The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תרמ"ו סעיף ה'-ט'

Overview

Siman 646 Seif 5:

For ideal fulfillment of the mitzvah the hadas should be עבות for the entire length of the hadas but it is essential that it should be עבות for at least a majority of its length (even if it is not at the top).

- It is only necessary for the hadas to be עבות for 7 גודלין and the other 5 could be missing the leaves altogether or just lacking the characteristic of עבות. There is a dispute regarding a hadas that had three leaves at each vertical for the entire length and one leaf from each vertical fell off and if necessary one may rely on the lenient position but if two leaves fell off from each vertical for the majority of the length of the hadas it is invalid according to all opinions. (M.B. 26)

Siman 646 Seif 6:

If the leaves dried it is invalid but if they merely withered they are valid.

Siman 646 Seif 7:

Regarding the degree of dryness, if it crumbles to the fingernail but is still green it is valid and is not considered dry unless it appears white.

- Since it is uncommon that the leaves would turn white but they would not crumble, once they turned white it is certainly invalid. If one is uncertain whether it is dry he should soak the branch in water and if their appearance and feel are restored they are moist but if not they are dry. There is a disagreement whether a dry stem invalidates the hadas. (M.B. 20)

Siman 646 Seif 8:

If the majority of leaves dried up but at the top of each branch a vertical of moist leaves remains, it is valid. Some explain that even if two of the three leaves are dry and only one remains moist the hadas is valid if the moist leaf is resting on the other two.

- The presence of three moist leaves at the top of each branch allows it to remain hadar. (M.B. 21)
- Rosh maintains that each branch must retain three verticals and each vertical must retain a moist leaf and later authorities express surprise that Shulchan Aruch does not cite this position. (M.B. 24)
- Shulchan Aruch refers to where the branch had three leaves on each vertical but since the leaves dried it is no longer hadar. For that reason if there remains one moist leaf on each of the three verticals its hidur is evident and is valid. Halacha follows the first opinion. (M.B. 26)

Siman 646 Seif 9:

If the leaves that are not dry have withered, some authorities invalidate the hadas whereas others maintain that they are valid.

- Pri Megadim ruled that on the first day one should be strict but on the other days one may be lenient. (M.B. 27)

Halacha Highlight

Measuring the majority of the hadas

Shulchan Aruch Siman 646 Seif 5

ולעיכובא ברבו

It is essential that it should be for the majority

Shulchan Aruch (סעי' ה') writes that preferably one should obtain a hadas that is mishulash for the entire length of the hadas. However, it is essential that the majority of the hadas is mishulash even if the majority is not on the top of the branch. Poskim debate what is considered a majority for this halacha. Birkei Yosef (סק"ה) maintains that it is sufficient if just over 50% of the hadas is mishulash. Kaf HaChaim (אות ל"ח) cites authorities who maintain that more than 50% is insufficient and it is necessary for a visible majority of the hadas to be mishulash. He references Mishnah Berurah's ruling in support of this position. When Mishnah Berurah discusses this halacha he writes that 7 godlin must be mishulash and it is acceptable if only 5 godlin are not mishulash. The fact that he did not write that if it is mishulash slightly more than 6 godlin it is valid, indicates that a simple majority is not sufficient.

Poskim also express uncertainty how to measure the majority of the hadas. One approach is that we measure the length of the branch and determine whether the majority of the length of the branch is covered with leaves that are mishulash. The other approach is that we count the number of verticals that are on the branch and then determine whether the majority of those verticals are mishulash or not. In other words, a practical difference between these positions is if at the top of the branch there are many rows of leaves that are mishulash and those rows represent the majority of rows but the majority of length of the branch is not mishulash. Poskim write that since the matter is not definitively resolved one should be stringent and adopt both views. Therefore, one should make sure that his hadasim should be mishulash a majority of their height and the majority of the verticals should also be mishulash.