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Rosh Hashanah  
Daf 23

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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

### **When were bonfires raised?**

The braisa says that bonfires were raised only for a month which was proclaimed on the 30<sup>th</sup> day, and they were raised the following night.

Rabbi Zaira explains that bonfires were not raised on a full month (proclaimed on the 31<sup>st</sup> day), due to the concern about a 30<sup>th</sup> day start of month which falls on a Friday. Since they couldn't raise the bonfires on the 31<sup>st</sup> night, for it is Shabbos, they would have to raise them on the night after Shabbos. If bonfires were raised for all starts of the month, the people seeing the bonfire wouldn't know what it meant on such a month – was it for Rosh Chodesh on Friday, but raised on this night since the previous night was Shabbos, or was it for Rosh Chodesh on Shabbos?

The Gemora challenges this, suggesting that they could still raise bonfires in all cases, but not at all when Rosh Chodesh is on Friday.

The Gemora rejects this, as they may assume that Rosh Chodesh was on Sunday, but for some reason the court was unable to raise the bonfires.

The Gemora asks: Why didn't they choose the opposite – to raise bonfires only on a Rosh Chodesh on the 31<sup>st</sup> day?

Abaye answers that they chose to notify when Rosh Chodesh was earlier to avoid people idling from work an extra day, since they would always have to wait until the night after the 31<sup>st</sup> to know when Rosh Chodesh was proclaimed.

### **Erez trees**

The Mishna says that they brought beams of *erez* – *cedar* for the torches used for the bonfire.

Rav Yehudah says there are four types of *erez* tree: *erez*, *katrom*, oil tree, and *brosh*.

The Gemora cites three possibilities for the *katrom* tree: Rav says it is *idra*, Rabbi Shaila's *bais medrash* taught it is *mavliga*, while some say it is *gulmish*.

The Gemora says that Rav Yehudah's statement differs with *Rabbah bar Rav Huna*, who quotes the *bais medrash* of Rav teaching that there are 10 types of *erez*, based on a verse, in which Hashem says “I will put in the desert *erez* (1),

shitta (2), and hadas (3), and oil wood (4) I will place in the dryland, brosh (5), tid'har (6), and t'ashur (7) all together.”

The Gemora identifies the species listed in the verse:

1. erez is arza
2. shitta is turnisa
3. hadas is asa
4. oil wood is afarsema
5. brosh is brasa
6. tid'har is shaga
7. t'ashur is shorivna

The Gemora questions why Rabbah bar Rav Huna says there are ten, if the verse only lists 7.

When Rav Dimi came, he said that three more species were added later: alon, almon, and almug trees, which are, respectively, botmim, balutim, kesisa. Some say the three later ones are aron, armon, and almug trees, which are, respectively arim, dolvim, and kesisa.

The Gemora cites a verse relevant to the kesisa tree, which grows at the edges of the sea. The verse describing how large the stream which will flow from the Bais Hamikdash will be says that a strong boat will not be able to cross it. Rav explains that this refers to a big borni boat.

The Gemora explains the use of this boat. For 72000 man months (either 6000 workers for 12

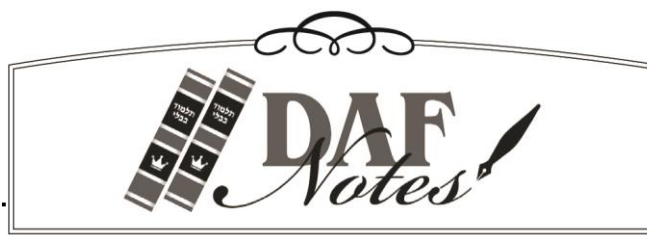
months, or 12000 workers for 12 months) workers fill up this boat with sand, until it rests on the bottom of the sea. A deep diver then dives underwater and ties thick linen ropes between the roots of a kesisa tree and this boat. They then remove the sand, raising the boat, and thereby uprooting the kesisa tree, whose wood was worth double its weight in silver.

The Gemora says that there are three ports of note in the world, two in Rome and one in Persia. In the Roman ones, they uproot kesisa trees, while in the Persian one, they dive and extract pearls, and it is called the Port of the Kingdom.

Rabbi Yochanan says that for every tree that the non-Jews took from Yerushalayim, Hashem will return another one to the Jews in the future, as the verse says that Hashem will place these trees in the desert, which refers to Yerushalayim, which resembled a desert in its destruction.

Rabbi Yochanan also says that one who learns Torah but does not teach it is like a hadas tree in the desert, where no one can partake of its pleasant smell. Some cite him saying that one who learns Torah and teaches it in a place without other Torah scholars is compared to a hadas in the desert, which is especially beloved to any passerby.

Rabbi Yochanan says that woe is to the nations of the world, who have no recourse for their crimes



against the Jews. Although Hashem says that He will replace all the material taken from Yerushalayim with superior material (gold for copper, silver for iron, copper for wood, and iron for stone), there is no replacement for Rabbi Akiva and his fellow martyrs, about whom Hashem says, "I will cleanse [the nations], but for their blood, I will not cleanse them."

### **Bonfire stations**

The Mishna listed the stations that would relay the bonfire message of Rosh Chodesh, with the last one at Bais Baltin, from which the whole exile would alight like a bonfire.

Rav identifies Bais Baltin as Biram, and Rav Yosef identifies the exile as Pumpedisa.

The Gemora explains that the Mishna means that in the exile each individual would light a torch on his roof, creating the effect of a big bonfire throughout the region.

The Gemora cites a braisa in which Rabbi Shimon ben Elazar lists more stations: Charim, Kayar, Gader, and its environs. Some say these were along the route listed in the Mishna, while some say there were in a different direction.

Rabbi Yochanan says that the distance between each station is 8 parsas, which means a total distance of 32 parsas from Eretz Yisrael to the exile.

The Gemora challenges this, as the distance we observe today is larger.

Abaye says that after the Bais Hamikdash was destroyed, the roads were clogged up, making trips longer. He supports this from the verse in which Hashem says that He will cover the Jews' road with thorns, while Rav Nachman bar Yitzchak supports it from the verse in which the Jewish nation laments that Hashem has "closed off my path with stone, and made my path crooked."

### **The courtyard for the witnesses**

The Mishna says that there was big courtyard in Yerushalayim, named the house of Yazek, where the witnesses testifying to the new moon would all gather for the court to examine their testimony. They provided large meals for them, to encourage them to come. Originally, witnesses who arrived on Shabbos (from outside the techum) were required to stay there the whole day. Rabban Gamliel instituted that they may walk 2000 amos in each direction. He instituted the same rule for a midwife who came to help a mother deliver a baby, someone who came to help save people from a fire, an attacking militia, an overflowing river, or an avalanche.

The Gemora asks: Was the courtyard named the house of Ya'azek, as a positive allusion to the verse which describes Hashem's preparation of a

vineyard (metaphor for the Bais Hamikdash) by saying *vaye'azkaihu* – and he fenced it in, or the house of Yazek, as a negative connotation of the word *zikim* – chains?

Abaye attempts to resolve this from the Mishna's statement that they provided large meals to encourage people to come, implying that this location had a positive association.

The Gemora deflects this, saying that it may have had both positive and negative associations.

### Examining the witnesses

The Mishna describes how the court would examine the witnesses. They would start with the pairs in the order they arrived, and with each pair, they would first examine the more senior witness, asking him to describe how he saw the moon:

1. Did he see it in front of or behind the sun?
2. To its north or south?
3. How tall was it?
4. Which direction was it facing?
5. How wide was it?

If he said it was in front of the sun, his testimony was meaningless.

If the first witness was acceptable, they then similarly examined the second one. If they were found consistent, their testimony was accepted.

They would do a superficial examination of all the other witnesses, not because they were necessary, but to ensure that they didn't leave feeling that they came in vain, to encourage them to return on other months.

### In front of the sun

The Gemora asks: How were the first two questions different, as the new moon always appears towards sunset in the west? Therefore, before or after the sun seems to mean to the north or south of it, as the sun travels in the west from south to north.

Abaye explains that the first question was whether the gap of the moon was facing towards or away from the sun. If he said that it was facing towards it, his testimony was rejected, since Rabbi Yochanan explained, from the verse which says that Hashem makes peace in His abode, that Hashem ensures that the sun never faces the gap of the moon, nor the open side of the rainbow. The sun never faces the gap of the moon, since that would pain the moon, which is smaller than the sun, and it never faces the open side of the rainbow, to prevent those who serve the sun from saying that the sun was shooting arrows at those who didn't worship it.

## INSIGHTS TO THE DAF

### WORK ON ROSH CHODESH

➤ Abaye, in explaining the Gemora's reasoning as to why they didn't institute to light the torches only on the night of the thirty-first is because this would compel the people of Bavel to cease from work for two days in the beginning of Tishrei. Those residing in Bavel would always refrain from work on the thirtieth of Elul since perhaps that day is Rosh Hashanah and if the torches will not be lit until after the thirty-first day, this would force them to abstain from work another day since perhaps Elul had thirty days and the thirty-first day is Rosh Hashanah. This is Rashi's explanation.

Tosfos disagrees and understands the Gemora to be referring to every Rosh Chodesh where there is also a prohibition against working.

Rashi in Megillah (22b) states that the women abstained from performing work on Rosh Chodesh.

Turei Even writes that in the times that the Beis Hamikdash was in existence, there was a prohibition of refraining from work which applied to the men as well. This was due to the

korban mussaf which was offered for all of Klal Yisroel on that day. A person is forbidden from doing work on a day that he brings a korban. The Yerushalmi states that in truth, there should be a prohibition against working every day because of the korban tammid which is offered twice daily on behalf of the entire Klal Yisroel but since it is impossible to exist if no one is working; the korban tammid was excluded from this halacha. However, a korban offered on Rosh Chodesh or Yom Tov which is not a daily korban would require that a person should abstain from work.

According to this, it would not be necessary to have a new halacha that work is forbidden on Chol Hamoed (Intermediary Days) since there is the korban mussaf offered on that day. The new halacha teaches us that there is a prohibition against working even at night, when there are no korbanos being brought.

Truas Melech (59) applies this principle to answer why a new reason was necessary to forbid women from working on Rosh Chodesh. They are included in the korban just like a man and they should be prohibited from working on account of the korban. He answers that the women accepted Rosh Chodesh like a festival accomplished that they will refrain from working even at night when the korban cannot be offered.





The Biur Halacha (417) cites Rav Yaakov Emden in sefer Mor U'ktziah that there is no prohibition against a woman working during the night of Rosh Chodesh. Biur Halacha writes that he is unsure as to what the practicing custom is.

The Biur Halacha is also unsure if the prohibition against working on Rosh Chodesh is an established custom and the women are obligated not to work on Rosh Chodesh or is it just that a woman who abstains from work is fulfilling a nice custom.

### **STRICT RULING EVEN ON A RABBINIC PROHIBITION**

➤ Abaye, in explaining the Gemora's reasoning as to why they didn't institute to light the torches only on the night of the thirty-first is because this would compel the people of Bavel to cease from work for two days in the beginning of Tishrei. Those residing in Bavel would always refrain from work on the thirtieth of Elul since perhaps that day is Rosh Hashanah and if the torches will not be lit until after the thirty-first day, this would force them to abstain from work another day since perhaps Elul had thirty days and the thirty-first day is Rosh Hashanah. This is Rashi's explanation.

Tosfos disagrees and understands the Gemora to be referring to every Rosh Chodesh where there is also a prohibition against working.

Turei Even asks that since the prohibition against performing work on Rosh Chodesh is only Rabbinic, shouldn't we act leniently and allow those that are in doubt regarding the actual day of Rosh Chodesh to work?

He answers that if we would apply the principle of whenever there is a doubt on a Rabbinic matter, we rule leniently, we would be compelled to act in this manner on both days of Rosh Chodesh since there is a doubt on each day. On each day, we would say that the other day is indeed Rosh Chodesh. It will emerge that the prohibition against working will be uprooted completely. In such a circumstance, we do not apply the principle of ruling leniently.

This logic can be found in the Ran in Pesachim. There is a discussion regarding the four cups of wine that we drink on Pesach night. The Gemora is uncertain if there exists an obligation of reclining by the first two cups or the last two. The ruling is that since there is a doubt, we require one to recline by all four cups.



The Ran asks that since the mitzva of reclining by the drinking of the four cups is only Rabbinic, shouldn't we act leniently? He answers that if we would indeed act leniently, we would be forced to rule that there is no obligation to lean by the first two cups or the last two cups which would result in the mitzva being uprooted completely. The principle of acting leniently does not apply in such situations.

### **TECHUM BOUNDARY FOR THE WITNESSES**

➤ The Halacha on Shabbos is that if one leaves the techum boundary (2000 amos), he is forbidden from taking even one step. Rabban Gamliel instituted that if the witnesses traveled on Shabbos beyond their techum boundary to come to Beis Din, they are still permitted to travel 2000 amos in any direction. This was established in order that the witnesses should be willing to come and testify and not be confined to one specific area the entire Shabbos.

The Minchos Chinuch (24) writes that it is obvious to him that Rabban Gamliel's decree was limited to the Rabbinic techum boundary. If one traveled further than 2000 amos to come to Beis Din he can then walk 2000 amos in any direction. However, if one traveled beyond three parsaos, which is the Biblical techum boundary,

he will not be permitted to take even one step. The Chachomim are not able to uproot a Biblical prohibition by allowing positive action of walking beyond his boundary. Rabban Gamliel's decree was still regarded as an accomplishment since most of the witnesses came from within the Rabbinic techum boundary. The Ritva in our Mishna has the same viewpoint as well.

The Ramban in Eruvin (43) disagrees and maintains that Rabban Gamliel's decree applied even to those that traveled further than the Biblical techum boundary. He proves this from the Mishna which states that the witnesses can travel on Shabbos the entire night and day, providing that they arrive at Beis Din before the conclusion of Shabbos. The Ramban explains that it is only regarded as transgressing the Biblical prohibition if the entire three parsaos was committed illegally, however if this traveling was done with permission, it is not considered as if he left his original resting place. The witnesses who had permission to travel to Beis Din are not regarded as being beyond their boundary and therefore allowing them an additional 2000 amos now is not overriding a Biblical prohibition.

## **DAILY MASHAL**

### **ROSH CHODESH FOR WOMEN AND FOR THE TRIBE OF LEVI**

➤ Abaye, in explaining the Gemora's reasoning as to why they didn't institute to light

the torches only on the night of the thirty-first is because this would compel the people of Bavel to cease from work for two days in the beginning of Tishrei. Those residing in Bavel would always refrain from work on the thirtieth of Elul since perhaps that day is Rosh Hashanah and if the torches will not be lit until after the thirty-first day, this would force them to abstain from work another day since perhaps Elul had thirty days and the thirty-first day is Rosh Hashanah. This is Rashi's explanation.

Tosfos disagrees and understands the Gemora to be referring to every Rosh Chodesh where there is also a prohibition against working.

We are accustomed to saying that the new Yom Tov of Rosh Chodesh was added for the women as a reward for not willingly participating in the sin of the golden calf. Rav Elyashiv shlita cites one of the Acharonim who adds that according to this, the tribe of Levi also deserved a special Yom Tov since they did not serve the golden calf.

It is written in Pirkei D'Rebbe Eliezer that each one of the festivals was established in the merit of a specific person. Pesach was on the account of Avraham. Shavuos was because of Yitzchak. Sukkos was established due to Yaakov. The twelve Rosh Chodesh's throughout the year was in the merit of the twelve tribes. Once they sinned by the golden calf, it was taken away from them and given to the women. Since Levi

was not involved in the sin, Rosh Chodesh was never taken away from them and it is still regarded as being a special festival for the tribe of Levi.