

Sukkot: Philosophy within Halacha, Halacha out of Philosophy

R. Mois Navon

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One of the interesting aspects of Jewish thought is the interplay between philosophy and halacha. That is to say, many often think that these two realms have little to do with each other – philosophy concentrates on thought, perspectives on life, “hashkafa,” whereas halacha, by definition, focuses on normative action. But the truth is that the two are ever intertwined because our thoughts and our actions are ever intertwined.

The mitzvah of dwelling in the Sukkah provides us with a perfect example of this dynamic. The first halacha on Sukkot in the Shulchan Aruch says:

שולחן ערוך אורח חיים הלכות סוכה סימן תרכה
וּבו סְעִיף אֶחָד.

סְעִיף א' -בְּסוּכוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים וְגו' כִּי בְּסוּכוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל, הֵם עֲנֵנֵי כְבוֹד שֶׁהִקִּיפִם בְּהֵם לְבַל יִכֶּם שֶׁרֵב וְשִׁמְשׁ (ומצוה לתקן הסוכה מיד לאחר יום כפור, דמצוה הבאה לידו אל יחמיצנה) (מהרי"ל).

“In Sukkot you shall dwell seven days ... for in Sukkot I caused the children of Israel to dwell...” – these are the clouds of glory that encompassed them that the heat and the sun not smite them.

What kind of a halacha is this? Where is the call to normative action?

So you might say that it is quoting the verse that commands us to dwell in a sukkah and so this is the halachic expression of that command. But apparently this is **not** the meaning of this seif because after this one halacha, which by the way is a single seif in its own siman, the Shulchan aruch goes on to detail many many seifim on how to build a kosher sukkah, and then finally. after 14 simanim arrives at two full simanim that teach about the mitzvah of dwelling in the sukkah:

שולחן ערוך אורח חיים הלכות סוכה סימן תרלט
דִּינֵי יְשִׁיבַת סוּכָה, וּבו ח' סְעִיפִים.

The Laws of Dwelling in the Sukkah

שולחן ערוך אורח חיים הלכות סוכה סימן תרמ
מִי הֵם הַפְּטוּרִים מִיְשִׁיבַת סוּכָה, וּבו י' סְעִיפִים.
Who is exempt from Dwelling in the Sukkah

And indeed the first seif of this later siman explains exactly what we would expect from a halchachic expression of the biblical commandment:

שולחן ערוך אורח חיים הלכות סוכה סימן תרלט סעיף א'

כִּיצַד מְצוּת יְשִׁיבָה בְּסוּכָה, שִׁיְהִיָּה אוֹכֵל וְשׁוֹתָה (וְיִשָּׁן וּמִטְיִיל) (טור) וְדָר בְּסוּכָה כָּל שִׁבְעַת הַיָּמִים, בֵּין בְּיוֹם בֵּין בְּלַיְלָה, כְּדָרְךָ שֶׁהוּא דָר בְּבֵיתוֹ בְּשָׂר יָמוֹת הַשָּׁנָה. וְכָל שִׁבְעַת יָמִים עוֹשֶׂה אָדָם אֶת בֵּיתוֹ עֲרָאֵי וְאֵת סוּכְתוֹ קִבֵּעַ. כִּיצַד, כְּלִים הַנְּאִיִּם וּמִצְעוֹת הַנְּאִוֹת, בְּסוּכָה; וְכִלֵּי שִׁתִּיָּה, כִּגוֹן אֲשִׁישׁוֹת וְכוּסוֹת, בְּסוּכָה; אֲבָל כְּלֵי אֲכִילָה (לְאַחַר הַאֲכִילָה) (טור), כִּגוֹן קִדְרִיּוֹת וְקַעֲרוֹת, חוּץ לְסוּכָה;

המנורה, בסוכה; ואם היתה סוכה קטנה, מניחה חוץ לסוכה. הגה: ואל יעשה שום תשמיש בזוי בסוכה, כדי שלא יהיו מצות בזויות עליו (ב"י בשם א"ח).

How do we fulfill the mitzvah of dwelling in the sukkah? One should eat and drink and live in the sukkah all the seven days.

So why then did the Shulchan Aruch open with a Siman that included one seif that quoted the verse only to wait another 14 simanim to actually promulgate the legal aspect of the verse? The answer, I suggest, is to emphasize in quite bold letters, that philosophy is what underpins halacha, and that halacha is the expression of philosophy.

Indeed, we can see this clearly in MB's explanation on the opening siman. He writes that we are to have specific PHILOSOPHICAL KAVANOT in order to actually fulfill the mitzvah:

משנה ברורה סימן תרכ"א

כי בסוכות הושבתי וכו' הם ענני כבוד וכו' - ודוגמא לזה ציוונו לעשות סוכות כדי:
We are to make sukkot in the fashion of the clouds of glory in order to fulfill 3 things:

(1) שנזכור נוראותיו ונפלאותיו ואף על פי שיצאנו ממצרים בחודש ניסן לא ציוונו לעשות סוכות באותו זמן לפי שהוא ימות הקיץ ודרך כל אדם לעשות סוכות לצל ולא היתה ניכרת עשייתנו שהם במצות הש"י ולכן ציווה אותנו שנעשה בחודש השביעי שהוא זמן הגשמים ודרך כל אדם לצאת מסוכתו לביתו ואנחנו יוצאין מן הבית לישב בסוכה בזה מראה שהוא עושה לשם מצות הש"י [טור].

To recall the God's greatness and wonders, and even though we left Egypt in the month of Nissan [spring time] ... we are commanded to observe the mitzvah in the seventh month [beginning of winter] ... to demonstrate that one does the mitzvah for the sake of its being God's command.

(2) וכתבו האחרונים שיכוין בישיבתה שצונו הקדוש ברוך הוא לישב בסוכה זכר ליציאת מצרים

And the later rabbis wrote that one should ... in his dwelling in the sukkah, remember the exodus from Egypt.

(3) וגם זכר לענני כבוד שהקיפן אז עלינו להגן עלינו מן השרב והשמש.

And also remember the clouds of glory...

Now, because all of this is so familiar to us that we may not even recognize the sheer novelty of what is being taught here. That is, we all know we make Sukkot in remembrance of the Exodus, and that they remind us of the clouds of glory and that Nissan was when it happened but we do it in Tishrei. But what the MB is really doing is emphasizing the whole PHILOSOPHY behind the command:

(1) LISHMA: First and foremost, MB teaches that we are remembering the Exodus in Tishrei instead of Nissan when it happened, davka, to demonstrate that we are doing the mitavah *lishma* – going outside when everyone is going inside (as opposed to Nissan – when anyway people go outside to eat, etc.). So, the first element of the mitzvah is the philosophic ideal that we should doing things, i.e., perform mitzvot, for the right reasons.

In the case of the Sukkah, we could be doing it for the wrong reasons – e.g., to simply enjoy the outdoors (which is perfectly fine in general, but NOT when one is fulfilling a specific commandment). You can and should, of course, enjoy yourself; but the joy at this time is to be in the fulfillment of the commandment.

(2) EXODUS: Now, after explaining the state of mind one must be in to perform the mitzvah, the MB makes the second point, which is the whole point of performing the mitzvah: to REMEMBER. In sitting in the sukkah we are to remember that God took us out of Egypt. Remembering that God took us out of Egypt is recognizing/realizing that God acts in history. The Exodus teaches that God put his hand in to history, our history, and changes history. **Theism.**

(3) ANNEI HAKAVOD: And then we get to the third and final element – the clouds of glory. This last point puts a further twist to the philosophy taught in the mitzvah of the Sukkah. You see, in sitting in the Sukkah we are indeed to remember the Exodus, but the fact is that we are to remember this everyday, as we say in the last line of the Shema:

במדבר פרשת שלח פרק טו פסוק מא

אֲנִי יְקֹוֹק אֱלֹהֵיכֶם אֲשֶׁר הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לְהִיּוֹת לָכֶם לֵאלֹהִים אֲנִי יְקֹוֹק אֱלֹהֵיכֶם : פ

I am the LORD your God, who brought you out of the land of Egypt, to be your God: I am the LORD your God.'

In this we remember every day that God put his hand in to history.

But on Sukkot this remembrance takes on the added dimension, as we read in the passukim of the mitzvah:

ויקרא פרק כג

(מב) בַּסֻּכּוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים כָּל־הָאֶזְרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֻּכּוֹת : (מג) לְמַעַן יָדְעוּ דַרְתֵּיכֶם כִּי בַּסֻּכּוֹת הוֹשַׁבְתִּי אֶת־בְּנֵי יִשְׂרָאֵל בְּהוֹצִיאִי אוֹתָם מֵאֶרֶץ מִצְרַיִם אֲנִי יְקֹוֹק אֱלֹהֵיכֶם :

42 Ye shall dwell in booths seven days; all that are home-born in Israel shall dwell in booths; 43 that your generations may know that I made the children of Israel to dwell in booths, when I brought them out of the land of Egypt: I am the LORD your God.

Here we see that it is not only God being involved in history, it is God being involved on a daily basis. It is not only God being involved in mighty and tumultuous acts – the ten plagues, the splitting of the sea – b'yad hazaka u'b'zeroa netuya; but it is God being involved in the minutia of our daily lives (yom-yom) – protecting us from the elements on a daily basis.

זכר לענני כבוד שהקיפן אז עלינו להגן עלינו מן השרב והשמש.

And also remember the clouds of glory...

That is theism. That is philosophy.

And it is all this that is behind that first solitary seif of the first siman of the LAWS, the halachot, of Sukkah. It is a halacha of philosophy, a command to think the right thoughts, have the right perspective on life.

That said, the MB concludes by quoting the Pri Megadim:

וכל זה לצאת ידי המצוה כתקונה, הא דיעבד יוצא כל שכיון לצאת לבד [פמ"ג]:
And all this, is to fulfill the mitzvah as it should be done. Nevertheless, after the fact, one does fulfill the mitzvah if he has the simple intention to do the mitzvah.

All these understandings are necessary to fulfill the mitzvah as it should be done; however, if that is too difficult, it is sufficient to simply have in mind that you are doing the mitzvah of sitting in a sukkah.

Interestingly, even this step backwards is a plug for philosophy, that one cannot be a zombie, a golem, and expect to fulfill a mitzvah: MITRZVOT' TZRICHOT KAVANA.

Judaism wants thought and action – philosophy and halacha.

Hag Samayach!