

וְהָא דְּכָרְכִים וְהָא דְּכָפְרִים.

and this *baraita*, which states that a synagogue does not become impure, is referring to synagogues in large cities. Since those synagogues attract people from different places, the building is not the property of the local residents but that of the public. And that *baraita*, which states that a synagogue becomes impure, is referring to synagogues in villages, which belong solely to the residents of the village, and their status is like that of a house owned by partners.

וְדְכָרְכִים אֵין מְטֵמָא בְּנִגְעִים? וְהִתְנַחֵם: "אֲחֻזְתְּכֶם" – אֲחֻזְתְּכֶם מְטֵמָא בְּנִגְעִים, וְאֵין יְרוּשָׁלַיִם מְטֵמָא בְּנִגְעִים. אָמַר רַבִּי יְהוּדָה: אֵין לָא שְׁמַעְתִּי אֶלָּא מְקוּם מְקוּדָשׁ בְּלִבְדָּה. הָא בְּתֵי כְּנִסְיֹת וּבְתֵי מְדֻרְשׁוֹת – מְטֵמְאִין בְּנִגְעִים, וְאִף עַל גַּב דְּכָרְכִים נִיְהוּ אֵימָא: אָמַר רַבִּי יְהוּדָה: אֵין לָא שְׁמַעְתִּי אֶלָּא מְקוּם מְקוּדָשׁ בְּלִבְדָּה.

The Gemara asks: **And do the synagogues in large cities not become ritually impure with the impurity of leprosy? Wasn't it taught in a *baraita* that it is written: "In a house of the land of your possession" (Leviticus 14:34); the land of your possession becomes ritually impure with the impurity of leprosy, and the city of Jerusalem does not become ritually impure with the impurity of leprosy,**<sup>a</sup> since it belongs to all the Jewish people rather than to a specific tribe? **Rabbi Yehuda said: I heard that it is only the site of the Temple [*mikdash*] alone that does not become ritually impure with the impurity of leprosy.** It can be inferred that in the opinion of Rabbi Yehuda, even synagogues and study halls in Jerusalem become ritually impure with the impurity of leprosy, and that is the case even though they are synagogues in large cities. The Gemara rejects this; rather, one must emend the *baraita* and say that **Rabbi Yehuda said: I heard that it is only a sacred [*mekudash*] site alone.** That definition includes synagogues and study halls.

בְּמַאי קָא מִיפְלִיגִי? תַּנּוּא קָמָא סְבֵר: יְרוּשָׁלַיִם לָא נִתְחַלְקָה לְשִׁבְטִים, וְרַבִּי יְהוּדָה סְבֵר: יְרוּשָׁלַיִם נִתְחַלְקָה לְשִׁבְטִים.

**S** The Gemara explains the dispute in the *baraita* that was cited: **With regard to what principle do Rabbi Yehuda and the Rabbis disagree? The first *tanna* holds: Jerusalem was not divided among the tribes<sup>a</sup> but belonged to all of the Jewish people, and as such it does not become ritually impure with the impurity of leprosy. Rabbi Yehuda holds: Jerusalem was divided between the tribes of Judah and Benjamin.<sup>b</sup> Therefore, the same *halakhot* of impurity apply there as apply in all other cities in Eretz Yisrael.**

וּבְפִלְגִיתָא דְּהַנִּי תַּנּוּא, דְּתַנּוּא: מָה הָיָה בְּחֵלְקוֹ שֶׁל יְהוּדָה – הָר הַבָּיִת, הַלְּשׁוֹכוֹת וְהַעֲזָרוֹת. וּמָה הָיָה בְּחֵלְקוֹ שֶׁל בְּנֵימִין – אוֹלָם, וְהֵיכָל, וּבֵית קִדְשֵׁי הַקִּדְשִׁים. וְרִצּוּעָה הֵיטָה יוֹצֵאָה מִחֵלְקוֹ שֶׁל יְהוּדָה וְנִכְנְסָתָ לְחֵלְקוֹ שֶׁל בְּנֵימִין, וְכֵן הָיָה מִזְבֵּחַ בְּנוֹי. וּבְנֵימִין הַצְּדִיק הָיָה מֵצִטְעָר עֲלֵיהָ לְבַלְעָה בְּכָל יוֹם.

The Gemara states: **And that dispute corresponds to the dispute between these *tanna'im*, as it was taught in a *baraita*: What part of the Temple was located in the portion of the tribe of Judah? It was the part including the entire Temple Mount, excluding those areas in the portion of Benjamin, the chambers, and the courtyards. And what part of the Temple was in the portion of the tribe of Benjamin? It was the part including the Entrance Hall of the Sanctuary, and the Sanctuary, and the Holy of Holies. And a strip of land emerges from the portion of Judah and enters the portion of Benjamin on which the altar is built.<sup>c</sup> And Benjamin the righteous would suffer longing to engulf it every day. The tribe of Benjamin was disappointed that the strip belonging to the tribe of Judah intersected its tribal land and wanted Judah to transfer ownership so that the land with the altar would belong to Benjamin.**

שְׁנֵימָר: "חֹפֶף עָלָיו כָּל הַיּוֹם." לְפִיכָךְ זָכָה בְּנֵימִין הַצְּדִיק וְנִעְשָׂה אוֹשְׁפִיזְכָן לְגַבְיָהּ, שְׁנֵימָר: "וּבֵין כַּתְפָיו שָׁכַן."

An allusion to this is that which is stated in Moses' blessing to Benjamin: **"Ever does he protect him and he rests between his shoulders"** (Deuteronomy 33:12), like one who is unable to abide something stuck between his shoulders and constantly rubs it to remove it. **Therefore, Benjamin the righteous was privileged<sup>d</sup> to serve as host [*ushpizekhan*]<sup>e</sup> to the Almighty, as it is stated: "And he rests between his shoulders,"** alluding to the fact that the Holy of Holies was located in the territory of Benjamin. According to this *baraita*, Jerusalem was divided among the tribes.

HALAKHA

Jerusalem does not become ritually impure with the impurity of leprosy – אֵין יְרוּשָׁלַיִם מְטֵמָא בְּנִגְעִים: Houses in Jerusalem do not become ritually impure with the impurity of leprosy because the city was not divided among the tribes (Rambam *Sefer Tahara, Hilkhot Tumat Tzara'* at 14:11).

NOTES

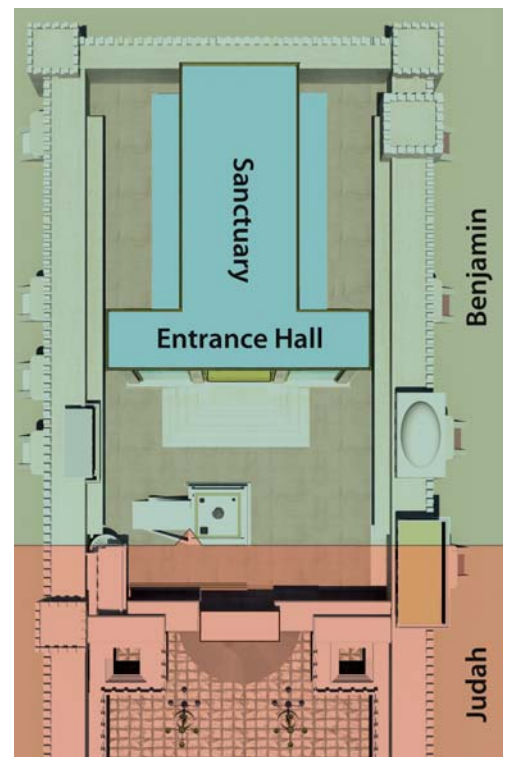
Division of Jerusalem among the tribes – חֵלְקַת יְרוּשָׁלַיִם לְשִׁבְטִים: In order to reconcile the apparently contradictory biblical texts, everyone agrees that initially Jerusalem was divided between Judah and Benjamin. However, at a later stage the city was chosen as the sacred site of the Temple. The dispute is whether at that point the entire city was expropriated from the tribes and nationalized, or whether that was limited to just the site of the Temple (*Sifah Yitzhak*).

On which the altar is built – וְכֵן הָיָה מִזְבֵּחַ בְּנוֹי: It is clear from other sources that the majority of the altar was in the territory of Benjamin, and only its southeast corner was on a strip of land belonging to Judah.

Therefore Benjamin the righteous was privileged – לְפִיכָךְ זָכָה בְּנֵימִין הַצְּדִיק: The tribe of Benjamin coveted that strip of land because they knew through divine inspiration that the altar would be built upon it. That is why they were privileged to have the Divine Presence rest on their portion where the Holy of Holies was constructed.

BACKGROUND

Portion of Judah and Benjamin – חֵלְקַת יְהוּדָה וּבְנֵימִין: This diagram, which is not to scale, indicates the division of the territory of the Temple between the tribes of Judah and Benjamin.



Division of the Temple between the tribes of Judah and Benjamin

LANGUAGE

Host [*ushpizekhan*] – אוֹשְׁפִיזְכָן: From the Middle Persian *aspinj*, meaning hospital or inn.

Even beds were not rented – אף לא מיטות – This is because the spot where the beds were situated did not belong to the homeowners (*Tosafot Yeshanim*).

How does one initiate him – במה מחנכין אותו – The early commentaries ask why the replacement priest was not anointed with oil for this purpose, and answer that there was no anointing oil in the Second Temple period. King Josiah sequestered it along with some of the Temple vessels, before the destruction of the First Temple (*Tosafot Yeshanim; Tosefot Ha-Rosh; Me'iri*). With regard to the basic question of why dressing the replacement in eight garments was insufficient to initiate him as acting High Priest, some explain that since the eight garments were sometimes donned by a common priest if he had to consult the *Urim VeTummim* to seek divine guidance, in order to initiate the acting High Priest it was necessary to not only wear the eight garments but also to perform some portion of the service (*Tosefot Ri HaLavan; Gevurat Ari*).

By means of his belt – באבנט – A variant reading of this Gemara is: The belt of the High Priest, referring to the special belt that the High Priest wore on Yom Kippur, which was made of fine linen, like the belt of the common priest throughout the rest of the year. The High Priest's belt throughout the year was a mixture of the diverse kinds of wool and linen. Therefore, it would have been sufficient for the replacement High Priest to exchange his linen belt for one of diverse kinds as initiation. Since, wearing that belt violates the prohibition of diverse kinds for anyone other than the High Priest, donning it would herald his change of status (*Rabbeinu Tam; Peirush Kadmon*).

והאי תנא סבר ירושלים לא נתחלקה לשבטים, דתנא: אין משכירין בתים בירושלים, לפי שאינה שלהן. רבי אלעזר בר צדוק אומר: אף לא מטות. לפיכך, עורות קדשים – בעלי אושפזינגין נטלין אותן בזרע. אמר אביי: שמע מינה אורח ארעא למישבב איניש גולפא ומשבבא לאושפזייה.

ודכפרים מי מטמא בנגעים? והתניא: "לאחזה" – עד שיכבשו אותה, כבשו אותה ולא חלקיה לשבטים. חלקו לשבטים ולא חלקו לבית אבות, חלקו לבית אבות ואין כל אחד מכיר את שלו. מניין?

תלמוד לומר: "ובא אשר לו הבית" – מי שמיוחד לו, יצא אלו שאין מיוחדין לו. אלא מחזורתא כדשנן מעיקרא.

"ובמתקנין לו בהן אחר." פשיטא: אירע בו פסול קודם תמיד של שחר – מחנכין אותו בתמיד של שחר. אלא, אירע בו פסול אחר תמיד של שחר במה מחנכין אותו?

אמר רב אדא בר אהבה: באבנט. – הנחא למאן דאמר: "אבנטו של בהן גדול זה הוא אבנטו של בהן הדיוט". אלא למאן דאמר: "אבנטו של בהן גדול לא זהו אבנטו של בהן הדיוט" מאי איכא למימר?

And this *tanna* holds: Jerusalem was not divided among the tribes at all, as it was taught in a *baraita*: Homeowners did not let their houses in Jerusalem because the houses were not actually theirs. Residents of Jerusalem did not own their residences, as the city belonged to the entire Jewish people. Rabbi Elazar bar Tzadok says: Even beds were not rented.<sup>N</sup> Therefore, with regard to hides of consecrated animals of the Festival peace-offerings, which the pilgrims to Jerusalem would give as gifts to their hosts, the hosts were not really entitled to them. This is why the hosts would take them by force. Abaye said: Learn from it that it is customary for a guest to leave his empty wine jug and hides from sacrificial animals and give them to his host.

After discussing the status of Jerusalem, the Gemara addresses the matter of synagogues in villages. The Gemara asks: And do the synagogues in villages become impure with the impurity of leprosy? Wasn't it taught in a *baraita* as follows? It is written: "When you enter the land of Canaan that I give you for a possession, and I put the plague of leprosy in a house of the land of your possession" (Leviticus 14:34). The term: "For a possession," means until you conquer it and it becomes entirely yours. However, in a case where they conquered it but did not divide it among the tribes, or where they divided it among the tribes but did not distribute it to the patrilineal families; or where they distributed it to the patrilineal families, but every one of them does not recognize his individual portion, from where is it derived that it does not become impure?

The verse states: "And the one whom the house is his will come" (Leviticus 14:35); one whom the house is designated for him and who is certain of his ownership, excluding those houses which are not designated for him. Apparently, the legal status of synagogues in villages is that of communal property, as the portion of each individual is not clearly identifiable, and therefore they cannot become impure. Rather, there is no distinction in this regard between synagogues in large cities and those in villages. And with regard to the original question, it is clear as we responded initially with alternative resolutions to the contradiction between the *baraitot*.

It was taught in the mishna: And they would designate another priest in the High Priest's stead, lest a disqualification due to impurity prevent his entering the Temple on Yom Kippur. The Gemara asks: It is obvious that if disqualification befell the incumbent High Priest prior to the sacrifice of the daily morning offering on Yom Kippur, that one initiates the replacement by dressing him in the eight garments of the High Priest with the daily morning offering, which renders him acting High Priest. However, if disqualification befell the incumbent High Priest after the daily morning offering, how does one initiate the replacement?<sup>N</sup> After the daily morning offering, the High Priest begins the Yom Kippur service clothed in the four linen garments unique to the day, which are the same as the tunic, trousers, turban, and belt of the common priest. How is it evident that he is the acting High Priest?

Rav Adda bar Ahava said: It is evident by means of his belt.<sup>N</sup> The belt worn by the High Priest on Yom Kippur was made of linen, unlike that of the common priest, which was a mixture of the diverse kinds of linen and wool. The Gemara asks: This works out well according to the one who said: Throughout the rest of the year, the belt of the High Priest, which the Torah clearly states is made of a mixture of diverse kinds, is identical to the belt of the common priest, whereas on Yom Kippur, the belt is made of linen. When the replacement priest dons the linen belt he is initiated as the acting High Priest. However, according to the one who said: The belt of the High Priest is not identical to the belt of the common priest, what can be said? According to this approach, throughout the year the High Priest wears a belt of blue and purple wool and linen, while the belts of common priests are made of white linen like the rest of their clothes. Therefore, on Yom Kippur, when the High Priest dons a belt of white linen, his belt is identical to that of a common priest. If so, what initiates the replacement as acting High Priest?

אָמַר אַבְיִי: לֹבֵשׁ שְׁמוֹנֶה וּמַהֲפֵךְ בְּצִינוּרָא, וְכֹדֵרֵב הוֹנָא. דְּאָמַר רַב הוֹנָא: וְרַב שְׁהַפֵּךְ בְּצִינוּרָא – חַיִּיב מִיָּתֵהּ. וְרַב פָּפָא אָמַר:

Abaye said: Before the replacement begins serving on Yom Kippur with the four linen garments, he is initiated and promoted to the High Priesthood by **donning the eight garments of the High Priest and turning over one of the limbs on the altar with a fork**,<sup>NS</sup> thereby accelerating the burning of the daily morning offering. By performing part of the service while wearing the garments of the High Priest, he is initiated as acting High Priest. **And this is in accordance with the opinion of Rav Huna, as Rav Huna said: A non-priest who turns over part of the offering on the altar with a fork<sup>H</sup> is liable to receive the death penalty because he engaged in Temple service restricted to priests. And Rav Pappa said:**

NOTES

Fork [tzinora] – צִינוּרָא: Some commentaries suggest that the term *tzinora* is a contraction of *atzei nura*, meaning wood of fire (Rabbeinu Hananel). Another opinion states that it means ashes (*Peirush Kadmon*).

BACKGROUND

Fork [tzinora] – צִינוּרָא: *Tzinora* is the name for bent metal vessels, which have different shapes depending on their purpose. Some curve into hooks, while others are a ring at the end of a metal handle. The *tzinora* in the Temple was a large fork with two tines used to turn over the burning wood on the altar or the limbs and organs placed there. The Aramaic translation of the term fork in the Bible is *tzinora*.

HALAKHA

A non-priest who turns over part of the offering with a fork – וְרַב שְׁהַפֵּךְ בְּצִינוּרָא: A non-priest who engages in sacrificial service in the Temple is liable to receive the death penalty. Even if he merely turns over limbs that have not yet been consumed and thereby hastens their burning on the altar, he is liable, in accordance with the opinion of Rav Huna (Rambam *Sefer Avoda, Hilkhot Biat HaMikdash* 9:4).

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עֲבוּדָתוֹ מְחַנְכֵּתוֹ. מִי לֹא תִנָּא: כָּל הַכֵּלִים שֶׁעָשָׂה מֹשֶׁה – מְשִׁיחָתָן מִקֹּדֶשֶׁתָן, מִכָּאן וְאֵילָךְ – עֲבוּדָתָן מְחַנְכֵּתָן. הֲכֵא נָמִי – עֲבוּדָתוֹ מְחַנְכֵּתוֹ.

That action is unnecessary and therefore superfluous; **his service initiates him.**<sup>H</sup> The replacement High Priest need not undergo any preliminary initiation. His very performance of the Yom Kippur service, which is valid only if performed by the High Priest, initiates him as acting High Priest. As proof, the Gemara states: **Wasn't it taught in a baraita: With regard to all the sacred vessels that Moses made, their anointment with oil consecrates them. From that point forward, in the generations after Moses, new vessels did not require anointment to be consecrated; rather, their use in Temple service initiates them and renders them fit for use.**<sup>H</sup> Here, too, with regard to the High Priest, **his service initiates him.**

כִּי אֶתָּא רַב דִּימִי אָמַר: אֲבִיטוּ שָׁל בְּהֵן הָדְיוּט, רַבִּי וְרַבִּי אֶלְעָזָר בְּרַבִּי שְׁמַעוֹן; חַד אָמַר: שָׁל כְּלָאִים, וְחַד אָמַר: שָׁל בּוּץ.

§ Apropos the belt of the High Priest, the Gemara cites the aforementioned dispute in its entirety. **When Rav Dimi came from Eretz Yisrael to Babylonia he said: With regard to the belt of the common priest,**<sup>H</sup> there is a dispute between **Rabbi Yehuda HaNasi and Rabbi Elazar, son of Rabbi Shimon. One said:** It was a mixture of diverse kinds of wool and linen, like the belt of the High Priest mentioned in the Torah. **And one said:** It was made of **fine linen**, like the rest of the garments of the common priest.

תַּסְתַּיִים, דְּרַבִּי הוּא דְּאָמַר שָׁל כְּלָאִים. דְּתִנָּא: אֵין בֵּין כְּהֵן גְּדוּל לְכַהֵן הָדְיוּט אֶלָּא אֲבִיט, דְּבַרִּי רַבִּי רַבִּי אֶלְעָזָר בְּרַבִּי שְׁמַעוֹן אָמַר: אָף לֹא אֲבִיט. אֵימַת? אֵי נִימָא בְּשִׂאָר יָמוֹת הַשָּׁנָה – טוּבָא אֵיכָא: כְּהֵן גְּדוּל מְשַׁמֵּשׁ בְּשְׁמוֹנֶה, וְהָדְיוּט בְּאַרְבַּעָה.

The Gemara suggests: **Conclude that it is Rabbi Yehuda HaNasi who said that the belt of the common priest was a mixture of diverse kinds, as it was taught in a baraita: The only difference between a High Priest and a common priest is the belt; this is the statement of Rabbi Yehuda HaNasi. Rabbi Elazar, son of Rabbi Shimon, says: Not even the belt represents a difference between them.** The Gemara explains: With regard to the difference between the High Priest and the common priest, **when** is there a dispute between the *tanna'im*? **If we say that the dispute is with regard to the rest of the days of the year, there are many other differences between them, since the High Priest serves wearing eight garments and the common priest wears four garments. Therefore, that could not be the point of the dispute.**

HALAKHA

His service initiates him – עֲבוּדָתוֹ מְחַנְכֵּתוֹ: If a disqualification befalls the High Priest on Yom Kippur, the replacement immediately continues the service with no need for a particular initiation rite, in accordance with the opinion of Rav Pappa and the supporting *baraita* (*Kesef Mishne*; Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 2:3).

Consecration of the Temple vessels – קִידוּשׁ כְּלֵי הַמִּקְדָּשׁ: The vessels of the Tabernacle that were crafted by Moses in the desert were consecrated by anointment with oil. However, from that point onward anointing with oil was unnecessary,

and subsequent vessels were consecrated through their use in the Temple service (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:12).

The fashioning of the belt – מַעֲשֵׂה אֲבִיט: The belt that the High Priest wore during the year was made by weaving wool and linen together, as was that of the common priest. The belt worn by the High Priest on Yom Kippur was made of fine linen. This follows the principle that the ruling is in accordance with the opinion of Rabbi Yehuda HaNasi in disputes with his colleagues (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 8:1).

**כהן הדייט ביום – הכפורים:** The common priest on Yom Kippur – **הכפורים:** Some of the early commentaries wondered about this expression, as the entire service on Yom Kippur is performed exclusively by the High Priest. Some suggest that on Yom Kippur, removal of the ashes from the altar was performed by a common priest (*Tosafot Yeshanim; Tosafot Ri HaLavan; Tosafot HaRosh*). Others explain that on Yom Kippur common priests were responsible for burning the limbs of the previous day's offerings (*Gevurat Ari*). The Ritva writes that by Torah law only those parts of the service unique to Yom Kippur were performed exclusively by the High Priest, whereas the services performed every day could be performed by others on Yom Kippur. Later, the Sages instituted that even those services not unique to Yom Kippur would also be performed by the High Priest.

**Shall put on comes to include the garments of the High Priest – להביא בגדי כהן גדול:** Rabbi Yehuda HaNasi and Rabbi Dosa do not require the derivation of Rabbi Yehuda, who says that the removal of ashes from the altar requires two additional garments. That is because it is clear that since removing the ashes is part of the service, the priest must wear all the requisite garments (*Tosafot Ri HaLavan*).

**There are two responses to reject this statement – שתי תשובות בדבר:** The reason Rabbi Yehuda HaNasi requires two responses is that the first response is not a full-fledged proof. Even if the belt of the High Priest could not be used, that does not mean that use of the other garments was prohibited. Therefore, Rabbi Yehuda HaNasi cited a second response (*Tosafot HaRosh*).

## HALAKHA

**לרבות את השחקין – To include threadbare garments:** A priest may serve wearing threadbare garments, in accordance with the opinion of Rabbi Yehuda HaNasi (*Rambam Sefer Avoda, Hilkhhot Kelei HaMikdash 8:4*).

**אלא לאו – ביום הכפורים.**

**אמרי: לא. לעולם בשאר ימות השנה, ובהנהך דשני.**

**כי אתא רבין אמר: אבנטו של כהן גדול ביום הכפורים – דברי הכל של בוך, בשאר ימות השנה – דברי הכל של כלאים. לא נחלקו אלא באבנטו של כהן הדייט, בין בשאר ימות השנה בין ביום הכפורים. שרבי אומר: של כלאים, ורבי אלעזר ברבי שמעון אומר: של בוך.**

**אמר רב נחמן בר יצחק: אף אנן נמי תנינא: "על בשרו", מה תלמוד לומר "ילבש" – להביא מצנפת ואבנט להרמת הדשן, דברי רבי יהודה.**

**רבי דוסא אומר: להביא בגדי כהן גדול ביום הכפורים, שהן כשרין לכהן הדייט. רבי אומר: שתי תשובות בדבר, תדא: דאבנטו של כהן גדול ביום הכפורים לא זה הוא אבנטו של כהן הדייט,**

**ועוד: בגדים שנשתמשה בהן קדושה חמורה תשמם בהן קדושה קלה? אלא מה תלמוד לומר "ילבש" – לרבות את השחקין.**

Rather, is it not that the dispute is with regard to the differences between the High Priest and the common priest on Yom Kippur?<sup>N</sup> They agree that the belt of the High Priest on Yom Kippur is made of linen, but disagree with regard to the common priest's belt. According to Rabbi Yehuda HaNasi, who says that there is a difference between the belts, the belt of the common priest must be made of a mixture of diverse kinds. According to Rabbi Elazar, son of Rabbi Shimon, who says that there is no difference between their belts, the belt of the common priest must be made of linen, like that of the High Priest on Yom Kippur.

The Gemara rejects this proof. The Sages say: No, this is not a proof, as actually, the dispute is with regard to the differences during the rest of the days of the year. However, the dispute is not with regard to all the differences between the High Priest and the common priest, but rather only with regard to those four garments common to both priests: The tunic, trousers, turban, and belt. Based on this understanding that the dispute is with regard to the rest of the year, the analysis of the dispute is reversed: According to Rabbi Yehuda HaNasi the belt of the High Priest is a mixture of diverse kinds and that of the common priest is made of linen, while according to Rabbi Elazar, son of Rabbi Shimon, the belt of the common priest is a mixture of diverse kinds. Therefore, there is no definitive proof from the *baraita*.

When Ravin came from Eretz Yisrael to Babylonia he stated this tradition in a clearer fashion: With regard to the belt of the High Priest on Yom Kippur, everyone agrees that it is made of fine linen, as stated in the Torah. With regard to the belt of the High Priest during the rest of the days of the year, everyone agrees that it is a mixture of diverse kinds. They disagreed only with regard to the belt of the common priest both during the rest of the days of the year and on Yom Kippur, as Rabbi Yehuda HaNasi says: It was a mixture of diverse kinds, and Rabbi Elazar, son of Rabbi Shimon, says it was made of linen.

Rav Nahman bar Yitzhak said: We, too, have learned in a *baraita*: The Torah says with regard to the removal of the ashes from the altar: "And the priest shall put on his linen garment, and his linen trousers shall he put upon his flesh" (Leviticus 6:3). The *baraita* questions the formulation of the verse. Since at the beginning of the verse it is written: "And the priest shall put on," for what purpose does the verse state: "Shall he put upon," in the latter part of the verse? Rabbi Yehuda says: It comes to include donning the mitre and the belt for the removal of the ashes, even though it is not explicitly stated in the verse. This is the statement of Rabbi Yehuda.

Rabbi Dosa says that the term: Shall put on, comes to include the *halakha* that the garments of the High Priest<sup>N</sup> on Yom Kippur are fit for a common priest. During the Yom Kippur service, the High Priest wears just four linen garments. Although he may not serve in those garments on Yom Kippur the following year, a common priest may serve in them during the rest of the year. Rabbi Yehuda HaNasi says: There are two responses to reject this statement<sup>N</sup> of Rabbi Dosa. One: The belt of the High Priest on Yom Kippur is not the same as the belt of the common priest during the rest of the year. Clearly, according to Rabbi Yehuda HaNasi, the belt of the High Priest on Yom Kippur is made of linen, and that of the common priest during the year is a mixture of the diverse kinds of wool and linen.

And furthermore, there is another reason to reject the statement of Rabbi Dosa. Could it be that with regard to garments that were used by the High Priest to perform a service of extreme sanctity, the common priest will use them to perform a service of minor sanctity? Rather, according to Rabbi Yehuda HaNasi, for what purpose does the verse state the phrase: Shall put on? It comes to include threadbare garments<sup>H</sup> and to teach that as long as they are not completely tattered, they may be worn for that service.

ואֲזָדָא רַבִּי דוּסָא לְטַעְמֵיהּ, דְּתַנָּא: "וְהִנְיָחָם שָׁם" מִלְמַד שְׁטַעוּנֵין גְּמִיזָה. רַבִּי דוּסָא אָמַר: שְׁלֵא יִשְׁתַּמֵּשׁ בָּהֶן יוֹם הַכַּפּוּרִים אַחֵר.

תַּנּוּ רַבְנֵי: אִירַע בּוּ פְסוּל וּמִינּוּ אַחֵר תַּחֲתָיו – רָאשׁוֹן חוֹזֵר לְעִבּוּדָתוֹ, שְׁנִי – כֹּהֵן מְצוּת בְּהוֹנָה גְדוּלָה עָלָיו, דְּבַרִּי רַבִּי מֵאִיר.

רַבִּי יוֹסֵי אָמַר: רָאשׁוֹן – חוֹזֵר לְעִבּוּדָתוֹ, שְׁנִי – אֵינוֹ רָאוּי לֹא לְכַהֵן גְדוּל וְלֹא לְכַהֵן הַדְּיוּט.

אָמַר רַבִּי יוֹסֵי: מֵעֶשֶׂה בְּיוֹסֵף בֶּן אֱלֵם בְּצִיפּוּרֵי שְׁאִירַע בּוּ פְסוּל בְּכַהֵן גְדוּל, וּמִינּוּהוּ תַחֲתָיו. וְאָמְרוּ חֲכָמִים: רָאשׁוֹן – חוֹזֵר לְעִבּוּדָתוֹ, שְׁנִי – אֵינוֹ רָאוּי לֹא לְכַהֵן גְדוּל וְלֹא לְכַהֵן הַדְּיוּט. כַּהֵן גְדוּל – מִשּׁוּם אֵיבָה, כַּהֵן הַדְּיוּט – מִשּׁוּם מַעְלִין בְּקוֹדֶשׁ וְלֹא מוֹרְדִין.

אָמַר רַבָּה בַר בַּר חֲנָה אָמַר רַבִּי יוֹחָנָן:

And Rabbi Dosa follows his line of reasoning, as it was taught in a *baraita*: That which is written: "And Aaron shall come into the Tent of Meeting, and shall put off the linen garments, which he put on when he went into the Sanctuary, and shall leave them there" (Leviticus 16:23), teaches that the garments worn by the High Priest on Yom Kippur require interment<sup>1</sup> and may not be put to additional use. Rabbi Dosa says: It means only that the High Priest may not use them on Yom Kippur in a different year. According to Rabbi Dosa, they may be worn by a common priest during his service, as they do not require interment.

§ The Gemara returns to the initiation of the acting High Priest. The Sages taught in the *Tosefta*: If a disqualification befalls the High Priest and they appointed another in his stead, and then the cause of the disqualification of the High Priest is resolved, e.g., he was purified from impurity, the original High Priest returns to his service. With regard to the second, acting High Priest, all the mitzvot of the High Priesthood are incumbent upon him. He serves wearing eight garments and it is prohibited for him to let his hair grow, to rend his garments in mourning the death of a relative, to subject himself to impurity imparted by the corpse of a relative, or to marry a widow. This is the statement of Rabbi Meir.

Rabbi Yosei says: The original priest returns to his service, while the second is fit to serve neither as High Priest with eight garments, because there is a different High Priest; nor as a common priest with four garments, as once he was elevated to a state of extreme sanctity he may not be reduced to a state of minor sanctity.

Rabbi Yosei said as proof for his opinion: There was an incident involving the priest Yosef ben Elem<sup>p</sup> of Tzippori,<sup>b</sup> who, when a reason for disqualification befell a High Priest, the priests appointed him in his stead. After the cause of the disqualification was resolved, the Sages said: The original High Priest returns to his service, while the second is fit to serve neither as High Priest nor as a common priest. The Gemara explains: Neither as a High Priest, due to hatred,<sup>n</sup> jealousy and bitterness that would arise if there were two High Priests with equal standing in the Temple; nor as a common priest, because the principle is: One elevates to a higher level in matters of sanctity and one does not downgrade. Once he has served as a High Priest he cannot be restored to the position of a common priest.

Rabba bar bar Hana said that Rabbi Yoḥanan said:

HALAKHA

Require interment – טַעוּיֵין גְּמִיזָה – The linen garments worn by the High Priest on Yom Kippur require interment. They may never be used again nor may any benefit be derived from them, in accordance with the opinion of the first tanna (Rambam *Sefer Avoda*, *Hilkhot Kelei HaMikdash* 8:5).

PERSONALITIES

Yosef ben Elem – יוֹסֵף בֶּן אֱלֵם – The story is also related in *Antiquities of the Jews* (Book 17, Chapter 6) by Josephus Flavius. When a disqualification befell the High Priest Matityahu, his relative Yosef ben Elem replaced him that day.

BACKGROUND

Tzippori – צִיפּוּרִי – Tzippori was a large town in the Upper Galilee, and the perennial rival of Tiberias for recognition as the religious capital of Galilee. During the Second Temple period it enjoyed special status among the towns of the Galilee because of its large and learned Jewish community.



Zodiac mosaic in a synagogue in Tzippori

NOTES

Due to hatred – מִשּׁוּם אֵיבָה – There is a principle implemented throughout rabbinic literature that two leaders are not appointed to fill the same position, as that will inevitably lead to rivalry and dispute. There is a well-known midrash about the moon being unhappy to share the sky with the sun. Therefore, the moon was rendered a minor heavenly light to avoid hatred and jealousy. This is an example of the principle: Two kings cannot share a crown.

HALAKHA

One who has served as a High Priest – מִי שְׂמַלְא תַפְקִיד – An acting High Priest on Yom Kippur must step down when the original High Priest is reinstated, but he remains committed to all the obligations and restrictions of the High Priesthood. He does not return to serve as a common priest, and if he performs the duties of the High Priest, they are valid. Should the original High Priest die, the replacement is appointed to succeed him (*Kesef Mishne; Lehem Mishne; Rambam Sefer Avoda, Hilkhot Kelei HaMikdash* 8:5 and *Hilkhot Avodat Yom HaKippurim* 1:3).

Perek I  
Daf 13 Amud a

הֲלָכָה כְּרַבִּי יוֹסֵי. וּמוֹדָה רַבִּי יוֹסֵי שְׂאֵם עֵבֶר וְעֵבֶד – עִבּוּדָתוֹ כְּשֶׁרָה. אָמַר רַב יְהוּדָה אָמַר רַב: הֲלָכָה כְּרַבִּי יוֹסֵי, וּמוֹדָה רַבִּי יוֹסֵי שְׂאֵם מֵת רָאשׁוֹן – שְׁחוּזֵר לְעִבּוּדָתוֹ.

The *halakha* is in accordance with the opinion of Rabbi Yosei<sup>n</sup> that the original High Priest returns to his service, while the second is fit to serve neither as High Priest nor as a common priest. And Rabbi Yosei concedes that if the second priest violated this provision and served as High Priest wearing eight garments, his service is valid. Rav Yehuda said that Rav said: The *halakha* is in accordance with the opinion of Rabbi Yosei, and Rabbi Yosei conceded that if the original High Priest dies, the second returns to his service as High Priest.<sup>h</sup>

NOTES

The *halakha* is in accordance with the opinion of Rabbi Yosei – הֲלָכָה כְּרַבִּי יוֹסֵי: The early commentaries raised difficulties with regard to this ruling from two perspectives. First, this is an example of a *halakha* for messianic times, when the Temple will be rebuilt, and the halakhic principle is that rulings are not issued for that period (*Tosafot*). Second, why does the Gemara need to rule explicitly in accordance with the opinion of Rabbi Yosei, when in disputes with Rabbi Meir the ruling is

always in accordance with the opinion of Rabbi Yosei (*Tosefot Ri HaLavan*)? In answer to the first question, it is explained that the *halakha* does have current practical applications: If a community official is forced to step down, once the cause for his removal is resolved, he is reinstated. As for the second question, it was necessary to state that the *halakha* is in accordance with the opinion of Rabbi Yosei, as in this case the ruling might have

been different since both Rabbi Shimon's opinion and an unattributed mishna in tractate *Horayot* contradict the opinion of Rabbi Yosei (*Siah Yitzhak*). One approach answers one question with the other: Because it is a *halakha* for messianic times, the standard principles of halakhic ruling are not in effect. Therefore, an explicit statement ruling in accordance with the opinion of Rabbi Yosei is needed (Rav Shmuel Strashun; *Mitzpe Eitan*).