



An Incriminating Shofar

During the week we made the transition from learning about *Kiddush Ha'Chodesh* to *Rosh Hashanah*, focusing on the *mitzvah* of blowing the *Shofar*. The first opinion in the *Mishnah* (3:2) teaches that any *shofar* can be used, except for the horn of a cow. The *Mishnah* thereby permits the bent horn of a ram or the straight horn of a *yael* (wild goat). *R' Yossi* however allows that use of a cow's horn as well. We shall try to understand the first opinion.

The *Mishnah* explains that the issue with a cow's horn is that it is referred to as a "*keren*", while on *Rosh Hashana* we required a "*shofar*". The *Bartenura* explains the requirement of a *shofar* on *Rosh Hashana* is learnt for the *shofar* that was blown on *Yom Kippur* in the *yovel* year, about which it is written "you shall sound a broken blast on the *shofar*".

The *Tosfot Yom Tov* notes that the *Mishnah* referred to the horn of a cow as being invalid instead of an ox. He explains that this was necessary since we learn that the horn of a cow is referred to as a *keren* from the *pasuk* that explicitly refers to an ox. Had the *Mishnah* only mentioned an ox, one might think that only the ox, which is mentioned in the *pasuk*, is invalid and not the horn of a cow.

The *Tosfot Chadashim* however notes that another reason is brought in the *Gemara* why such horns are invalid – *ein kateigor na'aseh saneigor* – "the prosecutor cannot become the advocat". In other words, since the horn of an ox can potentially arouse the memory of the sin of the golden calf (*chet ha'egel*) it would be detrimental to be used on the day of judgement. That being the case one might think that only the horn of an ox is invalid and not a cow's since we find that the cow comes to repair a sin. The *Tosfot Chadashim* directs our attention to *Rashi* in *Parshat Chukkat*. There he cites *Moshe Hadarshan*, who cites the parable when commenting on *para aduma*, explaining that the mother (*para aduma*) comes to clean

up after the mess made by the child (sin of the golden calf). Consequently, it was necessary for the *Mishnah* to exclude the use of a cow's horn explicitly.

We find however the *egel* itself has been used to atone without facing the issue of *ein kateigor na'aseh saneigor*. During the inauguration of the *mishkan*, *Aharon Ha'Kohen* was told to offer a calf (*Vayikra* 9:2). *Rashi* there comments that this was to publicise that *Hashem* was going to atone through this *egel* for *Aharon's* creating the *egel*.

The *Mizrachi* explains that the issue of *ein kateigor na'aseh saneigor* is only *lifnai ve'lifnim*. For example, we only find the issue of wearing gold when the *kohen gadol* enters the *kodesh ha'kodashim* and not when he performs the rest of the *avodah*. The *Gemara* notes that the principle does still apply to the *mitzvah* of *shofar* since it shares the same status as the clothing that the *kohen gadol*, because it raises the *zichoronot* (remembrances) of Israel before *Hashem*. The *egel* that was brought during the inauguration however was outside, so there was no issue.

The *Gur Aryeh* however answers that there is a significant difference between the case of *Aharon Ha'Kohen* and ours. One *Rosh Hashana* or *Yom Kippur* the intention is not to atone for the *chet ha'egel*. Consequently, allusions to that sin at the time, is not a good strategy. If however one is attempting to atone for a particular sin, using the object that one sinned with is preferable. He explains using an example of servant who stole an object from the king. If he later requests something from the king and presents a copy of that object, then it would simply remind the king of the crime and be unwise. If however he wanted to beg forgiveness for the crime itself, then returning the stolen object would be the best strategy. Consequently, for *Aharon Ha'Kohen* during the inauguration, an *egel* was the appropriate *korban*.

Revision Questions

ראש השנה ב' גי' – ג' ח'

- Initially, how did the *Beit Din* inform everyone of *Rosh Chodesh*? (ב' ב' ג')
- Why was this system changed and with what was it replaced? (ב' ב')
- What were the contents of the *masu'ot*? (ג' ב')
- How many mountain tops were involved in the *masu'ot*? (ד' ב')
- What was the name of the courtyard in *Yerushalaim* where all the witness of the new moon would gather? (ה' ב')
- What decree did *Rabban Gamliel* institute for the benefit of those witnesses? (ה' ב')
- How would they interrogate the witnesses? (ו' ב')
- What were the four questions that they were asked? (ו' ב')
- After two witness testimonies were confirmed, why would they interrogate more witnesses? (ו' ב')
- Explain the debate regarding when the *Beit Din* would not declare “mekudah” for a new month. (ז' ב')
- What innovation did *Rabban Gamliel* employ to assist in interrogating the witnesses? (ז' ב')
- What were the two cases of apparent “*edut sheker*” that *Rabban Gamliel* accepted? (ח' ב')
- Describe the event that occurred following *R' Yehoshua's* disputing the ruling of *Rabban Gamliel* to sanctify the month based on apparently questionable testimony. (ט' ב')
- What is the law if the entire nation saw the new moon, yet *Beit Din* did not have enough time to say “mekudash” before night fall? (א' ג')
- How would *Beit Din* proceed if they alone saw the new moon? (א' ג')
- What qualifies as a *shofar*? (ב' ג')
- Describe the ideal *shofar*? (ג' ג')
- Explain how the *shofar* would coordinate with the *chatzotzrot* in the *Beit Ha'Mikdash* on *Rosh Hashanah*. (ג' ג')
- Explain how the *shofar* would coordinate with the *chatzotzrot* in the *Beit Ha'Mikdash* on a *ta'anit*. (ד' ג')
- In what respects was the *tekiyot* on *yovel* similar to those on *Rosh Hashanah*? (ה' ג')
- Can a *shofar* that cracked and was glued together be used? (ו' ג')
- If a *shofar* had a hole in it and was filled in, may it be used? (ו' ג')
- Can someone fulfil their obligation by hearing the echo produced from a *shofar*? (ז' ג')
- If someone walked past a *shul* and heard the sound of the *shofar* has he fulfilled his obligation? (ז' ג')
- How does the *Mishnah* explain the following *pasuk*: (ח' ג')
 "והיה כאשר ירים משה ידו וגבר ישראל..." (שמות י"ז: כ"א)
- Which other *pasuk* does the *Mishnah* explain in a similar manner? (ח' ג')

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26 November ח' כסלו	27 November ט' כסלו	28 November י' כסלו	29 November יא' כסלו	30 November י"ב כסלו	1 December י"ג כסלו	2 December י"ד כסלו
Rosh Hashanah 3:8-4:1	Rosh Hashanah 4:2-3	Rosh Hashanah 4:4-5	Rosh Hashanah 4:6-7	Rosh Hashanah 4:8-9	Taanit 1:1-2	Taanit 1:3-4

