



OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah begins with a list of four sets of halachos that contain two types that are really four. The Mishnah elaborates on the laws of tum'ah awareness that is one of the halachos that is two that are really four. This discussion revolves into a discussion of what transgression is atoned with the offering of the he-goats of Rosh Chodesh, those of Yom Tov and those of Yom Kippur. The Mishnah concludes with a general discussion about different levels of transgressions and the atonement necessary for each category of transgression.

2) The placement of the massechta

The Gemara wonders why Shvuos follows after Makos.

The Gemara begins to formulate an explanation for the order of the massechtos. ■

REVIEW and Remember

1. What type of oath does the Mishnah discuss?

2. What korban atones for a case of tum'ah where there was no awareness, neither at the beginning nor at the end?

3. What was the point of dispute between R' Shimon and Chachamim?

4. What transgressions are atoned by the שעיר המשתלח?

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 By Mr. & Mrs. Dennis Ruben in memory of
 הילדה רבקה דינה ע"ה בת ר' דוד שיחי

Distinctive INSIGHT

The distinct levels of atonement of the goats of various occasions

אמרו לו מהו שיקרבו זה בזה? אמר להן יקרבו. אמרו לו הואיל ואין כפרתן שוה היאך קרבין זה בזה? אמר להן כולן באין לכפר על טומאת מקדש וקדשיו

R' Meir is of the opinion that the atonement of the outer chattas on Yom Kippur, the goats of the festivals and the goats of Rosh Chodesh are all the same. They all atone for **טומאת מקדש וקדשיו**—the various mistakes involving impurity and the Beis HaMikdash. These include an impure person who mistakenly eats from the meat of an offering, or where an impure person entered the Beis HaMikdash without realizing his error. R' Shimon is of the opinion that the atonement of each of these goats is distinct from the others. The goat for Rosh Chodesh atones for an impure person who inadvertently eats from an offering. The goat of the festivals atones for one who enters in the Mikdash without realizing before or after. The goat of Yom Kippur atones for an impure person who enters into the Mikdash without realizing it ahead of time, but he did realize it afterwards.

The Mishnah presents a discussion between R' Meir and R' Shimon. Rashi explains the background to this exchange. A goat had been designated to be used for the chattas offering for Yom Kippur. It was lost, and another animal was used for the offering instead. The original goat was subsequently found, in time to be used for one of the festivals or for Rosh Chodesh. R' Meir asked R' Shimon whether the goat which had been designated for Yom Kippur could now be used for the festival or Rosh Chodesh offerings. R' Shimon answered that the goat could be used for the festival or Rosh Chodesh offering. R' Meir responded that according to his own opinion it was understandable that this would be the case, as the goats of Yom Kippur and that of the festivals and Rosh Chodesh atone for the same condition. It is reasonable that the goats are interchangeable. But, according to R' Shimon, the function of the goat on each occasion is distinct. How, then, can the goat of Yom Kippur be used on the festival?

R' Shimon answers that because these goats all share a basic common function, to atone for inadvertent impurity in the Mikdash, they are interchangeable to this extent.

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HALACHAH Highlight

The prohibition against rounding the hair on one's head

חייב על הראש שתיים אחת מיכן ואחת מיכן

He is liable for rounding his head two [penalties,] one for this side of the head and one for the other side of the head

Rambam¹ explains that the prohibition against rounding the corners of the head is based on the fact that this was an idolatrous practice. Tur² comments that such an explanation is not found explicitly in earlier sources. Furthermore, it is unnecessary for us to search for reasons behind the mitzvos since the mitzvos are the commands of the King that are incumbent upon us to fulfill even when we do not understand their rationale. Beis Yosef³ suggests that Tur was compelled to disagree with Rambam since one could be left with the impression that Rambam searched for a rationale for the prohibition because if there was no explanation it would not be necessary to fulfill the mitzvah. It was with that understanding that Tur emphasized that mitzvos are decrees of the King that must be fulfilled regardless of whether we understand their underlying rationale. Beis Yosef then proceeds to demonstrate from Rambam's writings that he also sees mitzvos as commandments that must be observed even when the reason is hidden from us but Rambam nevertheless maintains that when possible reasons for mitzvos should be identified.

(Insight...continued from page 1)

Tosafos Yom Tov notes that R' Meir could have asked his question against Tanna Kamma instead of against R' Shimon, because even Tanna Kamma holds that the function of the goat of Yom Kippur is different from that of the festivals and Rosh Chodesh. The question against R' Shimon was stronger, though, as each of the goats atones for different conditions, while according to Tanna Kamma there are only two categories, Yom Kippur is one, and the festivals and Rosh Chodesh is another. ■

Taz⁴ cites the explanation of Beis Yosef but rejects the notion that Tur would have thought that according to Rambam mitzvos do not have to be fulfilled if their rationale is not known. He asserts that there will be a halachic difference between Rambam and Tur. According to Rambam who asserts that the prohibition is related to idolatry there will be room to temporarily suspend the prohibition. For example, when it is necessary to promote good relations with the government (שלום מלכות) it may be possible for a person to round the corners of his head. According to Tur, on the other hand, the prohibition exists independent of any relationship to idolatry. As such, it falls into the general category of prohibitions that are not set aside to promote good relations with the government. ■

1. רמב"ם פ"י"ב מהל' עכו"ם ה"א.
2. טור יו"ד ריש סי' קפ"א.
3. בית יוסף שם ד"ה ומה שאמר רבינו.
4. ט"ז יו"ד שם סק"א. ■

STORIES Off the Daf

Proper Rebuke

"תנא ממכות סליק מאי שנה דתני שבועות..."

Our sages adjure us to be exceedingly careful when educating a child. Showing too much kindness is apt to spoil the child, while too much harshness makes him emotionally estranged. The exact expression used by Chazal is that one should draw a child close with the right hand while distancing him with the left.

A certain person asked the Ben Ish Chai, zt"l, for the exact percentage a child should be drawn near and how

much he should be distanced. His reply may well astound many. "You should draw a child near with ninety percent of your efforts and discipline with the remaining ten percent."¹

Genuine educators exude such love for the children they teach that even a little discipline works wonders. Of course sometimes students can be rowdy and need to be reigned in, but finding the proper way to do so effectively can be quite a challenge.

Once, a certain Rosh Yeshiva gave a fascinating shiur, yet the moment he left the room, the children began to caper about and even began slapping one another.

Of course when the Rosh Yeshiva

finally heard the ruckus he immediately charged back into the classroom. To his surprise he noticed one of the ring-leaders learning Gemara with great gusto. The tractate he had chosen was Masseches Shvuos and as he sang the first daf ever so sweetly, the Rosh Yeshiva decided to show the boy that he was not fooled by this bluff. "What a telling mesechta you chose," the Rosh Yeshiva drolly remarked. "On the very first daf, the Gemara begins with the words, 'תנא ממכות סליק מאי שנה דתני' —Why did the Tanna learn Shvuos immediately after Makkos..."²

1. אמרי בינה
2. גן יוסף, ע' קט"ז ■

