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Yoma Daf 28

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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

If putting two logs on the fire is considered an act which completes the night’s services, then it is deserving of its own lottery.

According to the second version of Rav Yochanan, a non-kohen is punished for putting two logs on the fire because it is a service which is not followed by another service. It is the end of the night service. If it is indeed a completing service, the *Gemora* assumes it would be worthy of its own lottery to determine who will perform it. This presents a problem for previously learned that the lottery which determined who would put the two logs on the fire would also determine who would do the *terumas hadeshen*. Therefore, the *Gemora* rejects this version of Rav Yochanan’s ruling.

WE SHALL RETURN TO YOU, BARISHONAH

The administrator (known as the *S’gan HaKohanim*) told the assembled *Kohanim*, “Go out and see if the time for slaughtering the morning *tamid* offering has arrived.” If it arrived, the observer said, “Dawn!” i.e. the sun is shining. Masya ben Shmuel (who was administrator of the lots) says that it was not enough to see light in one place in the east. Rather, the entire

eastern sky must be lit up. “As far as Chevron?” He said “Yes!” The reason they had to send an observer to the roof to witness the commencement of the day is because it once occurred that the light of the moon rose over the horizon close to morning and they thought that the east had lit up from the shine of the sun, so they slaughtered the *tamid* offering. When they realized that the slaughtering had been performed at night, they took it to the place of burning where invalidated offerings were burned. From then on, they instituted that a person observe from the roof the arrival of dawn. On *Yom Kippur* (when the time for the *tamid* arrived), they would then take the *Kohen Gadol* down to the *mikvah*. The *Mishna* states a rule: He who moves his bowels needs immersion, and he who urinates needs to sanctify his hands and feet.

Avraham Avinu was very quick in his performance of mitzvos.

The *Gemora* teaches us that the *Minchah* prayer of Avraham Avinu was exactly at noon. This is the earliest possible time for *Minchah*.

Rav Yosef asks: Should we learn to be quick in performance of mitzvos from Avraham?



Rava responds that there is a baraisa which appears to encourage us to emulate Avraham's zealousness. The baraisa says even though the entire eighth day is valid for *milah*, one should be zealous to do it early like Avraham Avinu. The baraisa quotes a verse which states that Avraham woke up early to perform the circumcision.

Even though Avraham prayed at noon, the afternoon sacrifice couldn't be offered till six and a half hours into the day.

There is a discrepancy between the time when Avraham prayed, and the time when the afternoon sacrifice could be brought.

The *Gemora* gives three answers for this discrepancy.

1. The walls of the Temple were wider on the bottom than on the top. Consequently, the eastern facing wall did not become shaded exactly at midday. Shade on an eastern facing wall was a sign that midday had arrived, and Chazal didn't want to allow the afternoon sacrifice to be brought until this sign was present. 2. Avraham was an expert in astronomy and knew exactly when it was midday was. 3. Avraham Avinu was a Totah scholar and wouldn't come to make a mistake.

Avraham Avinu observed the entire Torah before it was given.

The *Gemora* learns from a pasuk that Avraham kept the whole Torah even the rabbinic obligation of Eruv Tavshilin. The pasuk says that Avraham kept "My

Torahs." The word Torahs is in plural to indicate that Avraham kept both the written and oral Torahs.

5. There is a difference of opinion as to the conversation which took place when the supervisor sent someone to check if dawn had arrived.

The Mishna states that someone was sent to the roof of the Temple to check if the time had come to slaughter the morning sacrifice. The messenger announced that dawn had arrived. The rest of the conversation is subject to a debate in the *Gemora*. According to one opinion, the messenger would say the eastern sky is lit up. Then the supervisor would ask if the light reached Chevron and the messenger would answer yes. In the alternate version the supervisor would ask if the eastern sky was lit up and the messenger would say until Chevron. Then the supervisor would confirm what he heard.

INSIGHTS TO THE DAF

The Times for Davening Minchah

In Maseches Berachos (26b) we learn that the three tefillos: Shacharis, *Minchah* and Maariv, were instituted by the three Avos: Avraham, Yitzchak and Yaakov. R' Yehoshua ben Levi adds that they also correspond to the services of the Beis HaMikdash. Shacharis corresponds to the korban tamid offered in the morning. *Minchah* corresponds to the korban tamid offered in the afternoon. Maariv corresponds to the limbs of the korbanos, which could be offered on the Mizbei'ach any time during the night.

The Rishonim debate when is the best time to daven *Minchah*. The earliest possible time to daven *Minchah* is from one half hour after noon (see Shaar HaTzion 233 s.k. 8 who questions whether this half hour is calculated in *sha'os zemaniyos*. See also *Ishei Yisroel* ch. 27, s.k. 5). The latest possible time is *shekia* (sunset). The period in the interim in which it is permitted to daven is divided in two. The first half is called *Minchah Gedola*, and the second half is called *Minchah Ketana*. Although according to Torah law the afternoon Tamid could be offered any time in the afternoon, our Sages enacted that it should be offered at three and a half hours after noon, and no earlier. This was because the voluntary *nedarim* and *nedavos* korbanos could not be offered before the afternoon Tamid. In order to allow people time to offer their korbanos, the Tamid was pushed off until later.

Minchah Ketana: According to the Rambam (Hilchos Tefilla 3:2), if one davens *Minchah Ketana* he fulfills his obligation only *b'dieved*. *L'chatchila* he should daven later in the afternoon, when the Korban Tamid was actually offered in the Beis HaMikdash. Even *b'dieved* one fulfills his obligation with *Minchah Ketana* only because on erev Pesach the Korban Tamid was offered earlier, to allow time for people to bring their Korban Pesach after the Tamid. (In contrast to *nedarim* and *nedavos*, the Korban Pesach could only be offered after the afternoon Tamid). Many other Rishonim follow this opinion, and the Shulchan Aruch also rules this way: "If a person davened *Minchah* from one half hour after noon, he fulfilled his obligation. Ideally, the time for *Minchah* is from nine and a half hours after dawn" (O.C. 233:1). However, the Rosh (Teshuvos 4:9) and other Rishonim (see Biur HaGra) argue that one may daven

Minchah Ketana even *l'chatchila*, since according to the original Torah boundaries of the mitzva, the afternoon Tamid could be offered any time in the afternoon.

The Pnei Yehoshua (Shabbos 9b s.v. *Hai samuch*) suggests a proof for this opinion from our sugya. Here we find that Avraham Avinu, who fulfilled the entire Torah even before it was given, davened *Minchah* half an hour after noon, when the shadows first began to move towards the east. If Avraham Avinu davened *Minchah* then, certainly we may also *l'chatchila*.

The Pnei Yehoshua then rejects this proof based on two arguments. Firstly, even the Rambam agrees that according to Torah law the afternoon Tamid could be offered during *Minchah Gedola*. It was only a Rabbinic enactment to postpone the korban. Since the Sages had not yet passed this enactment in Avraham Avinu's time, it was not binding upon him. It was even preferable for him to daven early, since *zrizim makdimim l'mitzvos* – the enthusiastic hurry to perform mitzvos. Now that the enactment has been passed and the korban is postponed in the Beis HaMikdash, we must also postpone our *Minchah* prayers.

Davening together with Klal Yisroel: Secondly, the Pnei Yehoshua adds that *Minchah Ketana* is preferable since it is the time that most of Klal Yisroel daven. The Gemara tells us that in addition to the advantage of davening with a minyan, there is also an advantage to davening at the same time that others daven (see Berachos 8a). This was certainly not applicable to Avraham Avinu, who was the only one to daven to Hashem (see Sefas Emes on our sugya).

L'chatchila and b'dieved: The Aruch HaShulchan (ibid, 12) adds that the term *s'chatchila* and *b'dieved* in the context of *Minchah* Gedola do not have the same implication as they do in other areas of halacha. Usually, when we say that a person fulfills a mitzva *b'dieved*, we mean that he was wrong for doing it that way, but now that he has fulfilled his obligation, he need not repeat it. In this context, however, we do not mean to say that one is wrong for davening *Minchah* early. We simply mean to say that it is preferable to daven *Minchah* Ketana if possible. However, if a person has good reason to daven early he may certainly do so. For example, one is not meant to eat a large meal before davening *Minchah*. If he wishes to daven *Minchah* Gedola in order to eat a large meal afterwards, he may. It is interesting to note that the Rishonim cited above discuss only whether *Minchah* Katana is preferable, or if *Minchah* Gedola is also acceptable *l'chatchila*. None of them suggest that *Minchah* Gedola is in fact preferable to *Minchah* Katana. Yet the Teshuvos HaRif (320) writes that *Minchah* Gedola is *l'chatchila*, but if one failed to daven then he may also daven *Minchah* Katana. R' Zeev HaLevi, a contemporary of the Noda B'Yehuda and author of *Chidushei V'Klalos HaRaza* (Kerias Shema 9:5) also reaches this conclusion.

DAILY MASHAL

The Avos Kept the Mitzvos

Our *Gemora* says that Avraham Avinu kept the entire Torah. This implies that all the Avos kept the Torah.

The question the commentators ask is how Yaakov married two sisters when this is clearly in violation of the Torah.

The Ramban on Chumash gives several answers to this question. One answer he suggests is that the Avos only kept the Torah in Eretz Yisroel. The Ramban bases himself on a Sifri which implies the main place to do Mitzvos is Eretz Yisroel. Therefore, the Ramban concludes the Avos only kept the Mitzvos in the environment which is most conducive for their performance. Another answer the Ramban offers is the Avos only kept Shabbos. Shabbos, Chazal teach, is equal to all of the Mitzvos. Therefore, it is as if the Avos kept the entire Torah.

The Maharsha gives a different answer. He explains that Rachel and Leah had the status of converts. A convert is considered like a newborn and is not considered to be related to his previous family. It was therefore permitted for Yaakov to marry two sisters because they were not Halachically considered sisters.

There is a problem with this answer however. Although it is permissible from a Torah standpoint for a Jew to marry two sisters who are converts, it is rabbinically prohibited. This is in order to prevent converts from thinking that since things that used to be prohibited to them are now permitted, their level of kedusha actually decreased. Therefore, as a rule anything that was forbidden to them as idolaters remain forbidden even after they convert.

The Mahrasha answers this problem by saying that Rachel and Leah were only half-sisters. They did not have the same mother. Gentiles are only considered related through their mother and not through their father. Consequently, even as gentiles, Rachel and Leah were not considered related.