



Choshed Be'Kesheirim

The first *perek* of *masechet Yoma* discusses the preparation of the *kohen gadol* prior to *Yom Kippur*. The *Mishnah* (1:5) describes how they would compel the *kohen gadol* to swear that he would not act differently to the way he was instructed. The concern was specifically regarding the way the *ketoret* was offered.

Recall that there was debate between the *Chachamim* and the *Tzedukim* whether the *ketoret* was burnt once the *kohen gadol* was already inside the *kodesh ha'kodashim* or prior to entering. No one else was allowed near the *kohen gadol* at the point. Consequently, out of concern that the *kohen gadol* might be a *tzeduki*, they made him swear not to deviate from the manner he was instructed. Last cycle (14:28) we analysed how and why the *shevua* (oath) would be effective if indeed the *kohen gadol* was a *tzeduki*. In this article, we shall focus on the end of the *Mishnah*.

After the oath, the *Mishnah* explains that the *kohen gadol* and those that made him make the oath would separate and cry. The *kohen gadol* would cry that they suspected him of being a *tzeduki*. The *kohanim* (or some say the *beit din*) cried because they suspected him of being a *tzeduki*. The *Bartenura* cites the *Gemara* (19b) that the *kohanim* cried because they may have been *choshed be'kesheirim* – suspected someone who was really honest. If someone was indeed *choshed be'kesheirim* they are punished with a physical injury. The *Gemara* (*Shabbat* 97a) learns this from *Moshe Rabbeinu*. When *Hashem* sent him to Egypt, *Moshe* resisted saying that *Bnei Yisrael* would not believe him. One of the signs that *Hashem* gave *Moshe* was that his hand turned white with *tzaraat*.

The *Maharal* (*Chiddushi Agadot* 97a) explains with a *mashal*. If one were to throw a stone against a stone wall, it would bounce right back at him. If however the

wall was made of mud it would embed itself in the wall. If one suspects another and that person is deserving, then the “stone” will embed itself in the “wall”. If however the person is innocent and the suspicions unfounded, then it bounces right back at him.

The *Chatam Sofer* (*Shabbat* 97a) however explains that unlike *chodesh be'kesheirim*, *Hashem's* punishments for other sins or first meted out on one's property. The reason is *Hashem* judges the person favourably, and hopes that the effect on one's property will motivate them to do *teshuva*. For someone who is *choshed be'kesheirim*, who assumed the worst in others, he is treated in the same way. He is punished directly, and his property preserved for his offspring.

Rav Soloveitchik (*Avodat Yom Hakippurim*) however notes that in *Masechet Derech Eretz* we learn that, “one should always view others as being robber, and honour them like *Rabban Gamliel*”. We learn from the *Beraita* that one is allowed to take precaution to prevent the potential theft by guest. *Rav Soloveitchik* cites his father who explains that being *choshed be'kesheirim* is regarding an assessment of what one may have done in the past, but not what one might do in the future.

Our *Mishnah* however might appear to contradict that distinction. The *shevua* was regarding what the *kohen* will do in the future, and it is about that *shevua* that the *kohanim* were concerned.

Rav Soloveitchik cites the *piut* of *ata konanta* that writes as follows, “they would make him swear... in case he had in his heart some heresy...” In other words, the *choshed be'kesheirim*, the suspicion, is regarding who he is at the time of the *shevua*. It follows that *Moshe Rabbeinu* was punished, not because he suspected that they would not believe when he came to Egypt, but rather they lacked the faith to believe there then.

Revision Questions

שקלים ח' ב' ח'

- List the opinions of *R' Meir* and *R' Yosi* regarding the assumed *tum'ah* status of *keilim* found in *Yerushalaim*. (ח' ב')
- When is there a difference between the assumed *tum'ah* status of a knife and cleaver found in *Yerushalaim*? (ח' ג')
- How does one treat the *parochet* that came in contact with: (ח' ד')
 - *A vlad ha'tumah?*
 - *An av ha'tumah?*
- How thick was the *parochet*? (ח' ה')
- How many new *parochets* were made each year? (ח' ו')
- In which cases do *Beit Shammai* and *Beit Hillel* argue about where *tameh kodshim* should be burnt? (ח' ז')
- Describe the opinion of *R' Eliezer* and *R' Akiva* regarding the previous question. (ח' ח')
- Where were the following limbs placed prior to being placed on the *mizbeach*: (ח' ט')
 - *Korban tamid?*
 - *Korban mussaf?*
 - *Korban mussaf of Rosh Chodesh?*
- Which of the following applies nowadays (without a *Beit Ha'Mikdash*): (ח' י')
 - *Ma'aser Dagan?*
 - *Bikurim?*
 - *Bechorot?*
 - *Shekalim?*

יומא א' א' – ז'

- How many days before *Yom Kippur* was the *kohen gadol* separate from his home? (א' א')
- To where was the *kohen gadol* taken? (א' ב')
- What *avodah* would the *kohen gadol* do during this period? (א' ג')
- Who helped the *kohen gadol* revise the order of the *Yom Kippur* services? (א' ד')
- What would they do on the morning *erev Yom Kippur*? (א' ה')
- Why would they prevent the *kohen gadol* from eating a heavy meal on *erev Yom Kippur*? (א' ו')
- About what would the *ziknei kehuna* make the *kohen gadol* swear and why? (א' ז')
- What would the *kohen gadol* do during the night of *Yom Kippur*? (א' ח')
- What two things would the *pirchei kehuna* do if they noticed the *kohen gadol* dozing off? (א' ט')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
28 May ח' סיון	29 May ט' סיון	30 May י' סיון	31 May יא' סיון	1 June י"ב סיון	2 June י"ג סיון	3 June י"ד סיון
Yoma 1:8-2:1	Yoma 2:2-3	Yoma 2:4-5	Yoma 2:6-7	Yoma 3:1-2	Yoma 3:3-4	Yoma 3:5-6

