



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Succah Daf Lamed

- **R' Yochanan said in the name of R' Shimon ben Yochai**, the pasuk says, Hashem says, "I hate stealing in an Olah". This can be explained with a mashal of a king who pays a tax as he passes the tax collector. Although the money is destined to go to him, he says, I want to show all the people that I do not avoid paying the taxes, so neither should they. So too says Hashem, although all belongs to Him, He says, I do not want a stolen animal to be offered to Me as an Olah, so that all people will stay away from robbery.
- **R' Ami** said (like **R' Yochanan**) that a dry lulav is passul because it is not "hadar" and a stolen lulav is passul because it is a mitzvah that came about through an aveirah. He argues on **R' Yitzchak** who said that a stolen lulav would be valid after the first day of Succos, just as a borrowed lulav would be (the "lachim" requirement only applies on the first day).
  - **Q: R' Nachman bar Yitzchak** asked, our Mishna says that a dry and stolen lulav are passul. This suggests that a borrowed lulav is valid. This must be talking about after the first day of Succos, and yet the Mishna says that a stolen lulav is passul!? **A: Rava** said, the Mishna is discussing the first day of Succos, and the Mishna is saying, not only may one not use a borrowed lulav because it is not his, rather even a stolen lulav (which one would think belongs to the thief because the owners have given up hope of having the lulav returned) is not considered his and is therefore passul.
  - **R' Huna** would tell the hadassim merchants, when you buy them (to then resell them) from the goyim who grow them, make sure the goyim cut them from the ground and then give them to you (rather than you cut it yourself). The reason for this is, goyim are presumed to be thieves, and to have therefore stolen the land that they grew the hadassim on. The halacha is that land is never considered to be stolen. Therefore, as long as the hadassim are attached to the ground they are considered to be owned by the original owner. When the goy cuts it, he has stolen it and we assume the original owners have given up hope. When the goy then gives it to you, you can legally acquire it, because a thief who has caused the owners to give up hope, and who then transfers the items to another, creates that the one who now has the items have legal ownership.
    - **Q:** Even if the merchants were to cut it and bring about the original owners giving up hope, it should still not be a problem, because they then give it to the people they are selling it to, which should give them legal ownership!? **A:** He was discussing the hadassim that the merchants were going to use for themselves, to fulfill their own mitzvah. Therefore, they were not going to be given to anyone else.
    - **Q:** A thief acquires a stolen object by making a physical change to the item, so even if the merchants cut the hadassim, they should acquire them when they tie them together to the lulav (which is a physical change)!? **A: R' Huna** must have held that the hadassim and aravos need not be bound together to the lulav. And, even if he held that they must be bound, this is an example of a physical change that can go back to its original form (by untying the hadassim), and such a physical change does not allow a thief to acquire the stolen object.
    - **Q:** The merchants can acquire the hadassim by the fact that they have a name change (which is another way that a thief can acquire the stolen property)!? Initially they are called hadassim, and when bound together with the lulav they are called "hoshanos"!? **A:** People refer to them as hoshanos before they are tied to the lulav as well. Therefore, it is not considered to be a name change.