

## OVERVIEW of the Daf

### 1) Anointing oil (cont.)

R' Ika the son of R' Ami finishes his explanation how R' Meir and R' Yehudah follow consistent positions about the issue of anointing kings and kohanim unnecessarily.

R' Yosef qualifies the second dispute between R' Meir and R' Yehudah

The Gemara elaborates on an earlier Beraisa.

Another related Beraisa is cited.

The position of this Beraisa is unsuccessfully challenged.

### 2) Defiling the Beis HaMikdash or its sacred food

An explanation of the Mishnah's statement regarding the exemption of one who defiles the Beis HaMikdash and its sacred food is suggested.

This explanation is challenged.

Reish Lakish and R' Yochanan offer different answers to this challenge.

It is noted that this dispute relates to a dispute between Abaye and Rava regarding a person who declares that his chattas should not atone for him.

It is observed that Rava retracted his opinion and cites the Beraisa that led to his retraction.

The Gemara's analysis of this Beraisa proves that Rava retracted his position.

A Beraisa is cited that indicates that Yom Kippur atones even for those who desecrate Yom Kippur in contrast with the position of an earlier Beraisa.

Abaye offers a resolution to the contradiction.

Rava suggests an alternative resolution to the contradiction.

Rava's position is successfully refuted.

### 3) Blasphemer

The Mishnah's phrase **אף המגדף** is explained.

A Beraisa elaborates on R' Akiva's position regarding the blasphemer.

Two parts of the Beraisa are clarified.

A Beraisa presents a debate regarding the definition of a blasphemer.

Another related Beraisa is cited.

**4) MISHNAH:** The Mishnah discusses the chattas that is brought in different circumstances of a *yoledes*.

### 5) A slavewoman

A Beraisa provides the source that a slavewoman is obligated to bring the korban of a *yoledes*.

The necessity for the Mishnah to teach this halacha is explained.

### 6) Two women

The procedure for two women, one in a category of doubt and the other in a category that is obligated, bringing the korban of a *yoledes* together is described.

The indication that according to R' Yosi a chattas can be offered jointly with a stipulation is unsuccessfully challenged.

### 7) Caesarean section

The Gemara explains the rationale behind R' Shimon's and Rabanan's respective positions whether a woman who delivers by caesarean section is obligated to bring the korban of a *yoledes*.

**8) MISHNAH:** Additional halachos related to a woman who gave birth are presented. ■

## Distinctive INSIGHT

### *Yom Kippur brings atonement even without teshuva*

דתניא רבי אומר כל עבירות שבתורה בין עשה תשובה ובין לא עשה תשובה יום הכיפורים מכפר

**R**ebbe taught that Yom Kippur has the power to atone for all sins, whether a person does teshuva or not. Sefer Be'er Sheva explains that this rule only applies regarding sins that are between man and God. However, even Rebbe agrees that Yom Kippur does not have the power to atone for sins done in the realm between one man and his fellow until the transgressor appeases his friend, as we find in Yoma (85b).

Rashba explains that the opinion of Rebbe is consistent with his understanding in Midrash Shocher Tov (Mishlei 9) that the power of Yom Kippur will never be cancelled. The posuk regarding Yom Kippur states (Vayikra 16:34), "This shall be for you as a statute forever." This indicates that the atonement power of Yom Kippur will remain in effect even if the day is not observed properly, and whether or not any Jew might do teshuva.

The Gemara in Kesuvos (103b) tells the story of the day Rebbe died. At the moment Rebbe past away, a heavenly voice was heard which announced that anyone who was in the vicinity of Rebbe at the moment his soul departed had earned a portion in the world to come. Sefer Nachal Yitzchok explains this episode and its aftermath based upon the Midrash in Vayikra (20:12) which says that just as Yom Kippur atones, so does the death of the righteous. This also indicates that just as Yom Kippur atones only with teshuva, so does the death of the righteous atone only if a person does teshuva. Rebbe, however, held that Yom Kippur atones even without a person's doing teshuva. It follows, therefore, that the association between these events teaches that the death of a righteous person can bring atonement even without teshuva. This is why the heavenly voice announced that anyone who was near when Rebbe died automatically achieved atonement, whether or not the person had done teshuva.

Kehillas Yaakov (2:#15) asked how could it be that according to Rebbe that the very day of Yom Kippur atones for a person even without his having done teshuva? This would lead us to the absurd conclusion that with the passing of Yom Kippur there is no difference between a person who was careful all year not to sin and another person who sinned all year, and who did not even show any remorse or effort to do teshuva. Can it be that they both experience the same outcome of being atoned for after Yom Kippur?

He answers by pointing out that the Gemara in Kiddushin (39b) says that if a person refrains from doing a sin, he is credited as if he has done a great mitzvah. Here, too, the one who was careful not to sin merits for each time he avoided sin, and this benefit is not available for the one who sinned all year long. ■

# HALACHA Highlight

## Prioritizing a certain obligation and an uncertain obligation

המפלת ואין ידוע מה הפילה

A woman miscarried but it is not known what she miscarried

The Mishnah teaches that a woman who is uncertain whether she is a *yoledes* brings the *korban* of a *yoledes* but it is not eaten. Rashi<sup>1</sup> explains that she brings an *olah* and a *chattas*. Aruch Laner<sup>2</sup> notes that Rashi's order of the *korbanos* indicates that the first *korban* she offers is the *olah* and then the *chattas*. This is difficult since the Gemara teaches elsewhere that a *yoledes* offers first the *chattas* and then the *olah*. He answers that although it is true that normally a *yoledes* offers first the *chattas* and then the *olah* in this case since the *korbanos* are being brought out of doubt the order is reversed. The *olah* is certainly a valid *korban* since if she is not a *yoledes* it can be brought voluntarily. The *chattas* can not be brought voluntarily so its validity as a *korban* is in doubt. Accordingly, when ordering the *korbanos* we prioritize the obligatory *korban* (ודאי) ahead of the *korban* that is brought out of doubt (ספק). Sefer Shmuos Chaim<sup>3</sup> notes that elsewhere Rashi seems to adopt a contradictory position. When he discusses a *safek zavah*, who brings the same offering as a *yoledes*, Rashi writes that the *chattas* is brought before the *olah*.

Teshuvos Shraga Hameir<sup>4</sup> wonders about the proper procedure for one who ate an amount of *mezonos* that leaves him in

# REVIEW and Remember

1. For which transgression does one not bring an Asham Talui ?
2. Does Yom Kippur atone for those who desecrate Yom Kippur ?
3. What is the definition of a blasphemer ?
4. What is the point of dispute between R' Shimon and Rabanan?

doubt whether he is obligated to recite על המחיה but he drank an amount of wine that certainly obligates him to recite על הגפן. Normally, על המחיה is recited before על הגפן but perhaps in this case he should prioritize על הגפן since he knows for sure he is obligated to recite על הגפן and על המחיה should be mentioned second since he is not sure whether he is obligated to recite על המחיה. His conclusion is that על הגפן should be recited first since he is certainly obligated to recite על הגפן. Sefer Shmuos Chaim, however, writes that the matter is subject to the disagreement between the two implications of Rashi whether one should always follow the normal order or should one change the order when one of the two activities is obligatory and the other is voluntary.<sup>5</sup> ■

<sup>1</sup> רש"י ד"ה מביאה קרבן.

<sup>2</sup> ערוך לנר ד"ה טאין ידוע.

<sup>3</sup> ספר שמועת חיים ערכין ח: ד"ה מביאות קרבן.

<sup>4</sup> שו"ת שרגא המאיר ח"ג סי' ד' ד"ה ולהלכה. ■

# STORIES off the Daf

## Layers of Teshuvah

"רבה אמר מכפרת..."

Many people feel discouraged when it comes to teshuvah—it seems like it is so difficult to really change. It is important to point out the words of Rav Chaim Volozhiner, ז"ל, regarding this mitzvah: "Teshuvah itself as outlined in the gemara is easy to accomplish. One simply decides that he does not wish to return to his old ways."<sup>1</sup>

Rav Moshe Shmuel Shapiro, ז"ל, points out that in that same work, Rav Chaim of Volozhin seems to contradict himself, one paragraph earlier. He mentions that the Torah commandment of repentance comprises at least three key

elements: regret, wholehearted abandonment of the sin; resolution to never repeat the sin.<sup>2</sup> Rav Moshe Shmuel Shapiro discusses the subject at great length and surmises that there are really two basic stages; teshuvah itself, which is simple; and atonement, which requires the three elements.<sup>3</sup>

The most straightforward of explanations of how the simple teshuvah of the gemara relates to the three-steps of teshuvah described above is offered by the Otzar HaYirah, ז"ל. He writes that the process of teshuvah usually demands very many beginnings until one merits true and full repentance; as always, one is asked to do what he can. He should at least start with teshuvah as outlined in the gemara, and repeats this many times until he comes to truly atone for the sin by achieving the three conditions described above.<sup>4</sup>

But one may well wonder where we see such a concept in the gemara. The Eretz Tzvi, ז"ל, learns this from a statement on today's daf. "In Kareisos 7 we find that if one says 'My chatas should atone for me,' this is regarded as teshuvah. And the same is true regarding Yom Kippur. The language of the Rambam in Hilchos Shegagos, where he codifies this, implies the same. Although the Rambam famously writes four steps to doing teshuvah, culminating in God's bearing testimony that the sinner will never return to his sin, presumably, there are many levels of teshuvah..."<sup>5</sup> ■

<sup>1</sup> כתר ראש, אות קל"א

<sup>2</sup> שם, אות ק"ל

<sup>3</sup> זהב משבא, בענין התשובה בסוף הספר, ע"ר מ"ב-רמ"ג

<sup>4</sup> אוצר היראה, תשובה

<sup>5</sup> ארץ צבי, וילך תרפ"ז, ע"ר רכ"ד ■