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Yoma Daf 86

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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 Mishnah had stated: Repentance procures atonement for lighter transgressions: [the transgression of] positive commandments and prohibitions. The Gemara asks: If it procures atonement for the transgression of negative commandments, is it necessary [to state that it procures it for the transgression of] positive ones? — Rav Yehudah said: This is what he means, [It procures atonement] for [the transgression of] a positive commandment, of a negative commandment that is to be remedied into a positive one.<sup>1</sup> - But not [for the transgression] of an actual negative commandment? Against this, the following contradiction is to be raised: These are light transgressions [for which repentance procures atonement: transgression of] positive commandments and negative commandments with the exceptions of: You shall not take [the Name of Hashem in vain] — [The Gemara answers:] ‘You shall not take’ and others of the same kind. Come and hear: Rabbi Yehudah said: For everything from ‘You shall not take’ and below (i.e., less sever) repentance procures atonement, for everything from ‘You shall not take’ and up (i.e., stricter) repentance procures suspension [of punishment] and Yom Kippur procures atonement? — [The Gemara answers:] ‘You shall not take’ and others of the same kind. Come and hear: Since in connection with Chorev, repentance is mentioned, as it’s written: Hashem will absolve [the sinner on account of repentance alone], one might assume that includes the [transgression of] ‘You shall not take’, therefore it says: He will not absolve. Then I might have assumed that with all others guilty of having transgressed negative commandments the same is the case, therefore the text reads: ‘[ Will not absolve he who takes] His name [in vain].

i.e., He does not absolve in [the taking in vain of] His name, but He does absolve those who violated the transgression of other negative commandments? - This is indeed a point of dispute between Tannaim; for it was taught: For what transgression does repentance procure atonement? For that of a positive commandment. And in what case does repentance suspend punishment and Yom Kippur procures atonement? In such as involve kares, death-penalty through the Beis Din and in actual negative commandments. (85b6 – 86a2)

The Master said: Since in connection with Chorev, repentance is mentioned, as it’s written: Hashem will absolve. From where do we know that? Because it was taught: Rabbi Elozar said: It is impossible to say: He will absolve [always], since it says: ‘He will not absolve’; nor is it possible to say: ‘He will not absolve’ [always], since it is said: ‘He will absolve’; how is that to be explained? ‘He absolves’ of those who repent, and does not ‘absolve’ of those who do not repent. (86a2)

Rabbi Masya ben Charash asked Rabbi Elozar ben Azaryah in Rome: Have you heard about the four kinds of atonements, concerning which Rabbi Yishmael has lectured? He answered: They are three, and with each is repentance connected. — If one transgressed a positive commandment, and repented, then he is forgiven, before he has moved from his place; as it is said: Return, O wayward children. If he has transgressed a prohibition and repented, then repentance suspends [the punishment] and Yom Kippur procures atonement, as it is said: For on this day shall atonement be

<sup>1</sup> A *lav hanitak l’aseh*, a prohibition removed to the remedy of a positive commandment.

made for you ... from all your sins. If he has committed [a sin to be punished with] kares or death through the Beis Din, and repented, then repentance and Yom Kippur suspend [the punishment], and suffering purges [the sin], as it is said: Then I punish their transgression with the rod, and their iniquity with plagues. But if he has been guilty of the desecration of the Name, then repentance has no power to suspend punishment, nor Yom Kippur to procure atonement, nor suffering to purge it, but all of them together suspend the punishment and only death purges [the sin], as it is said: And it was revealed in my ears by Hashem, Master of Legions, "Surely this iniquity shall not be atoned for you until you die." (86a2 – 86a3)

What constitutes "desecration of the Name"? — Rav said: If, e.g., I take meat from the butcher and do not pay him at once.<sup>2</sup> Abaye said: That we have learned [to regard as desecration] only in a place where one does not go out to collect payment, but in a place where one does not go out to collect, there is no harm in it [not paying at once]. Ravina said: And the city of Mechasya is a place where one goes out collecting payments due. Whenever Abaye bought meat from two partners, he paid one zuz to each of them, afterwards he would bring them together and make a reckoning with both of them. Rabbi Yochanan said: In my case [it is a desecration if] I walk four cubits without [uttering words of] Torah or [wearing] tefillin. (86a3 – 86a4)

Yitzchak, of the School of Rabbi Yannai. said: If one's colleagues are ashamed of his reputation, that constitutes a desecration of the Name. Rav Nachman bar Yitzchak commented: E.g., if people say, May the Master forgive So-and-so. Abaye explained: As it was taught in a Baraisa: And you shall love Hashem your God, i.e., that the Name of Heaven be beloved through you. One should study Scripture and Mishnah, and serve Torah scholars, and his business with people should be conducted in a pleasant manner - what do people then say concerning him? 'Fortunate is his father who

taught him Torah, fortunate is his teacher who taught him Torah; woe unto people who have not studied the Torah; for this man has studied the Torah - look how pleasant his ways are, how refined are his deeds! Of him does Scripture say: And He said to me, "You are My servant, Israel, in, whom I will be glorified." But if someone studies Scripture and Mishnah, serves Torah scholars, but is dishonest in business, and is unpleasant in his relations with people, what do people say about him? Woe unto he who studied the Torah, woe unto his father who taught him Torah; woe unto his teacher who taught him Torah! This man studied the Torah: Look, how perverse are his deeds, how ugly are his ways; of him Scripture says: In that men said of them, "These are the people of Hashem, and they departed His land." (86a4 – 86a5)

Rabbi Chama bar Chanina said: Great is repentance, for it brings healing to the world, as it is said: I will heal their waywardness, I will love them, freely. Rabbi Chama bar Chanina pointed out a contradiction: It is written: Return, O wayward children, i.e., you who were formerly wayward; and it is written: I will heal your waywardness?<sup>3</sup> This is no difficulty: In the one case the reference is where they return out of love, in the other, out of fear. Rav Yehudah pointed out this contradiction: It is written: Return O wayward children, I will heal your waywardness, but it is also written: For I shall be a Master unto you, and I will take you one of a city, and two of a family? This is no contradiction: The one verse speaks [of a return] out of love or fear; the other, when it comes as a result of suffering.

Rabbi Levi said: Great is repentance, for it reaches up to the Throne of Glory, as it is said: Return, O Israel, unto Hashem your God. Rabbi Yochanan said: Great is repentance. for it overrides a prohibition of the Torah, as it is said: . . . saying: If a man divorces his wife, and she goes from him, and marries another man, may he return to her again? Would that not bring profound guilt upon that land? But you have

<sup>2</sup> He would learn from my bad example to treat debts dishonestly by delaying and ultimately ignoring the payment.

<sup>3</sup>The first part of the verse implies that having repented they are perfect as children, whereas the second part, which speaks of 'healing', implies that they still retain a taint of their former waywardness.

committed adultery with many lovers; and yet, you are now returning to Me? The word of Hashem. Rabbi Yonasan said: Great is repentance, because it brings about redemption, as it is said: And a redeemer will come to Zion, and to those of Jacob who repent from willful sin; i.e., why will a redeemer come to Zion? Because of those of Jacob who repent from willful sin. Rish Lakish said: Great is repentance, for because of it willful transgressions are accounted as inadvertent errors, as it is said: Return, O Israel, unto Hashem, your God, for you have stumbled in your iniquity. 'Iniquity' is willful, and yet he calls it 'stumbling.' - But that is not so! For Rish Lakish said that repentance is so great that willful sins are accounted as though they were merits, as it is said: And if the wicked man turns away from his wickedness, and does that which is just and right, he shall live on account of them! That is no contradiction: One refers to a case [of repentance] derived from love, the other to one due to fear. Rabbi Shmuel bar Nachmani said in the name of Rabbi Yonasan: Great is repentance, because it prolongs the [days and] years of man, as it is said: And if the wicked man turns away from his wickedness . . . he shall live on account of them.

Rabbi Yitzchak said: In the West they said in the name of Rabbah bar Mari: Come and see how different from the character of one of flesh and blood is the action of the Holy One, Blessed be He. As to the character of one of flesh and blood, if one angers his fellow with words, it is doubtful whether he [the latter] will be pacified through just words or whether he will not be pacified through words. But with the Holy One, Blessed be He, if a man commits a sin in secret, He is pacified by mere words, as it is said: Take with you words, and return to Hashem. Still more: He even accounts it to him as a good deed, as it is said: And accept that which is good. Still more: Scripture accounts it to him as if he had offered up sacrificial bulls, as it is said: And let our lips compensate for bulls. Perhaps you will say [the reference is to] obligatory bulls; therefore, it is said: I will heal their waywardness, I will love them freely.

<sup>4</sup> The phrase 'sin is concealed' is understood in the sense of hiding it, not making it public by confession.

It was taught: Rabbi Meir used to say: Great is repentance, for on account of an individual who repents, the sins of all the world are forgiven, as it is said: I will heal their waywardness, I will love them freely, for My anger has turned away from him. 'From them' it is not said, but 'from him'. (86a5 – 86b2)

How is one proved a true penitent? — Rav Yehudah said: If the opportunity which caused his original transgression comes before him on two occasions, and he is saved from it. Rav Yehudah indicated: With the same woman, at the same time, in the same place.

Rav Yehudah said: Rav pointed out the following contradiction. It is written: Fortunate is he whose transgression is forgiven, whose sin is concealed; and it is also written: He that conceals his sins shall not prosper.<sup>4</sup> This is no difficulty, one speaks of sins that have become known [to the public], the other of such as did not become known.<sup>5</sup> Rav Zutra bar Toviah in the name of Rav Nachman said: Here we speak of sins committed between a man and his fellow, there of sins committed between man and God.

It was taught: Rabbi Yosi ben Yehudah said: If a man commits a transgression, the first, second and third time he is forgiven, the fourth time he is not forgiven, as it is said: Thus says Hashem: For three transgressions of Israel [I have looked away], but for four, I will not pardon them, and furthermore it says: Behold, God does all these things with man two or three times. What does 'furthermore' serve for? — One might have assumed that applies only to a community, but not to an individual, therefore: Come and hear [the additional verse]: Behold, God does all these things with man two or three times. (86b3 – 86b4)

Our Rabbis taught: As for the sins which one has confessed on one Yom Kippur, he should not confess them on another Yom Kippur; but if he repeated them, then he should confess

<sup>5</sup> Certain sins, such as have become notorious, one ought to confess publicly; secret sins one need confess to none but God.



them, on another Yom Kippur. — And if he had not committed them again, yet confessed them again, then it is with regard to him that Scripture says: As a dog that returns to its vomit, so is a fool that repeats his foolishness. Rabbi Eliezer ben Yaakov said: All the more so is he praiseworthy, as it is said: For I know my transgressions, and my sin is before me always. How then do I [explain]: As a dog that returns to its vomit, etc.? In accord with Rav Huna; for Rav Huna said: Once a man has committed a sin once and twice, it is permitted to him. ‘Permitted’? How could that occur to you? — Rather, it appears to him as if it were permitted.

It is obligatory to confess the sin in detail [explicitly], as it is said: [Moshe said to Hashem:] I implore! This people have sinned a great sin, and have made themselves a god of gold. These are the words of Rabbi Yehudah ben Bava. Rabbi Akiva said: [This is not necessary], as it is said: Fortunate is he whose transgression is forgiven, whose sin is concealed. Then why did Moshe say: And have made themselves a god of gold? That is [to be explained] in accord with Rabbi Yannai, for Rabbi Yannai said: Moshe said before the Holy One, Blessed be He: The silver and gold which You have lavished upon Israel until they said ‘Enough!’ has caused them to make a golden god. Two good leaders arose for Israel, Moshe and David. Moshe begged: Let my sin be written down, as it is said: Because you did not believe in Me to sanctify Me. David begged that his sin be not written down, as it is said: Praiseworthy is he whose transgression is forgiven, whose sin is concealed. This case of Moshe and Aaron may be compared to the parable where two women were flogged in court; one in punishment for acting corruptly (i.e., committing adultery), the other had eaten the unripe figs of Shemittah. Whereupon the woman who had eaten unripe figs of Shemittah said: I beg of you, make known for what offence this one (referring to herself) has been flogged, lest people say: This woman was punished for the same sin that the other was punished for. They brought unripe fruits of Shemittah, and hung them around her neck, and they were

calling out before her: This woman was flogged because of Shemittah matters.

One should expose hypocrites to prevent the desecration of the Name, as it is said: And when a righteous man does turn from righteousness and acts corruptly, I will place a stumbling-block before him. (86b4 – 86b6)

The repentance of the confirmed sinner delays punishment, even though the decree of punishment for him had been signed already. The tranquility of the wicked ends in calamity. Power buries those who wield it. One enters it naked and leaves it naked. Would that his leaving be like his coming in (i.e., without sin).

Whenever Rav went to judge cases of law, he used to say thus: “Out of his own will he goes towards death, the wishes of his household he is unable to fulfill, and he returns empty to his home. Would that the return home be like the going in.”<sup>6</sup> Whenever Rava went to judge cases of law, he used to say thus: “Out of his own will he go towards death, the wishes of his household he is unable to fulfill, and he returns empty to his house. Would that the return home be like the going in.” And when he [Rav] saw a crowd escorting him, he would say: “Though his excellency ascends to heaven, and his head reaches the clouds, yet shall he perish forever like his own dung; those who have seen him shall say: ‘Where is he’?” When Rav Zutra was carried shoulder-high on the Shabbos before the festival lecture, he would say: “For power is not forever; and does the crown endure unto all generations?” (86b6 – 87a1)

## INSIGHTS TO THE DAF

### *Stain Remains*

It is said the Kohen shall look, and behold! The tzaraas affliction had been healed from the metzora. Rabbi Refoel

<sup>6</sup> The responsibility involved in rendering decision appeared to him as momentous as if the ethical dangers involved were physical ones. The stipend was insufficient to meet the needs of his household, and if he would err in

judgment, he would be punished. There were no salaries for the judges. He was just entitled to compensation for his time. He prayed that he would not sin in judgment.

Hamburger wonders why the Torah refers to the person who has already been healed from tzaraas as the metzora.

Rabbi Hamburger suggests an answer based on the Gemara here that resolves a contradiction in the statements of Reish Lakish. In one statement Reish Lakish maintains that repentance is great because willful transgressions are considered to be inadvertent errors, whereas in a second statement Reish Lakish maintains that willful transgression are transformed into merits. The Gemara resolves this contradiction by stating that in Reish Lakish's second statement, he refers to repentance that is motivated by love whereas in his first statement, Reish Lakish refers to repentance that is motivated by fear.

This idea can equally be applied to a metzora. One who contracted tzaraas repents because he does not wish to undergo the suffering of his condition and he does not wish to be subject to isolation from the rest of the community. This manner of repentance was not motivated by love for HaShem. Rather, his repentance was motivated by external factors, so the Torah still refers to him as a metzora, as he has not yet uprooted the sin from his being.

#### ***Repentance in the Same Situation***

The Gemara explains that a true penitent is one who committed a sin in the past and then the opportunity for the same sins comes again a first time and a second time and he is saved from the sin on both occasions.

The Sefer Chasidim writes that a person should not put himself into a situation where he is tempted to sin, because he may not be able to withstand temptation.

The Tzlach questions the words of the Sefer Chasidim from the commentary of the Kli Yakar in Parshas Chukas, who writes regarding the phenomena of the Parah Adumah that the Parah Adumah was capable of rendering pure those that were impure and conversely, rendering impure those that were pure. The Kli Yakar likens this idea to certain medicines that are beneficial for one who is ill but can prove fatal for one who is healthy. There is a parallel between remedying the body and remedying the soul. One who wishes to repent

must be with the same woman that he sinned with the first time, at the same time of the year in which he had sinned, and at the same place where he sinned with her. Thus, the temptation to sin is particularly strong, as his Evil Inclination will entice him to respond exactly as he did before. By resisting the temptation, he demonstrates that he is a true penitent. Yet, according to the Sefer Chasidim, a righteous person is not permitted to endanger himself by entering into a such a situation.

The Tzlach adds that this is what the Gemara (Brachos 34b) means when it states that in the place where penitents stand, the completely righteous do not stand, i.e. the completely righteous cannot stand in a place of temptation.

#### ***Publicizing Sins to Inspire others to Repent***

The Nesivos in his commentary on Eicha, Palgei Mayim explains the verse that states (1:18) Hashem is righteous, for I disobeyed His utterance. Listen, now, all you peoples and see my pain etc. The Nesivos writes that although one normally should conceal his sins, when the punishment is horrific and there is a desecration of HaShem's Name, it is necessary to publicize the sin. The reason it is permitted to reveal the sins is because then HaShem's Name will be glorified and others will be inspired to repent.

The Beis HaLevi in Parashas Vayera writes in a similar vein that once one has been punished, he is allowed to reveal the sin to show that HaShem's judgment is just.

We find that the Gemara in Sanhedrin 107a states that Dovid HaMelech prayed to Hashem that the sin that he committed with Batsheva should not be publicized, but his prayer was not accepted.

The Gemara in Avodah Zara 4b states that the incident with Batsheva was not fitting for Dovid HaMelech and the sin of worshipping the Golden Calf was not fitting for the Jewish People. Rashi explains that although the Jewish People could have withstood the temptation from their Evil Inclination, HaShem decreed that they should sin so that their repentance would inspire future generations to repent. An individual who sins will be motivated to repent because of

Dovid HaMelech's repentance, and if the masses sin, they will be motivated to repent because of the Jewish People's repentance from worshipping the Golden Calf.

The Maharal writes that Tosfos understand the Gemara in Avodah Zara to mean that it was not fitting to have their sins publicized, as is stated in the Gemara here in Yoma. Yet, the sins of the Jewish People and the sins of Dovid HaMelech were revealed, so that they would serve as an inspiration to future generations to repent from their sins.

#### DAILY MASHAL

##### *Repentance is Part of the Divine Throne of Glory*

The Gemara states that repentance is great because it reaches unto the Divine Throne of Glory, as it is stated Return, O Israel, unto HaShem your G-d.

This Gemara is difficult to understand, as repentance can only reach the Heavenly Throne, as is evidenced by the Medrash that states that wisdom, prophecy, and the Torah all offered various responses as to the retribution of the sinner, and only HaShem Himself responded that the sinner should repent from his sins.

There are many interpretations to this enigmatic Gemara, but we can suggest that the Gemara means that repentance is not just a one time performance like other mitzvos. The Gemara states that a mitzvah protects a person at the time he is performing the mitzvah. Repentance, however, is so beloved to HaShem that HaShem incorporates repentance into the Divine Throne of Glory.

We find that when Moshe ascended upon high and the angels dueled with him regarding the Jewish People receiving the Torah, HaShem instructed Moshe, "take hold of the throne of My Glory and give them an answer." The word for answer in the Gemara is Teshuvah, which also means repentance. HaShem was alluding to Moshe that the correct response to the angels' protests was that the Jewish People can repent from their sins, and in this regard man is superior to the angels. Thus, repentance is great because it reaches the Divine Throne of Glory, i.e. it is the response to the angels

as to why man was created and why the Jewish People received the Torah.

##### *From Evil to Good*

The Gemara states that repentance is so great that willful transgressions can be accounted for the penitent as merits, providing that one is motivated to repent by love.

Reb Tzadok HaKohen from Lublin writes that although a gentile is also capable of repenting, he will not be motivated to repent by love. Thus, although a gentile can remove the stain that was caused by his sin, he is not capable of transforming a willful transgression into a merit.

The source for this idea can be found in the Medrash Tanchumah regarding the priestly blessings. The kohanim would recite the words may HaShem lift His countenance to you. The Medrash wonders how this blessing can be recited if it said in the Torah regarding HaShem, Who does not show favor and Who does not accept a bribe. The Medrash answers that HaShem will show favor to the Jewish People if they repent, but the gentiles cannot merit this favoritism, as it is said may HaShem lift His countenance to you, and this excludes the gentiles.

Rabbi Mordechai Miller zt"l extends this idea to explain the Gemara in Shabbos 146a that states that when the primal serpent seduced Chava, he cast impurity into her, which she then passed on to future generations of men. The Jewish People stood at Mount Sinai to accept the Torah, so their impurity was removed. The gentiles, however, who did not stand at Mount Sinai, did not have their impurity removed. It is the power of Torah that motivates a Jew to repent by love and thus a Jew's willful transgressions will be accounted for as merits, whereas a gentile who does not study Torah cannot be motivated to repent by love.