

## OVERVIEW of the Daf

### 1) Disqualifying witnesses (cont.)

Rava issues another ruling related to the principle that we divide a person's statement so that he should not incriminate himself.

The necessity for two rulings that we divide a person's statement is explained.

### 2) Zomemim

Rava issues two rulings related to whether zomemim receive only lashes or whether they are also liable to pay money.

Rava issues the same rulings in a second context.

The reason Rava presented the second ruling was to introduce the question of whether a person could testify against his own property.

### 3) The number of judges needed for lashes

R' Huna suggests that a verse is what teaches that only three judges are needed for cases of lashes.

This derivation is challenged from the fact that the same verse has additional words which should teach that an additional four judges should be required.

The Gemara answers that those words are needed for an exposition of Ulla. Ulla's exposition is presented.

Abaye offers one explanation for R' Yishmael's position that cases of lashes require a Beis Din of twenty-three judges.

Rava suggests a second rationale for R' Yishmael's position.

Rava's position is unsuccessfully challenged.

### 4) Intercalation of the month

The Gemara questions the necessity to have a Beis Din of three judges declare that it performed an intercalation when the month would be extended automatically if they do not declare the beginning of the new month.

(Continued on page 2)

## REVIEW and Remember

1. Explain the principle of פלגיני דבורא?
2. What is the reason to require twenty-three judges for cases of lashes?
3. Is it necessary to declare Rosh Chodesh on the thirty-first of the month?
4. How many judges are needed to make a leap year?

## Distinctive INSIGHT

*The connection between Birkas Kohanim and the calendar*

חד אמר כנגד ברכת כהנים

Rabban Shimon ben Gamliel said in the Mishnah that the process of adding an extra month to the year begins with a panel of three judges. It continues with a group of five, and finishes with a full committee of seven judges. The Gemara notes that these numbers correspond to the priestly blessing, ברכת כהנים.

Rashi and Ritva explain that the Gemara here is referring to the three verses of the Birkas Kohanim. The first verse comprises three words, the second verse has five words, and the third verse has seven words.

יד רמה explains the connection between extending the year by one month and the Birkas Kohanim. Hashem cherishes the Jewish people, and He wishes to confer blessing upon them. He could do so with one blessing, but His intense love for His special people leads Him to grant them a triple-faceted blessing, with each verse growing in quantity and quality, beginning with three words, and expanding to five and finally seven words. Similarly, when we convene to arrange the calendar which contains the festivals and holidays, the special moments when we will celebrate our close relationship with Hashem, we mimic Hashem's actions as we review and consider the accuracy of the calculations with a panel of three, five, and finally seven judges.

In his Chidushei Agados, Maharsha explains this Gemara based upon the Midrash (Bemidbar Rabba 11:3) which expounds upon the verse in Shir HaShirim (3:7), "Sixty myriads of Israel's mighty encircle it." Together with another eleven officers mentioned in 2 Melachim, 25, there is a reference to seventy-one members of the Sanhedrin. The verses of Birkas Kohanim have sixty letters, and they contain a blessing for one's material welfare, which is necessary for judges so that they not be dependant upon others and subject to the influence of the wealthy.

Tosafos Yom Tov explains that the verses of Birkas Kohanim deal with bounty of the agricultural yield, which is determined by the climate and seasons of the year, which we control by the intercalation of the calendar.

עיון יעקב writes that Birkas Kohanim culminates with the promise, "ואני אברכם—and I will bless them." The Gemara in Chullin (49a) notes that when the kohanim pronounce their blessing correctly, Hashem assures the nation that He will agree to their blessing and bestow His blessings upon the nation. Similarly, when the analysis of the calendar is reviewed properly, and the appropriate groups discuss the matter and arrive at a conclusion, Hashem promises here, as well, that He will agree with their conclusion. Accordingly, the extra month is added, and one year will not end and the other will not begin until the second Adar has elapsed. ■

# HALACHAH Highlight

## Standing for Birkas HaChodesh

אמר אביי תני קידוש החודש

Abaye answered, "The Mishnah should read, 'sanctification of the month'"

Sefer Yeraim<sup>1</sup> writes that the practice of announcing the new month on the Shabbos before Rosh Chodesh is not a form of the sanctification of the new month since that practice requires the head of the Beis Din (ראש בית דין) and he is not in shul when the announcement is made. The practice was enacted by earlier generations to serve as reminder for the people of the upcoming new month. Magen Avrohom<sup>2</sup> cites the opinion of Yeraim and adds that we nevertheless have the custom to stand while announcing the new month similar to the requirement to stand when sanctifying the new moon. Sha'arei Ephraim<sup>3</sup> further adds that it is also customary to have the sh'liach tzibbur hold a Sefer Torah while making the declaration. The source for this practice, explains Rav Moshe Feinstein,<sup>4</sup> is Pirkei D' Rebbi Eliezer, which mentions the practice of bringing a Sefer Torah when a minyan was not present for עיבור חודש.

Rav Akiva Eiger<sup>5</sup> questions why we have customs related to announcing the new month that are similar to the sanctification of the new month when the two ceremonies are not the same. Rav Feinstein<sup>6</sup> wrote that the practice could be traced to what later authorities write according to Rambam that nowadays the sanctification of the new moon occurs as a result of the collective agreement of the nation. Since the new month is sanctified when the nation agrees that it should begin it is necessary for the people to be aware of when Rosh Chodesh will occur so that they could have the

(Overview...continued from page 1)

Abaye suggests that the Mishnah should read that the sanctification of the new month is done by a Beis Din of three judges.

A Baraisa is cited that supports this reading.

Rava rejects Abaye's explanation and offers an explanation that is more loyal to the wording of the Mishnah.

R' Nachman offers a third explanation of the Mishnah.

R' Ashi presents a final explanation of the Mishnah.

The Gemara further elaborates on R' Ashi's explanation.

### 5) A leap year

A Baraisa describes the procedure of declaring a leap year.

Two different explanations are presented for why there are panels of three, five and seven judges to declare a leap year.

R' Yosef cited a Baraisa that supports the second explanation.

R' Yosef explains why he never shared this explanation with Abaye. ■

proper intent. The reason we make the announcement on Shabbos rather than on Rosh Chodesh when the intent is necessary is that Shabbos is the day when the most people are in shul and therefore the most opportune time to inform the greatest number of people of the upcoming Rosh Chodesh and when it will occur. ■

1. ספר יראים סי' ק"ג.
2. מג"א סי' תי"ז סק"א.
3. שערי אפרים שער י" אות ל"ו.
4. שו"ת אג"מ או"ח ח"א סי' קמ"ב.
5. רעק"א על המג"א הנ"ל.
6. שו"ת אג"מ הנ"ל. ■

# STORIES Off the Daf

## A Split Decision

"פלוני בא על אשתי..."

A certain man wished to send two parcels of food to a friend in a neighboring town. He took a pouch of cheese and a bag of meat and put them both together in another bag. This outer bag was sealed and he sent them off with a non-Jewish messenger.

When the food arrived at its destina-

tion, the recipient was unsure what to do with it. On the one hand, the halachah is that one who sends meat unsupervised with a non-Jew must send it with two seals. Yet cheese requires only one seal. So what was the halachic status of what was sent? Presumably, if the cheese was kosher, so was the meat. Or perhaps the exact opposite was true. Maybe the meat was invalid and this caused us to suspect that the cheese may also have been tampered with. And it was always possible that the cheese was presumed to be untouched while we suspected that the meat was switched—who says that the

halachic status of one has an impact on the other?

When this question was put before the Ben Ish Chai, zt"l, he replied that the final option was correct. "This is clear from Sanhedrin 10. There we find that if a person claims a stranger had relations with his wife, we may rely on his testimony and that of another witness to execute the offender, but not his wife. Clearly we can split testimony and permit the cheese while prohibiting the meat!"<sup>1</sup> ■

1. שו"ת תורה לשמה, סי' ר"ג ■