Laws of Sanctification of the New Month, Chapter 18 (Auto Translated)

English

Auto Translated

Shiur Overview

Summary of the Lecture — Laws of Sanctifying the New Moon, Chapter 18

Introduction

Chapter 18 is the "wrap-up" of the Laws of Sanctifying the New Moon. Chapters 11–17 taught the foundations of the astronomical calculation — how to calculate whether the moon will be able to be seen. Chapter 18 brings out the **practical laws that emerge from this calculation** — what comes out practically from the calculation for the beit din.

Law 1 — The Calculation is a Prediction, Not a Guarantee

The Rambam's Words

"It is a known and clear matter that if the calculation indicates that the moon will be seen at night — it is possible that it will be seen, and possible that it will not be seen, because of the clouds that cover it, or because of the location where it will reach, or that there will be a high mountain opposite the west wind for the people of that place, as if one sitting in a valley, that the moon will not be seen by one who is in a low place even if it was large."

Plain Meaning

Even when the calculation shows that the moon should be seen, it is still possible that one will not see it — because of clouds, because of a low location, or because of a mountain on the western side that blocks the horizon. The calculation only calculates the astronomical reality, not the local conditions.

Insights and Explanations

1. **"A known and clear matter" — the source is common sense, not wisdom:** The Rambam uses here the language "a known and clear matter," which is different from the previous chapters where he brings wisdom from the sages of Israel and the sages of the nations. Here these are simple things that any person who has ever been outside in winter and summer can understand. The "source" for this law is not a book or a tradition, but it is self-evident.

2. **The calculation is only a prediction:** The main innovation is that the calculation only says that the moon *can* be seen (it is in the sky), but external factors — clouds, topography — can prevent the seeing.

Law 1 (Continued) — High Places, Sea, and Weather Conditions

The Rambam's Words

"But for one who stands on top of a high and steep mountain — even though the moon is small, it will be seen. And so it will be seen by one who dwells on the seashore, or one who travels on a ship in the great sea — even if it is very small."

Plain Meaning

Someone who stands on a high mountain, or near the sea, or on a ship on the great sea — can see even a very small moon, because the horizon is wider and there is less that blocks.

Insights and Explanations

1. **Proof from the Gemara Pesachim:** Rav Nachman said to people traveling on the sea, that when they see that the moon is full, they should burn chametz. The Gemara asks that one must burn it a day earlier, and answers that on the sea one sees the moon a day earlier. This confirms the Rambam's principle that on water one sees even a small moon earlier than on land.

The Rambam's Words (Weather Conditions)

"In the rainy season, if the day is clear — the moon will be seen more than it will be seen in the summer season... in the rainy season the air will be very clear and the sky will be seen in greater beauty... for there is no dust that mixes with the air. But in the summer season the air will be as if it is smoky because of the dust."

Plain Meaning

On a clear winter day one sees the moon better than in summer, because in winter there is no dust in the air, but in summer the air is like smoke from dust.

Insights and Explanations

1. **Geographic context — Egypt/Land of Israel:** The Rambam lived in Egypt, but the calculations are made for the Land of Israel, where there is certainly dust in summer.

2. [Digression: Modern pollution as an analogy to the Rambam's "dust" — such as Beijing where smoke from cars blocks the sky.]

Law 1 (End) — Arc of Vision, First Length, and Practical Implications for Beit Din

The Rambam's Words

"And whenever you find the arc of vision [and the first length] at the minimum — the moon will be very small, and will only be seen from a very high place. And if you find the arc of vision and the first length longer than it and they exceed the end of their limits by degrees — the moon will be seen large, and according to the length of the arc and the first length it will grow larger and be more revealed to all."

Plain Meaning

When the arc of vision (the angle/height of the moon) and the first length (the distance of the moon from the sun before the corrections) are "at the minimum" — barely at the minimum — the moon will be very small and only visible from a very high place. When they are larger, the moon will be larger and visible from more places.

Insights and Explanations

1. **"At the minimum" — two factors work together:** "At the minimum" means that the number is close to the minimum of the "limit" (range). For example, if one can see between 9° and 13°, and one is at 9° — that is "at the minimum." At 12° it is already larger. This affects two things: (a) the moon is smaller (because the length is smaller), and (b) it is lower in the sky, so one can only see it from a very high place.

2. **"End of the limit" — explanation:** "End of the limit" means the beginning of the range where one can see. When one is at the end (the minimum), it is at the minimum; when one is further in, it is larger.

The Rambam's Words

"Therefore it is fitting for the beit din to place these two things in their hearts — the time of the vision and its place."

Plain Meaning

The beit din must take into account two things when they examine witnesses: the time of the vision and the place.

Insights and Explanations

1. **"Time of the vision" — two interpretations:** One interpretation is that it means whether it is winter or summer — which affects the clarity of the air (as the Rambam just explained). The second interpretation is that "time of the vision" means how much time there is between sunset and moonset — the technical calculation of when one can see.

2. **"Its place" — two interpretations:** One interpretation is that it means the physical place (high/low, mountain/valley). The other interpretation is that it means the arc of vision — how high the moon is above the horizon.

Law 2 — At the Minimum: When Beit Din Must Be More Careful

The Rambam's Words

"Therefore, if the calculation indicated that it will be seen at the minimum, such as if the arc of vision was nine degrees and five parts, and the first length was exactly thirteen degrees, and witnesses came who saw — if in the east of the sun or if it was in a low place — we are concerned about them and examine them extensively. And if it was in the west of the sun or in a high place — certainly it will be seen, if there were no clouds separating."

Plain Meaning

When the calculation shows that one can only see at the minimum (9 degrees 5 parts arc of vision with 13 degrees first length — almost the minimum from the previous table), the beit din must more strictly question the witnesses. But when the calculation shows that one can clearly see, one need not be so strict.

Insights and Explanations

1. **The measure of 9 degrees 5 parts with 13 degrees first length:** This is the smallest number in the previous list — the first possible scenario where one can see at all. In such a minimal situation the chances are greater that witnesses will be mistaken — they perhaps saw a cloud instead of the moon, or they imagined it, or they want to deceive.

2. **"In the east of the sun" or "low place"** — these are conditions that make it even harder to see, therefore the beit din is more skeptical. **"In the west of the sun" or "high place"** — these are better conditions, therefore one need not examine so strongly, unless there were clouds.

3. **The calculation serves not only to know if it is possible to see, but also to calibrate how strongly the beit din must investigate and inquire with the witnesses.** This is different from the previous law where the beit din "rejects" witnesses who come after the time — there one already knows it is false; here one knows that it can indeed be true, but one must thoroughly examine it.

4. **What if witnesses say they saw the moon very high, which according to calculation cannot be?** The Rambam does not say it explicitly, but apparently it clearly comes out that one knows it is false.

Law 3 — What to Do When the Moon is Not Seen Regularly

The Rambam's Words

"Witnesses who saw the new moon at its time, came and testified, and the beit din accepted them, and sanctified the new moon... if twenty-nine days passed, and on the thirtieth night the moon was not seen in the sky... and witnesses did not come, and they made the month full, and the first day of the second month turned out to be the thirty-first day... if you say that thus they make this month full and make it thirty, and sanctify the third new moon on the thirty-first day — it is possible that the moon will not be seen on the thirtieth night also in this month, and it turns out they make full months one after another for the entire year, and it turns out the last month [the moon will be seen] on the twenty-fifth night... there is nothing more ridiculous and damaging than this."

Plain Meaning

If one does not see the moon on the 30th night of one month, one makes the month full (30 days). But if this happens regularly — several months in a row full — the calendar gets pushed away from the true moon, until one will finally see the moon already on the 25th or 26th of the month, which is a great disgrace to the system.

Insights and Explanations

1. **The mechanism of the problem:** The moon does not follow our intercalations — it goes every 29½ days. Each full month pushes the calendar half a day away from the true moon. After 6 full months one is already 3 days behind; after 12 months — 6 days. Then one will already see the moon on the 25th-26th of the month, which is a disgrace.

2. **"And do not say that this thing is something that is not common"** — the Rambam warns that this is not a theoretical problem. In countries with long rainy seasons and many clouds this can actually happen. In winter — cloudy; in summer — dusty.

3. **Important clarification:** The Rambam does not mean that one does not see the moon at all for a whole year — but that one does not see it at the critical moment (on the 29th night / 30th night). We are only talking about a short time — technically half an hour — but if one does not see it in that half hour, the month becomes full. Combined with all realities

(weather, summer arc, etc.) it is very easy that for a whole year one will not see the moon on the 29th/30th night.

Law 3 (Continued) — Tradition from One to Another: The Fallback System

The Rambam's Words

"The tradition that is in the hands of the sages from one to another from Moses our teacher is thus — that at the time when the moon will not be seen at the beginning of the months month after month, the beit din establishes a full month of thirty days and a deficient month of twenty-nine days... by establishment and not by sanctification, for they only sanctify based on sighting."

Plain Meaning

There is a law from Moses at Sinai that when one does not see the moon regularly for several months, the beit din begins to establish months according to a calculation — one full (30 days) and one deficient (29 days). This is called "establishment" and not "sanctification," because sanctification is only based on sighting.

Insights and Explanations

1. **Three reasons why one does not see the moon:** (a) **It is impossible that it will be seen** — the sunset is too close to the moonset, so it is astronomically impossible to see; (b) **Because of the clouds** — clouds block; (c) **It is very small and no person was wise enough to see it** — the moon is very small and no one specifically searched. The last is a practical problem — the beit din should have actually sent people to high mountains to search (as found in tractate Rosh Hashanah about the mountain "Haroim" where they would stand and look for the moon). But even with all efforts, it can happen that in the place where the beit din is, it is cloudy, and one cannot control everything.

2. **The source of the law — law from Moses at Sinai:** The Rambam calls this a "tradition from one to another from Moses our teacher." **This is not stated clearly in the Gemara.** What is found in the Mishnayot and Gemara are rules like: one never makes less than 4 full months in a year, and not more than 8. The Rambam understood that the reason for the rules is because the moon will come too early or too late — but that one uses specifically the calculation of vision to fix the months, this is not stated explicitly.

3. **Two aspects of the law from Moses at Sinai:** (a) One uses the **calculation of vision** (not the calculation of the molad that we use today) in order to know in advance when one can see the moon, and thus to prevent the months from going away from reality; (b) After when one does not see, one **intercalates months according to rules** — full deficient full deficient — not according to sighting but according to calculation.

4. **Establishment vs. sanctification — the innovation of a deficient month by establishment:** The main innovation here is not about a full month (which is by default — one waits 30 days), but that one can also make a **deficient month** through establishment without sanctification. That is, the beit din says "today is the new moon" without testimony, one sends messengers, one makes a feast — all the procedures of intercalation — but one does not say "sanctified sanctified."

Law 4 — Full After Full, Deficient After Deficient

The Rambam's Words

"Sometimes they make full after full, or deficient after deficient, as it appears to them from the calculation. They always aim in their calculation that if the moon will be seen in the coming month, it will be seen at its time or on its night, not that it will be seen before its time which is twenty-eight."

Plain Meaning

Normally one makes full-deficient-full-deficient, but sometimes one makes two full or two deficient in a row, according to what the calculation requires. The goal is that when one will finally see the moon, it should be at the right time (29th night or 30th night), not earlier (28th night).

Insights and Explanations

1. **Why make two deficient or two full:** Two deficient — when one has waited too long in previous months (too many full), one must "pay back" two days. Two full — when previous months were deficient, one must add. This is exactly like our calculation today with Cheshvan-Kislev (both deficient or both full).

2. **When one makes deficient — is this a "fix" of previous months?** No, one does not fix it after the problem, but **long before**. One does not let more than two-three full months pass one after another. One begins to fix earlier, so that it should never come to a situation where the moon is seen on the 25th-26th of the month.

3. **The concept of "ridiculous" — what does it mean?** The "ridiculous" is that **the months should not go with reality** — that the people will see that the moon is seen at a time that does not fit with the month. The people also know something about calculations, and when they will see that it does not match, it will be ridiculous. The Rambam himself says it more simply: "for the sake of good order."

4. [Digression: **If one could, one would never need to look at the moon.** Essentially, if all people were wise enough, one would never need to look at the moon, because the calculation is one hundred percent accurate. But there is a **law** that one must go with sighting. This is actually a question — why does one need sighting at all if the calculation is perfect? But the Rambam brings out that it is a Torah law that one needs sighting, and the calculation is only a fallback.]

5. **Two purposes of the calculation of vision:** (a) To confirm testimony — that when witnesses come, the beit din can check if this matches the calculation; (b) When one does not see the moon — to know how to make the months (full/deficient) so that it should match reality.

Law 4 (Continued) — Calculations of Vision and Intercalation of the Month

The Rambam's Words

"These calculations of vision that we have explained will be clarified to you and you will know what is possible that it will be seen and what is impossible that it will be seen... and on this they rely and intercalate month after month."

Plain Meaning

The calculations serve to know when one can possibly see the moon and when not. When one knows that one cannot see,

one goes according to calculation and makes intercalation or deficient accordingly.

Insights

1. **"It is impossible that it will be seen"** does not mean a simple calculation, but that when one cannot see the moon, one must calculate manually in order to ensure that **next month** the moon should come at the right time. The molad alone is not enough — one needs that people should actually be able to **see** the moon.

2. **"And on this they rely and intercalate month after month"** — one does not wait until it becomes an emergency, but **with every month** one keeps this in mind.

The Rambam's Words

"They never reduce from four full months in the year and do not add to eight full months."

Plain Meaning

Never less than 4 full months (30 days) in a year, and not more than 8.

Insights

1. This is stated in a Mishnah, and it comes out according to calculation that the moon should not go away more than three days from deviation.

Feast at Intercalation of the Month

The Rambam's Words (Chapter 3)

When one intercalates the month (makes it full), one makes a feast, even though one does not make any sanctification of the month.

Insights

1. Not only when one sees the moon at night does one make a feast, but also when one intercalates **according to calculation** one makes a feast of intercalation of the month (Chapter 3).

Law 5 — The Great Innovation: How to Understand the Gemara's About Calculations in the Time of Sighting

The Rambam's Words

"And so this that we find in the Talmud... that the beit din relies on the calculation... from the mouth of Moses from Sinai that the matter is given to them with permission in their hands to make it deficient and to make it full."

Plain Meaning

All places in the Gemara where one sees that the beit din goes with calculations (like the Mishnah's list of how many full/deficient months, or "they intercalate the month for need," or that Rebbi made 9 deficient months in a year) — all this speaks when one has **not seen** the moon, and then one goes with calculation.

Insights

1. **The main innovation of the Rambam:** In the Gemara it apparently states that one can simply make full/deficient when one wants. The Rambam says: **This cannot be** — it only speaks when the beit din knows that the moon is actually there (according to calculation), but one has not seen it. Only then does one have "degrees of freedom" to make deficient or full according to need.

2. **Question on the Gemara:** How can there be a **list** of how many full months one makes, if one goes according to sighting? How can there be "they intercalate the month for need" if one goes according to sighting? The Rambam answers: **All this speaks when one does not see the moon**, and then one goes with calculation.

3. **The approach of Rav Saadia Gaon:** Rav Saadia Gaon said that one sees in the Gemara that one goes with calculations — from this he concluded that **the sighting was always "fake"** (not true). The Rambam does not agree — he says that sighting is true, but many times one does not see the moon, and then one goes with calculation. (Rav Saadia Gaon said this against the Karaites.)

4. **"They intercalate the month for need — because of vegetables and because of deeds":** This can only be done **within the degrees of freedom** that one has when one does not see the moon. When one has calculated that one can do both ways (deficient or full), then one can choose according to need — for example that Yom Kippur should not fall on Sunday, and the like.

5. **Important limitation:** If one has **indeed** seen the moon ("the beginning of its being seen... that it gathered to touch"), one **cannot ignore it** — one cannot say that the month is full when one has already seen.

Our Current Calendar vs. Intercalation for Need

Insights

1. **Our current calendar is not "intercalation for need"** — it is a **fixed calendar**. It is already calculated with certain postponements so that it should not fall on certain days, but this is not the same as the dynamic process that the Rambam describes.

2. Our calendar is even **not clearly careful** that one should never see the moon on the "wrong" days. It has other reasons for its rules.

Law 6 — "In All These Things — When There is a Beit Din"

The Rambam's Words

"In all these things when there is a beit din... but [in this time] they only rely on the establishment that is with this average simple calculation in the mouth of all Israel."

Plain Meaning

All the laws of making full/deficient according to need, intercalation for need — this is only when there is a beit din. Today one only goes according to the average calculation (average molad) which is simple in the mouth of all Israel.

Insights

1. The Rambam calls it **"average calculation"** — it is not even the correct molad, but the **average molad**. All of Israel does not care about "how far from the true" — all the calculations of vision that we have learned are not relevant.

2. One should not think that one can still make intercalation of the month according to need today — one cannot, because there is already a calendar and one must go according to the calculation.

3. Even if sometimes it comes out that the moon is in the "wrong place" — the Rambam said that about this there are the postponements, so that it should not be too bad. But "a little funny in distant times can be" — and it does not concern us because we do not have a beit din today.

Law 7 — Sighting of the Moon in Other Lands Regarding the Land of Israel

The Rambam's Words

"It will be clarified from the books of calculations of seasons and geometries that if the moon will be seen in the Land of Israel, it will be seen in all the countries of the world that are to the west of the Land of Israel and aligned with it... and if the calculation indicates that it will not be seen in the Land of Israel, it is possible that it will be seen in countries that are to the west of the Land of Israel... if they see in countries that are to the east of the Land of Israel aligned with it, behold it is known that they saw in the Land of Israel..."

Plain Meaning

The Rambam sets up rules about the relationship between sighting of the moon in the Land of Israel and in other lands:

- **West of the Land of Israel:** If one sees in Israel, one certainly sees in western lands (at the same latitude). But if one sees in the west, it is no proof that one sees in Israel. If one does **not** see in western lands even on the tops of mountains, one knows that one did not see in Israel.

- **East of the Land of Israel:** If one does not see in Israel, one does not see in eastern lands. If one does see in the east, one knows for certain that one saw in Israel. But if one does not see in the east, it is no proof that one does not see in Israel.

Insights and Explanations

1. **Why does the Rambam bring this topic at all?** The entire chapter speaks about practical use of the calculation, and here the Rambam brings a calculation that is **not relevant to law**. Perhaps the Rambam answers a practical question: a person who lives in Egypt, Syria, or other lands, makes the calculation according to the Land of Israel, and it does not match what he sees. The Rambam wants to explain the connection between the Land of Israel's calculation and other lands.

2. **The reasoning why the west sees better:** Because the further west one goes, the sunset comes later. Therefore there is more arc (arc of separation) between sun and moon at sunset, which makes it easier to see the moon. One must still check if the calculation matches exactly — what does the fact that it is later on the globe have to do with the sun being further from the moon — "apparently it should be the same, but one must think about this."

3. **"On the tops of mountains" — the Rambam's precision:** When the Rambam says that one does not see in western lands, he adds "on the tops of mountains" — one must be sure that the reason why one does not see is not because one stands in a valley, but that even on the mountain peak (observatory) one does not see.

Law 8 — "Aligned With It" = 35 Degrees North

The Rambam's Words

"In all the countries that are in the east and aligned... such as if they were inclined to the north of the world thirty-five degrees... but if they were inclined to the north more than this or less, they have other laws and are not aligned with the Land of Israel."

Plain Meaning

"Aligned with the Land of Israel" means at the same latitude — 35 degrees north from the equator. Lands that are higher or lower have other rules.

Insights

1. Most inhabited lands are approximately at this width — because higher is cold and lower (closer to the equator) is hot, and the middle is where most people live.

Law 9 — "To Magnify Torah and Make It Glorious"

The Rambam's Words

"These things that we have explained about the east and the west are only to tell all the laws of sighting... to magnify Torah and make it glorious. Not that the people of the east and the people of the west should rely on the sighting of the moon or that it should benefit them at all. Rather, they always only rely on the sanctification of the beit din that is in the Land of Israel as we have explained in its place."

Plain Meaning

Everything he said about east/west is **not relevant to law** — one cannot rely on sighting of the moon in other lands. One always relies only on the sanctification of the beit din in the Land of Israel. The purpose is only "to magnify Torah and make it glorious" — to expand the knowledge.

Insights

1. **Why can one not use sighting in eastern lands as a sign?** If the Rambam says that when one sees in eastern lands one knows **for certain** that one saw in Israel, why can a Jew in the east not say: "I see the moon, certainly the beit din in Israel saw it, therefore they sanctified it, therefore I know that it is Rosh Chodesh"? He should use it **as a sign**, not as a reason! Answer: It is not enough a clear sign, because there can be other reasons why the beit din did not sanctify (for example, witnesses did not come, or other reasons). One sees in practice that one sent messengers to inform when Rosh Chodesh is, which proves that one needed to actually hear from the beit din.

2. **Rabbi Rabinowitz's innovation — parallel to fin and scales (Chullin):** The language "magnify Torah and make it glorious" appears in the Gemara Chullin regarding signs of purity of fish. The Gemara says that every fish with scales also has a fin (but not vice versa). Therefore one only needs to look at scales according to law. The Gemara asks: Why does the Torah write both signs? It answers: "To magnify Torah and make it glorious." **The Torah does not only say laws how one must conduct oneself, but also facts about the Almighty's world.** The Torah tells that kosher fish have both signs — this is a fact about creation, not a legal instruction. Exactly so the Rambam here: he tells a fact about how sighting of the moon works in east/west — this is a piece of science of the Almighty's world, although it is not relevant to law.

3. **Answer to the precision that calculations of sanctifying the new moon are "Torah":** There were people who were precise from the fact that the Rambam says

"to magnify **Torah** and make it glorious" about the laws of sighting — that this proves that the calculations are Torah (not merely wisdom). The Chazon Ish said that after the Rambam wrote it in a book, it became Torah — although the Rambam says explicitly that he relied on gentile sources (but he says that it is true, he speaks of reality, not of the gentile). **Rabbi Rabinowitz's answer:** The precision is not strong, because "magnify Torah and make it glorious" in Chullin is also not about a law — the fin is not relevant to law, but it is a fact that the Torah tells. So too here — "Torah" does not necessarily mean law, but that the Torah (broadly understood) also contains facts about the world, and to know this is "to magnify Torah."

4. **The paradox in the Rambam's approach:** On one hand, the Rambam is limited to law — he does not write all the theories of astronomy, only as much as is relevant to the calculation of vision. In our time the calculations are certainly not relevant in practice. On the other hand, the Rambam clearly said at the beginning of Chapter 11 that he writes this for whoever "his heart inclines to know the wisdoms" — whoever is interested to understand what the beit din thought. This means that it is **from the aspect of wisdom in it**. With the calculation of east and west (which is relevant also outside the Land of Israel) the Rambam **burst the boundaries of what is necessary for law**. He brings wisdom that is not relevant for sanctifying the new moon, because his true reason for writing was **"to magnify Torah and make it glorious"** — to increase Torah knowledge as its own value.

5. **Rabbi Chananya ben Akashya — "The Holy One, blessed be He, wished to grant merit to Israel, therefore He gave them Torah and commandments in abundance" — is this the same matter?** No, it is **separated**: Rabbi Chananya speaks of **commandments — actions in practice** — that there are more deeds than what the intellect alone would obligate, in order to give more reward. This is **to magnify commandment**. But here with the Rambam it is **the opposite**: the matter is **to magnify Torah** — that is, there is value in **theoretically understanding how the world works**, even when it is not relevant in practice. The Rambam's innovation is that the matter of **understanding** is greater than the commandment itself — "to magnify Torah and make it glorious" means here wisdom, not deed.

6. **The foundation:** It is a **commandment to contemplate** the coming value (the latitude), because it is **reality** — understanding the Almighty's creation — not merely a legal law. This is the conclusion of Chapter 18 of the Laws of Sanctifying the New Moon.

Full Transcript

Laws of Sanctifying the New Month, Chapter 18 — Laws of Using the Calculation

Introduction: Chapter 18 as a Recap of the Previous Chapters

My teachers and rabbis, we are learning the holy Torah, and the Torah is indeed a book called Mishneh Torah, which brings together the entire Torah, so that one can have it clear in one's mind, because this is the perfection of the soul (shleimus hanefesh) of a Jew to have the entire Torah in his mind. In this book there are fourteen books, one of them is called Sefer Zemanim (Book of Times), where all the matters of the commandments (mitzvos) that are dependent on time are found, and also the mitzvah of making the time, which is the mitzvah of sanctifying the new month (kiddush hachodesh), which tells us what time it is, which day it is.

And in the Laws of Sanctifying the New Month there is the beginning which teaches the laws of how the sanctification of the month works, the court (beis din), the witnesses (eidim), the tools. And besides this, one has learned that before the court sits, and also after witnesses have come, they need to know the calculation that predicts according to calculation, according to astronomy, when the moon will come. So according to this one knows if the witnesses can see, exactly as you say. So this we have learned, in honor of this, all these six or seven chapters until now from chapter 11 until chapter 17, where the Rambam has told us the secrets of the basic idea of the calculation, how it works, how one can know if the moon will be able to be seen tonight.

And now in this chapter we are going to learn what one does with this calculation, what are the laws that emerge from this calculation (halachos hayotzaos lanu mecheshbon zeh). Basically, it's a recap of everything that has been learned until now. Chapter 17 was already a recap, but here is already the law that comes out from all these things.

Law 1: "A Known and Clear Matter" — The Actual Conditions of Seeing the Moon

The Rambam's Language: "A Known and Clear Matter"

The Rambam says, **"A known and clear matter" (davar yadua uvarur)**. It means differently than the things he has said until now which are things that are known from the sages (chachamim). But now he is going to say things, when he can hear it when he grasps it, yes, everyone knows this. He says, **"A known and clear matter"**, this is clear.

"If the calculation tells you that the moon will be seen at night", because what he says now, the law is not things that stand in the calculation, it's only straight logic (sechel hayashar) that comes out from it. One doesn't need to know from the books of the sages of Israel, not from the sages of the nations of the world. These are simple things that everyone who has ever been outside in winter, summer, knows the differences. Or it's as if, he wants, the Rambam has a concept that now there should be a source. What is the source of this? It's "known and clear."

The Calculation is Only a Prediction — Clouds and Topography Can Prevent Seeing

"A known and clear matter, if the calculation tells you that the moon will be seen at night", that if from all the calculations that were learned in previous chapters, it will come out that tonight one will see the moon, still **"it's possible it will be seen, possible it won't be seen"**, it's still possible that it won't be seen, even though according to the calculation it's correct, meaning that the moon is in the sky, but for other reasons perhaps you won't see it.

What? **"Either because of the clouds that cover it"**, it's covered with clouds, **"or because of the place where it reaches"**, or the place where the person is. It's a valley that is surrounded by mountains, and he can't see beyond the mountains, or he can't see the other side of the mountain. He can't see when the moon is low, because he is blocked.

"Or there will be a high mountain opposite the western direction for the people of that place", even if he's not completely in a valley, but there is on the western side from where the people live, there is a large mountain, and they can't see the other side of the mountain, and if the moon is very far on the western side he can't see it.

"Like one who sits in a valley". He says here, even if a person says, I don't live in a valley, I do see. Ah, that mountain prevents you from being able to see why. **"For the moon will not be seen to one who is in a low place, even if it was large"**. A low place, even if the moon will be a large moon, one won't be able to see.

High Places and the Sea — Where One Can See Even a Small Moon

"But for one who stands on top of a high and steep mountain", one who lives on a high, pointed mountain, **"even though the moon will be seen"**, will indeed be able to see it. That means, **"even though the moon is small and sits"**, if you stand on a high mountain, **"and it will be seen"**, will indeed be able to see. Even when it's very small, this is actually a novelty (chiddush). On the contrary, that if someone who is high on a mountain, he can sometimes see the moon perhaps with slightly finer calculations, or even if it was constrained (metzumtzam) according to the calculation. Why? Because he stands, compared to how you stand, on a high mountain, and there are fewer obstructions there. It can even be that his horizon is a bit lower if he stands on a high mountain.

The same thing, **"and so it will be seen"**, it can be seen clearly, **"to one who dwells on the seashore"**, one who is near the water, because then he is exposed to a large empty area, or one who is on the water, **"one who travels in a ship on the great sea"**, one who travels on a large sea, then **"even if it's very small"**, even if the moon is still very small, but since one has a broader horizon that one can see, one can see the entire sky, one can see the moon. Very good.

Proof from the Gemara in Pesachim — At Sea One Sees the Moon Earlier

He brings from Rav Rabinowitz, it says in the Gemara in Pesachim that Rav... what was his name? Rav Nachman said to the people who go to sea that they don't necessarily know where the moon is, they don't know that the court has sanctified the month. He said, if they see that the moon is full, they should burn the chametz. The Gemara asks, what does this mean? One must burn the chametz a day earlier? The Gemara says, yes, but at sea one sees the moon a day earlier. It appears that the Gemara already spoke about this, that on the water one sees even a very small moon. But it appears that it's a bit earlier than what is on dry land. So this is simply about the conditions of the area, that it can be blocked.

Law 2: Winter and Summer — The Clarity of the Air

In Winter the Air is Clearer

After this there are more reasons like this, the weather. The Rambam, **"in the rainy season"** winter, it is like this: **"if it will be a clear day"**, if it's a clear winter day, it's not a cloudy day, **"the moon will be seen more than it will be seen in the summer days"**, one will be able to see the moon better, even a smaller moon one will be able to see that one wouldn't have seen in the summer.

Why? The Rambam says, **"in the rainy season, if it will be clear"**, if it's not a cloudy day, **"the air will be very clear"**, the air is much clearer, **"and the sky will be seen with greater appearance"**, and the moon will be seen, the sky will be seen **"in its purity"**, with purity.

In Summer There is Dust in the Air

Why? What is the problem with summer? He says, because winter **"there is no dust that mixes in the air"**, there is no dust that mixes into the air. **"But in the summer days, the air will be as if it is smoky because of the dust"**. In the summer many times, this appears in the places where the Rambam lived, the Arabic desert places, there are very many storms of sand, and the storms of sand make it like when it's smoked, like smoke makes it so one can't see the moon. Not so in winter, when there is no dust, and it's a nice day, one will be able to see. **"But in the summer days"** one won't be able to see **"the small moon"**, one won't be able to see a small moon.

Geographic Context and Modern Pollution

I'm just thinking, the Rambam lived in Egypt, and I believe that all these calculations are for the Land of Israel, and there certainly is this dust in summer. Just like today there is still about pollution, there are certain cities, like for example Beijing is so strongly polluted from all the smoke of cars and the like. One can't see.

Law 3: The Arc of Visibility and the First Length — The Size of the Moon

When the Arc of Visibility is Constrained

The Rambam says, so obviously, yes, clouds and summer we have already learned. So obviously it is like this, the Rambam says, remember what we learned earlier, **"and all the time"**, a practical difference comes out, **"and all the time that you find the arc of visibility"**, the entire time when one can see the arc of visibility (keshes hara'aya), which in chapter 17 the Rambam explained what the arc of visibility is, the line where one can see that the moon and the sun are... no, the arc of visibility is the, arc (keshes) literally means the rainbow, the round angle, where between there and there one can see the moon. In other words, the height of the moon, which we also learned how much time there is between the sunset and the moonset. This is the arc of visibility.

"Or the first length", which is the calculation of how far the moon is from the sun before one adds all the corrections (tikunim) that we learned in the previous chapters. And remember the Rambam said, in order to know the limit of visibility (ketz hara'aya), which of the arcs, degrees, one will be able to see the moon, one needs to know both calculations, because both are relevant to knowing the moon, both the time and the distance of the moon from the sun.

The Rambam says, all the time that you will see these two things that they are **"constrained"**, the Rambam will soon give an example of the constraint. That means, it's a small number, one can only see the moon today between ten degrees and eleven degrees, for example. Between the two extremes is only a small amount of space, it's a constraint, exactly. Then

"the moon will be very small", one will see a very small moon. It comes out that the moon will be very small, because it's only the... for example, when the first length is better, the length means that the moon is farther from the sun, it's already bigger. If it's smaller, it's still smaller. The same thing regarding the arc of visibility, only a small period comes out when one can see it, it hasn't yet become bigger when it goes up. So when it's small, then one will only see it **"in a very high place"**, one will only see it in a very high place. Why? Because from a blocked place it's too low to see, one must stand on a high place to be able to see the moon at all. So it's two things, both it's smaller because the length is smaller, and also lower, so one can only see it from a very high place.

When the Arc of Visibility is Longer

"And if you find the arc of visibility and the first length longer than it" — but if the arc of visibility with the first length, the distance of the sun and the moon toward the constellations, is longer, **"and they added to the end of their limits degrees"** — and there are more degrees between them, not two degrees, let's say several degrees there are between them. Yes, the end of the limit means, it seems to me, one says that the beginning, for example, that one says between ten degrees, one said between nine and thirteen, let's say, one can see it. So if it's right at nine, you will see it constrained. If it's already at twelve, it stands bigger. It's already higher in the sky, it's bigger. Yes. Then **"the moon will be seen large"** — one will indeed be able to see the larger moon. **"And according to the length of the arc and the first length it will grow and be revealed more to all"** — it will turn one into the other. The bigger the arc and the first length is, the moon will be bigger, and automatically also it will be easier to see for more areas in the world.

Law 4: The Court Must Take Into Account the Time of Visibility and Its Place

The Court Must Know What to Ask the Witnesses

The Rambam says, **"therefore"**, once you understand this is so, **"it is fitting for the court to place these two things in their hearts"** — the court that must decide when they are going to expect witnesses, how one should examine the witnesses very well, one must take the two things into account. They should know **"the time of visibility"**, when is the time that one can see, **"and its place"**, and the place, meaning with the arc of visibility calculations. And then they know what to ask the witnesses.

What do they ask? What does one always ask the witnesses? **"In what place did you see?"** — where did you see the moon? There is like the Gemara says, one asks the witnesses, **"did you see?"** — did you see it in the east or in the west?

Discussion: What Does "Time of Visibility" Mean?

Yes, it's not clear to me what is the meaning of the Rambam here "time of visibility" and "arc of visibility." He translates "time of visibility" means if it's winter or summer, which we just learned that in the summer it will be less clear and in the winter more clear. But I thought that "time of visibility" simply means how much time after sunset one can see it according to the calculation of the arc of visibility. And its place, this is also the arc of visibility, how high, which place should be, how high in the sun must be, in the horizon must have the moon, which this is also essentially the arc of visibility or the length of visibility, both which they can approximately say these things. I'm not sure what the Hebrew means.

In any case, one must know the... the Rambam emphasizes, one must know the two things, therefore one must understand more clearly what is the meaning of the two things. Yes, but there is something... it says in the Mishnah, yes, or one asks the witness in what place did you see. This is what it means.

Law 5: Constrained: When the Court Must Be More Examining

Therefore, the Rambam says, therefore, **"and the calculation gives"**, the calculation says, the calculation will give the conclusion **"that it will be seen constrained"**, that if one will see, one will only see something constrained. **"Such as"**, he explains, **"such as if the arc of visibility was nine degrees and five parts, and the first length was exactly thirteen degrees, and witnesses came who saw"**. And this is almost the difference of four degrees? No, no, it doesn't mean only that, it means that this is the smallest number of degrees almost that one can find in the previous list. This is the first to see in the previous chapter. This is the smallest number. It can very well be that one should be able to see the moon. If the first length is exactly thirteen, and the arc of visibility is exactly nine, or a bit more than nine, because less than nine one can't see it, nine and five parts, then the meaning is perhaps it's already relevant, perhaps but constrained, there are more chances that the witnesses should say lies. In such a case the judges will examine the witnesses more and they will ask.

So yes, it also depends where he is, **"if in the east of the sun or if he was in a low place"**, this is the time of visibility previously. If it's the time of visibility in the east of the sun, then the court is truly skeptical, because the chances are small. Or the witnesses also lived in a low place, then **"we are concerned for them and examine them much"**, because there is such a reality, it appears sometimes sometimes one can see, but the court must clearly question the witnesses whether they didn't imagine, whether they didn't see some cloud instead, or whether they don't want to deceive.

"And if it was in the west of the sun or in a higher place, then certainly it will be seen", then the judges don't need to be so strict with the witnesses, because they will certainly see **"if there were no clouds separating"**, if there weren't any... unless there was some reason, there were clouds, then indeed they didn't see, but if everything is okay, one must be able to see it.

Summary of Laws 1-2: The Basic Point

Until here is the first law that the Rambam said in this chapter. That means, the basic point is two things. First of all, everything that we have learned until now you can really only say "perhaps," because it has told us that the moon is there theoretically in the sky, but to see it also requires that it should be clear, that one should be in the right place. So obviously, everything that we have learned is only "perhaps," and so obviously, after a... it's as if, first of all, don't be lost if you don't see the moon, it's cloudy, or you're too low and the like.

Translation

Secondly, he added an interesting chiddush (novel insight) for us - perhaps it's simple, but he added, as it were, that one must calculate according to the precise keshet hara'aya (arc of visibility) and the orech rishon (first length) that we learned earlier. One must know how thoroughly to examine the witnesses. Not only because if it's in a more limited manner,

one must know, as they say, it could be that they saw it, but one must make sure. The Rambam doesn't say if the witnesses say they saw the levana (moon) very high - which can't be that it's there, one already knows it's false. The Rambam doesn't say that, but apparently this also comes out clearly. Perhaps this is simple, what we learned earlier, but the Rambam says this in a manner where it could indeed be, they should thoroughly examine it and see.

Earlier we had that when the beis din (rabbinical court) troubles the witnesses so they should reveal, if they come after the time. This isn't troubling, one knows it came out well. If witnesses come with molad hachama (birth of the sun), the beis din will immediately send them away, so they can use them now.

Let's learn one more thing that comes out from this same yesod (foundation). Since we learned that the entire calculation only says that one can see the levana in the sky, but here on this olam hazeh (physical world) there are still obstacles that cause one not to be able to see the levana. Therefore the Rambam will say a very interesting chiddush or halacha (law) that comes out from this fact.

Halacha 3 - If the Moon Wasn't Seen for Several Months

Yes, the Rambam says thus: **"Witnesses who saw the month in its time"**, they saw the month in its time, when it was the molad, when they first saw the levana, **"they came and testified, and the beis din accepted them, and they sanctified this first month"**. First month. They were mekadesh (sanctified) the new month that we're speaking of, yes? Yes, they were mekadesh the month we're speaking of. **"If twenty-nine days passed"**, it was already Rosh Chodesh (new month), and afterwards a new month began. What did we count twenty-nine days from? Meaning **"on the night of the 30th"**, right? It was only twenty-nine. It was already Rosh Chodesh, the thirtieth day of the previous month. The previous month was a chodesh chaser (deficient month). Twenty-nine days passed, and now we don't know if the month will be chaser or malei (full). We look **"the night of the thirtieth, and on the night of the thirtieth the moon wasn't seen from the heavens"**. Why can't it be seen? Either **"from the heavens it should be visible"**, or according to the calculation, or **"from the heavens clouds covered it"**. So the beis din checks itself, when **"the beis din waits for it the entire thirtieth day"**, the entire thirtieth day the beis din waits for witnesses, **"as we explained"**. But what happens **"and witnesses didn't come? And they made the month intercalated"**, they made the month a chodesh me'ubar (intercalated month), so the thirtieth day was still part of the previous month. **"And it turns out the day of Rosh Chodesh of the second month is day thirty-one, as we explained"**. Just as they learned, that if there are no witnesses, therefore one intercalates the month, and there's no question that it's the thirtieth day. So what happens then? It now says from this, **"and you begin to count twenty-nine days of Rosh Chodesh of the second"**. After Rosh Chodesh, that is after the thirty-one days, month two, one began waiting for month three one will now hold. You can say it like that. But the Rambam calls it Rosh Chodesh sheni (second), because this is the second Rosh Chodesh that the beis din made in this. And further, the thirtieth day of this, **"the moon wasn't seen"**. The levana wasn't seen. So apparently one would have had to intercalate the month again. The Rambam says, no intercalation comes. But there's a problem. **"If you say that thus they intercalate this month and make it thirty"**, that this month is also made a chodesh malei, **"and they sanctify Rosh Chodesh of the third month on day thirty-one"**, the Rambam says, there's a problem.

"Perhaps the moon won't be seen on the night of the thirtieth also in this month". It could be that at the end of the third month one still won't be able to see the levana on the night of the thirtieth. **"And it turns out they intercalate and continue and make months of thirty after thirty the entire year"**. It could be that there are other reasons why people don't see the levana for an entire time, and one will make chodashim malei'im (full months) the entire time. **"And it turns out the last month"**, what will happen is, that finally when, let's say, there will be better weather, I don't know what, one will indeed be able to see the levana, one will already see the levana **"on the night of the twenty-fifth"**. Why? Because we've already pushed ourselves back three days. When you think it's the twenty-fifth it's already essentially... What does it mean that it's the twenty-fifth? Because that's how the chachamim (sages) made the month. But essentially, according to the levana it's already several days into the month when one could already see the levana. On the night of the twenty-fifth one will already be able to see, or on the night of the twenty-sixth one will already be able to see the levana, and it will make it a great zilzul (disgrace). **"There is nothing more ridiculous and damaging than this"**, this will undermine the entire work of the chachamim. People will say that the chachamim don't know what they're talking about, you see that when they think it's still the 25th of the month there's already a levana.

Why This Is a Real Problem

And this is simple, because the levana doesn't follow our intercalations. The levana continues every twenty-nine and a half days, yes? So after two or three months the levana comes a day earlier, if you made several months me'ubar. It could even be twenty-five, five days, because if you have six whole months, you'll make, or twelve whole months, you're already six days back. You can already be at the 26th or 25th, you'll already see the levana. Because the three or four months, let's say, that were made malei, wasn't because of the levana. It can't come only because it wasn't seen. No witnesses came because it's cloudy, because similar things, because it's summer. The Rambam says, **"and don't say"**, a person will think this thing doesn't happen, why should I worry about things that might happen? The Rambam says, no, **"and don't say that this thing is something uncommon that the moon won't be seen the entire year"**, that the levana shouldn't be seen a whole year. He says, no, **"it's a close matter to see"**, it's something that can happen. **"And many times it appears"**, see, it happens many times, **"similar to this"**, this happens or similar things, **"in countries where the rainy season is long and there are many clouds"**, countries where it's always cloudy, where it's always foggy, there are many clouds, the levana isn't seen for entire long months. It could be that in winter one won't see because it's cloudy, and in summer one won't be able to see because it's dusty.

No, you must remember. Yes, you must also remember that it's not only that, not every time can one see it, even if it's

already the night of thirty days, sometimes according to the calculation one can't see it, one really can't see it. It could be that you only need to have the problem one month, the problem one month, the problem one month. It comes out that an entire year one didn't see the levana on the night of the 29th, on the night of the 30th, because the moment one sees it afterwards, afterwards one can always see it. But you remember that we're only talking about a few hours, about half an hour technically actually, but we're talking about one day. And not, the moment one doesn't see it in that half hour, the month becomes me'ubar apparently. Therefore, it's very easy, the Rambam says, adding up all these realities, it will be very easy that there should be an entire year when the levana was never seen. When? On the night of the 29th. This is what the Rambam explains. **"For we don't stand on the ram"**, the Rambam says, he doesn't mean to say that the levana wasn't seen for the entire year. That's indeed a rare thing. But what then? I'm saying that it wasn't seen then when it's important, that it's seen in the middle.

Halacha 2 (Continued) - Kabbalah Ish Mipi Ish: What to Do When the Moon Isn't Seen

That not the moment one doesn't see it in that half hour, the month becomes malei apparently. Therefore, it's very easy, the Rambam says, adding up all these realities, it will be very easy that there should be an entire year when the levana was never seen. When? On the night of the snatching. This is what the Rambam explains. On the night of... **"For we don't stand"**, yes? The Rambam says, he doesn't mean to say that the levana wasn't seen for the entire year. That's indeed a rare thing. But what then? I'm saying that it wasn't seen then. That is, if it's seen in the middle of the month, shalom aleichem (hello), it doesn't help me. But then when one must see it, at the beginning of the months, when one wants to make it al pi re'iya (according to sighting), one doesn't see it. **"And we don't say and afterwards during the day"**, that later one sees it. But the Rambam means to say that it's something that happens often, that one shouldn't see it on the days when it's most important to see. The one day, the one day beginning of each month.

Why the Moon Isn't Seen - Three Reasons

Why shouldn't one see? **"Sometimes it won't be seen because it's impossible that it should be seen"**, either because one can't, as you say, because the sunset happens late, close to the moonset or after the moonset. Not after, but... **"And months when it's possible to see in them"**, or months when according to the calculations one would indeed be able to see it, but there are other reasons, **"it won't be seen"** because of the clouds, **"or because it's very small"**, or it's a very small levana, **"and no person became wise to see it"**, a person doesn't stand and search for it.

Right, very good, it's very small. You encounter another problem. That means, according to the calculation, this is indeed many times it can be that it's very small. Simply, essentially, the beis din would have had to calculate this, send a person to stand on a high mountain, he should go see, because this is the only way you'll see the levana this month. Someone who begins to search, knows that one must place a person to go search, because it's very small. Sometimes it comes out that it's very large, everyone can see it. But many times it comes out that it's very small, so if one will be wise he'll see it. But it can happen that no one just didn't go search, and it can be an entire year that no levana is seen.

I think in Tractate Rosh Hashana it says there was a mountain where they used to stand and look. The shepherds, no? There's a mountain that was called the shepherds, where they looked to see the levana. Fine, just, the beis din, if they had known the calculation, they would indeed have sent someone to search. Just in the city where the beis din lives it was cloudy. You think it's not something one can control everything.

The Rambam says, but, nu, what does one do with this? There's a big problem. If it will come out that one will see the new levana when according to our calculations it's still the end of the month, and still on the 25th-26th of the month, at year's end, after several months, there will be a big problem. The Rambam says, but, apparently there's a problem. It must be sanctified al pi re'iya. Ah, you say, we learned earlier that there's a calculation. We're talking now about the time when it's done al pi cheshbon (according to calculation), just a calculation. But? But?

The Source of the Halacha - Halacha L'Moshe MiSinai

The Rambam says, the language for this is thus: **"There is a tradition in the hands of the sages, person from person from Moshe Rabbeinu (our teacher Moses), thus it is."** There's a kabbalah (tradition) in the hands of the chachamim, person from person from Moshe Rabbeinu, it means such a halacha l'Moshe miSinai (law given to Moses at Sinai), thus it is. It's interesting, it doesn't say clearly in the Gemara the chiddush of the Rambam, it says in the tractate, it says in places that one intercalates the month when necessary. Such things are said, there's a Mishna that one doesn't bring, that Israel won't bring earlier, that one never makes less than four intercalated months in a year, and not eight, anyway, yes, yes, one never makes more than eight, less than four or more than eight months. There are such rules that one sees in the Mishnayos and the sources, such rules that one calculates some calculation. But it doesn't say clearly the thing that one calculates when one will see the levana, and according to this one makes sure this should never happen.

But the Rambam understood thus from the Gemara that it must be so because it follows Purim, and the Gemara says yes that this is the main reason why one can't make more than eight intercalated months in a year or less than four, because the levana will come too early or too late. But the Gemara doesn't say that one uses the calculation that the Rambam learned this whole thing, it doesn't say clearly. But the Rambam said that it must be that this means it, and apparently the same halacha from Sinai also, so it is today that one doesn't have, one does it with a calculation. But here it's not exactly that one goes with a calculation. Yes, here one does it with a certain way that it fixes. That when one uses the sighting one sometimes uses calculation. In later times it also comes.

Two Aspects of the Halacha L'Moshe MiSinai

But he says very well, that once Moshe Rabbeinu gave us the halacha that when there's no sighting there's calculation, I've said apparently already the halacha l'Moshe miSinai. There are two things used here. That is, either one uses, number one, one uses that one makes the calculation of sighting, not the calculation we use, see? The calculation of sighting tells us in advance when one can see the levana, and thus we'll know that it shouldn't come to the first twenty days. And either,

afterwards one intercalates months according to rules, that means not according to the sighting, but according to a calculation of one chaser and one malei, according to how it comes out. That means, one tries to make it match.

The Words of the Rambam

The Rambam says, yes, **"Rather the tradition in the hands of the sages person from person until Moshe Rabbeinu is thus, that at the time when the moon won't be seen at the beginning of the months, month after month"**, if several months pass when the levana wasn't seen. The Rambam doesn't say clearly how many months, because there's no clear rule, it depends on the calculation. Then, **"the beis din establishes an intercalated month of thirty days, and a deficient month of twenty-nine days"**. One begins to make everything in order. That means, after several months passed that were malei, one begins to make chaser and malei. **"And so they calculate and establish an intercalated month and a deficient month"**.

Kevi'ah vs. Kiddush - The Chiddush of Chodesh Chaser in Kevi'ah

And so one continues, **"in establishment"**, the chachamim are kove'a (establish), **"and not in sanctification, for one only sanctifies upon sighting"**. One doesn't say the word "mekudash mekudash" (sanctified sanctified), because the word "mekudash" is only when testimony comes, but the chachamim say that the month was established. One sends the messengers, one doesn't call it "mekudash", but one calls it "kevi'us" (establishment). This isn't different from what we learned earlier, that every intercalated month one isn't mekadesh, one only establishes. He only says a chiddush. Yes, exactly.

But here the Rambam says a chiddush, that one can do the same thing, make a chodesh chaser in kevi'ah and not in kiddush. Because if we know, this is indeed the main chiddush here, because a chodesh malei, I make by default. The Rambam says that just as you see there that one can make a kevi'us, not a kiddush, and this makes a feast, whatever one does, one announces, as you say, yes, one sends messengers, one tells the world that today... The Rambam says at the end that one makes a feast, one makes all the order of intercalation. The same thing one will do when one makes specifically a chodesh chaser. The beis din isn't mekadesh, they say, "Rabbosai (gentlemen), today is Rosh Chodesh".

Discussion: When Making a Chodesh Chaser - Is This a "Fix" of Previous Months?

Interesting, because when one makes a chodesh chaser, essentially one says that now it's truly malei, but the previous months, one of them was a mistake.

No, it's not truly. Again, but the problem is, because when it will happen, when one will see the levana on the 25th, one will know that the previous months... But one can't go back and do anything retroactively, say the previous month wasn't that. One fixes it now. But I'm saying now when one fixes it, essentially it's already yes the month is malei.

No, no, no, why doesn't what you say stand? One doesn't fix it after the problem, one fixes it long before. One doesn't let more than two months pass, let's say, that are me'ubar one after the other. Or three, it depends, yes, according to the matter. I say, let's say three months that were already me'ubar. We say that the month is already truly, it's already truly Rosh Chodesh. Chaser. Yes, we say... I said, it's truly not the month of the next month, because it turns out that the... It can't be so many months that they didn't see the levana, it's not mekudash, we only say.

Halacha 3 (Continued) - Malei After Malei, Chaser After Chaser

The Rambam says, **"pe'amim osin malei achar malei, o chaser achar chaser, k'mo she'ra'ah lahem min hacheshbon"**. What does this mean? What the Rambam has now said is that if the moon wasn't seen for a few months, we simply begin going one by one in order, as we basically do, we make full-deficient, full-deficient. That's the normal way, but sometimes it happens that we make two full months directly, or two deficient. Just as we do, just as our calculation does deficient. Cheshvan-Kislev, this way or that way. Right? Why? Because it happens according to the calculation that you need two days. Or conversely, we're missing two days, so we take them off.

This is what the Rama has now said, that when we don't see the moon we make one full, one deficient. It's not a decree of Scripture that we make one full, one deficient. This is normal, because more or less a month is 29 and a half days, so it comes out every second month sometimes. But sometimes the moon has already gone ahead, or sometimes let's say the last month we waited too long, we already have two months to count, so we make two deficient at once. But when do we make full after full? If for a few months there were deficient months. Because we're afraid it will be too late, and we'll need to make a thirty-three day month afterward. But this happens less often, because the Rambam already said that the reason we didn't see it is because of other reasons. Okay, everything can happen.

The Goal: That the Moon Should Be Seen at the Right Time

Okay, the Rambam says further, pe'amim... yes. The Rambam says, **"mitkavnin le'olam b'cheshbonam"**, we always calculate with the calculation **"she'im yeira'eh hayare'ach bachodesh haba, yeira'eh bizman o b'lailah sheliro, lo she'yeira'eh kodem zemano shehu leil shemonah v'esrim"**. Very good. It can be... yes, very good. These are the two nights when it's normal to see the moon, but never before that. Right? Yes, says the Rambam, **"b'cheshbonot hara'iyah"**.

Discussion: The Concept of "Sechok" – What Does It Mean?

The Rambam didn't say the words that it will be... the word is that it will be a disgrace to the beit din? He doesn't say that. He says it's a sechok. Does sechok mean it's mockery of the beit din? Or is it a word that we suddenly find ourselves in a chopped-up month? The Rambam says a simple thing, for the sake of good order. This too is the word sechok. Sechok b'hefsed. I don't know that we need to arrive at this. There are such things that are written, but we need to arrive at this.

You need to understand a simple thing, the Rambam the whole time wants to balance these two things. Truthfully, I would think this way, as if someone truly knows the calculation clearly, he could always go according to the calculation. We don't do that, because we go with the calculation of sighting in general, we don't go with the calculation of sighting, we go with the calculation of the molad in general, we have a completely different calculation. But theoretically, it's a bit... what we truly want to go by is the moon. Now, certainly, in order to see the moon one must see

it, but essentially, the Rambam truly I think that if all people were wise, one could never look at the moon, because we believe in the calculation, and the calculation is one hundred percent accurate. But what? There's a law that we must go by the sighting.

In truth this is the question, why must we go by that sighting at all? But the Rambam says that in any case, it can't be that the beit din knows, I mean that this is the essence of the matter of sechok, the beit din knows that today the moon has already come, the people won't see it because it's not visible, but the people know. So one must reckon with this, one thing to say the people don't know, the people do know, tomorrow they'll know, three months or so the sechok is that the people won't know that the sages are indeed wise and they'll think that the fools of Hashem don't understand, that the sages don't know the calculations? Because of this... the sechok is that the months shouldn't go with reality, that it makes differently. The sechok is truly already earlier, but the people will only notice it later.

Two Reasons Why We Need the Calculation of Sighting

Yes, says the Rambam, how do we know when the moon, if so it comes out that regarding this too we need to know the calculation of sighting, not only that it comes out that there's another reason why we need to know the calculation of sighting. One, it's necessary to be the witnesses, and two, is that if there's no moon, we should go according to the calculation and make

Law 9: Calculations of Sighting to Know When It's Possible It Will Be Seen and When Impossible

Speaker 1:

The Rambam says, **"cheshbonot hara'iyah elu shebirarnu yitba'er lecha v'teda mah she'efshar she'yeira'eh umah she'i efshar she'yeira'eh"**. With all these calculations that the Rambam has calculated in the laws of sanctifying the month, you should know when we can possibly see the moon, then you'll wait, and when we can't anyway, then you'll make it full or deficient beforehand, so that the next month will come out. Then you'll act according to the calculation, **"v'al zeh somchin um'abrin chodesh achar chodesh"**.

Explanation: "I Efshar She'yeira'eh" — Calculating Manually So the Next Month Will Come Out Right

Speaker 2:

No, what he says "i efshar she'yeira'eh" means that now we're talking about needing to calculate now what we make the manual intercalations as if, not according to the moon. According to what do we do this? We make sure that next month the moon should come at the right time. How do we know when the moon will come? You need to learn the calculations. The molad isn't enough, you need that people should actually be able to see, if it's possible, the moon at the right time. **"V'al zeh somchin um'abrin chodesh achar chodesh"**. That means, we don't wait until it becomes an emergency, like after a whole year, but with each month we keep this in mind.

Law 9 (Continued): Consecutive Intercalation — Full After Full, Deficient After Deficient

Speaker 1:

He means to say, or we intercalate each month, says the Rambam, we make consecutive intercalation, **"o osin chodesh chaser achar chaser"**. That means, the Rambam said, if we don't know, we make one full, one deficient, that's normal. But if we know that the moon won't come out right next month, we make either two full at once, or two deficient at once, so that the moon will be right in the coming months around.

The Rambam says, **"le'olam ein pochatin me'arba'ah chadashim hame'ubarin bashanah, v'lo mosifin al shemonah chadashim hame'ubarin"**. It's never less than — months that have thirty full days, and not more than eight. Because then, this will work out the calculation, this is stated in a Mishnah, and this will work out the calculation that the moon will come within three days of cessation.

Law 9 (Continued): The Feast of Intercalating the Month

Speaker 1:

The Rambam says, I learned earlier that we make a festive meal when witnesses come. The Rambam says, **v'gam le'aber chadashim elu**... when we intercalate, not when we come there's a meal, and the witnesses should be there to eat. There's something called intercalation feasts, which we make when we make a whole month. We don't make a sanctification of the month, we make something else instead we make a meal. But an intercalated month when we make an extra Adar.

Speaker 2:

No, no, no, when we intercalate the months. When we make a thirty, there's an intercalated month in an intercalated year. And an intercalated month when there are thirty days.

Speaker 1:

When we intercalate the month, the Rambam said in chapter 3 that we don't make any sanctification, what we don't make any sanctification but no sanctification of Heaven, but we do make a meal. Certainly it was discussed at length, when we make the meal. The Rambam says, not only do we make the meal then when we see the moon on the thirtieth night, but also when we intercalate according to the meal. On account we also make a feast of intercalating the month as mentioned in chapter three. And if not we make it fixed. On the night of the 29th sometimes we need to do this too, for what it's worth.

Law 10: The Great Innovation — How to Understand the Gemara's About Calculations in the Time of Sighting

Speaker 1:

The Rambam says, v'chol. Now, it comes out, the Rambam says a proper thing. There is the Rambam has said rules of how we can make intercalated or deficient, not according to the sighting, but according to a calculation. Now the Rambam says, now you'll understand something that's written in the Gemara, and the Rambam makes it like a revelation.

In the Gemara we see that there are things that we can intercalate, this is the Gemara that speaks in the Mishnah that says in Arachin, that we make, there's a list of how many intercalated months we intercalate. You know, there's a list? We go by the moon. How can it be that there's a list? Afterward we see that there's a thing we intercalate the month because of need. How can it be? We go by the sighting.

The Rambam answers, all this speaks of my deed, of what I say that months when we don't see the moon, we go with a calculation and not with the sighting. This is the innovation of the Rambam. The Rambam didn't stand, in the Gemara it

appears that we can always make simply when we want full or deficient.

The Rambam says, now this can't be. It only speaks of a way that the beit din knows that the moon is essentially there, in honor of this we do it.

Law 10: The Rambam's Language

Speaker 1:

This we find in the Talmud, in the Gemara, things that show **shebeit din somchin al hacheshbon, umisham anu lemdim mipi Moshe miSinai shehadavar masur lahem v'harshut b'yadam l'chasro ul'abro**, that the beit din has the authority to make the month deficient or intercalated. **V'chen zeh** it says in the Gemara, in the Mishnah, **shechisar Rebbi tish'ah chadashim bashanah**, that Rebbi made nine months in the year be deficient months, **v'chen kol kayotza bazeh**.

On top of this, in the Mishnah it says that we don't make more. We need to wonder, how does the... we know that there's sighting in those times. He says, **hakol al ikar zeh banuy**, if **bizman shelo nir'ah hachodesh bizman**, we want to calculate the calculation. We don't always need to make full, we can make deficient and full according to need, according to the calculation. And this is also the Rambam's own to other people.

The Dispute of Rav Saadia Gaon and Rav Chasdai Gaon

Speaker 1:

Rav Saadia Gaon said that we see in the Gemara that we go with calculations. Rav Saadia Gaon said, you see that the sighting was always fake. Rav Chasdai Gaon said this innovation against the Rebbi Meir's and so on, also against the Rambam says it was against the Karaites. Rav Saadia Gaon argued that we always used to give with the calculations. And he had proofs that the Gemara sees the calculations. And it's a fearful question, what comes in calculations? What does it mean we sanctify according to sighting?

The Rambam says, no, I'll tell you, because even though we sanctify according to sighting, many times we don't see the moon at all. And then we must go with the calculation.

Law 11: We Intercalate the Month for Need — Only When the Month Wasn't Seen

Speaker 1:

The Rambam says, **v'chen zeh she'amru chachamim sheme'abrin et hachodesh l'tsorech**, that if there's a need we can intercalate the month, make the month longer. **Lemashol, mishum yarka umishum ma'asiyah**, which we learned when the Rambam held that this is the reason for lo yadu'a rosh, but the Rambam said that it's not the reason, because it doesn't speak in the time when we sanctify according to sighting. But in any case, we see in the Gemara that there's such a thing that we can, since it shouldn't come out the wrong day and so on, we can intercalate the month.

The questioner asks, the Rambam says, this doesn't mean that we can do it when we see the moon otherwise. All this speaks, when we intercalate according to the calculation, **v'oten echad malei v'echad chaser**, then we can decide which month should be sometimes or deficient. **How first to intercalate month after month or to make deficient**. We've calculated the calculation that we can do both ways. The main thing is that it shouldn't come out that one time we'll see the moon already on the twenty-fifth day, but we can calculate it with a few months beforehand precisely, and if another reason happens for example that Yom Kippur shouldn't fall on Sunday, and the like, we can calculate when it should be a full month and when it should be deficient.

Our Current Calendar vs. Intercalation Because of Need

Speaker 1:

And this is how our current calendar actually works. Our current calendar is not according to need. That means, it may be because of this it was made, but our current calendar doesn't have the laws, not even clear that our current calendar is careful that we should never see the moon on the wrong days. Our current calendar has other reasons. Our current calendar is not an intercalation because of need, our current calendar is a fixed calendar. Certain things are already calculated that it shouldn't fall on the wrong days. We've specifically put it into the law that it shouldn't happen. We've specifically put in a certain thing, but this isn't the law we're learning now.

The final point is that this is written in the Gemara, that in the time of sighting we can do things because of need, this can only be done within the degrees of freedom that we have after we don't see the moon, and we must do manually.

Law 11 (Continued): But When the Moon Will Be Seen in Its Time — It's Impossible Neither to Postpone Nor to Intercalate

Speaker 1:

The Rambam says, **aval be'et she'yeira'eh hayare'ach bizman shehi techilat heyoto shehi**. What does it mean she'yeira'eh hayare'ach bizman? When the moon begins to exist, visible, excuse me, **shetechilat heyoto nir'eh**, the first time it's seen, **achar shenitkabeitz im hashemesh**, after the sun shines on it.

Speaker 2:

No, nitkabeitz im hashemesh is the molad, right? Seeing the moon is the first time we can see it after the conjunction.

Speaker 1:

After it's sanctified forever. **I efshar lo lidchot v'lo le'aber**, if we didn't see it clearly, then we can't ignore it and say that the month is full. Right.

Discussion: What Does "Techilat Heyoto Nir'eh" Mean?

Speaker 2:

Why does he say here that this is the meaning of sighting?

Speaker 1:

I have no idea. I don't know, it was mentioned here, these are simple things. Does something mean this? I don't know what. Understand?

Speaker 2:

Yes, forget it. The sighting is... perhaps he means to say that we saw it literally the first time? That means not that we saw it tomorrow, then it's not the problem?

Speaker 1:

I don't know clearly what he means. I don't know. Or perhaps he means to say that the calculation that's written in the Gemara doesn't go with the conjunction, it goes with the sighting? But not any, something wants to say here. Anyway, the Rambam says, **b'chol hadevarim** brings out, that all these things we're talking about here, that we can do

sometimes this way deficient or sometimes the hand of Torah...

Perhaps he means to say that when techilat heyoto nir'eh is simple that it's already essentially been born before that, therefore we can't push it off.

Speaker 2:

No, techilat heyoto nir'eh is the time of the beginning of sighting literally.

Law 12: In These Times — We Rely Only on the Fixed Calculation with This Average Calculation

Speaker 1:

The Rambam says, **b'chol hadevarim eleh bizman sheyesh sham beit din, v'somchin al hara'iyah**. When there's a beit din, and we make the month according to the witnesses which is the time. Then we can make sometimes one full, one deficient, etc. Or two full, two deficient, right? But there's no beit din, right? Therefore, **"v'ein somchin ela al hakevi'ah bazeh hacheshbon ha'emtza'i hapashut b'fi chol Yisrael"**. In current times we don't rely but on the fixed calculation according to the system that he calls the average calculation, which has become simple in the mouth of all Israel, that we calculate according to the average molad.

And remember, it doesn't even go with the sighting, it goes with the average molad, it's not even the correct molad, but the community of Israel doesn't care how far from the true, all these things we've learned. But this is the calculation that we always make, one full, one deficient, except for Cheshvan-Kislev, which we can make according to a calculation also this way, **k'mo shebirarnu b'halachot elu** we've already learned in the previous chapters, and then all these things we've now learned aren't relevant.

The Rambam's Main Point: We Can't Today Make Intercalation Because of Need

Speaker 1:

"Kol hadevarim ha'elu" essentially means the whole calculation, but I mean it means mainly this, that we shouldn't think that we can today still make intercalation of the month according to need. We can't, because there's already a calendar and we must go according to the calculation. It may be, I think this is what he says, that even if sometimes it will indeed come out that the moon is in the wrong place, and certain things happen. The Rambam said that because of this there are the postponements, that it shouldn't be too early, but a bit early in distant times can be, and it doesn't concern us because we don't have today a beit din, and we go according to a calendar, and good day.

Transition: Law 13 — The Rambam Goes Further to a Third Thing

Speaker 1:

Translation

The Rambam says further. So until now we've learned two halachos that come out from the calculation. First, that according to the calculation where we know precisely where the moon should be, we will check the witnesses according to that. And second, that there is a great important thing perhaps even, that many times it happens that we don't see the moon for a few months, and then basically we go with the calculation of sighting, more or less. Now the Rambam is going to say a third thing, which is not relevant to halacha, I don't know clearly what he wants and why he...

Halacha 17 — The Rules of East and West

The Rambam's Words

"It will be clarified from the books of calculations of seasons and geometry, that if the moon is seen in Eretz Yisrael, it will be seen in all the countries of the world that are to the west of Eretz Yisrael and aligned with it."

We will be able to see it also in all other countries that are on the western side of Eretz Yisrael. Yes, that means, if the calculation tells that it must be. **"And similarly aligned"** meaning between north and south, yes? That means on the same latitude as Eretz Yisrael. That means, if we can see the moon, that means the calculation says that in Eretz Yisrael they see it, then kal vachomer we see it in a country that is even more west of Eretz Yisrael.

What is the reasoning? The reasoning is I think simple, because everyone knows that the more west you go, the sunset comes later, right? It comes out, if the sunset is later, it comes out that there is more distance between the sun and the moon, which is still a bit later. It comes out that the more space there is, the more you can see. So the moon can be seen more to the west, so kal vachomer from Eretz Yisrael. So apparently this is the simple... I don't know if what I'm saying isn't correct, I'm just saying a reasoning, we need to check the calculation whether it works out that way. Because we need to understand what does it have to do that it's longer, that it's later on the surface of the earth, with the fact that the sun should be further from the moon. Apparently it should be the same, but we need to think about this, do you understand what I'm saying?

Anyway, however, the Rambam says, **"and if the calculation indicates that it will not be seen in Eretz Yisrael, it's possible that it will be seen in countries that are to the west of Eretz Yisrael"**. Since the more west you see better, it could be that we didn't see it in Eretz Yisrael, but we can see it on the western side of Eretz Yisrael. **"Therefore if the moon is seen in a country that is to the west of Eretz Yisrael, there is no proof from this that the moon was seen in Eretz Yisrael. But if the moon is not seen on the mountaintops in the western countries that are aligned with Eretz Yisrael, it is known that it was not seen in Eretz Yisrael"**. If they see yes, it's not proof that they don't see, because it could be that they see there and not in Eretz Yisrael. But if they don't see, that means they can't see, and therefore he adds "on the mountaintops", because you might not see because you're in a valley. No, climb up to the observatory on the mountain peak, and if you don't see there, you know that in Eretz Yisrael they didn't see. Apparently he means here regarding the calculation mainly, but also the sighting. Right, very good.

Now, what about the eastern side of Eretz Yisrael? **"And similarly if the moon is not seen in Eretz Yisrael, it is known that it will not be seen in all the countries of the world that are to the east of Eretz Yisrael and aligned with it"**. That means, east always comes out a bit shorter the arc of sighting, the arc of visibility. It comes out that if we can't see it, then kal vachomer where it's even shorter we can't see it. But if we see it yes, then it's still not proof. **"It's possible that it will be seen in the eastern**

countries", perhaps in Eretz Yisrael it's still west enough that we can see it, but not in Dan, I don't know, in further eastern countries, in China, one shouldn't be able to see because it's even more east. **"Therefore if they saw in countries that are to the east of Eretz Yisrael aligned with it, it is known that they saw in Eretz Yisrael. And if they did not see in the eastern countries, there is no proof from this, because it's possible that they will see in Eretz Yisrael."**

Why Does the Rambam Bring This Topic At All?

First, that according to the calculation where we know precisely where the moon should be, we will check the witnesses who should lie according to that. And second, that there is a great important thing perhaps even, that many times it happens that we don't see the moon for a few months, and then, basically, we go with the calculation of sighting, more or less.

Now the Rambam is going to say a third thing, which is not relevant to the halacha. I don't know clearly what he wants, why he wants, why he told this at all, why it comes into the topic, how much it helps. The topic of the chapter is as if, what does the calculation help us? The Rambam tells us another calculation that doesn't help. I don't know precisely what he wants, but he says an interesting thing. Perhaps the Rambam simply thought that someone who has learned until now will ask this question. I don't know why, but let's learn what I'm saying. I can say that the month we're talking about is the practical thing on earth. There's another topic. Let's say, the topic he's going to discuss is that all the calculations that we've now learned are in Eretz Yisrael. Now, we don't live in Eretz Yisrael. So it's interesting to know, a person looks, perhaps this is actually the question that the Rambam answers here. A person lives in Egypt, or he lives in Syria, or he lives in and he looks at the moon, and he's done the whole calculation of the Rambam, and he doesn't see the moon, or he sees yes in a place where it's not. In short, everything doesn't match him according to what we've now learned, which is all according to the calculation of Eretz Yisrael. So a person wants to see how this works. So the Rambam explains how this works. I think that you haven't learned well, no one has learned this well, and it's simple, the Rambam said clearly that the calculation is only for Eretz Yisrael. He wants to explain how the connection of Eretz Yisrael with the other places works.

The Rambam says that "it will be clarified" means it has been clarified, yes? It has become clear "from the books of calculations of seasons and geometry". That what?

Halacha 18 — "Aligned With It" = 35 Degrees North

The Rambam says, **"In all the countries that are in the east and aligned"**. What does aligned mean? **"Such as if they were inclined to the north of the world thirty-five degrees"**, that means 35 from the equator, yes? Which is how high Eretz Yisrael is regarding the northern side. **"But if they were inclined to the north more than this or less, they have other rules, and they are not aligned with Eretz Yisrael."**

It seems that most countries are in this latitude, the line of... yes, very many countries, in this region is where most people live. Because higher than this is cold and lower than this is hot, and the latitude is where the main countries are. Below is not cold, below is hot. On the contrary, it's hotter. The edges are cold and the middle is warm.

So, in any case, many countries are approximately at this thing. America is a bit higher usually. In short, we need to know precisely where we are, and according to that it comes out.

Halacha 19 — "To Magnify Torah and Make It Glorious"

The Rambam's Words

Now the Rambam says, you shouldn't think that I told you some practical halachic difference with what I just told you about the other countries. **"These things that we explained regarding east and west are only to explain all the laws of sighting"**, you should know all the rules, not halachos, all the rules of sighting. Why do I say it? **"To magnify Torah and make it glorious"**. Just so you should know more things, you should broaden the Torah, strengthen the Torah. **"Not that the people of the east and the people of the west should rely on the sighting of the moon or that it should benefit them at all"**. Not that the people who live in eastern or western countries of Eretz Yisrael can rely at all on their sighting of the moon, or that it should benefit them at all, or that it will help them at all. **"Rather, forever we only rely on the sanctification of the beis din that is in Eretz Yisrael as we explained in its place"** — we always rely on what the beis din sanctifies. But then why did I say it? In order to magnify Torah and make it glorious, so you should have more interesting information in the laws of sanctifying the new month and all the science of how we see the moon.

Discussion: Why Can't We Use Sighting in Eastern Countries As a Sign?

Rather forever, yes. It's interesting, because perhaps one could have thought that if there is a way that we see it for certain, for example, he says that if it was seen in eastern countries, we know for certain that they saw it in Eretz Yisrael. Why can't a Jew in the east say, "Ah, I see the moon, I mean kal vachomer the beis din in Eretz Yisrael saw it, therefore they certainly sanctified it, therefore I can know"? Like as a sign, not as a reason. Why shouldn't I be able to use it as a sign that the beis din in Eretz Yisrael sanctified the moon?

It's not a good enough sign, because the Rambam said that there can be other reasons why we don't see it in that country. If it were clear enough, it could be. In Babylonia people should know, "Ah, I know that they've now sanctified." But we don't see it that way. We see they sent messengers and the like, they actually had to hear that the beis din sanctified.

No, good. That's what I'm asking. It's very good, and it's very interesting what the Rambam says. It could be that this is what he means "to magnify Torah and make it glorious", like when we bring the hava amina, not because the conclusion is so, but he says, "because this would have been a good hava amina, I bring it." No no, he doesn't mean that, he means clearly, "to magnify Torah and make it glorious", we should know, basically, we're discussing the rule, how it works, that the more east it becomes smaller and the more west it becomes larger. This is better the topic that he taught us.

Rabbi Rabinovitch's Innovation — Parallel to Fins and Scales (Chullin)

And certainly, the commentators bring that the language "magnify Torah and make it glorious" appears in the Gemara in Chullin regarding the topic of signs of purity of fish. In the Torah it says that fish have two signs, a fin and scales. But the Gemara says that the reality is that every fish that has scales

also has a fin, but not vice versa. Therefore it comes out that it's very similar to here. If we see the moon in the east you know that in Israel, but if we don't see, it's not proof that not. Yes? Anyway, the Gemara asks, if so why does it say in the Torah two signs? After all, you always need to look at the scales and only at the scales. The Gemara answers, "to magnify Torah". And most commentators don't understand, it's a very difficult Gemara. What does "magnify Torah and make it glorious" mean? You learn another sign that doesn't do anything. So what does that mean at all?

So Rabbi Rabinovitch here on the side of the Rambam says very well. With this we also come to answer another question that I've seen other analyses people talk about regarding the Rambam. They've talked several times about the question whether the calculations of sanctifying the new month are in Torah, or just wisdom. Although, I don't know precisely what is the part of Torah and wisdom. And the Chazon Ish said that after the Rambam got involved in the book, it became Torah. Although the Rambam said clearly that he was influenced by the non-Jews, let's not say now by the way. He said that in fact this was already influenced, and although the Rambam says that it's true, he still says about the reality, he doesn't still say about the non-Jew. Precisely the non-Jew told him. Anyway, there were people who analyzed that you see a proof that we say about the laws of sighting to magnify Torah and make it glorious. Which apparently a person said that this is only relevant to Torah, but just to facts which is to magnify Torah and make it glorious. He sees, rather what, it's Torah.

But the truth is actually the opposite. Rabbi Rabinovitch says, that no, the Gemara that says to magnify Torah and make it glorious regarding fins and scales, what does it mean? It's not a halacha, it's actually the opposite. The halacha is only relevant to the scales. If Torah means a halacha that we need to follow, it's not relevant neither the people of the east nor the fin, never relevant. But what? In reality it is relevant. Why? Because from the fact that the Torah says fins and scales, we learn a piece of science, we learn that every fish with scales also has a fin. So the Gemara accepted and saw, it comes out that the Torah tells you just an important thing about Hashem's world, that fish that are kosher have scales and fins. Although if you want to know if a fish is kosher according to halacha, you don't need to look at the fin. But precisely, the Torah says, the Torah doesn't say a sign for halacha, the Torah says a fact that all kosher fish have both.

And the same thing the Rambam says here, I tell you a fact, broaden yourself so you should understand better Hashem's world, this is how east and west work. Although if you want to know if it's Rosh Chodesh, it won't come any more, because you need anyway to ask the beis din of Eretz Yisrael.

The Parable of Signs of Fish: Torah That Teaches Us Facts About Creation

It comes out that the Torah tells you just such an important thing about Hashem's world, that fish that are kosher have scales and fins, although if you want to know if a fish is kosher according to halacha, you don't need to look at the fin.

But precisely, the Torah says, the Torah doesn't say a sign for halacha, the Torah says a fact, that all kosher fish have both.

And the same thing the Rambam says, I tell you a fact, broaden yourself so you should understand better Hashem's world, that this is how east and west work. Although if you want to know if it's Rosh Chodesh, and not any more coming, because you need anyway to ask the beis din of Eretz Yisrael.

Rabbi Chananya ben Akashya — To Magnify Torah and Mitzvos

So Rabbi Chananya ben Akashya says, **the Holy One Blessed be He wished to give merit to Israel, therefore He gave them Torah in abundance**, there should be more Torah, even what is not important to know.

But there he means yes, we do mitzvos. He says Torah and mitzvos, we have an explanation for this. It means on the contrary, there he says that there are more things that we will do, although perhaps a few less mitzvos would have been enough.

But Rabbi Chananya doesn't speak of mitzvos that are not relevant to action. On the contrary, there are actions that are not relevant to theory, but He gave them Torah in abundance means more Torah than what would have been sufficient. Torah and mitzvos, they do both.

This is a different thing, because there we're talking about actions, we do more mitzvos than what the intellect would have obligated. That's the thing, you get more reward.

The Distinction: To Magnify Torah — Not To Magnify Mitzvah

Here it says on the contrary, that the matter of understanding clearly is greater than the mitzvah. For practical halacha these things are not relevant, but to understand the world it is relevant.

That means **to magnify Torah**, he doesn't say to magnify mitzvah, there is a matter of learning, theoretically how the world works, even if it's not relevant to action.

This is apparently the topic of what we learned, that it's a mitzvah to contemplate the value of what comes. Because it's the reality, not about it being a legal halacha.

The Paradox in the Rambam's Approach: Wisdom That Is Limited to Halacha, But Breaks Through the Boundaries

That means, although here it's like the exception to the whole Rambam, they've learned, there is such a whole paradox that we're learning here.

On One Hand: The Rambam Is Limited to Halacha

On one hand regarding halacha, that means, in our time certainly all these calculations are not relevant. Okay, the beis din is relevant, so in a certain sense all these halachos are relevant to action, and in a certain sense also the Rambam is concise, he doesn't say all the theories of everything, only as much as is relevant to the calculation of sighting, so he is indeed limited to the halacha.

On the Other Hand: The Rambam Writes From the Perspective of Wisdom

On the other hand, the Rambam said clearly at the beginning of chapter 11, that he says it only because he knows that whoever his heart desires to know the wisdoms, he's interested in what the beis din thought.

It comes out that it is indeed from the perspective of the wisdom in it, but the wisdom that is limited to what is relevant, because he could write all the wisdoms in his book, a huge book, I don't know, something like that.

The Breaking Through: Outside the Boundary of What's Necessary for Halacha

But here you see indeed that the Rambam once broke through the wisdom from the boundary of what's necessary for halacha. That means, he says the wisdom, yes, it's also outside the boundary of Eretz Yisrael, he says the wisdom, although it's not relevant, because truly his whole reason for writing was **to magnify Torah and make it glorious**.

Interesting, yes.

Conclusion: Identification of the Chapter

So this is the chapter, what is it called? Chapter 18. 17. 18. Chapter 18, yes, yes. Okay.