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Yoma Daf 37

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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: And they respond after him. The *Gemora* cites a *Baraisa*: Rebbe said: *For I will proclaim the Name of Hashem; ascribe greatness to our God.* Moshe said to Israel: When I mention the name of the Holy One, Blessed be He, you shall ascribe greatness to Him. Chananyah, the son of the brother of Rabbi Yehoshua said: *The mention of the righteous shall be for a blessing.* The prophet said to Israel: When I make reference to the Righteous One of all the Worlds, you shall say a blessing! (37a1 – 37a2)

MISHNAH: He then went back to the east of the Courtyard, to the North of the Altar, the deputy *Kohen Gadol* at his right and the head of the family (of Kohanim) at his left. There were two he-goats and a chest containing two lots. They were of boxwood. Ben Gamla made them of gold and therefore he was praised. Ben Katin made twelve spouts for the *Kiyor*, for there had been before but two. He also made a machine for the *Kiyor*, in order that its water should not become disqualified by remaining overnight. King Munbaz had all the handles of all the vessels used on Yom Kippur made of gold. His mother, Helene, had a golden candelabrum made over the door of the *Heichal*. She also had the portion of *sotah* written on a golden tablet. Nikanor experienced miracles with his gates and their names were all praised. (37a2 – 37a3)

The *Gemora* notes: Since the *Mishnah* reads ‘to the North of the Altar,’ one may infer from there that the Altar was not standing in the north (of the Courtyard). Whose opinion represents our *Mishnah*? It is the opinion of Rabbi Eliezer ben Yaakov, for it was taught in a *Baraisa*: ‘Northward before Hashem’ – this means that the northern half must be cleared of everything, including the Altar.

The *Gemora* asks: But the first part of the *Mishnah* is in accordance with Rabbi Elozar the son of Rabbi Shimon (who maintains that part of the Altar was situated in the northern part of the Courtyard)?

The *Gemora* answers: The entire *Mishnah* is in accordance with Rabbi Eliezer ben Yaakov, but read there (in the earlier *Mishnah*): (the bull was situated) in the space between the Antechamber and the Altar. (37a3 – 37a4)

The *Mishnah* had stated: the deputy *Kohen Gadol* at his right and the head of the family (of Kohanim) at his left.

Rav Yehudah said: Whoever walks at the right side of his teacher is a *boor* (*uncultured; doesn’t possess proper manners*). The *Gemora* asks from our *Mishnah*: the deputy *Kohen Gadol* at his right and the head of the family (of Kohanim) at his left. And furthermore, it was taught in a *Baraisa*: When there are three walking along the road, the teacher should walk in the middle, the greater of his disciples should be to his right, the smaller one at his left, and so do we find that of the three angels who came to visit Avraham, Michael went in the middle, Gavriel was at his right, and Raphael was at his left? [Rav Yehudah’s statement is bewildering!?!]

Rav Shmuel bar Pappa interpreted (the *Baraisa*) before Rav Adda: The teacher shall be covered by him (when they are walking behind their teacher). The *Gemora* asks: But has it not been taught in a *Baraisa*: One who walks next to his teacher is a boor, one who walks behind him is arrogant?

The *Gemora* answers: It is assumed here (in the *Baraisa*) that he is somewhat to the side of his teacher. (37a4)

The *Mishnah* had stated: and a chest was there containing two lots. The *Gemora* cites a *Baraisa*: *And Aaron shall cast lots upon the two goats* - 'lots', i.e., made of any material. One might have thought that he should cast two lots on the head of each, therefore the Torah states: One lot for Hashem and the other lot for Azazel, i.e., there is but one lot 'for Hashem,' and there is but one lot 'for Azazel.' One might have thought that he shall give upon the head of each a lot each 'for Hashem' and 'for Azazel' (and it would be the Kohen's choice as to which one will go to Hashem, and which one goes to Azazel); therefore the Torah says: One lot for Hashem, i.e., there is but one lot 'for Hashem' and but one lot 'for Azazel.' Why then does the Torah say: 'lots'? That means to say that they must be alike: he must not make one of gold and the other of silver, one large, the other small.

The *Gemora* asks: 'lots' - they may be made of any material. But that is obvious (for why would we think differently)? The *Gemora* answers: No, it is necessary to state that, as it was taught in a *Baraisa*: Since we find that the *Kohen Gadol's* tzitz (head plate) had the name of Hashem inscribed upon it, and was made of gold, I might have assumed that this too must be made of gold, therefore it says (twice) 'lot,' 'lot,' to include olive wood, nutwood or boxwood. (37a4 – 37a5)

The *Mishnah* had stated: Ben Katin made twelve spouts for the *Kiyor*. The *Gemora* cites a *Baraisa*: This was done, so that his twelve brethren, the *Kohanim*, who are involved with the tamid offering, may simultaneously wash their hands and feet.

The *Gemora* cites a *Baraisa*: In the morning, when the *Kiyor* was full, he sanctified his hands and feet from the upper spout; in the evening, when the water was low, he sanctified his hands and feet from the lower spout. (37a5)

The *Mishnah* had stated: He also made a machine for the *Kiyor*. What is this machine? Abaye explained this: A wheel which let it go down (to the pool of water underground). (37a5 – 37a6)

The *Mishnah* had stated: King Munbaz had all the handles of all the vessels used on Yom Kippur made of gold.

The *Gemora* asks: He should have made the vessels themselves of gold?

Abaye said: The reference here is made to the handles of the knives (where the knives themselves could not have been made of gold).

The *Gemora* objects from the following *Baraisa*: He also made of gold the base of the vessels, the grips of the vessels, the handles of the vessels and the handles of the knives used on Yom Kippur?

Abaye explained: These are referring to the of axes and adzes. (37a6 – 37b1)

The *Mishnah* had stated: His mother, Helene, had a golden candelabrum made over the door of the *Heichal*. The *Gemora* cites a *Baraisa*: When the sun began to shine (in the morning), sparkling rays proceeded from it, and all knew then that the time had arrived for the recital of the Shema.

An objection was raised from a *Baraisa*: One who reads the Shema in the morning together with the men of the Mishmar (of Kohanim) or the men of the Ma'amad (the ordinary Jews who represented the nation by the offering of the communal sacrifices) has not fulfilled his duty, because the men of the Mishmar recited it early and the men of the Ma'amad read it too late.

Abaye said: It (the rays) was for the rest of the people of Jerusalem. (37b1)

The *Mishnah* had stated: She also had the portion of *sotah* written on a golden tablet. The *Gemora* asks: Do you not conclude from this that one may write a portion (of the Torah) for a child in order that he should learn from it?

Rish Lakish answered in the name of Rabbi Yannai: It was written in an abbreviated fashion. [They only wrote the first letter of each word.]

The *Gemora* asks from a *Baraisa*: When he writes (*the megilas sotah*), he would look at the tablet and write what was there (*on the megilas sotah, implying that the tablet was not abbreviated*).

The *Gemora* answers: It means that he would understand what to write based on the abbreviations that appeared in the tablet.

The *Gemora* asks from a different *Baraisa*: When he would write, he would look at the tablet and write what was written in the tablet. What was written there? "*If he slept...if he didn't sleep.*" [This implies that whole verses were written there.]

The *Gemora* answers: It was written with interruptions (*meaning that while the verse started with whole words, the rest of it was abbreviated*). (37b1 – 38a1)

### INSIGHT TO THE DAF

#### **Shlomo's Pool**

The *Gemora* tells us that a pulley system was made in order to lower the כִּיּוֹר every night underneath the ground, so that the water should not become פְּסוּל by remaining overnight.

Tosfos Yeshonim (printed on 38a) comments that they would lower it into the pool that Shlomo Hamelech built and he concludes that he is not sure if the pool was still in existence in the times of the second Beis Hamikdash.

Reb Yaakov Emden asks on him that there is an explicit passuk at the end of Melachim that this was taken away by the Kasdiyim and it is not mentioned in Mishnahyos Middos or Tamid which discusses the halachos pertaining to the second Beis Hamikdash?

The Rambam in טו ה הלכה פרק ה המקדש ביאת discusses the halachic status of this pool and the מעשי למלך wonders why the Rambam makes mention of it since it wasn't there in Bayis Sheini and therefore not relevant.

#### **Shema before Sunrise**

Rabbeinu Tam holds that the correct time to recite Krias Shema is after sunrise and the וותיקין - the meticulous ones would recite it before sunrise incorrectly because they wanted to juxtapose geulah (the brochos after shema) with Tefillah, which they said immediately after sunrise.

From Tosfos, it is not clear if they fulfilled the mitzvah of krias shema in that time (בדיעבד), or would they have to recite krias shema afterwards.

The משכנות יעקב says that they were יוצא. Rashi in Brochos does hold this way that one could fulfill his obligation of connecting geulah with Tefillah even though he did not fulfill the mitzvah of krias shema. (See שמועת היים for further discussion.)

#### **What was Written on the Lots?**

The *Gemora* states that the lots could be made from any material. One might have thought that it would be required to be from gold. Just like the צִיץ (headband) of the kohen gadol said la'Hashem on it and it was made from gold, so too the lots, which one of them said la'Hashem on it, should be made from gold. The *Gemora* brings a passuk to show why we don't make this comparison.

The Sfas Emes asks: how did the *Gemora* know that the word Hashem was actually on one of the lots? Would it not have been sufficient to write some sort of hint on one of the lots that this was for Hashem and not the azazel?

#### **Lots of Four or Two**

The *Gemora* needs a passuk to learn out that there was one lot placed on each of the two goats which were used as korbanos on Yom Kippur. We would have thought (from a different passuk) that there would be two lots on each.



How would the raffle work with four lots for two goats? Would two be blank? Would two say for Hashem and two for the azazel? What would happen if the kohen picked out one of each for each goat? (Look in שיח יצחק and אסיפת זקנים)

### ***Changing the Kiyor***

The vessels in the Mishkan had an exact measurement explicitly delineated in the Torah such as the Mizbeach, Shulchan and Menorah. These keilim could not be changed ever. What about the other ones such as the kiyor? Did they have to be made in the same way they were made in the times of Moshe?

Rashi in Chumash says that they must, and the Ramban there disagrees and holds that they could be made in any way they wanted and he proves it from the Mizbeach Hanechoshes that was built to a much larger size in the times of Shlomo Hamelech. Look in the Mikdash Dovid (2) where this issue is discussed.

Our Mishnah states that Ben Katin changed the amount of spouts that were on the כִּיּוֹר. Originally there were just two and he instituted that there should be twelve. How would Rashi explain the permissibility of this? Is that not considered a change?

### **DAILY MASHAL**

#### ***A War of Reason***

The Gemara tells us that a person who walks on the right side of his Rebbe is an ignoramus, since it is not proper manners to do so.

The Chassan Sofer added that on a figurative level, this applies to a person who stands by his Rebbe's right side, to support and agree with everything his Rebbe says. In issues of practical guidance one must have faith in his Rebbe's wisdom. However, in Torah study one must question what his Rebbe teaches him, and analyze it critically to ensure that

the arguments presented are valid. This is the correct path in Torah study, by which the truth emerges, and the Torah is glorified.

In his youth, R' Ovadiah Yosef once delivered a shiur on the halachos of separating challa. During the shiur, he argued against a halachic ruling made by the Ben Ish Chai, bringing several weighty proofs to his argument. An uproar then ensued, in which many of the learned people of his audience asked how he dared to argue against the Ben Ish Chai. "Surely any argument you might develop was already considered and rejected by the Ben Ish Chai, who was far more learned than you. Although we might not be able to answer your arguments, he certainly could have."

R' Ovadia answered by citing a Terumas HaDeshen that a student has every right to argue against his Rebbe, if he brings sufficient proofs to his position. In the Gemara itself we find on numerous occasions that Rava would argue against his mentor Rabbah. So too in the Rishonim, the Rosh often argued against his rebbe the Maharam. Rashi's grandchildren, the Baalei HaTosefos, argued against him on almost every page of Shas. Hashem gave each person his own insight into the Torah, and we are not meant to blindly accept the interpretations of our teachers, without first waging a war of reason.

The Vilna Gaon instructed his student, R' Chaim of Volozhin, not to accept his teachings without first battling out the arguments for and against them. (Yechaveh Daas 4:55; Yabia Omer1, introduction).