

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI BEREL WEIN

Wein Online

The completion of the reading of the Torah on Simchat Torah is always a time of great happiness and rejoicing. The beautiful poetry and rhythm of Moshe's blessings to his beloved people resound in our ears throughout the ages. His blessings overshadow the sadness in the parsha that records the death of the greatest spiritual leader the world has ever known. And thus even the loss of Moshe is somehow sublimated in the celebration of the day and in the completeness and perfection of the Torah that is called on his name that Simchat Torah symbolizes.

Human frailty and mortality is a given factor in all of our lives. How to achieve blessing and eternity in spite of that frailty and mortality is the challenge that Jewish life and observance thrusts before us. At one and the same time we realize our mortality and we strive to achieve immortality.

This seeming paradox lies at the heart of all Jewish life and strivings. The solemnity and even foreboding that Rosh Hashana and Yom Kippur engender within us is replaced by the joy of Succot and Simchat Torah. The gravity has not disappeared; it simply has been transformed by the observances of the commandments of the Succot holiday into meaningful optimism and confidence that mortal beings can truly achieve immortality and be influential and remembered long after their physical departure from this world. Perhaps that is the main lesson of the parsha of Zot Habracha itself - Moshe the mortal human being is no longer but Moshe the immortal leader and inspiration of Israel lives on eternally in the hearts and minds of his people.

The food and drink of Simchat Torah are meant to be only aids to enhance our spirit of accomplishment and inner delight. Like Purim, Simchat Torah allows our bodies to partake freely of food and drink. But also like Purim, Simchat Torah is predicated upon an inner feeling of joy, of uplifted spirit and renewed dedication that create within us the sense of commitment and tenacity that characterizes Jewish life, individually and nationally.

Alcoholic intoxication is unnecessary and even counter productive to creating this sense of inner joy and dedication. The rabbis characterized the service of G-d as being able to be realized through "simcha shel

mitzvah" - the inner joy that our soul experiences when doing a good deed and fulfilling one of G-d's commandments. It is this attitude towards the service of G-d that makes Simchat Torah the joyous holiday that it is.

We are aware of all of the positive things in life that we have accomplished and all of the myriad opportunities to continue to do so in the future. We sense that in these acts of goodness and Torah observances we are punching our ticket to immortality, to being remembered and appreciated.

There can be no greater joy in a person's life than to experience this feeling of holy importance and positive achievement. And it is this very idea that Simchat Torah and Zot Habracha represent to the fullest. © 2009 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com

RABBI AVI WEISS

Shabbat Forshpeis

Sukkot is the only festival referred to as Zman Simchateinu, the time of happiness in our liturgy. The Torah, in its last description of the festivals, mentions the word simcha twice when discussing Sukkot. (Deuteronomy 16:14, 15) This in contrast to Shavuot, where it appears only once. (Deuteronomy 16:11) On Passover, the word is totally absent. (Deuteronomy 16:1-8) Sukkot is described in the liturgy as the days of happiness, as the term simcha is most associated with this holiday. Why is Sukkot deemed as the ultimate holiday of happiness and joy?

On a historical level, Sukkot is the culmination of the three festivals. Passover is the holiday of physical freedom. Yet, freedom without purpose is void of happiness; hence the word simcha is not linked to Passover. Shavuot gives meaning to our freedom since on that day, we received the Torah. Hence simcha is mentioned in reference to Shavuot. Sukkot takes us to another dimension. Real joy occurs when one is able to sustain meaning in life well beyond the dramatic moments. As Sukkot is a commemoration of the fragile homes in which we lived during the 40 years in the desert, this holiday represents the maintenance of belief, even beyond the experience at Sinai. So, the Torah mentions simcha twice relative to Sukkot.

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On an agricultural level, Sukkot teaches another important lesson about happiness. The ultimate holiday of gathering our produce is Sukkot. Thus, the festival is called Hag ha-asif. The Torah, immediately preceding the laws of the holidays in Deuteronomy, mentions the laws of giving tithes. (Ch. 14:22) This serves as a reminder that true happiness is achieved when one takes of what one has gleaned and gives it to another. Most people believe that happiness is achieved by taking more. The reverse is true. The more one gives, the more one experiences exhilaration of having given of themselves to others. In the end, happiness is a feeling. Giving, on the other hand, is an action. While one cannot automatically achieve an emotion, each of us has it in our power to act. Through action, feelings emerge. In the case of Sukkot, from giving of our produce, happiness surfaces.

Not coincidentally, Sukkot comes on the heels of Rosh Hashanah, when we wish each other Shana Tovah. Shana Tovah is commonly translated, "have a happy year." This translation, in fact is a take-off of the American New Year, when happiness is the only goal. In truth, Shana Tovah does not mean "happy new year," but "good new year." In fact, not everything that is happy is good and not everything that is good is happy. When we wish each other a Shana Tovah, what we are really saying is, "may you have a year of doing good." By experiencing a High Holidays of tov, of goodness, and internalizing the message of Sukkot, we can ultimately realize the description of Sukkot as found in our prayers-zman simchateinu, the time of true joy.
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YITZ WEISS

Divine Embrace

One of the themes of Sukkot is to recognize that G-d is our protector. We go out of our permanent homes into a temporary dwelling and expose ourselves to the elements. In so doing we recall that G-d was our guardian when we left Egypt into the desert and remains our protector today.

The minimum requirement for a kosher sukkah is not four walls, but two walls and a tefach (a

handbreadth). If we were to construct a sukkah based on the minimum, we would really be exposed to the elements! Two walls and a bit don't seem to offer much protection! How are we to feel secure?

Rav Shlomo Zalman Auerbach z"l compares the sukkah measurements to an arm: two "walls" - i.e. from the shoulder to the elbow, and from the elbow to the wrist, and a tefach - the hand. Rav Auerbach says that sitting in the sukkah one is literally in the embrace of G-d!

May this year be one where we see the protection of G-d on a daily basis and the coming of Moshiach! Have a great yom tov! *This dvar torah was told by Rabbi Aaron Cohen in Cong. Tifereth Israel, Passaic, NJ*

RABBI SHLOMO RISKIN

Shabbat Shalom

“And everyone shall be united in following the will of our Father in Heaven." (High Holy Day Liturgy)

The second Mishnah in the fourth chapter of the Tractate Sukkah (45a) opens as follows: "How do we perform the commandment of the willow?" (one of the four species we are commanded to lift up and wave in all directions as we chant the Hallel praises).

The Mishnah goes on to describe how the willow branches were gathered in Motza, (a town not far from Jerusalem) and how the branches would be placed at the sides of the altar. Each day of the festival, the altar was circled; but on the seventh day, Hoshannah Rabbah, the altar was circled seven times. This practice is imitated to this very day inside our synagogues where we take the four species during morning services, hold them aloft in one united bond as we chant the Hallel, and then - on Hoshannah Rabbah - we complete seven circuits around the bima (altar substitute), as we once did in the Holy Temple.

But what's striking about Hoshannah Rabbah is that after the seven circuits with all four species, we then separate the willow from the others and the final closing ritual of the festival involves the willow alone. Following my revered teacher and mentor, Rav J.B. Soloveitchik, z"tl, I also have adopted the custom of waving these willow branches in six directions, just as we do during the week of Sukkot with all four species.

But given that the halacha (Jewish law) is especially adamant about the "united bond" of the Four Species, why on the seventh day of the festival do we focus on the act of separation, singling out the willow?

This question is especially poignant when we remember the traditional symbolism of the Four Species: the etrog (citron) symbolizes the Jew who has both fragrance and taste, Torah learning and good deeds; the lulav (date palm branch) represents the Jew who has taste but no fragrance, good deeds without learning; the hadas (myrtle) represents the Jew who

has fragrance but no taste, learning without good deeds; and the willow represents the Jew who has neither fragrance nor taste, neither learning nor good deeds. The Jewish nation must be viewed as an aggregate whole, including all types of Jews and their unique contributions. Indeed, the very Hebrew term *tzibbur*, (congregation) is interpreted in Hassidut as an acronym for *zaddikim*, (righteous), *benonim*, (in-between), and *resha'im*, (wicked). A normal and normative Jewish community will be comprised of all three levels of human behavior. So why do we separate the willow branches, the one species devoid of any positive characteristics?

What's even more interesting is that the historical background of our High Holy Day period intensifies the allegorical interpretation of the Four Species. Yom Kippur, the tenth day of the month of Tishrei, is declared to be the day of forgiveness for all Jews because it was precisely on this day that the Almighty forgave Israel for the egregious sin of worshipping the golden calf; the sign of Divine forgiveness was the Second Tablets of the Decalogue which G-d instructed Moses to carve on that day replacing the First Tablets which he broke when he saw the dancing and debauchery surrounding the Golden Calf.

The Talmud describes a crucial dialogue between G-d and Moses at the very moment of Israel's transgression. Moses is atop Mt. Sinai - or perhaps within the supernal heavens. For the past thirty-nine plus days he has been receiving - and transcribing - the Divine will in the form of the Torah on the Tablets. The panicked nation, disappointed and confused by Moses' continued absence, begins worshipping the golden calf, reverting back to what they remembered from their Egyptian experience.

G-d then says to Moses (B.T. Berakhot 32a): "Go down, because your nation is acting perversely. I only gave you greatness because of the nation Israel. Now that the nation is sinning, what need have I of you?" In effect, G-d tells Moses that His covenant is not only with the intellectually elite and piously observant, but with the entire nation, regardless of their levels of learning and religiosity. Moses must leave the ivory tower of Divine supernal spirituality and go down to his errant nation.

If so, why then do we isolate the willow - particularly since the willow, symbolizing a Jewish life without good deeds or Torah learning - is the one species in need of as much proximity to the etrog as possible?

I believe that there are two possible reasons why our tradition discourages an elitist and exclusionist attitude concerning entrance into a Jewish community. The first is that people are not always what they appear to be. The Talmud records a story about a sage who dreamt he was in Paradise: "It was a topsy-turvy world that I saw. Those who are on top in this world are on the

bottom in that world, and those who are on the bottom in this world are on the top in that world."

G-d's measure of goodness and greatness are often different to ours - and G-d sees much deeper and much further. Hence the individual who appears to us to be a 'lulav' may in truth be an 'etrog'; his very modesty and humility may be the reason why he is generally overlooked by those who determine the 'mizrach' (Eastern Wall) seats in the Synagogue. Hence, we isolate the willow to teach ourselves and our community that the Jew the willow represents may be the true *gadol*; not that he lacks both fragrance and taste but rather he may be above fragrance and taste!

The second reason is because the wicked individual may have just the impudence and rebellious nature which - when utilized for good purpose - may be the secret ingredient most necessary for redemption. Rav A.Y. Kook boldly taught that the Talmud's description of the days before the Messiah as a time when "...arrogance (*hutzpah*) will be prevalent," may very well be a positive assessment. Sometimes the most religiously courageous act is a challenge to a misguided or corrupt religious establishment, which has lost sight of the universal G-d of love and compassion and substitutes an insular G-d of uniformity and religious one-upmanship. Hence the willow has the power and strength to beat down the corrupt forces of materialism, and to overcome the political self-interest which sometimes invades the most hallowed halls of religious institutions. Ironically, it is sometimes that willow that can lead us to the truly spiritual, simple and pristine Davidic *sukkah* of redemption.

At the end of the service, we strike the willow leaves on the ground. Rav Kook explains that this symbolizes the idea that the ordinary, alongside the righteous and the scholars, it is the simple Jews who will be the strongest weapon of the Jewish people in the fight against evil and in the destruction of wickedness.

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RABBI SHLOMO RESSLER

Weekly Dvar

In its formal structure, Sukkot most closely resembles Pesach. Both are seven days long, and both arrive on the 15th day of their respective months, exactly half a year apart. Yet, Pesach doesn't have a post-holiday gathering, while Sukkot has the 8th day, Shemini Atzeret, which is a distinct, separate festival. For the first time in a week, we stop "living" in the Sukkah and put away our Lulav and Etrog. So what is this "Eighth day holiday" really about?

The Targum says that the word "Atzeret" means "gathering". One major part of Sukkot is the necessity for the Jewish people to gather together as Jews. Shemini Atzeret is a festival that is dedicated to the *Achdut* (unity), of the Jews. Although other holidays may also fulfill this same purpose, Shemini Atzeret, a

holiday with no distinct reason, is dedicated to the theme of unifying all Jews.

Especially in these modern times, the issue of 'Who is a Jew' sometimes grows more important than 'What is a Jew'. Shemini Atzeret is a time where G-d doesn't want any Jews to become separated. He wants all Jews to be unified, no matter what their level of observance. I want one more day where all Jews can be unified as one. Asking for Teshuva on Rosh Hashana and Yom Kippur is a great emotional strain. Building a Sukkah and preparing for the holidays can tire a person out physically. We may feel relieved when all the holidays are done with and we can return to our normal routines.

Shemini Atzeret shows us that we should feel exactly the opposite. We should say, "Please, stay one day longer." Don't be so eager to leave. Let us have one more day where all Jews can stand side-by-side and celebrate in unity! © 2009 Rabbi S. Ressler & LeLamed, Inc.

RABBI DOV KRAMER

Taking a Closer Look

Do you eat in the succah on Shemini Atzeres? If you live in Israel where they only keep one day of Yom Tov, chances are you don't. But those of us who keep two days of Yom Tov, where Shemini Atzeres is also the seventh day of Succos, some people eat in the succah (without making a blessing on it) while others don't. There are even some families, where the minhag was not to, but now do (weather permitting). The Vilna Gaon was said to have been more stringent with eating and sleeping in the succah on Shemini Atzeres than the rest of Succos, and even if the weather conditions would have made him "mitzta'er" (extremely uncomfortable), he would stay in the succah on Shemini Atzeres. Why is there such a disparity in practice? The halacha (O"C 668:1) is unequivocal; those who live outside of Israel are required to eat in the succah on Shemini Atzeres. How did the minhag not to become so widespread? Is this a situation where minhag trumps halacha? A closer look at why two days of Yom Tov are observed outside of Israel might help us better understand the issue.

The background regarding the requirement to keep two days of Yom Tov outside of Israel despite there biblically being only one day of Yom Tov, and its related issues, is very complex. There are 70 pages (140 columns) on the topic in Encyclopedia Talmudis, and Rabbi Menahem Kash er, z"l, devoted an entire volume (#13) of his "Torah Shelema" to the issues surrounding the Jewish calendar, including a chapter #11) on why two days of Yom Tov are still kept, when the Jewish calendar is set and we know exactly when Yom Tov is. (Interestingly, although he gives many reasons why it still applies, because he takes a scholarly, text-based, approach, numerous reasons

given by other commentators are not included in his wonderful piece.) This article is by no means exhaustive, and I strongly recommend studying the sources to get a better understanding of the underlying issues. Nevertheless, I will take the liberty of sharing some of my thoughts, even though my level of scholarship is inappropriate to the task.

The Talmud (Baitza 4b) discusses whether an egg born on the first day of Yom Tov can be eaten on the second day of Yom Tov. Normally, an egg laid on Shabbos or Yom Tov cannot be eaten until afterwards, so if the two days of Yom Tov are considered "one long day," it would be off-limits on the second day as well. Rosh Hashana, since two days were sometimes kept even if they knew which one day was really the first day of Tishray, is considered "one long day," and an egg laid on the first day cannot be eaten until after Rosh Hashana. Since we now know which day is the 15th of the month, does keeping Yom Tov on the 16th too make it "one long day?" If not, why not?

Two opinions are brought in the Talmud, with Rav allowing the egg to be eaten on the second day of Yom Tov, and Rav Asi forbidding it. Even though Rav Asi made havdala between the first and second days of Yom Tov, indicating that they were not "one long day," the Talmud says that he was unsure whether it was "one long day" or two separate days, so treated it as if it were both. Rashi explains that the genesis of keeping both days will determine their status. If the people, on their own, kept the second day just in case it was the real day of Yom Tov, then one of the two days was really not Yom Tov; they just didn't know which one. If the first day was the "real" day of Yom Tov, then the second day was not, and there would be no reason not to eat the egg. If the second day was the "real" day of Yom Tov, then the egg was laid before Yom Tov, and could be eaten anytime. If, however, the second day of Yom Tov was kept because they were told to keep both days by the Rabbinic Authorities, it would have the status of "one long day," and the egg could not be eaten until after both days of Yom Tov.

R' Zaira tries to prove that it was a decree from the fact that we still keep two days of Yom Tov despite knowing which day is the "real" day of Yom Tov. (No discussion follows regarding why the decree still applies, indicating that the Talmud knew that either the reasons for the decree still applied, that it could not be undone, or both.) Abaye then counters with a proof that it was not originally a decree from the fact that the Mishnah in Rosh Hashana (22b) tells us that originally every Jewish community kept only one day, because the courts were able to communicate which day was declared Rosh Chodesh. It was only when heretics messed up the communication (using the same means of communication to send out bad information) that messengers had to be sent out to "testify" which day was Rosh Chodesh. Because these messengers could not reach every Jewish community in time, some were

still unsure which day was really Yom Tov, and they had to keep two days. There would be no reason to inform us of what used to be unless it was possible, when there were no longer any heretics trying to mislead us, for every community to go back to keeping just one day. This can only be true if the two days were kept (at the time of the Mishnah) because they weren't sure which day was correct, not because of a rabbinic decree; if keeping both days had been decreed, it would not be undone even after the communication could be trusted. (Again, it is clear that a decree, once made, could not be undone. It is also clear that the invention of telegraphs, telephones or email does not affect the situation, as all of these can also be used to spread false information.) The Talmud then asks that if it was not originally a decree to keep two days, but done by the populous because they were unsure, why do we keep two days now, when we are sure (because we have a set calendar)? The Talmud answers that there was a decree made, at a much later date (after he calendar was set), to keep the "minhag of our ancestors," i.e. to still keep two days. There is a discussion (among the commentaries) about whether the Talmud then adds another reason or if it is giving the reason why the decree is made, that we still can't be certain that we will always have the ability to know when Rosh Chodesh is. Either way, a decree was made during a later part of the Talmudic era for the "minhag" that had been kept when there was a doubt to still be kept. The form of his decree is interesting, in that it was a decree to keep it as if we were unsure which day is Yom Tov, so that even though we now keep a second day of Yom Tov because of this decree, an egg born on the first day can be eaten on the second. (As we will see later, even though the halacha is like Rav, and we can eat the egg born on the first day, we still don't make havdala between the two days, because unlike Rav Asi, we are concerned about doing something that indicates it is not Yom Tov while keeping Yom Tov.)

Rashi tells us why we are so concerned about the possibility of not knowing if "a short (29 day) month was made full (30 days) or a full month made short," because=2 Owe might come to eat chametz on Pesach. This comment is strange, for a couple of reasons. For one thing, why is chametz the only concern? What about working on a day that really is Yom Tov? Also, by keeping a second day of Yom Tov, we are only dealing with the possibility that a full month, the month before Pesach, was treated as if it only had 29 days (as by treating the 22nd of Nisan as if it were the 7th day of Pesach, we are treating it as if it was really the 21st of Nisan). How are we adjusting for the possibility of keeping a short month full?

There are other issues with keeping two days of Yom Tov for all of the holidays as well. Shuvuos does not have a biblical date; is the 50th day after the first day of Pesach. Why would anyone keep two days of Shuvuos if by then the messengers had reached them

and told them which day Pesach started? Additionally, why do we keep only one day of Yom Kippur? If they were unsure of which day was the 15th of Tishray, necessitating two days of Yom Tov on Succos, how could they know which day was the 10th of Tishray? Not only that, but R' Yochanan (Rosh Hashana 21a) decreed that those towns that the messengers reached in time for Pesach (when they had a full 14 days to travel) but were too far to be reached in time for Succos (because there were three less travel days, two days Rosh Hashana and Yom Kippur) must keep two days of Yom Tov on Pesach, even though the messengers had reached them! How can Rashi imply that the main reason to keep two days was because of Pesach, if towns that knew exactly when Pesach was had to keep two days because of Succos?

One thing we see from R' Yochanan's decree is that a decree would be made to keep two days of one Yom Tov to maintain consistency with another, when two days had to be kept. This concept is used to explain why we must keep two days of Shuvuos despite there never being a doubt which day was the 50th from Pesach. We must also say that this decree, which was made when Rosh Chodesh was still declared by the central rabbinic authority in Israel based on eye-witnesses seeing the new moon (well before the calendar was set) was made in a similar way as the latter decree; the second day of Yom Tov of Pesach had the same status as the second day of Succos, and an egg born on the first can be eaten on the second (otherwise, we shouldn't be allowed to on Shuvuos).

As far as keeping only one day of Yom Kippur, the Ritva (Rosh Hashana 18a) says that in truth we know exactly when Rosh Chodesh Tishray is, and always have, since Elul (the month that precedes it) is always 29 days, and "from the time of Ezra it was never made full." This fact, coupled with the dangerousness of fasting two days in a row, is the reason (according to the Ritva) why no community ever kept two days of Yom Kippur. Even though other months are also always 29, the courts can't always declare the 30th day to be Rosh Chodesh; only if valid witnesses come and testify is Rosh Chodesh declared on the 30th. I have not seen this anywhere, but it seems that the reason Elul was always 29 days is because of the weather. It never rains in Israel in the summer, so there will always be a clear sky when Tishray begins, and there will be plenty of witnesses to testify that they saw the new moon. Hence, we can safely tell everyone which day will be Yom Kippur, but ask them to keep two days Yom Tov on Succos to be consistent with Pesach.

If the two days of Yom Tov for both Succos and Shuvuos were "decreed" in order to be consistent with Pesach, we can understand why Rashi says that the latter decree, made after the calendar was set, was made only because of the seriousness of eating chametz on Pesach. We can also suggest that although by the end of the summer any "new moons" that had

been obscured by clouds during the year were corrected, this may not be the case over the winter. This not only left Pesach susceptible to errors when we relied upon eye-witnesses, but if the ability to figure out the calendar was lost, and we tried to figure out when Pesach was "manually," we would have the same issue. Perhaps this is why Rashi included mistaking a full month as short in his explanation. However, because the decree was only to keep the generations-old minhag, and the minhag was only to keep two days of Yom Tov (and only one day of Yom Kippur), the only "fix" that could be included (for chametz) was on the last day of Pesach.

Why did R' Yochanan "fix" Pesach for those who the messengers reached, if Succos wasn't really an issue? Right before telling us of R' Yochanan's decree, the Talmud told us of a situation when Elul had 30 days. Levi went from Israel to Babylonia, and found that they had kept Yom Kippur on the 9th because they had gone with the approved assumption that Elul had only 29 days every single year. It was still the "real" 10th, so they asked Levi whether they should fast on that day too. Levi said that they shouldn't, because although he knew that they didn't make the 30th of Elul into the 1st of Tishray, he didn't hear the court declare the next day as Rosh Chodesh/Rosh Hashana with his own ears, and couldn't "testify" that they did. We can understand why, without any testimony, the Babylonians relied on the instructions they were given, to assume Elul had only 29 days. However, if Elul is always 29 days, why wasn't it so that year too? We can't know for sure what the cause was, whether it was a fluky weather day, a state of emergency (such as a war or civil unrest) making it impossible to travel the roads to get to court to testify, or a curfew placed on the country by the secular government, but it is clear that for some reason, that year the witnesses didn't get to court on time to testify. Even if it was an anomaly, it was enough of a reason for R' Yochanan to realize that the old assumption couldn't be relied on anymore, and there was a fear that those towns that were within range of the messengers in Nisan but not in Tishray might keep only one day of Succos even if they should keep two. He couldn't change Yom Kippur, as he was only going to expand the decree made from Pesach to Shuvuos and Succos to include Pesach for these towns, but he could make them keep two days of Succos.

But that situation (the year that Levi traveled to Babylonia, when Elul was 30 days, and R' Yochanan's subsequent decree) was the anomaly. Until then, it was correctly assumed that Elul was always going to be 29 days, and only Pesach was in question. Even if this "anomaly" lasted a few generations, by the time the calendar was set, the decree made to continue keeping two days of Yom was based on the historical minhag, with only one day of Yom Kippur, and eating chametz on Pesach being the real concern (at least according to Rashi; it can be suggested that the latter decree

included the "anomaly," and Succos was also a primary reason).

Getting back to eating in the succah on Shemini Atzeres, we have two interesting phenomena. On the one hand, we don't do anything to contradict Yom Tov. This means not making havdala after the first day of Yom Tov, not saying the appropriate "korban" for the first day of chol hamoed Succos in musaf of the second day of Yom Tov, not saying the appropriate "korban" for 7th day of Succos on Shemini Atzeres, and not making a blessing on sitting in the succah. We can eat (and sleep) in the Succah because it is not unheard of to eat outside or even sleep outside, so it is not an automatic contradiction. However, if the weather is really bad, and it is obvious that the only reason you are there is because you are treating it as if it was the 7th day of Succos, it is a contradiction to Shemini Atzeres. It makes sense then, that in communities where the weather is really cold in October, they never ate in the succah on Shemini Atzeres. This is especially true since the whole decree of pretending we don't know for sure that it's Shemini Atzeres is to keep the ancient minhag; how could there have been a minhag to eat in the succah on a freezing cold Shemini Atzeres? Granted, if one moves to a warmer climate a question should be asked as to whether the minhag moves with it, but we can understand why there is such a widespread minhag not to eat in the succah on Shemini Atzeres even though the halacha clearly states that we should.

On the other hand, since originally there was never really a doubt as to whether Shemini Atzeres was really the 7th day of Succos, the idea of eating in the succah first started when the decree was made to keep two days of Yom Tov on Succos. Whether this was included in the decree made before the calendar was set, when the decree was made to keep all of the Yomim Tovim consistent, is unclear; it is quite possible that since the only consistency needed was the days of Yom Tov no requirement to sit in the succah on the first day of Shemini Atzeres was included. If this is the case, when the decree was made after the calendar was set, every single aspect included in the decree had already been observed except for one - eating in the succah on Shemini Atzeres! But even if it were included in the earlier decree, it was a byproduct of that decree; it had not been done before the decree since we had safely assumed that Elul had only 29 days. Either way, sitting in the succah on Shemini Atzeres is unique in that it did not come about because the people had done it and then became "institutionalized" by a decree. It only started being done as a result of a rabbinic decree! Perhaps this was why the Vilna Gaon treated it more seriously than the rest of Succos; there was no "history" of not eating in the succah when it was too cold to be excluded.

So, do you eat in the succah on Shemini Atzeres? Is it warm enough to follow the halacha? Does your minhag trump the halacha because it started

where it was too cold? Or do you disregard the weather concerns because of its uniqueness? © 2009 Rabbi D. Kramer

THE AISHDAS SOCIETY

Aspaqlaria

by Rabbi Micha Berger

"R. Hanina b. Papa, and according to others, R. Simlai, lectured: In the future to come, HaQadosh barukh Hu (HQBH) will take the seifer Torah and rest it on His 'Chest' and say, 'Whomever was occupied in it, let them come and take their reward!'

"Immediately, all the nations will gather and come in a mixed chaos... But HQBH said to them, 'Do not come before Me in a mixture, rather enter nation by nation with their scribes.'...

"The Roman Empire entered first... HQBH asked them, 'With what did you occupy yourselves?'

"They say before Him, 'Ribbono shel olam, we established many markets, many bathhouses, we multiplied much gold and silver. And all this we only did for the sake of Yisrael, so that they may learn Torah.'

"HQBH answered, 'Fool of this world! Everything you did you did for your own needs. You made marketplaces for housing prostitutes, bathhouses to relax in yourselves, and the silver and gold is Mine! ... Is there no one among you who studied this [Torah]...?'

"The Roman Empire leaves, and the Persian Empire enters after it... HQBH said to them, 'With what did you busy yourselves?'

"They say before Him, 'Ribbono shel olam, we built many bridges, conquered many cities, wages many wars. And all this we only did for the sake of Yisrael, so that they may learn Torah.'

"HQBH answered, 'Everything you did you did, you did for your own needs. You built bridges to collect fines. [Conquered] cities, to get control of the property. And the wars-it was I Who waged them! Is there no one among you who studied this [Torah]...?'

"Immediately they left in despair. ... And similarly the other nations...Rabbi Yochanan said: [At the time of Sinai] ... HQBH returned the Torah to each nation and language, and none accepted it until he came to Israel and they did...

"[In the future to come] they said before Him, 'Ribbono shel olam, give it to us now anew, and we will keep it.'

"HQBH said to them, 'Fools of the world! Someone who worked on erev Shabbos will be able to eat on Shabbos. Someone who didn't toil on erev Shabbos, what will he have to eat on Shabbos? But I have one easy mitzvah, it is called 'sukkah'. Go and do it.' ... Why is it called an 'easy mitzvah'? Because it doesn't cost much.

"Immediately each one will take, go and build a sukkah on his roof. HQBH shines on them a sun as in

the heat of summer. And each and every one kicks their sukkah and leaves...

"But doesn't Rava say 'Someone who is uncomfortable [because of the sukkah] isn't obligated to sit in the sukkah?' Yes, they aren't obligated, but do they have to kick it?

"Immediately, Hashem sits and smile over them. As is says, 'Who sits in heaven will smile, Hashem will laugh at them.' R' Yitzchaq says: There is no smiling before HQBH, except on that day." (Avodah Zarah 2a-3a)

A long aggadita, more than a folio, about the fate of the nations at the culmination of history. I have heard discussions of the first part of the story, the various nations coming before G-d, and of the second part, about the test of the mitzvah of sukkah. Here I would like to address what the story as a whole may be saying.

(First, a side note: The tenses in the gemara are mixed. I'm sure there is significance to when the gemara borrows the "prophetic past" (being so sure about the future that it is written as though it happened already) and when it uses present or future tense. But I haven't gleaned it.)

The Brisker Rav notes that Hashem calls the nations "fools" (shotim) not "liars". When the nations claim they did it all for the sake of the Jews, that we may toil at Torah, they were not lying! They really were doing it for our sake, so that we can grow the seeds of redemption, and engages actively in Hashem's plan for the world. However, at the time each empire developed society and contributed to mankind, their intent was for themselves. While they were serving Hashem's plan, and enabling the Torah, they weren't aware of it. And so Hashem calls them "fools".

So the issue raised in the first half of the story is one of action vs. intent. And the question the gemara closes with-since the sukkah is unbearably hot they wouldn't be obligated to sit in the sukkah anyway. Hashem set things up so that they would have no obligation, no action. Their error was one of thinking that an action that aids Torah study was of the same value regardless of their intent, and Hashem's consequent lesson is about intent without actually obligating them in any action! When they served Hashem's plan, they did so unwittingly, and now that they have a chance to follow Him intentionally, they revert to rebellion!

Another piece to the story is the nature of the mitzvah of sukkah. The nations approach G-d boasting of their accomplishments, of their ability to "fill the earth and conquer it", as Hashem blesses Adam in Bereishis 1. Sukkah, though, is stepping away from our own self-protection, to rely on a partnership between ourselves and the Creator for safety. (I am intentionally echoing R' JB Soloveitchik's dialectic between Adam I, the culmination of creation who comprehends and masters the world around him, and Adam II, who in chapter 2 of

Genesis forms a covenantal community with G-d, and through marriage with Eve, and seeks redemption through partnership.)

Of all the tools to teach the nations this dialectic, sukkah is very apt. Building marketplaces and bridges is great-but it's not an end in itself. All of it exists for the sake of relating to others as Hashem intended us to; not power, wealth, comfort and pleasure for their own sakes.

Last, why does G-d laugh? Rabbi Yitzchaq says this is the only time Hashem truly laughs. (Although there is another opinion in the gemara as to what R' Yitzchaq's only time is.)

However, there is another aggadic story in which Hashem laughs-the tanur shel achnai story. The majority rule that such an oven, made of earthenware and cut into sections only joined by placing sand in the cracks, is a single utensil and can become tamei. R' Eliezer disagreed, considering each brick independently, they are not utensils and can not become tamei. R' Eliezer tried proving his correctness by argument, but he was ignored.

He then tried proving he was right by invoking Hashem's endorsement. First a carob tree, upon his call to testify, uprooted and moved 100 to 400 amos. Then he asked a stream to testify, and it started flowing backwards. Then the very walls of the beis medrash the were in started leaning in, threatening to collapse until R' Yehoshua told them it was not their concern, and they remained their, leaning. And finally even a bas qol outright said the law is like R' Eliezer. Finally it was concluded that halachic process, including the rule of majority, determines halakhah, "it is not in the heavens."

"R. Natan came upon Eliyahu. He said to him: 'What was HQBH doing at this time?'

Eliyahu said to him: 'He is laughing and saying, 'My children have defeated me; My children have defeated me.'"' (Bava Metzia 59b)

We can not separate the two stories; Rabbi Ya'aqov says there is only one situation in which G-d laughs.

What do the two share in common? Human creativity evokes Divine laughter. It needn't be derision, as we see from the tanur story. Hashem loves man's creative impulse; it shows a being in the Image of the Creator. However, there needs to be a synthesis, a channeling of that creativity toward spiritual ends.

Rome comes to Hashem first of all the nations. Yitzchaq had a vision of how his sons would build a nation together. Esav, who is the ancestor (genetically or conceptually) of Rome, was to provide the resources. Yes, there would be a Roman Empire followed by a Western world and all its technological progress. But they were to be part of the house of Israel, the providers of the means. And thus, wanting to be builders is a good thing; if one is building with the right intent.

Generally, the laughter at the end of our story is taken to mean that Hashem laughs at the nations'

attempt to redeem themselves. However: "Say to them: Say unto them: As I 'Live', declares the L-rd Hashem, I have no pleasure in the death of the wicked, rather when the wicked turn from his way and live; turn, turn from your evil ways; for why should you die, house of Israel?" (Yechezqeil 33:11)

Hashem doesn't laugh when the wicked prove themselves wicked. He laughs when they do teshuvah. I would suggest that the kicking of the sukkah is being presented as the moment in which they hit bottom. When they realize what they became, and regret sets in. Not that the Romans stop building markets, and the Persians their bridges, but they do so in dedication to proper ends.

Perhaps it is okay for them not to feel happy about sitting in a sukkah. That's for the geir vetoshav, the stranger-resident, that Avraham declares himself to be. But the other nations must know that we Jews do belong there.

After all, right after the events in this story, we will come to the time we pray for on Rosh haShanah and Yom Kippur, "and everything made will be in awe of You, and everything created will bow to You, and they will all be made into a single union to do Your will with a whole heart." © 2009 Rabbi M. Berger & The AishDas Society

RABBI KALMAN PACKOUZ

Shabbat Shalom Weekly

Moshe gives a blessing to the tribe of Zevulun: "And to Zevulun he said, 'Rejoice Zevulun when you go out and Yissochor is in your tents.'" (Deut. 33:18) This verse describes the partnership between the tribes of Yissochor and Zevulun. The members of Zevulun were merchants who lived near the sea and were engaged in business. They took the tribe of Yissochor as full partners in their business on condition that Yissochor devoted all of their time to studying Torah.

The Ohr Hachayim, a renown 17th century commentator clarifies: The reason Zevulun can feel joy in his going out to do business is because Yissochor is studying Torah in his tent. Since Zevulun is enabling Yissochor to study Torah via his business ventures, it elevates all that he does to make a profit into a mitzvah—and when one is engaged in a mitzvah one should definitely feel joy.

The lesson for us: if we work not only for ourselves, but for a higher cause we are elevating all that we do into a mitzvah and elevate ourselves both spiritually and emotionally. Take a Torah cause as a partner in your business—and reap the joy! *based on Growth Through Torah by Rabbi Zelig Pliskin © 2009 Rabbi K. Packouz & aish.com*

