

## OVERVIEW of the Daf

### 1) The use of an unconsecrated utensil

Two additional suggestions are presented to explain why the water for libation was stored in an unconsecrated utensil.

The Gemara notes that the Mishnah does not entertain the possibility of straining the water left out overnight. This indicates that the Mishnah does not follow R' Nechemyah who allows the use of strained water.

The Gemara explains how, in fact, the Mishnah could be consistent with R' Nechemyah.

### הדרן עלך לולב וערבה

2) **MISHNAH:** The Mishnah explains how the flute could be used for either five or six days.

### 3) Determining the name of the celebration

R' Yehudah and R' Eina dispute the correct name for the ceremony mentioned in the Mishnah. According to one opinion the name is **שואבה** – water drawing – and according to the second opinion it is called **חשוב** – important.

Mar Zutra explains why neither opinion is incorrect.

### 4) The flute

A Baraisa records a dispute regarding the permissibility of playing the flute in the Beis HaMikdash on Shabbos.

R' Yosef explains that the dispute relates to the song that accompanied the sacrifice. The issue is whether the essential component of the song is the instruments or the singing. All opinions agree that the song of the Water Drawing Ceremony does not override Shabbos.

R' Yosef suggests a proof that R' Yosi bar Yehudah and Chachamim dispute whether the essential component of the song is the instruments or the singing.

The Gemara presents two alternative ways to explain the Baraisa that would not prove R' Yosef's assertion regarding the dispute between R' Yosi bar Yehudah and Chachamim. ■

## Distinctive INSIGHT

*The excessive celebration while being judged for water*

בית השואבה. ופרש"י— כל שמחה זו אינו אלא בשביל ניסוך המים

**M**aharsha explains that the great celebration which was held at the Ceremony of Pouring the Water was due to the judgment for water which took place at that time. The Mishnah (Rosh HaShanah 16a) tells us that this mitzvah is specifically given to us for Sukkos because the world is judged regarding water on Sukkos, and the observance of this mitzvah provides us with the merit to earn a favorable outcome in our judgment.

Sefer **מרפסין איגרא** notes that a day of judgment is usually cause for concern and added anxiety, and it is not a time for celebration and excessive happiness. Yalkut Shimoni (Vayikra 654) comments that Pesach and Shavuot are times of judgment (Pesach for grain, and Shavuot for fruit), and the worry that we are being judged in each case is precisely why the Torah does not emphasize **שמחה** as an integral part of these festivals. Why, then, is Sukkos noted as a time of added happiness specifically due to the judgment process for water?

R' Chaim Kanievsky, **שליט"א**, answers that at this point in the month of Tishrei, we have experienced the ten days of Teshuvah beginning with Rosh HaShanah and culminating with Yom Kippur. We are therefore confident and assured that we have been forgiven for our sins. We are now ready to rejoice, knowing that the outcome of our being evaluated for water will be successful. As we observe the mitzvah of pouring the water on the Altar, the celebration was increased and overflowing.

The Midrash (Parashas Emor) also explains that the handling of the lulav throughout the festival of Sukkos is our way of demonstrating that we have emerged victorious from the judgment of Rosh HaShanah and Yom Kippur. ■

## REVIEW and Remember

1. Why is it inappropriate to use water left uncovered and then strained for the water libation?  
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2. Why is the Water Drawing Ceremony important?  
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3. How is the use of wooden utensils related to the question of what is the primary component of the songs of the Beis HaMikdash?  
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4. What is more inclusive **ריבוי ומיעוטי** or **כלל ופרטי**?  
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# HALACHAH Highlight

## *Listening to music after the destruction of the Beis HaMikdash*

דר' יוסי סבר עיקר שירה בכלי... ורבנן סברי עיקר שירה בפה  
*R' Yosi holds that the primary [component] of song is with the instruments ... and Rabanan maintain that the primary [component] of song is with the mouth.*

Rambam rules that after the destruction of the Beis HaMikdash Chazal prohibited listening to any type of musical instruments. Additionally, drinking wine while listening to a person sing is also prohibited<sup>1</sup>. Rambam does not explain the reason for the distinction between musical instruments and singing. Rav Binyomin Zilber<sup>2</sup> writes that the distinction can be explained in two ways. In our Gemara R' Yosi and Chachamim disagree whether the primary component of the music of the Beis HaMikdash was the singing or the instruments. According to the opinion that the instruments were primary, one could explain that listening to instruments was prohibited to commemorate the instruments of the Beis HaMikdash. Therefore, all instruments are included in the prohibition. Singing, on the other hand, was prohibited only because it generates simchah, and to quell simchah it is sufficient to prohibit drinking wine while listening to singing. A second explanation is that instruments generate a greater degree of simchah and they are prohibited under all circumstances. Singing, however, was only an auxiliary enactment, since singing does not generate the same degree of simchah. Thus it is sufficient to prohibit listening to singing while drinking wine.

Rav Zilber submits that a difference between these two approaches will be listening to a recording of someone singing. If the reason there is a stronger enactment against instruments is to commemorate the instruments of the Beis HaMikdash it is logical that tape recorders and CD players are not included in that decree. On the other hand, if the primary thrust of the decree is that listening to instruments generates simchah, it could be argued that even listening to singing on a tape recorder or CD player would be included in the restriction. Rav Moshe Feinstein<sup>3</sup>, however, writes that listening to recorded music depends upon what is recorded. If one listens to singing it falls under the category of singing and if one is listening to instruments it falls under the category of instruments regardless of the fact that the sound is coming from a utensil, i.e., the tape recorder or CD player. ■

1. רבמ"ם פ"ה מהל' תעניות ה"ד וכן מובא בשו"ע אר"ח סי' תק"ס סע' ג'  
 2. שו"ת אז נדברו ח"ח סי' נ"ח אות ג'  
 3. שו"ת אג"מ אר"ח ח"א סע' קס"ז ■

# STORIES Off the Daf

## *The wellsprings of Ruach HaKodesh*

דכתיב ושבתם מים בששון ממעיני הישועה

On today's daf, Tosafos cites the Yerushalmi that explains why the festivities during Sukkos were called the "Simchas Beis HaSho'eiva"—the rejoicing of the place of drawing up. Those who attended and rejoiced could actually "draw" Ruach HaKodesh into themselves, as we find in the verse, "And it was when he did play the music that the hand of Hashem came upon him." (2 Melachim 3:15)

Rav Baruch Ber Lebovits, zt"l, once asked his Rebbi, Rav Chaim Soleveitchik, zt"l, if the Chofetz Chaim actually possessed Ruach Ha-

Kodesh or not. The gadol responded by citing Yoma 9b, "Chazal said that since the death of Chagai, Zacharya, and Malachi, Ruach HaKodesh has departed from the Jewish people. On the other hand, they also tell us in Eruvin 64b that Rabbi Yishmael received insight via Ruach HaKodesh. Rambam, zt"l, lists twelve levels of Ruach HaKodesh, so it is difficult to discern what exactly departed from the Jewish people and what elements remained." He then added the following illustrative anecdote:

In Padua a long time ago, two wealthy business partners lost a great deal of their merchandise and property when a blaze broke out in their place of business. Among the things missing and presumed destroyed was the ledger that recorded exactly who owned what. They went to the Rama of Padua, zt"l, for arbitration since they were

at a loss as to how to be divide the remaining property.

The Rav said, "Provide me with a list of everything that is left and come back tomorrow morning."

When they returned the following day, the Rav provided them with a list of the remaining property divided to the last penny that was clearly unequal in its distribution.

Although this seemed quite strange, the two followed the Rav's advice and divided it up as he had ordered.

Several days later, the original ledger was found singed, but intact, among the debris. To everyone's amazement, it proved that the Rav had divided up the estate exactly in accordance with the record!"

Rav Soleveitchik concluded, "For this, one needs Ruach HaKodesh!" ■

