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Sukkah Daf 33

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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

### ***Disqualification for a mitzvah?***

The Mishna stated that if the top of the hadas was severed, it is invalid. Ula bar Chinena taught that if a berry subsequently grew at its top, it is then valid.

Rabbi Yirmiya asks whether 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 mitzva item which was once disqualified remains so, even if something else would make it fit, or do we only have such rules by sacrifices?

The Gemora suggests that we can resolve this question from the mitzva of covering the blood of a slaughtered beast or bird. The Mishna 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 Chana quotes Rabbi Yochanan explaining that he must do so only if it became uncovered. If we say that disqualification for a mitzvah cannot be reversed, there should be no mitzva to cover it.

Rav Pappa therefore says that we see from this Mishna that there is no concept by mitzvos.

The Gemora explains 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 leaves this question an unresolved taiku.

The Gemora suggests that this question is itself a dispute of tannaim, citing a braisa with a dispute about one who picked off berries from hadas which had too many, 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. Therefore, the only reason to invalidate this hadas is because it was once disqualified.

The Gemora deflects this, saying that perhaps they all agree that disqualification is not permanent for mitzvah items. Their dispute may be:

1. Whether we learn the concept of ta'aseh v'lo min ha'asui from sukkah to lulav
2. Whether one must bind the lulav species together, but they ta'aseh would apply, once it's bound. This would correspond with Rabbi Yehuda's dispute with the Sages about whether one needs to bind the species together.

### ***Binding the lulav***

The Gemora explains that Rabbi Yehuda connects the word *ul'kachtem* – *and you will take* the 4 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 4 species.

The Gemora cites a braisa which says that that it is a mitzvah to bind the lulav, but it is valid if not bound, and asks who the author is. Rabbi Yehuda says it is invalid if not bound, and the Sages do not require any binding.

The Gemora says that it is the Sages, who nonetheless agree that it is a mitzvah to bind it, due to the obligation to beautify the mitzvos we perform.

### ***Berries on the hadas***

The Mishna stated that if there was a majority of berries, the hadas is unfit.

Rav Chisda cites our great Rabbi saying that this is only if they are in one place, but if they are spread out, it is valid.

Rava challenges this, as it should surely be invalid if they are spread out, since it looks spotted.

The Gemora therefore revises the statement to be that it is only invalid if the berries are black, but not if they are green, since that is the same shade as the leaves.

Rav Pappa says that red berries are like black one, as we see that black blood of a woman is considered impure, since we treat it as red blood which rotted.

### ***Reducing the berries***

The Mishna stated that one may not reduce the berries on Yom Tov.

The Gemora infers that if one did nonetheless reduce them, the hadas are valid.

The Gemora asks when the berries turned black. If they did so before Yom Tov, we should conclude from here that something which was never fit for a mitzvah may not become fit.

The Gemora suggests that the case is when they turned black on Yom Tov, but rejects that, because that would lead us to conclude that even something which was fit and then became



disqualified, may still become fit, which is even less likely.

The Gemora therefore says that we can conclude that if something was never fit, it can become fit, but we still may not conclude that something which was fit and became disqualified can become fit again.

The Gemora cites a braisa which says that one may not reduce the berries on Yom Tov, but cites Rabbi Eliezer beRabbi Shimon saying that one may reduce them.

The Gemora asks how he can permit this, as this is akin to fixing a utensil, since this will make the hadas usable for the mitzvah.

Rav Ashi says that he allows it only if he picks them to eat them, and he is following his father, Rabbi Shimon's, position that if one isn't intending to do a melacha, one may do an act which may lead to the melacha as a result.

The Gemora challenges this explanation, since Abaye and Rava both say that Rabbi Shimon agrees that it is prohibited if the act will certainly lead to the melacha, and picking the berries will definitely make 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.

### **Binding on Yom Tov**

The Gemora cites a braisa which says that if the binding of the lulav came undone on Yom Tov, he may bind it like a bundle of vegetables (i.e., wrap around, and tuck in the end).

The Gemora asks why the braisa didn't say that he can make a bow, and answers that the braisa follows Rabbi Yehuda, who says that a bow is a full-fledged knot, which is prohibited on Shabbos.

The Gemora challenges this, as Rabbi Yehuda likewise requires a full-fledged knot for the lulav, and answers by saying that this braisa agrees with Rabbi Yehuda's position about the definition of knots on Shabbos, but not his position about binding the lulav.

### **Aravah**

The Mishna lists the rules for aravah:

1. If it is stolen or dry, it is invalid.
2. If it came from a worshipped asheirah tree or from an idolatrous city, it is invalid.
3. If its top was severed, its leaves were separated, or it came from a tzaftzefa plant, it is invalid.
4. If it is wilted, some of its leaves fell off, or it grew in a watered field, it is valid.

The Gemora cites braisos which explains that verse about aravah. One braisa learns from the verse which says *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 braisa

learns from the plural form used (*arvai – aravos of*) that all types are valid, whether or not they grow near water. Abba Shaul says that this teaches that aravos are used both in the Bais Hamikdash as part of the encircling of the altar, and everywhere, as part of the 4 species.

The Gemora explains that the Sages learn the requirement of aravah in the Bais Hamikdash as an oral Halacha, as Rabbi Asi cites Rabbi Yochanan saying that ten saplings (in a field, which can be plowed before Shmita), aravah (in the Bais Hamikdash), and water libation (on Sukkos) are all Halachos taught directly to Moshe at Mt. Sinai.

## INSIGHTS TO THE DAF

### *Disqualification for mitzvos*

Rabbi Yirmiya (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 Mishna 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 Mishna 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.