



חג הסוכות
שבת חול המועד
תשרי תשפ"ג

COMMUNITY HAKHEL EVENT

Men, women and children from Anash gathered on the first day of Chol Hamoed for a grand Hakhel gathering in the Yeshivah Shule.

The program began with the 12 Pesukim led by the children, followed by a video introducing the history of Hakhel and the Rebbe's call for Shnas Hakhel.

The program continued with words of inspiration on the messages of Hakhel by Rabbi Groner, Rabbi Hoch and Rabbi Johnson, interspersed with clips of Sichos of the Rebbe on Hakhel.

For more Hakhel events and opportunities to host your own Hakhel Shiur, visit

www.kollelmenachem.com.au/hakhel

KINNUS TORAH

This Shabbos we will be hosting a Kinnus Torah in accordance with the Rebbe's directive.

The Kinnus will take place after 7:00pm Mincha in Yeshivah Shule. Speakers include; Rabbi Michael Stern, Rabbi Y.T. Jedwab, Reuvi Hayvin and Aizik Schachter.

SIMCHAS TORAH IN KOLLEL

Simchas Torah day in Kollel is one of the high-lights of the year. Before Hakafos, we will be hosting a lively Chassidische Farbrengen. At the Fabrengen, we will be auctioning the Aliyos of Chasanei Torah and Bereishis and Kol Hane'arim. All funds raised go to support the Kollel. All are invited to join.



In this Edition

Remembrance for Hakhel **P.1**

Schach held together with metal wire **P.2**

Remembrance for Hakhel

After Shabbos, we will be heading into the final few days of the Yomim Tovim, celebrating the special days of Hoshana Rabbah, Shemini Atzeres and Simchas Torah.

This year's Tishrei, especially the Yomtov of Sukkos, has been infused with the spirit of Hakhel.

After the destruction of the Beis Hamikdash, the Mitzvah of Hakhel was no longer observed. Unlike other Mitzvos where the sages enacted a Zecher Lemikdash - such as taking the Lulav on all 7 days of Sukkos, we do not find that the sages instituted any Zecher for the Mitzvah of Hakhel.

Whilst there is no Mitzvah as a Zecher Lehakhel, the Rishonim and Acharonim suggest that there are indeed a number of practices that we observe that are related to Hakhel and do serve as some level of a reminder of this great Mitzvah.

The Abarbanel writes that the custom of completing the Torah on Shemini Atzeres (Simchas Torah) is related to Hakhel. This Aliyah is customarily given the Gadol of the community, who has the honour of the reading of the conclusion of the Torah. This is like the reading of the Torah at Hakhel which was performed by the king.

Indeed, many Poskim were of the view that in the absence of a king, the Mitzvah of Hakhel would be performed by the Gadol of the Jewish community.

Some also suggest that this is the reason for the custom of the Aliyah of Kol Hane'arim, where boys under Barmitzvah are also called up to the Torah. This is connected to Hakhel, which includes the obligation to bring children from the youngest of ages to be present as the king reads from the Torah.

The Rebbe questions how this can be a bonafide Zecher when the Mitzvah of Hakhel had to be ob-

served at the beginning of the festival of Sukkos (or at the very least at some point during Sukkos) and not on Shemini Atzeres.

One of the few voices in the last 2 thousand years to call for a Zecher Lehakel and to question why this was never done, was the Aderes - Rabbi Eliyahu Dovid Rabinowicz Teomim.

He authored a Kuntres Zecher Lemikdash dedicated to discussing the special Mitzvah of Hakhel. The Kuntres presents an analysis on various aspects of the Mitzvah, including; who fulfilled the Mitzvah, how it was observed, what was read and where it was performed.

In it, he suggests that one of the customary practices of Hoshana Rabbah has its origins in Hakhel.

At Hakhel, all of the Parshios read by the king came from the Book of Devarim - Mishneh Torah, including; the beginning of Devarim, Shema Yisroel, Vehaya Im Shamoah, Aser Te'aser, the Brachos and curses in Ki Savo and the Parsha of the eking in Shoftim.

On the night of Hoshana Rabbah it is a widespread Minhag to read the entire Sefer Devarim. The Aderes suggests that this custom is a form of Hakhel observance of remembrance.

The Rebbe called for us to gather together during the year of Hakhel is a state of unity and to share words of Torah that inspire us in the fear of Heaven and recommitment to the observance of the Torah and its Mitzvos.

If we come together on these special days in unity and use the opportunity to Farbreng with words of inspiration and positive resolutions, they will certainly be Hakhel gatherings. In this merit may we merit the coming of Moshiach and be able to still observe the Mitzvah of Hakhel this Sukkos.

- Sukkah 21b
- Siman 91
- 629:9. This explanation is brought by the Alter Rebbe 629:19
- Siman 195
- Hilchos Sukkah Siman 7
- Rif 10a as explained by Rosh. Even though the Halacha usually follows the majority view, the fact that the Amoraim discuss the opinion of Rabbi Yehuda in greater depth indicates that they adopt his position as Halacha. Rabbi Zerachia Halevi rules like the Chachamim.
- Ashiri Siman 1. Also the opinion of the Rosh
- ד"ה לענין הלכה 10א
- See Teshuvos Hameyuchasos Siman 216 for a different explanation that the nails connecting the beams firmly in place creates a roof which is subject to Gezeira Tikra
- Siman 629 and Siman 630 11. 630:14, 629:7
- This is also the ruling of the Levush, however it is based on a slightly different distinction
- 629:9
- Opinion of Abaye
- 629:12-13

The weekly Halacha analysis

Schach held together with metal wire - part 1

Rabbi Yonason Johnson

There has been recent discussion about using bamboo mats as Schach where the strips of bamboo are strung together with metal wires. What is the issue of concern and what is the Halachic status?

The issue at hand is that of being Maamid (supporting the Schach) with something that is Mekabel Tumah or is otherwise invalid as Schach. In this case, the bamboo itself is Kosher Schach. But if the wire (which is not Kosher as Schach) is holding the Schach in place, the concern of Maamid may apply.

Background sources

The Mishna¹ teaches that if one supports the Schach of their Sukkah with the legs of a bed, the Chachamim consider the Sukkah to be Kosher. Rabbi Yehuda invalidates the Sukkah if the Schach would be unable to stand in place without the bed as support.

The Amoraim argue over the reason behind Rabbi Yehuda's strict ruling. One Amora explains that it is because such a Sukkah lacks permanence and would easily fall. The other explains that the problem is that one is supporting the Schach with something that is Mekabel Tumah (a bed).

The difference between these two reasons would arise where one supported the Schach with metal spits which are driven into the ground. According to the first explanation the Sukkah would be valid as it will be permanent. However, according to the second view, the Sukkah would be invalid because the spits are Mekabel Tumah.

What is the rationale of forbidding the supporting of Kosher Schach with something that is Mekabel Tumah (Maamid)?

The Ra"n and most other Rishonim explain that this is a Rabbinic Gezeira lest one come to use the Mekabel Tumah as Schach itself. This would certainly be invalid.

However Rashi explains that the prohibition is because the Maamid (supporting object) is what "makes" the Schach and therefore it is considered as though one has covered the Sukkah with the Mekabel Tumah itself.

Based on both explanations, it is understood that the law of Maamid applies to supporting the Schach with any material that is not Kosher as Schach, even if it is not Mekabel Tumah.

The Rishonim on the law of Maamid?

Do we follow the view of the Chachamim (who are not concerned at all) or according to Rabbi Yehudah? Even according to Rabbi Yehuda, is the reason for invalidating the Sukkah because of Maamid or because to the other reason?

The Terumas Hadeshen² addresses the question whether one may place a ladder on top of the Schach to hold it in place.

The Ta"z³ explains that the doubt revolves around whether the ladder is Mekabel Tumah. On one hand the ladder does not have a Beis Kibbul and therefore has the status of Peshutei Kli Eitz (flat wooden vessels) which is not Mekabel Tumah. However, there are holes in the side poles of the ladder into which the rungs are inserted. These cavities may render the ladder Mekabel Tumah.

The Terumas Hadeshen rules leniently. Since they are not Mekabel Tumah, such wooden ladders may even be used as Schach itself. However, other Rishonim, including the Rashba⁴, argue and do consider ladders to be Mekabel Tumah and forbid their use as Schach.

The Mahari"⁵ writes that one may not use a ladder as Schach as it is Mekabel Tumah. He adds that one may also not place the ladder on top of Schach to weigh it down and hold it in place. The same applies to using any object that is Mekabel Tumah to support the Schach.

In the next responsa, the Terumas Hadeshen allows one to nail down the Schach or to tie it in place with strips of fabric, even though they are Mekabel Tumah. Even though we follow the ruling of Rabbi Yehuda in the Mishna⁶, we accept the reasoning that it is because the Sukkah lacks permanence and not the reason that it is because of Maamid⁷.

In contrast, the Ra"n⁸ rules like the explanation in the Gemara that the invalidation is because of Maamid⁹.

The Rulings of the Shulchan Aruch

The Beis Yosef¹⁰ brings the various opinions in the Rishonim in the case of a ladder and in the discussion on Maamid without reaching a conclusion. The rulings in the Shulchan Aruch are also unclear and appear contradictory.

• In **Siman 629 Se"if 7**, the Mechaber writes "there is a doubt whether one may place a ladder on top of the Sukkah roof in order to place the Schach on top of it." The Ram"o, quoting the Mahari"l adds that likewise, due to the same concern, one would not be able

place the ladder on top of the Schach to hold it in place.

- In the following Se"if, the Mechaber writes that there is no concern to secure the beams in place using metal nails or by tying it with strips of material.
- In **Siman 630 Se"if 13**, the Mechaber discusses the case of the Mishna concerning supporting the Schach with the legs of a bed. He writes that as long as there is 10 Tefachim between the bed and the Schach, the Sukkah is kosher. He makes no mention of the issue of Maamid.

What is the Halacha?

The Ta"z¹¹ maintains that the Shulchan Aruch is not concerned about Maamid¹². He also asserts that this is the opinion of the Ram"o. He proves this based on the fact that the Ram"o does not argue with the ruling of the Mechaber in the case of nailing Schach in place.

The reason the Mechaber has a doubt in the case of the ladder is because the case involves a ladder which is 4 Tefachim wide. This is also the explanation for the Ram"o's ruling.

The Magen Avraham¹³ takes a different approach to reconciling the rulings of the Shulchan Aruch. The ruling in Siman 630 which does not forbid the Sukkah because of Maamid is the ruling Bedieved. The ruling concerning the ladder discusses the law Lechatchilah that one may not support the Schach.

The case of nailing the beams is permissible according to all opinions. It does not refer to securing the Schach itself with the nails or fabric. Rather it refers to securing the beams which will be supporting the Schach. This is permissible under the principle of Maamid Demaamid which is clearly permitted according to the Gemara¹⁴.

The Alter Rebbe's ruling

The Alter Rebbe rules like the distinction of the Magen Avraham. Lechatchilah one may not support the Schach or weigh it down with something that is Mekabel Tumah. However, Bedieved, if the Sukkah was already made, one may even eat in the Sukkah Lechatchilah¹⁵.

Other Acharonim including the Mishna Berura and Chayei Adam also follow the ruling of the Magen Avraham.