

OVERVIEW of the Daf

1) Lighting torches (cont.)

The Gemara concludes its explanation as to why torches were lit only following a deficient month rather than for a full month.

2) ארז

R' Yehudah identifies four different varieties of cedar – ארז.

Different opinions are recorded as to the identity of one of the cedars listed.

It is noted that R' Yehudah differs with Rabbah bar R' Huna who enumerates ten species of cedar. The Gemara identifies the different species.

3) Obtaining coral from the sea

Rav, based on a pasuk in Yeshaya, gives a description of how a large ship called Burni would be used to obtain coral.

4) Teachings of R' Yochanan

R' Yochanan teaches that every pine tree taken from Yerushalayim by the gentiles will be replaced by Hashem.

R' Yochanan states that one who studies but does not teach is like a myrtle in the wilderness. According to an alternative version, R' Yochanan taught that one who teaches Torah in a place that does not possess scholars is as valuable as a myrtle tree in the wilderness.

R' Yochanan bemoans the fate of the idolaters who persecuted the Jews because they murdered R' Akiva and his friends who are irreplaceable.

5) The lighting of the torches

The locations of two of the places mentioned in the Mishnah are identified.

The meaning of the Mishnah's statement that the Diaspora was lit up like a bonfire is explained.

A Baraisa enumerates additional places where torches were lit.

(Continued on page 2)

REVIEW and Remember

1. Why weren't torches lit both for full and deficient months?
2. What is an effective way to raise up items from the bottom of the sea?
3. What causes the geography of Eretz Yisroel to change?
4. Why does the sun not see the curved section of the moon?

Distinctive INSIGHT

The formal testimony of the two witnesses for the new moon
ואח: כ"כ מכניסים את השני ובודקים אותו

The Mishnah describes the interrogation of the witnesses who came to testify about the sighting of the new moon. After the first witness gives his information, the Mishnah states that the second witness is then admitted to tell his story. It seems that each witness was questioned separately, with the elder one being interviewed first, followed by the younger one. Turei Even notes that this process is in accordance with the opinion of Rabbi Nosson (Sanhedrin 30a) who says that witnesses may register their testimony one at a time, even with one coming today and the other witness coming tomorrow. Tanna Kamma, however, holds that the two witnesses must present their testimony together, without any interruption between one's presentation and the next.

Others explain that our Mishnah may, in fact, require that both witnesses testify together. The fact that it does not explicitly mention that "both witnesses are brought in together" does not mean that this is not the case. The Mishnah which discusses capital cases also does not explicitly note that the two are brought into Beis Din together, although all opinions agree that testimony there must be delivered by the witnesses as they stand together.

Sfas Emes explains that the sighting of the moon does not have to be done with the witnesses standing together. Therefore, in this case even Tanna Kamma would agree that the witnesses need not be present their testimony to the Beis Din as a pair, and this is unlike the guidelines required in capital cases.

It is noteworthy to point out that the Mishnah declares that Beis Din makes its ruling "if we find—אם נמצאו—that their testimony coincides." Why does the Mishnah not simply state "when the testimony coincides"? What is implied with the words of the witnesses "being found" to be coordinating? The Gr"a comments that this is the source for the ruling of Shulchan Aruch (Choshen Mishpat 28:10) that if witnesses present their testimony in precise and exact wording, each the same as the other, although their testimony has no discrepancies, a judge should interrogate them rigorously and consider disqualifying their words. It would seem as if these people rehearsed their words, thus indicating a fabrication of a case. This is why the Mishnah describes an ideal case to be where the words of the two witnesses differ, but by listening to the description each presents leads us to find and realize that they are speaking about the same facts. ■

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לע"נ מרת אביגיל רבקה בת ר' פסח ע"ה
Mrs. Gale Rothner o.b.m

HALACHAH Highlight

Returning from a life-saving mission on Shabbos

ולא אלו בלבד אלא אף חכמה הבאה ליילד והבא להציל מן הדליקה וכו' הרי אלו כאנשי העיר ויש להם אלפים לכל רוח

And not only for them (the witnesses who testified about the new moon) but even a midwife who comes to deliver a baby or someone who comes to rescue others from a fire etc. They are like the residents of the city [to which they traveled for the life-saving mission] and they are given two thousand amos in each direction [for their techum].

Shulchan Aruch¹ rules in accordance with this Mishnah and states, "Similarly, anyone who travels out of the techum to save Jewish lives from the hand of these idolaters, from a flooding river or from a collapsed building, is considered a resident and may travel within the standard techum of the city. Furthermore, if the life-savers are afraid to remain in their present location, they are permitted to return home even if the return entails traveling outside of the new techum."

When Hatzalah originally formed, the organizers asked Rav Moshe Feinstein whether it would be permitted for the Hatzalah technicians to return home after responding to an emergency. The salient issue was this halacha that allows people who traveled outside the techum on a life-saving mission to return home. The rationale for the leniency is the fear that if people are not granted the above mentioned leniencies they would, in the future, refrain from making an effort to save others, resulting in people's lives being put at risk².

Rav Feinstein³ permitted Hatzalah technicians to return home following a call so that they would not hesitate when receiving an emergency call on Shabbos or Yom Tov. Some Poskim⁴, however, questioned this leniency, especially when it involved desecrating a Biblical prohibition. ■

(Overview. Continued from page 1)

Two opinions are recorded regarding the location of these places.

R' Yochanan gives the distance between one location and the next.

Two explanations are offered to explain why R' Yochanan's measurements are inconsistent with today's measurements.

6) MISHNAH: The Mishnah describes how the witnesses who came to testify about the new moon were received and also mentions the enactment that allows people who travel on life-saving missions to be considered residents of the new place.

7) The correct reading of the Mishnah

The Gemara questions whether the correct term in the Mishnah is **יעוק** which connotes a positive feeling or **יק** which connotes a negative feeling.

Abaye unsuccessfully attempts to resolve this inquiry, but it is left unresolved.

8) MISHNAH: The Mishnah describes how Beis Din would examine the witnesses to determine whether they were telling the truth regarding the appearance of the new moon.

9) Before or after the sun

The Gemara clarifies the intent behind the question as to whether the moon appeared "before" or "after" the sun and how it differs from the question about whether the moon appeared north or south.

This explanation is supported by R' Yochanan's statement that the sun never saw the curved-in section of the moon or a rainbow. ■

1. שו"ע אורח חיים סי' ת"ז סעי' ג'

2. ע' תוס' ד"ה שיהיו

3. שו"ת אג"מ אורח חיים ד סי' פ'

4. שו"ת מנחת שלמה ח"א סי' ז' ח' ■

STORIES Off the Daf

The moon's blemish

מעולם לא ראתה חמה פקימתה של לבנה

It was January the first, and the Ohev Yisroel of Apt, ז"ל, entered into his Beis Medrash. The tzaddik declared to one and all **תכתבו ותחתמו לאלטר לחיים טובים ולשלום** "May you be written and inscribed immediately for a good long life and peace!" No one could believe his ears. How could the Apter Rov invoke this lofty blessing today of all days, when the non-Jews celebrate their new year the only way they know how—by drinking themselves into a stupor? No one had the nerve to ask what

he meant by comparing the non-Jewish mockery of a new year to our exalted Rosh Hashanah, a day of prayer and introspection spent mostly in the confines of the beis knesses.

Years later, Rav Aharon of Belz, ז"ל, explained the meaning of the action of the Apter Rov: "Once, the Maggid of Mezritch, ז"ל, quoted the Gemara in Rosh HaShanah 23, where it says that the sun never saw the blemish of the moon. The moon represents the Jewish people who arrange their calendar according to the moon and sanctify it every month. The sun, on the other hand, represents the non-Jews who follow the solar calendar. According to the Maggid's teaching, even the greatest non-Jew who is compared to the

sun, has never seen the blemish of the moon, the blemish of the Jewish people. Even the worst Jew is better by far than the greatest non-Jew. For this reason, when the repentance that we do during the yomim noraim doesn't suffice to completely mitigate the judgments against us, it is decreed in heaven that the final judgment be suspended until the solar new year. When the non-Jews comport themselves in their usual manner, the intrinsic good of the Jewish people shines brightly in comparison. This is enough to swing the final judgment in our favor, and this explains the seemingly peculiar behavior of the great Ohev Yisroel. He knew that the judgment was still pending that year, and so he wished everyone a kesivah v'chasimah tova!" ■

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