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Sukkah Daf 35

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Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

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

## **Mishna**

An esrog which is stolen or dried out is invalid. One from an asheirah (*a tree that was worshipped as avodah zarah*) or from an *ir hanidachas* (*a subverted city; one that was condemned to be destroyed by fire on account of a majority of its residents worshipping idols*) is invalid. If it was of orlah (*the fruit that grows from a tree; the first three years of its life, they are forbidden for all benefit*) or of terumah that was *tamei*, it is invalid. If it was of terumah that was *tahor*, initially, he should not take it, but if he did take it, it is valid. If it was demai (*produce purchased from an am ha’aretz; since we are uncertain if ma’aser was separated, one is obligated to separate ma’aser rishon from it*) Beis Shammai declare it invalid, and Beis Hillel declare it valid. If it was of ma’aser sheini in Yerushalayim (*a tenth of one’s produce that he brings to Yerushalayim and eats there in the first, second, fourth and fifth years of the Shemitah cycle; it can also be redeemed with money and the money is brought up to Yerushalayim, where he purchases food and eats it there, or animals for korbanos*), initially, it should not be taken, but if he took it, it is valid.

If the majority of it is covered with boils, or if its pittum (stemlike protrusion at its top) is removed, if it is peeled, split, punctured and part of it is missing, it is invalid. If only a minority part is covered with boils, if its stem was removed, or if it is punctured but none of it is missing, it is valid.

An Ethiopian esrog is invalid. If it is green as a leek, Rabbi Meir declares it valid and Rabbi Yehudah declares it invalid.

Concerning the minimum size of an esrog, Rabbi Meir says: the size of a nut; Rabbi Yehudah says: that of an egg. Its maximum size is such that one should be able to hold two in one hand; these are the words of Rabbi Yehudah. Rabbi Yosi says: Even if one can hold one esrog in both hands. (34b3 – 34b4)

The *Gemora* cites a *braisa*: *The fruit of the hadar tree*. This refers to an esrog, whose fruit and bark have the same taste.

The *Gemora* asks: Perhaps it refers to peppers, as it was taught in a *braisa*: Rabbi Meir would say: Since the verse says (*regarding the fruits that grow from a tree in its first three years*): *You shall regard its fruit as forbidden*, do I not know that it is speaking

of a tree for food? Why then does the Torah say: *food tree*? It is to include a tree of which the wood has the same taste as the fruit. And which is this? It is the pepper tree. This teaches us that pepper is subject to the law of *orlah*, and it also teaches you that the land of Israel lacks nothing, as it is written: *A land in which you shall eat bread without poverty, you shall not lack anything in it!*

The *Gemora* answers: There, pepper is excluded, since it is impossible to use it (for the mitzvah to take with the lulav); for how shall he proceed? If he takes one pepper kernel, it is unrecognizable; and if he takes two or three, the Torah surely said, one 'fruit' and not two or three fruits. Its use therefore is impossible. (35a1)

Rebbi maintains that an esrog tree is unique in that it has small ones and large ones growing at the same time. Rabbi Abahu maintains that this can be derived from the word *hadar*, which can be read as *haddar*, which refers to a fruit that can dwell on the tree from one year to the next. (35a1-35a2)

### AN ESROG OF ORLAH IS INVALID

**(a) Question:** Why is Orlah Invalid?

**(b) Answer:** It is an argument between R. Chiyah b. Avin and R. Asi.

1. It may not be eaten (and hence fails on Lachem – must be 'yours').
2. It has no value (and Lachem implies value).

**(c) Question:** We wanted to assume that the reasons are exclusive but then how can we explain

why Terumah which is tamei (which has value but cannot be eaten)?

**(d) Answer:** Permission for consumption is the minimum requirement, and the other opinion adds value as another requirement.

**(e) Question:** When will the opinions create a distinction in Halachah?

**(f) Answer:** In the use of Ma'aser Sheni in Yerushalayim, according to R. Meir (who sees Ma'aser Sheni as property of the Most High).

1. It certainly has permission for consumption.
2. It does not have value according to R. Meir.

**(g)** From the halachah of R. Meir which R. Asi cited, we should conclude that R. Asi held that it requires value.

1. In the case of Ma'aser Sheni, R. Meir is cited by R. Asi as disallowing the Esrog while the Chachamim permit it.

2. This, indeed, establishes the position of R. Asi.

**(h) Question (R. Papa):** R. Asi cites two other items which R. Meir discounts and the Chachamim include, but Matzah does not fit the pattern!?

1. Matzah of Ma'aser Sheni regarding the Mitzvah.
2. A dough of Ma'aser Sheni regarding Chalah.
3. Dough is associated with Arisoseichem – your dough, as Lachem (being yours) by Esrog, implying that personal ownership is a requirement.
4. But there is no word by Matzah to imply personal possession!?

**(i) Answer:** It is connected by the word Lechem to Chalah, (from which a dough of Ma'aser Sheni is exempt) hence it must be yours.

**(j) Question:** May R. Asi find support in the Beraisa cited regarding a dough of Ma'aser Sheni?

**(k) Answer and Question:** Is that a question!? That is our very case!!

**(l) Answer:** Our question was whether the argument regarding a dough would also apply to Esrog, or whether a dough has *two* references to possession and thus may not generalize to Esrog.

#### **AN ESROG OF TERUMAH TEMEI'AH IS INVALID**

**(a)** It lacks permission for consumption.

#### **AN ESROG OF TERUMAH TEHORAH SHOULD NOT BE USED**

**(a)** The reason is an argument between R. Ami and R. Asi.

1. Its use would likely make it susceptible to tumah.
2. Its use would likely cause its deterioration, as the skin wears down from handling.

**(b) Question:** When will the opinions create a distinction in Halachah?

**(c) Answer:** If he excluded the skin when making it Terumah (it still could be exposed to Tum'ah, but it would not be affected by the handling).

#### **IF USED, IT IS KOSHER**

**(a)** It satisfies both opinions (permission for consumption and value).

#### **DEMAI IS A MACHLOKES BETWEEN BEIS HILLEL AND BEIS SHAMAI**

**(a) Question:** Why does Beis Hillel permit Demai?

**(b) Answer:** Since the owner could make himself into a pauper and be entitled to use Demai, we view him as such, even now (as the Mishnah permits feeding Demai to the poor).

**(c) Question:** Why do Beis Shamai prohibit Demai?

**(d) Answer:** They hold that a poor man may not eat Demai (as R. Huna taught that the matter is subject to Machlokes).

#### **AN ESROG OF MA'ASER SHENI SHOULD NOT BE USED**

**(a)** It could both become susceptible to tumah, as well as deteriorate.

#### **IF USED, IT IS KOSHER**

**(a)** If the requirement is permission for consumption, then the Din is the opinion of both R. Meir and Chachamim.

**(b)** If the requirement is also value, then the opinion is only the Chachamim (since, according to R. Meir, Ma'aser Sheni is property of the Most High).

#### **CHAZAZIS ON THE MAJORITY OF ITS SKIN MAKES IT INVALID**

**(a) (R. Chisda, reverently citing Rav):** It is Invalid only if the boils are found in one place, but not if it is found in two or three places.

**(b) Question (Rava):** But surely two or three places is worse, rendering it Menuhar (leopard-like)!?

**(c) Answer:** Rather, the statement of Rav should be applied to the end of the Mishna, where a minority of boils is valid, only if it appears in one place, not if it appears in two or three places, where it makes it Menuhar.

**(d) (Rava):** Even a tiny boil on the Chotam (where it begins to become slimmer) is invalid.

#### **THE PITAM**



(a) The word used by R. Yitzchak b. Elazar is Bochan (see Rashi).

#### NIKLAH

(a) (Rava): A skinned Esrog which turned ruddy is valid.

(b) Question: But the Mishnah taught that Niklah is invalid!?

(c) Answer: If it is entirely skinned it is valid; partially skinned (creating multiple colors) is invalid.

## INSIGHTS TO THE DAF

### *Magnifying Glass*

Rashi and the Ran write that the reason that small spots at the top of the esrog invalidate the esrog whereas spots on other parts do not invalidate the esrog is because the top of the esrog is the area which is clearly visible to the eye.

The Magen Avrohom in Orach Chaim 648:16 quotes the *Mabit* who writes that a discoloration at the top of the esrog will only invalidate the esrog if it is visible to all. If the discoloration is so small that one can see it only by gazing intently and others cannot even see it, the esrog will still be deemed as hadar.

The *Shearim Mitzuyanim B'Halacha* writes that this ruling is the source for those who maintain that a black spot or discoloration which can only be viewed with a magnifying glass will not invalidate an esrog. It is noteworthy that there are those who

use the magnifying glass to validate a spot that others expressed concerned about.

## DAILY MASHAL

### *Esrog; Fruit of Desire*

The Gemara states that an esrog is described in the Torah as a *pri eitz hadar*, the fruit of the *hadar* tree, and the word *hadar* can be interpreted to mean *haddar*, that dwells. Thus, the esrog is a fruit that dwells on its tree from one year to the next year.

It is noteworthy that the Rishonim write that the word esrog is derived from the Aramaic word *merogeg*, which means desire. Similarly, we find that the Zohar states that regarding Shabbos it is said *the Children of Israel shall observe the Shabbos, to make the Shabbos an eternal covenant for their generations*. The Zohar states that the word *ledorosam* can be interpreted to read *lederosam*, for their dwelling places. Furthermore, it is said *thus the heaven and the earth were finished, and all their array*, and the Targum Yerushalmi interprets the word *vayechulu*, were finished, as *vechamad*, and He desired. Thus, the esrog and the Shabbos both share the same characteristics in that they are desired items and that they both have a permanent dwelling.