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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

Where's the north area?

The Gemora asks who is the author of the Mishna, which says that the kohen gadol confessed on his bull between the sanctuary and the altar, and later slaughtered it there, implying that this area is included in the northern area of the courtyard, where a chatas must be slaughtered.

The Gemora says that this is the opinion of Rabbi Elazar beRabbi Shimon, citing a braisa with three opinions about the definition of the northern area:

1. Rabbi Yossi beRabbi Yehuda says that only the north area directly opposite the altar is included.
2. Rabbi Elazar beRabbi Shimon also includes the north area between the altar and the sanctuary.
3. Rabbi also includes the north area further away from the sanctuary where the kohanim and other Jews could walk.

All agree that the north area north opposite the sanctuary towards the west is not included, since one cannot see the altar from there.

The Gemora suggests that the Mishna's author is Rabbi Elazar beRabbi Shimon, and not Rabbi, but

rejects this, as Rabbi agrees with his definition, and adds to it.

The Gemora explains that we thought it was not Rabbi, since he wouldn't require it to occur specifically in between the sanctuary and the altar, since there's a large area that can be used.

The Gemora challenges this, since we could the same question according to Rabbi Elazar beRabbi Shimon, as it could have also been done opposite the altar.

We must therefore say that this area was chosen since it was close to the sanctuary, making the service easier for the kohen gadol who was fasting. This could also explain why this area was chosen, even if the author is Rabbi. (36a1 – 36a3)

Facing north

The Mishna says that the bull's head was towards the north, and its face was to the west.

Rav explains that its head was turned to face the sanctuary.

The Gemora asks why it wasn't just faced west, to the sanctuary, and Abaye explains that it wasn't faced to

the west to avoid it defecating towards the altar, in the east. (36a3)

Confessing for what?

The Gemora cites a braisa which describes how one leans on a sacrifice. The sacrifice stood in the north, facing the west, and the one leaning stands in the east, facing west. He leans his hands between the animal's horns, ensuring that nothing is separating between his hands and the animal, and confesses the sin for which he is bringing the sacrifice.

Rabbi Yossi Haglili says that for an *olah* he would confess for the sin of not giving the produce gifts to the poor: *leket* – what falls when gathering, *shichecha* – what one forgets in the field, and *pe'ah* – the corner of the field.

Rabbi Akiva says an *olah* is brought for not fulfilling a positive commandment, and for violating a transgression which triggers another positive commandment.

The Gemora asks what their dispute is.

Rabbi Yirmiya says they differ about the transgression of eating an unslaughtered carcass, which the verse prohibits, but also says one should instead give to a non-Jew. Rabbi Akiva says that this positive commandment is not triggered by the violation, just like the commandment to leave the gifts for the poor isn't triggered by not giving them, and therefore an *olah* is not offered. Rabbi Yossi Haglili says that one does offer an *olah* for these transgressions, since

the verse also includes an associated positive commandment.

Abaye says they agree that the prohibition of eating a carcass is a standard prohibition, but they differ about the nature of the commandment to leave the gifts for the poor. Rabbi Akiva says that this commandment applies before any transgression, and therefore the prohibition is a standard one, while Rabbi Yossi Haglili says that it also implies a separate commandment after one transgressed the prohibition, making it a prohibition triggering a commandment. (36a3 – 36b1)

Text of the confession

The Gemora cites a braisa about the text of the kohen gadol's confession. Rabbi Meir says that he says *avisi* – I transgressed, *pashati* – I rebelled, and *chatasi* – I erred. This follows the order in the verse about the goat sent off the cliff, which says that he will confess on it all the *avonos* – transgressions of Bnai Yisrael, and all *pishaihem* – their rebellions, for all of *chatosam* – their errors. When Moshe davened, he also referred to Hashem as forgiving of *avon*, *pesha*, and *chata'a*.

The Sages say that *avon* is intentional transgressions, as the verse says that one who transgresses will be cut off, since its *avon* is in it, indicating that they are intentional. *Pesha* is rebellious transgressions, as the verses refer to rebellions of Moav and Levana with this verb. *Chata'im* refer to unintentional transgressions, as indicated in the verse which refers to someone who *secheta* – does a *chait* unintentionally.



Given these definitions, how can he confess on the less severe unintentional sins, after he confessed on the intentional and rebellious ones?

Rather, he confesses *chatasi*, *avisi*, and *pashati*, going in ascending order of severity. This same order is used by David, who says that *chatanu* – *we erred* with our forefathers, *avinu* – *we transgressed*, and *hirshanu* – *we were evil*, by Shlomo, who says *chatanu*, *he'evinu*, *rashanu* – *we were evil*, and by Daniel, who says *chatanu*, *avinu*, *rashanu*, and *maradnu* – *we rebelled*. The Sages explain that Moshe's prayer was that when Bnai Yisrael repent, Hashem should consider the intentional and rebellious transgressions as only unintentional ones.

Rabbah bar Shmuel quotes Rav ruling like the Sages.

The Gemora asks why this ruling is necessary, as we generally rule like the majority.

The Gemora explains that we may have thought that we rule like Rabbi Meir, since his position is stronger, due to the supporting verses.

A chazan davened in front of Rabbah on Yom Kippur, and said the confession of the kohen gadol like Rabbi Meir's opinion. When Rabbah asked him why he didn't follow the majority opinion, he said that he agrees with Rabbi Meir, who says that the confession follows the text written in Moshe's Torah.

The Gemora cites another braisa about the confession. The verse which says that Aharon will

“*kiper* – *atone* on the bull” refers to atoning with words, i.e., confession.

The braisa asks why we don't say that it means atonement by applying blood, but answers that we know it is confession since the same word is used in reference to the goat thrown off the cliff, whose blood wasn't applied. Just as it must mean confession on the goat, it must mean confession on the bull.

The braisa says that even if one challenged this argument, the verse says that Aharon should bring the bull, atone on it, and only later does it say that he should slaughter it, indicating that the atonement is before slaughtering, and therefore must be confession.

The Gemora explains that the challenge that one may have had is that perhaps we should compare the word *kiper* about the bull to the same word used in reference to the goat offered as a *chata*s, which refers to applying blood.

The Gemora explains that we learn that the confession uses the word *ana* – *please*, since the same phrase for atonement (*kiper*) is also used in the context of Moshe's pleading for Bnai Yisrael after the golden calf. Just as Moshe used the word *ana*, so must the kohen gadol use it. We also learn that he must use Hashem's name, as the same phrase is also used in the context of the *egla arufa* – *the calf brought to atone for an unsolved murder*. Just as that atonement uses Hashem's name, so must the kohen gadol's confession.

Abaye says that we understand why we cannot learn from the eglarufa that Moshe should use Hashem's name in his prayer, since what he prayed is already done in the past, but why don't we learn that the eglarufa atonement should use the word ana, as Moshe did?

To prove that we don't, Abaye cites the Mishna, which has the text said for the eglarufa, without the word ana. The Gemora leaves this an unanswered question. (36b2 – 37a1)

INSIGHT TO THE DAF

Hashem's Name in the Yom Kippur Service

During the Mussaf Davening of Yom Kippur, we read about the service of the Kohen Gadol on Yom Kippur. When we reach the portion discussing how he confessed his sins and the sins of the Jewish people, we recall his words, "Please, Hashem, for I have sinned... - "Ana Hashem, chatasi."

As we know, it is forbidden to say Hashem's Name irreverently, outside of the context of davening or Torah study. Instead of speaking out Hashem's Name, we simply say "Hashem," which means "the Name." However, when recalling the Kohen Gadol's service in Mussaf davening, why do we say "Ana Hashem", and not His Real Name? In davening it should be permitted to speak His Name.

The source for the practice of saying אנא השם instead of "Ana Hashem" is from R' Saadia Gaon (cited in Tur O.C. 621). The Beis Yosef explains that when the Kohen Gadol himself confessed over the korbanos, he

did not pronounce the name א-ת-ה-ו-ה as we do during davening. He pronounced it in a special way that is forbidden for us to say even during davening. (Some say he uttered Hashem's Name as it is written. Others say he used the forty-letter name of Hashem). Since we may not say Hashem's Name as the Kohen Gadol actually did, there is no point to reciting it as we do during davening, as א-ת-ה-ו-ה. Therefore, we say simply "Hashem."

The Bach offers a different explanation. We say Hashem's Name only when we daven ourselves, not when we describe how someone else davened. Therefore, when recalling the Kohen Gadol's prayers in the Beis HaMikdash, we do not use Hashem's real Name, but simply say, "Hashem."

Quoting pesukim: In the course of our description of the Kohen Gadol's service, we do speak out Hashem's real Name, when we say, "Before Hashem you will be made pure" (Vayikra 16:30). This is because we quote here a possuk

The Maharitz Gaios rules that when quoting a possuk we may say Hashem's Name (Tur ibid. See Kad HaKemach by Rabbeinu Bachaye, Kippurim 2, p. 225).

Quoting the prayers of the angels: The Taz adds that with this we can understand why we say, "Holy, holy, holy is the Lord of Hosts," during the berachos of Shema in the morning. We do not recite this as a prayer, but as a description of the prayers of the angels. Why then do we recite Hashem's Name? According to the Maharitz this is well understood. "Holy, holy, holy," is a possuk from Tanach (Yeshaya 6:3). Therefore, we may say Hashem's Name when



reciting it. (This is the Taz's explanation of our practice, based on R' Saadia Gaon and the Maharitz Gaios. However, the Taz himself contends that one may recite Hashem's Name when describing the Kohen Gadol's service during Mussaf.)

"Hashem": Customarily, when it is irreverent to use Hashem's real Name, we say simply "Hashem" – the Name. The Chavos Yair (Mekor Chaim on Shulchan Aruch, ibid) writes that Hashem is the same gematria as the Names "י-ד-ו-ל-א". He adds that one should have this intention in mind when saying "Hashem."

Hashem and not "Adoshem": Some people have the practice to say "Adoshem" instead of Hashem. However, the Poskim write that it is better to use the word "Hashem," which means, "the Name," than "Adoshem" which does not really mean anything at all, and is not a respectful way to refer to Him (Taz, Mekor Chaim ibid).

They also write that one should cry while reading of the Kohen Gadol's service, and read it with a great awakening of the soul, while contemplating the great tragedy that has befallen us since the Beis HaMikdash was destroyed, and this service can no longer be performed (See M'zahav U'mipaz pp 67-68).

DAILY MASHAL

Longing for the return of the Yom Kippur service:
The commentaries ascribe great importance to our reading of the Yom Kippur service. "It is proper for every sensible person to learn the explanations to the Kohen Gadol's Yom Kippur service. If a person understands what he says, and thinks about what he is saying, then his reading of the Yom Kippur service will surely be accepted Above to atone for his sins" (M'zahav U'mipaz p. 63, citing the Ramak).