitzva and fails to don tefillin or take a lulav, he nullifies the mitzva and acts in opposition to His will, blessed be He, and he will surely be punished. And there are mitzvot that one is not obligated to perform, like tzitzit, for the Torah did not obligate a person to wear a four-cornered garment, and if he so desires, he may go about without a four-cornered garment, and this is not against the will of the Creator, blessed be He. If, however, he brings himself to obligation, intentionally wearing a four-cornered garment in order to fulfill the mitzva of tzitzit, this is the good and righteous path. The rule is that if he fulfills this mitzva, he does the will of the Creator, blessed be He, but if he fails to fulfill the mitzva, he does not violate His will, but merely does not fulfill the mitzva. Regarding the mitzva of dwelling in the sukka, he continues: So too, regarding this mitzva, namely sukka, there are two parts to the mitzva. That is to say, on the first night of Sukkot, there is a positive precept to eat the measure of an olive in a sukka, and a person is obligated to look for a sukka, and it does not help that he does not want to eat, because he is obligated to eat, as with matza or tefillin. And if he fails to fulfill the positive precept on the first night, he acts against God's will, blessed be His name. But on the rest of the nights and days, if he does not want [to eat], he may abstain from eating and not sit in a sukka, and he is bound by no obligation, as with tzitzit. If, however, he eats, there is a positive precept to eat in a sukka and he fulfills His will, blessed be He, but if he does not eat, there is no obligation to do so. The Minchat Chinukh clearly views the mitzva of sukka, after the first night, as an “optional” mitzva. Some take this a step further, and understand that fundamentally the mitzva of sukka teaches that one may not eat outside of a sukka, but not that there is any inherent value, per se, of sitting in the sukka. R. Yosef Engel (1859–1920), for example, in his Atvan De-Oraita (11), initially suggests: Eating in the sukka is not pleasing and desired in itself, for were that the case, it would not be right to leave that eating to the will of the individual, so that it is optional. Perforce, then, the intention of the mitzva lies exclusively in the negation -- that when a person eats, he must not eat outside the sukka, and eating outside the sukka is what is not pleasing. But eating in the sukka in itself is not at all pleasing or desired. Similarly, R. Avraham Borenstein (1838–1910), the Sochachover Rebbe, writes in his Avnei Nezer (Orach Chaim 481): It follows from this that regarding a sukka, we can say that the sukka permits eating, enjoyment, and sleep... And this is the implication of our passage that likens sukka to matza, which all seven days is optional. It is explicit, then, that it is merely forbidden to eat outside the sukka, just as it is forbidden to eat chametz.

The Avnei Nezer also understands that the sukka merely permits a forbidden activity. This understanding is, of course, extremely difficult, especially in light of the verse, which states quite clearly that one should dwell in a sukka for seven days and the passage cited above (Sukka 28b), which describes how one should relate to one's sukka. Throughout the seven days [of the festival], the sukka must be regarded as one's principal abode, and the house merely a temporary residence. How so? If a person has pretty dishes, he brings them up to the sukka; attractive linens, he brings them up to the sukka; he eats, drinks, and enjoys himself in the sukka, and he studies in the sukka. This passage implies that not only must one refrain from eating outside of the sukka, one should eat, drink, enjoy one's self, and study Torah in the sukka. R. Akiva Eiger (Sukka 25a) also rejects this approach, and explains that one who eats outside of the sukka does not violate a commandment, but rather, doesn't fulfill the mitzvat ashef of dwelling in a sukka. Therefore, we might formulate our understanding of the mitzva differently: Whenever one enters a sukka, one fulfills the Biblical commandment of “And you shall sit in sukkot.” Furthermore, activities which imply permanence, such as

eating meals and sleeping, which are generally done within one's home, must be done in the sukka, and one who does not eat a meal or sleep in a sukka does not fulfill the positive commandment of dwelling in the sukka. However, teshvu ke-ein taduru dictates that just as activities that one normally does inside of a house, must be done inside a sukka, so too activities normally performed outside of one's house may be done outside of the sukka. Some suggest an even more ambitious approach. R. Alexander Susskind of Grodno (d. 1793), for example, in his Sefer Yesod Ve-Shoresh Ha-Avoda (Sha'ar Ha-Itun, chapter 12) writes: “And you shall dwell in sukkot for seven days” – like your residence. He commanded us, the holy nation, with a positive commandment that every man should eat and drink and enjoy in the sukka – and all of these activities one is obligated, through a positive commandment from the Torah, to do in the sukka, and not in the house within which he lives throughout the year... Therefore, one is obligated to be careful not to leave the sukka for one's house at all, unless it is truly necessary, for example, if he needs to leave to his house in order to bring a drink... In that case, he should not stay in the house longer than necessary... Similarly, R. Engel, cited above, rejects his initial assumption, and concludes: The position itself of the aforementioned Minchat Chinukh, who writes that sukka is exclusively a negative mitzva – it seems, in my humble opinion, that this is not true. Rather, sukka is a positive and independent mitzva, for the Torah wants us to live for seven days in a sukka, just as we live all year long in the house. As they said: “You shall dwell” – similar to [normal] residence. The fact that if a person wishes, he does not have to eat or sit in a sukka, that is because that is the essence of residence; occasionally, a person goes out or to the market, and only when he wishes to eat, drink, or sleep does he eat, drink and sleep exclusively in his house. This is the idea of residence in his house, and thus the Torah wanted us to live for seven days in a sukka. Thus, when the Torah demands residence in a sukka, it is asking for a desired and positive thing. R. Engel insists that the positive commandment of dwelling in the sukka entails transforming one's sukka into one's home, and living there for the duration of the festival. However, unlike drinking, studying, and other activities, eating and sleeping are such demonstrative expressions of dwelling that these specific activities are actually prohibited to perform outside of the sukka. These different understandings of the mitzva of dwelling in the sukka may influence how we understand the following passage (26b–27a): But if he wishes to be strict with himself, he may do so, and it does not constitute presumption (yuhara), and so it also happened that they brought cooked food to R. Yochanan b. Zakkai to taste, and two dates and a pail of water to R. Gamliel, and they said, “Bring them up to the sukka,” but when they gave to R. Tzadok food less than the bulk of an egg, he took it in a towel, ate it outside the sukka, and did not say the benediction after it. The Rambam (6:6) cites this halakha: It is permissible to drink water and eat fruit outside the sukka. However, a person who follows the stringency of not drinking even water outside the sukka is worthy of praise. This gemara teaches that eating an akhilat arai in the sukka is not to be considered an act of yuhara. Based upon the approaches suggested above, we may understand this passage in different ways. One might view eating a snack in the sukka, regarding which one is technically exempt, as a fulfillment of a mitzva (mitzva kiyumut), and therefore it is not considered to be an unnecessary or presumptuous stringency. However, one might also view eating a snack in a sukka as a fulfillment of one's overall obligation to transform the sukka into one's permanent residence; therefore, one is encouraged, if not obligated, to eat all foods in the sukka whenever possible