

The Weekly Daf



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Erachin 28-34

Week of 29 Adar II-6 Nisan 5757 / 7-13 April 1997
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

Stretching the Fifth

During the time that the *Sanhedrin* was seated in Usha it issued a decree that one who distributes his money as charity to the poor should not give away more than one fifth of his resources.

The reason for this decree is offered elsewhere in the Talmud (*Kesubos* 50a). Should one give away more than this amount from the principle upon which he depends for a living there is a danger that he will become impoverished and dependent upon others to support him. The ceiling of one fifth stems from the vow made by Yaakov Avinu (*Bereishis* 28:22) to doubly tithe to Hashem everything he owns.

A story is told (*Kesubos* 67b) of the Sage Mar Ukva's behavior as he lay on this deathbed. He asked to see his financial records, and discovered that he had a balance of 7,000 valuable coins. "I have such a long road to travel," he sighed, "and so few provisions to take along." Although this sage was truly exceptional in his practice of charity he was afraid that he may not have collected enough merits in this area to take along with him on the long road to eternity. He therefore ordered that half of this fortune be distributed to the poor.

How could he give away so much, asks the Talmud, if the Decree of Usha limited generosity to one fifth?

The answer given is that the decree is applicable only to a person who will go on living after extravagantly giving and thereby become a dependent. But if one wishes to practice such generosity on the threshold of death this is no longer a consideration and there is therefore no limitation on how much he can give away.

This ceiling of a fifth is cited in *Shulchan Aruch Orach Chaim* 656 in regard to how much a Jew is obligated to spend in order to buy the item he needs in order to perform a mitzvah.

Erachin 28a

Why Didn't They Build Sukkos?

"The entire community returning from captivity built *sukkos* and dwelled in those *sukkos*, for since the days of Yashua bin Nun the Children of Israel had not done so until that day, and there was exceedingly great joy." (*Nechemia* 8:17)

This enigmatic passage describing the first *Sukkos* celebrated by Jews returning to *Eretz Yisrael* from Babylonian captivity under the leadership of Ezra prompts the unavoidable Talmudic challenge:

"Is it possible that in the days of David the Jews did not build and dwell in *sukkos*, only in the days of Ezra?"

Two differing approaches are offered by the Sages. Both agree that Jews certainly built *sukkos* during the period of time between Yehoshua and Ezra (close to a millennium), but they disagree as to what subtle message is communicated in this passage.

One approach is that the message is a comparison between the arrival of Jews in *Eretz Yisrael* in the days of Yehoshua and their arrival in the days of Ezra. Just as in Yehoshua's time they began calculating *Shemita* and *Yovel* and practicing tithing, so did they begin again to do so in the days of Ezra. This is cited as a source for the position that the initial sanctification of the land by Yehoshua came to an end with the exile to Babylon, and required a new sanctification when they returned.

The other approach, promoted by the sages whose position is that the initial sanctification remained in effect forever, is that the *sukkos* in this passage refer not to physical buildings for the performance of the mitzvah but to a spiritual shelter. Ezra and the Members of the Great Assembly prayed for the abolition of the passion for idolatry which had brought so much tragedy upon the Jewish People, and their prayers were answered (*Sanhedrin* 64a). Moshe was unable to achieve this because the people did not yet have the merit of living in *Eretz Yisrael*. But Yehoshua should have done so, and his failure to do so is expressed in the comparison with Ezra who did. This is why his name is not written in full in this passage, only as Yashua.

But why did the Talmud's challenge mention only David and not the Elders and Prophets who succeeded Yehoshua, who certainly were expected to lead the nation in building *sukkos*? Maharsha explains that until the latter part of David's reign the people were constantly involved in war, and it was therefore not required of many of them to fulfill the mitzvah of dwelling in *sukkos*. But with David in complete control it is assumed that all of Israel would have done so.

Erachin 32b

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Production Design: Lev Seltzer

Issue #165 - Erachin 28-34

For the week of 29 Adar II-6 Nisan 5757 / 7-13 April 1997 (Parshas Tazria)