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Yoma Daf 18

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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MISHNAH: Sages from the court would be provided for the Kohen Gadol, who read before him (from the Torah) the order of the day. They would say to him, “My master, Kohen Gadol, read with your own mouth, for perhaps you forgot them (the halachos), or never even learned them. On Erev Yom Kippur they would stand him at the Eastern Gate (of the Courtyard), and pass before him the oxen, rams and sheep in order that he should recognize them and be familiar with the sacrifices of Yom Kippur. While he was sequestered (the seven days beforehand), they did not withhold from him any food or drink. Toward nightfall on Erev Yom Kippur, they would not let the Kohen Gadol eat much, for excessive eating causes a person to fall asleep. (18a2)

The Mishna had stated that the Sages would tell the Kohen Gadol to read with his own mouth the order of the Yom Kippur service in case he forgot or if he never learned it. The Gemora asks: It is understandable that he forgot, but how is it possible that the Kohen Gadol was appointed if he never even learned the laws? But it was taught in a Baraisa: *And the Kohen that is highest among his brethren*, that means he should be highest among his brethren in strength, in beauty, in wisdom, and in wealth. Others say: From where do we know that if he does not possess [any wealth], his brethren, the Kohanim, exalt him? To teach us that it says: ‘And the Kohen who is great by reason of his brethren’, i.e., exalt him from what his brethren have? Rav Yosef answers that there is no difficulty, as here (in the Baraisa), we are referring to the times of the first Temple, and here (in the Mishnah), we are referring to the times of the second Temple.¹ This is

¹ In the time of the second Temple, bribes were offered to the king to secure the position of Kohen Gadol. Therefore these people were not necessarily learned.

proven from that which Rav Assi said: Marta the daughter of Baitos gave golden dinarim to King Yannai in order that Yehoshua ben Gamla should be appointed the *Kohen Gadol* (although he wasn’t the most deserving from all the Kohanim). (18a3)

The Mishna had stated that on the morning of Erev Yom Kippur etc. The Gemora cites a *braisa* which states that he-goats as well would be passed before the Kohen Gadol. The Gemora asks: Why did the Tanna of our Mishna omit them? The Gemora answers: If the Kohen Gadol were to see goats on Erev Yom Kippur it would remind him of the sins of Israel and this would cause him much distress. The Gemora asks: Wouldn’t this apply to the bull as well, for it too was offered to provide atonement? The Gemora answers: Since the bull was brought to atone for the Kohen Gadol’s sins and for the sins of the Kohanim his brothers, he would be well aware of anything that might need to be corrected and would encourage them to repent. [Knowing that they repented, the Kohen Gadol was not distressed when he remembered their sins.] He would not be able to know, however, who amongst all of Israel committed a sin. Ravina said: This explains that which people say, “If your sister’s son is a policeman, make sure that you do not pass before him in the street” (for he knows you well, and can easily find an excuse to confiscate your money and give it to the government). (18a3)

The Mishna had stated that the entire seven-day period (of his sequester), they did not withhold etc. The Gemora cites a *braisa*: Rabbi Yehudah ben Nekosa said: They (on the

morning of Erev Yom Kippur) fed him (food) of fine flour and eggs in order to produce (quick) elimination (so he would not need to relieve himself on Yom Kippur). They answered him: If you do this, you will induce more excitement (which can cause a seminal emission; this will render him *tamei* and disqualify him from performing the Yom Kippur services).

The *Gemora* cites a *braisa*: Sumchus said in the name of Rabbi Meir: One does not feed him (the Kohen Gadol) either A'B'Y, and some say, neither A'B'V'Y, and some say that he is not fed white wine as well.

The *Gemora* explains (the mnemonics): Neither A'B'Y, i.e., neither Esrog (citron), nor Beitzim (eggs), nor Yayin yashan (aged wine). And, according to others, no A'B'V'Y, i.e., neither Esrog, nor Beitzim, nor Bassar shamein (fatty meat), nor Yayin yashan. And some say that he is not fed white wine as well, for it brings about contamination to a person (through a seminal emission). (18a3 – 18a4)

The *Gemora* cites a *braisa*: To one who is a zav (*a man who has an emission similar but not identical to a seminal discharge*), one attributes food or too any kinds of food as the cause of a discharge. [That benefit of the doubt will have this advantage for him: If it were an ordinary discharge, he would be required to count seven days from the day it happened before he would be pure again, but now he can continue his original count.] Elozar ban Pinchas said in the name of Rabbi Yehudah ben Beseirah: One does not feed him either Ch'G'V'Y or G'V'M, or anything which brings about contamination to a person.

The *Gemora* explains (the mnemonics): Neither Ch'G'V'Y, i.e., neither Chalav (milk), nor Gevinah (cheese), nor Beitzah (egg), nor Yayin (wine): nor G'V'M, i.e., neither mei Grisen shel pul (juice of pounded beans), nor Bassar shamein,, nor Muryas (fish fats). 'Nor anything which brings about contamination to a person' is meant to include that which our Rabbis taught in a *braisa*: Five things brings about contamination to a person, and they are as follows: garlic, cress, purslane, eggs, and rocket. (18a4 – 18b1)

It is written: *And one went out into the field to gather oros* [herbs]. A Tanna taught in the name of Rabbi Meir: That refers to garden-rocket. Rabbi Yochanan said: Why are they called 'oros'? It is because they enlighten the eyes.

Rav Huna said: If one finds a garden-rocket he should eat it - if he is able, and if not, he should pass it over his eyes.

Rav Pappa said: That refers to rocket growing on the boundary of a field.

Rav Giddal said in the name of Rav: A guest should not eat eggs (for it can cause a seminal emission), nor should he sleep in the garment of his host (for the host will notice the stain from the emission). (18b1)

Rav, when he would arrive in the city of Dardeshir, he would announce, "Who wants to marry me for one day?" (*This was done in order to protect him from sinning.*) Rav Nachman, when he would arrive in the city of Shechantziv, he would announce, "Who wants to marry me for one day?" The *Gemora* asks: But it was taught in a *braisa*: Rabbi Eliezer ben Yaakov ruled that one should not marry a woman in one place and marry another somewhere else. This might result in the children from these two marriages to encounter one another, and a brother could end up marrying a sister (*since they are unaware that they are related*), and the entire world will be filled with illegitimacy! The *Gemora* answers: The Rabbis are different because their names are famous (*and the children will know who their father was*).

The *Gemora* asks: But didn't Rava say: If one proposed to marry a woman and she has consented, she is required to wait seven clean days prior to the consummation of the marriage? The *Gemora* answers: The Rabbis informed them before by sending their emissaries seven days prior to their arrival. Alternatively, you can answer that they would only seclude themselves with the women. This protected them from sin because of the saying, "You cannot compare one



who has bread in his basket with one who doesn't have bread in his basket." (18b1)

INSIGHTS TO THE DAF PILEGESH

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Rabbi Yaakov Emden in Shailos Ya'avetz (2:15) cites this Gemora as support for his opinion that it is permitted for a man to have a *pilegesh* (*a woman designated for this man, but without a kesuvah or kiddushin*).

The Rambam in Hilchos Melochim (4:4) and in Hilchos Isus (1:4) rules that only a king is permitted to have a *pilegesh*, but a common person would be prohibited from taking a *pilegesh*. In Sefer HaMitzvos (213), he writes that every man is commanded to marry a woman with a *kesuvah* and *kiddushin*, and one is forbidden from cohabitating with a woman without a *kesuvah* and *kiddushin*.

The Rashba in a teshuva (4:314) and Rabbeinu Yonah in Shaarei Teshuva (3: 94,95) concur with the Rambam that a *pilegesh* is Biblically forbidden on account of the passuk: *lo sihye kedeisha*.

The Ra'avad, Ramban and the Ran disagree and maintain that it is permitted to take a *pilegesh*. They cite proof from Calev and Gideon and many others throughout Tanach, who had *pilagshim*.

The Peri Chadash says that the Rambam would concede that a *pilegesh* is indeed permitted if his intent is to designate her to be exclusively for him.

Reb Yaakov Emden concludes his teshuva that although he holds that one is permitted to take a *pilegesh*, one should only do so if it is endorsed by other scholars of his generation and they should arrange the relationship that it should be done in a manner which is permissible. He then lists the guidelines and restrictions regarding this relationship. (*The teshuva goes on to say how having a pilegesh will rectify many social problems. It is quoted in the name of Reb Chaim Brisker that this is an example of a novol b'rshus haftorah, one who is vile, but nevertheless, it is within the confines of halacha.*)

The Rema rules that it is forbidden to take a *pilegesh* nowadays.

Being alone with one's wife while she's a Niddah

The Gemora says that Rav and Rav Nachman used to marry women for one day. According to Rashi's understanding of



the Gemora's conclusion, they wouldn't have relations with these women since these women's excitement might cause them to bleed. They merely would be alone with them.

Tosfos asks, how could Rav and Rav Nachman have been alone with these women? We learn in Kesubos 4 that if one's wife becomes a niddah before they have an opportunity to be alone with her, he may not be alone with her. Tosfos answers the prohibition only applies to a man who was not married before. If, however, one was married before, he may be alone with his current wife. Since these Rabbis were married to another woman there was no prohibition.

The Ri understands the Gemora differently. According to the Ri, Rav and Rav Nachman would tell the women that they were not planning to have relations only to be alone with them. Therefore, the woman would not become excited and not be suspected of becoming a niddah. If they wound up having relations with the Rabbis it would be ok since they never became a niddah.

Rav Eliashiv brings this Gemora as a proof for the opinion of the Taz. The Taz says that if one asks a woman to get married and immediately marries her and has relations there is no need to wait seven clean days. Since everything happened immediately, there is no time for the excitement to cause bleeding. This is how the Taz explains how Ruth was permitted to Boaz right away. Tosafos seems to be saying a similar idea. Since the woman did not realize they were going to have relations there was no suspicion she was a niddah.

DAILY MASHAL

Getting Married Late

Ben Yohoyada (Yoma 18b): When Rav visited the town of Darshis he would announce: Who wants to be my wife for a day? G-d forbid to have doubts about these great scholars of Israel to say that they have such tremendous lust for intercourse. G-d forbid to think that they are not able to live without a woman for a few days – something that even the

crudest person is able to tolerate – and surely such holy people as these who sanctify themselves from excesses. Furthermore if it were true that these men had such uncontrollable desires – G-d forbid – why weren't they concerned about their own reputations and especially since they even announced it? Who would do such a public announcement? Furthermore what is the reason that this was written in the Talmud? It can't be to debase these scholars G-d forbid! If it were to learn the halacha – there was no need to mention their names. Please pay careful attention to the explanation that justifies their actions. That is there are times when there is a bad practice in various places that the men do not get married until after they are 30 or 40 years old. This practice is found today in Kurdistan and also in places in Europe. In the time of Rav and R' Nachman this was the practice of Darshis and Shekuntziv. Therefore when these rabbis went to these places they would rebuke the people not to wait later than 20 to get married. But since this problem was well established in these places and many of the ignorant masses erred in these matters – the rabbis made announcements concerning themselves in order to draw attention to this in the most dramatic way. When the masses saw that the rabbis viewed marriage so important even for a few days it became apparent that this was surely true of themselves. They said that if these rabbis who are involved in Torah study day and night and they are holy people and they are also married – nevertheless they are concerned with seminal emissions and thus don't want to remain without a woman even a short time then surely we who are unmarried with much stronger lusts – it is best we get married and not delay anymore to remain without a wife because of the issue of wasted seed....