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Yoma Daf 19

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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

The elders of the court handed him over to the elders of the Kohanim and they took him up to the Avtinas Family Chamber. They adjured him and took their leave. This is what they said to him: My master, Kohen Gadol, we are messengers of the court and you are our messenger and the messenger of the court. We adjure you by Him that made His Name to dwell in this House that you do not change anything of what we said to you. He turned aside and wept and they turned aside and wept.

If he was a scholar, he would expound, and if not, other scholars would expound before him. If he was familiar with reading Scriptures, he would read; if not, they would read before him. From what would they read before him? From Job, Ezra and Chronicles. Rabbi Zecharyah ben Kevutal said: Often I have read before him from Daniel. (18b2)

The *Gemora* cites a *braisa*: They brought him to the Avtinas Chamber to teach him the laws of “filling the hands” (with incense).

Rav Pappa said that the Kohen Gadol had two chambers; one was the Parhedrin Chamber and the other one was the Avtinas Family Chamber. One was located in the north and one in the south (of the Courtyard). One was located in the north, as it was taught in a *Mishna*: Six chambers were in the Temple

Courtyard, three to the north, and three to the south. Those to the south were the Chamber of Salt, the Chamber of Parvah, and the Rinsing Chamber. The Chamber of Salt was where the salt for the sacrifices was placed. The Chamber of Parvah was where the hides of the sacrifices were salted, and on its roof was the place of the mikvah for the Kohen Gadol on Yom Kippur. The Rinsing Chamber was the place where the innards of the sacrifices were rinsed, and a circular staircase led from it to the roof of the Parvah Chamber. The three to the north were: The Chamber of Wood, the Chamber of the Diaspora, and the Chamber of Hewn Stone. Concerning the Chamber of Wood, Rabbi Eliezer ben Yaakov said: I have forgotten what it was used for, but Abba Shaul said: It was the Chamber of the Kohen Gadol (one of the two mentioned above). The Chamber of Wood was located behind the other two, and the roof of all three of them was of the same height. The Chamber of the Diaspora was the place where the cistern of the Diaspora was placed, and a wheel was placed above it, and from there they drew water for the whole Temple Courtyard. The Chamber of Hewn Stone was the place where the Sanhedrin of Israel was sitting and judging the Kohanim, and whoever was found to be disqualified (to perform the service) would don black clothing and wrap himself in black, go out and depart. And one in whom no disqualification

(blemish) was found, would don white clothing, wrap himself in white, enter and serve with his brethren.

Rav Pappa continues: One chamber was to the south, as we have learned in a *Mishna*: There were seven gates in the Temple Courtyard, three to the north, and three to the south and one to the east. To the south (starting at the western side): The Gate of Kindling, next to it the Gate of the Offerings, the third being the Gate of the Water. On the east side there was the Nikanor Gate, beside which were two chambers, one to the right and the other to the left; one of them was the Chamber of Pinchas, the keeper of the garments and the other was the Chamber of the Makers of the Chavitin (the minchah brought daily by the Kohen Gadol). On the north was the Gate of the Ray. It was a kind of structure with an upper chamber built on top of it, and the Kohanim kept watch above and the Leviim below. It had a doorway to the Cheil. Second to it was the Gate of the Offering, and the third was the Gate of the Chamber of the Fire. And it was further taught in a *braisa*: The *Kohen Gadol* on *Yom Kippur* must immerse five times in a *mikvah* and wash his hands and feet ten times, and all these immersions were in the holy, on the roof of the Parvah Chamber, with the exception of this one (the first one), which was in an unsanctified place, on top of the Gate of the Water, which was beside his own chamber. [Evidently, the Kohen Gadol also had a chamber on the southern side.]

But [continues Rav Pappa], I do not know whether the Parhedrin Chamber was to the north and the Avtinah Family Chamber was to the south, or the Avtinah Family Chamber was to the north and the Parhedrin Chamber was to the south.

The *Gemora* notes that it is logical that the Parhedrin Chamber was to the south, for (then the following would be his daily routine) he would get up, cover his feet (relieve himself), immerse himself, turn northward to practice the chafinah service (filling his hands with the incense), enter the Temple and perform the service all day; towards evening he would be sprinkled (with the purification water), return southward, immerse himself (on top of the Water Gate) and go to sleep. But if you were to say that the Parhedrin Chamber is to the north, he would then get up, cover his feet (relieve himself), turn to the south and immerse himself, practice the chafinah service, enter the Temple and perform the service all day; towards evening he would be sprinkled (with the purification water), return southward, immerse himself (on top of the Water Gate), and then he would need to return and go to the north to go to sleep!? Would we trouble him so much? [Evidently, the Parhedrin Chamber was situated in the south and the Avtinah Family Chamber was in the north.]

The *Gemora* asks: Why should we not put him to much trouble, so that if he be a Sadducee, he will withdraw (from attempting to attain the position of Kohen Gadol); or alternatively, in order that he should not become too haughty.

The *Gemora* proves that we do in fact burden him, for if you do not say so, let us place the two chambers next to each other, or alternatively, one chamber should be sufficient (for him to sleep and to practice the chafinah service)! (19a1 – 19a4)



The *Mishna* had stated: This is what they said to him: My master, Kohen Gadol, we are messengers of the court and you are our messenger and the messenger of the court.

The *Gemora* asks: Is this not a refutation of that which Rav Huna the son of Rabbi Yehoshua said, for Rav Huna the son of Rabbi Yehoshua said: *Kohanim* are Hashem's messengers. If we would say that they are our messengers, is it possible that there is something that a person themselves cannot do, yet they have the power to create a messenger to do it for them?

The *Gemora* answers: they said the following to the Kohen Gadol: We adjure you based on our understanding and the understanding of the court (and this way, they are not saying that he is an agent of the court at all). (19a4 – 19b1)

The *Mishna* had stated: He turned aside and wept and they turned aside and wept.

The *Gemora* explains: The Kohen Gadol cried because the elders suspected him of being a Sadducee, and they cried because Rabbi Yehoshua ben Levi said: He who suspects an innocent person (*of a wrongdoing*) is bodily afflicted.

The *Gemora* asks: Why did they do this?

The *Gemora* answers: We did not want him to prepare the incense outside of the Holy of Holies and then bring it inside, for that was the manner done by the Sadducees.

The *Gemora* cites a *braisa*: There was a Sadducee who had prepared the incense outside, and then brought it inside. As he left, he was exceedingly happy. His father met him and said to him: My son, although we are Sadducees, we are afraid of the Pharisees. He replied: All my life I was troubled because of this Scriptural verse: For I will be seen in the cloud upon the ark-cover. I would say: When shall the opportunity come to my hand so that I might fulfill it (in the manner interpreted by the Sadducees)? Now that such opportunity has come to my hand, should I not have fulfilled it? It is reported that it took only a few days until he died and was thrown on a trash heap, and worms came forth from his nose.

Some say: He was smitten as he came out (of the Holy of Holies), for Rabbi Chiya taught a *braisa*: Some sort of a noise was heard in the Courtyard, for an angel had come and struck him down on his face, and his brethren the Kohanim came in and they found the trace of a sole of a rounded foot between his shoulders, as it is written: And their legs were straight legs, and the sole of their feet was like the sole of a rounded foot. (19b1 – 19b2)

The *Mishna* had stated: Rabbi Zecharyah ben Kevutal said: Often I have read before him from Daniel.

Rav Chanan, the son of Rava, taught (the *Mishna*) to Chiya, the son of Rav in the presence of Rav: Rabbi Zecharyah ben Kefutal, whereupon Rav indicated to him with (a gesture of) his hand: (it should be) Kevutal.

The *Gemora* asks: Why didn't he speak to him?



The *Gemora* answers: He was reading the Shema’.

The *Gemora* asks: But is such an interruption permitted? But Rabbi Yitzchak bar Shmuel bar Marta said: He who recites the Shema may neither signal with his eyes, nor gesticulate with his lips, nor gesture with his fingers. And it has also been taught in a *braisa*: Rabbi Elozar Chisma said: Concerning one who while reading the Shema signals with his eyes, gesticulates with his lips or gestures with his fingers, Scripture has said: You have not called upon me, O Jacob!?

The *Gemora* answers: There is no difficulty, for one view refers to the first portion of the Shema (where it is prohibited to gesture), and the other refers to the second portion. (19b2)

The *Gemora* cites a *braisa*: *And you shall speak of them*; ‘of them,’ but not during prayer; ‘of them’ (words of Torah) you have permission to speak, but not of other things. Rabbi Acha said: *And you shall speak of them*; i.e., make them (words of Torah) a regular part of your life, and not a casual topic.

Rava said: One who engages in trivial talk transgresses a positive command, for it is written: *And you shall speak of them* ‘of them,’ but not of other matters. Rav Acha bar Yaakov said: He transgresses a negative prohibition, for it is said: *All things toil to weariness; man cannot speak it*. (19b2)

The Mishna states if the Kohen Gadol would start to fall asleep, the young Kohanim would snap and tell him to wake himself by standing on the cold floor.

The Kohen Gadol was not allowed to sleep on Erev Yom Kipur so he wouldn’t have a seminal omission and be disqualified from service. Therefore, when the young Kohanim saw him falling asleep they would snap at him, and tell him to put his bare feet on the cold stone floor in order to wake himself. They would also ask him to some form of acrobatic bowing in order to keep him awake. (19b3)

Staying up all night on Yom Kippur would lead people to sin.

The *Gemora* records that people used to stay up all night on Yom Kippur in order to remember the practice done in the Temple. This practice, however, led to men and women congregating together and caused them to sin.

The *Gemora* relates a story where Eliyahu HaNavi declared that Moshiach is not yet here because on Yom Kippur itself a number of virgins had improper relations. (19b3)

## INSIGHTS TO THE DAF

### **KOHANIM AS AGENTS**

Rav Huna the son of Rav Yehoshua says that *Kohanim* are Hashem’s messengers. If we would say that they are our messengers, is it possible that there is something that a person themselves cannot do, yet they have the power to create a messenger to do it for them?

The *Gemora* in *Nedarim* (35b) poses the identical inquiry and states that a practical difference between the two perspectives is with regard to someone who declared that he would not derive benefit from a certain *Kohen*. If the *Kohen* is our agent, he will not be permitted to perform the service for the one who vowed against him. However, if the *Kohen* is an agent of Heaven, he would be permitted to perform the service for him.

The Rishonim ask: Why didn't the *Gemora* there resolve this inquiry from that which Rav Huna said here that if we would say that they are our messengers, is it possible that there is something that a person themselves cannot do, yet they have the power to create a messenger to do it for them?

- 1) Tosfos answers that the *Gemora* wished to resolve the inquiry from a *Mishna* or a *braisa*, not from an Amoraic statement.
- 2) Furthermore, Tosfos notes that we can only prove from Rav Huna that the *Kohanim* are also agents of Heaven, and not only our agents, for if they would only be our agents, how can they perform the service when the *Yisroel*, who sent them, cannot perform it! However, it can still very well be that they are the agents of both.
- 3) The Ritva answers that we can prove from Rav Huna that the *Kohanim* are agents of Heaven only when they are offering the

*korbanos* of a *Yisroel*; however, there would still be a matter of doubt with respect to a case when they are sacrificing the *korbanos* for another *Kohen*. Here, Rav Huna's logic would not be applicable, for the sender is able to perform the service himself!

## The Kohen Gadol's Oath

During the era of the second Beis HaMikdash, the cult of the Tzadukim made great inroads into the Jewish people, attracting many people to their heretical faith. The Tzadukim believed in the Written Torah, according to their own warped interpretation, but did not accept the Oral Tradition of the Sages. Among the many disputes in halacha that arose between the Tzadukim and the Sages was how to offer the ketores in the Kodesh Kadoshim on Yom Kippur. The Tzadukim interpreted the possuk, "Do not come at all times into the Kodesh... for in a cloud [of ketores smoke] I will appear upon the *Kapores*" (Vayikra 16:2) to mean that the ketores should first be lit, before the Kohen Gadol enters the *Kodesh Kodashim*. However, the Sages understood that the ketores must first be brought into the Kodesh Kodashim and then lit. Beis Din needed to take precautions to ensure that the Kohen Gadol offered the ketores properly, since even he was suspected of secretly being a follower of the Tzadukim. On erev Yom Kippur they would require him to take an oath (*shavu'ah*) that he would offer the ketores according to the authentic Oral Tradition, as the Sages instructed.

**What benefit is the oath?**

This raises two perplexing questions. Firstly, if the Kohen Gadol truly was a Tzaduki, why would he hesitate to take an oath? The Gemara tells us that an oath to transgress a mitzva is not binding. According to his own twisted reasoning, the Torah commands him to light the ketores first and then enter. Even if he were to make an oath to do otherwise, the oath would not be binding.

#### **An oath to transgress a mitzva:**

The Chasam Sofer (O.C. 176) answers that there is no explicit possuk stating that an oath to transgress a mitzva is not binding. Our Sages understood this to be true based on the principles of the Oral Tradition. The Tzadukim who rejected the Oral Tradition, denied this principle as well. According to their misguided opinion, an oath to transgress a mitzva is indeed binding. Therefore, if a Tzaduki Kohen Gadol made an oath to offer the ketores as the Sages instructed, against what he believes to be halacha, he would feel obligated to fulfill his oath.

#### **Oaths during the Ten Days of Teshuva:**

Our second question, which is a point of discussion among many Acharonim, is how they could force him to take an oath during the Ten Days of Teshuva. Beis Din must not impose an oath or a *cheirum* during the days between Rosh Hashanah and Yom Kippur (Rema, O.C. 602:1). The source for this ruling is from the Maharil (Minhagim, p. 304) who writes that once during the Ten Days of Teshuva, someone made an inquiry in shul about a lost object that had not been returned. He placed a *cheirum* on anyone who knew of its whereabouts but did not reveal them. The Maharil was greatly angered by this incident, insisting that a *cheirum* must not be imposed upon a person

during the Ten Days of Teshuva, when our very lives hang in the balance. Even if a person is obligated to take an oath in Beis Din, he must wait until after Yom Kippur. Making a false oath is so severe, that not only is the offender punished, but the entire world is punished along with him (Shavuos 39a). During the days of judgment, we do not wish to incur this penalty upon the Jewish people (Taz ibid, s.k. 1; Biur HaGra ibid, 8). Yet, our Gemara seems to contradict this ruling. Beis Din did impose an oath on the Kohen Gadol on erev Yom Kippur.

Some Acharonim answer that Beis Din may not force someone to take an oath, but if he willingly volunteers to do so he may (Beis Sha'arim, O.C. 289 s.v. *V'ain*). However, the Chasam Sofer (Teshuvos, C.M. 77) rejects this conclusion. Since a false oath is a threat to the entire world, we do not permit anyone to make an oath in Beis Din, and thereby endanger us all.

R' Amram Blum (Beis Sha'arim, ibid) found three different answers to resolve this question. Firstly, the Maharil's custom applies only when it is possible to push off the oath until after Yom Kippur. In this case, the oath was necessary before Yom Kippur to ensure that the Yom Kippur service was performed correctly. Secondly, in the monetary affairs between two individuals, we push off the oath until after Yom Kippur. However, the oath taken by the Kohen Gadol was relevant to the entire Jewish people. Therefore it could be made even before Yom Kippur. Thirdly, we may distinguish between an oath taken to affirm what has happened in the past, and an oath taken to commit oneself to the future. When a false oath is taken in regard to what has passed, the *aveira* of making a false oath is immediately transgressed. However, when an oath is taken in regard to the



future, even if one does not intend to fulfill his oath, it is not yet considered an *aveira*. Only later when he fails to fulfill his oath, is the *aveira* transgressed. Therefore, the punishment is less severe.

**Beis Din swore in the Kohen Gadol as a disclaimer:**

The Shoel U'Meishiv (III,2:169) suggests a novel interpretation of the Gemara, which answers both our questions. He explains that Kohen Gadol served in the Beis HaMikdash as representative of the Jewish people. When Beis Din placed him under oath, they made a disclaimer that he only acted as their emissary in so far as he performed the Yom Kippur service according to their instructions, as they interpreted the Torah. If he did not fulfill these conditions, then he would not be considered a representative of the Jewish people, and would lose his authority to perform the Yom Kippur service on our behalf. The Tzeduki Kohen Gadol would realize that if he did not follow their instructions, he would have no authority to offer the korbanos, and his entire Yom Kippur service would be invalid. Since it was not so much of an oath as a disclaimer that the Beis Din made, this does not contradict the Maharil's edict that oaths not be made during the Ten Days of Teshuva.

trusted. They were never suspected to fail to uphold their oaths, and therefore even if the Kohen Gadol was a Tzaduki, he could be trusted to fulfill the oath placed on him by Beis Din.

## DAILY MASHAL

**The Tzadukim were truthful:** The Chazon Ish comments on our sugya that although the Tzadukim were sinful in denying the Oral tradition, this did not make them into entirely wicked people. There were certain issues in which they abandoned the path of the Torah to follow their selfish desires, and in these areas they could not be trusted. However, in the areas where they were not held suspect they could be