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Rosh Hashanah Daf 5

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COMPENSATION FOR SHAVUOS

The Gemara asks: and how do the Tanna Kamma and Rabbi Shimon derive that Shavuos has a compensation period? They derive it from a Baraisa taught by Rabbah bar Shmuel, for Rabbah bar Shmuel taught the following: The Torah stated that one should count days and sanctify Rosh Chodesh and it is written in the Torah to count days and sanctify Shavuos. Just as Rosh Chodesh is sanctified for the same amount of time as the unit by which it is counted (one day), so too Shavuos is sanctified for the same amount of time that it is counted by (a week).¹

The Gemara asks on this that we count days to Shavuos as well and therefore its sanctity should be only one day and not seven. Rava answers: Is, regarding Shavuos, there an obligation to count only days and not weeks? But the master has stated: There is an obligation to count days and there is an obligation to count weeks (and therefore we can learn that there is a seven-day compensation period). Furthermore, the Torah explicitly refers to the festival as Shavuos, meaning ‘weeks.’ (5a1)

But can the pesach offering be offered on any of the festivals?² The pesach offering [surely] has a fixed date: if it is brought then, it is offered properly, but if not, it is rejected? — Rav Chisda replied: The pesach offering is mentioned incidentally. Rav Sheishes said: ‘Pesach offering’ here means the shelamim [brought] in lieu of the pesach offering.³ But if

that is so, this is covered by the term shelamim? — Our authority mentions the shelamim [which is brought] in lieu of the pesach offering and he also mentions the shelamim offerings which are brought for their own sake. You might be inclined to think that [the former] being brought in lieu of the pesach offering is compared to the pesach offering.⁴ Therefore we are told [that this is not so]. (5a2 – 5b1)

From where are these rulings derived? — As our Rabbis have taught: When you make a vow [you shall not delay to pay it]. This tells me only [the rule for] a neder (a vow); how do I know that a nedavah (donated-offering) is also included?⁵ We have here the term ‘vow’ and in another place we find the expression if a vow or a donated-offering; just as there a donated-offering goes with the vow, so here, a donated-offering goes with it.

To Hashem your God: this indicates value vows, erech vows, cherem vows, and consecrated things.

You shall not delay to pay it: it, but not its substitute.

For he will surely require it: this indicates chatas-offerings, asham-offerings, olah-offerings and shelamim-offerings.

Hashem your God: this indicates charity contributions, tithes and firstborn.

¹ This teaches us that if one did not bring the korban on Shavuos, he has another six days to compensate.

² So how can there be a prohibition against delaying?

³ If the pesach offering was not brought at the proper time through being lost, another was declared to be a shelamim in its place, and this came under the rule of ‘not delaying’.

⁴ And the transgression of ‘not delaying’ is incurred with the passing of one festival.

⁵ A *neder* is where he said, “It is upon me to bring an *olah*,” he is responsible if it became lost or died; a *nedavah* is where he said, “This animal is hereby an *olah*,” if it died or if it became lost, he is not responsible for it.



From you: this indicates gleanings, forgotten sheaves and corners of the field.

And it will be sin in you; but not a sin in your offering. (5b1 – 5b2)

The Master has [just] said: You shall not delay in paying it; It and not its substitute. Substitute for what? If the substitute for an olah-offering or a shelamim is meant, this is actually offered.⁶ If the substitute for a chatas-offering, this is allowed to perish. How then are we to understand 'its substitute'? — The substitute for a todah-offering, as Rabbi Chiya taught: If a todah offering became mixed up with its substitute and one of them died, there is no remedy for the other, for what is he [the owner] to do? Shall he offer it and offer the bread with it? Perhaps it is the substitute.⁷ Shall he offer it without the bread? Perhaps it is the original todah-offering. But [if that is so,] seeing that it cannot be offered, why do I require a text to exclude it? — Rav Sheishes replied: In point of fact, [the intention of the verse is] to exclude the substitutes for olah-offerings and shelamim offerings, and we are dealing here with the case of one which was kept over during two festivals and then became blemished and the owner transferred its sanctity to another and this was kept over one festival. You might have thought in this case that since it takes the place of the first, it is as if it had been kept over for three festivals; therefore, we are told that this is not so. But according to the view of Rabbi Meir who said that as soon as one festival has been allowed to elapse there is a transgression of the commandment 'not to delay', what can be said? — Rava replied: Here we are dealing with a case where the animal became blemished during the festival and he transferred its sanctity [to another animal], and this was kept over the festival. You might have thought that since it takes the place of the first it is as if it had been kept over during the entire festival; therefore, we are told [that this is not so]. (5b2 – 5b3)

⁶ If the original animal was lost and another substituted and then the first was found, both are offered and the substitute also comes under the rule of 'not delaying'.

And it will be a sin in you, but not a sin in your offering'. Do we derive this lesson from here? Surely it is derived from the text adduced by the 'Others', as it has been taught: Others say: I might say that a bechor after a year has passed is like consecrated things that have become disqualified and so is disqualified. Therefore, it says: And you shall eat before Hashem your God the maaser of your grain and of your wine and of your oil, and the bechoros of your cattle and of your flock. The Torah compares bechor to maaser, [to indicate that] just as maaser is not disqualified by being kept from one year to another, so a bechor is not disqualified by being kept from one year to another.' — It was still necessary [to learn the lesson in the other way]. For you might have thought that this applies only to a bechor, which is not for appeasement, but consecrated things which are for appeasement will not appease [if kept over]. Therefore, I am told that this is not so. - But still [I may object that] the lesson is derived from the exposition of Ben Azzai, as it has been taught: Ben Azzai said: What is the point of the word *oso* [it]? Since it says: You shall not delay in paying it, I might have thought that a vow which is delayed also fails to appease. Therefore, it says, 'it': this one fails to appease, but a delayed vow does not fail to appease! — No; [what we must say is], 'it will be a sin in you', but not in your wife a sin. For you might have thought that, since Rabbi Yochanan [or, as some say, Rabbi Elazar] has said: A man's wife dies only because money is [rightfully] demanded of him [which he stole] and he does not have it [to repay], as it says: Why should he take your bed from under you? And so I would say that his wife will die also because of this transgression of 'not delaying'. We are therefore told [that this is not so]. (5b3 – 6a1)

INSIGHTS TO THE DAF

KOHEN GADOL RESIDING IN YERUSHALAYIM

The Gemora explains the reason why the Torah compares the Festival of Sukkos to Pesach. Just like on Pesach, there is an obligation for a person to stay overnight in Yerushalayim;

⁷ And according to a Gemara elsewhere, bread was not to be brought with the substitute of a todah-offering.



so too there is the same requirement on Sukkos. Tosfos cites a Sifri that anytime someone offers a korban, there is an obligation to stay overnight in Yerushalayim.

The Rambam in Hilchos Kli Hamikdash (5:7) rules that the kohen gadol should live in Yerushalayim and not leave. This halacha is a bit perplexing as there is no source in Chazal for it.

The Minchas Chinuch (136) quotes from one of his students that perhaps the source for the Rambam is the Sifri that states that one who brings a korban is required to stay overnight in Yerushalayim. The kohen gadol offers a mincha (flour offering) every morning and perhaps this is the reason he must reside in Yerushalayim.

Rav Yosef Engel in Gilyonei Hashas here challenges this explanation from a Gemora in Sanhedrin (18b) that states that a kohen gadol is allowed to be a member of the Sanhedrin. Perhaps the Sanhedrin will be required to leave the city to measure boundaries for the halachos of eglah arufah or to add on to the city? The kohen gadol would be prohibited from leaving Yerushalayim and will therefore be unable to rule on these matters. Rav Elyashiv Shlita does not understand the question. The requirement for staying overnight does not prohibit one from leaving the city at all. One would be permitted to leave on a temporary basis and this obligation should not preclude the kohen gadol from being a member of the Sanhedrin. Furthermore, it is possible that he brought the mincha through an agent and then there is no obligation to be in Yerushalayim at all.

WHY DELAYING MIGHT DISQUALIFY THE KORBAN

The Gemora cites several sources to teach us that even if one delays on the bringing of a korban, the korban is still valid.

The commentators all ask as to what would be the logic of invalidating the korban? While it is true that the owner committed a transgression by not bringing the korban in the proper time but why would the korban become unfit to be brought?

There are many answers on this question and we will cite several of them. The Shitah Mekubetzes in Zvachim (29a) answers that this would be compared to a korban which is passed its time limitation. The same way that the korban is invalid, perhaps if the person passes his time limitation, the korban becomes disqualified as well.

Turei Even answers that there is a principle by kodoshim that if the Torah repeats a law twice, this indicates that the kodoshim is unfit to be used. In our Gemora, there were several verses cited to prove that one is not allowed to delay the offering of the korban and therefore there is a legitimate reason to believe that the korban will become disqualified.

The Pnei Yehoshua answers that since the possuk states “Do not delay like you vowed,” one might think that if you will delay, that will annul the vow.

Minchas Oni (son-in-law of the Noda Beyehuda) answers that Rava states that whenever the Torah commands that something should not be done, if it is done, it is not valid. The Torah warns us that one should not delay in bringing the korban, so one might think that if you do procrastinate, the korban will be disqualified.

DAILY MASHAL

THE TORAH IS PRECIOUS TO THE JEW

The Gemora explains a verse in Tehilim to mean the following: Since the Torah is precious to the Jews as a female dog to gentiles; they will receive the golden jewelry of Ophir.

The comparison is astounding and needs to be explained. The Netziv explains that a gentile’s infatuation and attraction to a female dog cannot be explained and cannot be fathomed by an ordinary person. So too, the love that Klal Yisroel have to the Torah cannot be understood by someone who doesn’t possess the desire to learn. Torah and Klal Yisroel are one and the same. The soul of a Jew is bound to the Torah.