

BS”D

Siyum Mesechet Sukkah

Kol Yisrael Areivim – On Collective Responsibility and Hope for the Nations

Shabbat Terumah 5786

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Tal Movshovitz

Thank you for joining me to complete mesechet Sukkah in the memory, honor and elevation of Tal Movshovitz (son of Hava and Assael), HYD, who fell in battle defending the People of Israel in the Land of Israel. Tal was from Reut, the fourth of five brothers, a husband and father of two. He studied at the hesder Yeshiva in Maalot and following that joined the Shin Bet where he became a commander and a fighter. But he wanted to do more, to fight shoulder to shoulder with miluim fighters. And so he volunteered. He was rejected because of a knee issue, but persisted until he was accepted and subsequently made deputy company commander (סגן מפקד פלוגה) in the 7086th Combat Engineering Battalion in the Golani Brigade. Lieutenant Colonel Shay, commander of the Engineering Battalion, said at the funeral:

“Nine months ago I was informed that you wanted to join the battalion. A smile came over my face—the toughest officer in the IDF could be with us. You were no less excited than I was to join the battalion. You explained to me that you had to go in [to Gaza]; you said, ‘People are buckling under the burden of reserve duty.’ You came to give everything, ...”

... הסברת לי שאתה חייב להיכנס פנימה, אמרת 'אנשים כורעים תחת נטל המילואים'.
באת לתת הכול, ...”

That is collective responsibility.

Tal is described as a huge man with a huge heart.

He was 28 years old.¹

¹ Sources: <https://www.makorrishon.co.il/magazine/local-magazine/article/178957>;
<https://www.ynet.co.il/news/article/bjarlarqec>; <https://www.jfeed.com/news-israel/sy0gv3>; Shabak site.

Sukkah

Mesechet Sukkah, as can be understood from its name, is all about the holiday of Sukkot. It consists of the details on how to build a sukkah, which is of the essence to fulfill the biblical commandment:

ויקרא פרק כג (פרשת אמור) - (מב) בַּסֻּכּוֹת תֵּשְׁבוּ שְׁבַעַת יָמִים כָּל הָאֶזְרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֻּכּוֹת: (מג) לְמַעַן יִדְעוּ דִרְתֵיכֶם כִּי בַסֻּכּוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל בְּהוֹצִיאִי אוֹתָם מֵאֶרֶץ מִצְרָיִם אֲנִי יִקְוֶה אֱלֹהֵיכֶם:

The mesechet also discusses the other essential mitzvah of the holiday of Sukkot, the arba minim:

ויקרא פרק כג (פרשת אמור) - (מ) וילקחתי לכם בַּיּוֹם הָרִאשׁוֹן פְּרִי עֵץ הָדָר כַּפֹּת תְּמָרִים וְעֵגֶף עֵץ עֵבֶת וְעֶרְבֵי נָחַל וּשְׂמֹחֲתֶם לִפְנֵי יְקֻוֹק אֱלֹהֵיכֶם שְׁבַעַת יָמִים:

Ultimately, however, it should be remembered that the Jewish religion was originally one that revolved around the Temple, as we read in parshat Terumah:

שמות פרק כה (פרשת תרומה) - (ח) וַעֲשׂוּ לִי מִקְדָּשׁ וְשִׁכְנֹתַי בְּתוֹכָם:

Indeed, it was only with the destruction of the Temple that the focus shifted from Beit HaMikdash to Beit HaMidrash and from Prophet (נביא) to Scholar (תלמיד חכם),² as can be understood, for example, in the Gemara (Ber. 8a):

תלמוד בבלי מסכת ברכות דף ח עמוד א

דאמר רבי חייא בר אמי משמיה דעולא: מיום שחרב בית המקדש אין לו להקדוש ברוך הוא בעולמו אלא ארבע אמות של הלכה בלבד.

Accordingly, the last chapter of the mesechet focuses on the Temple: the water libation (ניסוך המים) and simchat beit hashoeva, the arava ceremony, and the mussaf sacrifices of the holiday. These sacrifices were unique in that they included the offering of a total of seventy bulls that were sacrificed over the seven day festival (Num. 29:12-34):

Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7
13 bulls	12 bulls	11 bulls	10 bulls	9 bulls	8 bulls	7 bulls
2 rams	2 rams	2 rams	2 rams	2 rams	2 rams	2 rams
14 lambs	14 lambs	14 lambs	14 lambs	14 lambs	14 lambs	14 lambs
1 goat	1 goat	1 goat	1 goat	1 goat	1 goat	1 goat

² See, e.g., "From Temple to Talmud – Post-Temple Judaism" (<https://segulamag.com/en/abc/>).

This great number of bulls sacrificed each day of the Sukkot festival comes in stark contrast to the single bull brought as the mussaf offering on the very next day for the holiday of Shemini Atzeret (Num. 29: 35-38):

1 Day
1 bull
1 ram
7 lambs
1 goat

And that brings us to the last pages of the mesechet wherein the Mishna (5:6) explains how the kohanim were to divide the work of offering all these sacrifices (as well as benefit from acquiring the skins that remained³). The Gemara, after discussing the equitable distribution among the officiating kohanim, provides a symbolic interpretation of the offerings – one that is relatively well known through Rashi's comments on the Torah (Num. 19:18, 35):⁴

תלמוד בבלי מסכת סוכה דף נה עמוד ב

אמר רבי אלעזר הני שבעים פרים כנגד מי? כנגד שבעים אומות. פר יחידי למה? כנגד אומה יחידה. משל למלך בשר ודם שאמר לעבדיו: עשו לי סעודה גדולה. ליום אחרון אמר לאוהבו: עשה לי סעודה קטנה, כדי שאהנה ממך.

Rabbi Elazar said: These seventy bulls that are sacrificed as additional [*mussaf*] offerings over the course of the seven days of *Sukkot*, **to what do they correspond? They correspond to the seventy nations** of the world, and are brought to atone for their sins and to hasten world peace. **Why is a single bull** sacrificed on the Eighth Day of Assembly? **It corresponds to the singular nation, Israel.** The Gemara cites **a parable about a king of flesh and blood who said to his servants: Prepare me a great feast** that will last for several days. When the feast concluded, **on the last day, he said to his beloved** servant: **Prepare me a small feast so that I can derive pleasure from you** alone.

This contrast, between the one day that God dedicates to the one nation, Israel, against the seven days associated with the seventy nations, reflects the special relationship Israel has with God. But the contrast is not meant to express disdain for the seventy nations;

³ Only the skins were available to the kohanim as the rest of the animal was to be burnt on the altar.

⁴ All translations of the Mishna and Gemara herein are from Koren Steinsaltz (<https://www.sefaria.org.il/Sukkah.55b.9-10?lang=bi>).

rather, it underscores the responsibility Israel bears toward them as God's agent – as God's shepherd. It is a responsibility implicit in the words of R. Yohanan that follow R. Elazar's analogy:

אמר רבי יוחנן : אוי להם לגויים שאבדו ואין יודעין מה שאבדו , בזמן שבית המקדש קיים -
מזבח מכפר עליהן , ועכשיו מי מכפר עליהן?

Rabbi Yohanan said: Woe unto the nations of the world that lost something and know not what they lost. When the Temple is standing, the seventy bulls sacrificed on the altar during the festival of *Sukkot* atones for them. And now that the Temple is destroyed, who atones for them?

R. Yohanan laments that, in effect, the seventy nations should bemoan the loss of the Temple, which can no longer effect atonement for them. But should he not instead say that we, the nation of Israel, should bemoan the loss of the Temple, which can no longer effect atonement for us?!

You might respond that we know what we have lost – that we appreciate the magnitude of the destruction. But do we? It seems clear that the Rabbis of the Talmud, R. Yohanan prominent among them, would answer in the negative; for they spare no effort in admonishing Israel to repent of the failures that brought about the hurban, so that the Temple might be rebuilt.⁵

Accordingly, I submit that at the bottom of R. Yohanan's lament lies another, albeit subtle, reproof directed at the Jewish people. It is a reproof that becomes apparent if we simply read R. Yohanan in light of R. Eliezer's analogy, which underscores Israel's responsibility toward the nations:

Woe unto Israel that lost something and knows not what it has lost. For when the Temple stood, Israel fulfilled its role as shepherd of the seventy nations, offering

⁵ “Any generation in which the Temple is not rebuilt, it is considered as if they themselves destroyed the Temple” (JM Yoma 1:1) – understood to imply that every generation is culpable for the sins that brought the destruction and must seek to repair them [Shir Maon (Devarim, Tisha B'Av, s.v. *remez musar*) quoting Hil. Taanot (5:1); Sheirit Natan (ad loc.); R. Eliyahu Touger (ad loc.)]. Similarly, Maharsha (Hidushei Aggadot, Shabbat 119b, s.v. *amar rabball*).

atonement on their behalf through the seventy bulls sacrificed on Sukkot. And now that the Temple is destroyed, how is Israel to fulfill that responsibility?

We are God's agents in the task of saving the world – not by converting the nations, but by shepherding them, by providing atonement on their behalf, and by serving as a moral light unto them.⁶ No other people, no other religion, has such an outlook. The Christians seek to convert everyone and demand: believe now or pay hell later. The Moslems seek to convert everyone and demand: believe now or pay hell now. Eastern religions, while not hell bent on converting the world, are directed inward, focusing on the cultivation and perfection of the individual as such.⁷

We, however, believe that God cares about us because we care about them. We believe that God rejoices with us because we do His work of bringing the world to moral enlightenment and peaceful harmony. It is our role as moral shepherds that is the source of our greatest rejoicing, and it is for this reason that the festival of Sukkot is designated *the* festival of our joy (זמן שמחתנו). Of course, this joy is a result of our coming especially close to God following the Ten Days of Return and Atonement (R. E. Kitov, Book of Our Heritage, Vol.1, 182-184), but our special closeness – our chosen-ness – is in order that we fulfill our universal mission. Indeed, the quintessential ceremony of joy on Sukkot – the water libation – is explained by R. Eliyahu Kitov (ibid., 184) in explicitly universal terms:

Therefore – “Pour water for Me, so that you should be blessed with water.” As it was said: “On the Festival (Sukot) there is judgment over water.” And when the Earth is blessed with water – all the world's inhabitants are blessed – Israel, as well as the nations of the world. “I have made you,” says God to Israel, “a kingdom of priests for all the nations on Earth – bring Me an offering from the ‘root of Creation,’ and let every creature receive its blessing thereby.”⁸

⁶ See Radak quoted below fn. 14.

⁷ Mahāyāna Buddhism and Confucianism do incorporate a social dimension; nevertheless, world-perfection is ultimately effected through the moral or spiritual cultivation of the individual. Judaism, by contrast, seeks to perfect the world through recognition of a Creator who grounds a binding, universal moral order.

⁸ So too does the Sefat Emet note the universal nature of the water libation:

שפת אמת מסכת סוכה דף נ עמוד ב - בגמ' דאר"נ מצוה חשובה היא ובאה מששת ימי בראשית, פי' רש"י דשיתין [חללים מתחת המזבח] מששת ימי בראשית נבראו לקבל הנסכים ... בסוכות שמקריבין ע' פרים נגד שבעים אומות יש

Bringing water on the altar, then, symbolizes our universal responsibility – both physically and spiritually. We bring the water as a symbol of physical sustenance (rain), but no less as a symbol of spiritual sustenance (Torah: for “there is no mention of water that does not refer to Torah” [BK 82a]).

Siyum

This brings us to the last Mishnah (5:8) which discusses the sharing of the shewbread (*lechem hapanim*) between the officiating kohanim. What is quite strange is the last sentence which singles out the Bilga family of kohanim for special censure:

תלמוד בבלי מסכת סוכה דף נו עמוד א

משנה. ... הנכנסין חולקין בצפון והיוצאין בדרום. בילגה לעולם חולקת בדרום, וטבעתה קבועה, וחלונה סתומה.

MISHNA: ... The standard procedure was that the members of **the incoming** watch **divide** the shewbread **in the north** section of the courtyard [as a sign of honor as that was where the *kodshei kodashim* were offered], **and the outgoing** watch **in the south**. However, there was one exception: The watch of **Bilga**, due to a penalty imposed upon it, **always divides** the shewbread to its members **in the south**, even when it is the incoming watch. **And its ring** used to facilitate slaughter of the animals **was fixed** in place, rendering it useless, **and its niche** among the niches in the wall of the Chamber of Knives, where the priests would store their knives and other vessels, was **sealed**.

The mesechet ends with an explanation of the Bilga family penalty:

תלמוד בבלי מסכת סוכה דף נו עמוד ב

בילגה לעולם חולקת בדרום. תנו רבנן: מעשה במרים בת בילגה שהמירה דתה, והלכה ונשאת לסרדיוט אהד ממלכי יוונים. כשנכנסו יוונים להיכל, היתה מבטטת בסנדלה על גבי המזבח, ואמרה: לוקוס לוקוס! עד מתי אהה מכלה ממונן של ישראל ואי אהה עומד עליהם בשעת הדחק! וכששמעו חכמים בדרב, קבעו את טבעתה וסתמו את חלונה.

ג"כ נסכי מים שידו פשוטה לקבל כל השבים ושופכין לבם לפניו כמים ובחסדו יתבי מקרב גם הרחוקים נמצא שהיא זמן תיקון לכלל הברואה כמו שהי בימי בראשית קודם שנבחרו בניי ...

See, however, the Zohar (Noah) that explains the water libation as a way to placate the nations (Sulam, mamar hahu yodai 109).

We learned in the mishna that **Bilga always divides** the shewbread **in the south**, even when it is the incoming watch. The Gemara elaborates: **The Sages taught** in a *baraita*: There was an **incident involving Miriam, the daughter** of a member of the **Bilga watch, who apostatized and went and married a soldier** [*sardeyot*] serving in the **army of the Greek kings**. **When the Greeks entered the Sanctuary**, she entered with them and **was kicking with her sandal on the altar and said: Wolf, wolf** [*Iokos*],⁹ **[for how long] will you consume the property of the Jewish people, and yet you do not stand with them [in their time of need]? And** after the victory of the Hasmoneans over the Greeks, **when the Sages heard about this matter** and how she denigrated the altar, **they fixed the ring** of the Bilga watch in place, rendering it nonfunctional, **and sealed its niche**.

... [על] מְרִים בַּת בִּילְגָה שֶׁהִמְרִיהָ דָּתָהּ, מְשֻׁם בְּרִיתֶיהָ קִנְסִינָן לִיהָ לְדִידֶיהָ: אָמַר אַבְיִי: אֵין, כְּדָאֲמַרִי אֵינְשִׁי: שׁוֹתָא דִּינוּקָא בְּשׁוּקָא, אוּ דְאַבוּהָ אוּ דְאִמִּיהָ.

... [For] **Miriam, daughter of Bilga, who apostatized, do we penalize** the entire watch of Bilga **because of his daughter? Abaye said: Yes, as people say, the speech of a child in the marketplace is learned either from that of his father or from that of his mother**. Miriam would never have said such things had she not heard talk of that kind in her parents' home.

וּמְשֻׁם אָבוּהָ וְאִמִּיהָ קִנְסִינָן לְכוּלָּהּ מִשְׁמֶרְהָ? אָמַר אַבְיִי: אֵין לְרִשְׁעָהּ אֵין לְשִׁכְּנֵיהּ, טוֹב לְצַדִּיק טוֹב לְשִׁכְּנֵיהּ [שֶׁנֶּאֱמַר: "אָמְרוּ צַדִּיק כִּי טוֹב כִּי פְרִי מַעַלְלֵיהֶם יֹאכְלוּ"].

The Gemara asks: **And due to Miriam's father and mother, do we penalize an entire watch? Abaye said: Woe unto the wicked, woe unto his neighbor**.

This story of the Bilga family raises two critical theological issues that actually reinforce the message of collective responsibility that we have seen is at the heart of the Sukkot holiday:

(1) Collective Punishment

The Gemara itself is troubled by the difficulty of collective punishment. That is, if Miriam, the daughter, was a heretic and an apostate, why should her parents be punished?! Abaye

⁹ A disparaging reference to the altar that consumes the sheep bought as daily sacrifices.

answers that, more likely than not, the daughter is the product of the beliefs of her parents and thus they too are justifiably included in the punishment. While there are problems with this justification (e.g., no evidence, no fair trial), the Gemara leaves these aside to question the more encompassing problem: such a justification does not explain punishing the entire extended family! Abaye responds with what could be called “collective punishment”: “Woe unto the wicked, woe unto his neighbor.”

Accordingly, while modern Western society regards collective punishment as illegitimate, the Gemara disagrees. To explain, Rashi (ad loc., s.v. *oy lerasha*) brings the law of the tzaraat afflicted house for which the Cohen is to remove the afflicted stones. This, however, will not only damage the individual’s own home but also that of his neighbor with whom he shares a wall. This is collective punishment. Rashi explains that the tzaraat came upon the individual’s house because he was selfish, being one not to share his belongings with others. That is, he was not a contributing member of society. But how does this justify punishing his neighbor?! The answer is collective responsibility – we are all responsible for one another, as the Gemara (Shev. 39a) teaches explicitly:

חברותא מסכת שבועות דף לט עמוד א [עם חברותא]

וכי [ב]כל עבירות שבתורה מכל העולם לא [נפרעים]; והכתיב "וכשלו איש באחיו" [כשלו ונענשו] איש בעון אחיו, מלמד **שכל ישראל ערבים זה בזה** [ונענשים בעון חבריהם, ואם כן אנו רואים שגם בעבירות אחרות נפרעים מכולם]. **[עמוד ב]** [ומתוצת הגמרא]: התם [בשאר עבירות שבתורה, מדובר כאשר] שיש בידם [ביד האחרים] למחות [בבעל העבירה], ולא מיחו [בו]. ולפיכך נענשים הם על עון זה, שלא מיחו. אולם לא נענשים הם על העבירה שלו. ואילו בשבועת שקר נענש העולם כולו עבורו, ואפילו אותם שלא היה בידם למחות].

“All Israel are guarantors (*areivim*) one for the other.” We bear collective responsibility for one another and, accordingly, may be subject to collective reward or, *halila*, punishment. So explains Rashi (Deut. 29:28), explicitly, that we are collectively punished as a nation if we do not enforce the laws of the Torah because we are “responsible for one another (*areivim zeh lezeh*).”

And though the Gemara makes clear that this mutual responsibility rests upon the possibility of moral influence – upon our capacity to affect one another¹⁰ – the covenant

¹⁰ Similarly, Yev. 65b. Note that Maimonides explains the commandment to rebuke applies not only to leaders but even to the lowest in society (Mitz. Aseh #205).

itself is framed in collective terms, such that Israel is judged as a unified body.¹¹ Indeed, it seems there is not much to the defense we are not responsible because we lack the capacity to influence one another, as the Gemara itself identifies the failure to rebuke as one of the causes of the Temple's destruction:¹²

תלמוד בבלי מסכת שבת דף קיט עמוד ב

אמר רב עמרם בריה דרבי שמעון בר אבא אמר רבי שמעון בר אבא אמר רבי חנינא: לא חרבה ירושלים אלא בשביל שלא הוכיחו זה את זה.

(2) Theodicy

The other important theological issue that Miriam Bilga raises is that of “theodicy” – how can a good God allow evil. We call it: **צדיק ורע לו**. She raised this issue by putting her foot down, as it were, on the altar in the Temple, mocking the altar for not doing its job. That is, if the altar is to atone and thus, ostensibly, protect the people from punishment, how is it that the Greeks have conquered Israel and its Temple?! She thus claimed, at the stomp of her sandal, “There is no atonement, there is no protection!” What she failed to realize is that sacrifices alone do nothing – as prophet after prophet exhorts:

Isaiah 1:11–17 - “What need have I of all your sacrifices? says the LORD. ... Cease to do evil; learn to do good; seek justice, relieve the oppressed, judge the fatherless, plead for the widow.”

ישעיהו פרק א (יא) לְמָה לִּי רֹב זִבְחֵיכֶם יֹאמֶר יְקֹקֶשׁ שְׁבַעְתִּי עֲלוֹת אֵילִים וְחֶלֶב מְרִיאִים וְדָם פָּרִים וּכְבָשִׁים וְעִתּוּדִים לֹא חִפְצָתִי: (יב) כִּי תִבְאוּ לְרֵאוֹת פָּנֵי מִי בְקֶשׁ זֹאת מִיָּדְכֶם רִמַּס חֲצָרֵי: (יג) לֹא תוֹסִיפוּ הִבִּיא מִנְחַת שְׁוֹא קִטְרֹת תוֹעֵבָה הִיא לִי חֲדָשׁ וְשִׁבְתָּ קִרְא מְקַרָּא לֹא אוֹכֵל אֶן וְעֲצָרָה: (יד) חֲדָשֵׁיכֶם וּמוֹעֲדֵיכֶם שְׁנֵאָה נִפְשֵׁי הָיוּ עָלַי לְטָרַח נִלְאִיתִי נִשְׂאָ: (טו) וּבְפָרְשֵׁיכֶם פְּפִיכֶם אֲעֲלִים עֵינֵי מִכֶּם גַּם כִּי תִרְבוּ תִפְלָה אֵינְנִי שֹׁמֵעַ וְדִיכֶם דְּמִים מְלֹאוּ: (טז) רְחֲצוּ הַזְּכוֹת הַסִּירוּ רֵעַ מִעֲלֵיכֶם מִנְגֵד עֵינֵי חֲדָלוּ הִרְעוּ: (יז) לְמַדּוּ הַיִּטֵּב דַּרְשׁוּ מִשְׁפָּט אֲשֶׁרוּ חֲמוּץ שִׁפְטוּ יִתּוֹם רִיבוֹ אֶלְמָנָה: ט

¹¹ See, e.g., Deut. (4:1-26), (7:12-8:20), (11:13-17), (11:26-28), (28:1-69), (30:15-18), (32:5); Is. 59; Jer. 2, Jer. 30, Ez. 33, Amos 3, Ps. 81; Dan. 9; Nech. 9; Hil. Teshuva (9:1), Hil. Taanot (1:3).

¹² And while there is a notion of “the descent of the generations,” such that those living in previous eras (e.g., Temple times) were greater than those of later generations, I do not find it plausible that they had any greater capacity to reprove one another than we do.

Jeremiah 7:21–23 - “Thus says the LORD of hosts, the God of Israel: Add your burnt offerings to your sacrifices, and eat the flesh. For I did not speak to your fathers, nor command them in the day that I brought them out of the land of Egypt, concerning burnt offerings or sacrifices. But this thing I commanded them, saying: Obey My voice, and I will be your God, and you shall be My people...”

ירמיהו פרק ז (כא) כה אמר יקוק צבאות אלהי ישראל עלותיכם ספו על זבחיכם ואכלו בשר: כי לא דברתי את אבותיכם ולא צויתים ביום הוציאני אותם מארץ מצרים על דברי עולה וזבח: (כג) כי אם את הדבר הזה צויתי אותם לאמר שמעו בקולי והייתי לכם לאלהים ואתם תהיו לי לעם והלקחתם בכל הדרך אשר אצוה אתכם למען ייטב לכם:

Similarly, Samuel I 15:22; Hosea 6:6; Amos 5:21–24; Micah 6:6–8; Psalms 51:18–19.

Quite clearly, then, it is not the altar, nor the sacrifices brought thereon, that effect atonement, but rather allegiance to the covenant. It is important to emphasize that we are talking here about national atonement, atonement for the nation *qua* nation. While each individual is responsible for, and judged according to, his own moral standing, there is also collective responsibility and, correspondingly, collective judgment (Hil. Tesh. 3). It is to this national standing that atonement can be made through the sacrifices offered on the altar. In performing the communal sacrifice before God, the kohanim – as the moral leaders of the people – are, in effect, saying: we are here, shepherding the people; we represent that the collective is on the right path.¹³

And that brings us back to R. Yohanan’s lament over the hurban:

“Woe unto the nations that lost something and know not what they lost. When the Temple is standing, the altar atones for them. And now who atones for them?”

The fact is that the literal reading (*peshat*) stands as is: Israel effects atonement for the nations through the sacrifices on the altar. Just as the kohanim effect *communal* atonement for the Jewish people, so too do the Jewish people effect *communal* atonement for the nations. It is thus that we are the priests to the nations of the world – *mamlechet kohanim* (Ex. 19:6). But the symbolic reading (*remez*) of R. Yohanan’s lament also stands: Israel does not gain atonement from the sacrifices on the altar when they have betrayed the

¹³ Similarly, the *bigdei kabuna* provide national atonement (R. S. R. Hirsch, Ex. 28:42-43, p. 539-540).

covenant. And consequently, Israel cannot stand before God and say: we are here, shepherding the nations; we represent that the collective is on the right path.¹⁴

Accordingly, R. Yohanan's lament – “And now who atones for them?” – is, as said before, an indictment of Israel's failure to fulfill its responsibility. It is a call to recognize how we brought about the hurban and how we must rectify it. This understanding aligns with R. Yohanan's other pronouncements about the hurban.

Beyond the Letter of the Law (BM 30b)

תלמוד בבלי מסכת בבא מציעא דף ל עמוד ב

דָּאָמַר רַבִּי יוֹחָנָן: לֹא חָרְבָה יְרוּשָׁלַיִם אֶלָּא עַל שֶׁדָּנוּ בָּהּ דִּין תּוֹרָה. אֶלָּא דִּינֵי דְמַגִּיזֵתָא לְדִינֵינוּ! אֶלָּא אֵימָא: שְׁהֶעֱמִידוּ דִּינֵיהֶם עַל דִּין תּוֹרָה וְלֹא עֲבָדוּ לְפָנִים מְשׁוֹרֵת הַדִּין .

Rabbi Yohanan said: Jerusalem was destroyed only for the fact that they adjudicated cases on the basis of Torah law in the city. The Gemara asks: Rather, what else should they have done? Should they rather have adjudicated cases on the basis of arbitrary decisions [demagizeta]? Rather, say: That they established their rulings on the basis of Torah law and did not go beyond the letter of the law.

As much as we are to follow the letter of the law, we must go beyond the letter of the law. In the words of R. Soloveitchik, “Halacha is the floor, not the ceiling.” The Torah is a foundational book of moral law, but it is still a finite book. One cannot operate, individually or collectively, according to a rule book alone; for no book is large enough to account for the myriad nuances in human interaction.¹⁵ Accordingly, to run a harmonious society, collective responsibility demands that one go beyond the letter of the law.

¹⁴ See, e.g., Radak (Is. 42:6) who explains that it is Israel's responsibility to maintain all the nations by being a moral light:

רד"ק ישעיהו פרק מב פסוק ו - לברית עם - לקיום כל עם ועם כי בעבורך מתקיים כל העולם וכל ברית הוא ענין קיום וכן תהיה גם כן לאור גוים, כמו שאמר והלכו גוים לאורך, והאור הוא התורה שתצא להם מציון, וישראל יהיו קיום האומות על שני פנים האחד שיהיה שלום בעבורם בכל הגוים כמו שאמר על המשיח ודבר שלום לגוים, ואמר והוכיח לעמים רבים, וכתתו חרבותם לאתים וגו', השנית כי בסבת ישראל יהיו הגוים שומרים שבע מצות וילכו בדרך טובה כמו ויורנו מדרכיו ונלכה באורחותיו וגו' :

¹⁵ The Gemara (Eruv. 21b, s.v., *hizaber*) notes that the oral Torah is an endless job of writing ethical codes, upon which the Etz Yosef (ad loc., s.v. *asot sefarim*) explains that this is because every generation has a need for new adaptations of the law to their circumstances. See also, Purves, et al. 2015. “Autonomous Machines, Moral Judgment, and Acting for the Right Reasons.” *Ethical Theory and Moral Practice* 18 (4): 851–72. <https://doi.org/10.1007/s10677-015-9563-y>.

And the R. Yohanan tells of the famous story Kamtza and Bar Kamtza as bringing about the destruction. Interestingly, the conclusion of the story he changes his mind, as it were, and says that the destruction came about because of R. Zechariah ben Avkulus.

Kamtza and Bar Kamtza (Gittin 55b)

תלמוד בבלי מסכת גיטין דף נה עמוד ב

אמר רבי יוחנן ... אקמץא ובר קמץא חרוב ירושלים, אתרנגולא ותרנגולתא חרוב טור מלפא, אשקא דריספק חרוב ביתר .

Rabbi Yohanan said: ... Jerusalem was destroyed on account of Kamtza and bar Kamtza. ... <He tells the famous story of Kamtza and Bar Kamtza in which Bar Kamtza was denied entry to a feast in Jerusalem. Angry and out for revenge, Bar Kmatza went to the Roman governor and told him the Jews are rebelling, watch how they won't accept your sacrifice. The governor gave him a bull to take to the Temple and on the way, Bar Kamtza put a blemish in the animal making it unfit for the altar. And so the story concludes:>

סבור רבנן לקרוביה משום שלום מלכות. אמר להו רבי זכריה בן אבוקולס: יאמרו בעלי מומין קריבין לגבי מזבח! סבור למיקטליה דלא ליזיל ולימא. אמר להו רבי זכריה: יאמרו מטיל מום בקדשים יהרג!

The blemish notwithstanding, **the Sages thought to sacrifice** the animal as an offering **due to** the imperative to maintain **peace** with the **government**. **Rabbi Zekharya ben Avkolas said to them:** If the priests do that, people **will say** that **blemished** animals **may be sacrificed** as offerings **on the altar**. The Sages said: If we do not sacrifice it, then we must prevent bar Kamtza from reporting this to the emperor. The Sages **thought to kill him so that he would not go and speak** against them. **Rabbi Zekharya said to them:** If you kill him, people **will say** that **one who makes a blemish on sacrificial** animals **is to be killed**. As a result, they did nothing, bar Kamtza's slander was accepted by the authorities, and consequently the war between the Jews and the Romans began.

אמר רבי יוחנן: ענוותנותו של רבי זכריה בן אבוקולס, החרובה את ביתנו, ושרפה את היכלנו, והגלתנו מארצנו .

Rabbi Yohanan said: The excessive humility of Rabbi Zekharya ben Avkolas destroyed our Temple, burned our Sanctuary, and exiled us from our land.

R. Yohanan is saying here that while there are times that call for “going beyond the letter of the law” without violating it, there are other times that in fact require violating it. This

is the lesson learned from the R. Zechariah ben Avkulus fiasco. To save the nation the Torah itself must be violated.¹⁶ So demanded collective responsibility. But due to what R. Yohanan calls “excessive humility” – what I would call “the inability to make difficult decisions” – the Temple was destroyed and the people were exiled. It is a collective punishment that the Jewish people have endured for two thousand years.

R. Yohanan’s two teachings (in Baba Metzia and Gittin), then, are a call to collective responsibility. We are responsible for each other. כל ישראל ערבים זה לזה. However, this collective responsibility (*areivut*) is not the end of our mission but only its beginning. R. Yohanan’s third teaching (in Sukkah) is a call to universal responsibility. We are responsible for the world – as Isaiah (42:6) said: “I will set thee for a covenant of the people, for a light of the nations.” וְאַתְּנַדָּ לְבְרִית עִם לְאוֹר גּוֹיִם

There could be no more fitting message for the siyum of Tal Movshovitz, HYD, who was the epitome of *areivut*, of taking responsibility, collective responsibility in fighting with his miluimnik brethren and universal responsibility in fighting Amalek. And so too, the last words of the mesechet are a fitting salute to this righteous hero of Israel:

תלמוד בבלי מסכת סוכה דף נו עמוד ב

טוב לצדיק טוב לשכניו [שנאמר: "אמרו צדיק כי טוב כי פרי מעלליהם יאכלו"].

Good for the righteous, good for his neighbor, as it is stated: “Say you of the righteous that it shall be good for him, for they shall eat the fruit of their doings” (Isaiah 3:10); the neighbors of a righteous man who witness and acknowledge the good that befalls him will benefit from their proximity to him.

הדרן עלך "החליל" וסליקא לה מסכת סוכה.

¹⁶ See Ramchal, Mesilat Yesharim, ch. 20 “Hasidut” (p.269).