YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**the laws of THE FESTIVALS**

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Dedicated in memory of Sarah and Gustave Hartman (Sarah and Gedalya) and Zipora and Rabbi Moshe Turner by Rabbi Barry David Hartman

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**THE LAWS OF SUKKOT**

**by Rav David Brofsky**

***Shiur* #39: Shemini Atzeret (1)**

**Introduction**

 After celebrating the festival of *Sukkot* for seven days, dwelling in one’s *sukka* and taking the *arba minim* each day, the Torah instructs that the eighth day, known as “*Shemini Atzeret*," should be observed as a *Yom Tov*:

On the eighth day you shall have a solemn assembly (*atzeret*): You shall do no manner of servile work;  but you shall present a burnt-offering, an offering made by fire, of a sweet savor unto the Lord: one bullock, one ram, seven he-lambs of the first year without blemish; their meal-offering and their drink-offerings for the bullock, for the ram, and for the lambs, shall be according to their number, after the ordinance; and one he-goat for a sin-offering; beside the continual burnt-offering, and the meal-offering thereof, and the drink-offering thereof. (*Bamidbar* 29:35-38)

 Unlike Pesach, which is celebrated for seven days, the festival of Sukkot is extended an additional day, and Shemini Atzeret is observed on the eight day. Why is there an “extra” day of Sukkot? What is the nature of this additional day? The Talmud explains:

R. Elazar taught. The seventy cows [of Sukkot] correspond to the seventy nations of the world. What is the purpose of the lone cow [of Shemini Atzeret]? It corresponds to the lone nation. It is like a parable to a king who said to his servants, “Make for me a great feast.” On the last day, he said to his lover, “Make for me a small feast so that I may derive pleasure from you.” (*Sukka* 55b)

The Talmud contrasts the festivals of Sukkot and Shemini Atzeret. The “*parei ha-chag*," the seventy bulls brought on Sukkot, which correspond to the seventy nations of the world, highlight the universal theme of Sukkot. The prophet Zekharia also highlights the universal theme of Sukkot:

The Lord will be king over the whole earth. On that day the Lord will be one, and His name the only name ... Then the survivors from all the nations that have attacked Jerusalem will go up year after year to worship the King, the Lord Almighty, and to celebrate the Feast of Tabernacles. If any of the peoples of the earth do not go up to Jerusalem to worship the King, the Lord Almighty, they will have no rain. If the Egyptian people do not go up and take part, they will have no rain. (*Zekharia* 14:9, 16-17)

In Zekharia’s eschatological vision, the nations of the world will one day celebrate the festival of Sukkot and worship God in Jerusalem.

The single bull brought as a *korban* on Shemini Atzeret, however, points to a more particular theme. This led the *gemara* to teach the parable of the king who wishes to spend quality time with his lover.

Rashi offers a similar understands. He comments:

This is language of affection, like children departing from their father. He says, “Your departure is difficult for me. Delay it one more day.” (Rashi, *Bamidbar* 29:36)

Shemini Atzeret emphasizes the specific, particular relationship between God and the Jewish People, beyond the universal relationship between God and the nations of the world. Rashi portrays Shemini Atzeret as a beautiful celebration of the loving relationship between God and *Am Yisrael*.

The Chizkuni (13th century) also views Shemini Atzeret as a celebration of the relationship between God and the Jewish People, and adds:

This is a parable to a king whose children came to visit him. The first time the king asked, “When will you return to me?” They told him, “In 50 days.” He said, “Go in peace.” The second time he asked, “When will you return?” They said in four months, and he told them, “Go in peace.” The third time, they told him, “We cannot return for seven months.” The king said, “If that is the case, please stay with me one more day so I can enjoy your company, since you will be so delayed for so long.” For this reason, there is no *atzeret* for the Jews on Pesach, for they return on Shavuot. And there is no *atzeret* on Shavuot, for they will return on Sukkot. But on Sukkot, when they will not return again until Pesach, God delays them one day. (Chizkuni, *Vayikra* 23:36)

God wishes to spend one final day, before the long winter void of festivals, alone with his nation.

**The Nature of Shemini Atzeret and its Relationship To Sukkot**

 The Talmud enumerates six ways in which Shemini Atzeret differs from the previous seven days, the festival of Sukkot:

It has been taught in agreement with R. Nachman: Shemini Atzeret is a separate festival (*regel bifnei atzmo*) with regard to PZ”R KSH”B – that is with regard to “***p****ayis*” (balloting) it is a separate festival, with regard to the “***z****eman*” (*birkat she-hechiyyanu*) it is a separate festival, with regard to “***r****egel*” (the nature of the festival) it is a separate festival, with regard to “***k****orban*” (its sacrifice) it is a separate festival, with regard to “***s****hir*” (its psalm) it is a separate festival, and with regard to its “***b****erakha*” it is a separate festival. (*Sukka* 48a)

What are these six halakhot for which Shemini Atzeret deserves to be describes as a “regel bifnei atzmo”?

Shemini Atzeret differs with regards to the “*payyis*;" the ballot was used in order to determine which of the twenty-four “*mishmarot ha-kehuna*” received the *korbanot* on Shemini Atzeret, as it is on other festivals. During the first seven days of the Festival, however, no ballot was necessary, as the “*parei ha-chag*” were sufficient to provide for all of the *kohanim*. In addition, on Shemini Atzeret, the *She-hechiyanu* blessing is recited, even though it was already said on the first day of Sukkot.

Shemini Atzeret also differs regarding the *birkat ha-zeman*, as *She-hechiyyanu* is recited, even though it was already recited o the first day of the Festival. This stands in contrast to Pesach, when *She-hechiyyanu* is only recited once, on the first day.

The *Rishonim* disagree as to the implication of “*regel bifnei atzmo*.” Rashi (*Sukka* 48a, s.v. *regel*) explains that Shemini Atzeret is separate in that one does not sit in a *sukka*. Elsewhere (*Rosh Ha-Shana* 4b, s.v*. pazar*), Rashi writes that “*ein shem chag ha-Sukkot* *alav*” – the eight day does not bear the name of the festival of *Sukkot*. Tosafot (*Rosh Ha-Shana* 4b, s.v*. pazar*) explain that in *Birkat Ha-Mazon* and *tefilla*, one mentions “*Shemini Atzeret*," and not “*Chag Ha-Sukkot*.” Rabbeinu Chananel (*Sukka* 48a) and the Rif (*Sukka* 23a) explain that Shemini Atzeret is a “*regel* *bifnei atzmno*” in that if one buries a close relative, over whom he must mourn, before the Festival, the first day of Sukkot cancels the *shiva* (seven days of mourning), and Shemini Atzeret cancels another seven days of the period of mourning. Therefore, upon concluding the entire festival, one has already counted twenty-one days (seven days before the beginning of the festival, seven days of *Chol Ha-Mo’ed*, and Shemini Atzeret) of the thirty-day period of mourning (*Sheloshim*). Rabbeinu Tam (Tosafot, *Sukka* 48a, s.v. *regel*) disagrees, and explains that “*regel bifnei atzmo*” refers to the obligation to sleep in Jerusalem (*lina*) during the time of the *Beit Ha-Mikdash* on the night of Shemini Atzeret.

 The Ramban (*Sukka* 48a) rejects these explanations and explains that Shemini Atzeret is a “*regel bifnei atzmo*” in that one who exempt from bringing the *olat re’iyya* and the *shalmei chagiga* on the first day of Sukkot – for example, one who converted during *Chol Ha-Mo’ed* or a minor who became an adult during *Chol Ha-Mo’ed* – is obligated to bring these *korban*ot on Shemini Atzeret. Furthermore, according to the opinion that maintains that one violates “*bal te’acher*” (the prohibition of not fulfilling one’s vows) after three “*regalim*" have passed, one would be in violation after two *regalim* and the seven days of *Sukkot* pass.

Regarding “*korban*," on Shemini Atzeret the descending pattern of bull offerings, from thirteen to seven, stops, and only one bull is offered (*Bamidbar* 29:36). The psalm recited in the *Beit Ha-Mikdash* by the *Levi’im* on Shemini Atzeret (*Tehillim* 12) also differed from the pattern of songs recited by the *Levi’im* throughout the festival (see *Sukka* 55a).

Finally, the *Rishonim* differ as to whether “*berakha*” refers to the unique formula inserted in one’s prayers (Rabbeinu Tam, Tosafot, *Sukka* 48a, s.v. *regel*), or to the blessing recited for the “life of the King” at the end of the Festival (see Rashi *Yoma* 3a s.v. *berakha le-atzmo*; see also Tosefta, *Sukka* 4:10 and Rashi, *Sukka* 48a, s.v. *berakha*).

 The *Acharonim* discuss whether these differences imply that Shemini Atzeret should actually be perceived as a separate festival, or simply as the eighth day of the *Sukkot* festival whose *halakhot* differ somewhat from the seven previous days. Some attempt to relate this to an interesting question regarding the proper formula for the Shemini Atzeret insertion in one’s prayers.

The *Rishonim* (Rif, *Sukka* 23a; Rashi, *Sukka* 47b, s.v*. birkat*; Rosh, *Sukka* 4:5, et al.) write that one inserts “*yom shemini* *Chag Ha-Atzeret* *ha-zeh*” into the *Shemoneh Esrei* and *Birkat Ha-Mazon*, and the Shulchan Arukh (668:1) records this formula. Similarly, the Rambam (*Seder Tefillot*; see also Tosafot Yeshanim, *Yoma* 3a) writes that one should insert “*yom chag* *Shemini Atzeret* *ha-zeh*” in one’s *Shemoneh Esrei*.

The Rema (668:1) writes that it is customary to say “*yom shemini ha*-*atzeret* *ha-zeh*," and not to mention the word “*chag*" at all, as “we do not find that [Shemini Atzeret] is called a *chag*.” Although the Gra (Bi’ur Ha-Gra 668:2) notes that the Talmud does refer to Shemini Atzeret as a “*chag*," the Ran (*Nedarim* 49a) cites the *Yerushalmi*, which implies that in the language of the Torah, Shemini Atzeret is not referred to as a “*chag*.” The Maharshal (Responsa 64) and the Taz (668:1) conclude that one should say “*yom* *Shemini Atzeret* *ha-chag ha-zeh*," as the “*chag*” refers to Sukkot, and not to Shemini Atzeret. The Arukh Ha-Shulchan (668:1) records that this is the “*minhag* *ha-olam*,” the accepted practice.

R. Chaim Yosef David Azulai (1724-1806), known as the Chida, in his Birkei Yosef (668), insists that the majority of *Rishonim* and *Acharonim* held that one should insert “*yom shemini* *Chag Ha-Atzeret* *ha-zeh.*”

 What of one were to forget to mention Shemini Atzeret, and simply inserted “*yom* *Chag Ha-Sukkot* *ha-zeh*," as he did for the previous seven days? The Sha’arei Teshuva (668:2) cites numerous opinions on this matter. The Chayei Adam (28:15), Arukh Ha-Shulchan (668:1), and R. Moshe Feinstein (Iggerot Moshe, *Orach Chaim* 3:97) rule that one should not repeat his prayer in this case. The Birkei Yosef (ibid.), however, rules that if one has already taken three steps backwards when he recalls his error, he should repeat his prayer (see also R. Ovadia Yosef, Yabi’a Omer 4:51). Some (see Kaf Ha-Chaim 668:3, for example) suggest that on Shemini Atzeret outside of Israel (that is, the eighth day, but not the ninth day), one need not repeat his prayer, as the eighth days is considered to be a “doubt” if it is really the seventh day and therefore still *Sukkot*.

 One might suggest that those who maintain that one must repeat his prayers must certainly view Shemini Atzeret as a completely different festival, while those who say that one need not repeat his prayer believe that Shemini Atzeret is fundamentally the eighth day of Sukkot, and not a completely separate festival. R. Betzalel Zolty (Mishnat Ya’avaetz, *Orach Chaim* 71) discusses this question at length, and suggests other issues that may be subject to this debate.

**Accepting *Shemini Atzeret* Early**

 As mentioned above, Shemini Atzeret differs from Sukkot in that one does not dwell in the *sukka*, nor does one take the *arba minim*. Therefore, in Israel, where there is no doubt regarding the calendar, one does not eat in the *sukka* on the night of Shemini Atzeret. Furthermore, the Talmud (see *Eiruvin* 96a) discusses whether one who sits in the *sukka* on Shemini Atzeret with the intention of fulfilling a mitzva violates the prohibition of “*bal tosef*,” adding to the *mitzvot* of the Torah.

 Interestingly, the *Acharonim* debate whether one who accepts Shemini Atzeret early must eat his evening meal in the *sukka*. On the one hand, as there is still light outside, one may argue that it is still Sukkot, and that one must therefore still eat in the *sukka*. On the other hand, as one has already accepted upon himself the new day of Shemini Atzeret, on which one does not sit in the *sukka*, it seems that one need not eat in the *sukka*.

R. Shlomo Luria (Maharshal, Responsa 68) argues that one who accepts Shemini Atzeret early should not eat before dark. He insists that although one may accept Shemini Atzeret early, along with the laws related to *kedushat* *Yom Tov*, the day still formally remains Sukkot, and it is therefore forbidden to eat outside of the *sukka* until dark. In order to avoid being required to eat in the *sukka* and to recite the blessing of *lesheiv ba*-*sukka*, one should wait until dark before eating. The Taz (678) disagrees and argues that *tosefet* *Yom Tov*, the time period added on to *Yom Tov*, may actually uproot the previous day’s obligations as well; one who accepts Shemini Atzeret early would therefore no longer be obligated to eat in the *sukka*. It is customary, however, to wait until dark before eating on the evening of Shemini Atzeret.

Next week, we will continue our study of the laws of *Shemini Atzeret*. We will discuss eating and sleeping in the *sukka* on *Shemini Atzeret* outside of Israel and the recitation of *Tefillat* *Geshem* and the commencement of inserting *Mashiv Ha-Ruach*. We will also briefly discuss the celebration of *Simchat Torah* and its relationship to its “host” festival of *Shemini Atzeret*.