



Volume 11. Issue 30

## Tuma Hutra BeTzibbur

The first *Mishna* in the second *perek* of *Temura* deals with differences between a *korban tzibbur*, a public sacrifice, and a *korban yachid*, a private sacrifice. One of the differences the *Mishna* mentions is that a *korban tzibbur* can be brought even if the meat became impure, if the priests are impure, or in the case of the *korban pesach*, the paschal offering, if the owner of the sacrifice who will have to eat it is impure.

The *Gemara* in *Yoma* (6b-8a) discusses the nature of this rule. It assesses whether the impurity in a public sacrifice is in fact permitted, as opposed to a private offering where it is strictly forbidden (the position of *Rava*) or whether the impurity is still forbidden in a public context, but the prohibition may be temporarily suspended when there is no other option (the position of *Ravina*)? The *Gemara* links this discussion to another issue: whether the *Tzitz* (a headband featuring the words Holy for G-d) which is intended to atone for impure sacrifices, operates even when the High Priest is not wearing it or does it only operate when the High Priest has it on his forehead. There is a disagreement among the medieval rabbis about how to understand both of these disagreements and the relationship between them.

In understanding the question of whether the ritual impurity is totally permitted in a public context, or merely deemed not to apply when there is no other option, the most extreme understanding of the permissive stance is that taken by my teacher, Rabbi Danny Wolf of Yeshivat Har Etzion. He understood that this opinion in the *Gemara* intends that the impurity is at a certain level an artificial construct in that it has legal force but not actual real manifestation. As such, he argued that the permissive stance in the *Gemara* feels that the legal reality of impurity, which the *Torah* created for sacrifices, was simply not created for the public sacrifices. A support for this stance may be found in the commentary of the *Ritva* to the *Gemara* in *Yoma* which we are discussing. The *Gemara* disagrees as to whether the permissive position would permit the

sacrifice to be brought by a priest who was ritually impure if there was another priest serving in the Temple at the same time in a different capacity who was pure (who might bring the sacrifice without foregoing the need for ritual purity). *Rav Nachman* is recorded as ruling that the impure priest may still bring the sacrifice (and seemingly should). In explaining this position, the *Ritva* states that *Rav Nachman* felt that to use a different priest would constitute ignoring the lots that had been cast in the morning to allocate tasks to the different priests. However, these lots are not a biblical commandment, but seem to be mainly a way of equitably distributing tasks. If so, why should we be worried about ignoring the lots? It seems that the *Ritva* views the problem of ritual impurity (according to *Rav Nachman*) as a negligible, or perhaps even a non-existent one in a public context.

The *Gemara* states that the position that the High Priest is separated from contact with other people for seven days prior to Yom Kippur so that he might not become impure is limited to the opinion that impurity is only allowed in a public context when there is absolutely no other option, but if it is permitted in a public context there is no need for the separation. The *Rosh* in his *Tosafot* (addenda) states that this means that if the High Priest becomes impure he would nevertheless perform the sacrifices, much like the *Ritva's* position that we mentioned, because this would constitute giving the sacrificial labour to a priest who had not drawn that lot. However, *Rashi* states that this only means that he would not be separated from others, implying that if he did indeed become impure he would not be permitted to bring the sacrifices and another priest would have to be chosen. We see then that for *Rashi* there is no opinion that truly holds that impurity is permitted in a public context. Rather, *Rashi* understood the disagreement in the *Gemara* to be around the severity of the prohibition of impurity. If it is very severe it must always be very carefully avoided. If it is less severe, it is not permitted, but the avoidance need not be as stringent.

*Alex Tsykin*

### Revision Questions

ערכין בי:אי'הי:בי

- What applies to public *korbanot* that does not apply to private *korbanot*? (ב:אי)
- Explain the debate regarding whether the rule of *chatat met* applies to public sacrifices and what is the case that is debated? (ב:בי)
- In what three ways is *kodshim* stricter than *temurah*? (ג:בי)
- In what two ways is *temurah* stricter than *kodshim*? (ג:בי)
- Regarding the previous question, what case does *R' Yehuda* add? (ג:בי)
- What happened to a *korban* if, according to *R' Elazar*, it can no longer make a *temurah*? (ג:ב)
- What is debated regarding the offspring of a *korban shlamim*? (ג:אי)
- What is the difference between the offering of a *korban todah* and a *temurat todah*? (ג:בי)
- Explain the debate regarding the male offspring of a *korban olah*. (ג:אי)
- Explain the debate regarding one that separated a female animal for a *korban asham*. (ג:אי)
- Explain the debate regarding a *temurat asham*. What else is debated in a similar manner? (ג:אי)
- Regarding a *temurat asham* what is the difference between the opinions of the *Tana Kama* and *R' Elazar*? (ג:די)
- What is the law regarding a *temurat bechor*? (ה:אי)
- What are the three differences between a *bechor behema* and *ma'aser behema*, and other *kodshim* animals? (ה:אי)
- According to *R' Shimon* why is a *bechor behema* not brought from outside Israel? (ה:אי)
- What are the five *chata'ot metot*? (א:די)
- Can one gain benefit from one of these animals? (א:די)
- Does the law of *temurah* apply to these animals? (א:די)
- What is the law if money that was set aside for a *chatat* was misplaced, another sacrifice was then offered instead and then the money was found? (ב:די)
- Regarding the previous question, what if the money was found only after other money was set aside in its place? (ג:די)
- What is the law if an animal that was set aside for a *chatat* got lost, money was set aside in its place and then the animal was found with a *mum*? (ג:די)
- Regarding the previous question, what if an animal was set aside in its place and both were found to have developed *mumim*? What if both were *temimot*? (ג:די)
- What is the law regarding an animal that had a *mum* that was set aside for a *chatat*? (ג:די)
- When making what declaration is it possible for one to legally prevent a first born animal from becoming a *bechor behema*? (ה:אי)
- What is the law if one declared regarding the foetus of a an animal that had not given birth, that if it is male it is sanctified as an *olah* and if it is female it is sanctified as a *shlamim* and the animal gave birth to:
  - A male? A female?
  - A male and female? : (ה:אי)
  - A *tumtum*? (ה:בי)
- What is the law if one made a declaration regarding the foetus in a similar manner to the previous question and the animal gave birth to: (ה:בי)
  - Two males? Two females?

### Local Shiurim

#### Melbourne, Australia

##### Sunday -Thursday

10 minutes before *Mincha*  
Mizrachi Shul  
 Melbourne, Australia

##### Friday & Shabbat

10 minutes before *Mincha*  
Beit Ha'Roeh  
 Melbourne, Australia

#### Efrat, Israel

*Shiur in English*

##### Sunday -Thursday

Rabbi Mordechai Scharf  
 9:00am  
Kollel Magen Avraham  
 Reemon Neighbourhood

#### ONLINE SHIURIM

*Rabbi Chaim Brown*  
[www.shemayisrael.com/mishna/](http://www.shemayisrael.com/mishna/)

*Rav Meir Pogrow*  
[613.org/mishnah.html](http://613.org/mishnah.html)

*Rabbi E. Kornfeld*  
*Rabbi C. Brown*  
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

#### SHIUR ON KOL HALOSHON

*Rabbi Moshe Meir Weiss*  
 In US dial: 718 906 6400  
 Then select: 1 – 2 – 4

### Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
17 <sup>th</sup> August כ"א אב	18 <sup>th</sup> August כ"ב אב	19 <sup>th</sup> August כ"ג אב	20 <sup>th</sup> August כ"ד אב	21 <sup>th</sup> August כ"ה אב	22 <sup>nd</sup> August כ"ו אב	23 <sup>th</sup> August כ"ז אב
Temurah 5:3-4	Temurah 5:5-6	Temurah 6:1-2	Temurah 6:3-4	Temurah 6:5-7:1	Temurah 7:2-3	Temurah 7:4-5

