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Sukkah Daf 33

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The Mishnah stated that if the top of the hadas was severed, it is invalid. Ulla bar Chinena taught that if the top was clipped off and a berry subsequently grew at its top, it is then valid.

Rabbi Yirmiyah inquired: If a hadas whose top was severed before Yom Tov, making it unfit, grew a berry on Yom Tov, may be used. Do we say that a mitzvah item which was once disqualified remains rejected (even if something else would make it fit), or not (and we would only have such rules by sacrifices)? The Gemora suggests that we can resolve this question from the mitzvah of covering the blood of a slaughtered beast or bird. The Mishnah says that once he covered it, he need not cover it again, even if it became uncovered, but if the wind covered it, he must cover it, and Rabbah bar Bar Chanah quotes Rabbi Yochanan explaining that he must do so only if it became uncovered. But if it did not become uncovered again, he is exempt from covering it. And when we asked concerning this: Even if it subsequently became uncovered, why must he cover it? Once it has been rejected, is it not permanently rejected? And Rav Pappa said that we see from this that there is no permanent rejection by mitzvos.

The Gemora answers that we are not sure if Rav Pappa was stating this unequivocally, applying it whether it implies a stringency (e.g., obligation to cover the blood) or a leniency (e.g., using the hadas which grew the

berry), or if he was unsure, and only noting that we see that we must apply it where it is a stringency, but not in a leniency. The Gemora lets this question stand. (33a1 – 33a2)

The Gemora suggests that this question is itself a dispute of Tannaim, citing a Baraisa regarding a dispute about one who picked off the excess berries from a hadas, making it now fit. Rabbi Elazar bar Tzadok says that it is still invalid, while the Sages say it is now valid. The Gemora explains that those who suggested this explanation of the dispute assumed that both opinions agree that there is no requirement to bind the lulav species together, or if there is, we don't learn from sukkah the requirement that *ta'aseh – you must make, v'lo min ha'asui – and not have it be [indirectly] made*, and therefore that would not be a reason to invalidate it due to the person picking the berries after they are bound. What then is the argument? They disagree on the following principle viz., that he who declares it invalid is of the opinion that we apply the law of rejection to [all] mitzvos, while he who declares it to be valid is of the opinion that we do not apply the law of rejection to [all] mitzvos? — No! All agree that we do not apply the law of rejection to [all] mitzvos, but they disagree here whether we learn the concept of *ta'aseh v'lo min ha'asui* from sukkah to lulav. One Master is of the opinion that we do so deduce them, while the other Master is of the opinion that we do not make such a deduction. And if you wish you may say that if it were

held that the lulav needs binding all would have agreed that we deduce [the laws of] lulav from [those of] Sukkah; but they disagree here on whether the lulav needs binding, as is the case in the dispute of these Tannaim of whom it has been taught: A lulav, whether [the other prescribed species were] bound with it or not, is valid. Rabbi Yehudah says: If it is bound [with the others] it is valid; if it is unbound, it is invalid. What is the reason of Rabbi Yehudah? — The Gemora explains that Rabbi Yehudah connects the word *ul'kachtem* — *and you will take* the four species with the same word used to command us to take the bundle of hysop to sprinkle the Pesach blood on the doorposts. Just as the word refers to a bundle of hysop, so it refers to a bundle of the four species. But the Rabbis do not have this tradition to expound: taking, taking. (33a3 – 33a4)

Who is it that learned that which our Rabbis have taught: It is a mitzvah to bind the lulav, but it is valid if not bound. Now who is it? If Rabbi Yehudah be suggested, why is it valid if he did not bind it? If the Rabbis are suggested, what mitzvah has he performed? — It is in fact the Rabbis, and the mitzvah spoken of is due to: This is my God and I will glorify Him. (33a4)

The Mishnah stated that if there was a majority of berries, the hadas is invalid.

Rav Chisda said: This thing was said by our great teacher (i.e., Rav), and may the Omnipresent be of assistance to him: This was taught only if they were in one place, but if they were spread out in two or three places, it is valid.

Rava said to him: If it is in two or three places, it looks spotted, and should certainly be invalid!? — Rather, if it was stated, it was stated as follows: If there were more berries than leaves, it is invalid. Rav Chisda said: This thing was said by our great teacher (i.e., Rav), and may

the Omnipresent be of assistance to him: This was taught only if the berries were black, but if the berries were green, it is the same type as the hadas and it is valid. Rav Pappa said: Red berries are like black ones, as we see that black blood of a woman is considered impure, since we treat it as red blood which has deteriorated. (33a4 – 33b1)

The Mishnah had stated: If he reduced their number, it is valid. When did he diminish them? If you say, before he bound them, isn't this obvious? Consequently, it must be said, after he bound them? This then is a rejection from the very outset. Why then may it not be deduced from here that a rejection from the outset is not [permanent] rejected — Indeed it refers to [a reduction that took place] after he bound them, but he is of the opinion that the binding is merely a designation [for its purpose], and a mere designation is of no consequence. (33b1)

The Mishnah had stated that one may not reduce the berries on Yom Tov. The Gemora infers that if one did nonetheless reduce them, what is the law? The hadas is valid. The Gemora asks: When did the berries turned black? If they did so before Yom Tov, we should conclude from here that something which was rejected from the outset may not become fit. The Gemora suggests that the case is when they turned black on Yom Tov, but rejects that, because then it would be a case of something that was fit and then became rejected, and that would lead us to conclude that even something which was fit and then became rejected, may still become fit, which is even less likely. — No! Indeed it refers to where it became black before Yom Tov; and that a rejection from the very outset is no rejection you may well deduce from here; but that where it was fit and then became rejected it becomes fit again you may not deduce from here. (33b1 – 33b2)

The Gemora cites a Baraisa which says that one may not reduce the berries on Yom Tov, but cites Rabbi Eliezer the son of Rabbi Shimon saying that one may reduce them. The Gemora asks: How can this be permitted, as this is akin to fixing a utensil on Yom Tov (since this will make the hadas usable for the mitzvah, and 'repairing' a utensil is forbidden to do on Yom Tov)? Rav Ashi says that he allows it only if he picks them to eat them, and Rabbi Eliezer the son of Rabbi Shimon is following his father's position that an unintentional act is permitted. - But Abaye and Rava both say that Rabbi Shimon agrees that it is prohibited if the act will lead to an inevitable consequence (and picking the berries will definitely render the hadas fit)? - The Gemora deflects this by saying that he allows it only if he has another hadas (making the picking not necessarily a form of fixing, since he may not need these hadas branches for the mitzvah). (33b2 – 33b3)

The Gemora cites a Baraisa which says that if the binding of the lulav came apart on Yom Tov, he may bind it like a bundle of vegetables (i.e., wrap around, and tuck in the end). The Gemora asks: But why; let him make a bow? Whose opinion is this? It is Rabbi Yehudah, who says that a bow is a full-fledged knot (which is prohibited to make on Yom Tov). – But if it's Rabbi Yehudah, he requires a full-fledged knot for the lulav? The Gemora answers by saying that the Tanna of this Baraisa agrees with Rabbi Yehudah's position regarding the definition of knots on Yom Tov, but not his position about binding the lulav. (33b3)

MISHNAH: If an aravah is stolen or dry, it is invalid. If it came from a worshipped asheirah tree or from a subverted city, it is invalid. If its top was severed, its leaves were torn, or it came from a tzaftzefa plant, it is

invalid. If it is wilted, some of its leaves fell off, or it grew in a watered field, it is valid. (33b3 – 33b4)

The Gemora cites a Baraisa: *arvai nachal* – *aravos of the stream*, that it is referring to those that grow on the stream bank, and that its leaves are elongated like the stream's flow. Another Baraisa is cited: *arvai nachal* – I [might think] willows of the brook only. From where do we know that those grown on naturally watered soil and mountain willows [are also valid]? Scripture expressly states: 'willows of the brook', i.e., from any place. Abba Shaul says: *arvai* denotes two; one for the lulav and one for the Bais Hamikdash (as part of the encircling of the altar). – Where do the Sages learn the requirement of aravah in the Bais Hamikdash from? They derive it from an Oral Law taught to Moshe at Sinai, for Rabbi Assi said in the name of Rabbi Yochanan that ten saplings (in a field, which can be plowed before Shemittah), aravah (in the Bais Hamikdash), and water libation (on Sukkos) are all Halachos taught directly to Moshe at Sinai. (33b4 – 34a1)

INSIGHTS TO THE DAF

Disqualification for mitzvos

Rabbi Yirmiyah (33a) asks whether a hadas which became unfit on Yom Tov, since its head was severed, can become fit again if a berry grew on top. The Gemora cites Rav Pappa who said that mitvah items are not disqualified, but explains that it isn't clear whether this is a certain statement, applicable even to the hadas, or due to a doubt, applicable only as a stringency.

The Gemora (33b) infers that if one picked off hadas berries on Yom Tov, it is valid, even though it had been disqualified beforehand. The Gemora explains that this is true in a case where the berries turned black before Yom Tov, making the hadas never fit on Yom Tov.

However, if the berries turned black on Yom Tov, that would be a more severe case of disqualification, since it occurred after it had already been fit. The Gemora does not explicitly state whether the hadas is valid in such a case.

The Ran cites two opinions about Rabbi Yirmiya's question. Some say that since the Gemora about the black berries concludes that something which was never fit can become fit, but is unsure about something which became disqualified after being fit, we can apply the same ruling to Rabbi Yirmiya's question. Therefore, if the head was severed before Yom Tov, it is valid even if the berry grew on Yom Tov, but if it was severed on Yom Tov, and then grew the berry, we may not use it. Others reject the comparison altogether, since picking berries is an act which is in human control, and therefore the presence of berries is not as serious disqualification as a severed head. Therefore, we must be strict in the case of the severed head, and may not use any hadas which grew a berry on Yom Tov, whether its head was severed before or on Yom Tov.

The Rambam (Lulav 8:5) and Rosh (11) state that if one picked the berries on Yom Tov, it is valid, and do not mention any difference if the berries turned black on Yom Tov or before. The Bais Yosef (646) suggests that they consider a hadas with berries a disqualification which can be undone by a human, and therefore not truly disqualified. Even though the Gemora discussed whether it can become fit, implying that it is a case of disqualification, this was before the Gemora cited Rabbi Elazar beRabbi Shimon saying that one may pick them (under the circumstances Rav Ashi explains), teaching that the disqualification can be undone.

The Shulchan Aruch (646:2) rules like the Rambam, saying that if one picked the berries on Yom Tov, it is valid, with no mention of when they turned black.

The Taz (6) suggests that although the Gemora raises the question of whether Rav Pappa's conclusion is a certainty or possibility, Rav Pappa said it as a certainty. Therefore, we follow his certain statement, preferring that to Rabbi Yirmiya's question.

The Gra (Sheliktan) says that the Gemora's original question was whether we equate mitzvos to sacrifices, which are unfit once they are disqualified. Sacrifices are unfit whether they were always disqualified or were first fit. Since the Gemora, in discussing picking berries, concludes that a hadas is definitely fit if was always disqualified, this proves that mitzvos are not like sacrifices. Once we proved that, we have effectively proved that disqualification doesn't apply to mitzvos at all, whether they were never fit, or were once fit. Therefore, the Rambam and Rosh rule that in all cases, the hadas is now fit.

The Biur Halacha (avar v'liktan) challenges this ruling. First, he notes that the Rambam and Rosh may in fact only be discussing a case where they were black before Yom Tov, since that's the implication of "black berries," as opposed to "berries that turned black." Second, many Rishonim (including the Ran, Ba'al Hamaor, Ritz Gai'as, and others) explicitly limit this halacha to a case where they were black before Yom Tov. The Kaf Hachaim (58) says that according to this ruling, one can only consider a hadas with a berry which grew on Yom Tov on its severed head to be non-severed only if its head was severed before Yom Tov. However, according to the Bais Yosef's reason, a hadas whose berry grew on top of its severed head on Yom Tov cannot be

considered non-severed, even if one rules like the lenient reading of the Rambam and Rosh.

Reading Books on Shabbos

The Mishnah ruled that if there are more berries than leaves on the hadas, it is invalid. One can remove the berries before the festival but one is forbidden to remove the berries on the festival. The reason for this ruling is because removing the berries is deemed to be repairing the hadas, and one is prohibited from repairing a utensil on the festival. Rabbi Eliezer maintains that it would be permitted to remove the berries on the festival. The Gemara qualifies this ruling to be referring to a case where he plucked the berries with the intention of eating them. Rabbi Eliezer permits this because he rules in accordance with the opinion of his father Rabbi Shimon who maintains that one is permitted to perform a permitted act although he may unintentionally perform a forbidden act in the process. An example of this is when one drags a chair across the dirt on Shabbos where he may make a furrow in the ground. His intention is to move the chair and not to create the furrow, so even though he is aware that he may create a furrow, Rabbi Shimon maintains that this is permitted. The Gemara questions this because even Rabbi Shimon agrees that if the prohibition will inevitably occur, it is forbidden to perform the permitted act. The Gemara answers that we are referring to a case where the person has another hadas and when he plucks the berries from this hadas, he does not care whether the hadas is valid. Thus, we do not deem the plucking of the berries to be a repair and he has not committed a prohibited act at all.

Tosfos explains that the answer of the Gemara is predicated on the principle of *melacha sheaina tzricha legufa*, an act that was not performed for a defined purpose. Normally we say that it is rabbinically

prohibited to perform an act where one does not desire the forbidden outcome. However, when there is a mitzvah involved, one is permitted to perform the act outright. [Tosfos seems to maintain that the person plucking the berries has intention for the mitzvah.]

Teshuvos Imrei Yosher rules based on the words of Tosfos that one would be permitted to study on Shabbos from a sefer that has letters and words on the side of the pages. This would be permitted even though when he turns the pages he is in effect forming or erasing words. The reason for this ruling is because when one is preoccupied with a mitzvah, the Chachamim were not concerned with the prohibited act that will result if the result is unintended and undesired. The Mishnah Berura rules that one can even read from a book with letters on the side even if he is not engaged in Torah study. The reason for this ruling is because one is not deemed to be writing or erasing as the pages of the book are meant to be turned. This would be analogous to opening and closing a door which would not be deemed building or destruction because a door is meant to be opened and closed.

DAILY MASHAL

Humble in a Group

The Gemara states that Rabbi Yehudah maintains that one is required to bundle the lulav with the other species, and he derives this ruling from a *gezeirah shavah* of *taking, taking*, from the case of the bundle of *eizov*, hyssop, that the Jews took prior to departing from Egypt. That verse states *and you shall take a bundle of eizov*. We can interpret the verse homiletically to mean that if one desires to be a part of the bundle, i.e. the group, he should humble himself like the hyssop, which is a low branch.