

OVERVIEW of the Daf

1) Identifying the author of the Mishnah (cont.)

The Gemara presents the third answer to the challenge against Rava and R' Nachman bar Yitzchok from the Baraisa.

2) Maaser of animals

R' Yochanan pinpoints the pasuk which serves as the source for the differing opinions regarding the New Year for calculating maaser of animals.

The exchange between the two opinions is recorded.

R' Yochanan's explanation is successfully challenged.

Rava offers an alternative explanation of the dispute.

3) Rosh HaShanah for years

R' Pappa suggests that the significance of the Rosh Hashanah for years is relevant for dating contracts.

A contradiction within the Mishnah is noted regarding which Rosh Hashanah is relevant for contracts.

The Gemara answers by distinguishing between Jewish kings and non-Jewish kings.

This answer is unsuccessfully challenged.

R' Nachman bar Yitzchok maintains that the significance of the Rosh Hashanah for years is regarding judgment. A pasuk is cited that supports this explanation.

The proof from the pasuk is unsuccessfully challenged.

Two Baraisos are cited that expound upon the earlier cited pasuk.

The Gemara explains one of the statements in the Baraisa.

4) New Year for Shemittah and Yovel

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REVIEW and Remember

1. What is the point of dispute concerning the timing of the New Year for ma'aser of animals?
2. What is the meaning of the Mishnah's statement that the first of Tishrei is the New Year for years?
3. When does the Heavenly court convene?
4. What marks the beginning of the Yovel year?

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in loving memory of our father Dr. Morris W. Steinberg,
משה וועלוועל בן אברהם
by Mr. and Mrs. Ari Steinberg and family

Distinctive INSIGHT

The hidden judgment of Rosh HaShana

וממאי דתשרי הוא דכתיב "תקעו בחדש שופר בכסה ליום חגנו" (תהלים פ"א: ד)

The pasuk in Tehillim (81:4) refers to two aspects of Rosh HaShana. "Blow the Shofar at the time of the moon's renewal (when it is covered from view) at the time appointed for a festive day." First, it is the time when the moon is hidden from view as it renews itself. Second, it is a festive day when one should celebrate.

One may ask how it is possible to celebrate on the day of judgment. It is clear that this question was on the minds of the people, as Nechemiah had to encourage them by saying (8:10): "Go eat rich foods and drink sweet beverages and send portions to those who have nothing prepared, for today is sacred to our L-rd. Do not be sad! The enjoyment of Hashem is your strength." From this response, we see that Nechemiah realized that the inclination of the people was to be preoccupied with the judgment. In what way was he telling them to celebrate?

HaRav Moshe Feinstein explains that the judgment of Rosh Hashana is different from the judgment of a human court. In a temporal court, the judgment and verdict is in the hands of the judges. The defendant has no control over the outcome. However, Hashem plants the ultimate verdict of the Rosh Hashana judgment in our hands. Even if we stand guilty now, we can receive a judgment for life by doing teshuva. Thus, we can be assured of a favorable verdict if we do our part. For a defendant to be told by the judge that the outcome of his judgment is totally in his hands is certainly something to celebrate, particularly since this is occurring during the Aseret Y'mei Teshuva, where the atmosphere is so conducive to teshuva.

The way in which the verdict is carried out, however, is not as clear to us. This is the other aspect mentioned in the verse - the time when the moon is hidden from view. Rabban Gamliel is quoted in the Gemara (Rosh Hashana 25a) as saying that the moon does not always appear at the exact same time each month. Sometimes it is delayed by taking a longer path and sometimes it appears ahead of schedule by taking a shorter path. Similarly, even if we respond to the opportunity presented to us by the Aseret Y'mei Teshuva, the unfolding of the judgment may not be immediately clear to us. Sometimes the events unfold quickly and are easily recognized. At other times, it takes a long time to see the goodness in the unfolding of events. However, in either case, they are the result of the way we make the most of the opportunity placed into our hands to influence the heavenly court to seal us for life in the coming year. ■

HALACHAH Highlight

HaMelech HaKadosh the first night of Rosh HaShanah

מלמד שאין בית דין של מעלה נכנסין לדין אלא אם כן קידשו בית דין של מטה את החודש

This teaches that the Heavenly Court does not enter into judgment unless the court below (i.e. an earthly court) has sanctified the month.

The Chaye Adam¹ cites an opinion which maintains that if, on the first night of Rosh Hashanah, a person said **הקל** instead of **הקדוש** he does not have to repeat the tefilla. The basis for this ruling is the halacha regarding one who forgot to recite **ויבא** on the night of Rosh Chodesh. Shulchan Aruch² rules that one is not required to repeat Shemoneh Esrei if he forgot **ויבא** on the night of Rosh Chodesh because Rosh Chodesh could not be declared at night. Consequently, if one forgot **ויבא** he is not required to repeat Shemoneh Esrei, since the night does not have the sanctity of Rosh Chodesh. Accordingly, the same ruling can be applied to Rosh Hashanah, which also could not be sanctified at night. Thus, if one read **הקל** it is not necessary to repeat Shemoneh Esrei.

Mishnah Berurah³ questions this ruling because once he is davening the Yom Tov Shemoneh Esrei he must say the correct nussach of that tefillah and if he does not read **המלך** he has not recited the correct tefillah. Rav Moshe Feinstein⁴ agrees with the ruling cited by Chaye Adam. The reason we say **המלך** is because of Rosh HaShanah and

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The source that the first of Tishrei is the beginning of the year for Shemittah is identified.

The Gemara explains that our Mishnah that identifies the first of Tishrei as the New Year for Yovel follows the opinion of R' Yishmael the son of R' Yochanan ben Berokah rather than others who maintain that the New Year for Yovel is the tenth of Tishrei.

The source for the differing opinions is identified.

Another Baraisa is cited that follows the position of R' Yishmael the son of R' Yochanan ben Berokah. ■

the days that follow are days of judgment when Hashem spends this time judging the world. Our Gemara teaches that Hashem's judgment cannot begin until the earthly court declares that the month (and year) has begun which cannot take place at night. Therefore, since Yom Tov begins at night, it is appropriate to recite the Yom Tov Shemoneh Esrei, but the specific references to Hashem as judge are not essential (i.e. if one forgot to mention **המלך** he is not required to repeat the Shemoneh Esrei) until the judgment process actually begins. Most Poskim, however, do not follow the ruling cited by the Chaye Adam⁵. ■

1. חיי אדם כלל כ"ד סעי' י'
2. שו"ע או"ח סי' תכ"ב סעי' א' וע' מ"ב שם סק"ג דאף בליל ב' אינו חוזר
3. שער הציון סי' תקפ"ב סק"ד וע' ספר אשי ישראל פל"ט הע' ל"ח
4. שו"ת אג"מ או"ח ח"א סי' ק"ע וע' ספר אשי ישראל פמ"ה הע' רנ"ד
5. ע' ספר פסקי תשובות ח"ו סעי' תקפ"ב אות ג' ■

STORIES Off the Daf

Royal judgment

מלך וציבור, מלך נכנס תחילה לדין

The Gemara teaches us that kings are judged prior to their subjects, and one reason for this is that the earlier one is judged the better. The later it gets, the angrier the Judge becomes, so to speak. The Toldos Adam, zt"l, says that the monarch of our Gemara refers to a righteous man who is compared to a king (Gittin 49). He works very hard to prepare himself for judgment, and starts long before the appointed day. Because he is more sensitive to the ramifications of being judged, he is prepared earlier, and he presents himself for judgment earlier. There-

fore he fares that much better for it!

Rav Chaim Solevetchik, zt"l, the Rav of Brisk, told a parable to illustrate this point.

"Once, a man wanted to smuggle some merchandise across the border. He met with a wagon driver who specialized in such operations and made all the necessary arrangements. Although there was time until the appointed day, the merchant was anxious from the first moment. His nerves were so frazzled, and his conscience so guilty, that he literally had to stop himself from looking over his shoulder for the long arm of the law even though, as yet, he hadn't done anything illegal.

"The wagon driver was not disconcerted in the slightest. For him, it was all business as usual. Even so, when the day

finally arrived to move the merchandise, he too was also petrified. He kept looking over his shoulder for anyone who might be guarding the little known path that he had chosen. He was startled by the slightest sound and was ready to bolt at any provocation.

Rav Chaim concluded: "The only ones who had a good trip were the horses!"

He explained, "Some start to tremble as soon as Elul begins because they realize that everything is at stake: life, health, livelihood, family, and peace of mind. Others are less sensitive, but they at least have the sense to feel some anxiety on Rosh Hashanah itself. Then there are those people who are as insensitive as the horses—their minds are focused on one thing only: the trough!" ■