



## Daf In Review – Weekly Chazarah

### Maseches Rosh Hashanah, Daf אׁ – Daf אׁ

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H  
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

#### -----Daf אׁ--21-----

- **Levi** once arrived in Bavel on the 11<sup>th</sup> of Tishrei and said, the people of Bavel are eating on the day that the people of Eretz Yisrael are keeping as Yom Kippur! The people said to **Levi**, “Testify that today is really Yom Kippur” and we will then fast today. **Levi** responded, that since he did not hear directly from Beis Din when they declared Rosh Chodesh, he is not allowed to testify regarding it.
- **R' Yochanan** said, in a place that is close enough for the messengers of Beis Din to reach before Pesach, but not close enough to be reached before Succos (they may not travel on Rosh Hashanah or Yom Kippur), the people must keep two days of Yom Tov on Pesach as well, as a gezeirah so that they will keep 2 days on Succos.
  - **R' Ayvu bar Nigrei** and **R' Chiya bar Abba** were in such a place, and the people only kept one day of Pesach. They did not say anything to them to tell them that they were wrong. **R' Yochanan** heard about this and was upset.
- **Rava** would fast for 2 days for Yom Kippur (as a “sfeika deyoma”). It once turned out that it was proven that the second day was the actual day of Yom Kippur.
  - **R' Nachman** was once about to break his fast after Yom Kippur, when a person came and told him that in Eretz Yisrael they were keeping this night and the following day as Yom Kippur. **R' Nachman** asked where he was from, and through a play on words told this person that he would cause **R' Nachman's** death, by now making him fast for 2 straight days.
- **R' Huna bar Avin** sent to **Rava**, if you see that Spring will not begin until the 16<sup>th</sup> of Nisson, make the year into a leap year. We must do so because the pasuk says “shamor es chodesh ha'aviv”, which we darshen to mean that Spring must begin during the new moon of Nisson (which is during the first half of the month).
- **R' Nachman** told the sailors who are on a ship around Pesach time, “Since you do not know when Rosh Chodesh is, as soon as you see the moon setting at sunrise, you should destroy your chametz”.
  - **Q:** The chametz must be destroyed on the 14<sup>th</sup> of the month, but the moon sets at sunrise on the 15<sup>th</sup> of the month! **A:** When out at sea with a clear view, the moon sets at sunrise on the 14<sup>th</sup> of the month as well.

#### MISHNA

- Witnesses may be mechalel Shabbos to come and testify regarding the new moon, only for the months of Nisson and Tishrei, since messengers are sent in those months to outside of Eretz Yisrael to inform of the proper day of Rosh Chodesh, and through that the proper days for Yom Tov.
- When the Beis Hamikdash stood, witnesses would be mechalel Shabbos for every month, so that the proper korbanos of the day could be brought.

#### GEMARA

- **Q:** A Mishna earlier said that we send out messengers on 6 months of the year. How can we say that we only send out on 2 months!? **A: Abaye** said, for all those other months the messengers would be sent the evening before Beis Din made the official proclamation that the day was Rosh Chodesh. For Nisson and Tishrei, they only went once they heard the actual proclamation from Beis Din (when there was no longer even a chance that Beis Din would change their minds).
- A Braisa says, the pasuk of “Eileh mo'adei Hashem asher tikri'u osam b'mo'adum” teaches that witnesses may be mechalel Shabbos to testify regarding Rosh Chodesh. The words “asher **tikri'u** osam” teaches that the witnesses may be mechalel Shabbos to assure that Rosh Chodesh is set in the proper time, but the messengers may not be mechalel Shabbos (to inform the people) to assure that the Yomim Tovim will be kept in their proper time.

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## U’KISHEHAYA BEIS HAMIKDASH KAYUM...

- A Braisa says, initially witnesses were allowed to be mechalel Shabbos for all months of the year. After the Churban, **R’ Yochanan ben Zakai** said, there is no longer any korbanos that are being brought, so they instituted that they can be mechalel Shabbos only for Nisnon and Tishrei.

## MISHNA

- Whether the moon was clearly visible (and we can assume that people in or close by to Yerushalayim saw it as well), or whether it was not clearly visible, witnesses may be mechalel Shabbos to testify regarding the moon in Beis Din. **R’ Yose** says, if it was clearly visible, they may not be mechalel Shabbos.
  - It once happened that more than 40 pairs of witnesses were travelling to testify regarding the new moon on Shabbos, and **R’ Akiva** made them stop in Lod (since others must have seen the moon in Yerushalayim as well). **R’ Gamliel** sent to him, if you will do so, you will cause that in the future people will not come and testify, and this can lead to problems.

## GEMARA

- **Q:** Where do we find that the word “alil” refers to clarity? **A: R’ Avahu** said, a pasuk says “kesef tzaruf b’alil l’aretz”, where “alil” means “clearly”.
- There is a machlokes between **Rav** and **Shmuel**:
  - One darshens pesukim to mean that there are 50 levels of “binah” (understanding) in the world, and Moshe was given 49 of them. Shlomo Hamelech asked to get that as well, but Hashem told him that the pasuk says there will never be a navi as great as Moshe ever again, and his request was therefore denied.
  - The other says that his request was granted, for although there would never be a navi as great, there could be a king who would be as great. This shitah says that the request of Shlomo that was denied was a request to make judgment using wisdom, without using witnesses or warnings. Hashem said, a pasuk says “ahl pi shnayim eidim yakum davar”, meaning that judgment may only be passed based on testimony of two witnesses.

## MAASEH SHE’AVRU YOSER MEI’ARBA’IM ZUG...

- A Braisa says, **R’ Yehuda** says, it was surely not **R’ Akiva** who stopped them from continuing on. Rather, it was Shezefer, who was the person in charge of Gader. **R’ Gamliel** had him removed from his position because of his actions.

## -----Daf כב-----22-----

## MISHNA

- If a father and son saw the new moon, they should go to testify in Beis Din. Not that they can testify as a pair of witnesses (close family members are passul as a pair of witnesses), rather they should go so that if one of them becomes otherwise passul, the other will be available to be a witness. **R’ Shimon** says, a father and son, and all other relatives can testify together as a pair of witnesses for this testimony. **R’ Yose** said, it once happened that Tuvia, the doctor, went to testify regarding the new moon with his son and his freed slave. The Kohanim accepted him and his son to testify but said the freed slave was passul. When they came to Beis Din, he was accepted along with his freed slave, and his son was said to be passul.

## GEMARA

- **R’ Levi** explained that the shitah of **R’ Shimon** is based on a pasuk. The pasuk says that Hashem spoke to Moshe and Aharon and said “Hachodesh hazeh lachem” – which he darshens to mean that the testimony of the new month is even fit to be given by them, although they were brothers.
  - The **Rabanan** say that the pasuk means to teach that the testimony is given over to the jurisdiction of the greatest Chachomim, as were Moshe and Aharon.

## AMAR R’ YOSE MAASEH B’TUVIA HAROFEH...

- **R’ Chanan bar Rava** paskened like **R’ Shimon**.

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- **R' Huna** asked, we have **R' Yose** and the story that argue on **R' Shimon**, and you pasken like him!? **R' Chanan** said, I mentioned to **Rav** many times that the Halacha follows **R' Shimon**, and he never corrected me! **R' Huna** asked, how did you tell **Rav** that **R' Shimon** paskens? He said, I actually quoted **R' Shimon** as having the view of **R' Yose** in our Mishna. **R' Huna** said, that is why he didn't correct you, because he held that we pasken like **R' Yose's** view.
- **Tavi**, the son of **Mari Tavi**, said in the name of **Mar Ukva in the name of Shmuel**, the Halacha follows **R' Shimon**.

### MISHNA

- The following people are passul to testify regarding the new moon: a gambler, one who lends with interest, one who bets on bird races, one who does business with produce of shmitta, and slaves. The general rule is, any testimony for which a woman is passul, these people are passul as well.

### GEMARA

- The Mishna suggests that testimony for which a woman is a valid witness, these people would be valid as well. **R' Ashi** said, from here we see that these people would be valid to give testimony that a man has died so that his wife may remarry (a woman may give this testimony).

### MISHNA

- If one saw the new moon but cannot physically walk to Beis Din, he may be taken on a donkey to Beis Din (even on Shabbos). He may even be carried there in his bed. If they are afraid that they will be attacked on the way, they may take sticks to arm themselves. If they must travel very far, they may even take food. Witnesses may travel all of Friday night and Shabbos day if they will have enough time to get to Beis Din and say testimony before the day is over.

## HADRAN ALACH PEREK ARBA'AH ROSHEI SHANIM!!!

### PEREK IHM EINAN MAKIRIN -- PEREK SHEINI

### MISHNA

- If we know that Beis Din will not know "him" (the witness), we send along another to testify about the witness. This was done, because initially Beis Din would accept the testimony of any Jew, but when the Baisusim tried to undermine the entire process, the **Rabanan** instituted that testimony may only be accepted from people that were known to be trustworthy.

### GEMARA

- **Q:** The Mishna says "we send along another", which suggests that even one person would be believed. However, a Braisa suggests that 2 people are needed!? **A:** **R' Pappa** said, "another" in the Mishna means another *pair* of witnesses. This must be what is meant, because the Mishna begins by saying, if Beis Din doesn't know "him". Clearly that must be referring to a set of 2 people. Similarly, "another" means a set of 2 people.
  - **Q:** We find that a Braisa says that **R' Nehorai** went along to testify regarding a witness in Usha. This suggests that he went, and would be believed, on his own!? **A:** He had a second person along with him. The Braisa doesn't mention this other person out of respect for **R' Nehorai**. **A2:** **R' Ashi** said, **R' Nehorai** was going to meet up with another witness in Usha.
    - **Q:** If he was going to join another person, why does the Braisa need to even mention this? **A:** We would think that since it is not certain that the other person will be there, he should not be allowed to be mechalel Shabbos and go along. The Braisa teaches that he may.
- **Ulla** once came to Bavel and reported which day was made as Rosh Chodesh that month in Eretz Yisrael.
  - **R' Kahana** said, not only do we believe **Ulla** to give such a report, rather every Yid would be believed, since this is a report that we will eventually find out about through other sources. One would not lie about a report which will become known through other sources.

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BARISHONA HAYU MIKABLIN EIDUS HACHODESH MIKAL ADAM...

- A Braisa explains, the Baisusim once hired 2 people to go and say false testimony that they had seen the new moon, and in that way tried to sabotage the process. They didn't realize that one of the hired people accepted the "job" just to foil the plan. When Beis Din realized what the Baisusim had planned, they instituted that only known, trustworthy people would be accepted as witnesses for saying testimony regarding the new moon.

MISHNA

- Initially they would light torches on the mountaintops to let everyone in sight know that Rosh Chodesh had been declared. When the Kusim sabotaged that process (by lighting fires without Beis Din having declared Rosh Chodesh), they stopped this process and instead sent messengers to spread the word.
  - When the process was done, they would use very tall poles with flammable substances. They would light the tops of the poles on a mountaintop, and wave them back and forth, and up and down. This waving would continue to be done until the person saw that someone further away on the next mountaintop began to do the same, and the process would repeat itself until the 3<sup>rd</sup> person began, etc. The first mountain was Har Hazeisim, the second was Sartava, then Grufina, then Chavran, and then Beis Baltin. The one on top of Beis Baltin would continue waving until the entire Bavel looked to him like a bonfire.

GEMARA

- The Mishna uses the word "masi'in" to refer to burning torches. This word is used to mean this in a pasuk as well, where the pasuk says "Vayisa'em Dovid", and means that Dovid "burned them".
- A Braisa says that the torch process was only used to signal for a Rosh Chodesh that was proclaimed on the 30<sup>th</sup> day (meaning, that the passing month only had 29 days), and the torches were lit the night following the 30<sup>th</sup> day.
  - **Q:** Why wasn't the torch process used for Rosh Chodesh following a 30 day month? **A: R' Zeira** said, the reason is for the confusion that would occur when Rosh Chodesh was declared on the 30<sup>th</sup> day which fell out on a Friday. In that case, the torches could not be lit on Friday night, and would therefore have to be lit on Motzei Shabbos. If torches were lit even following full 30 day months, there would be confusion whether the torches lit were to signal Rosh Chodesh on Friday (and simply couldn't be lit earlier) or to signal Rosh Chodesh on Shabbos.
    - **Q:** Why couldn't they light torches for a Rosh Chodesh on day 30 or day 31, and in the above confusing situation, they could simply not light torches. In that way they would know that it was on Friday, because if it was on Shabbos, torches would be lit on Motzei Shabbos!? **A:** People would still think that Rosh Chodesh may have been on day 31 (on Shabbos), and the reason no torches were lit was because something happened that prevented them from doing so.
    - **Q:** Why didn't they institute that the torch process should only be done when Rosh Chodesh was declared on day 31? **A: Abaye** said, they didn't do this because this would cause all the people who were relying on the torch signal to determine Rosh Chodesh, to have to keep Rosh Hashanah for 2 days (only once the night following the 31<sup>st</sup> passed with no torches being lit would they know that Rosh Chodesh (and Rosh Hashanah) was actually on day 30).

-----Daf לט---23-----

KEITZAD HAYU MASI'IN MASUOS...

- The Mishna said that "erez" wood was used for the torches. **R' Yehuda** said, there are 4 kinds of "erez" – erez, kasrom, eitz shemen, and birosch.
  - **Rav** says "kasrom" is "adra". **R' Sheila** said it is "mavliga". Others say it is "gulmish".
  - **R' Yehuda** argues on **Rabbah bar R' Huna**, who says that there are 10 types of erez (based on a pasuk).
    - **Q:** The pasuk only mentions 7 species!? **A: R' Dimi** said, the **Chachomim** added 3 more (the Gemara gives a couple of versions of what these 3 are, one of which is coral of the sea).

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- A pasuk describes a stream that begins in the Kodesh Hakodashim and says that as it goes further from the Beis Hamikdash it gets wider, to the point that it gets so wide and strong that even a large ship cannot cross it. **Rav** explains that this large ship referred to is a ship that would be weighed down with sand until it reached near the seabed. At that time, ropes would be tied to the coral and to the ship. The sand would then be offloaded, and when the ship would rise, it would bring up the coral with it. This coral was more valuable than silver.
- From a pasuk quoted earlier in the Gemara, **R' Yochanan** darshens that Hashem will return each and every tree that was ripped out of Yerushalayim by the goyim.
- **R' Yochanan** continues to darshen the pasuk to mean, one who learns Torah but does not teach it is like a hadas in the desert (no one enjoys its fragrance). Others darshen the pasuk to mean that one who learns Torah and teaches it in a place where there are no talmidei chachomim, is compared to a hadas in the desert – which is a rarity and very precious.
- **R' Yochanan** darshens, woe is to the goyim who have destroyed things that are irreplaceable – namely **R' Akiva** and his group (who were murdered). About these goyim the pasuk says that their aveiros for these murders will not be cleansed.

### U'MEI'AYIN HAYU MASI'IN MASUOS...U'MIBEIS BALTIN

- **Rav** said that Beis Baltin is Biram. **R' Yosef** said that “gola” (referred to in the Mishna) is Pumbedisa.
- **Q:** What does the Mishna mean that the entire gola looked like it was a bonfire? **A:** A Braisa explains, upon seeing the lit torch, every person in the gola would light a torch and stand with it on top of his roof.
- A Braisa says, **R' Shimon ben Elazar** says, they would also light torches on Charim, Kayur, Geder, and its “friends”. Some say these were additional points in between the points listed in the Mishna. Others say that they were points on the other side of Eretz Yisrael.
- **R' Yochanan** said, there were 8 parsaos between each point.
  - **Q:** This would mean that from Har Hazeisim to Beis Baltin there were 32 parsaos (there were 4 spaces from the first to the last). If we look today we see the distance between the 2 is a lot more than 32 parsaos!? **A: Abaye** said, we no longer have a direct road. With a direct road, the distance is only 32 parsaos.

### MISHNA

- All the witnesses who came to testify regarding the new moon would go to a large chatzer in Yerushalyim called “Beis Yazeik”. Beis Din would examine them there. They would be fed large meals, so that they should be willing to come back and do this again.
  - Initially, if the witnesses came on Shabbos from outside the techum, they would not be allowed to leave this chatzer. However, **R' Gamliel Hazakein** instituted that they may travel 2,000 amos in each direction from the chatzer.
    - This leniency was also extended for a midwife who came to deliver a baby, and for one who came to save people from a fire, from an army, from a flooding river, or from a collapsed building. All these people who came from outside the techum on Shabbos get the status of the people of the city that they have come to help, and they may therefore travel throughout the city and 2,000 amos beyond the city in every direction.

### GEMARA

- **Q:** Is the proper version “Beis Ya'azek” (with an “ayin”, which, based on a pasuk has a positive connotation of a protective wall) or “Beis Yazek” (without an “ayin”, which, based on a pasuk has a negative connotation of a prison)? **A: Abaye** said, from the fact that the Mishna says we gave them big meals, it must be that this was a positive experience, and therefore the positive version is the correct one.
  - The Gemara says, it may be that they were well fed, but still felt imprisoned, and therefore there is no proof from this.

### MISHNA

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- How would they examine the witnesses? The first pair to come would get examined first. The older of the two was brought in first. They would say to him, “Tell us how you saw the new moon. Was it before the sun or after the sun? To the north of the sun or to the south? How high in the sky did it seem to be? Which direction were the ends of the moon pointing? How wide was it?”
  - If he said that the moon was before the sun, his testimony is not accepted (because that cannot be the case).
- They would then bring the second witness and examine him. If his testimony was the same as the first one’s, their testimony is valid. They would continue and ask all the other witnesses the main points as well. They did so just so that these later witnesses should not walk away feeling that they came for no reason, which would prevent them from coming to testify again.

### GEMARA

- **Q:** “Before the sun” is the same thing as “To the north of the sun”, and “After the sun” is the same thing as “To the south of the sun”, so why are they asked as 2 separate questions!? **A:** **Abaye** said, the first question was whether the hollow part of the moon was facing the sun or not. If he says it was facing the sun, his testimony is not accepted (because that never happens).

## -----Daf 72--24-----

### KAMAH HAYA GAVOHA U’L’AYIN HAYA NOTEH...

- A Braisa says, if he said the moon was to the north of the sun, his testimony is accepted, but if he said he saw it to the south, it is not accepted.
  - **Q:** A Braisa says the opposite is true!? **A:** The first Braisa refers to the summer months. The second Braisa refers to the winter months.
- A Braisa says, if one witness said the moon seemed to be 2 animal prods high, and the other said it was 3 high, their testimony is still valid. If one said it was 3 and the other said it was 5, the testimony is void, but they may combine with other witnesses who agree with what they say.
- A Braisa says, if they testify that they saw the moon by reflection in water, or in a lantern, or through the clouds, they cannot testify as having seen the moon. If they saw half the moon in the water, or in a lantern, or through the clouds, they cannot testify as having seen the moon.
  - **Q:** If seeing the entire moon in a reflection is not good enough, surely seeing only half of it is not good enough!? **A:** The Braisa means that even if they saw half in a reflection and the other half directly in the sky, it is still not good enough.
- A Braisa says, if they say that they saw it but did not see it again, they cannot testify about the moon.
  - **Q:** Must they continuously see it!? **A:** **Abaye** said, this means, if they saw it in passing, and then looked for it again when they were ready to concentrate on it, but couldn’t find it again, they cannot testify about it, because we assume that they saw the edge of a cloud.

### MISHNA

- The process for declaring a day as Rosh Chodesh is as follows. The Rosh Beis Din would call out “Mekudash”, and all the people would respond “Mekudash, Mekudash”. This process is followed whether Rosh Chodesh is on day 30 or on day 31. **R’ Elazar the son of R’ Tzadok** says, if Rosh Chodesh is not until day 31, this process is not done, because at that point it has automatically been made kodesh from Heaven.

### GEMARA

- **Q:** How do we know that the Rosh Beis Din must say “Mekudash”? **A:** It was said in the name of **Rebbi**, this is based on the pasuk of “Vayidaber Moshe es mo’adei Hashem” – we see that the Rosh Beis Din (Moshe) must state so.
- **Q:** How do we know that the people must answer “Mekudash, Mekudash”? **A:** **R’ Pappa** said, this is based on the pasuk of “Asher tikri’u osam”, which can be read as “atem” – meaning “you” in the plural form. **R’ Nachman**

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**bar Yitzchak** said, we learn it from the pasuk of “Eileh heim mo’adoy” – “heim” (they) should declare the “mo’adoy” (the Yom Tov).

- **Q:** How do we know they must repeat “Mekudash” twice? **A:** The pasuk says “mikra’ei (in the plural) kodesh”.

R’ ELIEZER B’R’ TZADOK OMER IHM LO NIREH BIZMANO EIN MIKADSHIN OSO

- A Braisa says, **Plimo** says, when Rosh Chodesh is on day 30 the process is not followed, but when it is on day 31 it is followed. **R’ Elazar the son of R’ Shimon** says, this process is never done, based on the pasuk that says we must make the 50<sup>th</sup> year kadosh. The pasuk teaches that we must declare those years as holy, but do not need to do so to the months.
  - **R’ Yehuda in the name of Shmuel** paskened like **R’ Elazar the son of R’ Tzadok**.
    - **Abaye** said, we can see this from a Mishna as well. A Mishna says, if everyone saw the new moon, or witnesses saw it and were examined, but Beis Din did not have time to say “Mekudash” before the day was over, then Rosh Chodesh is delayed until day 31. The Mishna does not say that they must declare “Mekudash” on the next day.
      - It may be that they do need to say that. The Mishna only mentions that the Rosh Chodesh is delayed, because we would think that since everyone saw the new moon, maybe we should not delay Rosh Chodesh to the next day. The Mishna teaches that we do.

MISHNA

- **R’ Gamliel** had many shapes of moons on a board and a wall in his attic. He would use them as a visual aid to help the witnesses describe the moon as they saw it.

GEMARA

- **Q:** How could he make these shapes of the moon? The pasuk of “Lo saasun iti” teaches that one may not make forms in the image of the Heavenly bodies!? **A: Abaye** said, the pasuk only prohibits making forms of things that can be reproduced (like the keilim of the Beis Hamikdash), but not things that can’t be reproduced (like the Malachim, etc.).
  - **Q:** A Braisa says that the pasuk prohibits making forms in the image of Hashem’s Heavenly servants!? **A: Abaye** said, the pasuk only prohibits making the 4 faces from the Kisei Hakavod all together (the face of a human, an ox, an eagle, and a lion). Making a moon would not be assur.
    - **Q:** A Braisa says that one may not make a human face even without making the other three!? **A: R’ Huna the son of R’ Idi** said, he learned from **Abaye’s** lessons that a human face alone is assur based on the pasuk of “Lo saasun iti”, which can be read as “osi”, meaning one may not make the “form” of Hashem, which is meant to refer to a human face. However, other forms are not assur unless they are the 4 (mentioned above) together.
    - **Q:** A Braisa says that the pasuk of “Lo saasun iti” teaches that one may not even make the form of Malachim!? **A: Abaye** said, the pasuk only prohibits making forms of Hashem’s servants of the uppermost heaven, not of the lower heavens (the moon is in the lower heavens).
    - **Q:** A Braisa says, the pasuk of “asher bashamayim” teaches that one may not make the form of the sun, moon or stars!? **A:** It is only assur to make these if one intends to worship them.
    - **Q:** A Braisa says, the pasuk of “Lo saasun iti” teaches that one may not even **make** the forms of the sun, moon, or stars!? **A: R’ Gamliel** did not actually make the forms. He had them made for him by a goy.
    - **Q: R’ Yehuda** had a signet ring with a human form made for him by a goy, and yet **Shmuel** told him that he must deface it!? **A:** That case was different, because the form protruded from the ring, and he wanted to make sure that no one would suspect **R’ Yehuda** of worshipping the protruding form.

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- **Q:** We find that a human form was in the shul in Naharda'ah and there was no concern that people would be suspected of worshipping it!? **A:** Noone would suspect a tzibbur of worshipping these forms, only individuals.
- **Q:** **R' Gamliel** was an individual, and yet there was apparently no concern that he would be suspect!? **A:** He was the Nasi and always had many people around, therefore he was considered to be a tzibbur. **A2:** He had the moon in pieces. He would only put it together when needed for witnesses. Therefore, he would not become suspect. **A3:** He made these to use to teach others regarding them, which is mutar to do.

-----Daf דב--25-----

### MISHNA

- It once happened that 2 witnesses came and said that they saw the old moon in the morning in the east, and saw the new moon in the evening in the west. **R' Yochanan ben Nuri** said, they are surely false witnesses. However, **R' Gamliel** accepted their testimony.
- Another time, witnesses came and said that they saw the new moon on day 30. However, the moon was not found to be seen on the following night. **R' Gamliel** accepted their testimony. **R' Dosa ben Hurkinas** said, they are surely false witnesses, because if the new moon was seen, it would surely be seen the following night! **R' Yehoshua** said to **R' Dosa**, I agree with you.
  - **R' Gamliel** sent a message to **R' Yehoshua**, that said, I decree on you that you must come to me on the day that you say is Yom Kippur (according to **R' Gamliel** Yom Kippur would be a day earlier than that) carrying your walking stick and your money.
    - **R' Akiva** saw that **R' Yehoshua** was depressed at having to do this. He told **R' Yehoshua**, the pasuk teaches that even if Beis Din is wrong with their timing of Rosh Chodesh, the Yomim Tovim follow the day that they declare to be Rosh Chodesh. Therefore, you need not worry, because Yom Kippur will follow the day that **R' Gamliel** (with the Beis Din) said it would.
    - **R' Dosa ben Hurkinas** told **R' Yehoshua**, the pasuk, by not naming the 70 Elders who were with Moshe and Aharon, teaches us that we must follow the Beis Din of every generation. Therefore, we must follow the Beis Din of **R' Gamliel**, even if they may be wrong.
  - On the day that he felt Yom Kippur should have been, **R' Yehoshua** went with his walking stick and money to **R' Gamliel**. **R' Gamliel** kissed him and called him his rebbi (in wisdom) and his talmid (for having accepted his words).

### GEMARA

- A Braisa says, **R' Gamliel** told the **Chachomim** (as to why he accepted the witnesses who said that they saw the old moon and the new moon on the same day, even though we have previously learned that there is a 24 hour period when no moon can be seen), I have been told by my father that there are times when the moon moves faster, and the period when no moon can be seen may be less than 24 hours.
- **R' Chiya** once saw the old moon on the morning of the 29<sup>th</sup> of Elul (which would make it impossible to make the next day Rosh Chodesh, given that it would still be some time before it became invisible, and would remain invisible for 24 hours). He threw some earth at the moon and said, Beis Din needs to be mekadesh you tonight, and you still remain visible?! Go and hide yourself! **Rebbi** told **R' Chiya**, "Go Ein Tav to be mekadesh the new month that next day anyway, and send me a message saying "Dovid Melech Yisrael Chai V'kayam", to signal that it is done".
- A Braisa says, it once happened that the sky was overcast on the 29<sup>th</sup> day, and it appeared that the moon was visible through the clouds. All the people, and even Beis Din, thought they would be mekadesh the month. However, **R' Gamliel** said, I was taught from my grandfather, that a new moon appears 29 and a half days, 2/3 of an hour, and 73 chalakim after it did the last month, and since that time hasn't yet arrived, this can't be the new moon. To make his point, the next day he delivered a eulogy for the mother of Ben Zazza, who died that day. He did so to show that it was not Rosh Chodesh.



# Daf In Review – Weekly Chazarah

## HALACH UM'TZA'O R' AKIVA MEITZAR...

- **Q:** Who was depressed – was it **R' Akiva** or **R' Yehoshua**? **A:** A Braisa says it was **R' Yehoshua** who was depressed. He told **R' Akiva**, he would rather be bedridden for 12 months, than to have to be mechalel the day that he held was Yom Kippur. **R' Akiva** said, please allow me to tell you something you had taught me. The pasuk says the word “atem” 3 times to teach that the Yomim Tovim follow the days that Beis Din makes them fall out, whether they did so b'shogeg, b'meizid, or even in error. **R' Yehoshua** said “**Akiva**, you have comforted me, you have comforted me”.

## BA LO EITZAL R' DOSA BEN HURKINAS...

- A Braisa says, the pasuk doesn't name the 70 Elders so that one can never state, “I need not listen to Beis Din, because they are not as great as the people of Moshe's Beis Din”. We don't know who was on Moshe's Beis Din, so this can't be said. We also learn from the pesukim that there is a comparison from some of the greatest leaders to some of the not great leaders, to teach us that when one becomes a leader, he is considered to be as great as the greatest of leaders, and his rulings must be followed. We also learn from the pasuk that says that one must go to the Kohein, Levi and Shofet that “will be in those days”. Obviously one can only go to the leaders of his time! The pasuk is teaching that one need not look beyond his own leaders and worry about comparing them to the leaders of the past. Finally, a pasuk also tells us not to say that the days of the past were better than today because there were better leaders. Rather, one must always follow the leaders of his generation.

## NATAL MAKLO U'ME'OSAV B'YADO

- A Braisa says, when **R' Yehoshua** arrived, **R' Gamliel** got up, kissed him and called him his rebbi for having taught him Torah in public, and his talmid for having listened to his decree. **R' Gamliel** said, lucky is this generation where the great ones listen to the small ones, and kal v'chomer that the small ones must listen to the great ones.
  - **Q:** It is more than just a kal v'chomer, it should be an obligation for the small ones to listen to them!? **A:** What he was saying was, since even the greater ones are listening to the smaller ones, the smaller ones will make a kal v'chomer for themselves, and will listen to the greater ones.

## HADRAN ALACH PEREK IHM EINAN MAKIRIN!!!

### PEREK RA'UHU BEIS DIN -- PEREK SHLISHI

## MISHNA

- If Beis Din and all the people saw the new moon, or if witnesses were examined and accepted, but there was not enough time for Beis Din to say “Mekudash” before nighttime, Rosh Chodesh will have to be pushed off until the next day.
- If the only people who saw the new moon were the members of Beis Din (the Sanhedrin of 71 dayanim), 2 of them stand up and testify, and then the process of saying “Mekudash” can be followed. If 3 members of Beis Din saw the new moon, 2 of them should testify in front of the other one and at least 2 others (so that there is at least a Beis Din of 3), and they can then make the month Mekudash. This must be done, because a single judge is not enough to make the month Mekudash.

## GEMARA

- **Q:** Why did the Mishna have to say the case of all the people and Beis Din seeing the moon? We can learn out that the month cannot be made Mekudash at night from the case of where all of Beis Din saw the new moon!? **A:** We would think that in the case when the moon was seen by all, it is known that the new month has arrived and can be done even at night. The Braisa therefore teaches that it may not.
  - **Q:** Once we have these cases, why do we need to state the case of where the witnesses were already examined? **A:** We would think that the examination is considered to be like the opening of a court case, and the saying of “Mekudash” is like the end of the court case, and a Mishna says that a court case that was begun by day may end at night. The Mishna teaches that even in this case the month may not be made Mekudash at night. This is based on the pasuk of “Ki chok l'Yisroel hu, mishpat LeiLokei Yaakov”. It

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is a “chok” at the time that Mekudash is said, and the pasuk says that that is “mishpat”, meaning it must be done as a court case – i.e. by day.

RA’UHU BEIS DIN YAMDU SHNAYIM V’YA’IDU BIFNEYHEM

- **Q:** Why do they need the members of Beis Din to act as witnesses? The fact that they all saw it should be even better than hearing it from witnesses, and they should be able to declare Rosh Chodesh based on their seeing alone!? **A: R’ Zeira** said, the Mishna is discussing where Beis Din saw the new moon at night, when they can’t make the month Mekudash. Therefore, the next morning, they must rely on witnesses.

RA’UHU SHLOSHA V’HEIN BEIS DIN...

- **Q:** Why do they need the members of Beis Din to act as witnesses? You can’t say that the case is where they saw it at night, because then this would be the exact case as the previous case in the Mishna!? **A:** It is the same case. The reason we need this second case is to teach that a single judge cannot declare Rosh Chodesh. We would think that since in monetary cases an expert judge may judge alone, the same should apply regarding the new moon. The Mishna teaches that a Beis Din is needed. We learn this from Moshe, who was unquestionably the greatest expert, and yet the pasuk says that Hashem spoke to Moshe and Aharon, which teaches that Moshe needed others with him to be Mekadesh the month.
- **Q:** Our Mishna says that the 3<sup>rd</sup> member of Beis Din who saw the moon, may act as a judge to declare Rosh Chodesh. Our Mishna can’t follow **R’ Akiva**, because he says that a member of Beis Din who witnessed a murder cannot serve on the Beis Din who is judging that murder case!? **A:** It may be that **R’ Akiva** only holds that way in capital cases, because a judge who saw the murder will have a hard time finding a way to save the defendant from the death penalty (which is what Beis Din is instructed to do). However, regarding the new moon, **R’ Akiva** may allow this.

### -----Daf 12-----26-----

MISHNA

- All shofars are valid to use for Rosh Hashanah except the horn of a cow, because its horn is called a “keren”, not a shofar. **R’ Yose** says, all shofars are referred to as keren as well, as in the pasuk “Bimshoch b’keren hayovel” (and therefore the horn of a cow is valid as well).

GEMARA

- **Q:** How do the **Rabanan** respond to **R’ Yose**? **A:** They say, all other horns are referred to as “keren” and as “shofar”, whereas the horns of a cow are only referred to as “keren”, as the pasuk says “v’karnei re’eim karnav”.
  - **R’ Yose** says, we find a cow’s horn referred to as shofar in the pasuk that says “mishor par”, which can be darshened to be read as “shofar”. The **Rabanan** darshen that pasuk to mean a “shor” that is as large as a “par”.
- **Ulla** said, the reason the **Rabanan** don’t allow use of the cow’s horn is like **R’ Chisda** said, the reason the Kohen Gadol may not enter the Kodosh Hakodashim wearing the golden clothing is because the prosecutor cannot become the defense attorney (gold cannot be used to bring a kapparah for the sin of the Golden Calf, and for the same reason a cow’s horn can’t used).
  - **Q:** We use the blood of a par and don’t seem concerned for that!? **A:** Since it is no longer in the par, we don’t have that concern.
  - **Q:** The Aron, Kapores, and Keruvim are made of gold and we don’t have this concern!? **A:** We are only concerned when the Kohen Gadol, when trying to bring about a kapparah, uses something that reminds of the Eigel, not for something which is always there and happens to be made of gold.
  - **Q:** We use the gold ladle and shovel and don’t have this concern!? **A:** We are only concerned when the Kohen Gadol wears something of gold, not when he uses a golden keili.
  - **Q:** The Kohen Gadol wears the golden clothing when he does the Avodah outside of the Kodosh Hakodashim!? **A:** It is only a problem when he wears this inside, in the actual place of the Shechina.

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- **Q:** The shofar is also only used outside the Kodesh Hakodashim, so why is using the cow's horn a problem? **A:** Since it is used to try and make Hashem remember the Yidden for good, it is considered as if it is used inside.
- **Q:** How could **Ulla** say this is the reason, when the Mishna gives a different reason for the **Rabanan**? **A:** He says that the **Rabanan** actually give both reasons. **R' Yose** doesn't agree with either reason: 1) because the shofar is only used outside, and 2) because all shofars are referred to as "keren" as well.
- **Abaye** said, the reason for the **Rabanan** is that the pasuk says "shofar", in the singular. Since a cow's horn has numerous layers, it is as if it is more than one shofar, and therefore cannot be used.
  - **Q:** How could **Abaye** say this is the reason when the Mishna gives a different reason for the **Rabanan**? **A:** He says that the **Rabanan** actually give both reasons. **R' Yose** doesn't agree with either reason: 1) because the shofars of a cow are attached, they are considered to be one shofar, and 2) because all shofars are referred to as "keren" as well.
- The Mishna refers to a ram as "yovel". We find the use of this term in a Braisa where **R' Akiva** said that in Arabia they refer to a ram by the term "Yuvla". Another place referred to a nidah as "galmuda", and yet another place referred to a ma'ah coin as "kesita".
  - **Rebbi** said, he once heard commerce referred to as "kirah".
  - **Reish Lakish** said, he once heard a bride referred to as "nifli", and a rooster referred to as "sechvi".
  - **Levi** once had someone complain that another had committed "kava" against him. Others explained to **Levi** that it means he was robbed.
  - The **Rabanan** were unsure what the word "seirugin" meant. They then heard **Rebbi's** maidservant using the term to refer to intervals (as opposed to all at once).
  - The **Rabanan** were unsure what the word "chaluglugos" meant. They then heard **Rebbi's** maidservant using the term to refer to a spice.
  - The **Rabanan** were unsure what the word "salsileha" meant. They then heard **Rebbi's** maidservant using the term to refer to curling of the hair.
  - The **Rabanan** were unsure what the word "teitasiha" meant. They then heard **Rebbi's** maidservant using the term to refer to a broom.
  - The **Rabanan** were unsure what the word "yehavcha" meant. **Rabbah bar bar Chana** said, he heard a Arab merchant use that word to refer to a burden.

### MISHNA

- The shofar of Rosh Hashanah should be a straight horn (like that) of a of wild goat. The shofar of the Beis Hamikdash had its mouth plated with gold, and 2 trumpets were blown along with it on the sides. The shofar would blow long blasts and the trumpets would blow short blasts, since the mitzvah of the day is with the shofar.
- On fast days, bent shofars of a male are used, with their mouths plated with silver, and 2 trumpets are blown in the middle. The shofar would blow short blasts and the trumpets long blasts, because the mitzvah of the day is with trumpets.
- The halachos of Yovel are like those for Rosh Rashaanah with regard to the blowing of the shofar and the brachos of the tefillah.
- **R' Yehuda** says, on Rosh Hashanah the horn of a male is used and on Yovel the horn of a wild goat is to be used.

### GEMARA

- **R' Levi** said, the mitzvah of shofar on Rosh Hashanah, and Yom Kippur of Yovel is with bent horns and on fast days it is with straight horns.
  - **Q:** Our Mishna says that straight horns are to be used on Rosh Hashanah!? **A:** He holds like **R' Yehuda** in a Braisa who says that the shofar of Rosh Hashanah should bent and of Yovel should be straight.
    - **Q:** Why doesn't he just say that the Halacha follows **R' Yehuda**? **A:** He wanted to be clear that he doesn't agree with **R' Yehuda** in regard to the shofar of Yovel.

## Daf In Review – Weekly Chazarah

- **Q:** What is the basis of the machlokes in our Mishna regarding what type of shofar to use? **A: R' Yehuda** says, on Rosh Hashanah one should be “bent” (humble), and therefore a bent shofar should be used. On Yovel one should stand up tall to denote freedom, and therefore a straight shofar should be used. The **T”K** says, on Rosh Hashanah (and via a gezeirah shava on Yovel as well), a straight one should be used, because standing straight is the proper posture for davening. On fast days, one must humble himself, and therefore a bent shofar should be used.

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#### U’PIV METZUPAH ZAHAV

- **Q:** A Braisa says that a shofar whose mouthpiece is covered with gold is passul!? **A: Abaye** said, our Mishna is talking about where the place where the mouth actually touches is not covered with gold.

#### U’SHTAI CHATZOTZROS MIN HATZDADIM

- **Q:** When 2 sounds are sounded simultaneously they cannot be heard and distinguished by the human ear (like we learn regarding when Hashem said “Shamor” and “Zachor” simultaneously). If so, why were they blown together? **A:** This is the reason why the shofar was blown longer than the trumpet, so that it should be heard.
  - **Q:** This would mean that one can be yotzeh by just hearing the end of the shofar blow, and by extension, that one can be yotzeh by just hearing the beginning of the shofar blow. A Mishna says that if one blows a tekiah that is long enough for 2 tekios, it is only counted as one tekiah. Now, if only a partial shofar blow need be heard, as we have just said, why can’t this long blast be counted as two? **A:** We cannot split up sounds to count them as 2.
  - **Q:** A Mishna says that one cannot be yotzeh if he hears the echo of a shofar. Now, before the echo begins there is a time when only the actual shofar sound is heard. According to what we said above, he should be yotzeh with that partial of the shofar sound before the echo began!? **A:** Really 2 sounds at the same time can be heard when they come from two different people (as opposed to the words of “Shamor” and “Zachor” that were said by Hashem at the same time, and could not be heard). Therefore, the reason one is yotzeh when the trumpets and shofar are sounded together is because these 2 sounds can be heard at the same time.
    - **Q:** A Braisa says that we cannot have 2 people simultaneously be the “metargem” (one who explains what was read in the Torah). Presumably this is because one cannot hear 2 things at once, even when coming from 2 different people!? **A:** The case of shofar is more similar to the end of this Braisa which says that multiple people can simultaneously read Hallel and the Megilla. We see that people pay attention to what is beloved by them and can hear from multiple sources simultaneously as well. Shofar is similarly beloved and can therefore be heard from more than one person at once.
      - **Q:** If so, why does the shofar have to be blown for longer than the trumpet? **A:** To show that the shofar is the primary mitzvah of the day.

#### U’BITANIYOS B’SHEL ZECHARIM KEFUFIN...

- Why is the Rosh Hashanah shofar plated with gold and this shofar only plated with silver? **A:** We find that the Yidden were always gathered using silver instruments (silver trumpets). Since this is the purpose on a fast day as well, silver is used. **A2:** Hashem didn’t want the people to have to spend the money to have it plated with gold.
  - **Q:** According to the second reason, why isn’t the shofar of Rosh Hashanah plated with only silver as well? **A:** The honor of the Yom Tov is more important than that reason, and we therefore cover it with gold.
- **R’ Pappa bar Shmuel** wanted to blow the shofar of Rosh Hashanah along with trumpets. **Rava** told him, this is only to be done in the Beis Hamikdash. A Braisa clearly says like **Rava** as well. This is based on the pasuk that says “Bachatzotzros v’kol shofar hari’u lifnei Hamelech Hashem” – only when in front of Hashem (in the Beis Hamikdash) are trumpets used.

#### SHAVEH HAYOVEL L’ROSH HASHANAH L’TEKIA V’L’BRACHOS...

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- **Q: R' Eina** asked, one of the brachos of Rosh Hashanah discusses that it is the anniversary of the day that man was created. That bracha cannot be said on Yom Kippur of Yovel as well!? **A:** The Mishna means that the other brachos of Rosh Hashanah are said on Yom Kippur of Yovel.

### MISHNA

- A shofar that split in 2 and was glued back together is passul. If one attached parts to create a full shofar, it is passul. If the shofar has a hole and the hole was sealed, if the seal effects the blowing it is passul. If not, it is valid.
- If one blows a shofar into a ditch, or a cave-like structure, or into a barrel, if the sound of the shofar is heard without an echo, he is yotzeh. If not, he is not yotzeh.
- If one happens to hear the sound of the shofar on Rosh Hashanah, or the Megilla on Purim, he is yotzeh only if he had in mind to be yotzeh. Based on this, it is possible for 2 people to hear the shofar or Megilla, and one can be yotzeh while the other is not.

### GEMARA

- A Braisa says, if a shofar was long and one shortened it, it is valid. If he scraped it and left a thin layer, it is valid. If he plated the mouthpiece with gold, it is passul. If he plated it anywhere else it is valid. If he plated the inside with gold, it is passul. If he plated the outside: if it doesn't change the sound, it is valid, if it does, it is passul. If there was a hole and he sealed it: if it changes the blowing, it is passul, if not, it is valid. If he placed one shofar into another shofar, if he only heard the sound of the inner shofar, he is yotzeh. If he heard the sound of the outer shofar, he is not yotzeh.
- A Braisa says, if one scraped the shofar, whether from the inside or the outside, it is valid. Even if he only leaves a very thin layer, it is valid. If he placed one shofar into another shofar, if he only heard the sound of the inner shofar, he is yotzeh. If he heard the sound of the outer shofar, he is not yotzeh. If one blows the shofar from the wrong side, he is not yotzeh.
  - **R' Pappa** said, this is even if he widens the narrow end and narrows the wide end. We learn this from the pasuk of "v'ha'avarta", which teaches that the shofar must be used in the way that it is carried on the animal's head.

### DIBEIK SHIVREI SHOFAROS PASSUL

- A Braisa says, if one added on even a tiny piece to a shofar, whether it is made of like-kind material or not, it is passul. If one fills a hole in a shofar, whether using like-kind material or not, it is passul. **R' Nosson** says, if done with like-kind material, it is valid. If not, it is passul.
  - **R' Yochanan** said, even if using like-kind material, it is only valid if the majority of the shofar remains intact. We can also learn from here, that if using unlike-kind, then even if a majority remained intact it would be passul.
    - Others say that **R' Yochanan** said his Halacha regarding using unlike-kind. He said that is passul only when most of the shofar was missing. That would mean, that when using like-kind it would be valid even if most of the shofar was missing.
  - The Braisa continued, that if one plated a shofar with gold on the inside, it is passul. On the outside, it is only passul if it changes the sound. If a shofar split lengthwise, it is passul. If it split widthwise, if it remains large enough to blow a tekiah, it is valid. **R' Shimon ben Gamliel** explains, this means that it is large enough to be grabbed in the hand, with the shofar sticking out on both sides of his grip. The Braisa ends off, that a shofar is valid no matter what kind of sound it produces (thin, thick, dry, etc.).
- It was sent to the father of **Shmuel**, if one makes a hole in the animal's horn and blows into it, it is valid.
  - **Q:** This is obvious, since every horn must have a hole drilled into it to be able to blow it!? **A: R' Ashi** said, the case is where one drills a hole through the bone inside the horn instead of removing it. We would think that it acts as a chatzitza and is passul. We are therefore taught that it is valid.

### HATOKE'AH L'TOCH HABOR...

- **R' Huna** said, it is only problematic for those standing outside the ditch. However, those standing inside the ditch are surely yotzeh.