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Atonement of the Goats

The *Baraisa* had stated that *asher la'am – that is of the nation* teaches us that the *Kohanim* are not included in the atonement of the inner goat.

The *Gemara* asks: Doesn't this verse teach us that the goat must come from the people's funds (*and not the Kohen Gadol's*)?

The *Gemara* answers: that is derived from a different part of the verse.

The *Baraisa* had stated that *asher lo – that is his*, teaches us that the bull atones for his sins (*excluding the other Kohanim*).

The *Gemara* asks: Is this verse not needed for that which was taught in the following *Baraisa*: He brings the bull from his own funds, and he does not bring it from the people's funds. I might think that he does not bring it from the people's funds, because they do not achieve atonement with it, but he may bring it from the funds of his brothers the *Kohanim*, for they achieve atonement with it, therefore the Torah says: *that is his*. I might think that he should not bring it from the funds of his brethren, but if he does, it is still valid; therefore, the Torah says once more: *that is his*. The verse repeats itself in order to teach us that this condition is essential. [*How can the verse be then used in our Baraisa?*]

The *Gemara* explains the *Baraisa* as follows: The *Tanna* was asking: Why do the *Kohanim* not achieve atonement with the people's goat? It is because they spend no money on it, for it is written: *asher la'am – that is of the nation*. Then we should say, that since on Aaron's bull, they also do not spend any money, they should not achieve atonement with it; therefore, he says that they are all called his house (*and the Kohanim do achieve atonement with the Kohen Gadol's bull*).

[*We learned above that Rabbi Yehudah holds that the Kohanim do not achieve atonement through the Azazel goat, and Rabbi Shimon maintains that they do.*] The *Gemara* asks: It is understandable according to Rabbi Shimon (*that the Yisroelim achieve atonement on all sins with the goats and the Kohanim achieve atonement on all sins with the bull*) that the Torah mentions two confessions and the blood of the bull: one corresponding to the atonement achieved by the inner goat (*for the suspension of punishment for a Yisroel's sin of tumah of the Mikdash when he was aware in the beginning but not at the end*); one corresponding to the atonement achieved by the outer goat (*for the sin of tumah of the Mikdash when he was not aware in the beginning but was aware at the end*); and one corresponding to the atonement achieved by the Azazel goat (*for all other sins*). But according to Rabbi Yehudah (*who holds that the Kohanim achieve atonement on all sins with the Azazel goat*), why do we require two confessions and the blood of the bull? One confession and the blood should suffice!

[One confession and the application of blood to atone for the Kohanim's regarding both ways of tumas Mikdash, and one for the Yisroelim's atonement of the inner goat and the Azazel one!?!]

The Gemara answers: They are necessary for one is for himself (and his household) and the other is for all the Kohanim, as it was taught in the Academy of Rabbi Yishmael: This is the nature of how justice functions: It is preferable that the innocent should come and atone for the guilty, and not that the guilty should come and atone for the guilty (and that is why the Kohen Gadol confesses his own sins before he confesses for the other Kohanim). (14a1 – 14a2)

WE SHALL RETURN TO YOU, SHEVUOS SHTAYIM

Mishnah

There are two laws concerning the awareness of *tumah* which become four. If a person became *tamei* and was aware of it, and then he forgot about his *tumah* but remembered that the food was sacred; or if he was unaware that the food was sacred, but remembered his *tumah*; or if he forgot both, and ate sacred food, and he was not aware, and after he ate it he became aware - he must bring a *korban olah v'yored* (a variable offering; depending upon his resources). If he became *tamei* and was aware of it, then he forgot about his *tumah* but remembered the Temple; or if he was unaware of the Temple, but remembered that he was *tamei*; or if he became unaware of both, and entered the Temple, and he was not aware, but after he came out he became aware - in each of these cases he is liable to a *korban olah v'yored*.

It is the same whether a person enters the Temple Courtyard or the addition to the Temple Courtyard, since no additions may be made to Yerushalayim or to the

Temple Courtyard except by the decision of a King, prophet, Urim ve'tumim and a Sanhedrin of seventy-one, and with the loaves of two *todah* offerings and song. *Beis Din* walks in procession (around the addition), with the loaves of two *todah* offerings after them, and behind them - all of Israel. The inner one (of the two *korbanos*) is eaten, and the outer one is burned. If any addition was made without all these requirements, one is not liable if one enters it.

If a person became *tamei* in the Temple Courtyard, and he later forgot about his *tumah* but was aware that he was in the Temple, or he later forgot that he was in the Temple, though he was aware of his *tumah*, or he later forgot both, and he prostrated himself or stayed long enough to prostrate himself, or went out the longer way, he is liable; if he went out the shorter way, he is not liable.

This (the ruling to leave by the shorter route) is a positive commandment concerning the Temple for which they (the Sanhedrin or Kohen Gadol) are not liable (for a special *chatas* if they erroneously rule that it is permitted to leave via the longer route). [If the Court gave an erroneous ruling, permitting what is forbidden by the Torah on something that is subject to the penalty of *kares* if willfully committed, and liable to a sin offering if committed unwittingly; and the majority of the people acted upon its ruling, and later the Court realized its error, the Torah commands that the congregation shall offer a young bull for the sin. Our Mishnah teaches that if the Court ruled erroneously that a *tamei* person may leave the Temple by the long route, they are not liable to the offering of a bull for this error. Likewise, the Mishnah in Horayos rules that they are not liable to the offering for a positive and for a negative commandment concerning the Temple - a positive one, as is the case in our Mishnah; and a negative one, as, for example, the prohibition for a *tamei* person to enter the Temple. The reason for these



exceptions are because the communal offering is due only for an unwitting transgression for which an individual would have to bring a regular chatas offering, while in these cases, he would have to bring a korban olah v'yored – a variable chatas.]

And what is the positive commandment concerning a menstruant woman for which they (*the Sanhedrin or Kohen Gadol*) are liable (*if they ruled erroneously*)? If a man cohabited with a woman who was *tahor*, and she said to him, "I have become *tamei*," and he withdrew immediately, he is liable (*to bring a regular chatas*), because his withdrawal is as pleasurable to him as his entry. [*If they rule that it is permitted, they will be liable to bring the special chatas offering.*]

Rabbi Eliezer says: *A sheretz... and it was concealed from him*. He is liable (*to bring the olah v'yored*) if the *sheretz* was hidden from him, but he is not liable if the Temple is hidden from him. Rabbi Akiva says: *And it was concealed from him that he is tamei*. He is liable if it was hidden from him that he was *tamei*, but he is not liable if the Temple was hidden from him. Rabbi Yishmael says: The Torah says twice, "*and it was concealed from him*," in order to make him liable both for the forgetfulness of the *tumah* and for the forgetfulness of the Temple. (14a4 – 14b2)

Awareness and Concealment

Rav Pappa said to Abaye: The *Mishnah* had stated: There are two laws concerning the awareness of *tumah* which become four. Do they not become six!? Awareness of *tumah* at the beginning and at the end; awareness of the sacred food at the beginning and at the end; awareness of the Temple at the beginning and at the end!?

The *Gemara* asks: But even according to your argument, there should be eight; for there is the *tumah* in connection with eating sacred food, and the *tumah* in

connection with entering the Temple, both requiring awareness at the beginning and at the end!?

This, the *Gemara* answers, is not difficult, for the *tumah* designation is the same.

But nevertheless, there remains the question that there are six!?

Rav Pappa said: In truth, there are eight: the first four (*when he was aware in the beginning before it became concealed from him*), which do not make him liable for a *korban* are not counted; but the last four (*when he became aware that he ate sacred food or entered the Temple*), which make him liable for a *korban* are counted.

Some cite Rav Pappa as follows: In truth, there are eight: the first four which occur nowhere else in the entire Torah are counted (*for one who eats forbidden fats is liable to bring a korban even if he never knew that this which he ate was cheilev*), but the last four which occur elsewhere in the Torah (*for he is not liable to bring a korban unless he was aware that he sinned*) are not counted.

Rav Pappa inquired: If the laws of *tumah* were concealed from him, what is the *halachah*?

The *Gemara* analyzes the inquiry: If we say that he did not know whether a *sheretz* is *tamei*, or perhaps it is a frog which is *tamei*; surely, this is taught in every school (*and it cannot be regarded that he was "unaware"*). Obviously, he did know that a *sheretz* is *tamei*, but, for example, he touched a part of a *sheretz* the size of a lentil, and he did not know whether the size of a lentil contaminates or not: What is the *halachah*? Shall we say that since he knew that a *sheretz* contaminates, this is classified as awareness, or, since he did not know whether the size of a lentil contaminates or not, it is classified as



unawareness? The *Gemara* leaves this question unresolved.

Rabbi Yirmiyah inquired: If a Babylonian went up to *Eretz Yisroel*, and the place of the Temple was concealed from him, what is the *halachah*?

The *Gemara* clarifies: According to whose view? If it is in accordance with Rabbi Akiva, who holds that there must be awareness at the beginning, the question does not arise, for he does not make him liable for *tumah* in connection with forgetfulness of the Temple (*it is only if he forgot that he was tamei*). If it is in accordance with Rabbi Yishmael, who does make him liable for *tumah* in connection with forgetfulness of the Temple, then again the question does not arise, for he does not require awareness at the beginning. This inquiry is only relevant according to Rebbe, who requires awareness at the beginning, and makes him liable in the case of forgetfulness of the Temple, and who holds, furthermore, that knowledge gained from a teacher is classified as awareness (*even if he did not realize that he became tamei*). What is the *halachah*? Shall we say that since he knew that there was a Temple in existence, this is called awareness (*and he is liable to a korban just as if he touched a sheretz without realizing that he touched it*); or, since its place was not known to him, it is a concealment from the beginning (*and he would not be liable for a korban*)? The *Gemara* leaves this question unresolved. (14b2 – 14b4)

DAILY MASHAL

Inquiry for a Later Time

Rabbi Yirmiyah inquired: If a Babylonian went up to *Eretz Yisroel*, and the place of the Temple was concealed from him, what is the *halachah*?

Tosfos asks why this resident from Babylon is even considered as having no awareness of the location of the *Beis Hamikdash* when he could have made an inquiry to gain this information, for it has already been established that the ability to gain awareness is equivalent to awareness itself.

They answer that the situation described by Rabbi Yirmiyah took place after the destruction of the *Beis Hamikdash* when information on its location was not so readily available.

Rabbi Mendel Weinbach from Ohr Sameach notes that according to this approach, Rabbi Yirmiyah's inquiry was a theoretical one, since there is no opportunity to offer a *korban* when there is no *Beis Hamikdash*. The only application would be the need to record the mistake made and offer a *korban* when the *Beis Hamikdash* will be rebuilt.