



OVERVIEW of the Daf

1) The conditional sanctity of communal offerings (cont.)

The Gemara continues its search for the opinion that disagrees with R' Shimon and maintains that leftover daily communal offerings may be redeemed.

The conclusion is that R' Yochanan had a tradition that there is such an opinion even though it is not cited in a Mishnah or a Beraisa.

R' Yitzchok in the name of R' Yochanan asserts that according to R' Shimon the leftover daily communal offerings are used as surplus communal offerings.

R' Shmuel bar R' Yitzchok states that R' Shimon would agree that leftover he-goat Korban Chatas offerings are not offered but the proceeds used from the sale of these animals are used for surplus communal offerings.

The reason to distinguish between daily communal offerings and Korban Chatas offerings is explained.

Abaye, Rava and Ravina present different sources that support the explanation of R' Shmuel bar R' Yitzchok.

A Beraisa is cited that supports R' Shimon's position that leftover daily communal offerings are used as surplus communal offerings.

A point in the Beraisa is clarified.

2) Surplus communal offerings

R' Nachman bar R' Yitzchok states that we do not bring bird olos as a communal surplus offering.

Rava rejects this assertion.

R' Nachman bar Yitzchok defends the ruling.

3) The conditional sanctity of communal offerings (cont.)

It is noted that Shmuel agrees with R' Yochanan's position that leftover daily communal offerings are used as surplus communal offerings.

A Beraisa is cited that supports Shmuel's position on the matter.

4) The inner he-goat

The Gemara inquires about the source for the Mishnah's statement that the inner he-goat atones for anyone who deliberately entered the Beis HaMikdash while tamei.

A Beraisa cites the exposition that proves this point.

5) The he-goat that is sent away

It is noted that the Mishnah that explains which transgressions are atoned by the he-goat that is sent away seems redundant.

R' Yehudah explains the wording of the Mishnah.

The Gemara wonders about the circumstances in which the he-goat that is sent away atones for violations of positive commands. ■

Distinctive INSIGHT

Teshuva helps to achieve atonement

זבח רשעים תועבה

In the Mishnah, we learned that if a person is guilty of not fulfilling a positive commandment, the goat of Yom Kippur which is sent out for the procedure of עזאזל atones for him. In its analysis of this halacha, the Gemara notes that if the person had not done teshuva, the atonement should apparently not be valid for him. The verse states (Mishlei 21:27): "The offering of the wicked is despised." And, on the other hand, if the person did do teshuva, he has achieved his atonement whatever day he expressed his remorse, as the Beraisa teaches that a person is forgiven immediately upon doing teshuva for neglectful lack of fulfillment of a positive commandment.

R' Zeira explains we are dealing with a case where the person who failed to fulfill a positive mitzvah did not do teshuva, and the opinion found in our Mishnah is that of Rebbe who holds that Yom Kippur atones for a person whether he does teshuva or not.

The wording of the Beraisa which teaches that teshuva results in immediate atonement suggests that this is only true in a case of a positive mitzvah that was not fulfilled. However, in a case where a negative command was violated, teshuva alone is not sufficient for complete atonement. Tosafos (ד"ה לא זו משם) points out that this seems inconsistent with the Mishnah in Yoma (85b) which states, "Teshuva atones for a positive mitzvah as well as for a negative mitzvah." Tosafos cites the Gemara in Chagiga (5a) as well, where it says that anyone who does something [wrong] and regrets it, he is immediately forgiven. These sources clearly indicate that teshuva is sufficient to achieve atonement, while our Beraisa limits this privilege to a case of a positive mitzvah only.

Tosafos answers that teshuva is adequate in the case of a positive mitzvah to obtain full atonement. For having violated a negative commandment, though, teshuva helps, but only to partially

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REVIEW and Remember

1. What is a קיץ המזבח?

2. What is done with an animal designated as an Asham if the owner dies?

3. Can a bird olah be used as a surplus offering?

4. How does R' Yehudah explain the Mishnah?

Today's Daf Digest is dedicated
By Mr. & Mrs. David Binter in memory of their father
הרב גרשון זאב בן ר' מרדכי דוד, ז"ל
Rabbi Gershon Futerko o.b.m.

HALACHAH Highlight

Hating one who violates a positive command

אי דלא עבד תשובה "זבח רשעים תועבה"

If he didn't repent, [the azazel goat does not atone based on the verse], "The korban of the wicked is an abomination."

The Gemara indicates that the he-goat that is sent away (שעיר) will not atone for positive commands if the individual sinners do not repent for their transgressions. This is based on the pasuk that declares, זבח רשעים תועבה – The offerings of the wicked are abominable. Haghos Baruch Ta'am on Turei Even¹ notes that it seems from our Gemara that a person who violates a positive command is considered wicked. This is difficult based on a comment of Ramban². Ramban writes that a person who eats the Korban Pesach while full (אכילה גסה) is not considered wicked even though he has lost the opportunity to fulfill a mitzvah. This indicates that not fulfilling a positive command does not categorize one as wicked.

He answers this difficulty with an explanation of Lechem Mishneh³. Rambam⁴ rules that the he-goat that is sent away atones for lesser transgressions, i.e. ones that are not punished with kares, even if one does not repent. Seemingly this runs counter to what was presented in our Gemara. He explains that in the Gemara's inquiry about the circumstances of the case for which the he-goat atones for positive commands the Gemara was not disturbed by the fact that the he-goat could atone for positive commands when repentance was not done. The Gemara's concern was that all the different categories of mitzvos were listed together and if the he-goat would atone for positive commands without repentance it would also atone for more stringent transgressions without repentance. Accordingly, the Gemara's concern about the korban of a wicked person being abominable was referring to

(Insight...continued from page 1)

mitigate the degree of punishment in store for having sinned. עיני explains that the effect of teshuva works in a measure for measure manner. Someone who neglected to fulfill a positive commandment did not do anything wrong. His intentions were poor and his actions were deficient, but only in that he was passive when he should have been active. Accordingly, Hashem does not punish him in action, but He simply removes His השגחה from this person, which leaves him vulnerable. When the person does teshuva, he earns Hashem's direct supervision to monitor his dealings once again. However, one who sins by violating a negative commandment has done a sinful act. His punishment will correspondingly be one that is in action, and teshuva alone is not enough to protect him from this fate. It can earn him Hashem's השגחה which he might have lost, but this does not guarantee that with this alone he will avoid having to face the actual retribution for his sinful act. ■

those who transgress more stringent transgressions rather than the less serious transgressions. Therefore, there is no proof from our Gemara that one who violates a positive command is categorized as wicked. A practical outcome that emerges from this discussion is whether it is permitted to hate a person who violates a positive command, since the prohibition against hating someone does not apply to the wicked (see Pesachim 113b). Teshuvos Mishnah Halachos⁵ writes that a simple reading of our Gemara indicates that one who violates a positive command is wicked and it would be permitted to hate such a person whereas according to Ramban such a person is not wicked and it would be prohibited to hate him. ■

1. הגהות ברוך טעם לטורי אבן ר"ה כ"ט. לד"ה איכוון.
2. רמב"ן יבמות מ. ד"ה הא
3. לחם משנה לפ"א מה"ל תשובה ה"ב.
4. רמב"ם שם.
5. שו"ת משנה הלכות ח"ד סי' ע"ז. ■

STORIES Off the Daf

"She Bestows Good"

"אי דלא עבד תשובה..."

Today's daf discusses teshuvah.

Rav Simcha Yisachar Ber Halberstam, zt"l, the Rebbe and Av Beis Din of Chiashenov, was very careful to connect to the essence of Shabbos. He was so changed by every Shabbos that when someone would ask him advice about something before Shabbos he would tell the person to wait until after Shabbos, explaining, "Every Shabbos anyone who wants is granted a new sechel..."¹

Once, while singing Eishes Chayil be-

fore kiddush on Friday night, the rebbe suddenly stopped right before the verse, גמלתהו טוב ולא רע כל ימי חייה" – She bestows good and not bad, all the days of her life." His face turned white and he seemed very powerfully effected as he recounted an inspiring story about Rav Naftali of Ropshitz, zt"l. "Once, a certain Jew came to the Ropshitzer, and told him that he had sinned a tremendous amount. After hearing his tale of woe, the Ropshitzer remarked, 'Nebach, nebach. What did Hashem do to you that caused you to sin so grievously?'"

He continued, "The distressed sinner was so upset by this that he fainted dead away."

After this, the rebbe sang several times with great intensity, "גמלתהו טוב ולא רע כל

— She bestows good and not bad, all the days of her life."

Those present at the tisch realized that the rebbe learned this verse to mean that the Shechinah has done only good and not bad, so why have we been so hateful in sinning without cause?

There was such a huge arousal to teshuvah after this that Rav Itzek'l of Pshevorsk, zt"l, turned away from the rebbe in absolute shame. Later in life, Rav Itzek'l would recount this story and comment, "I felt such strong thoughts of teshuvah then, that I am literally waiting and longing my entire life to do another teshuvah of such powerful intensity."² ■

1. תפארת נפתלי, ע"י ק"ג

2. קונטרס שיחות יקרים, ע"י 12 ■