

READINGS FOR SUKKOT & SIMCHAT TORAH

KOHELET is usually read on Shabbat Chol HaMoed Sukkot. We don't have one of those this year, so instead we read Kohelet on the first day of Yom Tov, which is Shabbat. (In Chutz LaAretz, Kohelet is read on Shabbat-Shmini Atzeret.) It is read before the reading of the Torah. When Kohelet is read from a parchment megila (common in Jerusalem), brachot are recited on the reading. No brachot are said if it is read from a printed book. The megila by Shlomo HaMelech in his later years takes a serious look at the Life we all live, and his conclusions boil down to there being nothing of real value in this World. Except to be G-d-fearing. Kohelet provides a sobering balance to potential inappropriate levity of the Chag and hopefully focuses our joy in the proper direction.

On the **first day** of Sukkot we read from Parshat Emor, Vayikra 23, the **Portion of the Festivals**. We actually start the reading several p'sukim earlier with the mitzvot of not taking an animal from its mother to use it as a korban before it is 8 days old. And the prohibition of slaughtering an animal and its offspring on the same day. This second mitzva applies to korbanot and to "secular" use of animals for food. The first mitzva is specifically for korbanot (but its spirit belongs to profane animals too).

Next the Torah teaches us the mitzvot of Kiddush HaShem and its opposite.

Then we come to the Festivals portion. The Torah begins with Shabbat, followed by Pesach, the Omer, Shavuot, Rosh HaShana, Yom Kippur, and Sukkot. This 52-pasuk portion is read for 7 people this year, because it is Shabbat.

The **Maftir** is read from a second Torah, from Parshat Pinchas. It is a 5-pasuk presentation of the Korban Musaf of the first day of Sukkot.

The **Haftara** comes from Zechariya and contains the famous prophesy of the time in the future when other nations will recognize the One G-d and those nations that persecuted Israel will be severely punished. There is a universal message of Sukkot in that people from other nations will also be challenged with the mitzva of Sukka. The universal nature of Sukkot can also be seen by the 70 bulls of the Musafs of the seven days. So too, the fact that the world is judged for rainfall on Sukkot gives the holiday a universal flavor.

At **Mincha** on Shabbat-Yom Tov afternoon, we read the first parts of V'ZOT HABRACHA, which is the upcoming "weekly" sedra for the second Shabbat in a row.

Chol HaMoed

The Torah reading for Sunday, Monday, Tuesday, Wednesday, Thursday, and Friday, is the "same". One Torah is taken out (as opposed to Chol HaMoed Pesach when two Torahs are used each day). 4 people are called to the Torah and the same set of p'sukim is read for each of the Aliyot. Each Aliya consists of three p'sukim (the minimum length), comes from Parshat Pinchas and deals with the Musaf offering of each day. Unlike Pesach, whose days have the same Musaf, those of the days of Sukkot differ in the number of bulls offered.

Simchat Torah

On the night of Simchat Torah, we read the beginning of V'ZOT HABRACHA. This is the only night of the year that we read from the Torah, after joyously dancing with the Torahs and making Hakafot around the Bima. It reflects the joy and love we feel towards the Torah on this day of its celebration. The Old Minhag Yerushalayim (GR"A) is not to read the Torah on Simchat Torah night. And, just for your knowledge, Shulchan Aruch does mention Torah reading on Leil Simchat Torah, but not from V'zot HaBracha. Rather different Parshiyot are read for each Aliya.

On **Simchat Torah morning**, after Hakafot, we read the sedra of V'Zot HaBracha. Because it is Shabbat this year, there are 7 official Aliyot, rather than the 5 as on Yom Tov days. The sedra is not completed with these 7 Aliyot, but the reading goes a bit further than in years when Simchat Torah is on a weekday.

These seven (customs vary) portions are reread over and over again, many times with several Torahs being read simultaneously at different locations in shul. This allows everyone to receive an Aliya on Simchat Torah.

Following this, the **Chatan Torah** is called for the last Aliya in the Torah. A chupa is often made over the Bima by four tall guys with a talit, as the Torah is

completed. There is a custom that the last Aliya before Chatan Torah is given to one of the oldest men in shul, and with him, all young boys (who cannot take their own Aliya) are invited to share this KOL HA'NE'ARIM Aliya.

After V'zot HaBracha (and the Book of D'varim, and the whole Torah) is completed, the Torah is lifted, closed, and "dressed" and a second Torah is read from.

This time, the honor of the Aliya goes to the **Chatan B'reishit**, for whom will be read the beginning of the Torah. We never finish with the Torah. We begin it as soon as we get to the end. This is the "real" reason for our great joy. School children are joyful when the school year ends. We celebrate, not the conclusion of the Torah, but the wonderful feeling of beginning again and of being the people to whom the Torah was given and for whom the Torah is our way of life. Again a Chupa is made for this Aliya (customs might vary from shul to shul).

The whole first chapter of B'reishit is read, plus the first four p'sukim of the 2nd chapter, which describes the first Shabbat.

Then **Maftir** is read from a third Sefer Torah. It comes from Parshat Pinchas and presents the Musaf of Shmini Atzeret.

Finally, the **Haftara** of Simchat Torah picks up where the Torah left off - with the beginning of the Book of Yehosha. Aside from its being the natural choice for Haftara of V'zot HaBracha because it is continuous, it also contains G-d's encouragement to Yehoshua to cling to the Torah and immerse in it day and night. Particularly suited for Simchat Torah.

What does Sukkot commemorate?

All holidays - Biblical, Rabbinic, Modern - mark events that occurred on the dates we celebrate the holidays. So too for fast days. Dates are significant. We left Egypt on the 15th of Nissan - hence, the date for Pesach. We received the Torah at Har Sinai on Shavuot. Rosh HaShana marks the Creation of Human Beings. Purim and Chanuka are locked into their calendar positions by what occurred on those days. On the sad side, Tish'a b'Av and the other fast days associated with the Churban (destruction) of the Beit HaMikdash, each fall on days that something particular occurred. So too for Yom HaAtzmaut and Yom Yerushalayim.

What happened on the 15th of Tishrei? If something (GR"A) then okay, but if not, then what is Sukkot doing specifically at this time of the year and on that date?

Tur says that had the mitzva of Sukka been commanded at Pesach-time (because of its connection to the Exodus), it would not be noticeable that we are performing a mitzva; it would seem that we are merely seeking comfort in the warming springtime. On the other hand, when we leave our homes as others are returning to theirs in anticipation of cooler and wetter weather, the mitzva aspect of Sukka is manifest.

Rambam seems to take an opposite view, namely that the timing of Sukkot is a kind gesture by G-d - we dwell in the Sukka when it is neither too hot nor too cold

to do so in an enjoyable manner. (A lot depends upon where you live - Eretz Yisrael is highly recommended.)

Ramban says that Sukkot is set at the other side of the year from Pesach to emphasize that we must appreciate G-d's having taken us out of Egypt and protecting us in the Wilderness - ALL YEAR ROUND. Pesach and Sukkot are each a 7-day commemoration of the Exodus, each begins on the 15th day of the first month of the year (both Nissan and Tishrei are first months).

According to the Vilna Gaon, after the Sin of the Golden Calf, the Heavenly Clouds left the people. Only after the command to build the Mishkan, and after the materials were collected and the construction was about to begin, did the Clouds return. The GR"A says that this happened on 15 Tishrei, hence that date for Sukkot, the Sukka reminding us of the Clouds.

Menorat HaMaor says that Sukka is a humbling experience, perfect for the Jew who has just brought in the harvest and is about to tuck himself comfortably into his home for the winter. He would usually burst with pride at what he accomplished. Sukka brings the Jew out of his complacency and remind him - in the frail Sukka - of G-d's dominion over nature.

Chidushei HaRim says that the reason given by the Torah for Sukka - In order that your generations shall KNOW... KNOWLEDGE can be achieved best (or only) in a sin-free atmosphere, only right after the Yamim Nora'im. A person does not sin unless he is overcome by foolishness. Thus, we are capable of fulfilling the mitzva of Sukka best during the days following Yom Kippur, when T'shuva has restored our mental powers.

The Composite Chag and the Simcha Machine

The view of the GR"A notwithstanding, it seems obvious that Sukkot is not so much a holiday in and of itself, but it can be seen as a composite - a very specific and special composite, of other chagim.

Picture, if you will, a machine that we will use to filter out the element of simcha (joy) from other holy days, copy that element of simcha without its partner emotions, and build with that simcha, a special holiday, one well-suited to represent them all.

Put Pesach into the machine and extract the joy of leaving Egyptian slavery and humiliation to become G-d's people. Leave behind the reminders of the bitter years as slaves. Leave behind the nervous anticipation of what will become of this new nation, so long enslaved. Take that pure joy of Pesach, duplicate it (don't take it away from Pesach) and fashion another seven day holiday beginning on the 15th of the first month of the year (Nissan and Tishrei both qualify for that honor), and let it too be in commemoration of the Exodus.

Now take Shavuot, the time of the receiving of the Torah. Put it into the machine to separate its exquisite joy from the other feelings of awe and dread. The thunder, lightning, fire and smoke, ever strengthening sound of the Shofar were not joyful experiences. But the joy of Torah is real and very much a part of

Shavuot. Duplicate it. Leave the original with Shavuot and take the copy, the pure joy of being one of G-d's nation. Attach that to an eighth day that will follow the seven days of the Chag. Let that be a day of rejoicing in the Torah. Pure joy. Let's call it Simchat Torah. Let's put it right after the seven days of the Chag rather than after seven sevens of days following the first day of Pesach. The weather is not ideal and waiting will be a hardship.

Now take Rosh HaShana and Yom Kippur, the Yamim Nora'im. Days of Awe. Days when the heavenly books of Life and Death are open before G-d. Put them into the machine and don't be surprised by the great joy that filters out. We don't always so the joy on RH and YK, because many other emotions - all somber and serious, cloud the mixture. But take the joy of G-d's forgiveness, take the joy of being HaShem's children - even if He needs to castigate us. Copy it and pour it onto the seventh day of Chag - Hoshana Raba. Let that day be the culmination of the T'shuva and Kapara process begun nearly two months earlier.

You've got a holiday that is so joyous that our Sages identified it as Zman Simchateinu, the time of our joy. Fully recognizing that Simcha is a mitzva for all three Regalim, and probably for Rosh HaShana and Yom Kippur as well, our commentaries nonetheless point out that the command of Simcha is not mentioned specifically in connection to Pesach, only once with Shavuot, and three times with Sukkot.

If you are not yet convinced that Sukkot is a composite of the other chagim, take a look at its Torah reading of the first day. Topic: the cycle of the year. Shabbat, Pesach, the Omer, Shavuot, Rosh HaShana, Yom Kippur, and Sukkot. All other holidays have readings that are specific to each chag. Not Sukkot. It is the holiday of holidays.

And what about its name!. No, not Sukkot or Chag HaAsif. The other name. Chag. Sukkot is called Chag. Just Chag. For it is the quintessential Chag.

And it is perfectly suited to its role. Agriculturally, it is only after the harvest that one can be truly joyous. Too many worries about the crops at Pesach and Shavuot time.

And emotionally, only after the spiritually cleansing experience of the Yamim Nora'im can we be truly happy. And not even too much later. Right after Yom Kippur is best. And that's what we have. No time to come down from the high of Yom Kippur. Too busy building the Sukka, acquiring the Arbaa Minim. Preparing for Yom Tov.

What also adds to the feeling of Joy is G-d's telling us that He remembers fondly our kindness to Him, by our following Him through the Midbar, the Wilderness, for 40 years.

Give it your all!

Perhaps as a corollary to the joy of Sukkot, or perhaps as a contributing factor, we find the two major mitzot of the Chag involve all of us (individually) and all of us (as a nation). Matza you eat with your mouth and digestive system. Shofar you hear with your eyes. T'filin goes on an arm and a head. Tzedaka you give with your hands. Sukka involves your all. Only two mitzvot (okay,

maybe three) involve one's entire being. Living in Eretz Yisrael and Sukka (and Mikveh).

The Four Species represents our all. Two famous symbolisms see the Minim as heart, spine, eyes, and lips - and as representing four types of Jews, covering the whole people of Israel. Sukkot is truly Zman Simchateinu.

Take Rain Seriously

אַתָּה גְבוּר לְעוֹלָם ה',
מְחִיָּה מֵתִים אֶתָּה,
רַב לְהוֹשִׁיעַ:
מְשִׁיב הַרוּחַ וּמוֹרִיד הַגֶּשֶׁם:
מְכַלְכֵּל חַיִּים בְּחֶסֶד,
מְחִיָּה מֵתִים בְּרַחֲמִים רַבִּים,
סוֹמֵךְ נוֹפְלִים,
וְרוֹפֵא חוֹלִים,
וּמְתִיר אֲסוּרִים,
וּמְקִים אַמוּנָתוֹ לִישְׁנֵי עֶפֶר,
מִי כְמוֹךָ בְּעַל גְּבוּרָת וּמִי דוֹמֵה לָךְ,
מְלַךְ מַמְיָת וּמְחִיָּה
וּמְצַמִּיחַ יְשׁוּעָה:
וְנֶאֱמַן אֶתָּה לְהַחֲיוֹת מֵתִים.
בְּרוּךְ אַתָּה ה', מְחִיָּה הַמֵּתִים:

In the box above is the text of the second bracha of the Amida - every Amida, weekday, Shabbat, Chag. It is known as the bracha of G'VUROT, strengths or powers (of G-d). It is in this bracha that we mention G-d as the Rainmaker, during the rainy season.

From Musaf of Shmini Atzeret (a.k.a. Simchat Torah in Israel, but that might confuse readers in Chutz LaAretz - and even some from here) until Musaf of the first day of Pesach, we say that G-d is (among other things), the MASHIV HARU'ACH UMORID HAGASHEM (MHUH).

This is what Rabbi Eliezer and Rabbi Yehoshua discuss in the opening mishna of Masechet Taanit. Rabbi Eliezer felt that we should begin "mentioning" rain from the first day of Sukkot, since the world is judged for rainfall on Chag (Sukkot). Rabbi Yehoshua objected and said that rain is a negative sign on Sukkot, so why mention it. R' Eliezer claims he was not suggesting asking for it; only mentioning it at this appropriate time. R' Yehoshua states that if mentioning is not a request then we should mention MHUH all year round. Meaning that it is his opinion that we should mention rain only when we want rain, namely at the beginning of the rainy season. R' Yehoshua's opinion prevails and we begin mentioning MHUH from Shmini Atzeret Musaf. We will ask for rain from the 7th of Cheshvan.

If one omits MHUH from the second bracha of the Amida, AND does not say MORID HATAL either, the Amida must be repeated. In Israel (and in many communities in the Diaspora), where MORID HATAL is

said when MHUH is not said, it is considered that G-d's role as Weather Maker is acknowledged throughout the year. Therefore, if one forgets MHUH, he can assume that he said MORID HATAL in its place (by force of habit) and his Amida is not invalid.

Referring you to the box in the upper right, notice the phrasing. The bracha is a list of G-d's powers, MHUH being one of them. In addition to remembering MHUH, it is a good idea to become more familiar with all of the davening and to say everything with more Kavana and understanding.

REMEMBER: for the two weeks after we start to say MHUH, we still say V'TEIN BRACHA in BAREICH ALEINU. We do not yet say TAL UMATAR until 7 Cheshvan (in Israel. Beginning of December in Chutz LaAretz.) The Mishna explains that we delayed asking for rain until the last Oleh Regel (Pilgrim) returns home. Although this is anachronistic in our time, we retain the delay of two weeks as a practice of old, and as a reminder that this particular practice was based on our care and concern for every single Jew. This lesson is important and is therefore perpetuated even when the exact circumstances do not necessarily exist.

	First day Sukkot		Simchat Torah	
	Candles	Havdala	Candles	Havdala
Jerusalem	4:42	5:54	4:34	5:45
Raanana	4:59	5:55	4:50	5:47
Beit Shemesh	4:59	5:54	4:50	5:46
Netanya	4:59	5:55	4:50	5:47
Rehovot	4:59	5:55	4:51	5:47
Petach Tikva	4:39	5:55	4:30	5:47
Modiin	4:59	5:54	4:50	5:46
Be'er Sheva	5:00	5:55	4:51	5:47
Gush Etzion	4:58	5:54	4:49	5:45
Ginot Shomron	4:58	5:54	4:49	5:46
Maale Adumim	4:42	5:53	4:34	5:45
Kiryat Arba & Hebron	4:58	5:54	4:50	5:46
Tzfat	4:46	5:42	4:37	5:44

THE JERUSALEM INSTITUTE OF JEWISH LAW - Rabbi Emanuel Quint, Dean

Lesson 350

Capital Punishment

In the hierarchy of the Jewish court system, the court which is directly below the Great Sanhedrin is known as the Lesser Sanhedrin. The function of the Lesser Sanhedrin stands in stark contrast to that of the Great Sanhedrin. Instead of having a broad and varied jurisdictional base, the Lesser Sanhedrin has a very narrow and limited one. The Lesser Sanhedrin does not have any nonjudicial or administrative functions. It performs but one function, that of hearing cases involving capital crimes.

As explained by the Mishna, the Lesser Sanhedrin consists of 23 judges. Unlike the Great Sanhedrin, there are numerous Lesser Sanhedrins, one for each city that has a population of at least 120 men. There is also one Lesser Sanhedrin in each tribe, according to the opinion of Ramban, which acts as a supreme court over the courts of that tribe. Additionally, there are two special Lesser

Sanhedrins, one of which meets at the entrance to the court of the Holy Temple, and the other that meets at the entrance to the Temple Mount. These two Lesser Sanhedrins serve a special function in determining the law. The most erudite member of the Lesser Sanhedrin is the chief judge. The court sits in a semi-circle so that each judge can see the others. These courts are given the responsibility of meting out the death penalty, and because of the seriousness of the burden are not give permission to hear any cases that does not involve capital punishment. This unusual specialization by the court emphasizes the seriousness of the task and the difficulty involved in judging these types of cases. In an attempt to insure accuracy of their judgments in this area, therefore, the Lesser Sanhedrin only hear cases where the accused faces the death penalty. Rambam enumerates 36 cases in which the punishment is death. The Lesser Sanhedrin has jurisdiction over these 36 cases. If a defendant in one of these cases is found guilty, the Lesser Sanhedrin would be forced to decree one of the four types of death sentences. These four types of death sentences are used in specific cases.

The first is death by stoning. This form of capital punishment applies to 18 types of cases: if a man has

intercourse with his mother, his father's wife, his daughter-in-law, a betrothed maiden, a male or a beast; a woman who has intercourse with an animal; an idolater, a person who offers his child to the idol Molech; a necromancer; a wizard; an enticer to idolatry; a seducer to idolatry; a sorcerer; one who desecrates the Sabbath; aone who curses his father or his mother; a stubborn and rebellious son.

The second is death by burning. This form of capital punishment applies to 10 types of cases: if the married daughter of a kohen commits adultery; if a man has intercourse with his daughter, his daughter's daughter, her son's daughter, his mother-in-law, his mother-in-law's mother, or his father- in-law's mother. In the last six cases he is liable only if he has intercourse with them during his wife's lifetime.

The third is death by decapitation. This form of capital punishment applies to two cases: to a murderer and to the inhabitants of a city seduced to idolatry.

The fourth and final death sentence is strangulation. This form of capital punishment applies to six types of cases: one who has intercourse with a married woman; one who strikes his father or mother; one who kidnaps his fellow man; an elder who rebels against a decision of the Great Sanhedrin; one who is a false prophet; and one who prophesies in the name of an idol. For the sake of completeness I have listed a basic outline of the four broad categories of capital offenses as they relate to four applicable method of execution. However, it should be noted that these headings are at best only general descriptive categories. The legal definition of each incorporates various elements of each transgression, the minutiae of legal requirements surrounding it, and the particularities and details of its application in specific cases. These render the offense into a specific and unique legal concept which is quite different from the apparently simplistic categorical headings. In addition, the Jewish legal system further restricted the application of the death penalty by instituting a series of highly restrictive requirements that had to be met before the death penalty could be rendered and imposed. These included certain obligatory preliminary warnings that had to be given to the perpetrator before the commission of the offense and, at the trial, exceedingly difficult standards of evidentiary proof were imposed in capital cases. Moreover in order to acquit a defendant, a simple majority of the judges is sufficient. In order to convict, however, there must be a majority of at least two. The attitude of the law toward capital punishment can be seen from the following Mishna: "A Sanhedrin that effects an execution once in seven years is branded a destructive tribunal; Rabbi Eliezer ben Azariah says, Once in 70 years. Rabbi Tarfon and Rabbi Akiva say: Were we members of a Sanhedrin no person would ever be put to death."

The only issue left to mention regarding the Lesser Sanhedrin is that their jurisdiction over the death penalty extends not only to cases involving human life but also to certain cases involving animals. One example is that of an animal charged with having carnal intercourse with humans. Just as the man or woman is to be put to death for this unnatural crime, the animal meets a similar fate. Both receive their sentence from a Lesser Sanhedrin. A second example is that of an ox that killed a person. The Mishna

states that the ox has to be judged by the Lesser Sanhedrin. The Mishna derives this law from the verse "the ox shall be stoned and its owner also put to death". As explained by the Talmud, since the verse juxtaposes the death of the owner and the death of the guilty ox, the same law that would have applied to the owner had he been guilty of homicide is applied to the ox if it is found guilty of homicide. The owner, of course, is not put to death in these cases because one is put to death for a murder only that he commits personally. Rambam in his code concludes that all animals which have been tamed, except for snakes, must be judged by a Lesser Sanhedrin if they are to be put to death for having killed a person. Snakes that killed a person may be put to death without a trial.

The subject matter of this lesson is more fully discussed in volume 1 chapter 1 of Jewish Jurisprudence by Emanuel Quint & Neil Hecht. Copies of both volumes can be purchased at local Judaica bookstores. Questions to quint@inter.net.il

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MISC section - contents:

- [1] Vebbe Rebbe
- [2] Candle by Day
- [3] From Aloh Naaleh
- [4] Wisdom & Wit
- [5] Portion from the Portion
- [6] From the desk of the director

[1] From the virtual desk of the OU

VEBBE REBBE

The Orthodox Union – via its website – fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and the Israel Center. The following is a Q&A from Eretz Hemdah...



I have been placing my sukka on my balcony for years. A neighbor's tree has been encroaching on the air space. I have trimmed branches in the past but now the branches very high overhead densely cover major parts with wide leaves. Do high branches ruin the sukka's kashrut? If so, do I have the right to make him cut down the significant section of the tree that causes the problem, and, if so, who pays for it?



This issue was addressed at length in an article by our esteemed colleague, Rabbi Yona Reiss, a dayan and director of the Beth Din of America. We will summarize (with his permission) those of his conclusions that impact our case.

We discussed in the past (Ask the Rabbi, Sukkot 5765) some of the intricacies of the circumstances under which foliage over a sukka renders it invalid. To oversimplify, if the sukka is mainly covered by leaves so that there is more shade than light going through, it invalidates the sukka (see Shulchan Aruch, Orach Chayim 626: 1) even if the foliage is more than 20 amot above the sukka (Mikra'ei Kodesh, Sukkot 15.3). Inquire if you are unsure if your sukka is disqualified.

We now move to issues of nizkei shecheinim (damages caused by neighbors). The Shulchan Aruch (Choshen Mishpat 155:26) rules that if Reuven's tree extends over Shimon's property, Shimon may cut off the part that disturbs use of his own property. When it does not cause clear damage, we apply the rule that the land was distributed so that people would allow each other to benefit from each other's property when appropriate (Bava Batra 27b). Along similar lines, the person who may be damaged indirectly by his neighbor's activity in his own property should be the one to take precautions to avoid the damage (see *ibid.* 25b).

The Shulchan Aruch (*ibid.*:28) says that when a neighbor's tree impedes a homeowner from acting normally in his own home, he can cut down the offending portion of the tree, even if the use is a new one. There is no reason to say that using one's balcony for a sukka is not the type of use that warrants removal of branches. This should be the case even if there are alternatives places to put the sukka if this place has legitimate advantages in the owner's eyes.

Who has to toil and/or pay to cut off the branches? When one acts in a manner that does not cause damage at the time of his action but the damage develops over time, it is up to the person who is being damaged to distance himself (see Shulchan Aruch and Rama, *ibid.*:31). We do not find precedent to make the damager pay when he initially acted properly (e.g., when planting the tree in his own area) and the damage arose indirectly. When describing the right to cut down the bothersome branches, the Rambam (Shecheinim 10:8) and Shulchan Aruch mention the damaged person as the one who cuts it down, presumably because this is his responsibility. When the tree grows such that it causes severe damage, we find poskim who say that the tree's owner has to remove the branches at his own expense (Shut Hon Rav (CM 8)). However, not only is this opinion apparently not unanimous, it likely applies only when it was quite clear at the time of his action that a serious problem would arise. In contrast, in our case, it was not necessarily clear at the time the tree was planted that it would grow in a manner that would invalidate a neighbor's sukka. Therefore, it is not possible to require the owner of the tree to pay money or to do the cutting himself. On the other hand, you are not required to pay for any damage to the tree that may occur if you responsibly cut down as much as is needed (see Shulchan Aruch, *ibid.*:30).

In summary, halacha allows you to cut down the part of the tree that is causing the problem and no money needs to be paid to you for your work or by you for possible damage to the tree. An important piece of advice is that you try to work everything out through mutual agreement and compromise in advance. Make sure that your sukka remains a sukkat shalom.

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or www.erezhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@erezhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] Candle by Day

We sometimes assume that someone is not acting naturally, when the truth is that he is living in a world different from ours, in which his actions may be the essence of naturalness.

From "A Candle by Day" by Rabbi Shraga Silverstein

A Candle by Day • The Antidote • The World Of Chazal by Rabbi Shraga Silverstein • Now available at 054-209-9200

[3] CHIZUK and IDUD

for Olim & not-yet-Olim respectively

When the Jewish people returned to Israel in the time of Ezra, they once again erected sukkot. As it says (Nehemia 8:17): "The entire congregation of returnees from the captivity made sukkot and dwelt in the sukkot; for the Children of Israel had not done this from the days of Yehoshua bin Nun until that day; there was extremely great rejoicing."

How can it be that the Jewish people hadn't kept the mitzva of sukka for over 900 years?

This can be understood by the explanation for the mitzva given by Rabbi Abuhav (Menorat Hamaor 3,4,1). He explains that the idea of a sukka is that a person should leave the security of his home in order to place himself in the hands of God for protection against the elements.

The common denominator between the generation of Yehoshua and Ezra is that these were both generations of Aliya. These are the two generations in history that were willing to sacrifice their previously sheltered environment and make Aliya. And, therefore, it was these two generations who were able to appreciate the mitzva of sukka like no one else.

Our generation is the third generation in history that has left the exile in order to put our lives in the hands of God here in Israel. So we too can appreciate with "extremely great rejoicing" the mitzva of sukka in our day in its revival after nearly two thousand years.

As a result, may we speedily witness God's return to His sukka - the majestic Sukka of Jerusalem, as it says: "In Shalem is His Tabernacle and His dwelling place is in Zion."

Rabbi David Samson, Jerusalem

TORAH THOUGHTS as contributed by Aloh Naaleh members for publication in the Orthodox Union's 'Torah Insights', a weekly Torah publication on Parshat HaShavu'a

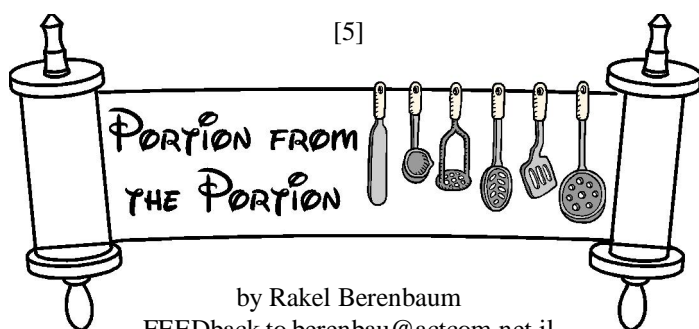
[4] **Wisdom & Wit**

Retroactively

We are told by our Sages, "against your will, you are created, against your will you are born, against your will you will live, against your will you will die and against you will you must give an accounting" for your life. On this, the Gaon of Vilna asked: "if all of these are against the persons will, why is he then required to give an accounting?"

To answer this, he quoted a halacha: if a person has a field which has no fence around it and his neighbor puts up a fence around three sides of the field, the owner of the field does not have to pay for the fencing, as his field is still unprotected on the fourth side. However, if the owner of the field then adds fencing on the last side, the owner of the field must share the cost of the other three sides, for now the fencing serves a purpose. "The same thing applies to our lives", the Gaon concluded. "It is true that we are created and we are born and we live against our wills, but when it comes to dying, none of us wants to die. By the fact that we want to live we indicate that we indeed wanted to be created, to be born, and to live, and therefore we are held accountable for our lives."

Shmuel Himelstein has written a wonderful series for ArtScroll: Words of Wisdom, Words of Wit; A Touch of Wisdom, A Touch of Wit; and "Wisdom and Wit" — available at your local Jewish bookstore (or should be). Excerpted with the permission of the copyright holder



Simchat Torah

There are two interesting customs on Simchat Torah that are related to food. One has to do with apples. On Shavuot in Persia and Babylonia it was a custom to throw apples from the roof of the shul. The children would then run to collect and gather together the sweet apples and this was a symbol of the in-gathering of the Jewish exiles. It also was a way to excite the children. This custom from the holiday of the "giving of the Torah" (MATAN TORAH) was transferred (like other PIYUTIM as well) to the holiday of "rejoicing with the Torah" (SIMCHAT TORAH). I remember as a child getting candied apples on a stick for Simchat Torah - it is not as common today.

There is also the custom of throwing sweet foods at the person who gets the last Aliya in the Torah and at the one who has the Aliya starting the new cycle of Torah readings. These people are called (Chatan Torah) the "groom of the Torah" and (Chatan B'reishit) the "groom of B'reishit". In calling them bridegrooms, we point to the fact that we have a love for the Torah like a groom has for his bride. The same way we throw candies at a groom when he is called up to the Torah, we throw candies at

these two grooms. In some communities it was the women who just recently got married - all the new kalot, brides - who would throw the candies at the two grooms of Simchat Torah.

CANDIED APPLES

- 1 cup brown sugar
- ½ cup white sugar
- ½ cup light corn syrup
- ½ cup water
- 1 Tbsp. butter
- 1 Tbsp. vanilla
- 6 medium red delicious apples

Cook over low heat, stirring constantly. Continue cooking without stirring until syrup forms a hard ball when a bit is dropped into cold water. Remove saucepan from stove and place in a pan of very hot water. Wash apples and dry thoroughly. Remove stems. Insert wooden skewers into stem end of each apple. Dip apples in hot candy immediately after removing it from heat. Let harden and cool. Makes 6 candied apples.

[6] **Divrei Menachem**

On Sukkot we take the four species, the etrog, lulav, myrtle and willow, indicated in the Torah as the, "fruit of a goodly tree, date palm fronds, and the bough of a leafy tree, and willows of the brook" (Vayikra 23:40). What can we learn about the Torah's choice of these specific plants?

Rambam suggests that the Arbaa Minim memorialize the historical process of the Exodus and the climactic entry in to Eretz Yisrael. For, in essence, the Four Species were characteristic of those seen on the way: palms in the desert, willows on the banks of the River Jordan, trees dense with foliage in the hilly forest thickets and fruit of the goodly tree in the orchards.

The botanical characteristics of these plants contribute to a deeper understanding, related to the agricultural harvest and the prayers for rain and prosperity. The example, par excellence, is the Etrog. For unlike other fruits, its stigma (Pit'om) stays on after it has ripened and the tree gives fruit several times a year. The willow (Arava) with its dependence on water contrasts heavily with the myrtle (Hadas) which can survive days without water. No wonder, then, that we use the Arava for the Hoshana ceremony in which we call out to Hashem to save us.

Lastly comes the Lulav, the spear-looking symbol of victory (cf. Maccabees 1, 13:51; Vayikra Rabba 30) that portends well for the future sustenance of the Jewish people. Now we might better appreciate the significance of saying our prayers as all four symbols combine in our hands!

**Shabbat Shalom and Chag Same'ach
Menachem Persoff**

SHEYIBANEH BEIT HAMIKDASH...

A series of articles on Beit HaMikdash-related topics by Catriel Sugarman intended to increase the knowledge, interest, and anticipation of the reader, thereby hastening the realization of our hopes and prayers for the rebuilding of Jerusalem and the Beit HaMikdash.

Yom Kippur, Was it a Dream? (A Story)

The Segan - soon to be ACTING Kohein Gadol and not merely DEPUTY Kohein Gadol - had spent the entire night of Yom Kippur in Halachic discourses with members of the Sanhedrin and some of the senior Kohanim. Though the Divrei Torah were simply wonderful, he would have rather spent some extra time with Zechariah, the venerable patriarch of Beit Avtinah, and reviewed the practical aspects of Haktarat Ketoret again. However, to his dismay, Zechariah had already pronounced him "ready to enter the Kodesh Hakodashim himself". As Segan, he knew very well that no one EVER contradicted the imperious Zachariah. Ha'avoda! If he only knew! "I don't need young Kohanim to keep me awake Erev Yom Kippur! Just the thought of going into the Kodesh Hakodashim and representing Am Yisrael before G-d is enough to keep any man awake!" That afternoon, he had visited our old Pinchas Hamalbish in his office. Pinchas had shown him the Bigdei Zahav, the resplendent golden high priestly garments that he would wear when he performed much of the Avoda as well as the Bigdei Lavan, the pure white garments that he would wear when he entered the Kodesh Hakodashim. "YOU are now Kohein Gadol. YOU are Aharon! Start thinking like a Kohein Gadol, not like a Segan!" Great advice. He hadn't thought about the Balaganin his office for at least an hour and a half!

The day went smoothly. Well before dawn, the acting Kohen Gadol had removed the ashes from the Mizbei'ach. By 4:21am, he had already immersed for the first time, arrayed himself in the Bigdei Zahav and slaughtered the Tamid Shel Boker. True to his word, Naphtali, the head Shocheit of the Mikdash did not leave his side. The acting Kohein Gadol would commence slaughtering the animal and Naphtali would effortlessly grasp the knife in the middle and finish the cut while the Kohein Gadol took a Mizrak and received the blood. By 5:11, the Kohein Gadol joined the other Kohanim in the Lishkat Hagazit and said Kriyat Shema, the Aseret Hadebrot, Birkat Kohanim and the Tefilla. He trimmed the Menorah, offered the daily incense, and finished sacrificing the Tamid Shel Boker together with its accompanying Menachot, Chavitin, and Nisuch Hayayin. He slaughtered and sacrificed the Musafin, one bullock and seven lambs. By 8:41, he had immersed, changed into the Bigdei Lavan, and confessed his sins over a bullock that he himself had purchased. As he placed his hands on its head, he said with real feeling, "O G-d, I have committed iniquity, transgressed and sinned before Thee, I and my house. O G-d, forgive the iniquities, transgressions and sins which I have committed and transgressed and sinned before Thee, I and my house, as it is written in the law of Thy servant Moses, 'For on this day shall atonement be made for you to cleanse you: from all your sins shall ye be clean before the L-rd'" As he confessed his sins, he recalled the Yerushalmi, "'Iniquities', these are sins committed presumptuously, 'their transgressions', acts of rebellion. 'Their sins', these are sins committed accidentally" "When the Kohanim and the people ... heard the Shem Hameforash - the Ineffable Name - coming forth from

the mouth of the Kohein Gadol," the untold myriads standing in the Azara "knelt and prostrated themselves and fell down on their faces and said, 'Blessed be the name of the glory of His kingdom for ever and ever'" Shaken, the Kohein Gadol answered them, "May you be purified!" He walked over to the eastern gate of the Azara, "and two [identical] he-goats were there and there was also an urn containing two lots. Upon one was written "Lashem" and on the other was written "La'azazel." Gazing at the massive gold facade of the Bayit for a minute, he stood behind the goats. Flanked by Meir Hakohein on his right and the Rosh Mishmeret on his left, he slipped his hand into the urn and drew out the two lots simultaneously. As he felt them in his hands, he remembered the Gemara. "Throughout the forty years that Shim'on Hatzadik ministered [as Kohein Gadol], the lot [for Hashem] always came up in the right hand." He offered a silent prayer and took a deep breath. Slowly, ever so slowly, he opened his hands. The lot Lashem was in his right hand! A true sign of Divine grace! Grasping the lot, he raised his right hand for all to see. A spirit of rejoicing and exaltation instantly spread through the crowd. Euphoric, he felt like he was "on a roll". Energized, he approached the goats and bound "a thread of crimson wool on the goat that was to be sent to Azazel." He tied a another strip of wool on the goat that would be slaughtered as a Chatat. He turned to the bullock, placed his hands on its head, and confessed sin a second time, beseeching forgiveness for himself, his wife and ALL the house of Aaron. And as before, when the people heard the pronounced name of G-d they "knelt, prostrated themselves and fell down on their faces, and said, 'Blessed be the name of the glory of His kingdom for ever and ever.'" Once again, the Kohein Gadol answered, "May you be purified!" He slaughtered his bullock and gave the sacrificial blood to a Kohein to stir so it would not coagulate. With great trepidation, he entered the Kodesh Hakodashim to offer Ketoret. There, he perceived G-d's awesome holiness in the columns of rising smoke, but he did not get flustered.

There was a spirit of anticipation in the air. However, when they brought him the Sa'ir Hamishtalei'ach, it was with trembling, that he placed his hands on the goat's head and confessed the sins of K'lal Yisrael. After he finished, the Ish Iti, the "designated man", led the Sa'ir Hamishtalei'ach - the bearer of Israel's sins - out of the Azara towards the wilderness. Meir whispered to the Kohein Gadol, "This is no time to stop. According to Rav Reuven's "Time Motion Study for the Kohein Gadol for Yom Kippur", you're running 25 minutes late!" The Kohein Gadol nodded and swiftly began to remove the Emurim, the sacrificial portions of his bullock and the goat previously slaughtered to burn them on the Mizbei'ach. Under Naphtali's guidance, he dismembered the carcasses in their skins and twisted their limbs around carrying-poles; they would be carried outside of Jerusalem and burnt. There was an air of suspense; everybody was waiting for word that the Sa'ir Hamishtalei'ach had "reached the wilderness". However, the Ish Iti did finally come to the ravine; he removed the red strip of wool from between the horns of the goat, and divided it in half. He fastened one piece to a nearby rock, the other he retied to the goat's horns; another red wool "ribbon" had been previously hung at the entrance of the Ulam. R. Ishmael had said that when the goat reached the wilderness, if Am Yisrael merited it, the threads turned white. Back in the Mikdash, the Kohein Gadol was getting very fidgety. The Ish Iti should have pushed the goat over the cliff by now. Why isn't there word? Suddenly... the Azara fell silent. Then there was a shout, then a roar from 100,000 throats! People were excitingly pointing to

the piece of wool hanging at the entrance of the Ulam. IT HAD TURNED WHITE! Then something amazing happened, something totally unprecedented. Everyone in the Azara started singing over and over and over again, "Though your sins be as scarlet, they shall be [forgiven and be] as white as snow." And then everyone started to dance! Even our Pinchas Hamalbish danced a few steps! The rest of Yom Kippur passed like a dream.

Catriel's book in progress: The Temple of Jerusalem, A Pilgrim's Perspective; A Guided Tour through the Temple and the Divine Service

from page 3 PARSHA PIX

- OTO V'ET B'NO (from the Torah reading of the first day).
- Symbols of the holidays, but the Shofar is Xed out because in Vayikra 23 we find Zichron T'ru'a, which we take to refer to Shabbat RH when we do not blow the Shofar.
- The stork is delivering baby cow, goat, and sheep. (Zodiac symbols thereof.)
- Agricultural scene in lower right for reminders of Pe'ah and Leket which are sandwiched between Shavuot and Rosh HaShana.
- Torah is completed with the reading of V'ZOT HABRACHA.

TTRIDDLES...

are Torah Tidbits-style riddles on Parshat HaShavua (sometimes on the calendar). They are found in the hard-copy of TT scattered throughout, usually at the bottom of different columns. In the electronic versions of TT, they are found all together at the end of the ParshaPix-TTriddles section. The best solution set submitted each week (there isn't always a best) wins a double prize a CD from Noam Productions and/or a gift (game, puzzle, book, etc.) from Big Deal

Last issue's (Haazinu-YK) TTriddles:

[1] textual Haazinu - Yom Kippur link, 1-3

B'ETZEM HAYON HAZEH... An interesting, strong phrase used in TANACH 12 times, 10 of which are in the Torah. It was on "this very same day... that No'ach and family went into the TEIVA. And twice it is used for Avraham circumcising himself and the males of his household (and Yishmael). Three times it is used in context of the day we were taken out of Egypt. And three times it refers to Yom Kippur (part of what the TTriddle is looking for). And once it refers to the very day that Moshe finished his tasks of talking to the people and writing the Torah down for them (us). That time is in Haazinu, and thus the TTriddle is solved. Interestingly, the one time the term is used in Yehoshua, it refers to the day the Manna stopped, the day the shame of Israel was lifted following the mass circumcision of all those who hadn't been circumcised since the first year out of Egypt. And on the very day that we ate "matza" from the yield of the Land. So Pesach and Brit are both associated with the words B'ETZEM HAYOM

HAZEH. The final time the phrase occurs is in the book of Yechezkeil, referring to the 10th day of the 10th month, ASARA B'TEVET, the very day of the siege of Jerusalem by the Babylonians. The same term being used for 10 Tevet and Yom Kippur leads to the statement that if Asarab'Tevet were to fall on Shabbat, we would fast and not push the fast until Sunday (as we do with other fasts). In fact, Asara b'Tevet is the only fast that never falls on Shabbat. It is also the only fast ever on a Friday, when it does impinge on Shabbat a little bit. B'ETZEM HAYOM HAZEH - an interesting and strong phrase, and the solution to a TTriddle.

[2] Using 5,7,6,7 in that order, and math symbols, form expressions equal to the numbers 0-10

We had a few of these in last week's Torah Tidbits. We will carry this TTriddle further to allow some people to submit solutions which they might have more time to work on now that Yom Kippur has passed.

[3] his 2,3,4,5,8,10

This was a Yom Kippur TTriddle, and the "his" in it refers to the Kohen Gadol. His 2 are the identical goats that he drew lots (two of them) over. His three are the times he said VIDUI. His four are the special white garments he wore upon entering Kodesh HaKodashim. His five immersions in the mikveh. His 8 garments that he wore when doing most of the Avoda of the day. His 10 refers to his washing of hands and feet 10 times in the course of the day. His 10 can also refer to the ten times he said SHEIM HAMEFORASH, or more accurately, the 10 times the SHEIM HAMEFORASH came out of his mouth.

[4] Then Jonah was confused

Then is AZ (ALEF-ZAYIN). Jonah is YONA, YUD-VAV-NUN-HEI. Confused means scramble the letters and they spell HAAZINU.

[5] Butter sandwiches and a glass of milk. Mid-morning snack in school. Who's food?

Actually, it is in day camp that I remember butter sandwiches and milk as a mid-morning snack. But it seems that schools used to serve that too. The answer to this TTriddle is based on Rashi on the verse CHEM'AT BAKAR (the butter of cow milk) VACHALEIV TZOM (and sheep or goat's milk) - this refers to the time of Shlomo HaMelech... CHEILEV KILYOT CHITA (fat kidney-shaped grains of wheat, from which delicious bread is made) - this too, says Rashi, refers to the time of Shlomo. (The other foods described in the pasuk are associated with the 10 "lost" tribes.) So the answer to the TTriddle is Shlomo HaMelech.

[6] found before; read after

The haftara for Shabbat Shuva is found in many Chumashing right before Haazinu (that is, right after Vayeilech), and was read, this year, right after Haazinu. It isn't always so, but it was this year - and whenever Haazinu is Shabbat Shuva (which is more often than not).

[7] The lonely and big one

This refers to the big HEI of the word HAL-ADO-NOI in D'varim 32:6. It is an unusual (actually, unique) type of

K'TIV and K'RI, a situation in the Torah or elsewhere in Tanach, when something is written one way and read a different way. In a Sefer Torah, the HEI is not only written extra large, but it is separated from the rest of the word it heads by a space, making it the loneliest letter in the Torah. Every other letter of the 304,805 letters in the Torah is next to at least one other letter. The only other letters that stand alone are the backwards NUNs that bracket off the two p'sukim in B'haalotcha. But they are not read at all. They are not part of a word. This HEI is part of the word, but it is separated from the rest of the word. Unique. When reading the word, it reads like a regular word with no vocal indication of the space. First syllable - HAL (that's a SH'VA NACH under the LAMED). Then G-d's name.

[8] pennies are the best substitute for chickens

When using money for KAPAROT instead of live chickens, pennies are a particularly appropriate choice in light of the fact that they are made of COPPER which sounds like KAPAROT. (No groaning please.)

This week's TTriddles:

[1] What we do with the four brings to mind another plant

[2] shoot a vowelless hen

Other PDFs this week:

regular:

- **Main TT**
- **TIYULIM & SHABBATON pages**
- **The BackPages (schedule)**

Special:

- **Fire & Wine - guide to Candle lighting, Kiddush, and Havdala (correct for Israel - people elsewhere have two days Yom Tov, which changes a lot)**
- **Entering the Sukka and inviting its guests**
- **Lulav & Etrog guide**
- **Hoshanot**
- **Shir Shel Yom**
- **Bencher**
- **After brachot**
- **Simchat Torah Hakafot**