

Daf Hashvuah Gemara and Tosfos Rosh Hashana Daf 21
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R' Zeira quotes R' Nachman: all doubts (for the Diaspora for when Yom Tov falls out) is only for further days (and not for earlier days). This means to say that they only keep the fifteenth and sixteenth as Yom Tov, but not the fourteenth. The Gemara asks: let us also keep the fourteenth for, perhaps, they made Av and Elul into short months.

Daf 21a

The Gemara answers: if there were two short months in a row, (which is so uncommon), it would produce rumors of it (and they would have heard about it).

Levi visited Bavel during Tishrei. He said that food in Bavel is sweet on the great day (i.e., Yom Kippur) in Eretz Yisrael (i.e., you got the day we established Rosh Hashana wrong). They said to him: are you willing to officially testify about it (that will obligate us not to eat). He answered: (I can't) since I didn't explicitly hear Beis Din say "it's sanctified."

Tosfos explains: it was the eleventh of Tishrei for Bavel, which was the tenth to those in Eretz Yisrael, since they added a day unto Elul. That night, he must have come (from a close place) within the T'chum, since it was his Yom Kippur.

Alternatively, he came close to night (and not actually at night) on the Yom Kippur of the Babylonians, that was Erev Yom Kippur for the people of Eretz Yisrael. (According to this, he could have come from a distance.)

They told him to testify, and that will cause them to be forbidden to eat this day too, since it's the real Yom Kippur. He answered: he didn't explicitly hear from Beis Din that they sanctified it. After all, he left Yerushalayim on the thirtieth day of Elul close to nightfall, when there is not enough time for Beis Din to accept testimony, so he knows that they won't sanctify it until tomorrow on the thirty-first day. However, he didn't wait around until the next day to hear Beis Din say it's sanctified. We say later, that you can't testify about it until you explicitly hear Beis Din say it's sanctified even if you know they'll sanctify it the next day.

Tosfos asks: how did he allow them to eat on this day, since they'll transgress a Torah prohibition that has Kareis?

Tosfos answers: we learned later, the Pasuk says "which you call it, it should be called holy," whether it's in the proper time or not. The Gemara adds 'you (call it)' whether you mistakenly or purposely call it (the wrong day), even if you were fooled into it.

Tosfos is bothered by the question: in Chulin the Gemara says that if you transgressed Yom

Kippur mistakenly, you're exempt from a Chatos, in a time where there was a governmental decree not to keep Yom Kippur, so they pushed it off to Shabbos (where they didn't work anyhow) and he's exempt since it wasn't the real Yom Kippur. However, why don't we consider it the real Yom Kippur since everything depends on when Beis Din establishes it, like we say "you (call it)," even if you purposely change the date.

Tosfos answers: that refers to when they established the month on the right date, however, because of the decree, they didn't make Yom Kippur on the tenth, but only (on a later date) of Shabbos as a remembrance, so that they shouldn't forget the concept of Yom Kippur. Yom Kippur can only fall out on the tenth of Tishrei. However, here by the people of Bavel, it was truly the tenth day (from when they assumed it to be Rosh Chodesh).

Tosfos is bothered: the Gemara in Sanhedrin says that Chizkiyahu needed to pray for mercy "that they ate the Pesach on not the prescribed day" and they explained that he established it to be a leap year on the thirtieth day of Adar. It was forbidden to do so (even though it's technically still during Adar) since it's possible to establish that day as the first of Nissan (if Beis Din would sanctify it). Why don't we say that there is no problem since the Torah says "you (call it)," whether you did it mistakenly etc.?

Tosfos answers: that Pasuk is only applicable when you make Rosh Chodesh on the thirtieth or thirty first day, to make an unlawful full or short month, or through false witnesses.

New Sugya

R' Yochanan announced: wherever Beis Din's agent reaches in Nissan (before Pesach) but doesn't reach them in the days of Tishrei (before Sukkos, since they have more holy days that they can't travel) they always make two days of Yom Tov. They enacted to make it two days in Nissan to ensure that they'll make two days in Tishrei.

R' Ivo b. Nagri and R' Chiya b. Abba visited a city that the agent reached during Nissan but not during Tishrei. The city only made one day (Pesach) and the rabbis didn't protest. R' Yochanan heard about this and was upset at these rabbis. I already said: wherever Beis Din's agent reaches in Nissan but doesn't reach them in the days of Tishrei, they always make two days of Yom Tov. They enacted to make it two days in Nissan to ensure that they'll make two days in Tishrei.

Rava used to fast two days (for Yom Kippur, for perhaps they established Rosh Chodesh as the second day of Rosh Hashana). It once happened like his concern. R' Nachman was fasting the whole day of Yom Kippur. At night, a person came and said that the next day is the Yom Kippur for those in Eretz Yisrael. He asked the man where he was from and he answered: from the city of Damharya. He commented: (that is an acronym of) "Dam Tehaei Achreiso" (blood will follow you, i.e., you'll cause us to become sick from fasting two days). He said the Pasuk of "they were swift to pursue us."

R' Huna b. Avin sent to Rava: if you see the season of Teves (winter) stretches until the sixteenth of Nissan, make it into a leap year and don't worry (that it may be a single Tanna's opinion) since it says "guard the month of spring." This means to guard the spring season that it should be in the month of Nissan.

Tosfos quotes Rashi: that the Nissan season (spring) fell on the sixteenth of Nissan. We Paskin that the day that the season falls (even if it's in middle of the day) it's the start of the next season. Therefore, the Teves season (winter) stretches until the sixteenth, but not including the

sixteenth (i.e., it ends on the fifteenth). We need to make it a leap year, since it says “guard the Chodesh of spring,” you need that the spring season to start in the Chadush (new part) of Chodesh Nissan, and later than the fourteenth is considered the old part of the month. However, if the fifteenth of Nissan falls on the day of the season, it wouldn’t need to make it into a leap year (though the season needs to fall before the fifteenth), because we can just add a day onto Adar, which would push off Nissan a day, and the season will fall on the fourteenth. Tosfos adds: according to this, our Gemara would fit into the opinion of Acheirim who said in Sanhedrin that this qualification (that the season must fall by the fourteenth) refers to the Nissan season, and brings our Gemara’s Drasha.

However, Tosfos asks on Rashi: the Gemara in Sanhedrin implies that the fifteenth of the month is still considered as the new part of the month. After all, it says there; until when could you bless the moon (Kiddush Levana)? Nahardai says (until it’s old), i.e., on the sixteenth.

Therefore, Tosfos explains why the sixteenth is the deadline, and we don’t say you can fix it by adding a day to Adar: until the season stretches unto the sixteenth (i.e., that it can’t fall out earlier) even if you would add a day to Adar, (i.e., it would have fell on the seventeenth). Alternatively, that, what the Gemara says that the season stretches to the sixteenth, it means including the sixteenth (as being part of the last season) and the season falls on the seventeenth. So, adding a day to Adar won’t help, since the season will only start on the sixteenth, and there won’t be any spring in the new part of Nissan.

Tosfos is bothered by the question: why don’t you push it back to the fifteenth by adding a day to two short months, Adar and Shvat?

Tosfos answers: we learned that you can’t make less than four full (i.e., thirty days) months, nor more than eight full months. (Although by making those two months full it would only be eight full months), but the Gemara qualifies this to apply only by a leap year. However, by a regular year, you can’t make more than seven.

The next Tosfos asks: we learned in Sanhedrin that there are three variables that cause a leap year, the ripening of grains in its time, the finishing of the fruit in its time, and the seasons. We say if two of them (are off), we make it a leap year, but not for one of them. R’ Shimon b. Gamliel says (you make a leap year) on the seasons. We have an inquiry if he meant that, when the season is one of them, they’re all happy, or that he holds you can even make a leap year for the season being off by itself. The Gemara remains with a doubt. (So, how can our Gemara say that they made a leap year because of the season being off?)

Tosfos answers: we refer there to the fall season (and that’s when you might need other factors), but our Gemara refers to the spring season (and it could be the only factor for making it a leap year).

However, Tosfos concludes with a question: since we learn from a Pasuk that (you make a leap year for) both seasons to be in the right month, why is there a difference between the seasons?

R’ Nachman said to those who go to sea: you, who don’t know when they established the month, should burn the Chametz when you see the moon shine until morning (i.e., in doesn’t set until morning). The Gemara asks: that it only shines until morning on the fifteenth and you need to burn the Chametz on the fourteenth. The Gemara answers: we give this advice only to them, since the heaven is more revealed to them, (since they’re on a flat sea, they can see more of the horizon). Therefore, the moon doesn’t set until

morning on the fourteenth.

Daf 21b
New Sugya

The witnesses would desecrate Shabbos by two months, on Nissan and on Tishrei. That's because, on those months, agents would go out to Suria, and they fixed the dates of the Yomim Tovim.

Tosfos quotes Rashi: from the Torah, you can desecrate Shabbos for all the months, but the rabbis forbade it, since the other months don't establish the days of the holidays, so they didn't care that the month be full or short according to witnesses testifying.

Tosfos asks: the Gemara says; from where do we see that you can desecrate Shabbos? From "these are the holidays of Hashem," which only refers to Nissan and Tishrei. (So, why do you say that it applies from the Torah to all months?)

Tosfos answers: the Pasuk includes all Roshei Chodesh, since they're also called a holiday. As the Gemara in Pesachim says; we need it for the Chidush that the goats (in the Musaf) of Rosh Chodesh supersedes Shabbos and Tumah. I might have thought that (the Pasuk that permits it says 'holidays') and these are not called holidays, so we're taught that Rosh Chodesh is also considered a holiday, like Abaya says (see there).

However, when the Beis Hamikdash stood, they desecrated Shabbos for all the months, since it would fix the date for the Korbonos (Musaf).

The Gemara asks: is it true they only send agents to inform about those (two) months? After all, we learned that the agents went out by six months.

Abaya answers: on all the months, the agents would be able to leave the night before (in a case it's obvious that Beis Din will sanctify the day tomorrow). However, the agents of Nissan and Tishrei need to wait until they hear explicitly from Beis Din that it's sanctified. We have a Braisa like that. All agents can leave from the night before, but on Nissan and Tishrei, they can't leave until they hear from Beis Din that it's sanctified.

Tosfos explains: at this point in the Gemara, when the Mishna says that, on Nissan and Tishrei, agents go out, it means; they go out only after they hear Beis Din say it's sanctified. This seems like the Mishna is giving this as the reason why witnesses who saw the moon can desecrate Shabbos for this. Rashi explains: since the desecration of Shabbos of the witnesses make the agents get out earlier. After all, if they come today (on Shabbos), they can't leave until night, since the agents' leaving doesn't superseded Shabbos. If the witnesses won't come today, then they know that they'll sanctify the next day, and the agents leave right away at night. However, by Nissan and Tishrei, if the witnesses don't come that day (on Shabbos) and they add a day onto the last month, the agents will not leave until morning, because Beis Din doesn't sanctify the month at night. So, he's missing a night of traveling, and a little more (until Beis Din sanctifies it in the morning). [Rashi adds that he's also stopped for an extra Shabbos that he can't travel, but if Rosh Chodesh was Shabbos, then Yom Tov would be also Shabbos, and he'll only have one Shabbos between them that he can't travel).

Tosfos asks: it's difficult to say that the reason the witnesses can desecrate Shabbos to testify

is to facilitate the agents' leaving. After all, if the thirtieth of Elul falls out on Shabbos, and witnesses see, of course they need to desecrate Shabbos in order to testify. After all, if they wait until Sunday, then Hoshana Rabba ("the day of the Aravah") will fall out on Shabbos, and we would push off Rosh Hashana to avoid having Hoshana Rabbah to fall on Shabbos.

However, Tosfos concludes: (Although we don't need this reason for Tishrei), but we need it for Nissan

Tosfos says: in the Mishna, (when we thought that agents only left for Tishrei and Nissan) the explanation of the Mishna is that, since the agents leave for them to inform about the holidays, it shows that they're special months to desecrate Shabbos for in order to have them establish the holidays in the right days. Even in the Gemara's conclusion, Rashi explains the real reason we desecrate Shabbos so that we sanctify the month on the right day, as the Mishna concludes "since those are the months in which the holidays are fixed on." As the Pasuk says (that we Darshen to desecrate Shabbos) "which you call them (the day to establish the holidays)" implying, even on Shabbos. However, the Mishna that gives the reason for the agents leaving, that's only to add support for the reason to desecrate the Shabbos. After all, we do find places where the real reason is not dependent on the reason given, but is only brought as a support. As we see that we don't make a leap year because the kids and lambs are too small (and we would like them bigger to be used for the Korban Pesach), however, we use it as a reason to support the leap year (that we're making for other reasons). Like we learn in Sanhedrin; we don't make a leap year on account of the kids and lambs, but we make it as a support for other reasons. As they had a story of sending a letter to inform about the leap year, that they mentioned that the kids were still young.

Tosfos asks: what is the reason behind the Mishna that the agents can't leave until they hear from Beis Din explicitly that it's sanctified? I understand when the moon was seen clearly on the twenty ninth or thirtieth why you can't leave that night, even though you can be sure they'll sanctify on the thirtieth, for, perhaps, Beis Din will decide to make it a full month (for any reason) and it will ruin the days of holidays. However, if Beis Din didn't sanctify it the whole thirtieth day, let them go out on the night of the thirty first, since they can't push it off any further.

Tosfos answers: they decreed not to go out on the night of the thirty first for perhaps they'll go out also on the night of the thirtieth (when the moon is seen clearly). After all, (they'll mistake that the nights have the same Halacha) since, for the other months, the agents go out to inform by both nights (the thirtieth and thirty first).

The Rabanan learned: how do we know that you can desecrate the Shabbos to testify on the new moon? As the Pasuk says "these are the holidays of Hashem, in which you call on its proper time." If so, I might say that agents can desecrate for informing the same way witnesses can desecrate for establishing the date. So, the Torah says "on which you call on it in the proper time." This only for those who call (testify to make the proper time) can desecrate, but not those (who inform others of it) that help them keep the holidays.

New Sugya

The Mishna says that when the Beis Hamikdash stood, they desecrated Shabbos for all of the months because of the Korbonos. A Braisa says: originally, they desecrated Shabbos for all months. When the Mikdash was destroyed, R' Yochanan b. Zacai commented "Do we still have Korbonos (that justifies the desecration)?" So, they enacted not to desecrate Shabbos but for Nissan and Tishrei.

New Sugya

The witnesses desecrate Shabbos, whether it's seen 'B'alil' (clearly) or not. R' Yossi says: they can't desecrate Shabbos if it was seen clearly (since someone close to Beis Din must have seen it, and they'll say testimony on it, so there is no reason for you to desecrate Shabbos over it). There was a story that more than forty pairs of witnesses passed through Lud (to travel to Yerushalayim) and R' Akiva prevented them from going further (since the month was already established by other witnesses). R' Gamliel sent him a message not to do this, since it will create a problem later (since it would make a disincentive from ever coming again).

The Gemara asks: how do we know that 'Alil' is a term meaning 'clear?' R' Avahu quotes a Pasuk "the words of Hashem are pure, just as silver is purified seven times 'B'alil' (clearly).

There is an argument between Rav and Shmuel. One said that Hashem made fifty gates of wisdom, and all was given to Moshe except one, as it says "I lacked a little from Hashem." When the Pasuk says "Koheles (Shlomo) wanted to find words of delight." Shlomo wanted to be like Moshe, so a heavenly voice said "the Pasuk is true that a prophet will not arise like Moshe." The other said that the Pasuk only means that there won't be a prophet like Moshe, but a king could be like Moshe. When it says that Koheles wanted to find words of delight," that he wanted to judge people with what he sensed in their hearts without witnesses and without warnings, so the heavenly voice said "the Pasuk is true" that you can only judge through witnesses.