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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishnah: These are the festivals of idolaters: Calenda, Saturnalia and Kratesim. Empire Day, Coronation Day of Kings, the day of birth and the day of death - this is R. Meir's opinion. The Rabbis say: every death on which there was burning is idolatrous; where there was no burning, it is not idolatrous. The day on which he shaves his beard and hair lock, and the day on which he returned from the sea, and the day he was released from prison, and a gentile who makes a feast for his son - it is not forbidden except on that day and only with that man. (8a2 – 8a3)

Rav Chanin bar Rava explained that Calenda lasts for eight days after the winter solstice, and Saturnalia is celebrated for the eight days preceding the winter solstice; and as a mnemonic (*to remember which one is when*) take the verse: *Later and earlier you formed me.* [The festival that follows (is later) than the solstice is mentioned first in the Mishnah, just as the word “later” is mentioned before “earlier” in the verse.]

Our Rabbis taught in a Baraisa: When Adam HaRishon saw the day getting gradually shorter, he said, “Woe is me, perhaps because I have sinned, the world around me is being darkened and returning to its state of chaos and confusion; this then is the kind of death to which I have been sentenced from Heaven!” So he began keeping an eight days’ fast. But as he observed the winter equinox and noted the day getting increasingly longer, he said, “This is the world's course,” and he set forth to keep an

eight days’ festivity. In the following year he appointed both as festivals. Now, he fixed them for the sake of Heaven, but the [heathens] appointed them for the sake of idolatry.

The Gemara asks: This is understandable according to the one who holds that the world was created in Tishrei, so that he saw the short days before seeing the longer days; but according to the one holding that the world was created in Nissan, Adam must have seen the long days as well as the short ones!?

The Gemara answers: Still, he had not yet seen the very short days.

Our Rabbis taught in a Baraisa: When Adam, on the day of his creation, saw the setting of the sun he said! “Alas, it is because I have sinned that the world around me is becoming dark; the universe will now become again void and without form — this then is the death to which I have been sentenced from Heaven!” So he sat up all night fasting and weeping and Eve was weeping opposite him. When, however, dawn broke, he said: “This is the usual course of the world!” He then arose and offered up a bullock whose horns were developed before its hoofs, as it is said [in Tehillim]: And it [my thanksgiving] shall please the Lord better than a bullock that has horns and hoofs.

Rav Yehudah said in the name of Shmuel: The bullock which Adam offered had only one horn in its forehead, as



the verse says: And it shall please the Lord better than a bullock that is horned and hoofed. But doesn't 'horned' imply two horns? Rav Nachman bar Yitzchak said: 'Horned' is here spelled [defectively – without a 'yud'].

Rav Masnah asked: When Rome appoints a Kalend and there are towns in its vicinity subjected to her, is it forbidden or permitted [to transact business etc.] in those towns? Rabbi Yehoshua ben Levi said: On the Kalends the prohibition applies to all. Rabbi Yochanan said: The prohibition applies only to [the Romans] who celebrate it.

A Baraisa is taught which accords with the view of Rabbi Yochanan: Even though it was said that when Rome institutes Kalends they extend to all the towns in its vicinity which are subjected to it, yet the actual prohibition is only in regard to those who celebrate it.

As to Saturnalia, Kratesis, Royal Celebrations, or the day on which a king is proclaimed, the prohibition applies to the period preceding them, but thereafter it is permitted. If an idolater gives a banquet for his son the prohibition is limited to that day and that man.

Rav Ashi said: We ourselves have learned likewise. For our Mishnah states: [As to] the day of shaving one's beard or lock of hair, or the day of landing after a sea voyage, or the day of release from prison — the prohibition applies only to that day and that particular person. Now, it rightly says 'that day,' thereby excluding the preceding and following [days], but what is 'that man' meant to exclude, unless it excludes those subjected to him? From here then you deduce it! (8a3 – 8a5)

It has been taught in a Baraisa: Rabbi Shimon ben Elazar said: Israelites who reside outside Palestine serve idols though in pure innocence. If, for example, an idolater gives a banquet for his son and invites all the Jews in his town, then, even though they eat of their own and drink of their own and their own attendant waits on them, the Torah regards them as if they had eaten of the sacrifices to dead idols, as it is said: And he will call you and you will eat of his sacrifice.

But does not this apply to actual eating?

Rava said: If that were so, the verse would have only said: And you shall eat of his sacrifice; why then say: And he will call you? That extends the prohibition to the time of the participation. Hence, during the entire thirty days [following a marriage celebration] whether it is or it is not mentioned that the banquet is connected with the wedding, [participation in it] is forbidden; from that time onward, however, if it is stated that it is connected with the wedding, it is forbidden, but if its connection with the wedding is not mentioned, it is permitted. - And how long [is it forbidden] if it is connected with the wedding? — Rav Pappa said: For twelve months afterwards. - And how long is it forbidden beforehand? — Rav Pappa said in the name of Rava: From the time when the barley is placed in the tub¹.

The Gemara asks: Is it, then, permitted [to partake of food in the house] after twelve months? Yet Rabbi Yitzchak the son of Rav Mesharsheya, who happened to be in the house of a certain idolater more than a year after a marriage, when he heard that they were feasting [because of that event] abstained from eating there!

¹ Some time prior to a wedding, barley was customarily sown in tubs to sprout forth in time for the wedding, when

they were placed before the bridal pair to symbolize fertility.



The Gemara answers: It is different with Rabbi Yitzchak the son of Rav Mesharsheya who was a highly esteemed man². (8a6 – 8b1)

What does Kratesis mean? Rav Yehudah said in the name of Shmuel: [the anniversary of] the day on which Rome extended her dominion.

The Gemara asks: But have we not learned in a Baraisa: Kratesis and the day on which Rome extended her dominion?

Rav Yosef answered: Rome extended her dominion twice; once in the days of Cleopatra the queen [of Egypt] and [once before] in the days of the Greeks. For when Rav Dimi came he said: Thirty-two battles did the Romans fight against the Greeks and could not prevail against them until the Romans made an alliance with the Israelites. And these were the conditions made with them: If the kings are [chosen] from among us, the princes should be chosen from your midst, and if the kings are chosen from among you, the princes shall come from our midst. Then the Romans sent word to the Greeks as follows: Up until now we have been fighting matters out, now let us argue them out: Of a pearl and a precious stone which shall form a setting for which³? They sent the reply: The pearl for the precious stone. And of a precious stone and an onyx which shall form a setting to the other? The precious stone to the onyx, was the reply. And of an onyx and the Book of the Law which shall serve as the setting for the other? The onyx for the Book of the Law, they replied. The Romans then sent word: In that case, the Book of the Law is in our possession, for Israel is with us. Thereupon the Greeks gave in. For

twenty-six years did the Romans keep faith with Israel, thereafter they subdued them.

What Scriptural support did they have for their former attitude and what for the latter? To the former may be applied the words: Let us take our journey and let us go. And to the latter may be applied the words: Let my lord now pass before his servant.

From where can it be proved that Rome kept faith with Israel for twenty-six years? [From the following:] For Rav Kahana said: When Rabbi Yishmael ben Yosi was ill they sent word to him: Rabbi, tell us the two or three things which you have told us in your father's name. He then told them: One hundred and eighty years before the Temple was destroyed did Rome cast her rule over Israel; eighty years before the destruction of the Temple it was decreed that neighboring countries of Palestine were to be regarded as ritually unclean, and likewise all glass vessels. Forty years before the Temple was destroyed did the Sanhedrin abandon [the Temple] and held its sittings in Chanus⁴.

Has this any legal bearing? Rabbi Yitzchak bar Avdimi said: It indicates that [from that time onward] they did not deal with cases of penalties. 'Cases of penalties'! How can that enter your mind? Hasn't Rav Yehudah said [the following] in the name of Rav: Indeed, that man, Rabbi Yehudah ben Baba by name, be remembered for good, for were it not for him the laws of penalties would have been forgotten in Israel? 'Forgotten'! Surely, they could be studied? Rather, they would have been abolished; for the wicked Government of Rome issued a decree that he who ordains a Rabbi shall be slain, likewise he who is ordained shall be put to death, the town in which an

² And importance would have been attached to his partaking of the celebration even at a later period.

³ I.e., which is the inferior of the two.

⁴ A building on the Temple Mount.



ordination takes place shall be destroyed and the techum in which the ordination is held shall be laid waste. What did Rabbi Yehudah ben Baba do? He went and sat down between two mountains and between two large towns between two techums, namely, between Usha and Shefaram and there he ordained five elders: Rabbi Meir, Rabbi Yehudah [ben Il'ai], Rabbi Yosi, Rabbi Shimon and Rabbi Elozar ben Shammua (Rabbi Avia adds also Rabbi Ncehemiah). On seeing that they were detected by the enemies, he said to them, "Flee, my children!" but they said to him, "And you, O Rabbi, what about you?" He replied, "I will lie still before them, even as a stone that is not turned." It was stated that the Romans did not move from there until they drove three hundred iron spears into his body and made his corpse like a sieve!

Rather, said Rav Nachman bar Yitzchak: Say not that 'cases of penalties' ceased, but that capital cases ceased. Why? — Because when the Sanhedrin saw that murderers were so prevalent that they could not be properly dealt with judicially, they said: Rather let us be exiled from place to place than pronounce them guilty [of capital offences], for it is written: And you shall do according to the sentence, which they of that place which the Lord shall choose shall tell you, which implies that it is the place that matters.

[Now, it was mentioned above that Rome cast her rule over Israel] one hundred and eighty years prior to the Destruction. Isn't the period longer? For Rabbi Yosi bar Rebbe taught in a Baraisa: Persian rule lasted thirty-four years after the building of the Temple, Greece ruled one hundred eighty years during the existence of the Temple, the Chasmonian rule lasted one hundred three years during temple times, the House of Herod ruled one hundred three years. From then onward, one should go on counting the years as from the Destruction of the

Temple. Hence we see that it was two hundred and six years, yet you say one hundred and eighty years!?

The Gemara answers: For twenty-six years the Romans kept faith with Israel and did not subdue them, and therefore those years are not reckoned in the period during which Rome cast her dominion over Israel. (8b1 – 9a1)

DAILY MASHAL

The customs of piyutim

One of the most expansive disputes, discussed by all Rishonim, was the dispute about the *piyutim*. Many *piyutim* were composed over the generations, such as those known as *krovetz* (the initials of the verse [Tehilim 118:15] *kol rinah vishu'ah beholei tzadikim* [Beis Yosef, O.C. 68]) and those known as *yotzeros*, since they are said in the *berachah* of *yotzer or*.

The *Tur* (O.C. 38) writes that though many of the *piyutim* were composed by great and holy primeval *tzadikim*, the *Remah* ruled that they must not be said as the mishnah in Berachos 11a says: "...a *berachah* that is short should not be elongated." Aside from that, the *Tur* adds that the custom should be done away with as some of the congregants use the time devoted to *piyutim* for mundane talk.

Two Ashkenazic customs: However, the Ashkenazim had two common customs. Some say the *piyutim* instituted for the repetition of *Shemoneh 'Esreh* but not the *piyutim* between *Yotzer or* and *Shemoneh 'Esreh* whereas others had the custom to say all the *piyutim*. HaGaon Rabbi Naftali Tzevi Yehudah Berlin zt"l, known as the Netziv of Volozhin, devotes a long and fascinating responsum (Responso *Meishiv Davar*, I, 13) to the roots of these

customs, based on Tosfos on our *sugya* and the *Mordechai* on Berachos (Ch. 3), as follows.

An individual's prayer must not be interrupted: Our Gemara concludes that a person may add requests in the *berachah* of *shome'a tefilah* and that after his prayer, he may request anything at length. It seems, then, that one shouldn't add lengthy prayers during the regular prayer. Tosfos (s.v. *Im ba*) wonder why people have the custom to add lengthy *selichos* to the *berachah* of *Selach lanu* on fast-days. They answer that only an individual is forbidden to add to his prayer whereas *piyutim* and requests may be added during the public repetition of *Shemoneh 'Esreh*.

The *Mordechai* (ibid) explains the matter differently. In his opinion, the prohibition only refers to prayers concerning the needs of an individual whereas prayers for the needs of the general public may be said. As proof, in the first three and last three *berachos* of *Shemoneh 'Esreh* one mustn't add even short individual requests but nonetheless, *Chazal* instituted *Zochreinu lechayim* ("Remember us for life") in the Ten Days of Repentance, though that request is not essentially connected with the first *berachah*.

The difference between Tosfos and the *Mordechai* brought forth the two customs common among the Ashkenazim. Some behaved according to the *Mordechai*, that *piyutim* concerning the needs of the congregation are not considered an interruption in prayer, and therefore had the custom to say *piyutim* even between *Yotzer or* and *Shemoneh 'Esreh*. Others behaved according to Tosfos – that an individual must not add *piyutim*, even those concerning the needs of the congregation – and therefore said *piyutim* only during the public repetition of *Shemoneh 'Esreh*.

The Vilna Gaon's custom: The Netziv, who served as *Rosh Yeshivah* of the famous Volozhin Yeshivah, also explains the Vilna Gaon's custom practised at his institution, not to say any *piyutim*, even during the repetition of *Shemoneh 'Esreh*, except during the Ten Days of Repentance and on Purim. The Gaon's custom is based on a statement in tractate Soferim (19:8), that "with difficulty they allowed" saying *Zochreinu lechayim*. We learn therefrom that only due to the fear of the Judgement, prevalent in those days, *Chazal* permitted us to plead "Remember us for life", though the basic halachah is that one shouldn't add requests to Chazal's formula of prayer (see ibid for further proof). On Purim they added a prayer to publicize the miracle.