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Yoma Daf 13

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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 stated that Rabbi Yehudah maintains that they would prepare another wife for the Kohen Gadol [lest his present wife die, and it is said regarding the Kohen Gadol on Yom Kippur *and he shall make atonement for himself and for his household*. The words *his household* refers to his wife. The Chachamim countered that if we were concerned for the possibility of sudden death, then there is no end to the matter and we would have to be concerned that the second wife may also die.] The Gemara wonders why the Chachamim are concerned that the Kohen Gadol may become tamei and therefore they require that another Kohen Gadol be prepared, but the Chachamim are not concerned that the wife of the Kohen Gadol may die. The Gemara answers that the Chachamim maintain that contracting tumah is common;¹ death, however, is uncommon, so we are not concerned that the wife will die. The Chachamim maintain that we do not have to prepare a wife for the Kohen Gadol, because if we were concerned for death, there would be no end to the matter. Did they not answer Rabbi Yehudah well? Rabbi Yehudah will say that we are concerned about the death of one (the first wife), but for the death of two we are not concerned.² The Chachamim, however, maintain that if we are concerned that something unlikely like the first wife dying before the end of Yom Kippur may occur, then we should be concerned even about the death of two

wives. – But let the Chachamim say the same objection to themselves?³ The Chachamim will say to you that a Kohen Gadol is conscientious to remain tahor (so it is not likely that a second Kohen Gadol will ever be needed). – If he is so conscientious, why do we prepare another Kohen Gadol? – We still prepare another Kohen Gadol because by preparing a rival for the present Kohen Gadol, he will be even more conscientious about not becoming tamei because he will not want his rival to take over. (13a1)

The Gemara wonders according to Rabbi Yehudah that we must prepare another wife for the Kohen Gadol, the Torah states *and he shall make atonement for himself and for his household*, which refers to his wife, but this substitute woman is not yet married to him. – But as long as he does not marry her, she is not regarded as “his household”? – He does indeed marry her.⁴ The Gemara questions how the Kohen Gadol can be married to two wives on Yom Kippur, because it is said *and he shall make atonement for himself and for his household*, and this implies that the Kohen Gadol cannot atone for two households. The Gemara answers that after he marries her he divorces her. – But if he divorces her, the question returns to its place? – The Gemara suggests that he divorces her with a condition by saying to her, “This is your get on condition

¹ Either through a seminal emission or if the Kohen Gadol is sprayed by the saliva of an *am haaretz* who is not careful about eating his food in a state of taharah, and his spittle is deemed to be a contaminant like that of a *zav*.

² That the substitute wife will also die is highly unlikely, so we do not require a substitute wife for the first substitute wife.

³ The Chachamim maintain that we need to prepare a substitute Kohen Gadol in case the present Kohen Gadol becomes tamei; so shouldn't it be necessary to prepare a substitute Kohen Gadol for the first substitute Kohen Gadol?

⁴ He married the woman before Yom Kippur, and should his first wife die, he will already be married to a second wife.

that you die (before the conclusion of Yom Kippur).⁵ – But perhaps she will not die and he will then have two households? - Rather, the case is that he says to her, “Behold this is your *get* [to be valid] if you die.” If she does not die, then she is divorced; and if she does die, there is [still] the other one alive. - But perhaps she will not die, so that her *get* is valid and the other [the first] one dies, and he will be without a ‘house’? The Gemara suggests is that the Kohen Gadol says to the second woman “I will give you a *get* on condition that one of you dies before the end of Yom Kippur.” If the divorced wife dies, then the Kohen Gadol will remain with the one undivorced wife and he will be allowed to serve on Yom Kippur. If the undivorced wife dies, then the divorced wife remains and the Kohen Gadol can serve. The Gemara rejects this suggestion for two reasons. First, perhaps neither of the women will die and the condition of the *get* will not be fulfilled and the Kohen Gadol will have two households. Second, such a *get* should not be considered valid, because Rava said that if a man gives his wife a *get* and says, “This is your *get* on condition that you do not drink wine,” if he says that the condition applies “all the days of my life,” or “all the days of your life,” this is not deemed to be a valid severance. If, however, the condition was that she not drink wine “all the days of the life of someone else,” then it is deemed to be a valid severance.⁶ Rather say that he said to her, “Behold here is your *get* [to be valid] if your fellow [wife] does not die. If her fellow does not die, she [the second wife] is divorced, and if she does die, then there is still the other [the second wife] alive [to be ‘his house’]. — But perhaps her fellow wife will die in the middle of the service and it will become retroactively revealed that the *get* of

the other one was not valid and he would then have been officiating at the service with ‘two houses’? — Rather assume, then, that he says to her, “Behold this is your *get* [to be valid] if your fellow dies. — But perhaps the fellow wife will die and the *get* of the first wife will be valid and he will stand there without a ‘house’? — Rather [say that] we speak of the case that he divorced them both, to the one he said, “Behold this is your *get* [to be valid] in case your fellow wife does not die”; and to the other one he said, “Behold this is your *get* [to be valid] if you do not enter the synagogue (on Yom Kippur).” - But perhaps her fellow will not die and she will not enter the synagogue, and the *get* of both will be valid and he will stand without a ‘house’? — Rather: To the one he says, “Behold this is your *get* [to be valid] in case your fellow does not die”; and to the other one, “Behold this is your *get* [to be valid] if I enter the Synagogue,” so that if the one dies, the second will be available, and if the second dies the first will be available. What will you say in the case that her fellow wife dies in the midst of the service and retroactively he will have officiated at the service with two ‘houses’? If he saw that she was about to die, he would at once enter the synagogue and would render the divorce retroactively valid. (13a2 – 13b1)

[The discussion in the Gemara centered on the verse that states *and he shall make atonement for himself and for his household*, which implies that the Kohen Gadol can only have one wife on Yom Kippur.] This premise is challenged by Rav Assi, or according to others, Rav Avira because according to this, if two *yevamos* come from one house, they should not be subject to *yibum*, but this is not so.⁷

⁵ If she dies on that day, her *get* is retroactively valid, there is one ‘house’ only, and if she does not die but her fellow dies, then she remains as the ‘house’, her *get* being invalid. Rashi makes this significant observation: These arguments are not valid, as there are very obvious challenges, the Gemara is preparing the ground for the last, satisfactory answer.

⁶ The same holds true when the Kohen Gadol divorced the woman on condition that she dies before the end of Yom Kippur.

The condition must remain unfulfilled during her entire lifetime, and this not a valid severance. In order for a *get* to be valid, there must be a complete severance of the bond between husband and wife.

⁷ When a man dies without leaving children, the deceased’s brother must marry the widow, in a marriage referred to as *yibum*. If he chooses not to marry her, he must perform a ceremony called *chalitzah*. If the brother chooses to perform

The Gemara answers that since it is said in the Torah the word *yevamah* twice, we learn that even if there is more than one *yevamah*, the commandment of *yibum* still applies. (13b2)

[We learned previously that the wife of the Kohen Gadol on Yom Kippur must not be merely betrothed to the Kohen Gadol. Rather, she must be completely married to him so that the words *his household* are fulfilled.] Ravina, or according to others, Rav Sheravyah, challenges this because based on this premise a betrothed wife should not be subject to *yibum*, because she is also referred to as the deceased brother's *household*, and this is not the case. The Gemara answers that the Torah refers to the *yevamah* as being outside.⁸ The word *outside* thus comes to include a betrothed woman in the mitzvah of *yibum*. (13b2)

The Gemara cites a Baraisa: A Kohen Gadol offers sacrifices while he is an *onein*.⁹ Nonetheless, even the Kohen Gadol cannot eat sacrificial food while he is an *onein*. Rabbi Yehudah says: the entire day. – What does it mean “the entire day”? Rava said: Not only can the Kohen Gadol serve as an *onein*, but it is actually a mitzvah to bring the Kohen Gadol from his home and have him serve.¹⁰ Abaye said to him: Now, according to Rabbi Yehudah – we send out [an ordinary Kohen who became an *onein*, even while performing the service], for it was taught in a

chalitzah, it is said *a man who would not build his brother's household*. One would think that the law of *yibum* would only apply when the deceased brother had only one household, i.e. one wife, but if he had two wives, then *yibum* should not apply at all. This is not the case, because when the deceased had two wives, they are both subject to *yibum* and neither one can marry until one of them undergoes either *yibum* or *chalitzah*.

⁸ In the simple meaning of the verse, it would read *the wife of the deceased shall not marry out [of the family] to a stranger*. The Gemara, however, understands the word *hachutzah* to be qualifying the *ishes hameis*, wife of the deceased. Thus, the verse would be interpreted as follows: *the outside wife of the deceased shall not be married to a stranger*. This “outside wife” refers to a betrothed woman who is married but cannot yet engage in marital relations with her betrothed husband.

Baraisa: If a Kohen was standing and offering a sacrifice on the Mizbeiach and he heard that his relative died, he immediately ceases performing the service and leaves the Bais HaMikdash; these are the words of Rabbi Yehudah. Rabbi Yosi, however, maintains that the Kohen should finish the service that he was involved in and then he should leave the Bais HaMikdash. – [Abaye concludes his question] and you say that we even bring him [the Kohen Gadol] from his house!? Rather, said Rava, what does he mean “the entire day” he means that he cannot serve the entire day, lest he eat [from the sacrificial meat].¹¹ – Rav Adda bar Ahavah said to Rava: But did Rabbi Yehudah enact a preventive measure lest he eat? Have we not learned in our Mishnah: Rabbi Yehudah said: We also provide another wife for him, lest his wife die? Now when his wife dies he may perform the service [on the same day] without Rabbi Yehudah becoming apprehensive lest he eat? - He replied: Now is this so? There, because it is Yom Kippur, on which all the world does not eat, he, too, would not be likely to eat, but here [on any day] when all the world is eating, he would also be ready to eat – But under such conditions what mourning would be coming upon him because of her, since she is divorced from him? – Granted that no mourning would be obligatory, but he would surely be distracted. (13b2 – 14a1)

⁹ Which is the first stage of mourning upon the death of any of one's seven close relatives. An ordinary Kohen cannot perform the service in the Bais HaMikdash while he is an *onein*, whereas a Kohen Gadol can perform the service in the Bais HaMikdash after losing a close relative.

¹⁰ So his grief can be assuaged.

¹¹ During the day of death, when he is considered an *onein* on a biblical level, the Chachamim prohibited the Kohen Gadol from performing any service in the Bais HaMikdash because he may come to eat from the sacrificial meat which he is biblically forbidden to do. Once it is after nightfall, however, Rabbi Yehudah maintains that *aninus* is only rabbinical, and Rabbi Yehudah will agree that after nightfall the Kohen Gadol can perform the service, although he is still Rabbinically forbidden to eat from the sacrificial meat.



DAILY MASHAL

Kohanim are conscientious

The Gemara states that the Kohen Gadol is conscientious about remaining tahor. In general we find that Kohanim are considered conscientious. The Rishonim write that the Patriarchs were all considered Kohanim. Although there was no physical Bais HaMikdash in the times of the Patriarchs, we can understand this to mean that the Patriarchs were conscientious and zealous in performing HaShem's will.

The Kohen Gadol and his Wife

In our sugya we learn that the Kohen Gadol was forbidden to perform the Yom Kippur service if he was unmarried. Similarly, the Zohar Chai writes that an unmarried man should best not be a shaliach tzibbur to lead davening.

The Kozhnitzer Maggid zt"l was seventy years old when his wife passed away and considered it unnecessary to remarry.

The Chozeh of Lublin sent him a message that all his prayers on the Yomim Noraim and indeed on every day since his wife passed away, were entirely darkened and unfit. Therefore the Chozeh instructed the messenger to demand in his name that the Maggid remarry. The Maggid immediately complied and remarried (*Mevaser Tov: Zechus Nashim Tzidkonios II*, p. 155).

GLOSSARY

1. **Am haaretz** Unlearned person
2. **Chalitzah** If a man dies childless and his brother refuses to perform yibum to his brother's wife, he must perform the alternate rite of chalitzah, in which she removes his shoe before the court and spits before him and declares, "so should be done to the man who will not build his brother's house."
3. **Get** Bill of divorce

4. **Onein** One who is in the first stage of mourning upon the death of any of one's seven close relatives. This state of mourning is referred to as aninus.
5. **Yevamah** When a man dies childless, his brother is commanded to marry the widow. The marriage is referred to as yibum and the widow is called the yevamah.
6. **Yibum** Levirate marriage. When a man dies childless, one of his brothers must marry the widow. This marriage is referred to as yibum.
7. **Zav** A man who becomes tamei because of a specific type of seminal emission.