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Yoma Daf 55

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Daf Notes is currently being dedicated to the neshamah of

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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

He took the blood from the one who was stirring it: etc. What does ‘kematzlif’ mean? — Rav Yehudah showed it to mean ‘as one swinging a whip’.¹ — A Tanna taught: As he sprinkled, he did so not upon the Ark-cover, but against its thickness.² And when he is to sprinkle upwards he first turns his hand down, and when he is to sprinkle downwards he first turns his hand up. — From where do we infer this? Rav Acha bar Yaakov said in the name of Rabbi Zeira: Scripture says: And sprinkle it upon the Ark-cover and before the Ark-cover. Now with regard to the he-goat it need not be said [that he should sprinkle] downwards, for that can be inferred from [the procedure with] the bull where [the sprinkling] downwards [is made], when then is it mentioned here too? To compare [the sprinkling] ‘upon’ [the Ark-cover with the sprinkling] ‘before’ [it]: Just as [the sprinkling] ‘before’ does not mean ‘before’ actually,³ so does sprinkling ‘upon’ [here] not mean really ‘upon’. On the contrary! It was not necessary to state with regard to the bull [that the sprinkling should be done] ‘upon’ [the Ark-cover], for that could be inferred from the fact that the he-goat's blood was sprinkled upon [it], why then was it mentioned to compare the sprinkling ‘before’ [it], to the sprinkling ‘upon’ [it], viz. just as ‘upon’ means exactly, so shall ‘before’ here mean ‘upon exactly’?⁴ How can you say this? Granted, if you say that the

‘downward’ sprinkling in the case of the he-goat is mentioned for the purpose of comparison, then [sprinkling] ‘upward’ written in connection with the bull is necessary in accord with the school of R. Eliezer b. Jacob; for the school of Rabbi Eliezer ben Yaakov taught: Upon the face of the Ark-cover on the east, this [special case] establishes a general rule viz., that wherever Scripture says ‘before’ [‘face’] it means ‘on the east’; but if you say that the ‘upwards’ in connection with the bull is mentioned for the purpose of comparison, then for what purpose is the ‘downward’ in connection with the he-goat mentioned? (54b2 – 55a2)

Our Rabbis taught: And he shall sprinkle it upon the Ark-cover and before the Ark-cover’. From this we know how often the he-goat's blood is to be sprinkled upwards, viz., once; I do not know, though, how often ‘downwards’, so that I infer that thus: The word ‘blood’ is used in connection with the downward [sprinkling] of the bull's blood, and the same word ‘blood’ is used about the downward [sprinkling] of the goat's blood: therefore, just as ‘downwards’ with the bull means seven times, so does ‘downwards’ with the goat mean ‘seven times’. Or argue it this way: The word ‘blood’ is used in connection with the ‘upward’ [sprinkling] of the

¹ One beneath the other.

² Without the blood actually coming into contact with the Ark.

³ The blood in the downward sprinkling fell on the ground not on the Ark-cover.

⁴ So that in his downward sprinkling the blood is to touch the thickness of the Ark-cover, while in his upward sprinkling it should touch its upper surface.

goat's blood, and the word 'blood' is used in connection with the downward [sprinkling] of the he-goat's blood; hence just as 'upwards'

with the he-goat means once, thus also shall 'downwards' with the he-goat mean 'once'? Let us see what comparison is legitimate: One may infer 'downwards' from 'downwards'; but one may not infer 'downwards' from 'upwards'. On the contrary: It is legitimate to infer [one aspect of] one matter from [another aspect of] the same matter, but one may not infer one matter from an extraneous one!⁵ To teach [the true facts] Scripture says: And [he shall] do with its blood as he did with the blood of the bull. Now it was not necessary⁶ to say 'as he did', why then was it said? To show that all the 'doings' of them should be alike; as there were seven sprinklings downward with the bull, so shall there be seven sprinklings downward with the goat. We learn thus how many [sprinklings] downwards there are to be both with bull and he-goat. But I do not know how many [sprinklings] upwards are to be made with the bull's blood. And so I infer: The word 'blood' is used for the upward [sprinkling] in the case of the he-goat, and the word 'blood' is used for the upward [sprinkling] in the case of the bull. Therefore, [the inference that] just as the upward sprinkling in the case of the he-goat has to be made once, so shall the upward [sprinkling] in the case of the bull be made once. Or argue it this way: The word 'blood' is used for the downward [sprinkling] in the case of the bull, and the word 'blood' is used in the case of the upward [sprinkling] of the bull: hence just as seven downward sprinklings have to be made with the bull's blood, so

⁵ I.e., the he-goat from the bull.

⁶ Since the sprinkling 'upon' or 'before' has been expressly mentioned in connection with the he-goat. Any apparently superfluous word or words were chosen for intimation or indication.

must seven upward sprinklings be made with the bull's blood! Let us see what comparison is legitimate: One may reasonably infer [something about] upward [sprinklings] from [other] upward [sprinklings], but one may not infer [something about] upward [sprinklings] from downward [sprinklings]. On the contrary: It is legitimate to infer one [aspect of one] matter from [another aspect of the same] matter, but one may not reasonably infer one matter from an extraneous one.⁷ Scripture therefore teaches: 'And he shall do with his blood as he did with the blood of the bull'! It was not necessary to say 'with his blood', why then was it said? To intimate that all the 'doings' of them should be alike: just as seven sprinklings downward were made in the case of the bull, so shall seven sprinklings downward be made in the case of the goat; and just as only one upward sprinkling was made with the he-goat, so only one sprinkling upward had to be made in the case of the bull. (55a2 – 55a3)

One, one and one, one and two: Our Rabbis taught: [He counted] One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven — this is the view of Rabbi Meir. Rabbi Yehudah says: One, one and one, two and one, three and one, four and one, five and one, six and one, seven and one. Yet they are not conflicting,⁸ each counting as is customary in his place.

At any rate, both agree that the first sprinklings must be counted with each of the following. What is the reason for this? — Rabbi Elozar said: In order that he make no

⁷ The assumption that different parts of the same procedure are governed by similar rules seems more justified than that similar aspects of altogether different matters have such regulations.

⁸ In the place of Rabbi Meir the tens were counted first, the singles following, while the opposite way of counting prevailed in the city of Rabbi Yehudah.

mistake in the count.⁹ — Rabbi Yochanan said: Scripture said: And before the Ark-cover shall he sprinkle. Now it was not necessary to say ‘shall he sprinkle’. [For what teaching purpose] why then was it said, ‘He shall sprinkle’? — To indicate that the first sprinkling shall be counted with each subsequent one. — What is the [practical] difference between the two? — In case he had not counted, but also had made no mistake.¹⁰ (55a3 – 55a4)

He went out and placed it on the golden stand in the Sanctuary: We have learned there: There were no money chests¹¹ [provided] for obligatory bird-offerings, to prevent confusion. What does ‘to prevent confusion’ mean? — Rav Yosef said: To prevent confusion between freewill and obligatory offerings.¹² — Abaye said to him: Let him make two and inscribe on them: This is a freewill-offering, the other obligatory. — Rabbi Yehudah does not consider such inscriptions [of any value]. For we have learned: Rabbi Yehudah said: There was no more than one stand. Now why not two? Evidently because they might be mixed up! But then let him provide two and write upon them: This is for the bull and this for the he-goat? Hence you must assume that Rabbi Yehudah does not consider such inscriptions [of any value].

⁹ And include the one sprinkled upward among the seven which he has to sprinkle downwards.

¹⁰ If counting is obligatory, he had failed to do it properly. If the only purpose is the prevention of error and he has managed to avoid it, then de facto all is right.

¹¹ These were special money chests into which people who had a freewill-offering of a bird to offer would put in money in payment of the offerings which the Kohanim would make on their behalf. No such chests were however available for obligatory offerings of a bird.

¹² There were different regulations governing the services of the freewill and obligatory offerings respectively, for of the

An objection was raised in the Academy: There were thirteen money chests in the Temple, on which were inscribed: ‘new shekels’, ‘old shekels’, ‘bird-pairs’, ‘young olah birds’, ‘wood’, ‘frankincense’, ‘gold for the service vessels’, and on six of them: ‘freewill-offerings’. The Mishnah explained: ‘New shekels’: [i.e.,] those shekels due each year; ‘old shekels’: [i.e.,] one who had not paid his shekel last year must pay it the next year. ‘Bird-pairs’, these are doves. ‘Young olah birds’, these are young pigeons; and both of these are for olah offerings. This is the view of Rabbi Yehudah. — When Rav Dimi came [from Eretz Yisroel] he said: In the West they said: It is a preventive measure against the case of a sin-offering whose owner has died. But do we indeed take that into consideration? Have we not learnt: If someone sends his sin-offering from a far-away province, it is offered up in the assumption that he is alive? — Rather [the preventive measure is] against the case of a sin-offering whose owner has assuredly died. But in that case let us separate four zuz and cast them into the sea, so that the rest will be available for use! Rabbi Yehudah rejects the principle of bereirah.¹³ (55b1 – 55b3)

INSIGHTS TO THE DAF

Bereirah (Retroactive Clarification)

obligatory birds one was offered up as a burnt-offering, the other as a sin-offering, whereas all freewill-offerings were burnt-offerings, these differences implying distinctions in the service. Now if one of the money chests were confused with another, so that the Kohen would offer a freewill-offering from the money meant for obligatory offerings and vice versa, the offering would be rendered invalid.

¹³ Retroactive clarification, i.e., the legal effect resulting from an actual selection or disposal of things previously undefined as to their purpose.

Our Gemora discusses a case where one puts money in a shofar for a sacrifice and then dies. The Gemora asks why we don't merely take four *zuz* out of the shofar, and assume that it was the money from the dead person. The Gemora answers that there is no retroactive clarification in the Torah, and, therefore, we have no way of knowing that this money belonged to the dead person.

Rav Elyashiv asks that retroactive clarification is only possible when there is something which is initially unclear. Then, we can speak of clarifying retroactively. In our case, however, there was specific money which was given by the deceased. How, then can we even entertain the possibility that we can determine the money which belonged to him retroactively? A classical case where we can speak about whether or not we can apply the principal of *bereirah* is where partners wish to dissolve their partnership. In such a case, there is a question as to whether the portion which each partner received is considered the portion he originally owned. This, however, is not similar to our case, where there was specific money given originally.

To answer this question, Rav Elyashiv quotes the Rashba. The Rashba says that when one put his money in the shofar, it went into a big pot of money in which everyone was a partner. The person who put in the money was not particular whether his specific money would be used to buy his sacrifice. Everyone, therefore, had intention to make one big partnership in the money that would be used to buy the sacrifices. We can now understand how the principal of *bereirah* could apply to such a case. When one man dies, and we have to remove his money from the shofar, it is similar to a partnership which has dissolved. The question is whether the money we take out is considered the dead

man's portion in the partnership, and this is dependent about the question of *bereirah*.

DAILY MASHAL

"Twenty and One," or "One and Twenty"?

The Gemora states that in some cities they count by mentioning the single digit before the ten's digit - one and twenty and in other cities the custom was in reverse - twenty and then one. This is what caused the difference in the counting by the sprinkling of the blood. It is ruled in Shulchan Aruch (in relevance to contracts) that regarding days of the month, it should be written 'one and twenty' and the reverse regarding the years. Why? I'm not sure. (It does say that if it is reversed, it nevertheless is valid.) Tosfos Yeshanim writes that in the Torah we find both ways. What is the explanation of that?