

II.

BAVLI TRACTATE ROSH HASHANAH CHAPTER TWO

FOLIOS 22A-25B

2:1

- A. If they [in Jerusalem] are not going to recognize him, they [in his own town] send another with him to give evidence about him.
- B. At first they would accept testimony concerning the new moon from everybody.
- C. Once the minim had spoiled matters, they made the rule that they should accept testimony only from those who are recognized.
- I.1 A. *[At M. R.H. 2:1A] what is the meaning of “another”?*
- B. *[Presumably it means] one [other individual who can testify regarding the identity of the actual witness].*
- C. **[22b]** *But is [the word of] one [person in fact] trusted [to state that the witness of the new moon may be believed]?*
- D. *But, [to the contrary], it is taught on Tannaite authority: Once he [that is, a witness of the new moon] came [to the court in Jerusalem], and his witnesses [came] with him, to give testimony regarding the one [who actually saw the new moon]. [The fact that several individuals were brought to attest to the character of the one who saw the New Moon proves that B’s interpretation of M. R.H. 2:1A is incorrect.]*
- E. *[Offering a different explanation] said R. Pappa, “What is the meaning of ‘another’?”*
- F. *“[It means] ‘another pair [of individuals].’” [These two people can attest to the character of the two people who are required as witnesses of the New Moon.]*
- G. *This [interpretation suggested by Pappa, F] also makes sense [based upon the actual wording of M. R.H. 2:1]:*

- H. *For if [you reject Pappa's explanation, then, in] this [phrase at M. R.H. A]: **If they [in Jerusalem] are not going to recognize that one..—what is the meaning of [the word] “that one”?***
- I. *Should I say that “that one” [refers to] one [person]?*
- J. *But [that is impossible, since] is [the word of] one [person] trusted [to give evidence of the appearance of the new moon]?*
- K. *[The fact that one witness may not give evidence for the new moon is proven by Psa. 81: 5.] [Indicating the contrary, at Psa. 81: 4, the word], “judgment” is written regarding it [that is, the testimony for the new moon]. [Psa. 81: 4-5 read: “Blow the trumpet at the new moon, at the full moon, on our feast day. For it is a statute for Israel, a judgment of the God of Jacob.” J-K's point is that any “judgment” requires two witnesses.]*
- L. *Rather [contrary to what is proposed at I, at M. R.H. 2:1A, the word] “that one” [means] “that pair [of witnesses].”*
- M. *Comparably, what is the meaning of “another”?*
- N. *[It means] “another pair.”*
- O. *[The concern of the preceding unit is developed.] But [in this instance] is [the testimony of] one [individual, regarding the character of the witness] not trusted?*
- P. *But [to the contrary] it is taught on Tannaite authority [T. **R.H. 1:16**]: **McSH B: R. Nehorai went with a witness to give testimony concerning him on the Sabbath at Usha.***
- Q. *[For the reason given here, B's description proves nothing.] I can say that another witness was with R. Nehorai, and [the fact that] they do not mention him is because of respect for R. Nehorai. [That is, the other individual would not be mentioned with, and therefore put on the same footing as Nehorai.]*
- R. *[Explaining exactly what happened in the incident reported at B] R. Ashi said, “[In the case of] R. Nehorai, a different witness [already] was at Usha, and R. Nehorai went to join with him [to present the required testimony of two individuals].”*
- S. *[The point of the is not clear.] If that is so, what does [the story] mean to teach?*
- T. *[Had the incident not been recounted] what might you have thought? In a case of doubt, they do not profane the Sabbath [to bring evidence of the new moon]. So we are informed, [that even in a case of doubt, one may profane the Sabbath].*
- I.2** A. *When Ulla came [to Babylonia] he said, “[On such-and-so day] they sanctified the new moon in the west [that is, in the land of Israel].” [Contrary to what is proposed in the preceding units, Ulla's testimony was accepted despite the fact that other individuals were not with him, to attest to his character.]*
- B. *Said R. Kahana, “[To know the law], we do not require [this story about] Ulla, for he is a great person who [obviously] is believed.*
- C. *“Rather, even an ordinary person is believed [to give testimony about the new moon]!*
- D. *“What is the reason?*

- E. *"[About] anything that eventually will become known [through other sources], people do not lie."*
- F. *That which is taught on Tannaite authority makes the same point: If someone comes from the [other] end of the world [so as not to be known to anyone] and says, "A court has sanctified the new month," he is believed.*

II.1 A. **At first they would accept testimony concerning the new moon from everybody [Once the *minim* had spoiled matters, they made the rule that they should accept testimony only from those who are recognized; M. R.H. 2:1B-C].**

- B. *Our Rabbis have taught on Tannaite authority: How did the *minim* spoil matters?*
- C. *[See T. R.H. 1:15:] Once the *minim* wished to lead the sages into error. They hired two people for 400 *zuz*, one of our [group], and one of theirs [that is, a sectarian].*
- D. **The one who was of their [group] testified and departed.**
- E. **Ours [came in]. They said to him, "Tell us how you saw the moon."**
- F. **He said to them, "I was going up the ascent of Adumim, and I saw it crouching between two rocks, its head looking like a calf, and its ears looking like a lamb, and its horns looking like a deer, and its tail lying between its thighs. I saw it, I was astonished, and I fell backwards.**
- G. **"And if you do not believe me, lo, two hundred *zuz* are tied up in my purse [as a surety]!"**
- H. **They said to him, "Who forced you into this [act of deceit]?"**
- I. **He said to them, "I heard that the *minim* wished to lead the sages into error. I said, I shall go myself and inform them, lest untrustworthy people come and [in fact] mislead the sages!"**
- J. **They said to him, "The two hundred *zuz* are given to you as a gift. But the one who hired you will be laid out on the post [for flogging]."**
- K. **At that exact moment, they made the rule that they should accept testimony only from those who are recognized [M. R.H. 2:1C].**

2:2

- A. **At first they would kindle flares.**
- B. **Once the Samaritans had spoiled matters, they made the rule that messengers would go forth.**

2:3

- A. **How did they kindle flares?**
- B. **They bring long cedar wood sticks, reeds, oleaster wood and flax tow.**
- C. **And one binds them together with a rope.**
- D. **And he goes up to the top of the hill and lights them.**
- E. **And he waves them to and fro and up and down, until he sees his fellow, doing the same on the next hilltop, and so with the third hilltop [and beyond].**

- A. And beginning at what place did they kindle flares?
- B. From the Mount of Olives [they gave the signal] to Sarteba, from Sarteba to Agrippina, from Agrippina to Hauran, from Hauran to Bet Baltin.
- C. But they did not move from Bet Baltin.
- D. Rather [from that vantage point] one waves them to and fro, up and down, until he would see the whole Exile before him lit up like a bonfire.

I.1. A *How [do we know that the word translated here as] “flares,” conveys the meaning “burning”?*

- B. *It is as it is written [2Sa. 5:21: “And the Philistines left their idols there], and David and his men carried them away.” [The word “carried” in this verse has the same root as the word translated as “flares.”]*
- C. *Now, we translate [this verse into Aramaic as follows]: “And David burned them [that is, the idols].” [The implication is that the root translated as “flare” indeed signifies burning.]*

I.2. A. *Our Rabbis have taught on Tannaite authority [see T. R.H. 1:17]: They kindle flares only for a month that came at its proper time, in order to sanctify it.*

- B. And when are they kindled?
- C. On the day of its intercalation.
- D. *This is to say that for defective months [containing only twenty-nine days], we do it [that is, kindle flares].*
- E. *But. for full months [containing thirty days], we do not do it.*
- F. *What is the reason for this?*
- G. Said R. Zira, “It is a precautionary measure [enacted] because of [the case of] a celebration of the New Month for a defective month that falls on the eve of the Sabbath. [In such an instance] when do we do [it, that is, light the flares]? At the end of the Sabbath. [Even though the new month began with Friday evening, because of the prohibition against kindling on the Sabbath, the flares are not lit until Saturday night.] Now, if you say that we do the same [that is, kindle flares] for full [months], [23a] people will be led into error. [For, in a case in which the flare is lit on a Saturday night] they will say, ‘This was actually a defective month, and the reason that they did not do [it, that is, kindle the flares] yesterday [on Friday night] is because doing so was not possible. Or perhaps it [actually] is a full month, and they did [it, that is, kindled the flares on Saturday night] at the correct time.’” [Zira’s claims that because of this possible confusion, flares never are kindled for a full month. As a result, if flares are lit on a Saturday night, the thirtieth of the month, people will know that the month actually was defective and ended on the twenty-ninth.]
- H. [Zira’s proof that flares are kindled only for defective months is rejected. The problem he raises is seen as significant, but a way to solve that problem while still kindling flares for full months is proposed.] *But [despite the problem raised by Zira] let us do [it, that is, kindle flares] for both full and defective [months]! And when the New Moon falls on Sabbath’s eve, let them [simply] not do anything [that is, in this instance, no flares are kindled either on Friday or Saturday*

night]. Now, [in this approach], since they did not do [it, that is, light flares] at the conclusion of the Sabbath, even though they do it for a full [month], people will know that it was a defective month [which ended Friday night, at which time flares could not be kindled].

- I. Even in this approach people will be led into error! They will say, “This was a full month, but the reason that they did not do [it, that is, kindle flares] is that they were prevented. [Rashi, cited by Simon, p. 98: Those who light the flares might have become drunk through drinking too much wine on the Sabbath.]
- J. [A new solution is offered to the problem posed by Zira.] Then they should do [it, that is, kindle flares] for full [months] but not do it at all for defective [months]!
- K. [Explaining why this is not acceptable] said Abbaye, “[They do not do this] so as not to prevent the people from working for two days.” [People did not work on the celebration of the New Moon. If flares were used only to announce a full month, because of doubt, people always would have to cease work to celebrate the thirtieth day. Then, if the month in fact were full, they would have to continue without working to celebrate the actual New Month, on the thirty-first.]

II.1 A. How did they kindle flares? They bring long cedar wood sticks, [reeds, oleaster wood and flax tow; M. R.H. 2:3A-B].

- B. Said Rab Judah, “There are four kinds of cedar: cedar, Qetros, oleaster, and cypress.
- C. Qetros?
- D. Said Rab Idra, “Those of the house of R. Shila say [it is] mabliga. But [others] say it is gulumish.”
- E. This disputes [the perspective of] Rabbah bar Rab Huna, for said Rabbah bar Rab Huna, “They say in the house of Rab, ‘There are ten kinds of cedar, as it is said [Isa. 41:19]: “I will plant in the wilderness cedar [erez], the acacia tree [shittah], the myrtle [hadass], and oleaster [es shemen]. I will set in the desert the cypress [berosh], teak [tidhar], and the pine [teashur] together. ‘Erez’ means cedar, ‘shittah’ means pine, ‘hadass’ means myrtle, ‘es shemen’ means balsam, ‘berosh’ means cypress,” ‘tidhar’ means shaga, “teashur” means shurbina.”
- F. But are these not only seven kinds of cedar?
- G. When R. Dimi came, he said, “They added these to the list: alonim, almonim, almogim. ‘Alonim’ are pistachio trees, ‘almonim’ are oaks, ‘almogim’ are corals.”
- H. Others say, “[They added] aronim, armonim, almogim. ‘Aronim’ are ore, ‘armonim’ are plane trees, ‘almogim’ are corals.”

Miscellany on Verses of Isaiah, including a Reference to Acacia-Wood

- II.2 A. [Isa. 33:21 states: “But there the Lord in majesty will be for us a place of broad rivers and streams], where no galley with oars can go, [nor stately ship can pass].”
- B. Said Rab, “This [refers to] a great, fast-sailing vessel.”
- C. [Add following M:] “Why is it built? To raise corals.”
- D. How is this done?
- E. They bring six thousand men for twelve months.

- F. *But some say: [It is] twelve-thousand men for six months of a year.*
- G. *And they load it [that is, the boat] with sand until it sinks.*
- H. *Then a diver goes down and ties [one end of] a rope of flax to the coral and ties [the other end] to the boat.*
- I. *Then they remove the sand and throw it outside [of the boat], and when [the boat] rises [the coral] is detached [from the bottom] and brought up [to the surface].*
- J. *And they exchange one [weight in coral] for two [of that same weight in] silver.*
- K. *There are three ports [at which coral could be collected], two belonging to the Romans, and one belonging to the Persians.*
- L. *From that belonging to the Romans coral is brought up.*
- M. *From that belonging to the Persians pearls are brought up,*
- N. *and it is called the port of Mashmahig.*

- II.3** A. Said R. Yohanan, “Each and every acacia tree that gentiles took from Jerusalem the holy one, blessed be he, is destined to restore,
- B. “as it is said [Isa. 41:19]: ‘I will put in the wilderness the cedar, the acacia....’
 - C. “Now, [the term] ‘wilderness’ means nothing other than ‘Jerusalem,’
 - D. “as it is said [Isa. 64:10]: ‘Zion has become a wilderness, [Jerusalem a desolation].’”

- II.4** A. And said R. Yohanan, “Anyone who studies Torah but does not teach it [to others] is like a myrtle in the wilderness [which is wasted, since no one can enjoy it].”
- B. There are those who say: Anyone who studies Torah and teaches it [to others] in a place in which there are no other scholars is like a myrtle in the wilderness, which is precious.

- II.5** A. And said R. Yohanan, “Woe to the idol-worshippers, for they have no remedy [to atone for their sins],
- B. “as it is said [Isa. 60:17]: ‘Instead of bronze I will bring gold; and instead of iron I will bring silver; instead of wood, bronze; instead of stones, iron.’
 - C. “[But, as for the idol worshippers] instead of R. Aqiba and his associates, what can they bring?
 - D. “And concerning them [that is, the idol worshippers], Scripture says [Joel 4:21]: ‘I shall cleanse [them of other transgressions, but] their blood I shall not cleanse.

- III.1.** A. And beginning at what place did they kindle flares? [From the Mount of Olives [they gave the signal] to Sarteba, from Sarteba to Agrippina, from Agrippina to Hauran, from Hauran to Bet Baltin]. But [they did not move from Bet Baltin; [M. R.H. 2:4A-C].

- B. *What is Bet Baltin?*
- C. Said Rab, **[23b]** “This [name] refers to Biram.”

- III.2** A. [At M. R.H. 2:4D] what is [meant by the term] “Exile”?

- B. Said Rab Joseph, “This refers to Pumpeditha.”

III.3 A. *[At M. R.H. 2:4D] what is mean by “lit up] like a bonfire”?*

- B. *A Tannaite authority [said]: Everyone [in Pumpeditha] takes a torch in is hand and goes up to his roof [to spread the news].”*
- C. *It is taught on Tannaite authority: R. Simeon b. Eleazar says, “[This] also [was done in] Harim, Kiyyar, Geder, and their neighboring [towns].”*
- D. *There are those who say [that these places] are between [the locations mentioned at M. R.H. 2:4, and, hence, are in the land of Israel].*
- E. *And there are those who say [that these places] are on the other side of the land of Israel.*
- F. *[In E’s understanding] one authority [e.g., M. R.H. 2:4] considers this side [of the land of Israel], while [the other] authority [e.g., Simeon b. Eleazar, C] considers the other side of the land of Israel.*

III.4 A. *[Referring to the locales listed at M. R.H. 2:4] said R. Yohanan, “Between each [place and the next] were eight parasangs.”*

- B. *How much distance was there [in all, from the Mount of Olives to Bet Balin]?*
- C. *Thirty two [parasangs].*
- D. *But, lo, now there is a greater [distance]!*
- E. *Said Abbaye, “[This is because] the [direct] roads have been closed],*
- F. *“as it is written [Hos. 2: 6]: ‘Therefore I will hedge up her way with thorns [...so that she cannot find her paths].’”*
- G. *Rab Nahman bar Isaac said, “[We know the direct roads have been closed] from this [verse], as it is written [Lam. 3:9: ‘He has blocked my ways with hewn stones, he has made] my paths crooked.’”*

2:5

- A. **There was a large courtyard in Jerusalem, called Bet Ya’azeq, to which all the witnesses gather.**
- B. **And there the court examines them.**
- C. **Now they prepare big meals for them, so that they should make it a habit to come.**
- D. **At first, [having come on the Sabbath] and therefore having no permitted area of Sabbath travel], they did not move from there the whole day.**
- E. **Rabban Gamaliel the elder ordained that they may move about for two thousand cubits in every direction.**
- F. **And [this rule applies] not only to these, but also (1) a midwife who comes to assist, and (2) one who comes to help out in the case of a fire, (3) in the case of a siege, (4) to save someone from drowning in a river, (5) or from the debris of a house—**
- G. **lo, [having completed their task], these are in the status of the townsfolk, and they have the right to move about for two thousand cubits in all directions.**

I.1 A. *They asked them: “[At M. R.H. 2:5A] do we teach on Tannaite authority [that the name is] Bet Ya’azeq [as in the Mishnaic text before us] or do we teach on Tannaite authority [that the name actually is] Bet Yazeq? [The issue, detailed in*

the following, is whether the name refers to an elegant place, which people would enjoy, or a place in which people were questioned rigorously.]

- B. *Do we teach on Tannaite authority Bet Ya'azeq*
- C. *This is parlance that refers to elegance, as it is written [Isa. 5: 2]: "He ringed it around [ya'azeqhu] and cleared it of stones." [So Rashi, followed by Simon, p. 101, who understands the name "Bet Ya'azeq" to refer to a stone fence around the courtyard. The Aramaic root means "ring."]*
- D. *Or perhaps [in fact] we teach on Tannaite authority Bet Yazeq.*
- E. *This is parlance that refers to grief, as it is written [Jer. 40:1: "The word that came to Jeremiah from the Lord after Nebuzaradan, the captain of the guard, had let him go from Ramah], when he took him bound in chains [azyqym] [along with all the captives of Jerusalem and Judah who were being exiled to Babylon]."*
- F. *Said Abbaye, "Come and learn [from M. R.H. 2:5C that the former is correct]: **Now, they prepare big meals for them, so that they should make it a habit to come.**"*
- G. *Perhaps they treated them both ways, [kindly and with rigor]! [The question of which interpretation is correct is left open.]*

2:6

- A. **How do they examine the witnesses?**
- B. **The pair which makes its appearance first do they examine first.**
- C. **They bring in the elder of them and say to him, "Tell us. How did you see the moon? Was it facing the sun or turned away from it? Was it to the north or to the south? How high was it, and in which direction was it leaning? And how broad was it?"**
- D. **If he said, "It was facing the sun," he has said nothing at all.**
- E. **Afterwards they would bring in the second party and examine him.**
- F. **If their testimony coincided, their testimony was confirmed.**
- G. **And [in the case of] all the other pairs of witnesses, they ask the main points,**
- H. **not because they needed their [evidence], but so that they should not go out disappointed,**
- I. **so that they would make it a habit of coming in the future.**

I.1 A. [At M. R.H. 2:6C the meaning of] **facing the sun** is certainly the same as [the meaning of] **to the north**; [the meaning of] **turned away from it** is certainly the same as [the meaning of] **to the south**.

- B. [Explaining that the questions are not redundant] said Abbaye, "[It means] is the concavity of the moon in front of [that is, turned towards] the sun or behind [that is, turned away from] the sun? If [the witness] said [that the concavity of the moon is] in front of [that is, turned towards] the sun, his statement is null. For said R. Yohanan, 'It is written [Job. 25: 2]: "Dominion and fear are with God. He makes peace in his high heaven.'

C. "The sun never saw the concavity of the moon, nor the concavity of a rainbow.

- D. “[It never sees] the concavity of the moon, *so that [the moon] will not feel humiliated.*
- E. “[The sun never sees] the concavity of a rainbow *so that those who worship the sun will not say, “[The sun] is [24a] shooting arrows!”*”

II.1 A. How high was it, and in which direction was it leaning? [M. R.H. 2:6C].

- B. *One Tannaite authority [taught]: “[If the witness says that it was leaning] ‘To the north,’ his words are accepted.*
- C. *“[But if he says that it was leaning], ‘To the south,’ his statement is null.”*
- D. *But the opposite has been taught on Tannaite authority [T. R.H. 1:17, with the order of the sentences reversed: If he said, “It was leaning] to the south,” his words are accepted. [If he said, “It was leaning] to the north,” his statement is null.*
- E. *There is no contradiction [between D and B-C]!*
- F. *This [statement at D] applies during the sunny season, and this [statement at B-C] applies during the rainy season. [Simon, p. 103, n. 3, explains: “The new moon always appears due west. Hence, in the summer months when the sun sets in the north-west it is south of the sun, and similarly in the winter months north of the sun.”]*

II.2 A. Our Rabbis have taught on Tannaite authority [T. R.H. 1:17: If] one [of them] says, “[I saw it] two ox-loads high,” and one says, “Three,” their testimony is accepted.

- B. **If one [of them] says, “Three,” and one of them says, “Five,”** their testimony is null, but [what each states may be used to] join together with other testimony [to comprise the two witnesses needed to confirm the sighting].

II.3 A. Our Rabbis have taught on Tannaite authority [cf., T. R.H. 1:17: If they say], “We saw it [reflected] in the water,” or “We saw it reflected in a mirror,” or “We saw it through the clouds,” they are not allowed to testify concerning it.

- B. **[If they say], “We saw half of it [reflected] in the water,” or “We saw half of it through the clouds,” or “We saw half of it reflected in a mirror,” they are not allowed to testify concerning it.**
- C. *[The need explicitly to state B is evaluated.] Now, [insofar as in a case in which the individual saw] all of it [through clouds or reflected in water or a mirror] you said, [A, that his testimony is] not [allowed], need we [even] ask [whether or not the testimony is permitted in an instance in which the individual saw only] half of it [in these manners]? [The answer seems obvious, that the testimony will be excluded. It appears therefore that, contrary to B, the question need not even be considered.]*
- D. *[The need for B is explained. C’s reading of matters is unacceptable.] Rather, here is the point made [at B] on Tannaite authority: [If he said that he saw] “Half of it [reflected] in the water and half of it in the sky,” or “Half of it through the clouds and half of it in the sky,” or “Half of it reflected in a mirror and half of it in the sky,” [despite the fact that they appropriately saw half of the moon] they are not allowed to testify [concerning it].*

- II.4** A. *Our Rabbis have taught on Tannaite authority:* [If the witnesses say], “We saw it [once but a moment later] could not see it again,” they are not allowed to testify concerning it.
- B. *[How can A be the case?] For the whole period are they [required] continually to see it?*
- C. *[Explaining A] said Abbaye, “This is the point of what is taught on Tannaite authority: [If they said], ‘We saw it of ourselves [that is, by chance], and came back with the express intention of it seeing it [again], but [at that time] we did not see it,’ they are not allowed to testify concerning it.*
- D. *“What is the reason? One can say: They simply saw a globe-shaped cloud [and not the new moon at all].”*

2:7

- A. The head of the court says, “It is sanctified.”**
- B. And the whole crowd answers him, “It is sanctified. It is sanctified.”**
- C. Whether it appears in the expected time or does not appear in the expected time, they sanctify it.**
- D. R. Eleazar b. R. Sadoq says, “If it did not appear in its expected time, they do not sanctify it, for Heaven has already declared it sanctified.”**

I.1 A. **The head of the court [says, “It is sanctified;” M. R.H. 2:7A].**

- B. *What [verse in Scripture stands behind] these words?*
- C. Said R. Hiyya bar Gamda said R. Yosé b. Saul, said Rabbi, “Scripture states [Lev. 23:44]: ‘Moses declared the appointed festivals of the Lord.’
- D. “From this [verse we deduce] that the head of the court [playing a role parallel to that of Moses] says, ‘It is sanctified.’”

II.1 A. **And the whole crowd answers him, “It is sanctified. It is sanctified” M. R.H. 2:7B].**

- B. *From where [in Scripture] do we [learn this]?*
- C. Said Rab Pappa, “Scripture states [Lev. 23:4]: ‘...which you will proclaim,’ but read it as though it emphasized, ‘you will do the proclaiming.’”
- D. R. Nahman bar Isaac said, “‘These’ — are my appointed seasons.”

II.2 A. **And the whole crowd answers him, “It is sanctified. It is sanctified” — why twice?**

- B. It is as it is written, “...holy seasons” [in the plural].

III.1 A. **R. Eleazar b. R. Sadoq says, “If it did not appear in its expected time, they do not sanctify it, for Heaven has already declared it sanctified:”**

- B. *It has been taught on Tannaite authority:*
- C. Pelimo says, “[If the new moon has appeared] at the proper time time, they do not conduct a rite of sanctification for it. If it was not in its proper time, they do conduct a rite of sanctification for it.”
- D. R. Eleazar b. R. Simeon says, “Whether the new moon appears at the expected time or not at the expected time, it is not to be subjected to a rite of sanctification. For it has been said in Scripture, ‘you shall sanctify the fiftieth year’ (Lev. 25:10),

which bears the implication that while you sanctify years, you are not to sanctify months.”

E. Said R. Judah said Samuel, “The decided law is in accord with R. Eleazar b. R. Sadoq.”

F. *Said Abbaye, “[Why say so, for, as a matter of fact,] so too we have learned as a Tannaite statement: If the court and all the [people of] Israel saw [the new moon on the thirtieth day], and the witnesses were examined, but they had no chance to say, “It is sanctified,” before it [actually] got dark, lo, this [month coming to an end] is an intercalated month [M. 3:1A-C] — intercalated indeed, but not sanctified.”*

G. *It was necessary nonetheless for Samuel to make that point explicit, for it might have entered your mind to maintain that, since the court and all Israel had seen the moon, the matter was publicly established so it is not necessary to intercalate the month. Thus we are informed that it still is necessary to do so.*

2:8A

A. **A picture of the shapes of the moon did Rabban Gamaliel have on a tablet and on the wall of his upper room, which he would show ordinary folk, saying, “Did you see it like this or like that?”**

I.1 A. *Now is doing so permitted? And has it not been written, “You shall not make with me” (Exo. 20:23), meaning, you not make anything that looks like my attendants, who serve before me in the heights”?*

B. Said Abbaye, “The Torah has prohibited making copies of only those attendants if it is possible to reproduce them in facsimile.”

C. *That is in line with that which has been taught on Tannaite authority: A person may not make a house in the model of the Temple, or a porch in the model of the Temple porch, or a courtyard in the model of the Temple courtyard, or a table in the model of the Temple’s table, or a candelabrum in the model of the Temple candelabrum. But he may make one [24b] that has five, six, or eight branches, but he may not make one with seven, even though it is of metals other than the ones used in the Temple.*

D. R. Yosé b. R. Judah says, “Even one of wood he may not make, because that is how the Hasmonaeans made it.”

E. Said the rabbis to him, “Is there any proof from that precedent? It was made of metal staves plated with tin. When they got rich, they made one of silver. When they got still richer, they made one of gold.”

I.2 A. *But is it really permitted to make copies of those attendants that one cannot reproduce in facsimile? And has it not been taught on Tannaite authority: “You shall not make with me” (Exo. 20:23), meaning, you not make anything that looks like my attendants, who serve before me in the heights”?*

- B. Said Abbayye, "The Torah has prohibited only the making of copies of the four faces *together*."
- C. *Then the face of a man by itself should be permitted, so wherefore has it been taught on Tannaite authority: All faces may be reproduced except the human face?*
- D. *Said R. Huna b. R. Idi, "From the lesson of Abbayye I have heard: 'You shall not make with me....' is to be read as though the vowels yielded, 'you shall not make me' — but other attendants are permitted [and God and man have the same face]."*

- I.3** A. *But is it really permitted to make copies of the other attendants? And has it not been taught on Tannaite authority: "You shall not make with me" (Exo. 20:23), meaning, you not make anything that looks like my attendants, who serve before me in the heights, for example, Ophannim, Seraphim, the holy Hayyot, and the ministering angels?*
- B. Said Abbayye, "The Torah has prohibited only making copies of the attendants who are at the highest level."

- I.4** A. *But is it really permitted to make copies of the attendants at the lower level? Has it not been taught on Tannaite authority: "...that is in heaven" (Exo. 20: 4) — to encompass the sun, moon, stars, and planets; "above" — to encompass the ministering angels?*
- B. *That Tannaite statement refers in particular to serving them.*
- C. *If it refers only to serving them, then representing even a tiny worm also is covered by the prohibition!*
- D. *Quite true, as shown by the continuation of the interpretation of the same verse, for it has been taught on Tannaite authority: "or that is in the earth" — to encompass seas, rivers, mountains, and hills; "beneath" — to encompass a tiny worm.*
- E. *But is it permitted even merely to make them [without worshipping them]? Had it not been taught on Tannaite authority: "You shall not make with me" (Exo. 20:23), meaning, you not make anything that looks like my attendants, who serve before me in the heights — meaning, the sun, moon, and planets?*
- F. *The case of Rabban Gamaliel was exceptional, because other people had made the charts for him.*

- I.5** A. *And lo, there is the case of R. Judah, for whom third parties made a ring with a design on it, and yet said Samuel to R. Judah, "Smartass, put out the eyes!"*
- B. *That statement concerned a ring the signet of which was cut in relief, and the prohibition was on account of a precautionary decree, for it has been taught on Tannaite authority: A ring, the signet of which is cut in relief, is forbidden for wearing but permitted for*

use as a seal; a ring, the signet of which is incised, is for wearing but forbidden for use as a seal.

- C. *But do we take account of the possibility [that an object may be worshipped]? Lo, there is the case of the synagogue “that moved and settled” in Nehardea, in which a statue of a man was situated, and the father of Samuel and Levi went in there to pray without taking account of the possibility [that the object might have been worshipped]?*
- D. *A case of involving the public is exceptional [since there would be no worshipping of idols in an Israelite community].*
- E. *But the case of Rabban Gamaliel involves only an individual!*
- F. *Since he was a patriarch, the public was constantly in his presence.*
- G. *And if you prefer, I shall say, the chart was in sections.*
- H. *And if you prefer, I shall say, the case of what is made for instructional purposes is different. For it has been taught on Tannaite authority: “You shall not learn to do” (Deu. 18:9) — but you may learn in order to understand and to teach.*

2:8B-I

- B. **M'SH S: Two witnesses came and said, “We saw it at dawn [on the morning of the twenty-ninth] in the east [25a] and at eve in the west.”**
- C. **Said R. Yohanan b. Nuri, “They are false witnesses.”**
- D. **Now when they came to Yabneh, Rabban Gamaliel accepted their testimony [assuming they erred at dawn].**
- E. **And furthermore two came along and said, “We saw it at its proper time, but on the night of the added day it did not appear [to the court].”**
- F. **Then Rabban Gamaliel accepted their testimony.**
- G. **Said R. Dosa b. Harkinas, “They are false witnesses.**
- H. **“How can they testify that a woman has given birth, when, on the very next day, her stomach is still up there between her teeth [for there was no new moon!]?”**
- I. **Said to him R. Joshua, “I can see your position.”**

2:9

- A. **Said to him Rabban Gamaliel, “I decree that you come to me with your staff and purse on the Day of Atonement which is determined in accord with your reckoning.”**
- B. **R. Aqiba went and found him troubled.**
- C. **He said to him, “I can provide grounds for showing that everything that**

- D. Rabban Gamaliel has done is validly done, since it says, These are the set feasts of the Lord, even holy convocations, which you shall proclaim (Lev. 23: 4) . Whether they are in their proper time or not in their proper time, I have no set feasts but these [which you shall proclaim] [vs. M. 2:7D].”
- E. He came along to R. Dosa b. Harkinas.
- F. He [Dosa] said to him, “Now if we’re going to take issue with the court of Rabban Gamaliel, we have to take issue with every single court which has come into being from the time of Moses to the present day, since it says, Then went up Moses and Aaron, Nadab and Abihu, and seventy of the elders of Israel (Ex. 24: 9). Now why have the names of the elders not been given? To teach that every group of three [elders] who came into being as a court of Israel—lo, they are equivalent to the court of Moses himself.”
- G. [Joshua] took his staff with his purse in his hand and went along to Yabneh, to Rabban Gamaliel, on the Day of Atonement which is determined in accord with his [Gamaliel’s] reckoning.
- H. Rabban Gamaliel stood up and kissed him on his head and said to him, Come in peace, my master and my disciple — My master in wisdom, and my disciple in accepting my rulings.”

I.1. A. *It has been taught on Tannaite authority:*

- B. Said Rabban Gamaliel to sages, “Thus I have received a tradition from the house of my father’s father. There are occasions that the moon comes by a long course and some by a short one.”
- C. *Said R. Yohanan, “What is the scriptural basis for the view of the household of Rabbi [who accepts that position]? ‘You have made the moon mark the seasons, the sun knows its time for setting’ (Psa. 104:19) — the sun knows the time of its setting, the moon does not know the time of its setting [because its pace varies].”*

I.2 A. *R. Hiyya saw the old moon early in the morning of the twenty-ninth of the lunar month. [The new moon could not appear for at least twenty-four hours.] So he picked up a stone and threw it at the moon. He said, “This evening we want to sanctify you but you’re still here! Now go and hide.”*

- B. *Said Rabbi to R. Hiyya, “Go to Ein Tob and sanctify the month. And when you have done so, send me word as follows: ‘David, king of Israel, is alive and well.’” [Cf. Psa. 89:36-7: “His line shall endure for ever, his throne as long as the sun before me; like the moon it shall be established forever; it shall stand firm while the skies endure.”]*

I.3. A. *Our rabbis have taught on Tannaite authority:*

- B. One time the skies clouded over and an image like that of the moon was seen on the twenty-ninth of the month. The people supposed it was the new moon, and the court proposed to sanctify it. Said to them Rabban Gamaliel, “Thus I have received a tradition from the house of my father’s father: the reappearance of the moon takes place no less than twenty-nine and a half days, two thirds of an hour, and seventy-three parts of an hour [so the new moon cannot appear on the twenty-ninth day itself].”

- C. That day the mother of Ben Zaza died, and Rabban Gamaliel delivered a major eulogy for her, not that she had it coming, but that people so know that the court hadn't yet sanctified the new moon [for if it had, there would have been no eulogy, the festival day having arrived].]

II.1 A. R. Aqiba went and he found him troubled. He said to him, "I can provide grounds for showing that everything that Rabban Gamaliel has done is validly done, since it says, These are the set feasts of the Lord, even holy convocations, which you shall proclaim (Lev. 23: 4) . Whether they are in their proper time or not in their proper time, I have no set feasts but these which you shall proclaim :"

- B. *The question was raised: who is the party who was troubled? Was it R. Aqiba who was troubled, or was it R. Joshua who was troubled?*
- C. *Come and take note of that which has been taught on Tannaite authority?*
- D. R. Aqiba went and found R. Joshua, that he was troubled. He said to him, "My lord, why are you troubled?"
- E. He said to him, "Aqiba, it would be better for someone to fall sick into bed for twelve months rather than have this decree placed upon him [to call upon Gamaliel on the day Joshua deems the Day of Atonement]."
- F. He said to him, "My lord, will you permit me to speak before you?"
- G. "Speak."
- H. "Lo, Scripture says, 'you' three times [Lev. 22:31, 23:2, 23:4], meaning, you are responsible for fixing the festivals. Even if you inadvertently err, you have done so. Even if you deliberately err, you have done so. Even if a witness misled you, you have done so."
- I. In this language did he reply to him, "Aqiba, you have comforted me, you have comforted me."

III.1 A. He came along to R. Dosa b. Harkinas. He Dosa said to him, "Now if we're going to take issue with the court of Rabban Gamaliel, we have to take issue with every single court which has come into being from the time of Moses to the present day, since it says, 'Then went up Moses and Aaron, Nadab and Abihu, and seventy of the elders of Israel' (Exo. 24: 9). Now why have the names of the elders not been given? To teach that every group of three elders who came into being as a court of Israel—lo, they are equivalent to the court of Moses himself:"

- B. *Our rabbis have taught on Tannaite authority:*
- C. **Now why have the names of the elders not been given?**
- D. So that no one can say, "Is so-and-so like Moses and Aaron? Is so-and-so like Nadab and Abihu? Is so-and-so like Eldad and Medad?"
- E. And Scripture states, "And Samuel said to the people, the Lord is witness, who appointed Moses and Aaron" (1Sa. 12: 6), and further, "And the Lord sent Jerubbaal and Bedan and Jephthah and Samuel" (1Sa. 12:11).
- F. "Jerubbaal:" this is Gideon, And why is he called Jerubbaal? Because he contended against Baal.

- G. “Bedan.” this is Samson. And why is he called Bedan? Because he came from Dan.
- H. “Jephthah.” that is to be taken literally.
- I. And Scripture says, “Moses and Aaron were among his priests, and Samuel among those who called on his name” (Psa. 99: 6) — Scripture thus treats three lightweights as equal to three of the weightiest people of all time, to teach you, Jerubaal in his generation is like Moses in his generation, Bedan in his generation is like Aaron in his generation, Jephthah in his generation is like Samuel in his generation.
- J. This thus teaches you that even in the case of the lightest of lightweights who was appointed administrator of the community, lo, he is treated like the heaviest of heavy-weights.
- K. And Scripture says, “And you shall come to the Levitical priests or to the judge who is in office in those days” (Deu. 17: 9) — now would it ever enter your mind that a person would go to a judge who was not alive in his own days? So the point is, you can go only to the judge who is in your time [whoever it might be who holds office then].
- L. And Scripture further says, “Do not say, why were the former days better than these” (Qoh. 7:10).

IV.1 A. R. Joshua took his staff with his purse in his hand and went along to Yabneh, to Rabban Gamaliel, on the Day of Atonement which is determined in accord with his Gamaliel’s reckoning. Rabban Gamaliel stood up and kissed him on his head and said to him, Come in peace, my master and my disciple — My master in wisdom, and my disciple in accepting my rulings:”

- B. *Our rabbis have taught on Tannaite authority:*
- C. **When he saw him, he stood up from his chair and kissed him on his head and said to him, “Come in peace, my lord and my disciple, my lord, in that you have taught me Torah in public, and my disciple, in that I make a decree over you and you carry it out like a disciple. Happy is the generation in which the great figures obey minor authorities, all the more so, minor authorities obey the great ones.”**
- D. *That “all the more so” surely is inappropriate, since it is the obligation of the minor authorities in any event to obey the great ones!*
- E. Rather, since the great authorities accept the rule of minor ones, the minor figures will formulate an argument a fortiori for themselves [to accept the authority of authentic leaders].