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Yoma Daf 23

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Daf Notes is currently being dedicated to the neshamah of

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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 *Mishna* had stated: They put out one or two fingers.

The *Gemora* asks: If they may put out two, why is it necessary to mention that they may put out one?

Rav Chisda said: This is no difficulty, for one speaks of healthy Kohanim, whereas the other refers to sick ones (who were unable to control their fingers, and when putting out one finger, the adjacent finger extended out automatically).

The *Gemora* cites a supporting *braisa*: One finger is put out, but not two. To whom does this rule apply? To a healthy person, but a sick one may put out even two. And the solitary ones (Kohanim who are sitting by themselves) put forward two. [When a Kohen extends two fingers] it is only counted as one.

The *Gemora* asks: And is it only counted as one? But has it not been taught: One does not put out either the middle finger or the thumb because of cheaters, and if one had put out the middle finger, it would be counted, but if one had put out the thumb, it would not be counted, and not only that, but the one appointed over the *peki’a* lashes him.

The *Gemora* answers: What does ‘it would be counted’ mean? It is counted only as one.

The *Gemora* asks: What is ‘peki’a’?

Rav said: A madra. And what is a madra? Rav Pappa said: The whip of the Arab merchants, whose tip is split into several strings.

Abaye said: Originally I thought regarding that which we have learned in a *Mishna* that Ben Beivai was in charge of the ‘peki’a,’ it meant that he was in charge of the wicks, as we have learned in a *Mishna*: The outworn trousers and belts of the *Kohanim* would be (mafki’in) torn (and made into wicks), and with these they kindled the lights. But now that I hear that it was taught in this *braisa*: and not only that, but the one appointed over the *peki’a* lashes him, I understand that ‘peki’a’ means a whip. (23a2 – 23a3)

The *Mishna* had stated: it once happened that two were even as they ran and ascended the ramp.

The *Gemora* cites a *braisa*: It once happened that two Kohanim were even as they ran and ascended the ramp, and when one of them came first within four amos of the altar, the other took a knife and thrust it into his heart. Rabbi Tzadok stood on the steps of the Hall and said: Our brethren of the house of Israel, listen! Behold it says: If one be found slain in the land... then your elders and judges shall go out. . .

(and perform the ritual of the eglah arufah (*the law is that upon finding a corpse, and being unable to solve the murder, the leaders of the city closest to the corpse are required to bring a calf to an untilled valley, decapitate it, wash their hands over it, and then they must recite a verse, declaring publicly that they did not kill the person*) in order to gain atonement). Now, regarding us, who is obligated to offer the eglah arufah? Is it the city (of Jerusalem) or (the Kohanim) on behalf of the Courtyard? All the people burst out weeping. The father of the young man came and found him still writhing on the floor. He said, "May he be an atonement for you; my son is still writhing and therefore the knife has not become *tamei*." The *Gemora* notes that his remark comes to teach you that the taharah of their vessels was of greater concern to them even than the shedding of blood. And like so it is written: Moreover, Menasheh shed innocent blood very much, until he had filled Jerusalem from one end to the other.

The *Gemora* inquires: Which event took place first (the murder or the breaking of the leg)? If you would say that the incident with the bloodshed took place first; now, if in spite of the bloodshed they did not establish the casting of lots, would they have arranged it because of the incident of the broken leg? Rather, the incident of the broken leg came first. But, since they had already established the casting of lots, what was the purpose (in the affair of the bloodshed) of the four amos?

Rather, the incident of the bloodshed came first, but at first (the Rabbis) thought it was a random occurrence; but when however they saw that they

incurred danger as a matter of course, they established the casting of lots.

The *braisa* had stated: Rabbi Tzadok stood on the steps of the Hall and said: Our brethren of the house of Israel, listen! Behold it says: If one be found slain in the land... then your elders and judges shall go out... Now, regarding us, who is obligated to offer the eglah arufah? Is it the city (of Jerusalem) or (the Kohanim) on behalf of the Courtyard?

The *Gemora* asks: But does the city of Jerusalem bring an eglah arufah? Was it not taught in a *braisa* that ten regulations were applied to Jerusalem, and one of them was that it does not have to bring an eglah arufah? And furthermore: *And it was not known who has smitten him* (is written regarding the obligation of bringing an eglah arufah), but here it is known who has smitten him?

The *Gemora* answers: Rather, (he was speaking rhetorically) in order to increase the weeping.

The *braisa* had stated: The father of the young man came and found him still writhing on the floor. He said, "May he be an atonement for you...." The *Gemora* notes that his remark comes to teach you that the taharah of their vessels was of greater concern to them even than the shedding of blood.

They inquired: Was it that bloodshed became a less stringent matter to them, whereas the purity of their vessels remained in its original importance, or was their attitude towards bloodshed the same as before, but the purity of the vessels became for them of a still graver concern?

The *Gemora* resolves this from the conclusion of the *braisa*, which cited a Scriptural verse: Menasheh shed innocent blood very much. This indicates that bloodshed had become a matter of less stringency to them, while the purity of the vessels retained its original importance. (23a3 – 23b1)

The *Gemora* cites a *braisa*: And he shall take off his garments (that he wore while separating the ash) and put on other garments, and he shall remove the ash. From this I might learn that it should be the same as Yom Kippur (where the Kohen Gadol changes between the special Yom Kippur white vestments to his regular golden vestments), and he (a Kohen on an ordinary day) should take off his holy garments and put on non-holy garments (before removing the ash). The Torah therefore says: And he shall take off his garments and put on other garments; thus comparing the garments he put on with the garments he took off. Just as the former are holy garments, so are the latter holy garments. If so, what does the word ‘other garments’ teach us? It teaches us that they shall be inferior (in quality) to the former.

Rabbi Eliezer said: The words ‘other’ and ‘he shall remove’ indicate that Kohanim afflicted with a blemish are permitted to remove the ashes (although they are forbidden from performing other services).

The master had stated: The word ‘other garments’ teach us that they shall be inferior (in quality) to the former.

The *Gemora* notes that this is in accordance with that which the school of Rabbi Yishmael taught: One who

pours a cup of wine for his master should not wear the same clothing with which he cooked a pot for his master (as they have become dirty).

Rish Lakish said: Just as there is disagreement (between the Tanna Kamma and R’ Eliezer) about the removal of the ash (where R’ Eliezer maintains that a blemished Kohen may remove them), so too there is dispute about the separation of the ash (that according to R’ Eliezer, it is not regarded as an ordinary service, and a blemished Kohen may perform it). Rabbi Yochanan, however, said: The disagreement applies only to the removal of the ash, but as to the separation of the ash, all agree that this is an ordinary service.

The *Gemora* explains the opinion of Rish Lakish: He will tell you: If it should enter your mind that this (the removal of the ash) is considered an ordinary service - then would you have a service that is valid with merely two garments? [The Torah says regarding the removal of the ash: He shall put on his linen tunic and his linen breeches shall he put upon his flesh. Now, if the removal of the ash were a service, how could the Torah require only ‘the linen tunic’ and the ‘linen breeches’ i.e., two garments, when an ordinary service requires four? Since only two garments are required, evidently the removal of the ash is not considered a service and therefore may be performed even by blemished Kohanim, who would not be admissible to a regular service!]

Rabbi Yochanan, however, explains differently: The Torah revealed the regulation for tunic and breeches, but it includes also the hat and the belt. And the reason ‘linen tunic’ is written here is to indicate that

the tunic must match the proper measure (of each individual Kohen; it cannot drag on the floor, but rather, it must be flush to the ground); and it mentions 'linen breeches' to teach us in accordance with what has been taught in the following *braisa*: How do we know that nothing must be donned before the breeches? It is from the verse: *And the linen breeches shall be upon his flesh.*

The *Gemora* explains that Rish Lakish derives these laws from the specific terminology of the words in the verse.

The *Gemora* asks: Shall we say that the point at issue is the same as between the following Tannaim: [He shall put on his linen tunic and his linen breeches shall he put] upon his flesh. Why does the Torah say again 'he shall put on'? That is meant to include the obligation of wearing the hat and the belt for the separation of the ash; these are the words of Rabbi Yehudah. Rabbi Dosa says: That means to include the law that the four white vestments worn by the Kohen Gadol on Yom Kippur may be worn by the common Kohen (during the remainder of the year).

Rebbe said: There are two refutations to this matter. One: the white belt of the Kohen Gadol (which is made out of pure linen) is different from that of the common Kohen (which is made from both linen and wool). [Therefore, an ordinary Kohen cannot possibly wear the white garments of the Kohen Gadol!] Two: shall garments used at a service of greater sanctity be worn at a service of lesser sanctity? But what, rather, is the significance of 'he shall put on'? It includes worn out garments (as long as they are not torn).

Another *braisa* states: 'And he shall leave them there' teaches us that they (the Kohen Gadol's linen vestments) must be permanently hidden away. Rabbi Dosa, however, maintains that they are fit for use by a common Kohen. What does 'And he shall leave them there' intimate? It teaches us that the Kohen Gadol must not use them on a different Yom Kippur.

Now, would you not say that this is the subject of their dispute (between R' Yehudah and R' Dosa): One (R' Yehudah) holds it (the removal of the ash) to be a service (and that is why it requires all four garments), and the other (R' Dosa) does not consider it such (and that is why two garments are sufficient)?

The *Gemora* rejects the comparison: No. Everybody agrees it is a service; the point of dispute here is this: One says another Scriptural verse is necessary to include also for this service (the four garments); the other holds that no such verse is necessary. (23b1 – 24a1)

INSIGHTS TO THE DAF

Eglah Arufah from Yerushalayim

The *Gemora* had stated: The city of Yerushalayim does not bring an *eglah arufah* (the law is that upon finding a corpse, and being unable to solve the murder, the leaders of the city closest to the corpse are required to bring a calf to an untilled valley, decapitate it, wash their hands over it, and then they must recite a verse, declaring publicly that they did not kill the person).

The *Gemora* elsewhere explains the reason for this: It is written: *If a corpse will be found on the land that Hashem your God gives you to inherit it*. The *Tanna* of our *Mishna* holds that Yerushalayim was not apportioned among the tribes. It was given to all of *Klal Yisroel*, and therefore, it is not included in the verse of being “land that was given to inherit it.”

The *halacha* would be that the city, which is next closest to the spot where the body was found, would bring the *eglah arufah*.

The *Gemora* in Bava Basra (23b) states that the *halacha* of *eglah arufah* is only applicable when the city is located between two mountains, and therefore, people do not frequent that area. For if it would be a city where many people from the world pass through, we would say that the murderer did not come from the nearest city; but rather, he came from the majority of the world.

Tosfos there asks: If so, why is it necessary to exclude Yerushalayim from bringing an *eglah arufah* based upon the verse “to inherit it”? Yerushalayim should be excluded because it is a city where all people from the world pass through. They come for the pilgrimage and they come during the year to offer their sacrifices and to eat their *ma’aser*! It emerges that we would never attribute the murderer to the residents of Yerushalayim, for most of the people there are from the rest of the world!?

Tosfos answers that there were streets in Yerushalayim that were only frequented by the residents of Yerushalayim, and it is on account of those areas that the verse is necessary to exclude Yerushalayim from bringing an *eglah arufah*.

HaRav Elyashiv derives from this Tosfos the following *halacha*: If there would be a city that a portion of it would not be fit to bring an *eglah arufah*, but a different part of the same city would be suitable to bring it, that city would be required to bring an *eglah arufah*.

Accordingly, if they would add on to the city of Yerushalayim (like the *Gemora* in Shavuos 14b states that this can be done with a *Beis Din* of seventy-one and the *Kohen Gadol*), and the added area would be apportioned to all the tribes, Yerushalayim would be required to bring an *eglah arufah* on account of the extra area.

DAILY MASHAL

Priestly Vestments

In addition to the ritual of lifting some ashes from the altar each morning, it was also the duty of the *kohanim* to remove the ashes piled into the center of the altar when that pile became large enough to interfere with functioning on the altar. The question of whether these ashes retained any sanctity, which would cause anyone taking them for personal use to be guilty of *meilah*, is a matter of dispute. Rabbi Yochanan contends that they do retain their sanctity, and supports his position by quoting the passage which states that the *kohen* must wear his priestly garments while performing the ashes removal.

Rabbi Yochanan explains that passage which states "He will take off his priestly garments and put on other garments to remove the ashes" (*Vayikra 6:14*) as meaning that those "other garments" are also



priestly ones, only of inferior quality, because they are likely to become dirty in the process of removing the ashes. This is in opposition to the opinion that there is no need for priestly garments at all.

The reason given for the need to change from the sacred priestly garments when removing the ashes is that "the clothes one wears when cooking for his master are not the ones he wears when pouring a cup for him."

Rashi, in his commentary on *Chumash*, writes that this change from dignified priestly garments to inferior ones is not obligatory but rather a matter of good manners, as illustrated by the parable of the servant and master. Ramban disagrees, insisting that it is an obligation for the *kohen* to maintain the cleanliness of the garments he wears for his regular duties.

Rabbi Mendel Weinbach from *Ohr Sameach* cites the footnotes of Rabbi Akiva Eiger who calls attention to the problem of the *gemara* citing the passage (*Vayikra 6:5*) which speaks about the *kohen* putting on his regular priestly garments to perform the "lifting of the ashes" when it really should have quoted the next one, which we mentioned above, that speaks of the change to inferior garments.