

9 Sivan 5781
May 20, 2021



Yoma Daf 39

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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 school of Rabbi Yishmael taught: Sin impedes the heart of man, as it is said: *Neither shall you make yourselves contaminated with them, that you should become contaminated thereby.* Read not *venitmeisem* [that you should become contaminated], but rather, *venitamtem* [that you should become impeded].

The Gemora cites a *braisa*: *Neither shall you make yourselves contaminated with them, that you should become contaminated thereby.* If a man contaminates himself a little, he becomes contaminated even more. If he contaminates himself below, he becomes contaminated from above; if he contaminates himself in this world, he becomes contaminated in the World to Come.

The Gemora cites a *braisa*: *Sanctify yourselves, and you shall become holy*: If a man sanctifies himself a little, he becomes sanctified even more. If he sanctifies himself below, he becomes sanctified from above; if he sanctifies himself in this world, he becomes sanctified in the World to Come. (39a1)

**WE SHALL RETURN TO YOU,
AMAR LAHEM HAMEMUNEH**

MISHNAH: the Kohen Gadol would snatch two lots from the box in which they were placed. One of the lots was designated for Hashem and would determine which goat would be brought as a sacrifice. The other lot was designated for *azazel* and determined which goat would be led to the

wilderness as an atonement for the sins of Israel. The deputy Kohen Gadol stood at his right hand, and the head of the family stood at his left. If the lot inscribed with ‘Hashem’ came up in his right hand, the deputy Kohen Gadol would say to him: My master, Kohen Gadol, raise your right hand! And if the lot with the inscription ‘Hashem’ came up in his left hand, the head of the family would say: My master, Kohen Gadol, raise your left hand! Then he placed them on the two he-goats, and said: For Hashem, a chatas Rabbi Yishmael said: He did not need to say: a chatas, but rather ‘for Hashem.’ And they answered after him: *Blessed be the Name of his glorious kingdom for all eternity.* (39a2)

The Gemora asks why the Kohen Gadol had to snatch the lots. The Gemora answers the Kohen Gadol had to quickly grab the lots in order not to give the impression that he was trying to manipulate the lottery.¹ (39a2)

Rava said: The box in which the lots were placed were made from wood, and it was unconsecrated, and it did not have room in it except for two hands.²

Ravina demurred to this: It is quite right that it could contain no more than his two hands, i.e., to prevent his taking one intentionally [through manipulation] but why should it be unconsecrated? Let it be sanctified? — That would result in our having a ministering vessel of wood, and we do not make ministering vessels of wood. Why not make the box out of silver or gold? The Gemora answers that the Torah was concerned for the money of Israel.³ (39a2 – 39a3)

¹ Since the lot for Hashem coming up in the right hand was a good sign for the Jews, it might look as if the Kohen Gadol was trying to achieve that result. He, therefore, took the lots in a way which made it clear that the result was not predetermined.

² In addition to the two lots.

³ Making the box out of precious metal would be an unnecessary expense, which the Jewish people would have to burden. Since the box was made of plain wood it must not be consecrated, for

Our Mishnah is not in accordance with the following Tanna, for it was taught: Rabbi Yehudah said in the name of Rabbi Eliezer: The deputy Kohen Gadol and the Kohen Gadol put their hand into the box. If the lot [‘For Hashem’] comes up in the hand of the Kohen Gadol, the deputy Kohen Gadol said to him: Master Kohen Gadol, raise thy hand! And if it came up in the right hand of the deputy Kohen Gadol, the head of the [ministering] family says to him: Say your word! -Let the deputy Kohen Gadol address him? — Since it did not come up in his hand, he might feel discouraged. In what [principle] do they differ? — One holds, the right hand of the deputy Kohen Gadol is better than the left hand of the Kohen Gadol, the other holding, they are of even importance. Who is the Tanna disputing Rabbi Yehudah? — It is Rabbi Chanina, deputy Kohen Gadol. For it was taught: Rabbi Chanina, deputy Kohen Gadol, says: Why does the deputy Kohen Gadol stand at the right? In order that if an invalidating accident should happen to the Kohen Gadol, the deputy Kohen Gadol may enter [the Sanctuary] and officiate in his stead. (39a3 – 39a4)

The Gemora cites a braisa: For 40 years while *Shimon Hatzadik* was the Kohen Gadol [there were numerous miracles in the Temple; afterwards these miracles ceased]. The lot for Hashem always came up in the right hand. Afterwards, sometimes it came up in his right hand and sometimes it came up in his left hand. There was a piece of red wool which was tied to the horns of the goat which was sent to the wilderness and this wool would turn white when the atonement was complete.⁴ Afterwards, sometimes it would turn white and sometimes it would not turn white. The western candle of the Menorah always outlasted the others. Afterwards, sometimes it would remain lit and sometimes it would not remain lit. The fire of the *mizbeyach* (Altar) would burn continuously without the necessity for the Kohanim to bring more wood, besides the two logs, in order to fulfill the mitzvah of placing the wood upon the pyre. Afterwards,

it is not considered dignified to make consecrated vessel out of wood.

⁴ There was a red ribbon that was tied to the head of the he-goat sent to Azazel on Yom Kippur. It would turn white if the

sometimes it would burn strong and sometimes it would not burn strong, so that the Kohanim could not do without bringing throughout the day wood for the pyre [on the altar]. [During the whole period] a blessing was bestowed upon the omer, the two breads, and the panim bread, so that every Kohen, who obtained a piece as big as an olive, ate it and became satisfied with some eating of it and even leaving something over. From that time on a curse was sent upon omer, two breads, and panim bread, so that every Kohen received a piece as small as a bean: the discreet ones withdrew their hands from it,⁵ while the gluttons snatched and devoured it. Once one [of the latter] grabbed his portion as well as that of his fellow, and they would call him ‘ben chamtzan’ [grasper] until his dying day. Rabbah bar Rav Shila said: What Scriptural basis [is there for this appellation]? — My God, deliver me out of the hand of the wicked, out of the palm of the unrighteous and chometz [robber]. Rava said, From here [is the basis obtained]: Learn to do well, seek justice, provide support to chamotz [those robbed]; i.e., provide support to those robbed, but do not provide support to the robber. (39a4 – 39b1)

It was taught in a *braisa*: In the year in which Shimon the Righteous died, he told them that he would die. They said to him, “How do you know this?” He replied, “Every *Yom Kippur* there appeared to me an old man, dressed in white and wrapped in white, who entered with me into the Holy of Holies and left with me; but this year, there appeared to me an old man, dressed in black and wrapped in black, who entered with me but did not leave with me.” After the Festival (*of Sukkos*) he was ill for seven days and then died. From then on, his brethren the *Kohanim* refrained to pronounce the Name in the Priestly blessing (*they would not use the Ineffable Name*). (39b1)

The Gemora cites a braisa: During the last forty years before the destruction of the Temple, the lot (for Hashem) did not

people's sins had been cleansed. If it turned white, they were happy; if not, they felt distressed.

⁵ For eating a portion the size of a bean would not be regarded as a mitzvah.



come up in the right hand; nor did the crimson-colored string become white; nor did the westernmost light (of the Temple Menorah) shine; and the doors of the Heichal would open by themselves, until Rabbi Yochanan ben Zakkai rebuked them, saying: Heichal, Heichal, why do you terrify yourself? I know about you that you will be destroyed, for Zechariah ben Iddo has already prophesied concerning you: Open your doors, O Lebanon, that the fire may devour your cedars.

Rabbi Yitzchak ben Tavlai said: Why is the Temple referred to as Lebanon? For it whitens the sins of Israel.

Rav Zutra bar Toviah said: Why is it called 'Forest', as it is written: The house of the forest of Lebanon? To tell you that just as a forest produces sprouts, so does the Temple. For Rav Hoshaya said: When Solomon built the Holy Temple, he planted in it all sorts of precious golden trees, which brought forth fruit in their season. When the wind blew against them, their fruits would fall down, as it is said: May his fruit rustle like Lebanon. They were a source of income for the Kehunah. But as soon as the idolaters entered the Heichal, they dried up, as it is said: And the flower of Lebanon is devastated. And the Holy One, Blessed be He, will restore it to us, as it is said: It shall blossom abundantly, and rejoice, even with joy and singing, the glory of Lebanon shall be given to it. (39b1 – 39b2)

The Mishnah had stated: He then puts the lots upon the he-goats. The Gemora cites a braisa: There are ten times that the Kohen Gadol mentioned the Name on Yom Kippur: three by the first confession, three by the second confession, three by the confession over the he-goat sent to Azazel, and one by the lots. And it already happened that when he said the Name, his voice was heard in Yericho.

Rabbah bar Bar Chanah said: From Jerusalem to Yericho it is a distance of ten parsasos. The turning hinges of the Temple doors were heard throughout eight Shabbos limits. The goats in Yericho used to sneeze because of the fragrance of the incense. The women in Yericho did not have to perfume themselves, because of the fragrance of the incense. The

bride in Jerusalem did not have to perfume herself because of the fragrance of the incense. Rabbi Yosi ben Diglai said: My father had goats on the mountains of Michvar and they used to sneeze because of the fragrance of the incense. Rabbi Chiya bar Avin said in the name of Rabbi Yehoshua ben Karchah: An old man told me: Once I walked towards Shiloh and I could smell the fragrance of the incense [coming] from its walls. (39b2 – 39b3)

[Everyone is in agreement that the placing of the lots on their respective goats is only a *mitzvah*, but not essential to the Yom Kippur service. There is a disagreement between *Rabbi Yannai* and *Rabbi Yochanan* as to whether the drawing of the lots is essential for the service.] Rabbi Yannai says that the drawing of the lots is essential for the service and Rabbi Yochanan is of the opinion that it is not.

[There is a question as to whether *Rabbi Yannai* and *Rabbi Yochanan* are arguing within the opinion of Rabbi Yehudah or Rabbi Nechemiah. Rabbi Yehudah and Rabbi Nechemiah argue as to which services are essential on Yom Kippur. According to Rabbi Nechemiah, all service which the Kohen Gadol does while wearing the special white garments is essential. According to Rabbi Yehudah only service done in the *Kodesh Hakodashim* (Holy of Holies) is essential.] According to Rabbi Yehudah who said that services which the Kohen Gadol does while wearing the special white garments outside [the Holy of Holies] is not essential, all agree that the drawing of lots is not essential. They argue within Rabbi Nechemiah. Rabbi Yannai is of the opinion that drawing lots are like any other service which is done in white garments and is essential according to Rabbi Nechemiah. Rav Yochanan holds that drawing lots is not a real service like the actual sacrifices, and therefore, even Rabbi Nechemiah would agree that it is not essential.

There are those who say that according to Rabbi Nechemiah who says that these services are essential, everyone agrees that the drawing of lots are essential; they argue only within Rabbi Yehudah. Rabbi Yochanan holds that this is like all services done in the Temple courtyard, and according to

Rabbi Yehudah it would not be essential. Rabbi Yannai holds that drawing lots is different from other services. Since it is repeated twice in the Torah, “which came up,” “which came up,” it is an indication that it is essential.

An objection: was raised ‘It is a command to cast the lots but if he has failed to do so, [the service] is, nevertheless, valid. Now that will be quite right according to the [first] version that everyone agrees within Rabbi Yehudah's view it is not essential, so that this [teaching] is in accordance with Rabbi Yehudah. But according to the [second] version that they are arguing within Rabbi Yehudah's view, it would again be quite right according to the one who holds it is not essential, for then [the authority for this teaching] would be Rabbi Yehudah; but according to the one who considers it essential [the question is asked]: Who [will be the authority] for this [teaching]? Read: It is a command to place [the lots on the he-goat's head]. (39b3 – 40a1)

INSIGHT TO THE DAF ***Yerushalayim – Yericho***

The Raavad in Tamid (34b) discusses the different sounds from the Beis Hamikdash that were heard in Yericho. In one explanation, he comments that it was only heard there for on the way to Yericho from Yerushalayim, there were no mountains and there wasn't anything that would prevent the sound from travelling or perhaps because Yericho was situated on a high ground. However, these sounds would not be heard from Yerushalayim to other directions. Then he brings from his Rebbe Hachasid that the sounds being heard in Yericho were a miracle and only there it was heard and nowhere else. He explains that Yericho was similar to Yerushalayim for it was the initial city that was captured in Eretz Yisroel. He compares Yericho to the taking of terumah from grain, so too Yericho was chosen to be the terumah of Eretz Yisroel and that is why Yehoshua made it kodosh. It was for this reason that the sounds from the Beis Hamikdash were heard there, so the people should realize that there is kedusha in Yericho just like Yerushalayim. Look there as to the reason why it was only certain sounds that were heard, such as the announcements to wake the kohanim, the sound

of the pully from the kiyor and the gates of the azarah opening.

There is a midrash that says Yericho was chosen as a city with kedusha before Yerushalayim was chosen as the mokom hakodosh.

This Raavad and the midrash need explanation.

Kezayis by Kodashim

The Gemora states that in the times of Shimon Hatzadik, there was a blessing in the lechem hapanim and a kohen who would eat a kezayis would be satisfied, but afterwards they would only receive a portion the size of a bean and therefore the righteous people would not partake for they would not be fulfilling the mitzva. Tosfos Yeshonim comments that if they would have become satiated from a portion the size of a bean, they would have fulfilled their mitzvah.

Chasam Sofer says a chidush in the mitzva of achilas kodoshim. If one person eats from the korban the size of a kezayis and the rest of the kohanim all have less than a kezayis, that is sufficient in respect to the korban. The first kohen is the only one that fulfilled his mitzva. This is why the righteous ones held back from eating when it was only the size of a bean.

The Beis Halevi explains the Tosfos Yeshonim that there is a distinction between pesach and other korbonos. Pesach, there is an obligation on the individual and he is required to eat a kezayis. By the other korbonos, the mitzva is that the korban should be eaten, and if accumulatively the korban was eaten, even though there was no kohen who had a kezayis, that is sufficient.

According to the Beis Halevi, we do not understand why the righteous ones held back from eating when it was only the size of a bean, as long as everyone ate the entire lechem hapanim, the mitzvah would be fulfilled?

Concern for Money of Israel

The Gemora states that the reason that the box for the lots were not made out of gold or silver, rather out of wood, was because the Torah has sympathy on the money of Klal Yisroel.

The Ritva explains that even though there were many things in the Beis Hamikdash that were made out of gold, the box for the lots was not really used for an avodah and it was only used once and it wasn't actually min haTorah, therefore it was wood.

The Gevuros Ari asks from a Gemora in Rosh Hashana that states that the shofar which was used on a taanis was made out of silver because the Torah has sympathy on the money of Klal Yisroel, but on Rosh Hashana it was coated with gold because it was an honor for Yom Tov. Shouldn't we apply the same logic regarding the box used for the lots on Yom Kippur?

The Turei Even answers that the shofar is an integral component of Rosh Hashana and there the honor of Yom tov is the superior logic, however the box for the lots is not the central theme of Yom Kippur and therefore we are not as concerned with the honor of Yom Tov and we apply the logic that the Torah has sympathy on the money of Klal Yisroel.

There are two sources for the logic of the Torah has sympathy on the money of Klal Yisroel. One is from the plague of tzaraas on a house which the Torah commands a person to remove everything from the house before the kohen proclaims the house to be tamei. The Torah does not want the possessions in the house to become tamei. The other basis is from Hashem telling Moshe to speak to the rock which will produce water for the people and their cattle.

The Chasam Sofer and the Noda B'Yehuda both say that a second passuk is required to teach us even when there is a slight rationale for the Torah not to have compassion on their money, nevertheless, the Torah does. However, they differ

as to which passuk teaches this to us. The Chasam Sofer says that this is learned from the passuk of tzaraas, where in truth, the kohen should pronounce that the house is tamei immediately and not delay at all, nonetheless we wait in order that one should have the time for the removal of his possessions. The Noda B'Yehuda learns this from the passuk regarding the water and the cattle. He explains using the concept of something that is not in the order of nature, rather a miracle, Hashem's will is to minimize the miracle and yet He was concerned of the thirst of the animals as well.

In the sefer, Teshuva Meahava, he comments that there are four times in Shas that the Gemora brings that the torah is concerned about the money of Israel regarding the utensils in the Beis Hamikdash, and corresponding to that there are four times the Gemora brings the concept of there is no poverty in a place of opulence.

Deputy Kohen Gadol

Rashi in Taanis states that the Deputy Kohen Gadol was appointed to be ready to step in if something would happen to the kohen gadol on Yom Kippur. Tosfos (15b) quotes a Yerushalmi that we would not appoint a kohen gadol unless he was initially a segan kohen gadol.

The Aruch Hashulchan Heosid (and others) ask on the language of the first Mishna in Yoma that says we would prepare another kohen just in case etc. Why didn't the Mishna explicitly say that we prepare the segan to be ready?

The Prohibition of Smelling Holy Fragrances

Our Gemora says the *ketores* (incense) of the Temple smelled so strong that brides in Jerusalem did not have to use perfume.

Tosafos is bothered from a Gemora in *Pesachim* which says that even though there is not prohibition from the Torah to derive benefit from the incense, there is a rabbinic

prohibition. How then could the brides use the incense for perfume?

Tosafos answers the only prohibition is when one purposely goes closer to smell the fragrance. If one stands where he is there is no prohibition.

Tosafos Yeshanim explains that the *Gemora* in *pesachim* only prohibits deriving benefit if one has intent to get the benefit. In our case, however, since the brides are not moving towards the Temple, they don't have intent to derive benefit and there is no way out of receiving the benefit. It is therefore permissible.

The Sefas Emes finds the answer of Tosafos difficult. The brides had the ability to put on their own perfume and yet they used the scent of the incense from the Temple. This should constitute intent to derive benefit. Therefore, he explains the *Gemora* differently. The brides would be able to use the scent of the incense if they were not prohibited to do so. The statement is merely a measurement of how strong the smell was.

This answer is similar to a different Tosafos. The *Gemora* in *Sukkah* says that women used to sort food using the light for *simchas beis hashoevah* (a celebration in the Temple on Succos). Tosafos asks how this is permitted. The answer given is that nothing in fact was sorted by the light. The *Gemora* just indicates that the light was strong enough for all of Jerusalem to use if it wasn't for the prohibition to use the light.

DAILY MASHAL

Name of Hashem

The Tanna Kamma in the Mishna holds that the kohen gadol should say 'laHashem chatas' and Reb Yishmoel says that it is not necessary to say chatas.

The Rishonim ask on the Tanna Kamma from a *Gemora* in *Nedarim* that states that a person should not say 'laHashem korban' for he might be negligent and not say korban causing him to be saying the name of Hashem in vain?

The Ritva, Tosfos Harosh and Tosfos Yeshonim offer different answers. The Cheshek Shlomo says that the two cases are not similar for here, even without saying chatas it is still a chatas from the goral (lottery) and therefore we are not concerned that he might not say chatas.

The Mefarshim in *Mishnayos* answer that here the kohen gadol says the "Shem haMeforesh," therefore he will be extra careful.

It is brought from the Arizal that the Name would come out by itself.