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Rosh Hashanah  
Daf 10

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o"h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

## ORLAH

➤ The Mishna had stated that the First of Tishrei is the New Year in regards to the laws of orlah. One is prohibited to eat or derive pleasure from fruits during the first three years of its growth. The Gemora cites a source proving that the years of a tree's growth are not counted by the date it was planted, rather by the first of Tishrei. (9b)

### ADDING FROM THE ORDINARY ONTO THE HOLY

➤ The Gemora cites a braisa regarding one who plants a tree in the year before Shemitah. If it is planted more than thirty days before the first of Tishrei, it will be considered a complete year in respect to orlah when Rosh Hashanah arrives and will not be regarded as produce grown during Shemitah. If, however, it was planted within thirty days from Rosh Hashanah, when the first of Tishrei arrives, it will not be considered a year in respect to orlah and it will be regarded as produce grown during Shemitah.

The braisa continues discussing the case where the tree was planted more than thirty days before Rosh Hashanah. Even though we have learned that the first of Tishrei accomplishes that the tree has completed its first year, this is only regarding fruits that emerge after the fifteenth of Shevat. Regarding the fruits that emerge before the fifteenth of Shevat, they will still be considered orlah until the third fifteenth of Shevat arrives. If the tree was planted within thirty days of Rosh Hashanah, the fruits will remain in an orlah status until three more Rosh Hashanahs, seven and a half months after the other fruits (those emerging from the trees planted more than thirty days before Rosh Hashanah). The Gemora cites the sources for these halachos. (10a)

### LESS THAN A YEAR CAN BE REGARDED AS A COMPLETE YEAR

➤ The braisa had stated that the time frame to be considered a full year is thirty days. The Gemora examines this further.

When the Torah states that one can offer a bull as a korban, it is agreed upon that the bull must be in its third year. Rabbi Meir maintains that the bull must be at least twenty-four months and one day old. Rabbi Elozar disagrees and holds that the bull must be at least twenty-four months and thirty days old. The Gemora assumes that the Tanna of our braisa cannot be Rabbi Meir since he maintains that one day constitutes a year and it is not necessary to have thirty days.

The Gemora responds and states that perhaps there is a distinction between the beginning of the year and the conclusion of the year. Rabbi Meir would maintain that one day at the end of the year constitutes a year but to be considered a year in the beginning, thirty days would be required.

Rava objects to this distinction and proves that the logic should be exactly the opposite from a halachah regarding the Biblical laws of a niddah. In order for a niddah to purify herself by immersing in the mikvah, she must wait for nightfall after the seventh day is complete; yet the first day counts as a complete day even if her flow began towards the end of the day. If Rabbi Meir holds that one day at the end is considered a year, he should certainly regard one day in the beginning of the year as a year.

The Gemora considers that perhaps the Tanna of our braisa is Rabbi Elozar who holds that thirty days constitutes a year pertaining to animals used for a korban, so too the tree must be planted thirty days before Rosh Hashanah to be considered a year.

The Gemora cites a Mishna proving that a tree needs thirty days to become rooted in the ground. The Mishna states that if one plants a tree within thirty days of Rosh Hashanah prior to a Shemittah year, the tree must be uprooted. Rabbi Yehudah maintains that a tree takes root within three days. Rabbi Yosi and Rabbi Shimon hold that a tree takes root within two weeks of its being planted. Rav Nachman rules in the name of Rabbah bar Avuhah that according to all these opinions, you must add an additional thirty days to satisfy the requirement of adding from the ordinary onto the holy.

In conclusion, the Gemora is asking that our braisa which stated that if the tree is planted thirty days before Rosh Hashanah, when the first of Tishrei arrives, the first year is completed. This is not consistent with any of the opinions cited above.

The Gemora concludes that our Tanna must be Rabbi Meir who holds that thirty days are required for the tree to take root.



The Gemora questions this since an additional day is needed for it to be considered a complete year.

The Gemora answers that the tree takes root on the beginning of the thirtieth day and the remainder of the day is the one day that would constitute the first year.

The Gemora cites Scriptural proofs that less than a year can be regarded as a complete year. (10a – 10b)

### **TISHREI OR NISSAN?**

➤ Rabbi Eliezer learned in a braisa that there were many events that took place in the month of Tishrei. The world was created in Tishrei. The Patriarchs (Avrohom and Yaakov) were born and died in Tishrei. Yitzchak, however, was born on Pesach. It was decreed on Rosh Hashanah that Sarah, Rochel and Chanah would give birth to children. Yosef was released from prison on Rosh Hashanah. Our forefathers were removed from servitude in Egypt on Rosh Hashanah. Klal Yisroel was redeemed from Egypt in the month of Nissan and the final redemption will be in Tishrei.

Rabbi Yehoshua maintains that the world was created in Nissan. The Patriarchs were born and died in Nissan. Yitzchok was born on Pesach. It was decreed on Rosh Hashanah that Sarah,

Rochel and Chanah would give birth to children. Yosef was released from prison on Rosh Hashanah. Our forefathers were removed from servitude in Egypt on Rosh Hashanah. Klal Yisroel was redeemed from Egypt in the month of Nissan and the final redemption will be in Nissan. (10b – 11a)

## **INSIGHTS TO THE DAF**

### **HOW SHOULD WE RULE?**

➤ The Gemora cites a Mishna which states that if one plants a tree within thirty days of Rosh Hashanah prior to a Shemitah year, the tree must be uprooted. Rabbi Yehuda maintains that a tree takes root within three days. Rabbi Yosi and Rabbi Shimon hold that a tree takes root within two weeks of its being planted.

The Rambam and other poskim all rule in accordance with Rabbi Yosi and Rabbi Shimon. The Sfas Emes questions as to why the Rambam does not rule regarding lands outside of Eretz Yisroel in accordance with Rabbi Yehuda who holds that three days is sufficient. There is a principle that we rule outside of Eretz Yisroel in accordance with the viewpoint which is most lenient in Eretz Yisroel.

The Shagas Aryeh (14) and the Noda Beyehuda (kamma Y"D 88) answer that whenever the Gemora rules explicitly like the Tanna who is stringent, the principle of ruling in Chutz La'aretz in accordance with the lenient opinion does not apply.

### NOT A FACTUAL DISPUTE

➤ The Gemora cites a Mishna which states that if one plants a tree within thirty days of Rosh Hashanah prior to a Shemitah year, the tree must be uprooted. Rabbi Yehuda maintains that a tree takes root within three days. Rabbi Yosi and Rabbi Shimon hold that a tree takes root within two weeks of its being planted.

The Chasam Sofer (Y"D 284) comment that this is not a factual dispute as to how many days it takes for a tree to take root for everyone holds that it takes root in three days or less and the facts can attest to this. The argument is regarding a case where for some reason the tree did not take root. After how long can it be stated with a certainty that the tree will not take root any longer.

Interestingly, the Chazon Ish (Shvi'is 17:28) explains exactly the opposite. He also comments that there is no factual dispute amongst the Tannaim and everyone agrees that a tree can only begin to take root within three days. The argument is if that little bit is considered taking

root or is a much firmer attachment to the ground necessary.

## DAILY MASHAL

### The Connection to Rosh Hashanah

By: Eliezer Bulka

On the first day of Rosh HaShanah, the Torah reading comes from Parshas Vayeira. It begins with the conception and birth of Yitzchak to Avraham and Sarah after many years of barrenness. This is a fitting section to be read on this day as the gemara (Rosh HaShanah 10b) teaches us that it was on Rosh HaShanah that Sarah, Rachel and Chanah were "remembered" and their prayers answered. Then ensuing episodes of Yitzchak's weaning and the expulsion of Hagar and Yishmael are all directly pertinent to Yitzchak's upbringing and are justly included in the reading. The last two aliyos deal with the pact made between Avimelech, king of the Pelishtim, and Avraham that they and their descendants shall do no harm to each other. On the surface, there does not seem to be any relevance to Rosh HaShanah. The first three aliyos contain 21 pesukim, conceivably enough to comprise a complete Torah reading, even on Shabbos when we require seven aliyos. Why, then, is this section included in the reading?

I suggest that this section of the reading does in fact have a significant connection to the Rosh HaShanah experience. The central theme of the Mussaf service on Rosh HaShanah is the trio of malchios, zichronos and shofaros - kingship, remembrances and shofars . The middle of the three, remembrances, refers specifically to recalling the various covenants made with our forefathers. This section which is read at the end of the day's Torah reading impresses upon us the significance of a covenant. The pact made between Avimelech and Avraham, later reaffirmed by Yitzchak, was binding over many generations. Despite being gravely mistreated and persecuted by the Pelishtim, Avimelech's descendants, after entering Eretz Yisroel, on two occasions (Yeshoshua 15:63, Shmuel II 5) B'nei Yisroel refrained from any offensive against the Pelishtim. In the Midrash (Sifrei Re'eih 12:17) R' Yehoshua ben Levi teaches that it was within their powers to do battle with them, but they were not allowed because of the covenant between Avraham and Avimelech.

Perhaps, the inclusion of this episode in the Torah reading is in parallel with the zichronos aspect of our prayers. Indeed, we are guilty many times over of violating our covenant with HaShem to keep the Torah in its entirety. Nevertheless, we beseech of HaShem to remember, so to speak, the covenant made with Avraham, Yitzchak and Yaakov never to forsake us despite our transgressions, in the same

manner in which we faithfully upheld our accord with the Pelishtim.