

12 Adar II 5774
March 14, 2014



Sukkah Daf 39

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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

Shemittah status of esrog

The Gemora says that the Mishna's author, which applies the rules of Shemittah to an esrog purchased in the Shemittah year, follows the position cited in a braisa that the Shemittah status of an esrog is determined at the time of picking. In the braisa, Rabbi Yossi cites a testimony of Avtulmus in the name of five Sages that we determine an esrog's ma'aser year based on the time of picking, while our Sages assembled in Usha and said that picking determines its status for ma'aser and Shemittah.

The Gemora explains that the Avtulmus's testimony was that the time for ma'aser is picking, while the time for Shemittah is blossoming, while the Sages in Usha said that the time for both is picking.

Shemittah for lulav

The Gemora had said that the Mishna 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 the braisa says that if one gathered twigs and vines from the field on Shemittah, they only have the sanctity of Shemittah if he did so for animal feed, but not if he is using them as wood.

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.



The Gemora says that it is a dispute of Tannaim whether the rules of Shemittah apply to firewood, citing a braisa which says that one may not use Shemittah produce to soak linen or launder clothing, while Rabbi Yossi says that one may.

The Gemora explains that the first opinion says that the verse which says that the produce is “for eating” excludes these uses, while Rabbi Yossi says that the verse which says that is “for you” includes them. The first opinion says that “for you” teaches that it may only be used for things like eating, whose benefit occurs at the time of consumption, as opposed to these uses, whose benefit comes after consumption. Rabbi Yossi says that “for eating” only excludes using it for medical purposes.

The Gemora cites a braisa which explains the verses this way, explaining that we exclude medical uses, which aren't universal, as opposed to laundry and soaking, which all people do.

The Gemora cites a braisa which says that “for eating” excludes spraying or medical use, and says that this follows Rabbi Yossi, since the Sages would also exclude soaking and laundry.

Redeeming Shemittah funds

Rabbi Elozar says that Shemittah funds can only be redeemed through a purchase, while Rabbi Yochanan says they can also be redeemed outright.

The Gemora explains that Rabbi Elazar's position is based on the fact that the Torah follows the section about Yovel (which is like Shemittah) with the section about buying and selling merchandise, teaching that redemption can only be done via purchase.

Rabbi Yochanan says that the verse which refers to yovel as *kodesh* – *holy* implies that it can be redeemed in either way, just like consecrated items.

Rabbi Yochanan says that the juxtaposition of the sections following yovel teach the stages of punishment meted out to those who are lax with trading Shemittah produce, an ancillary restriction of Shemittah.

Rabbi Elozar says that the word *kodesh* teaches that the sanctity of Shemittah produce transfers to money used to buy it, just like that of sanctified items.

The Gemora cites a braisa supporting Rabbi Elozar and one supporting Rabbi Yochanan.

The braisa supporting Rabbi Elozar says that the word *kodesh* teaches that Shemittah produce

transfers its sanctity to money used to buy it, prohibiting one from using the money for trade. Lest we think that the Shemittah produce itself loses its sanctity when bought, like real sanctified items do, the verse says *tiyeh* – it will be, teaching that the produce itself always retains its status. The braisa illustrates this by saying that if one bought meat with Shemittah produce, the meat also has the sanctity of Shemittah, and must be consumed before the consumption time of the produce. If one then bought fish with the meat, the meat lose their Shemittah status, and the fish now get it. If one bought wine with the fish, the fish lose it, and the wine gets it. If one bought oil with the wine, the wine loses it, and the oil gets it. The rule is that the last item purchased and the original produce have the Shemittah status. Since this braisa only uses examples of purchases, it supports Rabbi Elozar's position.

The braisa supporting Rabbi Yochanan cites a dispute about what one can redeem Shemittah and *ma'aser sheini* with. Rabbi Meir says one can redeem them with live or slaughtered animals or birds, while the Sages say one can only redeem them with slaughtered birds or animals, but not with live ones, lest one raise flocks of them, which would delay the consumption of *ma'aser* and be trade with Shemittah produce. Since the braisa refers to direct redemption of Shemittah, this supports Rabbi Yochanan.

Rava says the dispute in this braisa is only about male animals and birds, but all agree that one may not redeem with females, due to the concern of raising flocks.

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.

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 *vehavay 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.