

**Daf Hashvuah Gemara and Tosfos Rosh Hashana Daf 28**  
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**Daf 28a**

Rabbah says: if you heard some of the Tekiah in the pit and the other part on the edge of the pit (i.e., you left the pit in between), you're Yoitza. However, if you heard part of the Tekiah before dawn (i.e., Alos Hashachar) and part after dawn, you're not Yoitza. Abaya asks: why is this last case different (that you're not Yoitza if some of the Tekiah was before dawn) since you need the full Tekiah during the time that you're obligated, and you don't have it. The same should apply in the first case, you need to be Yoitza with the whole Tekiah and you don't have it.

The Gemara answers: how can you compare them? After all, nighttime is not even a time to be Yoitza, but inside the pit is a place to be Yoitza the Tekiah for those who are standing in the pit.

The Gemara asks: is it true that Rabbah holds that you're Yoitza with an end of a Tekiah without the beginning, which would suggest that you're Yoitza listening to the beginning of the Tekiah without the end.

The Gemara brings a proof: we learned; if you blew the first Tekiah (before the Truah) regularly, and then you blow the second one double as long (so that you should have two of them and have the opening Tekiah for the next set), you only have one Tekiah. (If it's true that you're Yoitza by listening to part of the Tekiah) why don't you say that you have two Tekiyos here? The Gemara answers: you can't break a Tekiah in two (although you may count it as a Tekiah if you only heard part of it).

The Gemara brings another proof: if you blow inside a pit, a cistern or a barrel, then, if you heard the sound of the Shofar, you're Yoitza. If you heard the sound of the echo, you're not Yoitza. The Gemara asks: (even when you hear the echo), why can't you be Yoitza with the part of the Tekiah before the echo came in? The Gemara answers: Rabbah refers to a case where he blows and comes out of the pit during the blowing (so that the Shofar comes up with him). The Gemara asks: if so, what's the Chidush? The Gemara answers: I might say that he might stick his head out first while the Shofar is still located in (the rim of) the pit and he hears an echo, so we're taught otherwise.

**New Sugya**

R' Yehuda says: you shouldn't blow from a Shofar of a Korban Olah. However, if you blow, you're Yoitza.

**Tosfos explains: you shouldn't purposely blow. However, if you B'dieved blow without realizing that it was Hekdesh, you're Yoitza. That's because, when done unintentionally, there is M'eila and the item becomes Chulin. However, if you blow purposely, there is no M'eila and the item doesn't become Chulin.**

**Tosfos is bothered by the question: why did he need to differentiate between the Shofar of an Olah or a Shlomim? Why doesn't he just differentiate by the Shofar of an Olah itself, whether he blew on purpose or unintentionally?**

**Tosfos answers: he would rather differentiate between cases where he blew unintentionally.**

However, you shouldn't blow from a Shofar of a Korban Shlomim. If you blow, you're not Yoitza. What's the reason (for this distinction)? You can have M'eila by an Olah (since it's Kodshei Kodshim). So, once you do M'eila (by blowing it), the object becomes regular Chulin. However, you can't do M'eila with Shlomim (because there is no M'eila by Kodshim Kalim), so it remains a forbidden Shofar (and you can't be Yoitza with it).

Rava asks: when does the M'eila take place (that it becomes Chulin afterwards)? After it's blown. Therefore, he's still blew in a forbidden Shofar.

Rather, Rava says: (if you blow with) either one (i.e., the Shofar of a Shlomim or Olah), you're not Yoitza. He afterwards reversed his decision and said that he's Yoitza with either one. (You can't say he did a forbidden act by having pleasure from Kodshim when you blew) since Mitzvos were not given to have pleasure from, (but to have as a yoke).

R' Yehuda says: you shouldn't blow with a Shofar that was used to serve an idol, but if you blew, you're Yoitza.

**Tosfos asks: why is this different than Shlomim, (that R' Yehuda himself says you're not Yoitza) since (he holds) Mitzvos were given to have pleasure from. Therefore, R' Chananel's text is that Rava said this (and not R' Yehuda).**

**Tosfos asks: it says in a Braisa in Chulin that, if you blow this Shofar, you're not Yoitza. Also, it's difficult from that Braisa Rava's statement in Yevamos that, if you do Chalitzah with a sandal that's not yours or one used for an Avodah Zara, it's a valid Chalitzah, and we don't say that we consider it as destroyed. Tosfos concludes: I explain these discrepancies in Chulin and Sukka.**

However, you shouldn't blow with a Shofar from a city of idol worshipers, and if you blow, you're not Yoitza. What's the reason for this distinction? Since the Shofar from that idol worshiping city (must be burned, so, since it's destined to be burned, we look as if it's burnt already) and the amount (needed to be a Kosher Shofar) is destroyed.

Rava says: if someone makes an oath from partaking pleasure from his friend, the friend may blow Shofar for him. If he makes an oath from partaking pleasure from a Shofar, he's allowed to blow for the Mitzvah.

**Tosfos brings the Gemara in Nedarim: Abaya differentiates there between if one says "the pleasure of the Sukka is forbidden to me" (which is like saying that you need to treat it as if the Sukka is prohibited to give me pleasure, so you're obligated to stay away from it) and saying "I swear I won't take pleasure from the Sukka." You can forbid the Sukka to you, since the Sukka is not obligated to you at all. (As, "the pleasure of the Sukka is forbidden to me" is like saying that you need to treat it as if the Sukka is prohibited to give me pleasure, so you're obligated to stay away from it.) However, you can't make yourself forbidden to the Sukka, since you're obligated to it (to fulfill the Mitzvah). On that, Rava asks: are Mitzvos given to have pleasure? Rather, Rava**

says: you need to differentiate whether you forbid the sitting in the Sukka to you or if you say “I swear I won’t sit in the Sukka.” (In those cases, you’re prohibiting the sitting, even if there isn’t any pleasure sitting there.)

According to Rava, it would seem by our case too, if he says that the pleasure from the Shofar should be forbidden to him, he’s permitted to blow the Shofar for the Mitzvah, since Mitzvos weren’t given for pleasure. However, if he forbids the blowing of the Shofar on him, he’ll be forbidden to blow Shofar for the Mitzvah even to Rava, like we said by the Sukka. This is true, unless we differentiate, it’s only forbidden by Sukka, since, even without the Mitzvah of Sukka, there’s pleasure sitting inside a Sukka. However, by a Shofar, without the Mitzvah, there is no pleasure at all in the blowing since you didn’t intend it to be musical. (So, perhaps, even if you don’t mention pleasure in the oath, it’s permitted.)

Tosfos asks: on that Sugya in Nedarim; it implies there that only saying “I swear I won’t sit in the Sukka” is permitted since you can’t make yourself forbidden to the Sukka, since you’re obligated to be Yoitza by sitting in it. However, if he says “the sitting of the Sukka is forbidden to me through swearing,” it’s forbidden just like making an oath. (After all, the Gemara seems to only differentiate between the way the prohibition is phrased, and not whether it was said through an oath or swearing.) If this is true, why does the Mishna say that oaths are stricter than swearing (because an oath can be made on a Mitzvah, but you can’t swear not to do a Mitzvah)? After all, they both can take effect on a Mitzvah when framed in the same way (by saying “the sitting of the Sukka is forbidden to me,” whether you say it through an oath or swearing).

Tosfos answers: oaths always take effect on Mitzvos in any way they’re applicable, since they’re always making the item forbidden on you. As we see in the beginning of Mesechta Nedarim; Nedarim and Charamim (different oaths) forbids the item on you, which is different than swearing where you forbid yourself on the item. Therefore, the oath takes effect on the Mitzvah no matter how you frame it, unless you frame it to forbid pleasure, since Mitzvos weren’t given for pleasure.

That, which they differentiated between saying “the sitting of the Sukka is forbidden to me” and “I swear I won’t sit in the Sukka,” (it’s not saying that the former takes effect even if he says “through swearing”), it’s only saying that there is a general difference between an oath and swearing. After all, an oath is always forbidding the object on yourself and swearing is always forbidding yourself on the object.

Rava says, if someone makes an oath from partaking pleasure from a friend, his friend (who’s a Kohain) may sprinkle on him the Para Aduma waters in the winter (where he doesn’t have a physical pleasure from it) but not during the summer (when it’s refreshing). If he makes an oath from partaking pleasure from a spring, he may Toivel there in the winter and not in the summer.

Tosfos explains the reason that he needed to compose a case of making an oath from your friend, and also from the Shofar, sprinkling and spring. It’s because; if he only composed a case of taking an oath from a friend, I would say that’s when he can blow the Shofar for you, since usually, when you make an oath from a friend, you don’t mean to forbid him for a Mitzvah. However, if you explicitly forbade the spring or Shofar it would be forbidden, so we’re taught otherwise.

They sent to the father of Shmuel: if someone's forced to eat Matzah, he's Yoitza. The Gemara asks: who forced him? If he was forced by a Sheid, (a demon i.e., when he's possessed), that can't be. After all, we learned that when someone's sometimes normal and is sometimes insane, when he's normal, he has the status of all normal people in all aspects. When he's insane, he has the status of the insane in all aspects. (So, when he's possessed by the Sheid, he's insane and is exempt from all Mitzvos, so he can't be Yoitza and needs to eat more if he becomes sane that night.)

Rather, R' Ashi says: we refer to being forced to eat by Persians. Rava deduces from here: if someone blows a Shofar for song, he's Yoitza (since we see from the forced-feeding case that he doesn't need intent to be Yoitza the Mitzvah).

**Tosfos explains: since you don't need intent to be Yoitza a Mitzvah. However, the Gemara in Pesachim implies that it's an argument. After all, it says there by the case where they brought the romaine lettuce for the dip (i.e., for Karpas), that if you ate (Maror) of Damai, or if you ate without intent for the Mitzvah, you're Yoitza. However, we learned in another Braisa; R' Yossi says: even though you dipped with romaine lettuce (for Karpas), there is a Mitzvah to bring more romaine lettuce with Charoses. The Gemara there deduces that you can't say that it only means to bring it a second time to make a distinction (for the kids that this night is special), since it's called a Mitzvah. Rather, it's because Mitzvos need intent, (and you didn't intend to eat the first Kazayis for the Mitzvah).**

**Tosfos is bothered by the question: why did Rava need to bring from our Gemara (that Mitzvos don't need intent), and not bring the Braisa there that taught it straight out?**

**Tosfos answers: (if it was only from that Braisa) I would say it's only by Maror which is only a rabbinic Mitzvah (these days), but you would need intent for a Torah Mitzvah.**

**Tosfos is bothered by the question: why does the Gemara ask on him from many Braisos, but doesn't ask on him from the Braisa in Pesachim of R' Yossi (saying that it's a Mitzvah to bring more Maror)?**

**Tosfos answers: since we can always push off that Braisa as a proof by defining "a Mitzvah" as just making a distinction (for the kids that this night is special).**

The Gemara asks: this seems simple, since it's the exact case as before. The Gemara answers: I might say the first case is different, since the Torah just says to eat Matzah, and you ate it.

#### **Daf 28b**

However, here, the Torah says that it must be a "remembrance of a Truah," and this is just an action that inadvertently makes a Truah, so we're taught otherwise.

**Tosfos explains: in the last Perek, it says that if you blow inadvertently, you're not Yoitza. [ See Chachmas Manoach who explains (according to the Gemara's conclusion) that blowing inadvertently there means that he didn't intent to blow a sound, but just blowing air in the Shofar.]**

The Gemara says: it seems from here that Rav holds that you don't need intent to be Yoitza Mitzvos. The Gemara asks: we find a Mishna: (if you're reading Sh'ma in the Torah) and it becomes the time for the Mitzvah of reading Sh'ma, if you intend for it, you're Yoitza. If not, you're not Yoitza. Doesn't this mean that he intends to be Yoitza? The Gemara pushes off the proof: no, it means if he intends to read it. The Gemara asks: what do you mean that if he intends to read? After all he's reading it. The Gemara answers: we refer to a case where he's reading to edit (where he might not be saying the words correctly, but just mumbling it).

The Gemara brings a proof from our Mishna: if he's walking behind a Shul, or if his house is near Shul, and he hears the sound of the Shofar or someone reading the Megillah, if he intends for it he's Yoitza. If not, he's not Yoitza. Doesn't it mean that he intends to be Yoitza? The Gemara pushes off the proof: no, if he intends to hear. The Gemara asks: what do you mean that if he intends to hear? After all he's hearing it. The Gemara answers: (if he intends to hear the Shofar, and not) that he thinks he heard a donkey bray.

The Gemara asks from a Braisa: if the one who hears (the Shofar) intends, but not the one who's sounding it, or vice versa, he's not Yoitza. He's not Yoitza until both the blower and the listener intend. I can understand to find a case where the sounder intended and not the listener (and it has nothing to do with intending to be Yoitza) when he thinks it's only a donkey braying. However, in the case where the listener intended and not the blower, can it be any other case besides where the blower intends his blowing for music (and the reason he's not Yoitza because he didn't intend for a Mitzvah)?

**Tosfos is bothered by the question: why doesn't the Gemara answer that we refer to a case where the blower didn't have in mind to be Moitzie the listener?**

**Tosfos answers: since the Braisa implies that he's Yoitza (without having in mind to be Moitzie), as the Gemara at the end of the Sugya deduces from the Braisa comparing the blower to the listener. Just like the listener is listening for himself, so too the blower is only blowing for himself (and if they both intend to be Yoitza, then they're both Yoitza even if the blower didn't intend to be Moitzie), so you don't need intent (to Moitzie others).**

The Gemara answers: no, maybe we refer to a case where he just intended to blow into it.

**Tosfos quotes Rashi: he didn't blow the amount for a Tekiah brought in (a later) Mishna.**

**Tosfos asks: if so, even if he intends for the Mitzvah, he shouldn't be Yoitza (since he didn't do the Mitzvah).**

**Therefore, Tosfos explains: that you didn't intend to blow the amount for a Tekiah, but it came out the right amount. Perhaps, this is what Rashi means.**

**Alternatively, we can explain like Rashi explains in the last Perek regarding inadvertently blowing, that you blow into the Shofar (without thought that it will make a sound), and then a Tekiah came out.**

Abaya says: (if it's true that Mitzvos don't need intent, so if you add onto a Mitzvah without intent you transgress Baal Tosef [don't add on to Mitzvos]), so, if someone sleeps in the Sukka on Shmini Atzeres, he should get Malkos. Rava answered: I say that you don't transgress Baal Tosef when it's not the time of the Mitzvah.

R' Shaman b. Abba asks from the following Braisa: how do we know that a Kohain going to 'Duchen' shouldn't say; once the Torah gave me permission to bless the Jews, I'll add an extra Bracha from my own, like to say 'Hashem, your G-d, shall add to you etc.'. As the Pasuk says "you shall not add." So, even though, after he said the Brachos, it's no longer the time to do the Mitzvah (since he already was Yoitza), and yet we learned that he can transgress Baal Tosef. The Gemara answers: we refer to a case where he didn't finish the three Brachos (before he added the Bracha). The Gemara asks: but we have another Braisa that says that he finished. The Gemara answers: it means; he finished one of the Brachos.

The Gemara asks: but we learned in another Braisa this applies even when he finishes all three Brachos. The Gemara answers: Birchas Kohanim is different (and is never considered not the time for it), since, if he happens to find another congregation to bless, he would say the Brachos over again. Therefore, the whole day is considered the time (for the Mitzvah). How do I know this? I see it from the Mishna: if you have the blood of a Korban that requires one sprinkling on the Mizbeiach (like a B'chor), mixed with the blood of another Korban that requires one sprinkling, you can take (from that mixture) and give one sprinkling (and be Yoitza both Korbonos). If a Korban that requires four sprinklings (like a Shlomim) mixed with the blood of a Korban that requires four sprinklings, you sprinkle four times from the mixture. If blood that requires one sprinkling mixes with blood that requires four sprinklings, R' Eliezer says that you sprinkle four times, and R' Yehoshua says you sprinkle once.

**Tosfos explains: like when the blood of the B'chor that has one sprinkling mixed with the blood of an Olah or Shlomim that have two sprinklings (on two corners) which are four (i.e., land on all four sides of the Mizbeiach). However, you can't explain it as mixed with the blood of Chatos that needs four sprinklings on each side of the Mizbeiach. After all, the Chatos is sprinkled on (the top half of the Mizbeiach) above the red line, and the other Korbonos were sprinkled below. (So, you won't have one sprinkling that would work for both Korbonos.)**

R' Eliezer asks R' Yehoshua: according to you, you'll transgress Baal Tigrā (don't subtract from a Mitzvah). R' Yehoshua asks R' Eliezer: according to you, you'll transgress Baal Tosef. R' Eliezer answers: you only transgress Baal Tosef when it's by itself. **[Tosfos: therefore, you shouldn't leave out any of the Mitzvah.]** R' Yehoshua answers: you only transgress Baal Tigrā when it's by itself. **[Tosfos explains: therefore, since you're Yoitza (even the Olah or Shlomim) with one sprinkle, why should you do all four? Also, it's better to only sprinkle one than to sprinkle four like he'll explain.]** Also, if you only sprinkle once, then you transgress Baal Tigrā, and you didn't do an action to transgress it. However, if you sprinkle four times, you transgress Baal Tosef and you did an action to transgress it. So, since you already sprinkled what's necessary for the B'chor, the time of that Mitzvah passed, and yet it says that you transgress Baal Tosef. So, isn't this a proof that, since if you have another B'chor to bring, you would do more sprinkling for this Mitzvah, we consider the day the time for the Mitzvah.

**Tosfos explains: this Mishna refers to sprinkling blood.**

**Tosfos asks: why is this Mishna better than the Braisa of the Kohain going to the Duchen (that you bring this as a proof)? (After all, they seem to be the exact same case and doesn't add anything to prove the point.)**

**Tosfos answers: regarding a Kohain who intended to add onto the blessings, he can transgress (Baal Tosef) when it's not the time of the Mitzvah. However, here (by the case of sprinkling) that you don't intend to add onto (the sprinkling) and you're sprinkling just to cover all the sprinkling needed for the mixture, logic dictates that he shouldn't transgress if it's not**

considered the time of the Mitzvah just because, if another B'chor is brought to him, he would sprinkle that too. Therefore, we say that's the criterion for the Kohain (when he adds a blessing). *(We'll finish the rest of Tosfos at the end of this piece.)*

The Gemara says: is this a proof? Perhaps R' Yehoshua's reason is because he holds you can transgress Baal Tosef even when it's not the time of the Mitzvah.

**Tosfos explains: R' Yehoshua will hold that someone who slept in the Sukka in Shmini Atzeres gets Malkos, and therefore, (in Chutz L'aretz) when Shmini Atzeres is a Safeik for being the seventh day, you can't sit in the Sukka. However, we don't remain in the conclusion like this.**

He answers: I meant to say: why did R' Shaman b. Abba leave a proof from this Mishna and bring a proof from the Braisa? He should have asked from a Mishna that's more authoritative. So, we must say that the reason he didn't ask from the Braisa is because he knew that the reason he transgresses is because if he would get another B'chor, he'll need to sprinkle, we consider the whole day as the time of the Mitzvah. So, we can say the same by the Braisa: if it happens that he accouters another congregation, he'll bless them, we consider the whole day as the time of the Mitzvah. However, R' Shaman b. Abba (who asked from the Braisa) would say: by the B'chor, since he doesn't have a choice not to sprinkle the blood, (so, it's considered the time of the Mitzvah). But by Birchas Kohanim, he can bless them if he wants, but he also has the right to refuse to bless them if he wants.

**Tosfos explains: it seems from here that, if a Kohain already went up to Duchen once that day, he doesn't transgress the Asei anymore to "tell them (the blessings)" the rest of that day. As we say: if he wants to, he doesn't need to bless them.**

*(We'll now continue the Tosfos that we stopped in the middle.)* Tosfos asks: the Gemara in the first Perek says: why do we blow when we're sitting, and again when we're standing? In order to mix up the Sutton. (But, how can we blow twice?) After all, you'll transgress Baal Tosef.

Similarly, the Gemara in the last Perek says that there are three Truos to make on Rosh Hashana, two are obligated from the Torah, and one is rabbinic. There is an opinion that (one is only from the Torah) and the other two is rabbinic. However, (how can you add extra Truos) if you'll transgress Baal Tosef. Granted you already fulfilled your obligation (so you'll assume it passed the time of the Mitzvah), still, if you would find a different congregation to blow for, you'll need to blow again, so it's still considered the time of the Mitzvah.

Also, even if you consider it not to be the time of the Mitzvah, however, since you intend to do a Mitzvah, he transgresses Baal Tosef. As we'll see soon that Rava concludes that, to transgress Baal Tosef not at the time of the Mitzvah (you need to intend for a Mitzvah).

Tosfos answers: like we already explained earlier in the first Perek, you can't transgress Baal Tosef when doing a Mitzvah twice. Therefore, by Birchas Kohanim, if you would repeat the Brachos many times to the same congregation, it's not Baal Tosef. Therefore, it's only Baal Tosef when you add a different Bracha like "Hashem shall add unto you like this" or any other similar Bracha. The same applies when you take a Lulav many times a day, or if you eat many Kazaysim of Matzah on Pesach, it's not Baal Tosef. The same applies regarding Korbonos that require one sprinkle, if you put blood many times on the same place, he doesn't transgress Baal Tosef. He only transgresses if he places the second blood in a different place.

The same applies to the Hadas and Arava in the Luluv. Even if you place multiple Hadassim and Aravos in the Luluv, it won't be Baal Tosef. This is even according to the opinion that you need to tie them together (and, therefore, we can't say the extra branches are standing by themselves, since they're in the wrap). The only way you'll transgress Baal Tosef is if you add another specie with it.

Tosfos asks: it's seems, according to this explanation, if you put many strings in your Tzitzis, or many Parshiyos in your T'filin within one compartment, you wouldn't transgress Baal Tosef.

However, you can't bring a proof (to this explanation) that we allow making a Sukka with four walls (and we don't consider it an addition to the obligation to have three walls). Although it says that all you need is two walls, and the third to be even a Tefach. The reason this is not a proof is because, we can consider it more to be sitting in the Sukka like the way you dwell in your house if you have four complete walls. (Therefore, the three walls was given as a minimum, but not a definite amount.)

Rava gives another answer (why you're exempt if you sleep in the Sukka on Shmini Atzeres): you don't need intent to be Yoitza a Mitzvah, but you need intent to transgress Baal Tosef. The Gemara asks: we see that R' Yehoshua holds that sprinkling extra transgresses Baal Tosef despite not intending to sprinkle more for a Mitzvah. The Gemara answers: rather, Rava said; you don't need intent to be Yoitza a Mitzvah. However, for Baal Tosef; if it's the time of the Mitzvah, you don't need intent to transgress. However, you need intent to transgress not at the time of the Mitzvah.