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Sukkah Daf 39

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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 Mishnah had stated: In a place where they have a custom to double. A Tanna taught: Rebbe used to repeat [certain] words in it; Rabbi Elazar ben Perata used to add [certain] words in it. What is meant by ‘add’? — Abaye explained: He added the doubling beginning with ‘I will give thanks to you, and onward. (39a1)

The Mishnah had stated: Where the custom applies to recite the blessing, he should recite the blessing. Abaye explained: This was taught only with regard to the concluding blessing, but with regard to the preceding blessing, it is an obligation to say it, for Rav Yehudah citing Shmuel ruled: With all mitzvos, the blessing is to be recited *over* [prior] to their performance. And from where do we know that the word *over* means prior? — Rav Nachman bar Yitzchak replied: Since it is written: Then Achimaatz ran by the way of the plain and he overran the Cushite. Abaye said the inference is from the following verse: And he went before them. And if you wish, you may infer from the verse: And their king goes before them, and Hashem is at the head of them. (39a1 – 39a2)

MISHNAH: If one is purchasing a *lulav* and *esrog* from his friend (*an am ha’aretz*) during the *Shemittah* year, he must purchase the *lulav* and receive the *esrog* for free, for one is not allowed to purchase a fruit that grew in the *Shemittah* year. (39a2)

GEMARA. What is the position if the other is unwilling to give him it as a gift? — Rav Huna said: The cost of the *esrog* should be incorporated into the cost of the *lulav*. But why should he not pay him directly? — Because one must not hand over money for produce of the *Shemittah* Year to an *am ha’aretz*. For it has been taught in a Baraisa: A man must not hand over money to an *am ha’aretz* from the sale of produce from the *Shemittah* Year¹ more than is sufficient for three meals,² but if he [forgot and] handed [him] over [more],³ he should say: ‘This money shall be exchanged for [the ordinary] produce which I have in my house’ and [the purchaser] eats the produce⁴ [as though it has] the sanctity of the *Shemittah* Year. This, however, applies only where one buys from what is *hefker*,⁵ but

¹ With which it is forbidden to trade, and any money obtained from trading with *Shemittah* Year fruit must be consumed in the *Shemittah* Year. But an *am ha’aretz* is suspected to trade with the money or hoard it for another year.

² To enable him to enjoy the prescribed number of *Shabbos* meals; and since this was permitted for the *Shabbos* it was also permitted for any other day of the week.

³ So that there is reason to fear that the *am ha’aretz* will trade with that money.

⁴ Which assumes the sanctity of the *Shemittah* Year which the money previously had.

⁵ Where the *am ha’aretz* took no measures to protest his field so that the poor may freely come and take of the produce, in which case there is no need to suspect that the *am ha’aretz* intended to keep all the produce for himself.



if one buys from protected produce⁶ it is forbidden [to buy] even for as little as half an issar.

Rav Sheishes objected: And [if a man buys] from what is hefker [may he pay, you say, for] three meals and no more? I will point out contradictions: Rue and sorrel, asparagus and purslane, and mountain coriander and river cress, and meadow rocket are always exempt from ma'aser and may be bought from anyone in the *Shemittah* Year, since the like of these is not guarded.⁷ He raised the objection and he himself replied to it: They taught [that only as much as is] sufficient for one's food [may be bought]. And so said Rabbah bar Bar Chanah in the name of Rabbi Yochanan: They taught [that only as much as is] sufficient for food [may be bought]. - How do we know that 'man' means food? — Since it is written: And the king appointed for them a daily portion of the king's food.

But if so,⁸ the lulav⁹ also [should not be bought]?¹⁰ — The lulav is a product of the sixth year which entered the seventh.¹¹ But if so, isn't the esrog also a product of the sixth year which entered the seventh? — In the case of the esrog we compute from the time of its gathering.¹² But surely, both Rabban Gamliel and Rabbi Eliezer agree that as regarding the *Shemittah* Year we compute the year of the esrog from its time of blossoming, as we have learned: The esrog is like a tree in three respects, and like a vegetable in one. It is like a tree in three respects, regarding the laws of orlah, of

the Fourth Year, and of the Seventh Year; and like a vegetable in one respect in that its tithing is determined by the time of its gathering; these are the words of Rabban Gamliel. Rabbi Eliezer ruled: The esrog is like a tree in all respects? — He holds the same opinion as that Tanna of whom it has been taught: Rabbi Yosi stated: Avtolmos gave evidence in the name of five elders that the tithing of the esrog depends upon [the time of its] gathering, but our Rabbis voted in Usha and laid down [that this applies] both to tithing and the *Shemittah* Year. - But who made any mention of the *Shemittah* Year? — It is as if there are missing words in the text, and so it should be read: The tithing of the esrog depends upon [the time of its] gathering, and its subjection to the laws of the *Shemittah* Year depends on [the time of its] blossoming, but our Rabbis voted in Usha and laid down that the esrog is dependent on the time of its gathering as regards both tithing and the *Shemittah* Year. (39a2 – 40a1)

INSIGHTS TO THE DAF

Fulfilling a Mitzvah to Completion

Tosfos rules that one who took the lulav and did not recite the blessing can still do so as long as he has not yet waved the lulav. Although one can fulfill the mitzvah of lulav without waving it, the mitzvah is not deemed to be complete until he waves the lulav. This follows the principle that one can recite a blessing for a mitzvah as

⁶ Where he took good care to have his field protected, so that there is good reason to suppose that the am ha'aretz intends keeping all of it for himself.

⁷ Which clearly proves that the produce of an unguarded field may be bought in unlimited quantities, not merely for three meals.

⁸ That the price of produce of the *Shemittah* Year may not be handed over to an am ha'aretz if it exceeds the prescribed maximum.

⁹ Since it is subject to the restrictions of the *Shemittah* Year.

¹⁰ From an am ha'aretz.

¹¹ The year of the palm is reckoned from its blossoming and a palm-branch which is cut in the *Shemittah* Year even as late as the fourteenth day of Tishrei (the eve of Sukkos) must, since this month is the first of the year, inevitably have blossomed in the sixth year that preceded it.

¹² When it is cut from the tree, which, of course, takes place in the seventh year.

long as he has not completed the mitzvah. Thus, one can recite the blessing of *netilas yadayim* after washing his hands because the mitzvah is not deemed to be complete until one dries his hands. The Pri Megadim writes that if one commenced lighting the Chanukah lights without reciting a blessing, he can still recite the blessing as long as he has not kindled all of the lights that are required for that particular night. Regarding Chanukah lights we also apply the rationale that although one essentially discharges his obligation by kindling one light, the subsequent lights are also deemed to be a part of the mitzvah. Thus, one who has not completed lighting all the lights for that particular night is deemed to be engaged in the mitzvah and he can still recite the blessing.

DAILY MASHAL

Blessings Prevent Anger

The Gemara states that one must recite the blessing for a mitzvah prior to performing the mitzvah. This is referred to as *over laasiyasan*. There are a number of instances in the Torah where the word *over* is used and the Medrash and Gemara interpret the word to denote anger. An example of this is regarding the laws of inheritance, where it is said, *vhaavartem es nachalaso lebito*, and you shall cause his inheritance to pass over to his daughter. The Gemara derives from the usage of the word *vhaavartem* that HaShem is angered by one who does not leave over a male child to inherit his estate. The same interpretation can be applied here. One must recite a blessing *over laasiyasan*, i.e. to prevent anger. We learned earlier on 38a that the remnants of a mitzvah can prevent punishment from occurring. It would follow then that although we rule that blessings do not prevent the fulfillment of the mitzvah, one should certainly be meticulous in reciting

a blessing prior to performing a mitzvah, as the recital of the blessing will afford him protection and ward off any harmful agents.