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Daf 31

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

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

HYMNS OF THE LEVIIM

➤ The Gemora cites a braisa which lists the hymns that were sung by the Leviim together with the korban tamid. It also discusses the reason that particular psalm was recited then. Rabbi Yehudah in the name of Rabbi Akiva maintains that each day's song was referring to the event that happened on the corresponding Day of Creation. Shabbos, however, was different and its psalm discussed the harmony that will exist in the future. Rabbi Nechamya holds that the psalm recited on Shabbos also referred to the Shabbos Day of Creation. (31a)

OTHER HYMNS

➤ The Gemora discusses the hymns that were sung on Shabbos by the korban mussaf and by the afternoon korban tamid. The Gemora concludes that they would divide Parshas Haazinu into six segments and one segment was recited each week by the korban mussaf. (31a)

TEN STAGES

➤ It was said in the name of Rabbi Yochanan that the Heavenly Presence of Hashem journeyed ten journeys during the destruction of the first Beis Hamikdosh. Correspondingly, the Sanhedrin was exiled ten exiles during the destruction of the

second Beis Hamikdosh. The Gemora cites Scriptural verses which specify the ten journeys of the Shechinah. The Gemora lists the ten locations that the Sanhedrin was exiled to during the destruction of the second Beis Hamikdosh.

[The Sanhedrin's first stop after leaving Jerusalem was the city of Yavneh, which was established as a center of Torah study by Rabban Yochanan ben Zakkai, and became most famous under the direction of Rabban Gamliel of Yavneh. Throughout its continuing travels, the Sanhedrin was headed by descendants of the family of Hillel.

It appears that the Sanhedrin was moved to Usha in the aftermath of the Bar-Kokhba revolt, where a series of Rabbinic enactments - called *takkanot Usha* - were established. Under the leadership of Rabbi Shimon ben Gamliel there was an unsuccessful attempt to return the Sanhedrin to Yavneh, but due to the overwhelming devastation in the southern part of the country, they returned to the Galilee, first to Usha and then to Shefar'am.

Rabbi Yehudah ha-Nassi first sat in Bet She'arim together with the Sanhedrin, but he was forced to move to Tzipori, which was on a higher altitude,

for reasons of health. His son, Rabban Gamliel, settled in Teverya, and the Sanhedrin remained in that city until it was finally dissolved. Courtesy of the Aleph Society]] (31a – 31b)

HEAD OF THE BEIS DIN

➤ The Mishna states that even if the Head of the Beis Din was elsewhere, the witnesses were still required to go to the place that Beis Din was regularly assembled. (31b)

The Gemora relates an incident regarding a woman who was called by Ameimar (the head of the Beis Din) to Nehardea, but then he left for Mechoza and she didn't follow him, so they excommunicated her. Rav Ashi asked Ameimar "What about that Mishna which states that that one should go to the Beis Din even if the Head of the Beis Din is elsewhere. Ameimar responded that the Mishna only applies to testimony for the new moon so that they'll come back in the future. However, this does not apply to other types of litigation. (31b)

RABBAN YOCHANAN BEN ZAKKAI'S OTHER DECREES

➤ One of the nine decrees of Rabban Yochanan ben Zakkai is that the Kohanim are not allowed to wear sandals when they ascend the platform (duchan) to bless the congregation.

When the Temple stood, a convert had to bring a pair of birds as an offering. Afterwards, in the absence of a Temple, they still had to set aside a quarter-shekel for the offering. Rabbi Yochanan ben Zakkai annulled this decree since it can lead to

a stumbling block of someone benefiting from the hekdesch money.

There is an argument in the Gemora regarding the ninth decree of Rabbi Yochanan ben Zakkai. Rav Pappa maintains that it was regarding the fourth-year fruits from a vineyard. The produce of a vineyard in its fourth year must be brought to Yerushalayim. However, if one lives within a day of Yerushalayim, he would be required to bring the fruits itself. Rabbi Eliezer wanted to give the fruits to the poor since it was too difficult for him to travel. He was told that Rabbi Yochanan ben Zakkai already permitted one to redeem the fruits even if one is within one day of Yerushalayim.

Rav Nachman bar Yitzchak disagrees and he holds that the ninth decree was regarding the strip of red wool. There was a red ribbon that was hung up outside the entrance of the Temple on Yom Kippur. It would turn white if the people's sins had been cleansed. If it turned white, they were happy; if not, they felt distressed. They didn't want Klal Yisroel feeling sad so they began to tie it inside of the Beis Hamikdosh. They were able to peek in anyway and it was decreed that half of it was tied to the rock and the other half went over the cliff with the he-goat. This was instituted by Rabbi Yochanan ben Zakkai. (31b)

The Gemora asks: Why didn't Rav Nachman bar Yitzchak accept the view of Rav Pappa?

The Gemora answers: He could reply: If you assume that it was Rabbi Yochanan ben Zakkai (who



instituted the rule about the vine), was he the colleague of Rabbi Eliezer? He was his teacher!

The Gemora notes that Rav Pappa would reply to this as follows: Since those (who reported the rule to him) were his disciples, it was not polite of them to say to their teacher, “your teacher.”

The Gemora asks: Why didn’t Rav Pappa accept the view of Rav Nachman bar Yitzchak?

The Gemora answers: He could reply as follows: If you assume it was Rabbi Yochanan ben Zakkai (who instituted the rule about the red ribbon) was there in the days of Rabbi Yochanan ben Zakkai a red ribbon (which turned white]? Has it not been taught in a braisa: Rabbi Yochanan ben Zakkai lived for one hundred and twenty years. The first forty he was involved in business, the second forty he learned, and the third forty he taught others. The *braisa* also states: Forty years before the destruction of the Temple, the red ribbon never turned white but it remained red. Further, we learned in our Mishna (several times), ‘After the destruction of the Temple, Rabbi Yochanan ben Zakkai made a rule.’

The Gemora notes that Rav Nachman bar Yitzchok would reply that during those forty years that he studied, his status was that of a disciple sitting before his teacher, and he offered a suggestion (regarding the red ribbon) and his reasoning was deemed sound (by his teacher, who then instituted that the ribbon should be removed from the Temple), and his teacher established it in his name.

INSIGHTS TO THE DAF

WHERE CAN ONE START AND WHERE CAN ONE STOP?

➤ The Gemora discusses the hymns that were recited by the Leviim in the Beis Hamikdosh on Shabbos. The Gemora concludes that they would divide Parshas Haazinu into six segments and one segment was recited each week by the korban mussaf.

The Turei Even asks from a Gemora Brochos (12) which rules that any place in the Torah that Moshe Rabbeinu did not pause; we are forbidden to pause as well. How were the Leviim permitted to stop in places that Moshe did not stop? He answers that since they intended to complete it the next week, it is not regarded as interrupting the portion (even though there will be different Leviim the next week).

Magan Avrohom (O”C 282) asks this question as well as inquiring into different verses from the Torah that we recite during tefillah which are incomplete. He answers that we only apply the principle that one can not interrupt in middle of a verse when one is engaged in Torah study or reading from the Torah. If, however, one is reciting verses for the purpose of prayer or mitzvah observance, there is no prohibition of interrupting in middle of a verse.

Rav Nosson Grossman states that perhaps through this principle, we can answer the Turei Even’s

question. The Leviim are not reciting these pesukim as Torah, rather they are being said on account of shirah, song and therefore it will not be subject to the prohibition of stopping in an incorrect place. However, it would seem evident that the Magen Avrohom will not concur with this since he states that principle and nevertheless does not apply it to the Leviim's shirah.

Rav Yaakov Kamenetzky in his sefer Emes L'Yaakov in Parshas Ki Sovo uses this principle to answer a Rambam. The Rambam in Hilchos Bikurim cites the pesukim that a person must recite when he brings his first fruits to the mizbeach. The commentators ask that the last words of this recital conclude in middle of a possuk and this is against the dictum of stopping in a place that Moshe did not stop. Reb Yaakov answers that this ruling does not apply by such mitzvos, such as bikurim. It is only a concern when pesukim are being recited because of Torah.

He uses this principle to explain why a kohen is not required to recite the Priestly Blessing while reading from a Torah. There is a halachah that when one recites verses from the Written Law, he is prohibited from saying them "by heart." The explanation is that that this halachah applies only when someone is reciting verses because of Torah but here they are being recited because of a mitzvah and therefore there is no requirement that these pesukim should be read from a Torah.

This principle is somewhat troubling as the source for the halachah is the Gemora Brochos which is discussing the mitzvah of reciting krias shema. The

Gemora states regarding this mitzvah that if Moshe did not stop there, we cannot. How can these Acharonim say that this halachah only applies by Torah and not by mitzvos?

It would seem that this would be a proof to the opinion of the Keren Orah in Sotah and the Brisker Rav who maintain that the mitzvah of reciting krias shema every day is actually a mitzvah of "Talmud Torah." The obligation is to recite portions of the Torah twice daily. Obviously there is a mitzvah of accepting the yoke of Heaven by reciting these portions but the commandment of the Torah is to learn these portions once in the morning and once at night. This explains why the halachah of stopping where Moshe didn't stop does apply.

DAILY MASHAL

America; Torah's Final Resting Place

It is said in the name of Rav Elchonon Wasserman, the Rosh Yeshiva in Baranovitch, that he said over in the name of Rav Chaim Volozhiner that we find in the Gemora that the Heavenly Presence travelled ten journeys, and correspondingly, the Great Sanhedrin was exiled ten times during the time of the destruction of the Second Temple; similarly, he said that the Holy Torah also was exiled ten times, and he proceeded to count those ten places. When he reached the tenth place, he said it will be in America, and at that point, he began sobbing uncontrollably.