The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Thursday, Oct 6 2022 ■ י"א תשרי, תשפ"ג
סימן תרמ"ה סעיף א'-ב'

Overview

Siman 645 Seif 1:

If the leaves of a lulav separate from one another but do not hang like the leaves of a dried lulav the lulav is valid even if one did not bind the leaves together. However, it is more preferred to fulfill the mitzvah with a lulav whose leaves do not separate at all.

- When the branches dry the leaves separate and where they are attached to the spine they become hard like wood and cannot be bound together. (M.B. 2)
- Taz contends that mitzvah min hamuvchar applies when the leaves droop downwards even though they initially rise with the spine but if they merely droop to the sides there is not even a mitzvah min hamuvchar to bind the leaves together. Other authorities disagree and contend that the mitzvah min hamuvchar applies anytime the leaves do not rest directly upon one another. (M.B. 3)

Siman 645 Seif 2:

If the leaves spread out and they hang from the spine like a dried lulav (In other words they do not extend upwards with the spine, instead they hang down) **it is invalid**. Certainly, if they separated and became uprooted from the bottom of the spine, it is invalid even if one bound them together. Similarly, if the leaves hardened like wood and cannot be held against the spine, it is invalid. This applies when this occurs to the majority of the leaves but if this occurred to only a minority of the leaves and the majority of the leaves remain and the lulav is covered with leaves it is valid.

- Included in this disqualification is if the leaves spread out even though they were not severed from the lulav. It is also invalid if they are only partially connected to the lulav. If the spine is mostly severed and hangs the lulav remains valid since this disqualification applies specifically to the leaves but one should bind it in place. This represents Magen Avrohom's opinion but most authorities contend that if the spine is hanging the lulav is invalid. Bigdei Yesha asserts that Magen Avrohom refers to a lulav which has collapsed downwards. (M.B. 4)
- The same is true, i.e. if the leaves are bound, the lulav is invalid, concerning Rema's case of the leaves that hang down. (M.B. 6)
- If it began to harden but is not like wood the lulav is valid even if one does not bind the leaves together. (M.B. 7)
- This must occur to the majority of each leaf. This is true if it occurs within the four tefachim that is essential for the validity of the lulav but if it occurs beyond the minimum size of the lulav it is not clear whether the lulav is valid or not. (M.B. 8)
- If the lulav is not covered with leaves then even if the minority of leaves are missing it is invalid. (M.B. 9

Halacha Highlight

Canary lulavim

Mishnah Berurah Siman 645 Introduction

הן ענפי האילן שגדלין בו תמרים

The branches of a tree that grows dates

In Mishnah Berurah's introduction to the topic of the four species (ד' מינים), he identifies the intent of the Torah when it commands that we should take a כפות תמרים. He explains that it refers to the branches of a tree that grows dates. Before the leaves harden and spread out it is called a lulav, and that is the Torah's intent when it mentions כפות תמרים. Poskim note that there in fact two categories of date palms, male and female. The female species produces dates whereas the male variety does not produce dates. However, both species may be used for the mitzvah and the reference to dates – תמרים—is to identify the species but not to indicate that it is essential that the tree actually produce dates. Rabbeinu Bachya (פרי אמור), in fact, writes that the word תמרים is plural to hint to the fact that male and female species are equally acceptable for the mitzvah (פסקי תשובות אות ב' הע' 1).

Recently, a species of palm was discovered on the Canary Islands that has characteristics slightly different from the standard lulav, e.g. they are smaller and thicker than standard palm trees.Poskim debate the permissibility of using such lulavim. Rav Moshe Feinstein (או"ח ח"ד סי' קכ"ג) ruled that Canary lulavim are not valid lulavim and may not be used even b'dieved and one who recites the beracha on such a lulav has recited a beracha l'vatala. Rav Shlomo Zalman Auerbach (הליכות שלמה סוכות פ"י סע' ט') wrote that Canary lulavim are just another species of lulav and may be used. Consequently, Poskim write that one should avoid using a Canary lulav. The leaves on the Canary lulav are shorter and grow closer together than the leaves on a standard lulav. Additionally the spine of the Canary lulav is flexible in contrast to the spine of a standard lulav that is stiff (פסקי תשובות שם).