

סיפא איצטריכא ליה, דאין היחיד נאמן על ידי עצמו. דסלקא דעתך אמינא: הואיל ותנן: דיני ממונות בשלשה. ואם היה מומחה לרבים – דן אפילו ביחיד, הכא נמי ניקדשיה ביחיד. קא משמע לן.

The Gemara answers: It was necessary to teach the last clause, which states: Because an individual is not deemed credible and authorized to declare the month sanctified by himself. For it might enter your mind to say that since we learned in a *baraita*: Cases of monetary law are adjudicated by a court of three judges,^H but if a person was a publicly recognized expert, he may judge monetary matters even individually, then here too, one judge should be authorized to sanctify the month individually if he is a recognized expert. Therefore, the mishna teaches us that this is not so, and that three judges are required for the sanctification of the month.^H

ואימא הכא נמי! אין לך מומחה לרבים בישראל יותר ממשה רבינו, וקאמר ליה הקדוש ברוך הוא: עד דאיכא אהרן בהדרך, דכתיב: "ויאמר ה' אל משה ואל אהרן בארץ מצרים לאמר החדש הזה לכם".

The Gemara asks: But why not say that here too, a recognized expert can sanctify the month individually? The Gemara rejects this possibility: But certainly there was no publicly recognized expert among the Jewish people greater than our teacher Moses, and nevertheless the Holy One, Blessed be He, said to him: You may not sanctify the new month until Aaron is with you,^N as it is written: "And the Lord spoke to Moses and Aaron in the land of Egypt, saying, this month shall be for you the beginning of months" (Exodus 12:1–2), where the word "you" is in the plural form. And since, to avoid deadlock, a court cannot be composed of an even number of judges, another judge must be added. It is therefore apparent that three judges are required for the sanctification of the month by Torah law.

למימרא דעד נעשה דיין? לימא מתניתין דלא כרבי עקיבא, דתנא: סנהדרין שראו אחד שהרג את הנפש.

The Gemara asks: Is this to say that a witness becomes a judge,^N i.e., that one who witnessed an event can himself serve as a judge concerning the matter? Let us say that the mishna is not in accordance with the opinion of Rabbi Akiva, for it was taught in a *baraita*: If the Sanhedrin saw someone kill another person,

Cases of monetary law are adjudicated by a court of three judges – דיני ממונות בשלושה: Monetary cases are adjudicated by a court of three, even one comprised of common people. If there are fewer than three judges, it is not considered a court unless the parties agreed to accept them as such. An individual judge who is publicly recognized as an expert may also function as a court. However, today, no one is considered a publicly recognized expert who can compel the parties to be judged by him alone (*Shulhan Arukh, Hoshen Mishpat* 3:1–2, and in the comment of Rema).

Sanctification of the month by a court of one – קידוש יחיד: No one, not even a publicly recognized expert judge, can sanctify the month alone (see Rambam *Sefer Zemanim, Hilkhos Kiddush HaHodesh* 2:9).

NOTES

Until Aaron is with you – עד דאיכא אהרן: *Tosafot* explain that another judge is added since a court cannot consist of an even number of judges. A midrash explains that God himself joined Moses and Aaron as a third judge (*Shemot Rabba*).

A witness becomes a judge – עד נעשה דיין: Some authorities explained that the *halakha* disqualifying a witness from serving as a judge is a Torah edict (*Rashba*). Others say that a testimony given by the court itself, as is the case here, is inadmissible due to the principle that testimonies that cannot be proven false are inadmissible (*Rashba*).

Perek III
Daf 26 Amud a

מקצתן נעשו עדים ומקצתן נעשו דיין – דברי רבי טרפון. רבי עקיבא אומר: כולן נעשין עדים, ואין עד נעשה דיין.

some of them are rendered witnesses and testify before the others and some of them become judges in the case; this is the statement of Rabbi Tarfon. Rabbi Akiva says: They are all rendered witnesses, and a witness cannot become a judge.^H It seems therefore that the mishna contradicts Rabbi Akiva's opinion.

אפילו תימא רבי עקיבא. עד כאן לא קאמר רבי עקיבא התיב – אלא בדיני נפשות, דרחמנא אמר: "ושפטו העדה" "והצילו העדה". וכיון דחזויהו דקטל נפשא – לא מצו חזו ליה זכותא. אכל הכא – אפילו רבי עקיבא מודה.

The Gemara rejects this argument: You can even say that the mishna was taught in accordance with the opinion of Rabbi Akiva, but we must distinguish between the cases. Rabbi Akiva states his position there only with regard to cases of capital law, for the Merciful One says: "And the congregation shall judge... and the congregation shall save" (Numbers 35:24–25), which requires a court to search for grounds to exonerate the defendant, but once they themselves have seen him kill a person, they will be unable to find grounds to exonerate him. But here, with regard to the sighting of the new moon, even Rabbi Akiva concedes that a witness can be rendered a judge.

HALAKHA

A witness cannot become a judge – אין עד נעשה דיין: This *halakha* applies to a witness testifying in a particular case. However, if one is not testifying, as in the case of judges who witnessed the matter, they may become judges even if they had originally intended to testify. This *halakha* applies if they witnessed the matter during the day and then conduct judicial proceedings that

day. But if they witnessed it at night, they may not judge based on their own testimony but must rely solely on the testimony of others, since they could not conduct proceedings that day. All of the above applies with regard to Torah law; in cases pertaining to rabbinic law, a witness may become a judge (*Shulhan Arukh, Hoshen Mishpat* 7:5, and in the comment of Rema).

NOTES

All shofarot – כל השופרות: It is clear that the term shofar refers specifically to an instrument made of a hollow horn, similar to the word shefoferet, a diminutive form of the word shofar, which means tube. This explains the disqualification of shofarot made of solid horns, like the horn of an antelope (Rashba; Ramban).

Except for the horn of a cow – חוץ משל פרה: Why does the mishna say that the horn of a cow is unfit instead of saying the same about the horn of a bull? Some explain that since one of the reasons offered below for the disqualification of the horn of a bull relates to the sin of the Golden Calf, which was created in the shape of a male, one might have thought that the horn of a cow, which is female, would be acceptable. Therefore, the mishna chose the cow to represent the species whose horns are invalid (Tosafot Hadashim; Penei Yehoshua). An additional matter can be learned from this: We might have supposed that only the horns of male animals are valid for the mitzva of sounding the shofar; the mishna teaches us that the horns of other female animals are permitted, except for those of a cow, due to the reason stated in the Gemara (Tosefot Yom Tov).

But aren't all shofarot, etc. – והלא כל השופרות וכו': See the Jerusalem Talmud, where it was deemed necessary to quote a baraita that states that Rabbi Yosei permits a cow's horn. This was necessary because it is unclear from the actual phrasing of the mishna that there is a halakhic dispute between the tanna'im and not merely an exegetical dispute concerning the proper interpretation of the biblical verses.

And it shall please the Lord better than an ox bull – ותיטב ליה: This verse is quoted in the Jerusalem Talmud in full, according to its simple meaning, as a proof for the Rabbis' opinion, because it reads: "And it shall please the Lord better than an ox bull that has horns and hoofs," implying that the bull's horns are indeed called horns and not shofarot.

Shor par, shofar – שור פר, שופר: The early authorities explain that according to this homily, the verse means that praising God is better than sounding the shofar on Rosh HaShana. The Rashash comments, with regard to the derivation of the words shor par from the term shofar, that many examples exist in which an extra reish, which is not part of the root, appears in a word, such as the second reish in the word sharsheret.

This is the reasoning of the Rabbis – היינו טעמא דרבנן: The early authorities were puzzled by the fact that Ulla and Abaye offer a novel reasoning for the disqualification of a cow's horn despite the fact that the mishna itself offers a different reasoning for the Rabbis' opinion, that it is due to its being called a keren and not a shofar. They concluded that these amora'im thought that the two reasons, both the one stated in the mishna and the novel reasoning they provided, are equally important and interdependent (Tosafot Yeshanim). According to the Ramban, the reasoning mentioned in the mishna is insufficient on its own, since the mishna itself points out that the horn of a cow is not the only type of horn that is called keren; consequently, another reason was necessary. It is explained in the Jerusalem Talmud this way as well (see Tziyyun LeNefesh Hayya and later authorities).

A prosecutor cannot become an advocate – אין קטיגור נעשה: Rashi explains that the prosecutor is the calf that was made of gold. Some write that the reason a gilded shofar is prohibited is because it embodies pride. Others write that gold is the symbol and source of the desire for money, which is in itself a great prosecutor, and therefore may not be used as a defense (Pardes Rimonim).

LANGUAGE

Prosecutor [kateigor] – קטיגור: From the Greek κατηγορος, kategoros, meaning an accuser or prosecutor.

Advocate [sanneigor] – סניגור: From the Greek συνήγορος, sunēgoros, meaning a legal representative, one arguing in favor of the defendant.

מתני' כל השופרות כשרים, חוץ משל פרה מפני שהוא קרן. אמר רבי יוסי: והלא כל השופרות נקראו קרן, שנאמר: "במשוך בקרן היובל".

גמ' שפיר קאמר רבי יוסי! ורבנן: כל השופרות אקרו שופר ואקרו קרן; דפרה – קרן אקרי, שופר – לא אקרי, דכתיב: "בכור שזר הדר לו וקרני ראם קרניו".

ורבי יוסי אמר לך: דפרה נמי אקרו שופר, דכתיב: "ותיטב ליה משזר פר". אם שזר – למה פר? ואם פר – למה שזר? אלא מאי שזר פר? משופר.

ורבנן: כדרב מתנה, דאמר רב מתנה: מאי שזר פר? שהוא גדול בפר.

עולא אמר: היינו טעמא דרבנן – כדרב חסדא. דאמר רב חסדא: מפני מה אין בהן גדול נכנס בבגדי זהב לפני ולפנים לעבוד עבודה? לפי שאין קטיגור נעשה סניגור.

ולא? והא איכא דם פר! הואיל ואשתני – אשתני.

MISHNA The mishna begins to discuss the primary mitzva of Rosh HaShana, sounding the shofar. All shofarot^N are fit for blowing except for the horn of a cow,^N because it is a horn [keren] and not a shofar. Rabbi Yosei said: But aren't all shofarot^N called horn, as it is stated: "And it shall come to pass, that when they sound a long blast with the horn [keren] of a ram [yovel]" (Joshua 6:5), and a ram's horn is a shofar fit for sounding on Rosh HaShana?

GEMARA Rabbi Yosei is saying well, i.e., presents a convincing argument. Why do the Rabbis not accept it? The Gemara explains that the Rabbis counter Rabbi Yosei's argument as follows: Indeed, all other shofarot are called shofar and they are also called keren, but that of a cow is called keren, but it is not called shofar, as it is written: "His firstborn bull, grandeur is his, and his horns [karnav] are the horns of [karnei] a wild ox" (Deuteronomy 33:17). It is therefore clear that the horns of a bull are called keren, and nowhere are they called shofar.^H

And how would Rabbi Yosei counter this argument? He could have said to you: The horns of a cow are also called shofar, as it is written: "And it shall please the Lord better than an ox bull [shor par]^N that has horns and hoofs" (Psalms 69:32). The wording of the verse is strange: If it is an ox [shor], why is it also called a bull [par], and if it is a bull [par], why is it called an ox [shor]? Rather, what is the meaning of shor par? These two words must be read as if they were one single word: Than a shofar.^N According to this reading, even the horn of a cow is called a shofar.

And how do the Rabbis explain the difficulty in this verse? They explain it as it was explained by Rav Mattana, as Rav Mattana said: What is the meaning of shor par? An ox [shor] that is as large as a bull [par], as the animal is called a shor from birth, but is called a par only from the age of three.

Ulla said: This is the reasoning of the Rabbis,^N who say that the horn of a cow is unfit for sounding on Rosh HaShana. They say this in accordance with the opinion of Rav Hisda, as Rav Hisda said: For what reason does the High Priest not enter the innermost sanctum, the Holy of Holies, with his golden garments to perform the service there on Yom Kippur? It is because a prosecutor [kateigor]^L cannot become an advocate [sanneigor].^{NL} Since the Jewish people committed the sin of worshipping the Golden Calf, the High Priest may not enter the Holy of Holies to atone for the Jewish people wearing golden garments, as they would bring that sin to mind.

The Gemara asks: But do we not use a cow in the Holy of Holies? But there is the blood of the bull that is brought there to be sprinkled on Yom Kippur, despite the fact that the Jewish people sinned with a calf. The Gemara answers: Since it has changed, i.e., it is not the bull itself, but only its blood, then it has changed, i.e., so it does not bring the sin of the Golden Calf to mind.

HALAKHA

All the shofarot for sounding – כל השופרות לתקיעה: The shofar of Rosh HaShana should ideally be of a ram's horn. According to the Taz this is not obligatory but is the best possible form of fulfilling the mitzva. Halakhically, all shofarot are fit except for those of a cow and a bull, which are unfit since they are called keren, not shofar; this follows the opinion

of the Rabbis. All of the above applies to hollow horns; horns of animals that are of solid bone and are not hollow are unfit, even if one hollowed them out. Although a dispute existed with regard to a horn from a non-kosher animal, the shofar of an unslaughtered carcass and a tereifa are certainly fit (Mishna Berura; Shulhan Arukh Oraḥ Hayyim 586:1).

וְהָאֵיכָא אֲרוֹן וְכַפּוֹרֶת וְכְרוּבֵי חוּטָא בַל יִקְרִיב קְאָמְרִינָן.

The Gemara raises another difficulty: **But there is the Ark, the Ark cover, and the cherub, all of which are plated with gold.** If this is problematic, why are they in the Holy of Holies? The Gemara explains: **What we are saying is that a sinner seeking atonement should not bring something made of gold into the Holy of Holies, as it would bring the sin of the Golden Calf to mind.**

וְהָאֵיכָא כַף וּמַחְתָּהּ! חוּטָא בַל יִתְנָאָה קָא אֲמַרִינָן.

The Gemara asks further: **But there is the spoon and coal pan that are brought into the Holy of Holies, and they are made of gold.** The Gemara answers: **What we are saying is that a sinner seeking atonement should not adorn himself with ornaments of gold.**

וְהָאֵיכָא בְּגָדֵי זָהָב מִבְּחוּץ! מִבְּפָנִים קָא אֲמַרִינָן. שׁוֹפֵר נָמִי מִבְּחוּץ הוּא! בֵּינָן דְּלִפְרוֹן הוּא – בְּבִפְנֵי דָמִי.

The Gemara raises yet another question: **But there are the golden garments the High Priest wears outside the Holy of Holies.** The Gemara answers: **What we are saying is that a sinner should not adorn himself with gold inside the Holy of Holies, but outside there is no concern.** The Gemara continues this line of questioning: **If so, the shofar is also outside, since it is not brought into the Holy of Holies.** The Gemara answers: **Since the shofar is sounded in order to evoke God's remembrance, it is considered as if it were sounded inside the Holy of Holies.**

וְהָאֵי תַנָּא "מִפְנֵי שֶׁהוּא קֶרֶן" קְאָמְרוּ! תְּדָא וְעוֹד קְאָמְרוּ; תְּדָא: דְּאִין קְטִיגוֹר נַעֲשָׂה סִיגוֹר. וְעוֹד: מִפְנֵי שֶׁהוּא קֶרֶן.

The Gemara asks: **Is this indeed the reason that the Rabbis disqualify the use of a cow's horn? But the tanna taught: The horn of a cow cannot be used because it is a keren.** The Gemara answers: **The tanna stated one reason and also another reason: One reason is that a prosecutor cannot become an advocate, and another is because it is called a keren and not a shofar.**

וְרַבִּי יוֹסֵי אָמַר לָךְ: דְּקָא אָמַרְתְּ אִין קְטִיגוֹר נַעֲשָׂה סִיגוֹר – הֲנִי מִלִּי מִבְּפָנִים, וְהָאֵי שׁוֹפֵר – מִבְּחוּץ הוּא. וְדָקָא אָמַרְתְּ מִפְנֵי שֶׁהוּא קֶרֶן – בַּל הַשׁוֹפְרוֹת נָמִי אֶקְרוּ קֶרֶן.

The Gemara asks: **And how would Rabbi Yosei counter these arguments? The Gemara explains: He could have said to you: That which you said, that a prosecutor cannot become an advocate, is indeed true, but this applies only inside the Holy of Holies, and the shofar is sounded outside. And with regard to that which you said, because it is a keren, all shofarot are also called keren.**

אֲבַיֵּי אָמַר: הֵינּוּ טַעֲמֵיהוּ דְּרַבְנָן: שׁוֹפֵר אָמַר רַחֲמֵנָא, וְלֹא שְׁנַיִם וּשְׁלֹשָׁה שׁוֹפְרוֹת. וְהָאֵי דְפָרְהָ, בֵּינָן דְּקָאֵי גִילְדֵי גִילְדֵי – מִיתְחַזִּי בְּשְׁנַיִם וּשְׁלֹשָׁה שׁוֹפְרוֹת.

Abaye said: **This is the reasoning of the Rabbis: The Merciful One says to sound a single shofar, and not two or three shofarot together, but this horn of a cow, since it is comprised of layers, looks like two or three shofarot.**

וְהָאֵי תַנָּא "מִפְנֵי שֶׁהוּא קֶרֶן" קְאָמְרוּ! תְּדָא וְעוֹד קְאָמְרוּ; תְּדָא: דְּשׁוֹפֵר אֶחָד אָמַר רַחֲמֵנָא וְלֹא שְׁנַיִם וּשְׁלֹשָׁה שׁוֹפְרוֹת. וְעוֹד: מִפְנֵי שֶׁהוּא קֶרֶן.

The Gemara asks: **But the tanna taught: The horn of a cow cannot be used because it is a keren.** Since the Rabbis' reasoning appears clearly in the mishna, how can the reasoning provided by Abaye be correct? The Gemara replies: **The tanna stated one reason and also another reason. One reason is that the Merciful One says to sound a single shofar, and not two or three shofarot together, and another is because it is a keren.**

וְרַבִּי יוֹסֵי אָמַר לָךְ: דְּקָאֲמַרְתְּ שׁוֹפֵר אֶחָד אָמַר רַחֲמֵנָא וְלֹא שְׁנַיִם וּשְׁלֹשָׁה שׁוֹפְרוֹת – בֵּינָן דְּמַתְבָּרֵי אֶהְדִּי חַד הוּא. וְדָקָאֲמַרְתְּ מִפְנֵי שֶׁהוּא קֶרֶן – בַּל הַשׁוֹפְרוֹת נָמִי אֶקְרוּ קֶרֶן.

And Rabbi Yosei could have said to you: **That which you said, that the Merciful One says in the Torah to sound a single shofar, and not two or three shofarot, is not a difficulty. Since the layers of the cow's horn are connected to each other, it is considered a single shofar. And with regard to that which you said: Because it is a keren, all shofarot are also called keren.**

מֵאִי מִשְׁמַע דְּהָאֵי יוֹבְלָא לִישְׁנָא דְּדִכְרָא הוּא? דְּתַנָּא, אָמַר רַבִּי עֲקִיבָא: כְּשֶׁהֲלַכְתִּי לְעַרְבָא הָיוּ קוֹרִין לְדִכְרָא יוֹבְלָא.

It is taught in the mishna that Rabbi Yosei proves from a verse that a the horn of a ram [yovel] is called a keren. The Gemara asks: **From where may it be inferred that this term yovel denotes the horn of a ram?** The Gemara answers: **As it is taught in a baraita: Rabbi Akiva said: When I went to Arabia, I heard that they called a ram yovla,¹ and from this we can infer the meaning of the term yovel in the related language of Hebrew.**

LANGUAGE

Yovla – יוֹבְלָא: This word for ram does not exist in Arabic, but it does exist in Canaanite, and it was still prevalent during the time of Rabbi Akiva in Punic, the language spoken in Carthage; perhaps Rabbi Akiva heard this phrase during his journeys there.

Kesita – קשיטה: Similar to the Arabic قسط, *qist*, meaning a proper measure or proper weight. Perhaps it later became the name of a certain coin.

Kira – כירה: As in the Arabic كراء, *kirā*, meaning a purchase.

Ninfi – נינפי: From the Greek νύμφη, *numfē*, meaning a bride, especially a young bride.

ואמר רבי עקיבא: בשעה לכתתי לגליא
היו קורין לנדה גלמודה. מאי גלמודה?
גמולה דא מבעלה. ואמר רבי עקיבא:
בשעה לכתתי לאפריקי היו קורין למעה
קשיטה. למאי נפקא מינה? לפרושי
”מאה קשיטה” דאורייתא – מאה
דנקי.

אמר רבי: בשעה לכתתי לברבי הים היו
קורין למכירה “כירה”. למאי נפקא
מינה? לפרושי “אשר בריתי לי”.

אמר רבי שמעון בן לקיש: בשעה לכתתי
לתחום קן נשרייא היו קורין לבלה
”נינפי”, ולתרנגול “שכוי”. לבלה נינפי,
מאי קרא? יפה נוף משוש כל הארץ.
ולתרנגול שכוי – אמר רב יהודה אמר
רב ואיבעית אימא רבי יהושע בן לוי:
מאי קרא? “מי שת בטוחות חכמה או
מי נתן לשכוי בינה”. “מי שת בטוחות
חכמה” – אלו בליות; “או מי נתן לשכוי
בינה” – זה תרנגול.

לוי איקלע ליהווא אתרא. אתא גברא
לקמיה, אמר ליה:

The Gemara records a series of similar statements: **And Rabbi Akiva said: When I went to Galia, I heard that they called a menstruating woman *galmuda*, and this clarifies the meaning of that word in Scripture. It should be understood as follows: What does *galmuda* mean? She is separated [*gemula da*] from her husband, as all physical contact between a menstruating woman and her husband is forbidden. And Rabbi Akiva said: When I went to Africa, I heard that they called a *ma’a*, which is a certain coin, *kesita*.¹ The Gemara asks: What is the practical significance of this? The Gemara answers: To explain that the words in the Torah relating to Jacob’s purchase of his field near Shechem: “And he bought the parcel of ground where he had spread his tent, from the sons of Hamor for a hundred *kesita*” (Genesis 33:19), denote a hundred *dankei*, i.e., a hundred *ma’a*.**

Similarly, **Rabbi Yehuda HaNasi said: When I went to the sea towns, I heard that they called a sale *kira*.¹ And the Gemara asks: What is the practical significance of this? The Gemara answers: To explain the verse relating to Jacob’s burial plot: “In my grave which I purchased [*kariti*] for myself, there shall you bury me” (Genesis 50:5).**

Rabbi Shimon ben Lakish said: When I went to the district of Kan Nishrayya, I heard that they called a bride *ninfi*¹ and a rooster *sekhvi*. The Gemara explains how this information serves to clarify the meanings of biblical verses: A bride is called *ninfi*; what is the verse that uses a similar term? “Beautiful view [*nof*], the joy of the whole earth, Mount Zion” (Psalms 48:3), which therefore means beautiful like a bride. And a rooster is called *sekhvi*; Rav Yehuda said that Rav said: And if you wish, you can say that Rabbi Yehoshua ben Levi said this: What is the verse that employs this term? “Who has put wisdom in the inward parts? Or who has given understanding to the *sekhvi*” (Job 38:36), which should be understood as follows: “Who has put wisdom in the inward parts”: These are the kidneys that are hidden in the body; “or who has given understanding to the *sekhvi*”: This is a rooster, who knows to crow at fixed times during the night.

Incidental to the discussion of the meanings of certain words in foreign countries, it was related that Levi once **happened to come to a certain place, where a man came before him to complain about what had been done to him. This man said to him:**

Perek III Daf 26 Amud b

קבען פלגיא. לא הוה ידע מאי קאמר
ליה, אתא שאיל בי מדרשא. אמר ליה:
גולן אמר לך, דכתיב: “היקבע אדם
אלהים” וגו’. אמר ליה רבא מברניש
לרב אשי: אי הוואי התם הוה אמינא
ליה: היכי קבעך, במאי קבעך, ואמאי
קבעך? וממילא הוה ידעינא. ואיהו
סבר: מילתא דאיסורא קאמר ליה.

So-and-so *keva’a* from me. Levi did not understand what that man was saying to him, as he did not know the meaning of the word *kava*. So he went and asked in the study hall. They said to him: That man said to you: He robbed me, as it is written: “Will a man rob [*hayikba*] God?” (Malachi 3:8). Rava from a place called Barnish said to Rav Ashi: Had I been there in Levi’s place I would have tried to uncover the meaning of the word in a different way, for I would have said to him: How did he *keva’a* you? With what did he *keva’a* you? And why did he *keva’a* you? And from his answers I would have understood on my own what was being said. The Gemara comments: And Levi, who did not do this, thought that the man was talking about a matter of prohibition and not a monetary matter, and so asking the man these questions would not have helped, as they are relevant only to monetary matters.

חלוגלוגות – *Haloglogot* were apparently a unique species with wide leaves, identified with the plant known as *Portulaca oleracea*, also known as common purslane or pusley. This is an annual plant that sprawls over the ground, branches out extensively, and is recognizable by its small yellow flowers. Its leaves and branches are fleshy. The plant grows wild, especially in the summer in watered areas, and is highly common in all parts of Eretz Yisrael and countries in its proximity. Purslane is gathered as food and is eaten raw or pickled; it is occasionally raised especially for this purpose.



Common purslane

Arab [Tayya'a] – טייעא: The origin of this word is similar to the name of an Arab nomadic tribe [*altai*]. Apparently, the members of this tribe were at the time so common in the area close to Babylonia that any Arab person was called *Tayya'a*.

Ibex – יעל: The ibex is any of several sure-footed, sturdy wild goats of the genus *Capra* that are found in the mountains of Europe, Asia, and northeastern Africa. The Gemara is probably referring to the Nubian ibex (*C. nubiana*), which lives in Eretz Yisrael. It is smaller than other ibexes and has long, slender horns. It can reach up to 1.4 m in length and up to 1 m in height. Its color is yellow brown and it has a short tail. All the species have horns, but the horns of the male are long, up to 1.2 m, and are adorned with coils and protruding knobs. Ibexes live in small herds, especially in the mountains and desert areas located near springs, such as Ein Gedi in the Dead Sea area, ever since biblical times.



Nubian ibex in the Negev, Israel

לא הוּו ידעי רבנן מאי סירוגין. שְׁמַעוּהָ לְאַמְתָּא דְּבִי רַבִּי דְּחִתְנָהּוּ רַבְנָן דְּהוּו עֵיילי פְּסָקִי פְּסָקִי. אָמְרָה לָהּ: עַד מַתִּי אַתְּם נִכְנְסִין סִירוּגִין סִירוּגִין!

The Gemara continues its discussion of unusual words: **The Sages did not know the meaning of the word *seirugin*, which is found in a mishna. One day they heard the maidservant in Rabbi Yehuda HaNasi's house^p say to the Sages whom she saw entering the house not all at once, but intermittently: How long shall you enter *seirugin seirugin*? and from this they understood that the word *seirugin* means: At intervals.**

לא הוּו ידעי רבנן מאי חלוגלוגות. יומא חד שְׁמַעוּהָ לְאַמְתָּא דְּבִי רַבִּי דְּחִתְנָהּוּ לְהֵהוּא גְבֵרָא דְקָא מְבַדֵּר פְּרַפְרֵינִיָּהּ, אָמְרָה לִיה: עַד מַתִּי אַתָּה מְפִיר חִלּוּגְלוּגָךְ?

It is similarly recounted that **the Sages did not know the meaning of the word *haloglogot*,^b which is mentioned in various *mishnayot* and *baraitot*. One day they heard the maidservant in Rabbi Yehuda HaNasi's house say to a certain man whom she saw scattering his purslane plants: How long shall you scatter your *haloglogot*? So they understood that *haloglogot* means purslane.**

לא הוּו ידעי רבנן מאי "סלסלה ותרוממך". יומא חד שְׁמַעוּהָ לְאַמְתָּא דְּבִי רַבִּי דְּחִתְנָהּוּ לְהֵהוּא גְבֵרָא דְקָא מְהַפֵּךְ בְּשַׁעֲרֵיהּ, אָמְרָה לִיה: עַד מַתִּי אַתָּה מְסַלֵּס בְּשַׁעֲרֵךְ?

The Sages also did not know the meaning of the word *salseleha* in the verse: "Salseleha and it will exalt you" (Proverbs 4:8). One day they heard the maidservant in Rabbi Yehuda HaNasi's house say to a certain man who was curling his hair: How long shall you *mesalsel* your hair? And from this they understood that the verse means: Turn wisdom about, and it will exalt you.

לא הוּו ידעי רבנן מאי "וטאטאתיה במטאטא השמד". יומא חד שְׁמַעוּהָ לְאַמְתָּא דְּבִי רַבִּי דְּחִתְנָהּוּ אָמְרָה לְחַבְרֵתָּהּ: שְׂקוּלֵי טַאטִיתָּא וְטַאטִי בֵיתָא.

It is further related that **the Sages did not know the meaning of the words in the verse: "And sweep it [*vetetetiha*] with the broom [*matatei*] of destruction" (Isaiah 14:23). One day they heard the maidservant in Rabbi Yehuda HaNasi's house saying to her workmate: Take a broom [*tateita*] and sweep [*ta'ati*] the house," and they understood the meaning of these words.**

לא הוּו ידעי רבנן מאי "השלך על ה' יהבך והוא יכלכלך". אמר רבה בר בר חנה: יומא חד הוה אזלינא ביהדי ההוא טייעא, הוה דרינא טונא. ואמר לי: שקול יהבין ושדי אנבלאי.

The Sages also did not know the meaning of the word *yehavkha* in the verse: "Cast your load [*yehavkha*] upon the Lord and He will sustain you" (Psalms 55:23). Rabba bar bar Hana said: One day I was traveling with a certain Arab [*Tayya'a*],^b and I was carrying a load, and he said to me: Take your *yehav* and cast it on my camel, and from this I understood that *yehav* means a load.

מתני' שופר של ראש השנה של יעל, פשוט, ופיו מצופה זהב, ושתי חצוצרות מן הצדדיו. שופר מאריך וחצוצרות מקצרות, שקמצות היום בשופר.

MISHNA The *shofar* that was used on Rosh HaShanaⁿ in the Temple was made from the straight horn of an ibex,^b and its mouthpiece into which one blows, was plated with gold. And there were two trumpets, one on each of the two sidesⁿ of the person sounding the *shofar*. The *shofar* would sound a long blast, whereas the trumpets would sound a short blast, because the mitzva of the day is with the *shofar*.^h

PERSONALITIES

אמְתָּא – The maidservant in Rabbi Yehuda HaNasi's house – דְּבִי רַבִּי: The maidservant of Rabbi Yehuda HaNasi's house is mentioned here and in several other contexts. Because she used the purest, most ancient form of the Hebrew language, including words that the Sages themselves were no longer

familiar with, it seems that she was a unique servant who was perhaps raised in the family of the *Nesi'im*. Her conduct and the witty, wise speech that she used are recounted in the Gemara. It appears that she may have served as Rabbi Yehuda HaNasi's housekeeper.

NOTES

שופר – The *shofar* that was used on Rosh HaShana, etc. – **של ראש השנה וכו'**: Clarifying the relationship between this mishna and the previous mishna is a factor in determining the *halakha* in this case. Apparently, the Rambam views these two *mishnayot* as one unit. He therefore rules that a curved *shofar* is required on Rosh HaShana. However, most commentaries (*Tosafot*; Ramban; Ritva; and others) are of the opinion that this mishna is appended to the previous mishna, yet forms a semi-independent unit: While the

previous mishna clarified the characteristics that disqualify a *shofar* entirely, this mishna relates to characteristics that are preferred but do not invalidate the *shofar* after the fact.

שְׁנֵי חֲצוּצוֹת – Two trumpets, one on each of the sides – **מִן הַצְּדָדִים**: This is in line with the custom mentioned with regard to scholars in tractate *Sanhedrin*: It is proper that the greater one be placed in the middle, and that those of lesser status stand on either side (Ran).

HALAKHA

שופר וחצוצרות – The *shofar* and the trumpets – On Rosh HaShana in the Temple, they would sound one *shofar* and there were two trumpets on its sides. The *shofar* would sound a long blast, whereas the trumpets would sound a short blast, because the mitzva of the day is with the *shofar* (Rambam *Sefer Zemanim, Hilkhot Shofar* 1:2).

Yom Kippur of the Jubilee Year is the same as Rosh HaShana with regard to the *shofar* blasts – שְׁוּפָה הַיּוֹבֵל – לְרֹאשׁ הַשָּׁנָה לְתַקְיָהּ: The *shofar* that is sounded both on Rosh HaShana and on the Jubilee is of bent sheep horns. According to the Rambam, all other *shofarot* are unfit. The Ra'avad and most early authorities (see *Tosafot*) dispute his opinion and say that the statement indicates that a bent sheep horn is ideal, but after the fact, any *shofar* is considered fit (Rambam *Sefer Zemanim, Hilkhot Shofar* 1:1).

The blessings of the Jubilee – בְּרִכּוֹת הַיּוֹבֵל – On Yom Kippur of the Jubilee Year, one recites the same nine blessings that are recited in the additional prayer of Rosh HaShana. These blessings are recited only when the Jubilee is observed (Rambam *Sefer Ahava, Hilkhot Tefilla* 2:8).

The mitzva ... is with curved *shofarot* – בְּכַפּוּפִין... מִצְוָה: On Rosh HaShana, it is a mitzva to blow with a *shofar* made from the curved horn of a ram. The *halakhot* concerning the beautification of a mitzva apply to this *shofar*. Therefore, if there is a difference in price between a *shofar* made from the curved horn of a ram and a simple *shofar*, one is required to add up to one-third of the cost of a simple one (*Bayit Hadash*). A *shofar* from other types of domesticated animals, such as the horn of a goat, is preferable to one from an ibex or other undomesticated animal (*Taz*). A curved *shofar*, even that of an ibex, is preferable to a straight *shofar*, even if it is the *shofar* of a sheep (*Mishna Berura; Shulhan Arukh, Orah Hayyim* 586:1).

וּבְתַעֲנוּת בְּשָׁל יְכָרִים, כְּפוּפִין וּפְיָהֶן מְצוּפָה כֶּסֶף, וּשְׁתֵּי חֲצוֹצְרוֹת בְּאִמְצָע. שׁוֹפָר מְקָצֵר וְחֲצוֹצְרוֹת מְאֵרִיכוֹת, שְׁמִמְצוֹת הַיּוֹם בְּחֲצוֹצְרוֹת.

שְׁוּפָה הַיּוֹבֵל לְרֹאשׁ הַשָּׁנָה לְתַקְיָהּ וּלְבְרָכוֹת. רַבִּי יְהוּדָה אוֹמֵר בְּרֹאשׁ הַשָּׁנָה תּוֹקְעִין בְּשָׁל יְכָרִים, וּבַיּוֹבֵל לֹא בְּשָׁל יְעִלִים.

גַּמְ' אָמַר רַבִּי לְוִי: מִצְוָה שֶׁל רֹאשׁ הַשָּׁנָה וְשֶׁל יוֹם הַכְּפוּפִין, וְשֶׁל כָּל הַשָּׁנָה בְּפִשׁוּטִין. וְהַתְנָן: שׁוֹפָר שֶׁל רֹאשׁ הַשָּׁנָה שֶׁל יְעִל פְּשׁוּט! הוּא דְאָמַר כִּי הָאִי תְנָא: דְתַנָּא, רַבִּי יְהוּדָה אוֹמֵר: בְּרֹאשׁ הַשָּׁנָה הָיוּ תּוֹקְעִין בְּשָׁל יְכָרִים כְּפוּפִין, וּבַיּוֹבֵל בְּשָׁל יְעִלִים.

וְלִימָא: הֲלִכְתָּא בְּרַבִּי יְהוּדָה! אִי אָמַרְתָּ הֲלִכְתָּא בְּרַבִּי יְהוּדָה, הָוּה אָמִינָא אֶפְלוּ שֶׁל יוֹבֵל נְמִי בְּרַבִּי יְהוּדָה סְבִירָא לִיה. קָא מְשַׁמְעֵ לָן.

בְּמֵאֵי קְמִיפְלָגִי? מִן סִבְר: בְּרֹאשׁ הַשָּׁנָה – כַּמָּה דְכִיּוּף אֵינִישׁ דְּעִתִּיהָ טָפִי מַעְלִי; וּבַיּוֹם הַכְּפוּפִים – כַּמָּה דְפִשִׁיט אֵינִישׁ דְּעִתִּיהָ טָפִי מַעְלִי. וּמִן סִבְר: בְּרֹאשׁ הַשָּׁנָה כַּמָּה דְפִשִׁיט אֵינִישׁ דְּעִתִּיהָ טָפִי מַעְלִי; וּבְתַעֲנוּת כַּמָּה דְכִיּוּף אֵינִישׁ דְּעִתִּיהָ טָפִי מַעְלִי.

And in contrast, the *shofarot* used on public fast days were made from the curved horns of rams, and their mouths were plated with silver. There were two trumpets in the middle^N between the *shofarot*, and the *shofar* would sound a short blast, whereas the trumpets would sound a long blast, for the mitzva of the day is with the trumpets.

Yom Kippur of the Jubilee Year is the same as Rosh HaShana with regard to both the *shofar* blasts^H that are sounded and the additional blessings that are recited in the *Amida* prayer.^H Rabbi Yehuda disagrees and says: There is a difference between the two days: On Rosh HaShana one blows with horns of rams, whereas in Jubilee Years one blows with horns of ibexes.^N

GEMARA Rabbi Levi said: The mitzva of Rosh HaShana and of Yom Kippur^N of the Jubilee Year is to blow with curved *shofarot*,^H and that of the rest of the year, on fast days, is to blow with straight *shofarot*.^N The Gemara raises a difficulty: But didn't we learn differently in the mishna: The *shofar* that was used on Rosh HaShana was made from the straight horn of an ibex? The Gemara answers: Rabbi Levi said his statement in accordance with the opinion of that *tanna*, Rabbi Yehuda, as it was taught in a *baraita*: Rabbi Yehuda says: On Rosh HaShana they would blow with the curved horns of rams, and on the Days of Atonement of the Jubilee Years with the horns of ibexes.

The Gemara asks: If so, let it simply say that the *halakha* is in accordance with the opinion of Rabbi Yehuda. Why was it necessary to quote the *baraita* in full, as if it provided new information? The Gemara explains: If you had said that the *halakha* is in accordance with the opinion of Rabbi Yehuda, I would have said that he, Rabbi Levi, holds in accordance with the opinion of Rabbi Yehuda even with regard to the *shofar* used in the Jubilee Year, i.e., that one must blow with the horn of ibexes at that time. Therefore, the Gemara teaches us that he agrees with Rabbi Yehuda only with regard to Rosh HaShana, and not with regard to any other matter.

The Gemara asks: With regard to what principle do these *tanna'im* disagree? One Sage, Rabbi Yehuda, holds that on Rosh HaShana the more a person bends his mind^N and humbles himself by bending in prayer, the better. Therefore, a curved *shofar* is sounded as an allusion to our bent minds and bodies. But on Yom Kippur, the more a person straightens his mind^N and prays with simplicity, the better. Therefore, a straight *shofar* is sounded. The other Sage, the anonymous *tanna* of the mishna, maintains the opposite: On Rosh HaShana, the more a person straightens his mind and avoids any crookedness, the better. On fasts, on the other hand, the more a person bends his mind and humbles himself, the better.

NOTES

There were two trumpets in the middle – וּשְׁתֵּי חֲצוֹצְרוֹת – בְּאִמְצָע: One trumpet was insufficient, since with regard to fast days the verse reads: "And you shall make a sound with the trumpets" (Numbers 10:9), using the plural, thereby indicating that at least two trumpets must be sounded (*Turei Even*).

In Jubilee Years one blows with horns of ibexes – בַּיּוֹבֵל בְּשָׁל יְעִלִים: In addition to the reasons provided here, other reasons have been offered for this choice. Two are suggested in the Jerusalem Talmud. First, as Rosh Hashana is the Day of Judgment, it is a day for humbling oneself, so that it is appropriate to blow with a curved, bent *shofar*. However, at the Jubilee, an event characterized by freedom, using a straight one is appropriate. The second explanation offered there is that the common *shofar*, a ram's horn, was chosen for the more common event, Rosh HaShana, while the uncommon *shofar*, the ibex horn, was chosen for the less common event, the Jubilee. The Rashba explains further that the reason for using the *shofar* of an ibex for the Jubilee is because the ibex is itself a symbol of freedom.

The mitzva of Rosh HaShana and of Yom Kippur – מִצְוָה

שֶׁל רֹאשׁ הַשָּׁנָה וְיוֹם הַכְּפוּפִים: Most commentaries explain that Rabbi Levi is relying on a verbal analogy that equates the *shofar* sounds of Rosh Hashana and those of the Jubilee. Therefore, despite the differences between the two occasions, it is appropriate to equate them as far as possible (*Tosafot*). *Penei Yehoshua* adds a new reasoning: Since the Gemara said that *yovel* means a ram, it is logical that at the *Yovel*, the Jubilee, one would specifically use a ram's horn.

And that of the rest of the year is to blow with straight *shofarot* – וְשֶׁל כָּל הַשָּׁנָה בְּפִשׁוּטִין: Some commentaries are puzzled by Rabbi Levi's statement, which seems to contradict the first *tanna* in the mishna and does not even necessarily accord with Rabbi Yehuda's opinion. Indeed, these words do not appear in the versions of some commentaries. Other authorities explain that Rabbi Levi's statement: With straight *shofarot*, does not imply that there is a mitzva to use straight ones, but that one need not insist that they be straight (Rashba). It seems that the Rambam rules this way as well (see Rabbi Avraham min HaHar).

A person bends his mind – כִּיּוּף אֵינִישׁ דְּעִתִּיהָ: Several versions do not read: Bends his mind, but just: Bends, implying that one is meant to bend over physically. This is one of the reasons offered for the widespread custom of standing bent over throughout the entire *Amida* prayer on Yom Kippur (see *Tosafot Yom Tov; Rashash*).

Bends his mind...straightens his mind – פִּשִׁיט...דְּעִתִּיהָ: It says in the Jerusalem Talmud that a straight *shofar* is used so that people straighten their hearts in repentance; the *Rid*'s text reads: Straighten their hearts in prayer. The early authorities provided support from various verses for the concept of both bending oneself as well as straightening oneself. For example: "To bend his head like a bulrush" (Isaiah 58:5), which appears in the context of fasting, is quoted as a source for the ancient custom of bending oneself over on fast days (Rabbeinu Yehonatan; Ritva). The verse "To You I lift my eyes, One Who dwells in the Heavens" (Psalms 123:1) was quoted with regard to straightening oneself and raising one's eyes to Heaven (Rabbi Avraham min HaHar). Also see Rashi, who quotes additional biblical verses that demonstrate these concepts.