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Rosh Hashanah Daf 23

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

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### Erez trees

The Mishnah 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*, *kasrom*, *eitz shemen*, and *berosh*.

The Gemora cites three possibilities for the *kasrom* tree: Rav says it is *idra*, Rabbi Shaila's Academy taught it is *mavliga*, while some say it is *gulmeish*.

The Gemora says that Rav Yehudah's statement differs with Rabbah bar Rav Huna, who quotes the Academy of Rav teaching that there are 10 types of *erez*, based on a verse, in which Hashem says: I will set in the wilderness *erez* (1), *shitah* (2), and *hadas* (3), and *eitz shemen* (4); I will place in the desert *berosh* (5), *tid'har* (6), and *te'ashur* (7) all together.

The Gemora identifies the species listed in the verse:

1. *erez* is cedar
2. *shitah* is pine
3. *hadas* is myrtle
4. *eitz shemen* is balsam
5. *berosh* is boxwood
6. *tid'har* is fir
7. *t'ashur* is shurivna

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

When Rav Dimi came, he said that three more species were added later: *alonim*, *almonim*, and *almugin* trees.

The Gemora identifies them:

*Alonim* are elms

*Almonim* are oak

*Almugin* is coral

Some say the three later ones are *aronim*, *armonim*, and *almugin* trees.

The Gemora identifies them:

*Aronim* are laurels

*Armonim* are chestnuts

*Almugin* is coral

The Gemora cites a verse relevant to the coral tree (which grows from the floor of the sea). The verse describing how large the stream which will flow from the Bais Hamikdash will be says that a mighty boat will not be able to cross it. Rav explains that this refers to a large *burni* boat. How would they use it? They would bring 6000 workers for 12 months, or as some say, 12000 workers for six months, and they would fill up this boat with sand, until it would rest on the bottom of the sea. A deep diver would then dive underwater and tie thick flax ropes to the roots of the coral and tie the other ends to this boat. They then would cast the sand overboard, raising the boat, and thereby uprooting the coral, and they would exchange one measure of coral



for two measures of silver. There were three ports, two in Aramean territory and one in Persian territory. From those in the Aramean territory, they would bring up coral, while from the one in the Persian territory, they would bring up pearls, and it was called the Port of the Kingdom.

Rabbi Yochanan says that for every tree that the gentiles took from Jerusalem, the Holy One, Blessed be He, will return another one to the Jews in the future, as the verse states: I will place in the wilderness cedar, pine. And the word 'wilderness' means nothing but Jerusalem, as it is stated: Zion has become a wilderness etc.

Rabbi Yochanan also says that one who learns Torah but does not teach it [to others] is like a myrtle tree in the wilderness.<sup>1</sup> Some cite him saying that one who learns Torah and teaches it in a place where there are no other Torah scholars - is like a myrtle tree in the wilderness, which is especially precious.<sup>2</sup>

And Rabbi Yochanan also said: Woe is to the idolaters (who have persecuted the Jews), for there is no recourse (for their actions).<sup>3</sup> As it is stated: In place of copper I will bring gold, and in place of iron I will bring silver, and in place of wood – copper, and in place of stones - iron. But in place of Rabbi Akiva and his colleagues, what can be brought (in place of them)?<sup>4</sup> And regarding them it is said: Though I will cleanse [the nations of their other sins], but for the blood [of the Jewish people], I will not cleanse them. (23a2 – 23a3)

<sup>1</sup> Where no one can partake of its pleasant smell.

<sup>2</sup> On account of its scarcity.

<sup>3</sup> As that which they have destroyed is irreplaceable.

<sup>4</sup> Although Hashem says that He will replace all the material taken from Yerushalayim with superior material (gold for

The Mishnah had stated: And at which points did they light the torches? Etc. and from Beis Baltin [they did not move from there, but went on waving back and forth and up and down until he saw the whole of the Diaspora before him like one bonfire].

What is Beis Baltin? Rav identifies it as Biram.<sup>5</sup> What is the Diaspora? Rav Yosef identifies this as Pumpedisa. What does it mean like a bonfire? A Tanna taught the following Baraisa: Each individual [in the Diaspora] would light a torch on his roof (creating the effect of a big bonfire throughout the region).

The Gemora cites a Baraisa: Rabbi Shimon ben Elazar lists more stations: Charim, Chayar, Geder, and its environs. Some say these were along the route listed in the Mishnah, while others say that there were on the other side of Eretz Yisroel, and that one authority [the Mishnah] reckons the places on one side, and the other reckons the places on the other.

Rabbi Yochanan says that the distance between each station (listed in the Mishnah) is eight parsas'os. How much is the total distance? Thirty-two parsas'os. – But surely the distance we observe today is larger? Abaye says that (after the Bais Hamikdash was destroyed) the roads were obstructed (making trips longer), as it is written: Therefore, behold, I will hedge your road with thorns. Rav Nachman bar Yitzchak supports it from the following verse: He twisted my paths. (23a3 – 23b1)

MISHNAH: There was a big courtyard in Jerusalem, named Beis Yazek, where the witnesses testifying to the

copper, silver for iron, copper for wood, and iron for stone), there is no replacement for Rabbi Akiva and his fellow martyrs.

<sup>5</sup> A place at the extremity of Eretz Yisroel, the point closest to Babylonia.



new moon would all gather, and Beis din would examine them there. They provided large meals for them, to encourage them to come. Originally, witnesses who arrived (on Shabbos from outside the techum, and could not move from there) did not move from there the whole day. Rabban Gamliel the Elder instituted that they may walk 2000 amos in each direction. And not only for these, but he instituted the same rule for a midwife who came to help a mother deliver a baby, or for someone who came to help save people from a fire, an attacking militia, an overflowing river, or a collapsing building. They are regarded like the people in the city, and they may walk 2000 amos in every direction. (23b1 – 23b2)

The Gemora inquires: Was the courtyard Beis Ya'azek that we have learned in the Mishnah, or was it Beis Yazek that we have learned in the Mishnah? Was it Beis Ya'azek that we have learned in the Mishnah, as a positive expression, for it is written: *vaye'azkaihu – and he fenced it in and cleared it of stones*, or was it Beis Yazek that we have learned in the Mishnah, as an expression of discomfort, as it is written: *zikim – and he has been bound in chains*?

Abaye attempts to resolve this from the Mishnah'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.<sup>6</sup> (23b2)

**MISHNAH:** How would they examine the witnesses? The pair that arrived first – they would examine first, and with each pair, they would first bring in the more

<sup>6</sup> They were served great feasts there, so it was enjoyable; on the other hand, they were confined there, and this caused them great discomfort.

senior witness, and they would say to him: How did you see the moon?

1. Did you see it in front of the sun or behind the sun?
2. To the sun's north or south?
3. How high [in the sky] 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.<sup>7</sup>

Afterwards they would bring in the second one, and examine him as well. If their words were found to be consistent, their testimony was accepted. They would ask all the other witnesses the main points, 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. (23b2 – 23b3)

### **In front of the sun**

The Gemora asks: How were the first two questions different (s 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 indentation 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 said: what is the meaning of that which is written: Dominion and dread are with Him; He makes peace in His abode? Hashem ensures that the sun never faces the concavity of the moon, nor the concavity of the rainbow. The sun never faces the concavity of the moon, since that would

<sup>7</sup> As the new moon always trails behind the sun in its path across the sky.



cause the moon to be disheartened (as it is smaller than the sun), and it never faces the concavity of the rainbow, to prevent those who worship the sun from saying that the sun was shooting arrows at those who deny its divinity. (23b3 – 24a1)

## **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 Hamikdosh 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 Mishnah 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 Mishnah 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.