

# The Weekly Daf



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Week of 4-10 Sivan 5757 / 9-15 June 1997

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Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied in the course of the worldwide Daf Yomi cycle

## Yom Kippur and the Unknown Sins

If a Jew had an obligation to offer a *korban chatas* (sin offering) or a *korban asham* (guilt offering) for a sin which he definitely committed he must make that offering even if Yom Kippur intervened between the time of the sin and the sacrifice. But if there was a doubt as to whether the sin was committed and there is an obligation to offer an *asham tolu* we consider that sin atoned for by the passing of Yom Kippur and there is no longer any need to offer that sacrifice.

The source for this distinction is the Torah passage (*Vayikra* 16:30) declaring that Yom Kippur provides purification "from all your sins before Hashem." A sin which is known only to Hashem is atoned for, but one which is known to the sinner as well requires the atonement of sacrifice even after Yom Kippur.

A challenge to this interpretation is posed by the Gemara from the following case. A woman who gives birth to something of which there is of doubt nature as to whether it obligates her to offer the sacrifice required of every mother after a normal birth. She is required to offer a sacrifice because of the possibility that the birth obligated her, and must do so even if Yom Kippur passed in the meantime. Since her obligation too is something "known only to Hashem" why does she not gain exemption from it with Yom Kippur?

The Gemara's response is that the sacrifice following birth is for the purpose of elevating the mother from her state of ritual impurity rather than atoning for sin, and is therefore not affected by the atonement of Yom Kippur. This explanation, however, does not seem to fit in with the position of Rabbi Shimon bar Yochai who stated that every woman is guilty of some sin in childbirth because when she experiences the pangs of labor she vows never to have relations again with her husband. The resolution of this problem is that whatever sin she may be guilty of for such a rash vow is atoned for by the pain suffered in the actual birth, and the purpose of the sacrifice is to purify her and make her eligible to eat sacred sacrificial flesh. The atonement of Yom Kippur therefore does not affect this sacrifice even according to Rabbi Shimon.

Krisos 26a

## The Subtle Lesson

*Me'ilah* — the name of the *Mesechta* we begin this week — means transgressing by using for private purposes an animal, funds or any other property which has been consecrated for the use of the *Beis Hamikdash*.

One who transgresses by thus misappropriating even the value of a *prutah* must atone for his sin in the following way:

If he was aware that the property was sacred and intentionally misappropriated it, he is punished with flogging and he must repay the amount he took. If he was unaware that this was sacred property and mistakenly thought he was using his own, then he achieves atonement by repaying the amount taken and adding a *chomesh* (literally a fifth but since this means a fifth of the amount taken with the fifth added on we would refer to it in our language as a fourth) and offering a ram as a *korban asham me'ilah* sacrifice.

Rambam, at the conclusion of his codification of the laws pertaining to this subject, draws this powerful lesson for us in how to relate to Torah statutes that defy our comprehension:

"It is proper for a person to ponder the laws of the Torah in order to comprehend them as much as he can. But he should not view disrespectfully those laws whose reasons he fails to grasp. His thoughts about them must not be like the thoughts one has of secular matters. Let us take a look at how severely the Torah deals with the transgressor of *me'ilah*. If sticks and stones, dust and ashes become sacred simply because the Name of Hashem has been declared upon them, and anyone who utilizes them for a secular purpose has transgressed and requires atonement even if he did so involuntarily; how much more so is this true in regard to the commands which Hashem legislated that one should not disrespectfully reject them just because he fails to understand the reason for them."

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