

Daf Notes

Insights into the Daily Daf

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Horayos Daf 10

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Daily Daf

Mishna

If the *Nasi* or Anointed *Kohen* sinned before they were appointed, they have the status of commoners (*who brings a regular chatas to atone for their sins*). Rabbi Shimon states if they knew that they had sinned before they were appointed they are indeed obligated like a commoner. However, if they did not know about the sin until they were appointed, they are exempt (*from bringing a korban*).

Who is a *Nasi*? He is the king, as it is written: *one of all the mitzvos of Hashem, his God* – someone who has none above him, but Hashem his God. (10a)

Sins Committed Previously

The *Gemora* cites a *braisa* which derives from the verse, *if the Anointed Kohen will sin* that sins committed previously (*before he was appointed*) are excluded.

The *braisa* asks: Why is a verse necessary to teach this? Could we not have derived it using the following logic: If a *Nasi* who brings a *korban* for any inadvertent sin that he commits (*even without an oversight in ruling*) does not bring one for sins that he committed previously, so an Anointed *Kohen*, who brings a *korban* only where he inadvertently sinned through an oversight of the law, should certainly not bring one for sins committed previously!

The *braisa* answers: No! This (*that he does not bring his korban for sins committed previously*) is true by a *Nasi* who does not bring his *korban* after he lost his position; could it be said to apply also to an Anointed *Kohen*, who does bring his *korban* even after he left his position?! Since he brings his *korban* even after relinquishing his position, it could be said that he brings also for sins committed previously. Therefore the Torah stated: *if the Anointed Kohen will sin*. This teaches us

that if he sinned while he was already the Anointed *Kohen*, he brings his *korban*; if, however, he sinned while he was still a commoner, he does not bring it.

The *Gemora* cites a similar *braisa* regarding the *Nasi*: When a *Nasi* will sin – this teaches us that sins committed previously (*before he was appointed*) are excluded.

The *braisa* asks: Why is a verse necessary to teach this? Could we not have derived it using the following logic: If an Anointed *Kohen* who brings his *korban* even after he left his position does not bring one for sins that he committed previously, so a *Nasi*, who does not bring his *korban* after he left his position, should certainly not bring one for sins committed previously!

The *braisa* answers: We cannot compare him to an Anointed *Kohen* who does not bring his *korban* for an inadvertent sin that he commits (*without an oversight in ruling*); could it be said to apply also to a *Nasi*, who does bring his *korban* with an act of inadvertence alone?! Since he brings his *korban* through an act of inadvertence alone, it could be said that he brings also for sins committed previously. Therefore the Torah stated: *when the Nasi will sin*. This teaches us that if he sinned while he was already the *Nasi*, he brings his *korban*; if, however, he sinned while he was still a commoner, he does not bring it. (10a)

Divine Decree

The *Gemora* cites a *braisa*: *When a Nasi will sin* might have been taken to imply a decree (*that he will sin*); therefore the Torah stated: *If the anointed Kohen shall sin*. This teaches us that just as there the meaning is “when” he sins, so here also the meaning is “when” he sins.

The *Gemora* asks: Why would we have thought like that (*do we ever find such a thing*)?

The *Gemora* answers: Yes, for we find that it is written: And I shall put the *tzara'as* affliction in a house of the land of your possession. This is a report to them that they will be visited by *tzara'as* afflictions; these are the words of Rabbi Yehudah. Rabbi Shimon said: This verse is coming to exclude a *tzara'as* affliction due to supernatural causes (*such as a demon blowing at the house*) Now, just as Rabbi Yehudah said that the verse is a report of evil tidings, so here also it might have been assumed that the verse implies a decree; therefore "if" had to be written.

The *Gemora* asks: According to Rabbi Shimon, do not *tzara'as* afflictions that are due to supernatural causes bring about contamination? Surely it was taught in a *braisa*: *If a man shall have*; this implies from the time of the commandment and onwards (*but any tzara'as that afflicted a person before the Giving of the Torah do not contaminate*). The *braisa* asked: Why is a verse necessary for this teaching? Can it not be derived through the following logical deduction: *Tumah* is mentioned in connection with a *zav* (*a man who has an emission similar but not identical to a seminal discharge*), and *tumah* is mentioned in respect of *tzara'as* afflictions. Just as the *tumah* of a *zav*, is applicable only from the time of the commandment and onwards, so too the *tumah* from *tzara'as* afflictions should be applicable only from the time of their commandment and onwards! The *braisa* answers: No! Perhaps this is applicable to a *zav*, because he does not become *tamei* where it was due to an outside stimulus, could it also be said to apply to *tzara'as* afflictions which do impart *tumah* where they come about due to outside causes. Therefore the Torah stated: *If a man shall have*, which implies that it is applicable from the time of the commandment and onwards. [*We see from this braisa that tzara'as is tamei even when it came about from outside causes!*?]

Rava answers: The exclusion refers to *tzara'as* afflictions that are due to winds blown by a demon.

Rav Pappa answers: The exclusion refers to *tzara'as* afflictions that are due to witchcraft. [*The braisa, which stated that tzara'as can contaminate when caused by external stimulus, is referring to a case where it came about through a blow or a burn.*] (10a)

A King Serves the People

The *Gemora* cites a *braisa*: *When a Nasi will sin* excludes a sick *Nasi* from bringing the special *korban*.

The *Gemora* asks: just because he is sick, does that push him out of his position?

Rav Avdimi bar Chama answers that it is excluding a *Nasi* who developed *tzara'as*, as it is written regarding the king Uzziah: *And Hashem inflicted the king, so that he was a metzora until the day of his death, and dwelt in the house of freedom, and Jotham the king's son over the palace*. It may be inferred from the verse, *in the house of freedom* that until then (*while he was king*) he was a servant (*to the people; but after contracting tzara'as, he is like a commoner*).

The *Gemora* relates an incident: Rabban Gamliel and Rabbi Yehoshua were once traveling on a ship. Rabban Gamliel had with him some bread while Rabbi Yehoshua had with him bread and flour. When Rabban Gamliel's bread was consumed he relied on Rabbi Yehoshua's flour. Rabban Gamliel asked him, "How did you know that we would be so much delayed that you brought flour with you?" Rabbi Yehoshua answered him, "There is a certain star that rises once every seventy years and leads the sailors off course, and I suspected that it might rise and lead us astray." Rabban Gamliel said to him, "You possess so much knowledge and yet you must travel on a ship (*in order to earn a livelihood*)!" Rabbi Yehoshua replied, "Rather than wonder about me, wonder about two of your disciples that you have on land, Rabbi Elozar Chisma and Rabbi Yochanan ben Gudgada, who are able to estimate how many drops there are in the ocean, and yet have neither bread to eat nor clothes to put on." Rabban Gamliel decided to seat them at the head and when he landed he sent for them, but they did not come. He sent for them a second time and when they came he said to them, "Do you imagine that I am offering you a position of authority (*and you were therefore running away from honor*)? It is service that I am giving to you (*for the yoke of the public will be around your neck*)." (10a – 10b)

Asher - Ashrei

The *Gemora* cites a *braisa*: *When (asher) a Nasi will sin*. Rabbi Yochanan ben Zakkai said: Fortunate (*ashrei*) is the generation whose ruler brings a *korban* for a sin he has committed unintentionally. If its ruler brings a *korban*, is there any need to say what a commoner would do; and if he brings a *korban* for a sin he has committed unintentionally, is there any need to say what he would do when he committed a sin intentionally? [*He would certainly repent!*] (10b)

Righteous and Wicked

Rav Nachman bar Rav Chisda expounded: What is meant by the verse: There is a futility which is done upon the earth [*that (asher) there are righteous men who are treated like the wicked; and there are (veyeish) wicked men who are treated like the righteous*]? Fortunate (*ashrei*) are the righteous men who are treated in this world (*they suffer*) according to the lot of the wicked (*who will suffer*) in the World to Come; woe (*vay*) to the wicked people who are treated in this world according to the lot of the righteous in the World to Come.

Rava asked: Would the righteous hate it if they enjoyed both worlds?

Rather, said Rava, fortunate are the righteous who are treated in this world (*with benefits*) according to the lot usually reserved for the wicked in this world; woe to the wicked men who are treated (*with hardships*) in this world according to the lot of the righteous in this world.

Rav Pappa and Rav Huna son of Rav Yehoshua once came

before Rava. Rava asked them, "Have you mastered this or that particular tractate?" They replied, "Yes." He asked them, "Have you accumulated some wealth?" They replied, "Yes, for we have bought some parcels of land." He applied the interpretation of the verse to them: Fortunate are the righteous who are treated in this world (*with benefits*) according to the lot usually reserved for the wicked in this world.

Rabbah bar bar Chanah says in the name of Rabbi Yochanan: What does the verse mean when it says: *For the roads of Hashem are straight, the righteous will walk in them and the sinners will stumble in them?* It can be explained using a parable of two people who roasted their *Pesach* offerings. One ate it for the sake of the *mitzvah*, and one ate purely for the enjoyment. The one who ate it for the *mitzvah* represents "the righteous will walk in them," and the one who ate it gluttonously represents "and the sinners will stumble in them."

Rish Lakish asked: You are calling this person evil? It is true that he did not do the *mitzvah* in a choice manner, but he did perform the *mitzvah* of eating the *Pesach* offering?! It is rather comparable to two people who are both alone with their wife and sister (*in a dark room*). One cohabited with his wife, while the other (*mistakenly*) cohabited with his sister. Regarding the first the verse says, "the righteous will walk in them," and regarding the second the verse says, "and the sinners will stumble in them."

The *Gemora* asks: Is this comparable? The verse is discussing a single road with different consequences, and you are discussing two different roads?!

The *Gemora* answers: It is rather comparable to Lot and his two daughters. They had intent to perform a *mitzvah*, and therefore regarding them the verse states, "the righteous will walk in them." Lot had intent for sin, and therefore concerning him the verse states, "and sinners will walk in them."

The *Gemora* asks: Perhaps his intent was also to perform a *mitzvah*?

Rabbi Yochanan says: The verses imply that his intent was for immorality. The terminology, "and Lot raised," is the same as, "and the wife of his master raised her eyes." "His eyes" is similar to the verse: and Shimshon said, "Get her for me, for she is fine in my eyes." [*These verses are discussing sins of promiscuity.*] The term, "and he saw," is the same as "and Shechem the son of Chamar saw her" (*relating to immoral looking*). "The entire plain of the Jordan," is similar to "for because of a harlot until a loaf of bread" (*both use the term "kikar," albeit with different simple meanings; he will pay for her services that he will be too poor to have even bread*). "For it is well watered everywhere," is similar to "I will go after those who love me, those who give my bread, water, wool, flax, oil, and wine" (*both employ a variation of the term "mashkeh"*).

The *Gemora* asks: Wasn't he in a circumstance beyond his control (*because he was drunk*)?

It is taught in the name of Rabbi Yosi bar Rav Chuni: Why is there a dot over the letter "vav" in the word, "and when she got up" regarding the older sister (*who was first*)? This is to teach us that while he did not know what happened when she was lying down (*as he was drunk*), he was aware when she got up.

The *Gemora* asks: What should he have done about this (*even if he knew after the fact*)? The *Gemora* answers: The next night he should have abstained from wine.

Rabbah taught: What does the verse mean when it says: *a rebellious brother from a city of strength, who creates contentions like the bolt of a castle?* The first part of the verse refers to Lot's separation from Avraham. The second is referring to Lot who caused contentions between Israel and Ammon, as it is said: *An Ammonite or a Moabite shall not join the assembly of Hashem.*

Rava, and some say Rav Yitzchak, taught: What does the verse mean when it says: *for desire will seek separation, and in all of the teaching will be denigration?* The first part of the verse is referring to Lot (*who's to satisfy his desires, separated from Avraham and went to live in Sedom*). The second part of the verse is referring to the fact that his denigration is publicized in synagogues and study halls, as the *Mishna* states that an Ammonite and Moabite are forbidden forever. (10b)

Intent

Ulla said: Tamar was promiscuous, and Zimri was promiscuous. Tamar was promiscuous (*because of her good intentions*), but kings and prophets descended from her, while Zimri's promiscuity led to tens of thousands of Jews being killed.

Rav Nachman bar Yitzchak says: A sin that is done for the sake of Heaven is greater than a *mitzvah* that is not done with proper intent. This is as the verse states: *She should be blessed from amongst the women, Yael, daughter of Chaver ha'Keini, from (implying possibly even more than) the women of the tent she should be blessed.* Who are "the women of the tent?" They are Sarah, Rivkah, Rachel, and Leah (*the matriarchs of Israel*).

The *Gemora* asks: Didn't Rav Yehudah say in the name of Rav that a person should always perform Torah and *mitzvos* even without the proper intent, as doing so leads to their performance for the sake of Heaven?

The *Gemora* answers: Rav Nachman bar Yitzchak must mean that it is equal to a *mitzvah* performed without proper intent.

Rabbi Yochanan said: That evildoer (*Sisra*) had relations with her seven times that time (*day*). This is evident from the verse that states: *between her legs he bent, fell, slept, etc.* [*The verse uses seven seemingly extra words describing this event, which Rabbi Yochanan understands is implying that they had relations seven times.*]

The *Gemora* asks: Didn't she enjoy these relations (*why, then, is this deemed such a great deed*)?

Rabbi Yochanan answers: All of the benefit that is bestowed by evildoers to the righteous is evil to them (*for he polluted her*).

Rav Yehudah said in the name of Rav: A person should always perform Torah and *mitvzos* even without the proper intent, as doing so leads to their performance with proper intent. This is evident from the forty-two sacrifices that the wicked Balak brought, which for this, he merited that Rus should be one of his descendants. For Rabbi Yosi the son of Rabbi Chanina stated: Rus was the granddaughter of Eglon, king of Moab, who was the grandson of Balak, king of Moav.

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: How do we know that Hashem does not even hold back reward for using refined speech? The eldest daughter of Lot who called her son Moav (*implying "from my father"*) caused the verse to state: *Do not oppress the Moabites and do not contend with them in battle*. This implies that while it was forbidden to go to war with them, it was permitted to tax them (*through forcing them to supply the Jews with bread and water*). However, regarding the descendants of the child from the youngest daughter named "Amon" (*son of my people*), it is written: *Do not oppress them and do not contend with them*, implying that it was forbidden to confront them at all. [*This was due to her refined speech in this matter.*] (10b – 11a)

INSIGHTS TO THE DAF

Rabbah bar bar Chanah says in the name of Rabbi Yochanan: What does the verse mean when it says: *For the roads of Hashem are straight, the righteous will walk in them and the sinners will stumble in them*? It can be explained using a parable of two people who roasted their *Pesach* offerings. One ate it for the sake of the *mitzvah*, and one ate purely for the enjoyment. The one who ate it for the *mitzvah* represents "the righteous will walk in them," and the one who ate it gluttonously represents "and the sinners will stumble in them."

Rish Lakish asked: You are calling this person evil? It is true that he did not do the *mitzvah* in a choice manner, but he did perform the *mitzvah* of eating the *Pesach* offering?!

Rashi explains that the meaning of this *Gemora* is that the fellow ate from the *Pesach* offering, but he was not intending to fulfill his obligation; rather, he was merely eating to fill his desires. This, is similar to desert at the end of a meal; one does not need to eat it for he is full from other foods – he is merely eating to fulfill his desire.

Tosfos HaRosh writes that that we are referring to a person who is already full from other foods, and not that he is eating from the *Pesach* offering, he is not enjoying it at all; this is what is called gluttonous.

The *Gemora* had asked: Do you call this fellow a wicked person? Granted, he did not perform the *mitzvah* in the choicest manner, but he did eat from the *Pesach* offering!?

The Maharsha cites Tosfos in Nazir who says that we may infer from this *Gemora* that a gluttonous eating is not regarded as eating at all. This, however, is only according to the Tosfos HaRosh. According to Rashi, the *Gemora* was referring to a person who was merely eating to fulfill his desire. This is not gluttonous. This inference is challenged, however, from the *Gemora* in Yoma (80b) which states that someone who eats gluttonously on *Yom Kippur* is exempt, for it is not regarded as eating!?

Rabbeinu tam answers that there are two types of gluttonous eating. One can be where he is so full that the food he is eating now will be repulsive to him; he is not deriving any pleasure at all from the food. This is what the *Gemora* says is not regarded as eating at all. However, there can be another type of gluttonous eating, and that is when one is full and not hungry; however, the food is not repulsive to him. This is considered eating.

The Maharsha asks: If so, our *Gemora* could have replied to Rish Lakish that the parable was in reference to the first type of gluttonous eater, one where he ate so much that the food is repulsive to him. He can be regarded as wicked, for it is not regarded as if he ate from the *Pesach* offering!?

He answers that in the parable of the two people eating, the *Gemora* knew from the beginning that we were discussing the same type of case, and when one eats gluttonously (*where the food is repulsive to him*), that is not a case of eating at all; it is damaging to himself.