

OVERVIEW of the Daf

1) Can the second Kohen Gadol use the blood of the bull of the first Kohen Gadol? (cont.)

Two challenges are presented against the opinion which maintains that a slaughtered bull is not referred to as “a bull.”

In response to the second challenge R' Pappa explains that the dispute is limited to the question of whether the blood of a bull could be called “the bull.”

R' Ashi explains why, in his opinion, the position that maintains that the blood could be referred to as the bull is the more logical position.

2) Is the Kohen Gadol's bull a communal offering

The Gemara questions the premise of the original question whether the replacement Kohen Gadol can use the blood of the bull of the Kohen Gadol who died. Isn't this an example of a chatas whose owner has died, thus making the animal unfit for being offered?

It is suggested that the Kohen Gadol's bull is a communal korban. A proof to this position is presented.

Rava successfully challenges the proof.

Two unsuccessful challenges are presented against Rava's position that the Kohen Gadol's bull is not a communal korban.

R' Elazar asks: According to the position that the Kohen Gadol's bull is a private korban, can it effect a temurah or not?

The Gemara refines the question to be whether the other kohanim who achieve atonement with this korban become owners of the korban or whether they merely receive atonement indirectly.

An unsuccessful attempt is made to resolve this question. ■

Distinctive INSIGHT

The role of the kohanim as owners of the bull of the Kohen Gadol

או דלמא בקופינא

Rabbe Elazar presented a question regarding the ability of the Kohen Gadol to declare the bull of Yom Kippur as a תמורה. The condition of תמורה can only be declared upon an offering of an individual, and the Gemara views this bull brought by Aharon as being owned by an individual (the Kohen Gadol). Nevertheless, the question is how to view the involvement and participation of the other kohanim, for the Kohen Gadol atones not only for himself with this bull, for also for them. As the Gemara states: Do the other kohanim attain atonement through a formal stake in the bull (קביעותא), or is their atonement by means of קופינא? This term is translated by Aruch and Rabeinu Chananel as “encircling” (from the root of הקפה). This means that the kohanim do not own any part of the bull, but they achieve atonement by crowding around the Kohen Gadol and listening to his confession. This would mean that the Kohen Gadol could theoretically declare תמורה because the animal remains exclusively his, and other kohanim are not actual owners at all. We could even understand that the other kohanim might become owners, but only at the moment of the confession when the Kohen Gadol includes them in his remarks. But, until the moment the kohanim gather to listen to him the bull is owned only by the Kohen Gadol.

Rashi understands the term קופינא to mean “floating.” The Gemara is suggesting that the atonement of the other kohanim is not a function of their being owners at all. The only one who attains a direct atonement from this offering is the Kohen Gadol himself, and everyone else's role in atonement merely floating and ancillary to that of the Kohen Gadol.

Ritva and Rabeinu Elyakim explain the meaning of קופינא along these same lines. The atonement of the other kohanim is “weak and secondary.” Their involvement is not important, and it does not indicate any element of ownership. The Kohen Gadol can therefore declare the bull as תמורה as opposed to the opinion that considers the kohanim involved as a קביעותא. ■

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לעילוי נשמת
דוד ישראל ע"ה בן ר' יצחק אייזק עמו"ש

HALACHAH Highlight

Converting a Beis HaKnesses into a mikveh

דחטאת שמתו בעליה היא וחטאת שמתו בעליה למיתה אזלא

If the owner died, the chatas goes to death

The residents of the town of Adiatz, Russia were in need of a new mikveh and the only place they found that met their needs was the women's section of the old shul in town. They were concerned, however, about transforming a Beis HaKnesses into a mikveh. Although the building had not been used for years as a Shul, nonetheless, Shulchan Aruch rules¹ that a Beis HaKnesses may not be sold for use as a bathhouse unless the sale is approved by the seven city trustees – טובי העיר. It was not possible to execute the sale under these conditions so they turned to Rav Moshe Feinstein to inquire about what to do.

Rav Moshe² began his analysis by establishing that the precedent which allows the sale of a Beis HaKnesses is the law of animals sanctified as korbonos. Just as an animal designated as a chatas loses its sanctity if the owner dies, so too any object of sanctity, including a Beis HaKnesses, that is no longer usable for its purpose loses its sanctity. The reason, explains Rav Moshe, that only the sale executed by the seven city trustees allows for the Beis HaKnesses to be used for a bathhouse is because only when it is sold by the appointed representatives of the city can we be certain that it will never be used as a Beis HaKnesses again³. Even if a Beis HaKnesses has not been used for a long period of time, as long as there is a chance that it may be used again it does not lose its sanctity. Therefore, in this particular town, since there

REVIEW and Remember

1. What is the halachah concerning a chatas whose owner died?
2. What should be done with animals set aside as the Yom Kippur offerings which were found after replacements were offered?
3. Is the Kohen Gadol's bull a communal offering or a private offering?
4. What is the difference between a communal offering and a private offering regarding temurah?

was no way they would ever use the building as a Beis HaKnesses, the sanctity has already left and it is permitted to be made into a mikveh⁴. ■

1. אר"ח סי' קנ"ג סע' ט' וז"ל "כשמוכרים אנשי הכפר בית הכנסת יכולים למכרו ממכר עולם, והלוקח יעשה בו מה שירצה, חוץ ממרחץ ובורסקי ובית טבילה ובית הכסא, ואם מכרוהו ז' טובי העיר במעמד אנשי העיר, יעשה הלוקח אפילו אלו ארבעה דברים" וע' מ"ב שם ס"ק נ"ה שכתב וז"ל "שכל אלו הם תשמישים מגונים מאד ואסור לעשותן במקום שהיה ביהכ"נ ואפילו אם נפל הבנין במקום שהוא ונשאר רק תל בעלמא אסור להשתמש שם באלו הארבעה דברים וכן אסור לזרוע במקום שהוא שכל זה הוא גנאי למקום שהיה מתחלה ביהכ"נ"
2. שו"ת אג"מ ח"א סי' נ"ב
3. ע' מ"ב שם ס"ק נ"ו שכתב וז"ל "הטעם דאזי פקעה הקדושה מהמקום ההוא לגמרי"
4. ע' בבאה"ל שם ד"ה ואם מכרוהו שהחמיר לכתחילה וע' בספר פסקי תשובות סי' קנ"ג אות י"ז והע' 82 831 ■

STORIES Off the Daf

The "newborn" calf

בזאת יבא אהרן אל הקדש, בפר בן בקר... לחטאת

Rav Hirsch zt"l explains that the Kohen Gadol must come to perform the service on Yom Kippur "with this," referring to an awareness of the significance of his exalted office. He must know and feel that he is like a פר, a young ox toiling in the field of Torah. And even though he is harnessed to his

duty, he is still a בן בקר the child of each and every day." that first morning of his appointment, eternally young and fresh, full of devotion and enthusiasm and devoid of any deadening arrogance or force of habit. He brings this as a sin offering because the true fulfillment of his office is a great responsibility, and he feels certain that he has fallen short of reaching this lofty goal of constant renewal.

"It is forbidden to be old!" exclaimed the author of the Sefer Ha-Middos, zt"l. "Even an old chossid or an old tzaddik is no good. The goal is to always be fresh and to start anew

The mentor of the Kotzker Rebbe was known as the Yehudi HaKadosh. One chossid noticed that the name seemed a bit unusual and asked his own Rebbe the meaning of this unusual title. "We all know that every Jew is a Yehudi, so why call only one particular tzaddik the Yehudi HaKadosh?"

The Rebbe answered, "The Yehudi HaKadosh was given the name because each and every day he lived as if he had just at that instant been made a Jew!" ■

