

From the Rabbi's Desk
Rabbi Manes Kogan
Hillcrest Jewish Center
183-02 Union Turnpike, Flushing, NY 11366
rabbikogan@hillcrestjc.org

Stories with a Twist [82]

I Decree That You Must Appear Before Me with Your Staff and With Your Money...

Insights into Mishnah Rosh Hashanah Chapter 2: 8-9

(Also: Mishnah with a Twist # 13)

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Background to Our Story

Rabban Gamliel II (of Yavne)



Koren Talmud Bavli, The Noe Edition. Rosh Hashana. Koren Publishers Jerusalem.
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Rabban Gamliel was Nasi of the Sanhedrin and one of the most important tanna'im in the period after the destruction of the Second Temple. Rabban Gamliel's father, Rabban Shimon ben Gamliel the Elder, also served as Nasi of the Sanhedrin, and was also one of the leaders of the nation during the rebellion against Rome. Rabban Gamliel was taken to Yavne by Rabban Yoĥanan ben Zakkai after the destruction of the Temple, where he became known as Rabban Gamliel of Yavne. After the death of Rabban Yoĥanan ben Zakkai, Rabban Gamliel presided over the Sanhedrin. Under Rabban Gamliel's leadership, Yavne became an important spiritual center, and the greatest of the Sages gathered around him, including Rabbi Eliezer, Rabban Gamliel's brother-in-law; Rabbi Yehoshua; Rabbi Akiva; and Rabbi Elazar ben Azarya.

Rabban Gamliel sought to create a spiritual center for the Jews that would unite the entire people, a role filled by the Temple until its destruction. To this end, he strove to enhance the prominence and central authority of the Sanhedrin and its Nasi. However, his strict and occasionally harsh leadership eventually led his colleagues to remove him from his post for a brief period, when he was replaced by Rabbi Elazar ben Azarya. Nevertheless, as everyone realized that his motives and actions were intended for the good of the people and were not based on personal ambition, they soon restored him to his position.

There are not many halakhic rulings explicitly attributed to Rabban Gamliel. Nevertheless, in his time and under his influence, the Sages reached some of the most important decisions in the history of Jewish spiritual life. These include the decision to follow the opinion of Beit Hillel, the rejection of the halakhic system of Rabbi Eliezer, and the establishment of fixed formulas for prayers. Those decisions that are attributed to Rabban Gamliel indicate an uncompromising approach to the halakha; in this regard, he was faithful to his principles.

Two of his sons were Sages: Rabban Shimon ben Gamliel, who served as Nasi of the Sanhedrin after him, and Rabbi Ḥanina ben Gamliel.

Rabbi Yehoshua



Koren Talmud Bavli, The Noe Edition. Rosh Hashana. Koren Publishers Jerusalem.

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This is Rabbi Yehoshua ben Ḥananya the Levite, one of the leading Sages in the generation after the destruction of the Second Temple. Earlier, Rabbi Yehoshua served as one of the Levite singers in the Temple.

After its destruction, he was among the students who accompanied their teacher, Rabban Yoḥanan ben Zakkai, to Yavne. Unlike his colleague Rabbi Eliezer, Rabbi Yehoshua entirely adhered to the opinion of his teacher and that of Beit Hillel. Rabbi Yehoshua was recognized by Jews and gentiles alike as a leading scholar not only in Torah matters, but in general knowledge as well. He was renowned as an expert in science, from astronomy to zoology. Rabbi Yehoshua was unimpressive in appearance, and the Talmud quotes the Caesar's daughter as exclaiming that his brilliant knowledge was contained in an ugly vessel. Despite living a life of poverty, working as a blacksmith, Rabbi Yehoshua was widely recognized as one of the leading religious authorities. Although he disagreed with many of Rabban Gamliel's rulings, he accepted the authority of the *Nasi*. Ultimately, after the death of Rabban Gamliel, he was appointed leader of the Sages

Rabbi Akiva



Koren Talmud Bavli, The Noe Edition. Kiddushin. Koren publishers Jerusalem. 459.

Rabbi Akiva ben Yosef was one of the greatest of the tanna'im. He lived from just after the destruction of the Second Temple until the bar Kokheva revolt. According to legend, Rabbi Akiva began his studies at the age of forty, when Raḥel, the daughter of the wealthy Kalba Savua, consented to marry him on condition that he would study Torah.

Rabbi Akiva became the student of Rabbi Eliezer ben Hyrcanus and Rabbi Yehoshua ben Ḥananya. Ultimately, he became a prominent Torah scholar with twenty-four thousand students. Among Rabbi Akiva's first students were Shimon ben Azzai and Shimon ben Zoma, with whom he entered the orchard (see Ḥagiga 14b), i.e., engaged in the study of esoteric elements of the Torah.

Subsequently, Rabbi Meir and Rabbi Shimon bar Yoḥai, among others, became his students. He was a staunch supporter of bar Kokheva's revolt against Rome and even declared him the Messiah. During the period of the Roman emperor Hadrian's decrees, Torah study was prohibited, but Rabbi Akiva continued convening assemblies and teaching Torah. Ultimately, he was apprehended and executed, and he is one of the ten martyrs whose execution is described in liturgy.

Rabbi Akiva collected early rabbinic statements and began organizing the material of the Oral Torah. The Mishna, redacted by Rabbi Yehuda HaNasi and his disciples, is based on his work.

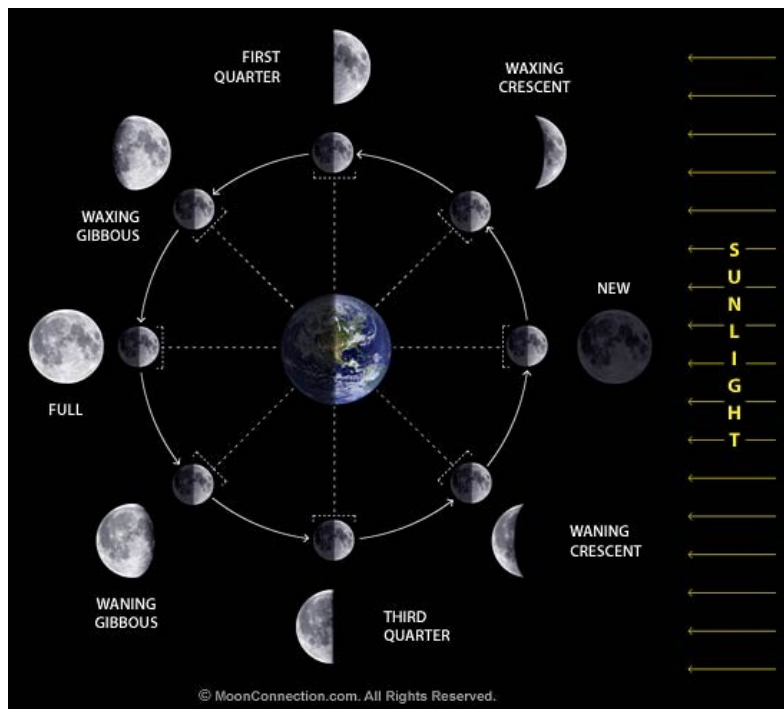
Rabbi Dosa ben Horkinas



Koren Talmud Bavli, The Noe Edition. Rosh Hashana. Koren Publishers Jerusalem. Page 370

Rabbi Dosa ben Horkinas was apparently the cousin of Rabban Yoĥanan ben Zakkai, and it is related that he knew the greatest Sages of the generation of Yavne, Rabbi Eliezer and Rabbi Yehoshua, when they were still young. Although it seems that he was no longer active when the Great Sanhedrin sat in Yavne, his influence was felt even then. Rabbi Dosa ben Horkinas merited a very long life as well as great wealth. Rabbi Dosa was one of the Elders of Beit Hillel, and his younger brother, Yonatan, was one of the heads of Beit Shammai. When Rabbi Dosa is mentioned in the Mishna without further specification, the reference is to Rabbi Dosa ben Horkinas.

Diagrams of the shapes of the Moon



Phases of the Moon

It takes the moon about 29.5 days to completely cycle through all eight phases. Occasionally (about every 2.7 years) there are two Full Moons in the same month. This is referred to as a Blue Moon. Hence the saying "Once in a Blue Moon".

New Moon

The side of the moon facing the Earth is not illuminated. Additionally, the moon is up throughout the day, and down throughout the night. For these reasons we cannot see the moon during this phase.

Waxing Crescent

During this phase, part of the Moon is beginning to show. This lunar sliver can be seen each evening for a few minutes just after sunset. We say that the Moon is "waxing" because each night a little bit more is visible for

| | |
|------------------------|--|
| First Quarter | <i>a little bit longer. During first quarter, 1/2 of the moon is visible for the first half of the evening, and then goes down, leaving the sky very dark.</i> |
| Waxing Gibbous | <i>When most of the Moon is visible we say it is a Gibbous Moon. Observers can see all but a little sliver of the moon. During this phase, the Moon remains in the sky most of the night.</i> |
| Full Moon | <i>When we can observe the entire face of the moon, we call it a Full Moon. A full moon will rise just as the evening begins, and will set about the time morning is ushered in.</i> |
| Waning Gibbous | <i>Like the Waxing Gibbous Moon, during this phase, we can see all but a sliver of the Moon. The difference is that instead of seeing more of the Moon each night, we begin to see less and less of the Moon each night. This is what the word "waning" means.</i> |
| Last Quarter | <i>During a Last Quarter Moon we can see exactly 1/2 of the Moon's lighted surface.</i> |
| Waning Crescent | <i>Finally, during a Waning Crescent Moon, observers on Earth can only see a small sliver of the Moon, and only just before morning. Each night less of the Moon is visible for less time.</i> |

The Sanhedrin's Sanctification of the New Moon

http://www.chabad.org/library/article_cdo/aid/526874/jewish/Months.htm

The following is a brief description of the procedure the Sanhedrin followed in days of yore to determine the date of the onset of a new month.

On the 30th day of every month, the Sanhedrin would "open for business" in a large courtyard in Jerusalem called Beth Ya'azel. Witnesses who claimed to have seen the new moon on the previous night would come to give their testimony and be cross-examined.

The members of the Sanhedrin were well-schooled in astronomy. They knew exactly when the new moon would appear, and where it would be visible. Nevertheless, the sanctification of the moon depends on the crescent new moon actually being seen by two witnesses. The word "this" -- "This month shall be to you..." -- implies something that is actually seen.

The rabbis of the Sanhedrin would question the witnesses in the order of their arrival. They knew what the proper responses to their questions ought to be, and were thus quickly able to identify fraudulent claims. Starting with the elder of each pair, they would ask: "Tell us how you saw the moon –

- In which direction was it in relation to the sun?
- In which direction was its dark side in relation to the sun?
- How high in the sky did the moon appear to be?
- In which direction were the moon's tips facing?
- How wide was it?

After they had finished questioning the first witness, they would bring in his partner and question him in similar fashion. If the two accounts corroborated, the evidence was accepted.

That day, the thirtieth day, was now declared Rosh Chodesh of the new month. The head of the Sanhedrin would proclaim: "Mekudash!" ("sanctified!") and everyone would respond, "Mekudash! Mekudash!" The previous month was now retroactively determined to have had only twenty-nine days.

The Text: Mishnah Rosh Hashanah Chapter 2: 8-9

דמות צורות לבנות היו לו לרבו גמליאל בטבלא ובכתל בעלייתו, שבהן מראה את ההדיוטות ואומר, הכזה ראית או כזה. מעשה שבאו שנים ואמרו, ראינוהו שחרית במזרח וערבית במערב. אמר רבי יוחנן בן נורי, עדי שקר הם. כשבאו לנגה קבלו רבן גמליאל. ועוד באו שנים ואמרו, ראינוהו בזמנו, ובליל עבדו לא נראה, וקבלו רבן גמליאל. אמר רבי דוסא בן הרקינס, עדי שקר הו, היאך מעידין על האשה שילדה, ולמחר פרסה בין שניה. אמר לו רבי יהושע, רואה אני את דבריך:

שלח לו רבן גמליאל, גוזרני עליך שתבא אצלי במקלך ובמעוטיך ביום הכפורים שחל להיות בחד שבונך. הלה ומצאו רבי עקיבא מצר, אמר לו, יש לי ללמוד שכל מה שעשה רבן גמליאל עשוי, שנאמר (ויקרא כג), אלה מועדי יי מקראי קדש, אשר תקראו אתם, בין בזמנו בין שלא בזמנו, אין לי מועדות אלא אלו. בא לו אצל רבי דוסא בן הרקינס, אמר לו, אם באין אנו לדון אחר בית של רבן גמליאל, צריכין אנו לדון אחר כל בית דין ובית דין שעמד מימות משה ועד עכשיו, שנאמר (שמות כד), ויעל משה ואהרן נדב ואביהוא ושבעים מזקני ישראל. ולמה לא נתפרשו שמותן של זקנים, אלא ללמד, שכל שלשה ושלושה שעמדו בית דין על ישראל, הרי הוא כבית דינו של משה. נטל מקלו ומעוטי בידו, והלה לנגה אצל רבן גמליאל ביום שחל יום הכפורים להיות בחד שבונך. עמד רבן גמליאל ונשקו על ראשו, אמר לו, בא בשלום, רבי ותלמידי, רבי בחכמה, ותלמידי שקבלת דברי:

Rabban Gamliel had a diagram of the different forms of the moon drawn on a tablet that hung on the wall of his attic, which he would show to the laymen who came to testify about the new moon but were unable to describe adequately what they had seen. And he would say to them: Did you see a form like this or like this?

There was an incident in which two witnesses came to testify about the new moon, and they said: We saw the waning moon in the morning in the east, and that same day we saw the new moon in the evening in the west. Rabbi Yohanan ben Nuri said: They are false witnesses, as it is impossible to see the new moon so soon after the last sighting of the waning moon. However, when they arrived in Yavne, Rabban Gamliel accepted them as witnesses without concern.

And there was another incident in which two witnesses came and said: We saw the new moon at its anticipated time, i.e., on the night of the thirtieth day of the previous month; however, on the following night, i.e., the start of the thirty-first, which is often the determinant of a full, thirty-day month, it was not seen. And, nevertheless, Rabban Gamliel accepted their testimony and established the New Moon on the thirtieth day. Rabbi Dosa ben Horkinas disagreed and said: They are false witnesses; how can witnesses testify that a woman gave birth and the next day her belly is between her teeth, i.e., she is obviously still pregnant? If the new moon was already visible at its anticipated time, how could it not be seen a day later?

Rabbi Yehoshua said to him: I see the logic of your statement; the New Moon must be established a day later.

Upon hearing that Rabbi Yehoshua had challenged his ruling, Rabban Gamliel sent a message to him: I decree against you that you must appear before me with your staff and with your money on the day on which Yom Kippur occurs according to your calculation; according to my calculation, that day is the eleventh of Tishrei, the day after Yom Kippur.

Rabbi Akiva went and found Rabbi Yehoshua distressed that the head of the Great Sanhedrin was forcing him to desecrate the day that he maintained was Yom Kippur.

In an attempt to console him, Rabbi Akiva said to Rabbi Yehoshua: I can learn from a verse that everything that Rabban Gamliel did in sanctifying the month is done, i.e., it is valid. As it is stated: "These are the appointed seasons of the Lord, sacred convocations, which you shall proclaim in their season" (Leviticus 23:4). This verse indicates that whether you have proclaimed them at their proper time or whether you have declared them not at their proper time, I have only these Festivals as established by the representatives of the Jewish people.

Rabbi Yehoshua then came to Rabbi Dosa ben Horkinas, who said to him: If we come to debate and question the rulings of the court of Rabban Gamliel, we must debate and question the rulings of every court that has stood from the days of Moses until now. As it is stated: "Then Moses went up, and Aaron, Nadav and Avihu, and seventy of the Elders of Israel" (Exodus 24:9). But why were the names of these seventy Elders not specified? Rather, this comes to teach that every set of three judges that stands as a court over the Jewish people has the same status as the court of Moses. Since it is not revealed who sat on that court, apparently it is enough that they were official judges in a Jewish court.

He [Rabbi Yehoshua] took his staff and his money in his hand and went to Yavne to Rabban Gamliel on the day on which Yom Kippur occurred according to his own calculation.

Upon seeing him, Rabban Gamliel stood up and kissed him on his head. He said to him: Come in peace, my teacher and my student. You are my teacher in wisdom, as Rabbi Yehoshua was wiser than anyone else in his generation, and you are my student, as you accepted my statement, despite your disagreement.



Explaining the Story

What's going on in our story? (The sequence of events)

Comprehension and Analysis Questions

? Why did Rabban Gamliel have a diagram of the different forms of the moon drawn on a tablet that hung on the wall of his attic?

? Why did Rabbi Yoḥanan ben Nuri say that the witnesses who testified "We saw the waning moon in the morning in the east, and that same day we saw the new moon in the evening in the west" were false witnesses?

? Why did Rabbi Dosa ben Horkinas say that the witnesses who testified "We saw the new moon at its anticipated time, however, on the following night it was not seen" were false witnesses?

? Why did Rabbi Yehoshua agree with Rabbi Dosa ben Horkinas?

? Why do you think Rabban Gamliel accepted the witnesses' testimony?

In the first case _____

In the second case _____

Answer 1 _____

Answer 2 _____

Answer 3 _____

Answer 4 _____

Bonus ? Why did Rabban Gamliel order Rabbi Yehoshua to appear before him with his staff and with his money on the day on which Yom Kippur occurred according to his calculation?

Extra Bonus ? Why did Rabban Gamliel order Rabbi Yehoshua to appear before him with his staff and his money and he didn't order the same to Rabbi Dosa ben Horkinas?

? Why was Rabbi Yehoshua distressed?

Extra Bonus ? How did Rabbi Akiva and Rabbi Dosa ben Horkinas explain Rabban Gamliel's ruling to Rabbi Yehoshua? What is the purpose of such explanations?

Answer 1 _____

Answer 2 _____

Bonus ? In the first part of our story, Rabbi Dosa ben Horkinas considers the witnesses to be false witnesses, in disagreement with Rabban Gamliel's opinion. However, later in our story, he himself justifies Rabban Gamliel's ruling to Rabbi Yehoshua. Please explain.

Extra Bonus ? Why did Rabbi Yehoshua finally appear before Rabban Gamliel with his staff and his money on the day Rabbi Yehoshua calculated to be Yom Kippur?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? Why did Rabban Gamliel call Rabbi Yehoshua "my teacher"?

Answer 1 _____

Answer 2 _____

? Why did Rabban Gamliel call Rabbi Yehoshua "my student"?

"The Twist" – Or the Lessons We Can Learn from the Text

! When a "teacher" must be a "teacher" – The lesson of Rabban Gamliel: how to assert authority in time of crisis.

! When a "teacher" must become a "student" - The lesson of Rabbi Yehoshua: how to bite the bullet.

! True Friendship: When what you need to hear is different from what you want to hear - The lesson of Rabbi Akiva and Rabbi Dosa ben Horkinas.



In our story, one about power, authority, friendship, and submission, Rabban Gamliel teaches us the importance of asserting your authority when you are in charge, especially in times of crisis.

Rabbi Yehoshua teaches us that sometimes in life, despite believing you are right, you need to "bite the bullet" and acknowledge that you are not the one in charge.

Rabbi Akiva and Rabbi Dosa ben Horkinas teach us that true freindship entails helping your friend make the right move, by telling him not what he wishes to hear, but what he needs to hear.