

של פרה משקל עשרה זוז – The red strip of the *parah adumah*, which must be heavy so that it will fall into the burning remains,^[1] has the weight of ten *zuz*. ושל שעיר המשתלח משקל שני סלעים – And the red strip of the dispatched he-goat, which must be long enough to divide in two,^[2] has the weight of two *sela'im*. ושל מצורע משקל שקל – And the red strip of the *metzora*, which needs neither great weight nor considerable length,^[3] need be no more than the weight of a shekel.^[4]

The Gemara records a disagreement in this matter:

R' – אמר רבי יוחנן פליגי בה רבי שמעון בן חלפתא ורבנן בפרה – R' Yochanan said: R' Shimon ben Chalafta and the Rabbis disagree with regard to the size of the red woolen strip used for the *parah adumah*. חד אמר משקל עשרה זוז וחד אמר משקל שקל – One opinion says that it was the weight of ten *zuz* and the other one says that it was the weight of a *shekel*.^[5] וסימניך אחר – And your mnemonic for remembering which of the three weights mentioned above are possibilities here is the well-known Mishnaic statement “both the one who does much or and the one who does little.”^[6]

A dissenting view:

R' Yirmiyah of Difti said to Ravina: אמר ליה רבי ירמיה מדיפתי לרבינא – It is not with regard to the *parah adumah* that they [R' Shimon ben Chalafta and the Rabbis] disagree, but rather with regard to the dispatched he-goat that they disagree,^[7] והוא יומא נח – and on that very day that they disputed this matter in the Yeshivah, Ravya bar Kisi died – ואנחו בה – and they made a mnemonic out of it [the coincidence of this dispute with the death of Ravya bar Kisi], as follows: רבנא – “The death of Ravya bar Kisi atones like the dispatched he-goat!”^[8]

The Gemara presents another, similarly phrased uncertainty of R' Yitzchak concerning a teaching he had received:

אמר רבי יצחק שתי שחיטות שמעתי – And R' Yitzchak also said: I heard from my teachers a distinction between two slaughters; אחת של פרה ואחת של פרו – one was the slaughter of the *parah adumah*, and one was the slaughter of [the Kohen Gadol's] bull on Yom Kippur. And the distinction that I heard was that אחת – the slaughter of one of them is valid if done by a *zar*, and the slaughter of the other one is invalid if done by a *zar*.^[9] ולא ידענא הי מיניו – But I do not know which one of them is valid if slaughtered by a non-Kohen and which one is not.

The Gemara presents a dispute in this matter:

It was stated: Regarding the *zar's* slaughter of the *parah adumah* and [the Kohen Gadol's] bull on Yom Kippur,^[10] רב ושמואל – there is a dispute between Rav and Shmuel. חד אמר פרה פסולה פרו כשרה – One says that the slaughter of the *parah adumah* is invalid, whereas the slaughter of [the Kohen Gadol's] bull is valid. וחד אמר פרו פסולה פרה – And the other one says that the slaughter of [the Kohen Gadol's] bull is invalid, whereas the slaughter of the *parah adumah* is valid.^[11]

The Gemara demonstrates which Amora held which position: Let it be resolved that Rav is the one who says that the slaughter of the *parah adumah* is invalid if done by a *zar*. רבאמר רבי וירא שחיטת פרה בפר פסולה – רבאמר רבי וירא שחיטת פרה בפר פסולה – For R' Zeira said:^[12] The slaughter of the *parah adumah* done by a *zar* is invalid. ואמר רב עלה אלעזר וחוקה שנינו בה – And Rav said regarding this statement: The reason for this law is that “Elazar” and “statute” are what we have learned in the Torah regarding it.^[13] Thus, we see that Rav is the one who holds that the slaughter of a *parah adumah* done by a *zar* is invalid.

The Gemara questions Rav's position:

But one could challenge Rav as follows: What is different about the *parah adumah*, regarding which it is written “Elazar” and “statute”? פרו

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1. *Rashi*. [See 41b note 37.]

2. [A *sela* is four *zuz*; thus, the weight of this strip was eight *zuz* (see *Rabbeinu Chananel* and *Or HaYashar*).] A two-*sela* strip is long enough to divide in two, and a larger strip is unnecessary (*Rashi*).

3. See *Rashi*.

4. [I.e. two *zuz* (see *Rashi* and *Rabbeinu Chananel* to *Bava Metzia* 34b). Thus, the three weights were ten, eight and two *zuzim* respectively.]

5. The latter view holds that the strip of the *parah adumah* does not require weight; alternatively, he holds that a weight of two *zuz* is sufficient (*Tos. Yeshanim*).

6. The Mishnah in *Menachos* 110a states that both one who offers a large offering and one who offers a small offering find equal acceptance before God, provided that he directs his heart toward Heaven [i.e. he is motivated by a pure intent to serve God, and puts forth his best effort]. This statement can serve as a mnemonic for remembering that one of the disputants here assigns to the woolen strip used for the *parah adumah* the largest of the three measures mentioned above (ten *zuz*), whereas the other disputant assigns to it the smallest of the three measures (four *zuzim*). Neither assigns to it the middle measure (eight *zuzim*) (*Rashi*).

7. And the reason ten *zuz* would be required might be to publicize the miracle of the red wool turning white (*Tos. Yeshanim*).

8. The death of the righteous atones for us [see *Moed Katan* 28a] (*Rashi*). Similarly, the dispatched he-goat “carries upon itself all their iniquities to an uninhabited land” (*Leviticus* 16:22). Thus, the fact that the righteous Ravya bar Kisi died on that very day serves as a mnemonic for remembering that the woolen strip which was the subject of debate that day was the woolen strip used on Yom Kippur for the dispatched he-goat (see *Tos. Yeshanim*).

9. The term *zar*, [literally: stranger] generally refers to a non-Kohen. In the context of this *sugya*, however, it sometimes refers even to an

ordinary Kohen, who is not the Kohen Gadol [or is not the Deputy]. *Zar* is used in this wider context either as a borrowed term, or because even the ordinary Kohen is a “stranger” with regard to an *avodah* that requires the Kohen Gadol [or Deputy] (see *Tos. Yeshanim*).

10. Which “*zar*” is meant here will be clarified below.

11. [Rav and Shmuel are addressing the uncertainty mentioned by R' Yitzchak, each one resolving the uncertainty differently. From this it is evident that the R' Yitzchak mentioned here is the Babylonian Tanna R' Yitzchak, as we do not find any contemporary of the first-generation Amoraim Rav and Shmuel named R' Yitzchak (see *Doros HaRishonim*, Vol. IV p. 680).]

12. [*Hagahos HaGra* emends the text to read: רבאמר רבי וירא אמר רב: R' Zeira said in the name of Rav. This is also the reading found in *Zevachim* 14b.]

13. [Generally, the expression שנינו means: we have learned in a *Mishnah*. Here, however, the reference is to what is written in the Torah. (In the parallel *sugya* of *Zevachim* 14b and *Menachos* 6b, the reading is indeed רבאמר רבי וירא אמר רב: “Elazar” and “statute” is written regarding it.)]

The verse states concerning the *parah adumah* (*Numbers* 19:3): ונתתם אותה אל-אלעזר הכהן והוציא אותה אל-מחורץ למקנה וישחט אותה לפניו And you shall give it to Elazar the Kohen; and he shall take it out to the outside of the camp and he shall slaughter it in front of him. [Rav explains that and “he” shall slaughter refers to Elazar himself; in front of him means that he should not divert his attention from it (see *Gemara* below).] That section begins (*ibid.* v. 2): ואת חקת התורה: This is the statute of the Torah. As a rule, the word חקת, statute, indicates that the services mentioned in the section are essential as described (*Rashi*). Thus, Rav learns that it is essential that the *parah adumah* be slaughtered by Elazar, who was the Deputy Kohen Gadol.

[Accordingly, that first *parah adumah* would have been invalid had it been slaughtered by an ordinary Kohen. The first part of the verse (And

Why, regarding [the Kohen Gadol's] bull, too, it is written "Aaron" and "statute."^[14] Thus, we should say with regard to the Kohen Gadol's bull as well that its slaughter is invalid if done by a *zar* (i.e. someone other than the Kohen Gadol)! – ? –

The Gemara answers:

Slaughtering is not an *avodah* (i.e. a sacrificial service).^[15] And the Torah's statement of "statute" at the end of the Yom Kippur passage refers to those parts of the Yom Kippur service that are *avodos*, not to other elements that are not *avodos*.^[16]

The Gemara asks:

If so, then say with regard to the *parah adumah*, too, that its slaughter is not an *avodah*, and is therefore not encompassed by the term "statute" stated at the beginning of that passage. Thus, although "Elazar" is stated in that passage, the slaughter of the *parah adumah*, too, should be valid even if done by a non-Kohen. – ? –

The Gemara answers:

The *parah adumah* is different, for it is like items sanctified for the upkeep of the Temple in that it has only monetary sanctity and not sacrificial sanctity.^[17]

The Gemara retorts:

But is it not arguable through a *kal vachomer* that the slaughter of the *parah adumah* through "Elazar" should not be considered a "statute"? For if Aaron's slaughter of his bull *chatas*, which is an actual sacrifice, is not designated by the Torah as a "statute," is it not a *kal vachomer* that Elazar's slaughter of the *parah adumah*, which is not a sacrifice, is also not designated as a "statute" and thus should be valid even if done by a non-Kohen?^[18]

The Gemara answers:

Rav Shisha the son of Rav Idi said: The slaughter of the *parah adumah* is invalid if done by a non-Kohen just as is found in regard to ruling on symptoms of *tzaraas*, which is certainly not an *avodah*, yet it requires a member of the *Kehunah*.^[19]

The Gemara now questions Shmuel's position, that the slaughter of the Kohen Gadol's bull is invalid if done by a *zar*, but that of the *parah adumah* is valid:

But one could challenge Shmuel, who says that the slaughter of [the Kohen Gadol's] bull is invalid if done by a *zar* (whereas that of the *parah adumah* is valid), as follows: – מאי שנא פרו דכתיב אהרן וחוקה – What is different about [the Kohen Gadol's] bull, regarding which it is written "Aaron" and "statute"?^[20] פרה נמי הא כתיב אלעזר וחוקה – Why, regarding the *parah adumah*, too, it is written "Elazar" and "statute."^[21] Thus, we should say with regard to the *parah adumah* as well that its slaughter is invalid if done by a *zar*! – ? –

The Gemara answers:

It is different there in the case of the *parah adumah*, for it is written: and he shall slaughter it in front of [Elazar].^[22] The verse implies שיהא פרו – that a non-Kohen slaughters the *parah adumah* while Elazar observes.^[23]

Accordingly, the Gemara must explain how Rav will interpret this verse:

And how will Rav (who holds that Elazar was the one who slaughtered the *parah adumah*) explain the expression and he shall slaughter it in front of him? – שלא יסיה דעתו ממנה – He

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you shall give "it" to Elazar . . .), however, serves to modify somewhat the "Elazar" requirement with regard to subsequent *paros*, by emphasizing that *it* (this first *parah adumah*) is to be given to Elazar (the Deputy), whereas subsequent *paros* are to be given to a Kohen with different status (Gemara below, 42b). Some say this means that subsequent *paros* must be made by the Kohen Gadol, whereas others say it means that they may be made by an ordinary Kohen (ibid.). According to the former view, it would emerge that the *shechitah* of subsequent *paros* is invalid if done by a *zar* – i.e. even by an ordinary Kohen. According to the latter view, this would mean that it is invalid if done by a non-Kohen.]

14. For the verse states (Leviticus 16:11): והקריב אהרן את־זב־חַתָּאֵת אֲשֶׁר־לוֹ וְשָׁחַט אֶת־זֶבֶחַ הַחַטָּאת אֲשֶׁר־לוֹ And Aaron shall bring near the bull *chatas* that is his and he shall provide atonement . . . and he shall slaughter the bull *chatas* that is his. And at the end of the passage (v. 34), the Torah states: וְהִקְדַּחְתָּ אֶת־זֶבֶחַ הַחַטָּאת אֲשֶׁר־לוֹ לְפָנֵי יְהוָה וְהָיָה לְכֹהֵן וְלִזְבִּיחַ וְלִזְבִּיחַ וְלִזְבִּיחַ וְלִזְבִּיחַ And this shall be for you an eternal statute to bring atonement upon the Children of Israel . . . (Rashi).

15. As it applies to non-sacrificial animals as well (Rashi ms. to *Zevachim* 68b; Riva cited by *Tosafos* here). Alternatively, it is not an *avodah*, for in the case of sacrifices in general, the slaughter may be done by a non-Kohen (Rashi's explanation "in all places [that this is mentioned in the Gemara]" cited by *Tosafos* here; see, however, *Or HaYashar*, who notes that in our versions of Rashi's commentary, he says something of this sort only in his commentary to *Zevachim* 14b).

16. Rashi. [Thus, though the Kohen Gadol is supposed to slaughter his bull, as stated in the Torah, this obligation is not essential, and the Kohen Gadol's bull is valid (after the fact) even if slaughtered by some other Kohen, or even if slaughtered by a non-Kohen.]

17. As evidenced by the fact that the *parah adumah* is not slaughtered in the Temple altogether, but rather on the Mount of Olives. Since the *parah adumah* is not a sacrifice, none of the elements of its preparation can be classified as *avodos*. Accordingly, the "statute" designation stated at the beginning of the passage cannot be construed as referring specifically to *avodos*, and all aspects of the procedure (including the

shechitah) are thus equally included in the essential Kohen requirement (Rashi; see Rashi to *Zevachim* 14b and to *Menachos* 6b).

18. [Granted that all elements of the *parah adumah* procedure are non-*avodos* and there is thus no inherent reason to distinguish the *shechitah* from the other elements with regard to "statute," nonetheless Elazar's slaughter of the *parah* should be excluded from the "statute" designation because of the *kal vachomer* from the Kohen Gadol's bull.]

19. A person who has symptoms of *tzaraas* does not become *tamei* unless he is declared so by a Kohen (see *Leviticus* chs. 13-14).

Rav Shisha answers that the *kal vachomer* adduced to qualify a non-Kohen for the slaughter of the *parah adumah* is offset by the possibility of comparing *parah adumah* to the case of *maros negaim*, which is likewise not an *avodah* yet it requires a Kohen. Now, the case of *parah adumah* is more comparable to the case of *maros negaim* (as neither is an *avodah*) than it is to the case of the Kohen Gadol's bull (which is an *avodah*). Thus, we do not compare the slaughter of the *parah adumah* to that of the Kohen Gadol's bull (thereby validating the act of a non-Kohen), but rather to the case of *maros negaim* (thereby disqualifying the act of a non-Kohen). [And the comparison to *maros negaim* indicates that "statute" written with regard to *parah adumah* indeed encompasses the slaughter as well] (see *Rabbeinu Elyakim*).

20. [See above, note 14.] And which is apparently the reason that Shmuel invalidates its slaughter if done by a non-Kohen.

21. [See above, note 13.]

22. *Numbers* 19:3, cited above in note 13.

23. Since the verse states and "he" shall slaughter it in front of "him" (i.e. in front of Elazar), the implication is that "he" (the slaughterer) and "him" are not one and the same. Rather, the verse means that some unspecified person shall slaughter the cow in the presence of Elazar the Kohen (Rashi). [And since the identity of the slaughterer is unspecified, we have no basis to assume that he was a Kohen. Thus, the Torah never required a Kohen for the slaughter of the *parah adumah* altogether!]

explains it to mean that [Elazar], who is indeed the one slaughtering the *parah adumah*, shall not divert his attention from it.^[24]

Accordingly, the Gemara asks:
ושמואל שלא יסיח דעתו מנא ליה – And from where does Shmuel derive the law that [the slaughterer] shall not divert his attention from it?^[25]

The Gemara answers:
נפקא ליה מ, ושרף את-הפרה לעיניו – He derives it from the verse: *And he shall burn the cow before his eyes.*^[26] This indicates that he shall not divert his attention from it while burning it, and the same rule applies to its slaughter.^[27]

The Gemara now must explain how Rav accounts for the expression *before his eyes*:

ורב חז בשחיטה וחר בשריפה – And Rav, too, agrees that *before his eyes* teaches that one shall not divert his attention from it. But he holds that this is not a redundancy, because the Torah states one verse with regard to the slaughter and one verse with regard to the burning; that is, the Torah teaches the attentiveness requirement twice – once with regard to the slaughter and once with regard to the burning. וצריכא – And it was necessary, in Rav's view, for the Torah to teach this law both with regard to the slaughter and with regard to the burning. דאי קתב רחמנא בשחיטה – For if the Merciful One in His Torah

had written the requirement only with regard to the slaughter, I would have said that it is specifically with regard to the slaughter that one may not divert his attention, משום דתחילת משום דתחילת – because it is the beginning of the service. אבל שריפה אימא לא צריכא – But with regard to the burning, I would say there is no requirement that he not divert his attention; therefore, it was necessary for the Torah to state this requirement with regard to the burning as well. ונאי קתב רחמנא בשריפה – And if the Merciful One had written the requirement only with regard to the burning, I would have said that it is specifically with regard to the burning that one may not divert his attention, משום דהשתא הוא דמתבשרא – because it is at this point that the *parah adumah* actually becomes fit.^[28] אכל שחיטה אימא לא צריכא – But with regard to the slaughter, I would say there is no requirement that he not divert his attention; therefore, it was necessary for the Torah to state this requirement with regard to the slaughter as well.^[29]

The Gemara asks:

למעוטי מאי – This is meant to exclude what other aspect of the *parah adumah* service from the attentiveness requirement?^[30] אילמא למעוטי אסיפת אפרה ומילוי מים לקידוש – If you say that it is meant to exclude the gathering of its ashes and the filling of water for mixing,^[31]

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24. I.e. he must constantly guard it [from *tumah* or other disqualification] (*Rashi*), while performing this aspect of its service. See 42b, end of note 2.

25. According to Shmuel's interpretation of the verse, there is nothing unusual about the words *in front of him*, which are stated simply in order to indicate that Elazar is *not* the one slaughtering the *parah adumah*, but that it is merely slaughtered in his presence. Thus, Shmuel cannot derive from those words the special requirement that attention not be diverted from it [a law which, the Gemara assumes, Shmuel would also subscribe to].

26. *Numbers* 19:5.

27. Here, even Shmuel agrees that the meaning is "and he shall burn it before his own eyes." [According to Shmuel, this would mean that Elazar shall burn it before his own eyes (see *Siach Yitzchak*).] For in the case of this verse Shmuel will expound the Torah's shift in expression from *לפניו, before him* (used in the previous verse) to *לעניו, before his eyes* (used in this verse). The change to *לעניו, before his eyes*, indicates that the meaning here is "before his own eyes," i.e. that he shall not divert his attention from it (see *Siach Yitzchak* here; cf. *Ritva*, who explains that here the meaning must be "before his own eyes" since no subject is mentioned explicitly at the beginning of the verse).

[It should be noted, however, that the *Sifri* to this verse indeed expounds the words *and he shall burn the cow before his eyes* to mean that someone else shall burn the cow while Elazar looks on. This Baraisa in the *Sifri* accords with neither Rav nor Shmuel (*Tos. Yeshanim* printed on 42b בשחיטה ר"ה ורב חז בשחיטה ר"ה; see, however, *Tos. Yeshanim* to 2a, end of [א] and *Siach Yitzchak* there).]

28. I.e. this is when the goal of the entire *parah adumah* service is achieved – when the ashes needed for the purification procedure are obtained (see *Rashi*).

29. [Shmuel, however, holds that it is sufficient for the Torah to state the attentiveness requirement with regard to the burning, and from

there we derive its application to the slaughter as well.]

30. The Gemara assumes that the Torah meant to exclude some aspect of the *parah adumah* procedure – such as the gathering of the ashes or the filling of the vessel with water – from the attentiveness requirement. For if the Torah had meant for this requirement to apply to all aspects of the procedure, then it would have written the requirement only once – namely, with regard to one of these other aspects, which have no special feature that would cause us to think that the requirement is exclusive to that aspect. From the fact that the Torah wrote the requirement specifically with regard to those two aspects (the slaughter and the burning) that have special features, which necessitates stating the requirement *twice* (as the Gemara has just said), we see that the Torah meant to exclude from the requirement some aspect of the procedure possessing no special feature (*Tosafos*). [According to *Tosafos*, we must say that the Gemara is presently discussing specifically the view of Rav, who maintains that the Torah wrote the attentiveness requirement twice.] Alternatively, the Gemara at this point already knew that the attentiveness requirement is also contained in the word *למשקרת*, as a *safekeeping* (ibid. verse 9). On the basis of this word, it would have included all aspects of the procedure in the requirement (see Gemara below). The Torah's additional statement of this requirement with regard to *specific* aspects (e.g. the burning and/or slaughter) is meant to exclude some other aspect from the requirement (*Riva*, cited in *Tos. Yeshanim* and *Tos. HaRosh*). [Accordingly, we can say that the Gemara's present discussion is relevant even according to Shmuel's view.]

31. *kiddush*, refers to pouring of the water onto the ashes and mixing them together (*Rashi* [see 41b note 43]; cf. *Tosafos* to 43a ר"ה וכל כשרין לקדש).

[Some have the reading here: ומילוי מים לקידוש, and the filling of water "and" mixing [them together] (see *Rabbeinu Chananel* [printed on 42b] and *Tos. Yeshanim* to 42b למשמרת ר"ה; *Dikdukei Soferim* §40).]

מסורת הש"ס

[illegible]

in a case where one took out a donkey together with [the parah]. According to the Tanna Kamma this is permitted,^[1] for the rationale for the law does not apply.^[2] According to Rabbi, this is forbidden, for the parah is not being taken out "alone."^[3]

Ulla's exposition resumes:

Verse 3 continues: *And he shall slaughter "it" – this indicates that he shall not slaughter another one together with it.*^[4] *Before him* – according to Rav, this indicates that he shall not divert his attention from it. *שחט* – According to Shmuel, this indicates that a non-Kohen slaughters the parah while Elazar observes.^[5]

Verse 4 states:

And Elazar the Kohen shall take some of its blood with his forefinger . . . Why does the Torah specify here "Elazar" again? – According to Shmuel, it does so in order to restore it [this aspect of the service] to the province of Elazar.^[6] *לרב הוי מיעוט אחר* – According to Rav, it [the specification of Elazar here] represents a limitation following a limitation, *ואין מיעוט אחר* – and the rule is that a limitation following a limitation serves only to include something; thus it emerges that even an ordinary Kohen is qualified to receive and sprinkle the blood.^[7]

Verse 6 states:

And the Kohen shall take cedarwood and hyssop and red wool, and he shall cast [them] into the burning of the cow. Why does the Torah specify here "the

According to Shmuel, who holds that the procedure detailed in the earlier verse required Elazar specifically, the specification "the Kohen" here comes to teach that the casting of the cedarwood etc. is valid even if done by an ordinary Kohen.^[8] *לרב איצטריק* – And even according to Rav, who holds that the earlier procedure was also valid if done by an ordinary Kohen, it was still necessary for the Torah to specify "the Kohen" here. *סלקא דעתך אמינא כינן דלאו גופה דפרה נינהו לא* – Otherwise, it would have entered your mind to say that since they [the cedarwood, hyssop and red wool] are not part of the cow itself, a Kohen should not be required.^[9] *קא משמע* – Therefore, [the Torah] informs us that a Kohen is indeed required.^[10]

Verse 7 states:

And the Kohen shall immerse his clothing . . . This teaches that the Kohen must be in his full Kohanic state (i.e. wearing the priestly vestments, and not ordinary, secular clothing) when performing the various aspects of the parah adumah service.^[11]

The verse concludes:

... and the Kohen shall remain tamei until evening. This teaches that "the Kohen in his full Kohanic state" is also required for the paros adumos made in subsequent generations.^[12]

The Gemara asks:

This is well according to the one who says that in subsequent generations those procedures that required Elazar in the preparation of the first parah adumah may be done even by an ordinary Kohen.^[13]

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1. *Rashi*. [Although *דאפיק* is past tense (*where one took out*), *Rashi* apparently explains the Gemara as referring to what is permitted to begin with; see also *Rabbeinu Elyakim*. (See *Chazon Ish*, *Parah* 6:15.)]
2. Certainly, no one will think that they used an unkosher animal for the parah adumah service (see *Meiri*).
3. And though the rationale expounded for the law does not apply, *Rebbi* holds that the expounded rationale cannot serve to define the limits of the law.
4. E.g. using a long knife, so that both are slaughtered with the same act of slaughter (see *Tos. Yeshanim*).
5. This dispute between Rav and Shmuel was cited by the Gemara above, 42a.
6. I.e. to teach that it is Elazar who must receive the blood (see *Rashi* *ד"ה* *ולקח*; see 42b note 11) and sprinkle it (see *Rashi* below *ד"ה* *עז ארו*). Since the previous verse (as interpreted by Shmuel) takes the slaughter of the parah out of Elazar's province and validates a non-Kohen for it, it was necessary for this verse to state explicitly that it is Elazar who receives the blood and sprinkles it. For had the Torah stated simply and "he" shall take some of its blood, without specifying "Elazar," one would have thought that "he" refers to the non-Kohen who performed the slaughter in the previous verse (*Rashi*).
7. Since according to Rav the procedure mentioned in the previous verse (slaughter) was already restricted to Elazar, the Torah's further restrictive mention of Elazar in this verse serves only to expand the pool of qualified people to include even an ordinary Kohen.
8. This, then, is an instance of *an implied condition reverses the implied condition [of a previous verse]*. For the condition of verse 3 with regard to the shechitah is reversed here with regard to the receipt and sprinkling of the blood. That is, according to Shmuel, even a non-Kohen may perform the shechitah, but Elazar is required for the receipt and sprinkling of the blood. According to Rav, Elazar is required for the shechitah, but even an ordinary Kohen may receive and sprinkle the blood (see *Rashi* below *ד"ה* *ולקח הכהן*; *Ritva*).
9. Thus, this is another instance of *an implied condition reverses the implied condition [of a previous verse]*. For the condition of verse 4, that Elazar must receive and sprinkle the blood, is reversed here, with the qualifying of an ordinary Kohen for the casting

- in of the cedarwood etc. (*Rashi*).
9. Thus, had the Torah stated here simply and "he" shall take cedarwood . . ., I would have thought that "he" refers to any person at all, and not necessarily the Kohen who received the blood in the previous verse (*Rashi*).
10. According to Rav, then, this is an instance of *the implied condition [of the earlier verse] stands on its own* (i.e. remains the same). That is, the ordinary Kohen qualified for the receiving and sprinkling of the blood in verse 4, is qualified for the casting in of the cedarwood etc. as well (*Rashi*).
11. The word *הכהן*, *the Kohen*, is apparently superfluous here, for the Torah could have written simply: *And "he" shall immerse his clothing . . .*, and I would know that this refers to the Kohen who cast in the cedarwood etc. in the previous verse. We must say, then, that the Torah wrote *the Kohen* here in order to juxtapose it to the word *בגדיו*, *his clothing*, indicating that he must wear clothes of the Kohen (i.e. the priestly vestments) when performing these services (*Rashi*; regarding which "priestly vestments" are meant, see *Parah* 4:1 and *Rambam*, *Hil. Parah Adumah* 1:12 with *Mishneh LaMelech*; see also *Zevach Todah* here). [This applies only to those services requiring a Kohen. If, however, a Kohen performs a service that a non-Kohen is qualified to perform, then the Kohen need not wear the priestly vestments at that time.]
- [Thus, it would emerge that according to Rav, who holds that a Kohen is required for the shechitah of the parah, the Kohen who slaughters must be wearing the priestly vestments (*Tos. Yeshanim* to 42a שחטת ד"ה *ור*; cf. *Chazon Ish*, *Parah* 8:3).]
12. [Here too, at the end of the verse, the word *הכהן*, *the Kohen*, is superfluous, and is therefore expounded as extending the "Kohanic state" requirement to all subsequent paros adumos.]
13. The Gemara above (42b) cited a dispute in this matter. As explained there, one Tanna holds that for subsequent paros these procedures may be performed even by an ordinary Kohen, for he does not expound the *gezeirah shavah* of "statute, statute" to derive a Kohen Gadol requirement from the context of Yom Kippur. According to this Tanna, we can understand that it was necessary for the Torah to state "the Kohen" in order to teach that the ordinary Kohen who prepares the subsequent paros must do so while wearing his priestly vestments (*Rashi*).

But according to the one who says that in subsequent generations they must be done by the Kohen Gadol, why would the Torah have to teach that priestly vestments are required? השתא כהן גדול בעיניו ביהונו מביעניא — Now that we even require that the Kohen Gadol perform part of the service, is it necessary to state that the ordinary Kohen who performs his part of the service must be in his full Kohanic state?^[14]

The Gemara answers:

Yes. Sometimes, Scripture takes pains to write explicitly something that could be derived through a *kal vachomer*.

Verse 9 states:

— *And a man who is tahor shall gather the ash of the cow and he shall place [it] outside the camp in a tahor place...* — *איש, להקשיר את הזר* — The specification *man* comes to qualify a non-Kohen for this procedure.^[15]

— *טהור, להקשיר את האשה* — The specification *tahor* comes to qualify a woman for it.^[16] — *והניח, מי שיש בו דעת להניח* — And since the verse states: *and he shall place*, it means to imply someone who has the intelligence to place it in its proper place; *וצאו* — excluded are a deaf-mute, an insane person and a minor, who do not have the mental competence to place it in the proper place.^[17]

Verse 17 states: *And they shall take for the tamei some of the ashes of the burning of the chatas, and he shall put upon it spring water in a vessel.* The Gemara cites a Mishnah that discusses who is qualified to perform this procedure:

— *We learned there in a Mishnah: ALL tahor persons ARE QUALIFIED TO MIX the water with the ashes EXCEPT FOR A DEAF-MUTE, AN INSANE PERSON*

AND A MINOR. — *רבי יהודה מכשיר בקטן ופוסל באשה ובאנדרוגינוס* — R' YEHUDAH QUALIFIES A MINOR, BUT DISQUALIFIES A WOMAN AND AN ANDROGYNE.

The Gemara elaborates:

— *What is the reason of the Rabbis (i.e. the Tanna Kamma of the Mishnah) for ruling as they do?* — *ולקחו לטמא* — *וקחו לטמא* — *For it is written: And they shall take for the tamei some of the ashes of the burning of the chatas and he shall put upon it spring water in a vessel.* — *הנה פסלי לה באסיפה* — The Torah's use of the pronoun "they" (which we take as referring to the antecedent) indicates: "Those that I have disqualified to you for the gathering, I have disqualified to you for the mixing of the water with the ashes." — *והנה פסלי לה באסיפה* — *And those that I have qualified to you for the gathering, I have qualified to you for the mixing.*^[22]

R' Yehudah's response:

— *ואם כן לימא קרא* — And what will R' Yehudah respond? — *ולקח* — He will say: If so, that the Torah meant that the very ones qualified to perform the previous service are qualified to perform this one, let the verse say "and he will take..." using the singular form, parallel to the singular form used with regard to the previous service.^[23] — *מאי, ולקחו* — What does the Torah teach by shifting to the plural form: *And "they" shall take?* — *התם הבא קשר* — It teaches that "even a minor, whom I have disqualified to you there (for performing the gathering) is fit here (for the mixing of the ashes with water)." — *אשה מנא ליה* — And from where is it known to him that a woman (though she was qualified for the gathering) is not qualified for the mixing? — *והנה* — For the verse states: *and "he" shall put upon it spring water in a vessel*, which teaches: but not "and she shall put."^[25]

NOTES

14. If the Torah goes so far as to require a Kohen Gadol for some part of the service (e.g. for the *shechitah*, according to Rav), can there be any question that the ordinary Kohen who performs his part of the service (e.g. the casting in of the cedarwood etc.) must be wearing the priestly vestments at the time? For it would be unreasonable to say that the Torah lowers the Kohanic requirement for this second service two degrees, allowing not only a Kohen who is not the Kohen Gadol, but also one who is not even wearing his priestly vestments at the time (*Ritva*).

15. Had the Torah written here simply *and "he" shall gather the ash of the cow* ..., it would have referred to the Kohen, who is the subject of the earlier verses. Therefore, the Torah states *a man*, to indicate that even a non-Kohen may gather the ashes (*Rashi*).

16. Certainly, there was no need for the Torah to write "tahor" simply to teach that a *tamei* may not gather the ashes, since this is known from the fact that the Torah calls the *parah adumah* a "chatas" [v. 9 and v. 17] (*Rashi*; see *Chidushei Riz HaLevi* to *Yoma*, who elaborates on *Rashi's* intent here [given the fact that the *chatas* designation does not apply to the *parah adumah* after it is burned]). Therefore, the word "tahor" is expounded as indicating that any *tahor* is qualified — even a woman.

17. Since the Torah stipulates that the gathered ashes be placed in a *tahor* place, mental incompetents are excluded from performing that procedure, since they do not have the competence to distinguish between what is *tahor* and what is *tamei* (*Mishnah Acharonah* to *Parah* 5:4).

[The Gemara's exposition here follows the view of R' Akiva in the *Sifri*. According to R' Yishmael's exposition there, however, the reverse is true: it is a minor who is qualified to gather the ashes but not a woman. See *Yefei Einayim* and *Siach Yitzchak*.]

18. *Parah* 5:4.

19. *Rashi* to *Yevamos* 72b.

20. That is, to pour water over the ashes in an earthenware vessel (*Rashi*). [*Rashi* apparently patterns his comments after verse 17, which states: *And they shall take for the tamei some of the ash of the burning of the chatas, and he shall put upon it spring water in a vessel.* *Tsafos*, however, argue that it seems from many places in Tractate *Parah* that it was the ashes that were added to the water, and not the reverse. [See *Mesoras HaShas*, who points to the fact that the matter is actually the subject of a Tannaic dispute in *Sotah* 16b.] Therefore, *Tsafos* suggest

that the words in the verse *והנה פסלי לה באסיפה* are not to be rendered *and he shall put upon it*, but rather: *and he shall put "for him."* That is, he shall put on behalf of the *tamei* water in a vessel, and then add the ashes to the water that is already in the vessel. Additionally, *Rashash* deletes the word *קרקס*, *earthenware*, from *Rashi*, as the Mishnah in *Parah* 5:5 states clearly that a vessel made of any material is fit to be used for the mixing.]

21. Verse 17.

22. Taking the ashes and mixing them with water is the very next aspect of the *parah adumah* procedure after the gathering of the ashes mentioned in verse 9. (Verse 10 states how the one who gathers the ashes is then to purify himself. Verses 11 through 16 detail how corpse *tumah* is contracted.) Accordingly, when verse 17 states simply: *And "they" shall take* ..., it refers to the very ones who are qualified to perform the preceding service — the gathering of the ashes (*Rashi*).

23. In verse 9, which states: *And a man who is tahor shall gather* ... (see *Rashi*).

24. [The shift to the plural *and "they" shall take* ... comes to include someone as qualified for the taking who was not previously qualified for the gathering. R' Yehudah applies this inclusion to a minor (but not to a deaf-mute, an insane person or a woman, as will be explained).]

25. Though the Torah generally uses the masculine pronoun where either a male or female is meant, R' Yehudah expounds the significance of the shift from the plural "they" found in the beginning of the verse to the singular "he" used here. This shift bids us to expound *he* literally, as referring only to a male but not to a female (*Tsafos*). And just as a woman is excluded, so too an androgyne, who is possibly a woman (*Rashi*).

[The masculine pronoun "he" shall put does not exclude the deaf-mute or insane person. Nevertheless, the minor (though also deemed a mental incompetent) is considered to be on a higher legal level than they, because he will eventually become fully competent upon maturity. Hence, since we have no basis to include more than one of those previously disqualified, we include the minor and not the deaf-mute or insane person (*Tsafos* [ר"ה מאי ולקחו].)]

Thus, according to R' Yehudah, this verse contains an inclusion and an exclusion. "They" comes to include even the minor who was previously disqualified. And "he" comes to exclude the woman who was previously qualified.

The Rabbis' response:

אי כתב רחמנא ולקח – And what will the Rabbis respond?^[26] – ונתנו – They will say: If the Merciful One in His Torah had written and “he” shall take . . . and he shall put . . ., as R’ Yehudah proposes, הנה אמינא עד דשקיל חר ויהיב חר – I would have said that it is not valid unless only one person takes the ashes and that very same one puts water on them in a vessel.^[27] – Therefore, the Merciful One in His Torah wrote And they shall take, to teach that it is valid even if two people take the ashes. – ואי כתב רחמנא ולקחו ונתנו – And if the Merciful One in His Torah had written and they shall take . . . and “they” shall put . . ., הנה אמינא עד דשקלי תרי ויהיבי תרי – I would have said that it is not valid unless two people take the ashes and those same two put water on the ashes in a vessel. – Therefore, the Merciful One in His Torah wrote: And they shall take . . . and he shall put . . ., which

teaches – דאמילי שקלי תרי ויהיבי חר – that it is valid even when two take the ashes and one puts water on the ashes in a vessel.^[28]

The Gemara cites verse 18, and infers how the Rabbis and R’ Yehudah, respectively, will expound it:

– “ולקח איוב וטבל במים איש טהור” – And a man who is tahor shall take hyssop and dip [it] in the water, and he shall sprinkle upon the tent and upon all the vessels and upon the people who were there . . . – לרבנן, איש ולא אשה, טהור – According to the Rabbis (who hold that for the previous service – the taking and mixing of the ashes – a woman is qualified but a minor is not), man comes to teach “but not a woman,” and tahor comes to qualify a minor for the present service.^[29] – איש ולא – And according to R’ Yehudah (who holds that for the previous service a minor is qualified but not a woman), man comes to teach “but not a minor,” and tahor comes to qualify a woman for the present service.^[30]

NOTES

26. What will they respond to R’ Yehudah’s argument that the Torah should have stated and “he” shall take . . . had it meant simply to preserve the status quo and continue to qualify only those who had been qualified for the previous service?

27. See Rashi, Tosafos, Tos. Yeshanim ולקחו and Rashash, and Siach Yitzchak cited at the end of next note.

28. Since two may take the ashes and one may put the water on them, we see that there is no requirement that the same ones who do the taking of the ashes do the putting of the water. And since one person is sufficient for the putting, we may deduce that one is sufficient for the taking as well, as it is unreasonable to differentiate between the taking and the putting (see Tos. Yeshanim and Rashash; Siach Yitzchak to Rashi ורבנן and to Tos. Yeshanim רחמנא).

[According to the Rabbis, then, this is another instance of *the implied condition [of the earlier verse] stands on its own* [i.e. remains the same]. That is, the same persons qualified to perform the previous service (the gathering of the ashes) are qualified to do the present one (take the ashes and mix them with water). According to R’ Yehudah, though, it is an instance of *an implied condition reverses the implied condition [of a previous verse]*. For the minor, who was disqualified for the previous service, is now qualified; the woman, who was qualified for the previous service, is now disqualified.]

29. Previously, a man who is tahor (found in verse 9, with regard to the gathering of the ashes) was expounded as coming to include a non-Kohen and a woman (with a minor being excluded on the basis of the expression *and he shall place* . . .). According to the Rabbis, these same qualifications applied to the next service (the taking of the ashes and mixing them with water) as well. The identical expression – *a man who is tahor* – that appears in the present verse (with regard to the sprinkling of the purifying waters) cannot similarly be interpreted as coming to include a non-Kohen and a woman, since in the absence of any indication to the contrary they would have been included automatically. Necessarily, then, the specification *a man who is tahor* in this verse must be expounded differently, as reversing conditions that prevailed with regard to the previous service (see Rashi).

30. For had the Torah meant simply to preserve the status quo and retain for the present service the same qualifications found with regard to the previous one, it should have omitted the specification *a man who is tahor* (Rashi).

According to both the Rabbis and R’ Yehudah, then, this is an instance of *an implied condition reverses the implied condition [of a previous verse]*. Someone qualified for the previous service is disqualified for this one, and someone disqualified for the previous one is qualified for this one (see Rashi).

ULLA'S EXPOSITION OF THE VERSES IN NUMBERS CH. 19			
VERSE	TEXT	TRANSLATION	ULLA'S EXPOSITION
3	ויתתם, אתה, אל-אלעזר הכהן	And you shall give “it” to Elazar the Kohen;	“It” is given to Elazar, but not subsequent ones. [Some say subsequent ones are done by the Kohen Gadol, and some say by an ordinary Kohen.]
	והוציא, אתה, אל-מחוצ למחנה	and he shall take “it” out to the outside of the camp,	but not another one with it.
	ושחט, אתה, לפניו	and he shall slaughter “it” in front of him.	a) He shall not slaughter another one with it. b) RAV: Elazar shall slaughter it in front of himself, i.e. he shall not divert his attention from it. SHMUEL: A zar shall slaughter it in front of Elazar.
4	ולקח, אלעזר הכהן, מדימה באצבעו	And “Elazar” the Kohen shall take some of its blood with his forefinger . . .	RAV: This limitation following a limitation qualifies even an ordinary Kohen. SHMUEL: This limitation restores this aspect of the service to Elazar.
6	ולקח, הכהן, עץ ארז ואזוב ושני תולעת	And “the Kohen” shall take cedarwood and hyssop and red wool . . .	RAV: to teach that a Kohen is required. SHMUEL: to teach that even an ordinary Kohen is qualified.
7	ונכס בגדיו, הכהן	And “the Kohen” shall immerse his clothing . . .	To teach that Kohanite vestments are required.
8	וקמא, הכהן, עד-הערב	and “the Kohen” shall remain tamei until evening.	To teach that Kohanite vestments are required for all subsequent paros as well.
9	ואסף, איש, טהור את אפר הפרה והניח מחוצ למחנה במקום טהור	And “a man” “who is tahor” shall gather the ash of the cow and “he shall place” [it] outside the camp in a tahor place . . .	“A man” – even a non-Kohen; “tahor” – even a woman; “and he shall place” – to exclude a deaf-mute, mentally deranged person, and a minor.
17	ולקחו לשמיא מעשר שרפת החסות, ונתנו עליו מים חיים אל-כלי	And “they” shall take for the tamei some of the ashes of the burning of the chotas, and “he” shall put upon it spring water in a vessel.	RABBIS: “They” means those qualified for the previous service (the gathering) – i.e. a non-Kohen and a woman, but not a deaf-mute, mentally deranged person, or a minor. “He” – even if two take the ashes and only one puts the water. R’ YEHUDAH: “They” – even a minor. “He” but not a woman.
18	ולקח איוב וטבל במים, איש, טהור והזה	And “a man” “who is tahor” shall take hyssop and dip [it] in the water, and he shall sprinkle . . .	RABBIS: “A man” but not a woman; “tahor” – even a minor. R’ YEHUDAH: “A man” but not a minor; “tahor” – even a woman.

The Gemara challenges the preceding inference with regard to R' Yehudah's view:

מיתכי הכל כשרין להיות חוץ מטומטום ואנדרוגינוס ואשה – They challenged this from the following Mishnah:^[31] ALL ARE QUALIFIED TO SPRINKLE the purifying waters on the *tamei*, EXCEPT FOR A TUMTUM OR AN ANDROGYNE OR A WOMAN.^[32] וקטן שיש בו

– AND A MINOR WHO HAS THE MENTAL COMPETENCE to do the sprinkling purposefully,^[33] MAY BE ASSISTED BY A WOMAN AND thereby SPRINKLE the purifying waters on the *tamei*.^[34] Now, this Mishnah disqualifies a woman for the sprinkling of the purifying waters and qualifies a minor,

NOTES

31. Parah 12:10.

32. A *tumtum* is one who was born with a thick membrane covering the genital area, and whose gender, therefore, is unknown. Like the androgyne, the *tumtum* is possibly a woman. [See *Tosafos*, who explain why *tumtum* was not mentioned along with “a woman and an androgyne” in the earlier Mishnah regarding the mixing of the ashes, cited above.]

33. The sprinkling of the purifying waters is not valid unless it is done intentionally, as stated in Parah 12:3 (*Tos. Yom Tov* to Parah 12:10; see also marginal gloss here for a variant text).

34. That is, although a woman is disqualified for the sprinkling of the waters, she may assist and thus enable a minor, who is qualified (but unable to sprinkle on his own), to perform the sprinkling. (The end of the Mishnah there details the nature of the woman's assistance.)

and R' Yehudah is not quoted as disagreeing! Does this not prove that R' Yehudah indeed agrees?^[1]

The Gemara answers:

בין דאמר מר משמע מוציא מיד משמע – אבאי – Abaye said: Since the master has said above with regard to this Scriptural passage that in some of the verses there is an implied condition that reverses the implied condition of a previous verse, while in others the implied condition of an earlier verse stands on its own (i.e. remains the same) in a subsequent verse, you are forced to say that [R' Yehudah] disagrees, even though the Mishnah does not record his dissenting view in this matter.^[2]

The Gemara concludes its exposition of this passage. Verse 19 states:

“והזה הטור על השמא” – And the tahir one shall sprinkle upon the tamei on the third day and on the seventh day . . . “טהר” – The apparently superfluous expression *the tahir one*^[3] is meant to imply that he was *tamei*.^[4] לימד על – This teaches about a *tevul yom* that he is fit for the *parah adumah* service.^[5]

The Gemara corroborates Ulla's observation:

כי הוה בה רבי יוחנן וריש לקיש בפרה – אבאי – R' Assi said: When R' Yochanan and Reish Lakish delved^[6] into the *parah adumah* passage, seeking to discover a uniform pattern of conditions running through all aspects of its service,^[7] לא מקשי – they were able to bring up from it only what the fox brings up on its feet from the plowed field.^[8] אלא אמרי משמע מוציא מיד משמע וממילא – Rather, they were forced to say that in some of the verses there is an implied condition that reverses the implied condition of a previous verse, while in others the implied condition of an earlier verse stands on its own (i.e. remains the same) in a subsequent verse.

The Gemara concludes its discussion (begun at the top of 42a) regarding the fitness of a *zar* for the *shechitah* of the *parah adumah* with the following exchange:

תני תנא קמיה דרבי יוחנן – A teacher of Baraisos taught a Baraisa in the presence of R' Yochanan as follows: כָּל הַשְּׁחִיטוֹת בְּזָר חוץ מִשֵּׁל פָּרָה – ALL required ACTS OF SLAUGHTER ARE VALID if done BY A ZAR, EXCEPT FOR THAT OF THE *PARAH adumah*. אמר ליה רבי יוחנן פוק תני לכרא – R' Yochanan said to him: Go out and teach this Baraisa outside the study hall, but not inside (for it is not an authoritative text)! לא מצינו – We do not find any act of slaughter that is invalid because it is done by a *zar*.

The Gemara comments on R' Yochanan's view in this matter: And in this matter, not only does R' Yochanan not accept the view of the teacher of Baraisos,^[9] אלא אפילו לרביה לא ציית – but he does not accept even the view of his own teacher in this matter.^[10] דאמר רבי – For R' Yochanan reported in the name of his teacher R' Shimon ben Yehotzadak: The slaughter of a *parah adumah* done by a *zar* is invalid. ואני אומר בשירה לא מצינו שהיטה שפסולה בזר – But I say (continues R' Yochanan) that it is valid. We do not find any act of slaughter that is invalid because it is done by a *zar*.^[11]

The next part of the Mishnah states:

בא לו אצל פרו שניה – (THE KOHEN GADOL) then COMES TO HIS BULL A SECOND TIME and leans both his hands upon it and confesses, and thus would he say: “I beg of You, Hashem! I have acted wickedly, rebelled and sinned before You – I and my family and the children of Aaron, Your holy people . . .”

The Gemara asks:

מאי שנא בירידי ראשון דלא אמר ובני אהרן עם קדושך – Why is it different there in the case of the first confession that he does not say “and the children of Aaron, Your holy people,”^[12] ומאי שנא בירידי שני דאמר, ובני אהרן עם קדושך – and why is it

NOTES

1. If (as the Gemara inferred above) R' Yehudah disagreed and qualified a woman and disqualified a minor, wouldn't the Mishnah have mentioned his dissenting opinion, just as it mentioned it above (in 5:4, cited on 43a) on an interrelated matter?

2. For, as explained above (43a notes 29 and 30), the mention of a *man* who is *tahir* with regard to the sprinkling of the purifying waters is necessarily an instance of *משמע מוציא מיד משמע*, an implied condition reverses the implied condition [of a previous verse], and comes to reverse some of the conditions stated previously (*Rashi*). Thus, the Mishnah in *Parah* (12:10) considered it sufficient to state only the view of the Rabbis that a minor but not a woman is qualified to sprinkle the purifying waters. And one should automatically realize that just as the Rabbis reverse here the conditions that prevail in the previous service according to their view, so too does R' Yehudah according to his view (*Ritva*).

3. The Torah could have stated simply and “he” shall sprinkle . . . and this would have automatically referred to the *tahir* person who was sprinkling in the previous verse (see *Rashi*).

4. And has left the state of *tumah* that was previously upon him (*Rashi*, as emended by *Siach Yitzchak*). [Alternatively, since it was unnecessary for the Torah to state here *the tahir one*, the implication is that the reference is to one who is a *tahir* with regard to this law, but *tamei* with reference to other laws (מקלל שהוא טמא); that is, a *tevul yom* (see next note), who is *tamei* with regard to *terumah* and *kodashim*. And he is called here “the *tahir one*” since the Torah calls him *tahir* with regard to *maaser sheni* in *Leviticus* 14:8 (see *Rashi* to *Yevamos* 73a ד”ה הטורח and to *Zevachim* 17b ד”ה ורחב 2:1, *Keilim* 1:5, *Negaim* 14:3 and *Yevamos* 74b).]

5. A *tevul yom* [literally: one immersed that day] is one who has immersed in a *mikveh* to purify himself from *tumah*, but must wait until sundown in order to attain full purification. He retains a vestige of his original *tumah* until sundown, and thus renders *terumah* and *kodashim*

invalid through contact.

The expression “the *tahir one*” implies that he had been *tamei* [and still retains a vestige of that *tumah*; otherwise, there is no point in stating that he had been *tamei*], and thus teaches that a *tevul yom* is qualified to sprinkle the purifying waters [and, by extension, all the other services of the *parah adumah* as well – see *Tosafos*; see also *Rabbeinu Chananel*].

[The Sadducees, who ignored the Oral Tradition handed down from Sinai, did not accept this oral law, and thus maintained that the one performing the services of the *parah adumah* be absolutely *tahir*. To publicly discredit this Sadducee error, the Sages instituted that the *parah adumah* be prepared specifically by *tevulei yom* – see *Parah* 3:7.]

6. Literally: analyzed (see *Rashi*).

7. I.e. that each verse should either reverse the conditions of the previous one, or each should maintain the conditions of the previous one (*Rashi*).

8. I.e. they were unable to come up with any novel approach that would explain the verses according to a uniform pattern. Thus, they came up empty handed, just as the fox who walks across a plowed field comes away with nothing more than the dust on its feet (*Rashi*).

9. Whose view he is not obligated to accept, since the teacher of Baraisos was neither his teacher nor greater than him (*Rabbeinu Elyakim*).

10. Though he would [ordinarily] be duty-bound to subordinate his opinion to his teacher's view (*Rabbeinu Elyakim*).

11. Thus, R' Yochanan agrees with Shmuel (above), who holds that a non-Kohen is qualified to slaughter the *parah adumah* [though he disagrees with Shmuel with regard to the latter's disqualification of a *zar* for the *shechitah* of the Kohen Gadol's bull].

12. In the first confession on the bull (detailed by the Mishnah above, at the end of 35b), the Kohen Gadol does not add the words “and the children of Aaron, Your holy people,” as he does here.

different here in the case of the second confession that he says "and the children of Aaron, Your holy people"?

The Gemara cites a Baraisa that answers this question:

A Baraisa was taught in the academy of R' Yishmael: THUS DOES LOGIC

DICTATE: מוֹטָב וְכַיִן וְכַפֵּר עַל הַחַיִּיב – BETTER that AN INNOCENT ONE SHOULD COME TO GAIN ATONEMENT FOR THE GUILTY ONE, וְאֵל וְכַיִן וְכַפֵּר עַל הַחַיִּיב – RATHER THAN that A GUILTY ONE SHOULD COME TO GAIN ATONEMENT FOR THE GUILTY ONE.^[13]

Mishnah The Mishnah continues to relate the order of the day's *avodah*, commencing with the slaughter of the Kohen Gadol's bull:

וְשָׁחַט – [The Kohen Gadol] slaughters it (i.e. his bull), וְקָבַל בְּמוֹרֶק אֶת דָּמוֹ – and receives its blood in the receiving bowl,^[14] וְנוֹתְנוֹ לְמִי שֶׁהוּא מְמַרְס בּוֹ עַל הַרוֹבֵד הַרְבִּיעִי שֶׁבְּהֵיכָל – and gives [the blood] to the one who stirs it on the fourth row of paving stones in the Sanctuary, כְּדִי שֶׁלֹּא יִקְרוֹשׁ – so that it will not congeal while the incense offering is brought.^[15]

He obtains coals for the burning of the incense:

וְנָטַל מִחֻתָּה וְעָלָה לְרֹאשׁ הַמִּזְבֵּחַ – [The Kohen Gadol] then takes a shovel and ascends to the top of the Altar,^[16] וְיִחַר מִן הַמַּעֲבֹלוֹת הַפְּנִימִיּוֹת – and he clears the outer coals to this side and to that side, וְיִרְדּוּ – And he descends, וְיִנְחִיחַ עַל הַהֶנִּיחָה עַל – and he scoops a shovelful from the consumed, innermost [coals].^[17] וְיִרְדּוּ – And he descends, וְיִנְחִיחַ עַל הַהֶנִּיחָה עַל – and he places [the full shovel] on the fourth row of paving stones in the Courtyard.^[18]

The Mishnah enumerates several differences between the *avodah* of Yom Kippur and the daily *avodah*, all pertaining to the incense offerings:

בְּכָל יוֹם הָיָה חֻתָּה בְּשֵׁל כֶּסֶף וּמַעֲרָה בְּתוֹךְ שֵׁל זָהָב – Every day [a Kohen] would scoop up coals for the daily incense offering with [a shovel] made of silver, and pour them into [a shovel] made of gold,^[19] וְהַיּוֹם חֻתָּה בְּשֵׁל זָהָב – but today [the Kohen Gadol] scoops them up with [a shovel] made of gold, וְיָבֵא הָיָה מִכְּנִס – and with it he brings them in to the Holy of Holies.^[20]

NOTES

13. At the first confession, the Kohen Gadol is still burdened with his own sins. After that confession, he is considered cleansed (since the confession itself atones), and only then is it fitting for him to seek to gain atonement for his Kohanite brethren with his second confession.

[Though the Kohen Gadol mentions the sins of his household during the first confession, when he is still "guilty," that is because his household is like an extension of himself (*Ritva*). And though the Kohen Gadol and his household have already been mentioned in the first confession, it is only fitting that they should be mentioned again in the second confession, since their atonement is not yet complete until the bull is actually offered (see *Tos. HaRosh*).]

[The Mishnah in *Shevuot* (2b) records a dispute between the Tanna Kamma (R' Yehudah – see Gemara there 13b) and R' Shimon regarding the extent to which the Kohen Gadol's bull gained atonement for the Kohanim. As explained by the Gemara there (14a), R' Shimon holds that all three atonements of the Kohen Gadol's bull – the first confession, the second confession, and the blood applications – were needed for the Kohanim. According to R' Yehudah, however, only the second confession and the blood applications were needed for the Kohanim (and the first is needed only so that the Kohen Gadol himself shall first be deemed "an innocent one"). Apparently, then, our Mishnah in *Yoma*, which omits any mention of the ordinary Kohanim in the Kohen Gadol's first confession (see preceding note) follows R' Yehudah's view. Possibly, however, it is indeed authored by R' Shimon, who agrees that although the Kohen Gadol's first confession atones for the ordinary Kohanim as well, the Kohen Gadol does not specifically mention the ordinary Kohanim in that first confession, because it is not fitting that he should do so until he himself is "an innocent one" (see *Tosafos* to *Shevuot* 14a *ד"ה שני וירד*; see also *Ritva* there, and *Tosafos* below, 66a *ד"ה אמר רבי* (ירמיה). See also *Siach Yitzchak* here, who uses this Tannaic dispute to account for the peculiar phraseology of the Gemara's question here.]

14. In this case too, as in the slaughter of the *tamid* offering (see 31b), the Kohen Gadol does not complete the *shechitah* himself, but gives it over to be completed by another Kohen, to free himself to receive the blood. The Mishnah does not bother to state this explicitly here, but relies upon its statement concerning the *tamid* (*Tos. Rid* here; *Meiri* to 54a; *Tos. Yom Tov*; *Gevuras Ari*; cf. *Kol HaRemez*, *Lechem Shamayim*, *Tiferes Yisrael* §19 and *Rashash* to 12a).

[The bull is slaughtered between the Antechamber and the Altar, as we see from the Gemara above, 36a (see there, note 1; see also 37a note 33).]

15. For blood that has congealed is not valid for the blood service of the Holy of Holies (or for that of the Sanctuary) (see *Menachos* 21a with *Keren Orah* there).

The Temple floor consisted of row upon row of marble paving blocks. The Gemara will explain that the Mishnah is not actually referring to

the fourth row of stones inside the Sanctuary (*Heichal*), but to the fourth row in the Courtyard, counting from the Sanctuary (see *Rashi* here and to the Gemara; see below, note 35). For discussion of why the stirring must be performed on this particular row, see *Gevuras Ari*; *Tiferes Yisrael* §22.

16. I.e. the Outer Altar.

17. This is mandated in *Toras Kohanim*, which expounds *Leviticus* 16:12 to teach that the coals used to burn the Yom Kippur incense must be glowing, but without visible flame (*Rashbam*, cited in *Tos. HaRosh* here and *Tos. Yeshanim* 44b *ד"ה גחלים*). The verse reads: *And he shall take a shovelful of fiery coals from atop the Altar*. The word *fiery* teaches that they must be glowing with an intense fire; the word *coals* indicates that there may be no visible flame (see *Toras Kohanim* *ibid.*). Some Rishonim understand the term *מַעֲבֹלוֹת הַפְּנִימִיּוֹת*, the consumed, innermost [coals], to be referring to coals that are burning only dully, and are close to becoming ash, for this is the term's meaning in the Mishnah in *Tamid* (28b), which discusses the separation of ash from upon the Altar. These Rishonim omit the words *consumed* and *innermost* from our Mishnah (see *Rabbeinu Tam*, cited *ibid.*, and in *Tosafos*, *Zevachim* 64a *ד"ה מן* (המאוכלות). For discussion of the various opinions, see *Tos. Yom Tov* here; see also *Dikdukei Soferim* §400.

18. Where it remains until the Kohen Gadol scoops up two handfuls of *ketores* (incense) and places them into the ladle, whereupon he takes the shovel and the ladle into the Holy of Holies (*Rashi*).

Rashi does not give the precise location of this row. *Lechem Shamayim* deduces from this that *Rashi* holds it to be the very row upon which the blood of the bull is stirred, notwithstanding that the Mishnah describes it somewhat differently (as "the fourth row in the Courtyard" rather than as "the fourth row in the Sanctuary"). *Rabbeinu Yerucham* (7:3) also holds this to be the same row as above, and there is in fact a variant reading in the Mishnah that states that the coals are placed "on the [fourth] row in the Sanctuary" (*Rabbeinu Hillel* to *Toras Kohanim*, *Leviticus* 16:11; see *Teshuvos Rama MiFano* §11; see also *Kovetz He'aros* to *Rabbeinu Hillel* ad loc.; cf. *Rabbeinu Yehonasan MiLunel*; see also *Tos. Yom Tov*; *Gevuras Ari*).

19. Which he would then carry into the *Heichal* (Sanctuary), where he would use the coals to burn *ketores* (incense) on the Inner Altar. This incense offering was brought twice daily, morning and evening; for each offering, the Kohen would scoop fresh coals from the Outer Altar. The coals for these offerings were taken from an Outer Altar pyre designated specifically for this purpose (*Rashi*; see 45a). The Gemara (44b) will explain why two shovels were used.

20. This is to prevent the Kohen Gadol from becoming exhausted [by the extra effort required to pour from one shovel to the other] (*Rashi*; *Meiri*; see *Rashash*).

Yehudah says: לעולם כהן גדול מקדש ידיו ורגליו מן הקיתון של זהב – The Kohen Gadol *always* sanctifies his hands and feet from the golden flask.

בכל יום היו שם ארבע מערכות – Every day there were four pyres there upon the Altar, והיום חמש – but today there are five. דברי רבי מאיר – These are the words of R' Meir. רבי יוסי אומר – R' Yose says: בכל יום שלש – Every day there were three pyres, והיום ארבע – but today there are four. רבי יהודה אומר – R' Yehudah says: בכל יום שתיים – Every day there were two pyres, והיום שלש – but today there are three.^[32]

Gemara The Mishnah stated that the one who stirs the blood stands on the fourth row of stones in the Sanctuary. The Gemara questions this:

וְכָל-אָדָם לֹא יִהְיֶה בְּאֹהֶל מוֹעֵד. – But it is written:^[33] „וְכָל-אָדָם לֹא יִהְיֶה בְּאֹהֶל מוֹעֵד.” – And no person shall be in the Tent of Meeting. This verse prohibits occupation of the Sanctuary during the burning of the incense in the Holy of Holies.^[34] How then can the one who stirs the blood stand in the Sanctuary while the Kohen Gadol burns the incense there?

The Gemara therefore emends the Mishnah:

אמר רב יהודה – Rav Yehudah said: תני של היכל – Rather, learn the Mishnah thus: on the fourth row OF THE SANCTUARY, i.e. the fourth row relative to the Sanctuary from the outside.^[35]

The Gemara cites a Baraisa that expounds the verse that teaches the prohibition against occupying the Sanctuary while the incense is burned:

תנו רבנן – The Rabbis taught in a Baraisa: „וְכָל-אָדָם לֹא יִהְיֶה בְּאֹהֶל מוֹעֵד.” – The verse states: AND NO PERSON SHALL BE IN THE TENT OF MEETING.^[36]

NOTES

used for the day's first sanctification also, or only for the succeeding ones. *Rashi* (to the Mishnah on 31b וקירש ידיו ורגליו; see *Rashash* there) takes the position that the first sanctification is indeed performed from the *Kiyor*, and not from the golden flask; however, *Rosh* (there) and *Meiri* (to 45b) hold that the first sanctification is also performed from the golden flask.

The underlying question is whether there is generally any reason to perform sanctification with the *Kiyor* over other vessels. *Rambam* (*Bi'as HaMikdash* 5:10) and *Sefer HaChinuch* (§106) hold that ideally, one should use the *Kiyor* for sanctification. However, this preference applies only to the first sanctification of the day, which is essential to the validity of the day's *avodah*; the further Yom Kippur sanctifications, since they are not essential, need not be performed from the *Kiyor* at all. Thus, the Kohen Gadol ideally employs the *Kiyor* for the first sanctification; he uses the golden flask for the succeeding ones. Others maintain that even ideally, there is no reason to use the *Kiyor* over any other vessel (see *Tosafos* below, 44b והיום ב; *Ramban*, *Exodus* 30:19; accordingly even the initial sanctification on Yom Kippur is performed with the golden flask (see *Chidushei R' Y.F. Perla* to *Sefer HaMitzvos* of *Rav Saadya Gaon* Vol. III, p. 203; *Kli Chemdah*, *Ki Sisa* §3; see also *Zevachim* 21b-22a).]

32. The Gemara (45a-b) will explain the purpose of each pyre, as well as the dispute regarding their number.

33. *Leviticus* 16:17.

34. See 44a.

35. This is the fourth row of stones in the Courtyard, counting from the *Heichal* (*Rashi*; *Rosh*; cf. *Ritva*, first explanation; cf. also *Teshuvos Rama MiFano* *ibid.*; see *Lechem Shamayim*; *Gevuras Ari*).

[The following point must be raised: The Antechamber (אולם) lies between the *Heichal* and the Temple Courtyard (see General Introduction); thus, one counting four rows from the *Heichal* will find himself not in the Courtyard, but in the Antechamber. How then can *Rashi* state that this row is four from the *Heichal*, but in the Courtyard? Some explain that *Rashi* is referring to the Antechamber as the Sanctuary, in accordance with the opinion in the Gemara below (44b) which states that the two areas share a single sanctity. Thus, the blood was stirred on the fourth row of the Courtyard counting from the Antechamber (*Ritva*, second explanation; *Tos. Yom Tov* to the Mishnah). Alternatively, the blood was actually stirred in the Antechamber, four rows from the Sanctuary, in accordance with the opinion that distinguishes between the sanctity of the Antechamber and that of the Sanctuary (*Ritva*, first explanation). When *Rashi* speaks of the fourth row in the Courtyard, he is referring to the Antechamber as the Courtyard (*Siach Yitzchak* to 44b; see *Shoshanim LeDavid* to the Mishnah).]

36. The verse reads: And no person shall be in the Tent of Meeting when he comes in to atone in the Holy until he comes out, and he shall atone on his behalf, and on behalf of his household, and on behalf of all the nation of Israel. The Baraisa will go on to expound the entire verse.