

Daf Hashvuah Gemara and Tosfos Rosh Hashana Daf 4
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Daf 4a

R' Kahana asks: did he really sour? After all, it says “and what they require, and young bulls, and rams, and lambs for burnt offerings to the God of the heavens, wheat, salt, wine, and oil, according to the statement of the priests who are in Jerusalem, let it be given to them daily without delay.” R' Yitzchok answers: Rebbi, from the place of your question you'll find your answer “that they should offer up pleasing sacrifices to the God of heaven and pray for the lives of the king and his children.” The Gemara asks: if someone who does this isn't good? After all, we learned; if someone says he'll give a Selah to Tzedakah for my son to live, or so I should merit the next world, he's totally righteous. The Gemara answers: we only say that by Jews and not by non-Jews.

Tosfos is bothered by the question: in Mesechta Avos it says “don't be like servants who serve their masters to receive a portion.” (So, you shouldn't be doing Mitzvos in order to get something from it?)

Tosfos answers: that's like by the non-Jews, (that if what they request didn't materialize), they feel bad about doing their previous good deeds.

Alternatively, we see he soured from the following: “three rows of marble and a row of new wood, and the expenditures shall be given from the royal house.” Why did he need to do that? He said: if the Jews rebel against me, I'll burn them with fire.

Tosfos points out: this was written in the original Koresh's manuscript, like it says in Ezra that Daryavush ordered to find the old plans as it says that Daryavush commanded to check in the archived library. (So, perhaps we shouldn't hold Daryavush accountable for it.) Still, since he commanded to build the Mikdash from that manuscript, (he's responsible for it) and it proves that he soured.

Tosfos asks: that before this it says that they stopped building in the beginning of Achashveirosh's rule, and it says that it was dormant until Daryavush's second year (where he gave permission to build according to this bad condition). The prophecy of Chaggai, where he counted his year from Nissan, happened in the second year (when he already soured with this command) and so many other times (they counted him from Nissan) that it doesn't write in our Gemara. So, we see that we count him from Nisan despite that he already soured.

Tosfos answers: perhaps, at the time, they weren't aware of this command until afterwards. (So, they counted him from Nissan, since they were under the impression that he was still righteous.)

The Gemara asks: didn't Shlomo also do that, at it says “and he built the inner court with three rows of hewn stone and a row of cut cedar beams?” The Gemara answers: Shlomo made it on top and Daryavush did it on the bottom.

Tosfos explains that this was not implied from the Pasuk, but they had a tradition that this

was so.

Shlomo recessed it within the building and Daryavush didn't. Shlomo plastered it and Daryavush didn't cover it.

R' Yosef or R' Yitzchok says: we see he soured from the following: it says "and the king said to me, and the Shegel was sitting beside him." What is this 'Shegel?' Rabbah b. Leima said in the name of Rav: a dog. The Gemara asks: if so, but it says; "but over the Lord of heaven you exalted yourself, and the vessels of His House they brought before you, and you, your dignitaries, your queen, and your 'Shegels' drank wine in them." If it's true that a Shegel is a dog, is it normal for dogs to drink wine? The Gemara answers: they were trained to drink wine.

The Gemara asks: if so, the Pasuk says "the daughters of kings will visit you; the 'Shegel' will stand at your right [bedecked] with golden jewelry from Ophir." If a Shegel is a dog, then, what promise is the Navi telling the Jews? The Gemara answers: in the merit that the Torah is dear to the Jews like dogs are dear to non-Jews, they'll merit Ophir jewelry.

Alternatively, really Shegel means a queen. Rabbah b. Leima (wasn't defining Shegel, but was) only saying over a tradition that this 'queen' was a dog. Why was it called a queen? Since it was dear to him like a queen. Alternatively, he placed her in the place of a queen.

Alternatively, where do we see that he soured? from "until a hundred talents of silver, and until a hundred Kors of wheat, and until a hundred baths of wine, and until a hundred baths of oil, and salt, [whose amount] is not written etc." **Tosfos explains that this was the seventh year of the king's reign when Ezra came up from Bavel.** Originally, he offered without an amount, and now he's limiting it to this amount. The Gemara rejects this. After all, it's possible that, originally, they didn't know what amount is necessary (and now they found out, so he's giving all supplies that are necessary). Rather, the true answers are the ones we already said.

New Sugya

The Mishna list (the first of) Nissan as the Rosh Hashana for festivals. The Gemara asks: is the first of Nissan the Rosh Hashana for it? Isn't the fifteenth of Nissan the Rosh Hashana? R' Chisda answers: it means to say the festival of this month is the Rosh Hashana for the festivals.

The Gemara says: the practical difference to consider it Rosh Hashana is when someone vows to bring a Korban, that he transgresses Baal T'achar [don't delay it] (if it passes three festivals, and Pesach needs to be the first of the three). This is the opinion of R' Shimon. As we learned: it doesn't matter if he avowed to bring a Korban, he was Makdish an animal or if he promised Erichin, the Tanna Kama says that he transgresses Baal T'achar when it passes any three festivals. R' Shimon says that you need to pass the three festivals in order (with Pesach first).

Tosfos explains: our Mishna that says Nissan is Rosh Hashana, it's like R' Shimon as it says later in the Gemara. [Pnei Yehoshua- it's obvious that Tosfos didn't have this in our Gemara's text the same way we have it.]

As we see that R' Shimon b. Yachai says: regarding the festivals (that you need to pass in order to transgress Baal T'achar); sometimes it's three of them, sometimes four, and sometimes five. If you vow before Pesach, it's three festivals. If it's before Shvuos (and after Pesach) it's five festivals, and before Sukkos,

it's four festivals.

We learned: (regarding transgressing Baal T'achar), those who owe worth (by saying the worth of a person is upon me to donate to the Mikdash), Erichin, Charamim,

Tosfos explains: this includes vowing Cherem to Hashem and to vowing them for Kohanim.

R' Tam Paskins: if you promised to give Tzedakah to the overseer over the Tzedakah, you transgress Baal T'achar if you don't hand it to the overseer. However, the overseer doesn't transgress it if he doesn't distribute them so fast. However, what someone vows to give under his own auspices to give when he wants to, he doesn't transgress Baal T'achar (if he doesn't distribute them so fast).

.....Hekdish, Chatos, Ashamos, Olos, Shlomim, Tzidakos,

Tosfos is bothered by the question: later, Rava will say that you transgress Baal T'achar for Tzedakah immediately (and not after three festivals)? Tosfos answers: that only refers where there are poor before you to distribute it, but you're not obligated to follow them to give it to them as long as it doesn't pass three festivals.

Tosfos says: later, we asked that it was simple that he's obligated right away, and the Gemara answers: since it's written by the Parsha of Korbonos, I might say that it should only apply if it passes three festivals like by Korbonos, so we're taught otherwise. (Although this is true regarding when you don't have the poor available), but it means I might think it should also be true when the poor is available for you to give.

However, you shouldn't explain it: when we say you transgress right away (when the poor are available) is only by an Asei (and therefore, our Braisa is always correct for saying that you need three festivals to transgress the Lav of Baal T'achar) like we find by the Korbonos that, once one festival passed, he transgresses an Asei. If that would be correct, then it should say that he doesn't transgress until it passes one festival like a Korbon (and he wouldn't transgress immediately).

.....Maasaros,.....

Tosfos explains: like Maasar Rishon, Maasar Sheini and Maasar Ani.

Tosfos is bothered by the question: the Torah already created an obligation to give the Maasar by the time of Biur, which is after three years etc., which we learned that it's Erev the first day of Pesach on the fourth and the seventh year. So, how can it give a different time obligation to give it out?

Tosfos answers: by Biur, even if you didn't separate the Maasar, you'll be obligated to separate them then, as long as they grew as much that they got to the growth that it's obligated in Maasar, as it says there. Thus, as long as you didn't separate them yet, you don't transgress Baal T'achar. However, if you did separate it, then you transgress Baal T'achar even if it hadn't reached the time of Biur. A proof to this is; later we say by many items on this list that it needs two P'sukim, one to tell us that he transgresses if he vowed and didn't separate, and one if he separated and didn't bring it. However, we only find one Pasuk by Maasar (so there is only a prohibition if you separated them and didn't give them out).

Another answer: we refer to a case where you smoothed the pile (which obligates in Maasar) between the last festival and the time of Biur.

Tosfos adds: even if you say you anyhow transgress by three festivals, the Torah obligates by the Biur in order to make him transgress two prohibitions, similar to what we say in the beginning of Nedarim.

Tosfos asks: why don't we count Trumah and Bikkurim? After all, in the same Pasuk that we include Maasar in this prohibition we should have it include Trumah and Bikkurim.

Tosfos answers: they're included in what we say 'Maasar,' like we usually say when the Mishnayos say an obligation by Maasar that it includes Trumah and Bikkurim.

However, Bikkurim was not a question to begin with, since you never find it to last three festivals. After all, you can only bring it from Shvuos to Sukkos with reading the P'sukim, and from Sukkos to Chanukah without reading.

B'chor, Maasar Behaima,.....

Daf 4b

Leket, Shichicha and Pe'ah,.....

Tosfos is bothered by the question: once you need to leave it where it is, as the Pasuk says "you shouldn't gather (the Leket)" and "you shouldn't return (to take the Shichicha)" and "you shouldn't finish harvesting the field (to take the Pe'ah)," and "you should leave it for the poor and the stranger," so, where would you have these items in your possession to be obligated to give it?

Tosfos answers: if you transgressed and took them, you're obligated to return it. After all, we Paskin in Temurah that if you did something (that the Torah forbids) the transaction didn't work (and you didn't acquire it for yourself). So, if you didn't separate Pe'ah when they're standing in the field, you separate them when you make bundles or after you made it into piles. Therefore, (if you didn't give it before three festivals) you transgress Baal T'achar.

Alternatively, we could explain: we refer to when he had a Heter to take it, like where there were no poor around to take it, (so, if you take it and didn't distribute it in time) you transgress Baal T'achar. Although we see in Chulin that Levi planted in the city of Kishor and there were no poor to take the Leket, he went to R' Sheishes who said; the Pasuk says that you leave it for the poor and strangers, but you don't need to leave it there so that the ravens and bats may eat them, (which you may say that it means you can keep it), you need to say that it doesn't mean he can take it for himself, but he doesn't transgress "leaving them" if he brings them into his house.

However, this doesn't seem to be true, since the Gemara asks there from Trumah, that if there's no Kohain, you need to rent a cow to bring it to him. The same they asked from (the gifts of a Shechted animal) that, if there is no Kohain, you need to separate the worth (and eat it yourself). [The Gemara answers: those are different since the Torah says you must 'give' those.] This seems to imply that, by Leket, Shichicha and Pe'ah, you may keep it yourself.

Tosfos also asks on the first explanation: after all, when there are poor people and he transgresses and takes it, he transgresses Baal T'achar immediately. We only say that someone doesn't transgress Baal T'achar until the festivals if there are no poor people presently to give to. However, if there are poor people, you should transgress Baal T'achar immediately like we say by Tzedakah.

Tosfos answers: we can say that you gathered them for a certain poor person, like it says in Mesechta Pe'ah, if you gathered it and you said it should go for a certain poor person, R' Eliezer says he acquires it for him and the Chachumim says that you must give it to the first poor person you meet.

This, that we don't list Peret and Ollilos, (since it wasn't necessary). After all, once it listed these things, they didn't care to list the others (since they're so similar, it's taken for granted that they're included).

.....once it passes three festivals, he transgresses Baal T'achar. R' Shimon says you need the three festivals in order starting with Pesach. R' Meir holds that, once you pass one festival, you transgress Baal T'achar. R' Eliezer b. Yaakov says, once you pass two festivals you transgress Baal T'achar. R' Elazar b. R' Shimon says: once you pass Sukkos, you transgress Baal T'achar.

The Gemara asks: what's the reason for the Tanna Kama? The Gemara answers: once we already explained the three festivals, why must it repeat them at the end saying "the festival of Pesach, Shvuos and Sukkos?" So, it must be telling us a Chidush regarding when you transgress Baal T'achar.

R' Shimon holds, it doesn't need to repeat the festival Sukkos in that listing since that was the topic. So, it's teaching us a Chidush that this is the last festival (so, you need to pass them in order).

Tosfos says this is Rashi's text, therefore, R' Elazar (b. R' Shimon) and R' Shimon makes the same Drasha (that Sukkos is extra) and they only argue if we should say that Sukkos causes Baal T'achar or if it's the last festival. However, R' Chananel has the text read by R' Shimon: "why does it need to say Pesach, since the Parsha started with it? It must say that it's the first festival in the count."

R' Meir held (it's one festival) since it says "you come there and you bring it there." (You're obligated to bring any time you're obligated to come up, which is by every festival.) The Rabanan say back: that's only a transgression of an Asei, (but you don't transgress the Lav of Baal T'achar). R' Meir responds: since the Torah obligates to bring it then and you push it off, you're transgressing the Lav of Baal T'achar (pushing off your obligation).

The Gemara asks: what's the reason for R' Elazar b. Yaakov? The Gemara answers: from the Pasuk "these you should do by your festivals." The least amount that 'festivals' could be is two.

Tosfos is bothered by the question: how can you say that it tells us about when you must bring all Korbonos? After all, the Pasuk only refers to obligated Korbonos and are not a proof to voluntary Korbonos.

Tosfos answers: (it also refers to voluntary Korbonos) as it says there "besides your vows and donations."

The Rabanan use that Pasuk like R' Yona who says that this Pasuk makes a Hekish between all the festivals to say that their Korbonos come to atone for being Tamai when you come into the Mikdash or eat Kodshim.

The Gemara asks: what's the reason for R' Elazar b. R' Shimon? The Gemara answers: it doesn't need to repeat the festival Sukkos in that listing since that was the topic. So, it's teaching us a Chidush that this is the festival that causes the Lav.

The Gemara asks: R' Meir and R' Elazar b. Yaakov, what do they use the Pasuk of "the festival of Pesach, Shvuos and Sukkos?" The Gemara answers: it needs it for R' Oshiya's Halacha who says, how do we know that there is a make-up period (for bringing the Chagiga and Olas Riya) on Shvuos that they have seven days when they can bring them? Since the Pasuk says "the festival of Pesach, Shvuos and Sukkos." Just like Pesach there is a seven-day period that you may bring your Korbonos, so too by Shvuos has that seven-day period.

The Gemara asks: let us make the Hekish to Sukkos where there are eight days? The Gemara answers: Shmini Atzeres is its own festival (and Sukkos is only seven days). The Gemara asks: we only say it's its own festival regarding certain Halachos that are hinted in the acronym of Pazar Keshav. (Piyos [a lottery to which Kohain does the service], Zman [the Bracha of Shehechyanu], Regel [it's called its own name], Korban [its Musaf Korbonos are not in the same pattern as the bulls of Sukkos] Shir [the Leveyim sang about a different topic than on Sukkos] and Bracha [they blessed the king].)

Tosfos quotes Rashi: "it's a festival for itself;" i.e., it's not called Sukkos. He means that during Bentsching and Davening, he mentions Shmini Atzeres and not Sukkos. "It has a Bracha for itself," Rashi explains this to blessing the king as a remembrance to what they did when they dedicated the Mikdash. As it says "on the eighth day, he sent away the nation and they blessed the king." This is also taught in the Tosefta of Sukka: on the last day of the festival (on Shmini Atzeres) they had its own lots (for which Kohain did the service) Zman (Shehechyanu) for itself, and a Bracha for itself, as the Pasuk says; "on the eighth day, he sent away the nation and they blessed the king."

However, Tosfos asks: it doesn't seem like that explanation in the Gemara in Sukka. We learned there: just like the seven days of Sukkos require Korban, Shir, Bracha and Lina (sleepover in Yerushalayim), so too Shmini Atzeres needs that. It wanted to say that Bracha means to make a Shehechyanu, but the Gemara asks: where do you find making Shehechyanu all seven days? The Gemara concludes: what's 'Bracha?' It means Bentsching and Davening. (If it's the definition for Bracha, it can't be the explanation (like Rashi) for "it's a festival for itself.") So, it fits better into R' Tam explanation of "it's a festival for itself" to mean it needs Lina (sleepover).

R' Chananel explains: it's its own festival regarding mourning. As we say in Moed Katan that if someone dies seven days before the festival, it nulls (the rabbi's) decree of Shloshim. However, sometimes, there aren't seven days before Sukkos, it still nulls Shloshim because of Shmini Atzeres. R' Tam composed in his Maaravos poem composition "it's holy to require Lina and it pushes off Shloshim, as the mourners are consoled."

However, we can't say that it pushes it off completely, since we say in the last Perek of Moed Katan, if the person dies a day before Sukkos, then that day plus Sukkos plus Shmini Atzeres adds up that, (after the festival), we consider it as if twenty-one days passed in Shloshim.

Tosfos concludes: our question from Mesechta Sukka is not really difficult just because we'll have to define 'Bracha' over there differently than we define it by us. Over there, they couldn't have explained 'Bracha' to mean blessing the king, since there were no such blessing for all seven days.

R' Tam explains "a Shir for itself": that they said in Shul a full Mizmor in Tehillim and not like the rest of Sukkos where they didn't say a whole Mizmor, but a half today and a half tomorrow. Like we said at the end of Sukka that the acronym to which parts of the Mizmor that we say is "Humvai" (see there what they represent). Mesechta Sofrim implies that they said in Shul the Mizmor of "Lamnatzeach Al Hashminus." Perhaps, the Leveyim also said it in the Mikdash.

However, regarding making up your Chagiga and Olas Riya obligation, everyone holds that it's a make-up day for Sukkos. As the Mishna says: someone who didn't bring the Korbonos on the first day may bring them on all other days including Shmini Atzeres.

Rather, the Gemara answers (why we make the Hekish to Pesach instead of Sukkos): we never grab onto a greater amount, rather, we always grab onto the smaller amount.

Tosfos explains: this is not the explanation that we Darshen (by Zava) "days" to mean two, and 'many' to include a third day. That is a bigger reason to assume 'days' to mean only two, because, if you assume it means more, then it can go on indefinitely. However, our Gemara can't mean more than eight. (Therefore, the only reason why we say seven is not to grab too much.)

However, in Toras Kohanim, it's taught; 'days' means two. I might think it means even more, R' Akiva answers; when we have something that implies a little and also can imply a lot, you grab the smaller amount and not the bigger amount. R' Yehuda b. Beseira: if you have two possible amounts, one is finite and one doesn't end (is infinite) we assume the finite amount and not the infinite amount. R' Nechemia explains: is the Pasuk trying to open up (to reveal an amount) or close up (so that we shouldn't know the amount)? etc. This we wrote (and explained) in the beginning of Sukka.