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Kerisus Daf 26

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Only Hashem Knows

The *Mishna* said that if one was obligated in an *asham taluy* – pending *asham*, and then *Yom Kippur* passed, he is exempt.

Rabbi Elozar explains that this is learned from the verse which says that on *Yom Kippur* you will be purified from all your sins “in front of Hashem,” i.e., which only Hashem knows about. *Yom Kippur* therefore atones on one who is not sure if he sinned, exempting him from the *asham taluy*.

Rav Tachlifa the father of Rav Huna quoted Rava saying that this is the best source for the earlier statement of the *Mishna* that one who is obligated in a *chatas* or *asham* is not exempted by *Yom Kippur*. This same verse also implies that any sin that not only Hashem knows about is not atoned by *Yom Kippur*, leaving the obligation in place.

Rav Tachlifa the father of Rav Huna quoted Rava saying that one who is liable for lashes is not exempted by *Yom Kippur*.

The *Gemora* explains that although the *Mishna* says that one is not exempted from *chatas* and *asham* by *Yom Kippur*, we may have thought that this is only for these, which are monetary obligations to offer a sacrifice. We may have thought that *Yom Kippur* does atone for an obligation for corporal punishment, and Rava therefore taught that they are also not atoned for. Although the *Mishna* categorically states that *Yom Kippur* atones for positive or negative transgressions, whether one discovered them or not, this applies to negative transgressions only if he wasn’t warned, and therefore was never obligated in lashes.

The *Gemora* challenges the rule that *Yom Kippur* atones on unknown violations from the following cases:

1. A woman who does not know if she gave birth to something that obligates her in a birth sacrifice should not be obligated once *Yom Kippur* passed, as only Hashem knows. Rav Hoshaya answers that the verse refers to *sins* that only Hashem knows, but this is an impurity. Even Rabbi Shimon bar Yochai, who says that a woman who delivers a baby is considered a sinner, as she falsely swears during labor that she won’t have any further marital relations, agrees that the sacrifice is offered solely to permit her to eat sacrifices. Rav Ashi proves this from a *braisa* which says that a woman who is unsure if she is obligated in a bird *chatas* is obligated, even if *Yom Kippur* passed, since the sacrifice functions to permit her to eat sacrifices.
2. Someone who is unsure if he was a *metzora* – leper should be exempt from his sacrifices after *Yom Kippur*, since only Hashem knows if he is obligated. Rav Hoshaya answers that the verse only refers to sins, but not impurity. Although leprosy is a punishment for seven types of sins, the sacrifice is solely to permit him to eat sacrifices.
3. A *nazir* who is unsure if he was impure should be exempt from his sacrifices after *Yom Kippur*. Rav Hoshaya answers that the verse only refers to sins, but not impurity. Even Rabbi Elozar ben Hakapar who says that a *nazir* is considered a sinner agrees that the sacrifice is solely to restart his *nazir* period in purity.

4. A *sotah* woman, suspected of infidelity, should not have to offer her *minchah* offering after *Yom Kippur*.
 - a. Rav Hoshaya answers that a *sotah* is considered impurity, and not just a sin.
 - b. Abaye says that it doesn't fall in this category, as the adulterer also knows that he sinned.
 - c. Rava says that her sacrifice is not for atonement, but to clarify if she sinned or not.
5. If a corpse was found, necessitating an *eglah arufah* – calf chopped at the neck, *Yom Kippur* should atone.
 - a. Abaye says that it doesn't fall in this category, as the murderer also knows that he sinned.
 - b. Rava says that the verse explicitly states that the land is not atoned without the *eglah arufah* or the blood of the murderer.
 - c. Rav Papa says that the verse states that the Kohanim beseech Hashem to atone for *Yisroel* that Hashem redeemed, teaching that the *eglah arufah* is fit to atone for all murders since the time of the Exodus. Even though many *Yom Kippur's* passed since then, the verse still requires atonement on those murders.

The *Gemora* asks why one is obligated in a *chatas* if he only realized his sin after *Yom Kippur*, as at the time of *Yom Kippur* only Hashem knew about the sin.

Rabbi Ze'ira says that the verse that mandates a *chatas* includes one who only discovered after *Yom Kippur*, since the verse repeats the phrase "if he learned of the sin" three types of *chatas* sacrifices: an individual's, a king's, and a national one. These extra verses teach that even knowledge after *Yom Kippur* obligates a *chatas*.

The *Gemora* analyzes these three verses, showing that none are extraneous, since we could not derive any one from the others:

1. An individual is unique, since he always offers a female. We therefore could not learn the other two from an individual.
2. A king is different than an individual, since he is not obligated in any *chatas* for not testifying, since he cannot testify. He also is different than the nation, as he offers a female for mistaken idolatry. We therefore couldn't learn the other two from the king.
3. The nation is unique, since they only offer a *chatas* if the court formally ruled incorrectly, leading the nation to sin. We therefore couldn't learn the other two from the nation.
4. The king and the nation both are never obligated a *chatas* for not testifying, unlike an individual, and therefore we couldn't learn an individual from them.
5. The king and an individual both have cases where they offer a female, as opposed to the nation, and we therefore couldn't learn the nation from them.
6. Although the nation is only obligated when there was an incorrect ruling, and the individual always brings a female, since these are not common to both, we could have learned the king from them. However, Abaye explains that the individual and the nation are similar in that they don't change status, as opposed to a king, who can be deposed. We therefore couldn't learn the king from them.

Abaye therefore says that since the verse uses the same word *mitzvos* – commandments in all three *chatas* sections, we would apply the verse about discovering the sin from any one to the rest. Therefore, the repeated verses are extra, including a case of discovering after *Yom Kippur*. (25b – 26b)

Asham Taluy vs. Chatas



The *Gemora* says that perhaps *Yom Kippur* does not atone, because it is a general atonement. However, perhaps an *asham taluy*, which was offered on a specific possible sin, should atone.

Rava says that the verse uses the word *o* – *if* when describing one's discovery of sin that obligates a *chatas*, including this case.

The *Gemora* asks why, then, does one offer an *asham taluy* at all, as a *chatas* will be necessary to atone for the sin?

Rabbi Zeira answers that the *asham taluy* atones for the person in case he dies before knowing that he sinned.

Rava challenges this, as this person's death would itself atone.

Rava therefore answers that the *asham taluy* is brought simply to protect him from suffering in the interim. (26b)

Doubtful Chatas Bird

The *Mishna* said that if a woman who may have delivered offered a *chatas* bird for her possible obligation, and it was killed with *melikah* – *cutting the neck with a finger*, and then she found out she was obligated, the *chatas* is buried.

Rav says that the *chatas* atoned for her.

The *Gemora* asks why it is buried, if it is valid to atone for her, and answers that it was not guarded, since she was unsure if she was obligated. It therefore may not be eaten by the *Kohanim*.

The *Gemora* challenges this, as while it is alive, it need not be guarded, and once it was killed, the *Kohanim* in charge are careful to guard it.

The *Gemora* therefore answers that the *Mishna's* case is when the woman discovered that she did not deliver. Since it was mistakenly sanctified, it should be permitted in benefit, but Rabbinically it must be buried, lest people think that one may benefit from a doubtful *chatas* bird. Rav was referring to the earlier *Mishna* about a woman who discovered that she did deliver.

The *Mishna* said that if she discovered before *melikah*, it is offered as a standard *chatas* bird for her obligation, while if she did afterwards, its blood is applied for her obligation.

Rav says that the *Kohanim* may eat it, while Rabbi Yochanan says that they may not, lest people think that they may eat any doubtful *chatas* bird.

Levi taught a *braisa* supporting Rav, and another *braisa* supports Rabbi Yochanan, saying that if she discovered after *melikah*, the bird is prohibited from eating or benefit. (26b)

Purchasing the Asham

The *Mishna* discusses one who designated two *sela* coins for an *asham* – *guilt*, and then bought two rams with them. If one was worth two *sela*, he offers it as his *asham*, and the second one grazes until it is blemished and then redeemed, with the proceeds offered as a donation sacrifice. If he mistakenly bought two rams for his own use, one worth two *sela*, and the other 10 *zuz*, he offers the 2 *sela* one as an *asham* for his *asham* obligation for *me'ilah* – *misuse* of sanctified money, and the second one as his original *asham*, including the extra payment for *me'ilah*. If he bought one for his *asham*, and one for himself, if the *asham* one was worth 2 *sela*, he offers it as his original *asham* obligation, and the second one as the *asham* for his *me'ilah*. Additionally, he pays a *sela* and a fifth for his *me'ilah*.

The *Mishna* refers to the second ram in both cases of misuses as his *me'ilah*. The *Gemora* explains that in the first case, this term refers to the *payment* for his misuse, as he is offering

an *asham* to replace his original obligation. This *asham* need only be 2 *sela*, but this ram is 10 *zuz*, which is 2.5 *zuz*, thereby including the extra fifth (*of the total*). In the second case, this term refers to the *asham* offered to *atone* for the misuse, as the payment is listed separately at the end.

The *Gemora* explains the reason for this different terminology, based on the amount that was misused. In the first case, 2 *sela* were misused, and therefore the second ram is equivalent to the whole payment necessary, so the *Mishna* referred to it as the *me'ilah*, as it covers the full monetary obligation. In the second case, only one *sela* was misused, and the second ram is worth more than the obligation. The *Mishna* therefore refers to it only as the *asham* for the *me'ilah*, but not the payment, which is only 1.25 *sela*. (26b)

INSIGHTS TO THE DAF

The Second Ram

The *Mishna* discusses one who misused 2 *sela* designated for an *asham* by buying two rams for his own use. If the first one was worth 2 *sela*, and the second worth 10 *zuz* (2.5 *sela*), he offers the first as his *me'ilah asham*, and the second one as payment for his *me'ilah*.

The commentators offer various explanations of what is done with the second ram.

Rashi and Tosfos explain that since he misused 2 *sela* that were designated as an *asham*, his payment for misuse must be given as an *asham*. The original *asham* was to be 2 *sela*, and his payment must be the original amount plus an additional fifth of the total, i.e., a fourth of the original amount. Since a *sela* is 4 *zuz*, 2 *sela* is 8 *zuz*, so the payment must be a total of 10 *zuz*.

The Tosfos Rosh (cited by the Shitah) says that offering the whole second ram would not fulfill the obligation to pay for *me'ilah*. Rather, he must sell the ram for 10 *zuz*, buy a new

ram for 2 *sela*, pay the extra fifth (2 *zuz*) as payment for the *me'ilah*, and donate the remaining 2 *zuz* for use as a sacrifice.

Rav Ovadia mi'Bartenura says that he must donate the ram directly to the Bais Hamikdash to pay the value plus fifth of his misuse, and then buy a new ram for 2 *sela* as his *asham me'ilah*.

DAILY MASHAL

Abstaining from Wine

Ben Yehoyadah explains why one who deprives himself from wine or any food is regarded as a sinner. Portions of one's soul are contained within foods and drinks. When one recites a blessing before eating these foods, he can cause a remedy for those parts of the soul, and through his blessing, they will be able to go to their rightful place. It emerges that one who declares himself to be a *nazir* and therefore refrains from eating grapes or drinking wine, is sinning regarding his soul, for now his soul will remain deficient.

Furthermore, there are many *mitzvos* where wine is required, such as *kiddush* on *Shabbos* and *Yom Tov*, *havdalah*, *birkas hamazon*, *bris milah* and *sheva brochos*. Chazal established the *mitzvos* in this manner in order to rectify the sin of Adam Harishon, which was with wine. One who vows to be a *nazir* and therefore abstains from drinking wine causes anguish to his soul.