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Sukkah Daf 40

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Daf Notes is currently being dedicated to the neshamah of

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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 Gemora had said that the Mishnah didn't apply Shemittah rules to the lulav, since it was from the sixth year, implying that in principle Shemittah does apply to a lulav. The Gemora asks why it does, since it is not food, but simply wood, and wood does not have Shemittah sanctity. This is proven from a Baraisa which states that if one gathered leaves of cane-reeds and leaves of grapevines to put in storage – if he gathered them for food, they have the sanctity of Shemittah, but if he gathered them for kindling, they do not have the sanctity of Shemittah.

The Gemora answers that the reason to exempt wood from Shemittah is particular to the way wood is used for fueling fire. The verse says that the produce of Shemittah will be “for you, for eating,” teaching that Shemittah applies to produce which is enjoyed like food, whose benefit occurs at the same time it is consumed. This excludes wood, which is first consumed, but whose benefit occurs afterwards, when it turns to coals. However, a lulav is usually is not used for coals, but for sweeping, which consumes the branches at the same time as the benefit occurs.

The Gemora challenges this answer from the case of wood which can be burned as torches, giving benefit at the time of consumption.

Rava answers that wood is generally used for fueling a fire, and therefore Shemittah does not apply even if one uses it as a torch.

¹ If flax, for instance, is steeped in wine of the Shemittah Year in the process of its preparations, the wine is already spoiled by the time the flax is ready for use.

² A medicinal application.

The Gemora suggests that it is a dispute of Tannaim whether the rules of Shemittah apply to firewood, citing a Baraisa which says that one may not hand over Shemittah produce to soak linen or launder clothing, while Rabbi Yosi says that one may. What is the reason of the first Tanna? The verse states that the Shemittah produce is “for eating,” and not for a soaking pool or a laundering pool. And what is the reason of Rabbi Yosi? The verse says that is “for you,” for all your needs, and even for a soaking pool or a laundering pool. - But, according to the first Tanna, is it not written: ‘for you’? — That ‘for you’ is compared with ‘for food’, viz., the benefit from which comes at the same time as its consumption, thus excluding [produce used for] the soaking pool and laundering pool the benefit from which comes after their consumption.¹ But according to Rabbi Yosi, is it not written ‘for food’? — He employs this phrase for the deduction, ‘for food’, but not for a plaster,² as it has been taught: ‘for food’, but not for a plaster. You say that ‘for food’ implies but not for a plaster; why not say, ‘[for food]’ but not for washing? When it says ‘for you’ washing is included, what then can I deduce from the phrase, ‘for food’? ‘For food’, but not for a plaster. But what reason do you see for including washing and excluding a plaster? I include washing since it is a requirement common to all men and exclude plaster since it is not common to all men.³

Who is the author of that [statement] which our Rabbis taught: ‘For food’ implies but not for a plaster, ‘for food’, but

³ Thus it has been shown that the first Tanna who excludes the soaking pool and laundering pool, on the ground that the produce is already consumed by the time the benefit is derived from it, excludes also for the same reason, wood that is used for

not for sprinkling, 'for food' but not for an emetic? — In agreement with whom is this statement? It is in agreement with Rabbi Yosi;⁴ for were it [to be suggested, with] the Rabbis, [it could be retorted,] surely there is also the soaking pool and laundering pool [to be excluded]. (40a1 – 40b1)

Rabbi Elazar ruled: The produce of the Shemittah Year can be deconsecrated⁵ only by way of a purchase,⁶ while Rabbi Yochanan ruled: Either by way of purchase or by way of exchange. What is the reason of Rabbi Elazar? — Since it is written: In this year of Yovel you shall return etc. and there follows immediately the verse: And if you shall make a sale, [which implies,] only by way of a purchase, but not by way of exchange. And what is the reason of Rabbi Yochanan? — Since it is written: For it is the Yovel, it shall be holy; just as sacred objects can be redeemed either by way of a purchase or by way of exchange, so the produce of the Shemittah Year can be redeemed either by way of a purchase or by way of exchange. But what does Rabbi Yochanan do with the verse: 'And if you shall make a sale'? — He requires it in accordance with the statement of Rabbi Yosi ben Chanina, as it has been taught: Rabbi Yosi ben Chanina observed: Come and see how serious is [even] the dust of the Shemittah Year, etc. For if a man merely trades with the produce of the Shemittah Year, the result is that he will eventually have to sell his movables and his tools, as it is said: 'In this year of Yovel you shall return, each man to his possession' and there immediately follows the verse, 'And if you shall make a sale etc.' What, however, does Rabbi Elazar do with the verse of Rabbi Yochanan? — He needs it in accordance with what has been taught: 'For it is a Yovel, it shall be holy to you'; just as with holy objects the money [for which it is redeemed] assumes the same sanctity, so with the products of the Shemittah Year, the money [for which it is redeemed] assumes the same sanctity.

heating, while Rabbi Yosi who does not exclude the soaking pool and laundering pool does not exclude wood either.

⁴ Who excludes only such benefit as is not common to all.

⁵ Whereby that for which it is exchanged receives the sanctity which the produce of the Shemittah Year had previously, and the produce itself becomes redeemed.

The Gemora cites a Baraisa supporting Rabbi Elazar and one supporting Rabbi Yochanan. The Baraisa supporting Rabbi Elazar says: the sanctity of Shemittah produce carries over to its payments, as it says: *It is a Yovel year; it should be holy to you.* This teaches us that *Shemittah* is similar to a consecrated item. Just as the exchange for a *hekdesch* item becomes like it and renders it forbidden, so too, the exchange for *Shemittah* produce becomes like it and renders it forbidden. The *Baraisa* asks: If so, why don't we say the following: Just as by *hekdesch*, that which was exchanged for the *hekdesch* becomes like it and the *hekdesch* becomes deconsecrated, so too, by *Shemittah*, that which was exchanged for the *Shemittah* becomes like it and the *Shemittah* produce should become *chullin*! — It is written with respect to *Shemittah* produce: *it shall be.* We learn from here that the *Shemittah* produce remains as is. For example, if one bought meat with *Shemittah* produce, the *halachos* of *bi'ur* (*the produce of Shemittah may be kept as long as that produce is still available in the fields for the animals; afterwards, it may no longer remain in the house*) applies to both the meat and the produce. If he then exchanges the meat for fish, the meat loses its *Shemittah* status and the fish acquires the sanctity of *Shemittah*. If he then exchanges the fish for wine, the fish loses its *Shemittah* status and the wine acquires the sanctity of *Shemittah*. If he then exchanges the wine for oil, the wine loses its *Shemittah* status and the oil acquires the sanctity of *Shemittah*. The rule is that the last item of exchange acquires the sanctity of *Shemittah*, and the *Shemittah* produce always remains prohibited. Now since the term 'purchased' 'purchased' is used, it is evident that only by way of sale [does it become redeemed], but not by way of exchange.

⁶ I.e., only if it is sold to a second party, not by exchanging the one for the other while the owner retains the produce for himself as in the case of holy things.



The Baraisa supporting Rabbi Yochanan states: Both the produce of the Shemittah Year and of ma'aser sheini may be deconsecrated with cattle, undomesticated animals or birds, whether live or slaughtered; these are the words of Rabbi Meir, while the Sages ruled: With slaughtered [animals and birds] they may be deconsecrated, but they cannot be deconsecrated with live ones, this being a preventive measure against one's possible rearing of flocks from them.⁷

Rava said: The dispute in this Baraisa is only regarding male animals and birds, but regarding females, all agree that with slaughtered [animals and birds] they may be deconsecrated, but they cannot be deconsecrated with live ones, this being a preventive measure against one's possible rearing of flocks from them.

INSIGHTS TO THE DAF

Observing Shemittah is Akin to Observing Shabbos

The Gemara states that if one is not meticulous even regarding the lenient laws of Shemittah, i.e. one sells Shemittah produce, he will be forced to sell all of his possessions and eventually he will be forced to sell himself as a slave.

Rashi at the end of Parshas Behar quotes the full text of the Baraisa that is mentioned in Arachin 30b and Kiddushin 20a.

The Ramban in the beginning of Parshas Behar writes that one should be careful to adhere to the laws of Shemittah just as one would be meticulous in observing the laws of Shabbos, as Shemittah is the secret of Creation. When one treats the laws of Shemittah lightly, he will be the catalyst that causes the Jewish People to be exiled for he is demonstrating that he does not affirm the belief that HaShem created the world and he also denies the concept of the World to Come.

⁷ And since the term "deconsecrated" is used, this supports Rabbi Yochanan that a purchase will not deconsecrate the Shemittah produce.

DAILY MASHAL

The Dust of their Feet

The Gemara discusses the harsh punishment that one incurs when he treats the laws of Shemittah lightly. The Gemara uses the term *avak shel sheviis*, the dust of Shemittah, to refer to the less stringent laws of Shemittah.

We find elsewhere that the Gemara uses the term *avak Lashon hara* to describe slander that is rabbinically prohibited, and the term *avak ribbis* in describing rabbinically prohibited interest on a loan. Why does the Gemara use the word *avak*, dust, in these instances?

It is noteworthy that when Yaakov struggled with the angel of Esav, it is said *vayeiavek ish imo*, and a man wrestled with him. The Gemara in Chullin 91a states that the angel of Esav appeared to Yaakov like a Torah scholar. Perhaps the meaning of the Gemara is that the angel of Esav attempted to convince Yaakov that although one must follow the mitzvos that are stated explicitly in the Torah, one can be more lenient regarding the rabbinical prohibitions. This is alluded to in the word *vayeiavek*, which is derived from the word *avak*, dust.

For this reason, the Gemara refers to certain rabbinical prohibitions with the term *avak*, to allude to the idea that it is the evil inclination, a.k.a. the angel of Esav, who is attempting to convince the person that he can be lenient regarding rabbinical prohibitions.

We must adhere to the dictum recorded in Pirkei Avos 1:4, where it is said *vehevay misabak bafar ragleihem*, literally translated as sit in the dust of their feet, and homiletically interpreted that one should adhere to even the less stringent rabbinical prohibitions.