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Yoma Daf 4

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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

#### 1. How was the sequestering derived?

[Rabbi Yochanan derives the sequestering of the Kohen Gadol for the Yom Kippur service from the sequestering by the *miluim* service.] Rabbi Yochanan said to Rish Lakish: It is well according to me who derives (the sequestering) from the *miluim* service; for this agrees with what we are taught: On both of them [the Kohanim]<sup>1</sup> we sprinkle throughout the seven days [water] from all the chatas-offerings that were there<sup>2</sup>; but according to you who infer from Sinai, was there any sprinkling done on Sinai? — Rish Lakish said back to him: and according to you, is it any better? By the *miluim* service, the Kohen was sprinkled with blood, whereas during the week prior to Yom Kippur, the Kohen was sprinkled with water mixed with the ashes of the Parah Adumah. Rabbi Yochanan answered that this is not difficult, for Rabbi Chiya taught a Baraisa that water is in place of blood.<sup>2</sup> But according to you, was there any sprinkling done on Sinai? Rish Lakish replied: The sprinkling is merely a rabbinic stringency. (4a1)

#### 2. A Baraisa is taught in accord with Rabbi Yochanan

We have a Baraisa in accord with Rabbi Yochanan, and we have a Baraisa in accord with Rish Lakish. ‘In accord with Rabbi Yochanan we have a Baraisa’; Scripture

reads: With “this” [bezos] shall Aaron come into the holy place, i.e., with that mentioned in that section, the section of the *miluim* service. And what is mentioned in the section about the *miluim* service? Aaron was sequestered for seven days and then he served for one day. Moshe transmitted the laws of the *miluim* service to Aharon all seven days in order that he be familiar with the service. Similarly, for future generations the Kohen Gadol was sequestered for seven days before Yom Kippur and then he served for one day, and two Torah scholars who were disciples of Moshe, and not from the group of Sadducees,<sup>3</sup> would transmit the laws of the Yom Kippur service to him all seven days so he would be familiar with the service. From here they said in the Mishnah that seven days before Yom Kippur they would sequester the Kohen Gadol from his house to the Parhedrin Chamber. Just like they would sequester the Kohen Gadol before the Yom Kippur service, they would also sequester the Kohen who burned the Parah Adumah from his house to the chamber before the *birah* in the northeast corner of the Courtyard of the Bais HaMikdash. Both the Kohen Gadol who would be performing the Yom Kippur service and the Kohen who would be burning the Parah Adumah were sprinkled upon all seven days that they were sequestered from all

<sup>1</sup> The one officiating On Yom Kippur and the one performing the service of the parah adumah.

<sup>2</sup> This means that the first Parah Adumah was prepared after the eighth day of the *miluim* service, and prior to that, those who required sprinkling would be sprinkled with blood. After the Parah Adumah was prepared, however, the *mei chatas*, which was water mixed with the ashes of the Parah Adumah, replaced

the blood of sacrifices. The Kohen Gadol who was sequestered before Yom Kippur was thus sprinkled with the *mei chatas*.

<sup>3</sup> Because we will learn later (53a) that the Sadducees would teach that the Kohen Gadol should place the Ketores on the burning coals in the shovel before entering the Holy of Holies. This was in contradiction to the Chachamim who maintained that first the Kohen Gadol would enter the Holy of Holies and then place the Ketores on the coals.

of the purification ashes that were there. And if you should ask: But during the *miluim* service the sprinkling was done with blood and here water, [remember] that the water takes the place of the blood. And it further says: As has been done this day so Hashem has commanded la'asos [to do], lekapper [to make atonement] for you. 'La'asos' refers to the ceremony of the parah adumah, 'lekapper' means the service of Yom Kippur. - But the word 'be-zos' is required for the verse itself, i.e., with a young bullock for a chatas-offering and a ram for an olah-offering? — Answer: If 'be-zos' were meant to refer only to the sacrifices, the text should have said ba-zeh [with this] or ba-eileh [with these], why [was] 'be-zos' [chosen]? So that you may learn both things from it. - Why was it necessary to cite the other verse? — You might have said only the first Yom Kippur requires that the Kohen Gadol be removed at the *miluim* service, but on all future days of Yom Kippur no such removal is necessary; or [you might say] only the first Kohen Gadol needed such removal but all future Kohanim Gedolim do not require it; come and hear: As has been done this day etc. (4a1 – 4a2)

### 3. A Baraisa is taught in accord with Rish Lakish

'In accord with Rish Lakish we have a Baraisa'; Moshe went up into a cloud, was covered by a cloud and was sanctified in a cloud so that he could receive the Torah on behalf of the Jewish People in sanctity. This is derived from the verse that states *and the glory of HaShem rested upon Mount Sinai, and the cloud covered him [Moshe] for six days*. This occurred after the Jewish People received the Ten Commandments and the six days referred to in the verse were the beginning of the forty-day period;<sup>4</sup> these are the words of Rabbi Yosi HaGelili.

<sup>4</sup> After the Ten Commandments were given and when Moshe went up the mountain to receive the Tablets.

<sup>5</sup> It does not refer to Moshe, because during the six days prior to the giving of the Ten Commandments, Moshe was busy

Rabbi Akiva, however, interprets the verse as follows: *and the glory of HaShem rested* refers to Rosh Chodesh Sivan, as there were six days from Rosh Chodesh Sivan until the Ten Commandments were given to the Jewish People. When it is said *and the cloud covered it*, the suffix *it* (from the word *vayechaseihu*, and [the cloud] covered it) must refer to the mountain.<sup>5</sup> When it is said *and he called to Moshe on the seventh day*, it means HaShem called to Moshe on the seventh of Sivan to tell him the Ten Commandments. When HaShem spoke the Ten Commandments, Moshe and the entire Jewish People heard, and Scripture singles out Moshe from all of Israel to show him honor.

Rabbi Nassan [agrees with Rabbi Yose HaGlili that it was Moshe who was covered by a cloud, but Rabbi Nassan] maintains that we cannot derive from this verse that anyone else entering the camp of the Divine Presence required sequestration, because the verse is merely teaching us that Moshe was like the Ministering Angels by having his intestines cleansed of food and drink.

Rabbi Masya ben Charash maintains that the verse merely was instilling fear into Moshe, so that the Torah should be given with fear, trembling and quaking, as it is said *serve HaShem with awe, and rejoice with trepidation*. What does it mean "rejoice with trepidation"? Rav Adda bar Masnah said in the name of Rav: In the place of rejoicing<sup>6</sup> there should be trepidation. (4a2 - 4b1)

### 4. There is a dispute whether the Torah was given on the sixth of Sivan or on the seventh of Sivan.

Regarding what do Rabbi Yosi HaGelili and Rabbi Akiva argue? It is in the matter of the dispute of the following Tannaim, for it was taught in a Baraisa: The Torah was

ascending and descending the mountain to inform the Jewish People how to prepare for the Revelation.

<sup>6</sup> Upon receiving the Ten Commandments.

given to Israel on the sixth of Sivan, whereas Rabbi Yosi maintains that the Torah was given on the seventh of Sivan. The Tanna Kamma maintains that the Torah was given on the sixth of Sivan and Moshe went up on Mount Sinai on the seventh of Sivan. Rabbi Yosi maintains that the Torah was given on the seventh of Sivan and Moshe went up Mount Sinai on the seventh of Sivan.

Rabbi Yose HaGelili follows the opinion of the Tanna Kamma who maintains that the Torah was given on the sixth of Sivan. According to Rabbi Yosi HaGelili the verse must be interpreted as follows: *and the glory of HaShem rested on Mount Sinai* was the day after the giving of the Ten Commandments. *And the cloud covered him* i.e. *Moshe, for six days. And He called to Moshe on the seventh day* from when he was sequestered in the cloud, which was the thirteenth of Sivan, and that was to receive the Tablets and the rest of the Torah. For if you would say that the verse that states *and the glory of HaShem rested* occurred on Rosh Chodesh and the suffix *it* in the verse *and the cloud covered it* refers to the mountain, and when it is said *He called to Moshe on the seventh day*, it means that HaShem called Moshe on the seventh day to receive the Ten Commandments, this cannot be, because the Ten Commandments were already given on the sixth of Sivan, and the cloud left on the sixth of Sivan.

Rabbi Akiva, however, follows the opinion of Rabbi Yosi who maintains that the Torah was given to the Jewish People on the seventh of Sivan.<sup>7</sup> (4b1 - 4b2)

##### 5. When were the Tablets broken?

According to Rabbi Akiva, who maintains that Moshe went up the mountain on the seventh of Sivan, we can understand how it is a fact that the Tablets were broken

on the seventeenth of Tammuz, because the remaining twenty-four days of Sivan and the first sixteen days of Tammuz together equal the forty days that Moshe was on the mountain. Moshe came down from the mountain on the seventeenth of Tammuz and broke the Tablets. According to Rabbi Yose HaGlili, however, who maintains that Moshe was sequestered for six days following the giving of the Ten Commandments and then Moshe spent forty days on the mountain, since Moshe was not called to receive the Torah until the thirteenth of Sivan, the Tablets were not broken until the twenty-third of Tammuz. The Gemara answers that Rabbi Yosi HaGelili maintains that the forty days that Moshe was on the mountain includes the six days of sequestration, even though Moshe was not called until the thirteenth. (4b2)

##### 6. Everyone heard HaShem speaking at Sinai.

The *Baraisa* had stated that it is said *and He called to Moshe*, and this means that Moshe and all of Israel were standing etc. This is a proof to Rabbi Elazar, for Rabbi Elozar said that when it is said *and He called to Moshe*, it means that HaShem spoke to the entire Jewish People because Moshe and the entire Jewish People were standing and hearing the Ten Commandments, and the verse merely comes to honor Moshe by singling him out from amongst the Jewish People.

This statement is challenged from a *Baraisa* which states that the verse states *he heard the Voice speaking to him* and instead of stating *kol eilav*, which means speaking to him, it could have said *kol lo*. This teaches us that only Moshe heard the Voice of HaShem and the Jewish People did not hear the Voice. The Gemara answers that at Sinai, everyone heard the Voice of HaShem, but in the Mishkan, only Moshe heard the Voice of HaShem. Alternatively, the call to Moshe was

<sup>7</sup> The verse thus refers to the time before the giving of the Ten Commandments and Hashem called Moshe on the seventh of Sivan to hear the Ten Commandments.

heard by the entire Jewish People but the message HaShem imparted was only heard by Moshe. (4b2 - 4b3)

**7. There are two interpretations of the verse that states *and Moshe came into the midst of the cloud*.**

Rabbi Zerika posed a contradiction between two verses in the presence of Rabbi Elozar. And others said that Rabbi Zeriaka cited Rabbi Elozar who posed the contradiction: In one verse it is said *and Moshe was unable to enter the Tent of meeting, for the cloud rested upon it*. [This implies that the cloud of the Divine Presence prevented Moshe from entering.] Yet regarding the giving of the Torah at Sinai it is said *and Moshe came into the midst of the cloud*. [We see that Moshe was not prevented by the cloud from entering.] This teaches us that HaShem grabbed Moshe and brought him inside the cloud. [Thus Moshe could not enter the cloud on his own, but at Sinai, HaShem pulled Moshe inside the cloud.]

The academy of Rabbi Yishmael taught a *Baraisa* as follows: regarding Sinai it is said *in the midst* and regarding the splitting of the sea it is said *and the Children of Israel came into the midst of the sea*. Just like by the sea it means that there was a path cut through the water, because it is said there *and the water was for them a wall on their right side and on their left*, so too by Sinai it means that a path was cut for Moshe through the cloud. (4b3)

**8. One should not say something to his friend until he first calls him.**

It is said *and He called to Moshe, and He spoke*. Why did Hashem preface “speaking” with “calling”? This is to teach us that it is proper that one should not say something to his friend until he first calls him. This supports Rabbi Chanina, for Rabbi Chanina said: A

person should not say something to his friend until he first calls him.<sup>8</sup> (4b3)

**9. One cannot repeat something that he heard from his friend unless he receives permission form the one who told him.**

“Laimor” Rabbi Menasya the grandson of Rabbi Menasya said in the name of Rabbi Menasya the Great: From where do we know that if a man had said something to his fellow, the latter must not spread the news without the informant's telling him ‘Go and say it’? From the scriptural text: Hashem spoke to him out of the Tent of Meeting, *laimor* [saying]. (4b3)

**10. Omission causes a disqualification**

At any rate it is to be inferred that both Tannaim hold that the omission of any detail mentioned in connection with the *miluim* service renders the ceremony invalid, for it was said: With regard to the *miluim* service Rabbi Yochanan and Rabbi Chanina are disputing; one says: The omission of any form prescribed in connection with the ceremony renders it invalid, while the other holds only such matter as is indispensable on any future occasion is indispensable now, whereas such detail as is dispensable in future generations, is dispensable even the first time. One may conclude that it is Rabbi Yochanan who holds that the omission of any detail whatsoever that is mentioned in connection with the *miluim* service renders such ceremony invalid, because Rabbi Shimon ben Lakish said to Rabbi Yochanan [in the course of the argument]: And just as with the *miluim* service the omission of any prescribed detail renders the ceremony invalid. And Rabbi Yochanan did not retort at all’. That proof is conclusive. (4b3)

<sup>8</sup> This means that he should first tell the person that he wishes to speak to him before beginning to speak to him.



## INSIGHTS TO THE DAF

### ***Was the Torah Received on Shavuos?***

Over the course of our Shavuos davening, we repeatedly refer to the Yom Tov as, “the festival of Shavuos, the time in which we received the Torah.” Yet it is interesting to note that according to many Poskim, the Torah was not received on the sixth of Sivan, but rather on the seventh.

True, the Torah refers to this Yom Tov as, “the festival of Shavuos” (Devarim 16:9-10). Yet nowhere in the Torah is this day referred to as, “the festival of receiving the Torah.” Only later did our Sages develop this expression, as we find in our Shavuos davening and in several places in Shas (see Pesachim 68b, Yerushalmi Rosh Hashana 4:8, et. al.).

**When was the Torah given?** In our masechta, we are introduced to a machlokes between R’ Yossi and the Chachomim as to when the Torah was given. According to R’ Yossi, Bnei Yisroel separated from their families three days before Kabbalas HaTorah, in order to sanctify and purify themselves for this momentous event. According to the Chachomim, they separated for only two days. Thus, R’ Yossi and the Chachomim argue as to when the Torah was given: on the seventh of Sivan after three days of preparation, or on the sixth after two days of preparation.

The Magen Avraham asks by observing Shavuos on the sixth of Sivan, we seem to follow the view of the Chachomim. Yet in the laws of family purity discussed in Yoreh Dei’ah, the accepted halacha is based on R’ Yossi’s opinion, which would require three days of separation (see Y.D. 196:11).

The Magen Avraham therefore concludes that we follow R’ Yossi only as a *chumra* (extra stringency).

Strictly speaking, the halacha follows the Chachomim. Therefore we refer to Shavuos which occurs on the sixth, as the festival of receiving the Torah.

**Shavuos on the fifth of Sivan:** There is another perplexing difficulty as to the correct date of Kabbalas HaTorah. Today, we make use of a standardized lunar calendar that was established thousands of years ago. However, it used to be that each new month was declared by Beis Din upon sighting the new moon. Today, Iyar is always twenty-nine days. Then, Iyar could quite possibly last for thirty days, depending upon when the moon was sighted. In such a case, we would complete our counting of fifty days after Pesach, to celebrate Shavuos on the fifth of Sivan (see Rosh Hashana 6b).

**Shavuos has no set date:** Some Poskim accept this conclusion and explain that indeed, Shavuos has no set date. Whereas other Yomim Tovim were established on the first or the fifteenth of the month, Shavuos was set as fifty days after Pesach, regardless of whether that occurs on the fifth or the sixth of the month.

However, the Magen Avraham presents a further problem with this conclusion. He cites proofs from the Gemara that Bnei Yisroel left Egypt on a Thursday, and received the Torah on Shabbos. A simple calculation of four weeks plus three days brings us to the conclusion that the Torah was given on the fifty-first day after Pesach. Accordingly, the Rama of Panno held that the second day of Shavuos celebrated outside of Eretz Yisrael is in fact the correct date of Kabbalas HaTorah. However, many Acharonim reject this conclusion, and the implication that in Eretz Yisrael, the correct date of Kabbalas HaTorah is not celebrated at all (see Chok Yaakov).

The Oneg Yom Tov (42) offers a different explanation to the Magen Avraham’s calculation. After leaving Egypt,

Bnei Yisroel required fifty days to purify themselves until they were spiritually prepared to receive the Torah. During that period, they ascended from the forty ninth gate of impurity up to the forty ninth gate of holiness. On that first year, they required an extra day of purification, since they did not leave Egypt at the beginning of the first night of Pesach, but rather in the morning. Therefore, the counting could not begin until the following day. Thus Kabbalas HaTorah occurred on the fifty-first day. Today, we begin counting from the first day of Pesach, and celebrate Shavuos fifty days later.

**Changing the wording of davening:** The Rivash (Teshuvos 96; Chok Yaakov 494:1; Tzlach, Pesachim ibid) suggests that when the new month was declared based on the sighting of the moon, they did not mention the words, “the time in which we received the Torah” in davening, since Shavuos did not always fall out on the sixth of Sivan. Only after the Amora, Hillel, established the lunar calendar and Shavuos was fixed to occur only on the sixth, were these words added to our davening.

In conclusion, we cite the Tzlach (Pesachim, ibid) who holds that the fifth, sixth and seventh of Sivan can all be correctly referred to as “the time in which we received the Torah.” On the fifth, Bnei Yisroel declared, “*Naaseh v’nishma* - We will do and we will listen.” On the sixth, Hashem intended to give the Torah. On the seventh, He actually gave us the Torah, after Moshe Rabbeinu added an extra day of preparation of his own volition.

#### DAILY MASHAL

##### *Rejoice with trepidation*

The Gemara explains the verse that states *and rejoice with trepidation* to mean that in the place of rejoicing i.e. receiving the Torah, there should be trepidation.

What does this mean? How can one rejoice with trepidation?

The *Kedushas Levi* in Parashas Breishis writes that this is analogous to a king who reveals all his treasures to his beloved servant. The initial reaction of the servant is one of joy, as he is overwhelmed by the vast wealth of the king. This feeling is followed by trepidation, because the servant wonders to himself how it is even possible to serve such a great king, and certainly if he has violated the king’s commandments.

The same is true, writes the *Kedushas Levi*, regarding our perspective of HaShem. When a person is aware that all of the celestial beings praise HaShem with fear and awe, he feels a great sense of joy that he can serve the Almighty G-d. When he contemplates the greatness of HaShem, however, he will be seized with awe and trepidation, knowing that he will be speaking and sitting before HaShem. This feeling will cause him to speak and pray before HaShem with awe and shame.

#### GLOSSARY

1. **Ketores** Incense which was a mixture of spices that was burned on the Inner Altar every morning and every evening
2. **Mei chatas** Springwater that was consecrated by the addition of ashes of a Parah Adumah
3. **Miluim** Inauguration of Aharon and his sons into the priesthood
4. **Parah Adumah** Red heifer whose ashes were mixed with water and was sprinkled on one who contracted corpse tumah