

**Daf Hashvuah Gemara and Tosfos Rosh Hashana Daf 17**  
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The completely righteous is written and signed right away for the eternal life. The completely wicked is written and signed for Gehenim. As it says “many of those lying in the ground awakes, these are for eternal life and the others to descend to eternal embarrassing.”

**Daf 17a**

The people in the middle go down to Gehenim and they scream and they ascend, as the Pasuk says “I brought a third in fire and I refined them like you refine silver. I tested it like they test gold. He’ll call my name and I’ll answer him.” On them, Chana said “Hashem kills and he makes live. He lowers to the depths and he pulls them out.” However, Beis Hillel says; (the Pasuk says), “a lot of kindness,” Hashem tilts the scales towards kindness (for those who the scales are even). On them, Dovid said; “I love that Hashem heard my voice.” He also said on them the whole Parsha of “I was low, and you saved me.” Those Jews that sin with their body and those non-Jewish sinners; they go down to Gehenim and are judged there for twelve months. After twelve months, their bodies end, and their souls are burned, and the wind blows the ashes under the feet of the righteous. As it says; “you should tread down the wicked for they’ll be ash under the feet.”

However, the Minim, [**Tosfos says: there is an argument in Mesechta Avodah Zara between R’ Acha and Raveina what’s considered a Min. (One holds if he sins in spite, not because he has a temptation, and the other holds only if he serves idols.)**] the informers and the heretics and those who deny the Torah and deny the revival of the dead and who separate themselves from the ways of the community and those “who spread their terror in the land of the living” and those who sin and make others sin, like by Yeruvam b. Nevat and his colleagues; they are judged throughout the generations. As it says “and they went out and saw the corpses of the people who sin against me.” Gehenim will end, but they won’t, as it says ‘their form will wear away Gehenim.’ Why is this? Since they laid hands on the ‘Zvul,’ i.e., the Beis Hamikdash (by having it destroyed through their sins), as it says “I built a house of ‘Zvul’ for you.” On them, Chana said “Hashem will break those who fight with Him.” R’ Yitzchok b. Avin says their faces are similar to the bottom of a pot. Rava says: these are from the beautiful ones of the city of Mechuza, and they’re called the people of Gehenim.

**New Sugya**

We already learned: Beis Hillel says; (the Pasuk says), “a lot of kindness,” Hashem tilts the scales towards kindness. The Gemara asks: didn’t it already say “I brought a third in fire?” The Gemara answers: that refers to those Jews who sin with their body. The Gemara asks: but didn’t we say that they don’t have any way to fix their situation (and here he’ll eventually go to Gan Eiden?) The Gemara answers: they don’t have a fix to their situation if they have mostly sins.

**Tosfos explains: that he has sins with his body among his most sins. This, which we learned that the wicked, i.e., those who have mostly sins, are written and signed immediately to Gehenim, although the Pasuk says that it will be the eternal embarrassing, it doesn’t mean that they will never have a fix to their situation, but rather that they’re judged for twelve months in Gehenim and they finally rise. This, what they say in Bava Metzia that three descend (to Gehenim) and never come out, that’s only that they don’t ascend immediately.**

**This, which Reish Lakish says in Chagiga that the fire of Gehenim doesn't even affect the sinners of the Jews, that is only like the Gemara says in Eiruvim that Avraham goes down and takes them out.**

However, if they have half sins and half merit, but among their sins there are sins with his body, then he can't get away without "I brought a third in fire." However, if there isn't a sin with his body, then we'll say "a lot of kindness," Hashem tilts the scales towards kindness. On them, Dovid said "I love that Hashem heard my voice."

**Tosfos explains: since it says in that Perek "the pains of death surround me." It also says "I was brought low and you saved me." This means, even when I was low on Mitzvos, you tilt the scale to kindness and saved me, as we'll explain later. Alternatively, it comes from the same term of "he drew water for us." I.e., Hashem drew us out of a deep pit. It then says "my soul returns to its rest etc." and then it says "I will walk in the land of the living."**

Rava Darshined: what does it mean by "I love that Hashem heard my voice?" The Jews said in front of Hashem; "Master of the world, when am I beloved before you? At the time you hear my prayers. "I was low, you were to me a savior." Although I'm low on Mitzvos, it's nice for you to save me.

The Gemara asks: what's the case of a Jew who sins with his body? Rav says: it's a head that didn't have T'filin put onto it. **Tosfos says: if you learn Torah, it's as if you put on T'filin, as it's brought in Mechilta, if someone learns Torah, he's exempt from T'filin.**

**R' Tam explains: this is only if you don't put it on since the Mitzvah is lowly in your eyes, that you're embarrassed to have the T'filin straps on your head. However, if you're afraid to wear them because you need a clean body like Elisha B. Kanfayim, like it says in Shabbos, and he's afraid that he can't be careful to guard it in cleanliness and holiness, he's definitely not considered a sinner with his body. All these cases in our Gemara is only if he doesn't repent. However, if he repents, the Gemara in Yuma says that the repentance suspends the punishment and death eradicates it.**

The Gemara asks: what's the case of a non-Jew who sins with his body? Rav says: those who do illicit prohibited acts.

**Tosfos explains: with Arayos that a Ben Noach is commanded not to have relations with, as they're enumerated in Sanhedrin**

R' Chisda explains "who spread their terror in the land of the living": these are those communal leaders who put extra fear on the community not for the sake of heaven. R' Yehuda quotes Rav: every communal leader who puts extra fear on the community not for the sake of heaven will not have a son who's a Talmid Chachum. As it says "therefore, all those men who are feared will not see any wise of heart."

We already brought Beis Hillel who says, "a lot of kindness," Hashem tilts the scales towards kindness; how is it done? R' Eliezer says that he pushes down the side of merits, as it says "he'll return to have mercy and he'll push down (to outweigh) the sins." R' Yossi b. Chanina says he lifts up (the side of sin), as it says "he carries the sins and he passes by transgressions."

The Tanna in R' Yishmael's Beis Medrish says; He removes the first few sins (which would then make the merits heavier). Rava says: those sins aren't erased. If it comes out that he still has more sins than

merits, they count those sins also to punish him for.

Anyone who allows transgression towards him slip (and doesn't feel a grudge that the other should get punished) Hashem passes up all his sins. As the Pasuk says: "he carries the sins and he passes by transgressions." For who does Hashem carry their sins? For the ones who allow all transgressions toward him.

R' Huna b. R' Yehoshua got sick and R' Pappa visited him. He saw that R' Huna was so sick that he was about to die. He said to prepare R' Huna's shrouds. At the end, he recovered and R' Pappa was embarrassed to see him. They asked R' Huna what he saw, and he said it was true (that he was supposed to die), but Hashem said "since he didn't hold grudges of transgressions towards him, don't be too careful (in looking at his sins for his judgement). As it says, "he carries the sins and he passes by transgressions." For who does Hashem carry their sins? For the ones who allows all transgressions toward him.

The Pasuk continues "to the leftovers of your nation." R' Acha b. Chanina says that this is a tasty thing (like a fatty tail) and a thorn (i.e., good news and bad news). This only applies to the leftovers of the nation and not the whole nation.

### **Daf 17b**

It only applies to those who make themselves like leftovers (i.e., humble).

R' Huna asked about an apparent contradiction in P'sukim: the Pasuk says "Hashem is righteous in all his ways" (implying he judges strictly to the letter of the law). It then says "Hashem is kind in all his deeds" (that he will allow leeway in his judgement). He reconciles: originally, he judges to the letter of the law, (but when he saw that the world can't exist with this system) he gave leeway.

R' Elazar asks a contradiction: it says; "it's to Hashem the kindness," and then it says "you repay each person like their deeds" (exactly and strictly). He reconciles: originally, he paid them according to their deeds, but then He was the one for kindness.

**Tosfos explains the Pasuk (although it seems out of order): "it's to you, Hashem, the kindness" when you give leeway from the law once you saw that the world can't last if you would keep to "pay everyone according to their deeds."**

Ilfi, and some say Ilfa, asked a contradiction: it says "He does a lot of kindness," and then says "and truth." He answered: first there was truth and then He did kindness.

The Pasuk says "Hashem passed by his face and called out." R' Yochanan says: if it wasn't for the Pasuk describing it, we couldn't say such a thing. It teaches us that Hashem wrapped himself in a Talis like a Chazzon and showed Moshe the order to pray. He said "whenever the Jews are sinning before me, say this order (of prayer) before me and I'll forgive them." The order starts "Hashem, Hashem," which connotes: I'm Hashem before the sin and I'm Hashem after the sin, and he repented.

**R' Tam says: the two names of Hashem are two separate attributes. Like it says here, (it means) that He's Hashem before the sin to have mercy on you and He'll have mercy after the sin if he repents. After all, the name 'Hashem' represents the attribute of mercy, which is not like the name 'Elokim' that represents the attribute of strict judgement. "Avon, Pasha, Chatah and 'clean.'" Are counted as four separate attributes, as it says in Yuma that Avon refers to purposeful sins, Pasha**

refers to rebellion and Chatah refers to forgetful sins.

However, in the Megilas Starim of R' Nissim, he doesn't count the first name of Hashem as an attribute, since there is a stop between the two names. Therefore, he reads the Pasuk the Lord whose name is 'Hashem;' He is the Hashem who is merciful and gracious. (Although he's now missing one attribute) but he counts "he saves kindness" and "for two thousand generations" as two separate attributes. After all, the last attribute shows that Hashem's attribute for the good is five hundred times greater than his attribute for punishment, since it says that he'll punish for four generations and he'll reward for two thousand generations.

"The G-d who has mercy and grace," R' Yehuda says; there's a treaty given with the thirteen attributes (of Hashem) that it will never be returned empty (without a beneficial response), as the Pasuk says; "behold, I'm cutting a treaty." R' Yochanan says: repentance is so great that it has the ability to rip someone's bad-decreed judgment. As it says "make fatty this nation's heart and make their ears heavy and their eyes shut, for, perhaps, they'll see with their eyes and hear with their ears and will understand with their hearts (their bad ways) and they'll return and they'll be healed." **[Tosfos explains: forgiving sin is considered as a healing as it says at the end of Megila.]** R' Pappa asked Abaya: perhaps that's before the decree? He answered: it says that it will cause healing. What needs to be healed? If it was already decreed (for the bad, it needs to be corrected).

The Gemara asks: if he repents in-between (Rosh Hashana and Yom Kippur) he's forgiven. If he doesn't repent then, even if he brings all the rams of Nevayos in the world (to atone), he's not forgiven. The Gemara reconciles: that's only by an individual, but not by a community (since they're forgiven even after the decree).

The Gemara asks: the Pasuk says "Hashem's eyes are there" (to check out the needs of the land), which we say that it's sometimes it's for the good and sometimes for the bad. What's the case when it's for the good? If the Jews were totally wicked by Rosh Hashana and Hashem assigned them little rain. At the end, they repented. Hashem can't add extra rain, since it was already decreed (to give a little). Rather, Hashem makes (the little rain) fall in the most appropriate time on the exact land that needs it. What's the case when it's for the bad? If the Jews were completely righteous by Rosh Hashana and Hashem assigned them a lot of rain. At the end, the Jews changed (for the bad). He can't diminish the rains, since (the abundant rain) was already decreed. Rather, Hashem makes it fall during an improper time and land that doesn't need it. Anyhow, we see from this Braisa that they don't rip the decree for the good and add on rain.

The Gemara answers: this case is different since it's possible to make a good outcome this way.

The Gemara says: let's bring a proof from the following: the Pasuk says "those who go down to sea in big ships, who do work in the great waters, they see the work of Hashem etc. For he commanded and it brought up a stormy wind and lifted up by the waves. They reeled around and they staggered like drunkards etc. They call to Hashem in their troubles etc. You praise to Hashem for his kindness etc." You make signs there (between the P'sukim like the backwards Nun) to act like the words 'but' and 'only' (that teaches us exclusions), that the calling to Hashem only works before the decree and not after the decree. (So, we see that Hashem doesn't rip the decree.)

The Gemara answers: those sailors are individual people (and are not considered as a community).

The Gemara brings another proof: Bluria the Geyores asked R' Gamliel; it says in your Torah "that (Hashem) doesn't show favoritism," (lit. carry a face), and yet it says "Hashem shows favor to you."

Tosfos says that the simple reading of the Pasuk (He won't show favor) to the face, i.e., of the person. I.e., He's not showing favor for the person for his greatness and riches or an elder. As it says "which don't show any favor to the face of an elder." However, the Pasuk that says "which Hashem will show favor of the face to you" refers to the 'face' of the Shechina. I.e., that Hashem will show a happy face, and not an angry face.

Tosfos is bothered by the question: why doesn't the Gemara ask from the following P'sukim: "Hashem showed favor to the face of Iyov," and "for your face I show favor?"

**Tosfos answers: over there, Hashem showed extra favor since he was so righteous.**

R' Yossi the Kohain interjected; I'll give you a parable. It's similar to a case to someone who lends a Manah to his friend. He established him a time to pay before the king and he swore by the life of the king (that he'll pay by that time). He didn't pay by the time. He went to the king to appease him. The king answered: I forgive you for my personal insult, however, you need to appease your friend (that you owe). Here too, (he shows favor) if it's only a sin between a man and Hashem, but he doesn't when someone sins against his friend.