

# Rav Kook Torah

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## The Source of Rabbinic Authority

Adapted from Ein Eyah on Shabbat 23a,  
vol. III, p. 73

The Sages instituted numerous rabbinic decrees in order to prevent violations of Torah law. For example, the Sages extended the Torah's prohibition of eating milk and meat together to include fowl, since it confused people who failed to distinguish between fowl and 'real' meat.

There are, however, a few cases in which the Sages went even further, and authored new positive mitzvot. The mitzvot to light Chanuka lights, to read Megilat Esther on Purim, to wash hands before eating bread - these are rabbinic enactments with no direct basis in Torah law. They are not extensions of Torah legislation or protective measures, but brand-new mitzvot.

By what right could the Sages create them?

Even more audacious, the rabbis decreed that one recites a blessing when performing these rabbinic innovations: "Blessed are You, the

Eternal our God... Who has commanded us to..." When did God command us to light Chanuka candles, or read the Megila on Purim?

The Talmud in Shabbat 23a responds to this question. There are in fact two sources in the Torah for the rabbinic authority to establish new mitzvot:

"Do not stray to the right or left from the word that [the high court] will declare to you." (D'varim 17:10)

"Ask your father and he will tell you; question your elders, and they will respond." (D'varim 32:7)

### Why two sources?

Rav Kook explained that God-given commandments will naturally lead towards the goal of absolute good. This is understandable, as God knows the future and is aware of all implications of any decree. Man-made laws, on the other hand, even those designed by the most prescient legal scholars, will never be able to achieve the same results as a Divinely-decreed mitzva.

Of course, the Talmudic Sages were blessed with ru'ach hakodesh, Divine inspiration, in addition to the logic and reasoning that are an integral aspect of the Oral Law. They used these gifts in order to attain results similar to God-given mitzvot, to further the cause of the Jewish people's perfection in both spiritual

and material realms.

The Sages examined two aspects when formulating a new law:

The people's current religious and physical needs;

The desire to maintain continuity with the Jewish people's lofty spiritual heritage.

It is insufficient to take into account only immediate needs. If the people becomes estranged from its spiritual foundation, it has in fact become a different nation. Its unity and continuity are no longer assured.

Now we may understand why there are two sources authorizing the Sages to legislate new laws.

Regarding the need to address the current needs of society, the Torah commands: "Do not stray to the right or left from the word that [the high court] will declare to you." This refers to decrees of the high court, which institutes legislation dictated by the state of the people, in order to uphold observance of the Shabbat, kashrut, and so on.

But other rabbinic enactments are new mitzvot, designed to maintain our ties with our spiritual heritage - such as lights on Chanuka, reading the Megila on Purim, or washing hands before a meal, like the kohanim before they ate Terumah. Regarding the authority to enact

these new mitzvot, the Torah states:

"Remember the days of old, reflect upon the years of each generation. Ask your father and he will tell you; question your elders, and they will respond."

Israel's past was elevated and holy, and is the source of our future success. "For His own nation remained God's portion; Yaakov is the lot of His heritage" (D'varim 32:9). 

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## Our Protective Fortress

From Silver from the Land of Israel.  
Adapted from Ma'amarei HaRe'iyah  
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The sukkah booth that we live in during the Sukkot holiday is by definition a temporary dwelling. The Sages ruled that a very tall structure, over ten meters high, is invalid as a sukkah because it is a permanent structure. An exposed hut consisting of only two walls and a handbreadth for the third, on the other hand, is perfectly acceptable.

And yet, this rickety booth is our protective fortress. As King David said, "You protect them in a sukkah from the strife of tongues" (T'hilim 31:21). Why should such a flimsy structure be a paradigm of protection and safety?

### The Sukkot of the Great Assembly

To better understand the metaphor of the sukkah, we should examine a remarkable Talmudic passage. In Nechemiah 8:17 it states that, from the time of Yehoshua, the Jewish people had not dwelt in sukkot until the mitzva was reinstated after their

return from the Babylonian exile. How is it possible that this mitzva was neglected for so many centuries?

The Talmud in Arachin 32b explains that the Jewish people always performed the mitzva of dwelling in a sukkah. However, the sukkot erected by the Great Assembly in the time of Nechemiah were special sukkot, possessing a protective quality that had not existed since the days of Yehoshua bin Nun. According to the Talmud, these were not even physical sukkot, but rather a unique spiritual act of Ezra and the Great Assembly: 'They prayed and abolished the passion for idolatry, and this merit protected them like a sukkah.'

### The Ultimate Fortress

Clearly, the protective aspect of the sukkah is of a spiritual nature. The eternal truth is that the sukkah - purposely defined as a structure so flimsy that it cannot even be called a proper dwelling - is a fortress that protects us from all adversaries and foes. What is it that transforms the exposed sukkah into a shelter and stronghold? Certainly not any of its physical properties. Rather, its source of inner strength is none other than God's word. The sukkah protects us by virtue of the Torah law that declares this structure to be our shelter during the holiday of Sukkot.

This is an important message for all times, and especially in our generation. We need great courage to return to the land of our fathers and rebuild our national home. Where can we find the moral and spiritual resolve to withstand the challenges of those who oppose our return and deny our right to a homeland in Eretz Yisrael? Like the sukkah dwelling, our national home is based on the spiritual strength of God's eternal word. The most advanced weapons may be able to penetrate the thickest walls, but they cannot prevail over the stronghold of God's word.

This is our fortress, our ultimate shelter of security: God's eternal promise that the Jewish people will return to their land and the House of Israel will be built once again.

The protective sukkah of the Great Assembly was the merit provided by their spiritual efforts to abolish the desire for idolatry. Our right to the land of Israel is similarly based, not on our military prowess, but on the moral strength of our eternal covenant with God and the merit of the Torah's mitzvot.

## Beautifying the Law

However, we should not be satisfied with keeping only the minimum requirements of Torah law. Jerusalem was destroyed, the Sages taught, because the judges ruled

according to the strict letter of the law. They failed to take into account the spirit of the law and seek a ruling that is both just and compassionate - "lifnim mishurat hadin" (Bava Metzi'a 30b).

The mitzva of sukkah is based on Divine law, but there is an ancient custom to adorn the sukkah with decorated fabrics, fruits, and grains (Sukka 10a). We should similarly seek to 'adorn' the Torah law. We should go beyond the minimum requirements of the Law and aspire to the highest level of God's word, in its purest ethical form. Then we will merit that "David's fallen sukkah" (Amos 9:11), the prophet's metaphor for Jewish sovereignty, will rise again, speedily in our days. 