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Yoma Daf 13

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. Rabbi Yose agrees that if the substitute Kohen Gadol violated the rule and served while dressed in the eight vestments of the Kohen Gadol, the service is valid.

The Halacha follows the opinion of Rabbi Yose who maintains that when the incumbent Kohen Gadol returns to perform the service in the Bais HaMikdash, the substitute Kohen Gadol cannot perform the service dressed as a Kohen Gadol or dressed as an ordinary Kohen.

Rabbi Yose agrees, however, that if the Kohen violated this rule and he served while dressed as a Kohen Gadol, the service is valid.

The reason for this is because he is still essentially a Kohen Gadol, so as long as he performs the service while dressed as a Kohen Gadol, the service will be valid. If he were to perform the service while dressed in the four vestments of an ordinary Kohen, the service will be invalid, because he is essentially a Kohen Gadol and he must serve while wearing eight vestments. (12b3-13a1)

2. Becoming tamei is common but death is uncommon.

The Mishnah stated that Rabbi Yehudah maintains that they would prepare another wife for the Kohen Gadol, lest his present wife die, and it is said regarding the Kohen Gadol on Yom Kippur *and he shall make atonement for himself and for his household*. The words *his household* refers to his wife.

The Chachamim countered that if we were concerned for the possibility of sudden death, then there is no end to the matter and we would have to be concerned that the second wife may also die.

The Gemara wonders why the Chachamim are concerned that the Kohen Gadol may become tamei and therefore they require that another Kohen Gadol be prepared, but the Chachamim are not concerned that the wife of the Kohen Gadol may die.

The Gemara answers that the Chachamim maintain that contracting tumah is common, either through a seminal emission or if the Kohen Gadol is sprayed by the saliva of an *am haaretz* who is not careful about eating his food in a state of taharah, and his spittle is deemed to be a contaminant like that of a *zav*. Death, however, is uncommon, so we are not concerned that the wife will die. (13a1)

3. Rabbi Yehudah maintains that we are not concerned about the death of two wives.

The Chachamim maintain that we do not have to prepare a wife for the Kohen Gadol, because if we were concerned for death, there would be no end to the matter. Rabbi Yehudah, however, maintains that we are concerned about the death of the first wife, but that the substitute wife will also die is highly unlikely, so we do not require a substitute wife for the first substitute wife. The Chachamim, however, maintain that if we are concerned that something unlikely like the first wife dying before the end of Yom Kippur may occur, then we should be concerned even about the death of two wives. (13a1)

4. A Kohen Gadol will be even more conscientious if a rival is prepared in case he becomes tamei.

The Chachamim maintain that we need to prepare a substitute Kohen Gadol in case the present Kohen Gadol becomes tamei. Nonetheless, it is not necessary to prepare a substitute Kohen Gadol for the first substitute Kohen Gadol because a Kohen Gadol is conscientious to remain tahor, so it is not likely that a second Kohen Gadol will ever be needed. However, we still prepare another Kohen Gadol because by preparing a rival for the present Kohen Gadol, he will be even more conscientious about not becoming tamei because he will not want his rival to take over. (13a1)

5. The woman who is prepared for the Kohen Gadol must be married to him before Yom Kippur.

The Gemara wonders according to Rabbi Yehudah that we must prepare another wife for the Kohen Gadol, the Torah states *and he shall make atonement for himself and for his household*, which refers to his wife, but this substitute woman is not yet married to him.

The Gemara answers that he married the woman before Yom Kippur, and should his first wife die, he will already be married to a second wife. (13a2)

6. If the Kohen Gadol says to the second wife that this is your *get* on condition that one of you dies before the end of Yom Kippur, it is not a valid *get*.

The Gemara questions how the Kohen Gadol can be married to two wives on Yom Kippur, because it is said *and he shall make atonement for himself and for his household*, and this implies that the Kohen Gadol cannot atone for two households.

The Gemara suggests various solutions and rejects them. One solution that the Gemara suggests is that the Kohen Gadol says to the second woman "I will give you a *get* on condition that one of you dies before the end of Yom Kippur." If the divorced wife dies, then the Kohen Gadol will remain with the one undivorced wife and he will be allowed to serve on Yom Kippur. If

the undivorced wife dies, then the divorced wife remains and the Kohen Gadol can serve.

The Gemara rejects this suggestion for two reasons. First, perhaps neither of the women will die and the condition of the *get* will not be fulfilled and the Kohen Gadol will have two households. Second, such a *get* should not be considered valid, because the halacha is that if a man gives his wife a *get* and says, "this is your *get* on condition that you do not drink wine," if he says that the condition applies "all the days of my life," or "all the days of your life," this is not deemed to be a valid severance. If, however, the condition was that she not drink wine "all the days of the life of someone else," then it is deemed to be a valid severance. The same holds true when the Kohen Gadol divorced the woman on condition that she dies before the end of Yom Kippur. The condition must remain unfulfilled during her entire lifetime, and this not a valid severance. In order for a *get* to be valid, there must be a complete severance of the bond between husband and wife. (13a3)

7. The repetition of the words *his yevamah* teaches us that even more than one *yevamah* can be included in the mitzvah of *yibum*.

The discussion in the Gemara centered on the verse that states *and he shall make atonement for himself and for his household*, which implies that the Kohen Gadol can only have one wife on Yom Kippur.

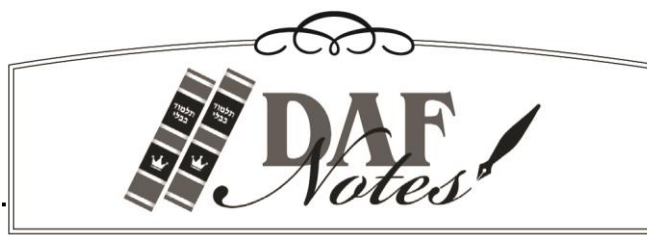
This premise is challenged because according to this, if two *yevamos* come from one house, they should not be subject to *yibum*, but this is not so. When a man dies without leaving children, the deceased's brother must marry the widow, in a marriage referred to as *yibum*. If he chooses not to marry her, he must perform a ceremony called *chalitzah*. If the brother chooses to perform *chalitzah*, it is said *a man who would not build his brother's household*. One would think that the law of *yibum* would only apply when the deceased brother had only one household, i.e. one wife, but if he had two wives, then *yibum* should not apply at all. This is not the case, because when the deceased had two wives, they are both subject to *yibum* and neither one can marry until one of them undergoes either *yibum* or *chalitzah*.

The Gemara answers that since it is said in the Torah the word *yevamah* twice, we learn that even if there is more than one *yevamah*, the commandment of *yibum* still applies. (13b2)

8. The word *outside* includes a betrothed wife in the mitzvah of *yibum*.

We learned previously that the wife of the Kohen Gadol on Yom Kippur must not be merely betrothed to the Kohen Gadol. Rather, she must be completely married to him so that the words *his household* are fulfilled.

The Gemara challenges this because based on this premise a betrothed wife should not be subject to *yibum*, because she is also referred to as the



deceased brother's *household*, and this is not the case.

The Gemara answers that the Torah refers to the *yevamah* as being outside. In the simple meaning of the verse, it would read *the wife of the deceased shall not marry out [of the family] to a stranger*.

The Gemara, however, understands the word *hachutzah* to be qualifying the *eishes hameis*, wife of the deceased. Thus, the verse would be interpreted as follows: *the outside wife of the deceased shall not be married to a stranger*. This "outside wife" refers to a betrothed woman who is married but cannot yet engage in marital relations with her betrothed husband. The word *outside* thus comes to include a betrothed woman in the mitzvah of *yibum*. (13b2)

9. Rabbi Yehudah maintains that a Kohen Gadol should be brought from his home to serve the entire day in the Bais HaMikdash.

A Baraisa states that the Tanna Kamma maintains that a Kohen Gadol offers sacrifices while he is an *onein*, which is the first stage of mourning upon the death of any of one's seven close relatives. An ordinary Kohen cannot perform the service in the Bais HaMikdash while he is an *onein*, whereas a Kohen Gadol can perform the service in the Bais HaMikdash after losing a close relative. Nonetheless, even the Kohen Gadol cannot eat sacrificial food while he is an *onein*. Rabbi Yehudah, however, maintains that not only can the Kohen Gadol serve as an *onein*, but it is actually a mitzvah to bring the Kohen Gadol from

his home and have him serve so his grief can be assuaged. (13b2)

10. There is a dispute regarding a Kohen who became an *onein* while in middle of offering a sacrifice.

Rabbi Yehudah maintains that if a Kohen was standing and offering a sacrifice on the mizbeich and he heard that his relative died, he immediately ceases performing the service and leaves the Bais HaMikdash. Rabbi Yose, however, maintains that the Kohen should finish the service that he was involved in and then he should leave the Bais HaMikdash. (13b2)

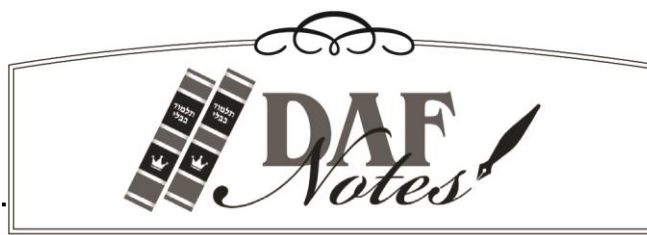
DAILY MASHAL

Kohanim are conscientious

The Gemara states that the Kohen Gadol is conscientious about remaining tahor. In general we find that Kohanim are considered conscientious. The Rishonim write that the Patriarchs were all considered Kohanim. Although there was no physical Bais HaMikdash in the times of the Patriarchs, we can understand this to mean that the Patriarchs were conscientious and zealous in performing HaShem's will.

The Kohen Gadol and his Wife

In our sugya we learn that the Kohen Gadol was forbidden to perform the Yom Kippur service if he



was unmarried. Similarly, the Zohar Chai writes that an unmarried man should best not be a shaliach tzibbur to lead davening.

The Kozhnitzer Maggid zt"l was seventy years old when his wife passed away and considered it unnecessary to remarry.

The Chozeh of Lublin sent him a message that all his prayers on the Yomim Noraim and indeed on every day since his wife passed away, were entirely darkened and unfit. Therefore the Chozeh instructed the messenger to demand in his name that the Maggid remarry. The Maggid immediately complied and remarried (*Mevaser Tov: Zechus Nashim Tzidkonios II*, p. 155).

mourning is referred to as aninus.

5. **Yevamah** When a man dies childless, his brother is commanded to marry the widow. The marriage is referred to as yibum and the widow is called the yevamah.
6. **Yibum** Levirate marriage. When a man dies childless, one of his brothers must marry the widow. This marriage is referred to as yibum.
7. **Zav** A man who becomes tamei because of a specific type of seminal emission.

GLOSSARY

1. **Am haaretz** Unlearned person
2. **Chalitzah** If a man dies childless and his brother refuses to perform yibum to his brother's wife, he must perform the alternate rite of chalitzah, in which she removes his shoe before the court and spits before him and declares, "so should be done to the man who will not build his brother's house."
3. **Get** Bill of divorce
4. **Onein** One who is in the first stage of mourning upon the death of any of one's seven close relatives. This state of