



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

Tzvi Gershon ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

[The Gemora will record the story of Shimon Hatzaddik, the great Kohen Gadol, who, nearing death, instructed his younger son, Chonyo, to take over as Kohen Gadol. Soon thereafter, an incident occurred, which forced him to flee to Alexandria, Egypt. Once there, Chonyo built a temple, an altar and offered sacrifices there unlawfully. The Gemora will cite two opinions if he offered sacrifices for idolatry, or for the sake of Hashem. Our Mishna is in accordance with the second opinion. Nevertheless, and Kohen that served there was disqualified from serving in the Temple.] If one said, “I accept upon myself to offer an olah,” he must offer it in the Temple; and if he offered it in the temple of Chonyo, he has not fulfilled his obligation. If he said, “I accept upon myself to offer an olah but I will offer it in the temple of Chonyo, he must offer it in the Temple, yet if he offered it in the temple Of Chonyo, he has fulfilled his obligation. Rabbi Shimon said: This is not an olah.

If one said, “I accept upon myself to become a nazir,” he must bring his offerings in the Temple; and if he brought them in the temple of Chonyo, he has not fulfilled his obligation. If he said, “I accept upon myself to become a nazir but I will offer the offerings in the temple of Chonyo, he must offer it in the Temple, yet if he offered it in the temple Of Chonyo, he has fulfilled his obligation. Rabbi Shimon said: This is not a nazir. (109a)

Fulfilling Obligation in Chonyo

The Gemora asks: How can the Mishna rule that he fulfills his obligation (when he offers the sacrifice in Chonyo)? But he has killed the offering (and he did not sacrifice it)!

Rav Hamnuna answers: It is regarded as though he said, “I accept upon myself to offer an olah on the condition that I shall not be held responsible for it.”

Rava asked him: If that is true, let us consider the final clause which reads: If he said, “I accept upon myself to become a nazir but I will offer the offerings in the temple of Chonyo, he must offer it in the Temple, yet if he offered it in the temple of Chonyo, he has fulfilled his obligation. According to you, it is regarded as though he said, “I accept upon myself to become a nazir on the condition that I shall not be held responsible for the offerings”! But surely a nazir is not permitted (to drink wine and to become tamei) until he has brought his offerings!?

Rather, said Rava, this man merely intended to offer a gift to Hashem, saying to himself, “If the Temple of Chonyo is sufficient, I will bother myself and offer it there; but further than that, I will not bother” (and then I have no intention of donating an olah, and the animal therefore is not consecrated at all, for it is forbidden to offer a sacrifice in Chonyo). And with regard to the vow of nezirus as well, this man merely intended to pain himself (by abstaining from wine), saying to himself, “If the Temple of Chonyo is sufficient, I will bother myself and bring the offerings there; but further than that, I will not bother” (for I will not take the trouble of journeying to Yerushalayim, and I do not intend to become a nazir at all).

Rav Hamnuna, however, will explain (to answer Rava’s challenge) that with regard to the vow of nezirus, it is like Rava

said, but in the case of the *olah*, his vow was on the condition that he shall not be held responsible for it.

The *Gemora* notes that Rabbi Yochanan holds like Rav Hamnuna as well, for Rabbah bar bar Chanah said in the name of Rabbi Yochanan that if a man said, "I accept upon myself to offer an *olah* but I will offer it in the temple of Chonyo, and he offered it in *Eretz Yisroel* (but not in the *Beis Hamikdash*, and not in Chonyo either), he has fulfilled his obligation, but he has incurred the penalty of *kares* (for offering a sacrifice outside of the Temple). [This is in accordance with Rav Hamnuna, who holds that the animal is indeed an *olah*.]

There has also been a *braisa* taught to the same effect: If a man said, "I accept upon myself to offer an *olah*, but I will offer it in the Wilderness," and he offered it beyond the Jordan, he has fulfilled his obligation but he has incurred the penalty of *kares*. (109a)

Mishna

The *Kohanim* who served in the Temple of Chonyo may not serve in the Temple which is in Yerushalayim, and it is unnecessary to state that *Kohanim* who served idolatry are disqualified, for it is written: *but, the Kohanim of the bamos were not permitted to ascend the altar of Hashem in Yerushalayim; but they would only eat matzos among their brethren*. They are like those blemished *Kohanim*; they are entitled to a share and eat of sacrificial food, but they are not permitted to offer sacrifices. (109a)

Disqualified from Serving in the Beis Hamikdash

Rav Yehudah said: If a *Kohen* had slaughtered an animal to an idol (and later repented), his offering (when he performs the service in the Temple) is a pleasing aroma (it is valid).

Rav Yitzchak bar Avdimi said: What is the Scriptural proof for this? It is written: *Because they (the Kohanim) ministered for the*

people before their idols, and they were a stumbling, an iniquity for the house of Israel; therefore I have lifted up My hand against them - the word of the Lord Hashem Elokim - and they shall bear their iniquity, and immediately afterwards it is written: And they shall not approach Me to serve Me. It emerges that if they performed a service for the idols they are disqualified, but slaughtering is not regarded as a service.

It was stated: If a *Kohen* had inadvertently sprinkled the blood to an idol (thinking that it was permitted), Rav Nachman says: His offering (when he performs the service in the Temple) is a pleasing aroma (it is valid); but Rav Sheishes says: His offering is not a pleasing aroma.

They both interpret the aforementioned verse according to their viewpoints.

Rav Nachman cites the following *braisa* as proof: It is written: *And the Kohen shall provide atonement for the soul that errs, for its sin of error (for performing an inadvertent act of idolatry)*. This teaches us that the *Kohen* may provide atonement for himself by his own sacrifice. Now how did he serve the idol? It cannot be by slaughtering before it, for then why does the verse speak of sinning in error? It would be the same (that he would be allowed to serve in the Temple) even though he sinned deliberately (for slaughtering for idolatry is not a service which disqualifies)!? It can only be that he served the idol by sprinkling before it.

Rav Sheishes, however, can say that it is referring to someone who slaughters before it, but it is not the same if he did so deliberately, for he then (*did he not?*) became a priest to the idol.

The *Gemora* notes that they both follow their own reasoning, for it has been stated: If a *Kohen* had deliberately slaughtered an animal for an idol, Rav Nachman said: His offering (when he performs the service in the Temple) is a pleasing aroma (it is valid); but Rav Sheishes says: His offering is not a pleasing aroma.

Rav Nachman said: His offering is a pleasing aroma, for he had not performed a service before the idol. Rav Sheishes said: His offering is not a pleasing aroma, for he then became a priest to the idol.

Rav Nachman cites a *braisa* as proof for his opinion: If a *Kohen* ministered before idols and repented, his offering (*when he performs the service in the Temple*) is a pleasing aroma (*it is valid*). Now, if you say that he did so inadvertently, then what is the point of the *braisa* saying, 'and repented'? He has always been in a state of repentance!? It must obviously be that he ministered deliberately. And if he ministered by sprinkling the blood, then even though he repented, it doesn't matter, for he had performed a service before the idol (*which automatically disqualifies him from performing any service in the Temple*)! It must be that he ministered by slaughtering (*and the ruling is that he may serve in the Temple*).

Rav Sheishes, however, will say that the *braisa* is referring to a case where he ministered inadvertently, and when the *braisa* said, 'he repented,' it meant as follows: If he had always been repentant, that is to say -when he ministered before the idol, he did so inadvertently, his offering in the Temple is a pleasing aroma; otherwise, his offering is not valid.

If a *Kohen* had bowed down before an idol, Rav Nachman says: His offering (*when, after repenting, he performs the service in the Temple*) is a pleasing aroma (*it is valid*); but Rav Sheishes says: His offering is not a pleasing aroma.

If he had accepted an idol upon himself, Rav Nachman says: His offering (*when, after repenting, he performs the service in the Temple*) is a pleasing aroma (*it is valid*); but Rav Sheishes says: His offering is not a pleasing aroma.

The *Gemora* notes that all these disputes were necessary to be stated, for if only the first case (*where he inadvertently threw the blood before an idol*) had been stated, I would have said that only there did Rav Sheishes say that his offering was invalid, since he had performed a service, but where he had slaughtered before the idol, since that was no service, I would have said that

he agreed with Rav Nachman. And if the dispute regarding slaughtering (*deliberately*) had only been stated, I would have said that only there did Rav Sheishes say that his offering was invalid, since he had performed some service before the idol, but not where he had merely bowed down before the idol, for that was no service (*with a sacrifice*). Therefore they all had to be stated. And if the dispute regarding bowing down before the idol had only been stated, I would have said that only there did Rav Sheishes say that his offering was invalid since he had done some action before the idol, but not where he had merely accepted the idol, for that was a mere matter of words. Therefore all of the cases were necessary to be stated. (109a – 109b)

INSIGHTS TO THE DAF

Not to close the door on penitents – apostate kohanim at the duchan

The era of the illusory "Enlightenment", which led many Jewish youths astray, constituted a fertile basis for different halachic questions that arose because of the situation. In this article we discuss *kohanim* fit to bless at the *duchan* and, apropos, the worry of leaders of the generations not to interminably reject those who go astray.

We open with our *Mishna*: "The *kohanim* who served in the temple of Chuno shall not serve in the Temple in Yerushalayim and it need not be mentioned for another thing." In other words, a *kohen* who served in the temple established by the *kohen* Chuno in Egypt (see the history of the event in the *Gemora*) is not allowed to serve in the Temple and *kal vachomer* a *kohen* who served idolatry (Rashi, s.v. *v'ein tzarich lomar*, and Rambam, *Hilchos Bias HaMikdash* 9:13). All agree that the prohibition for an apostate (converted) *kohen* to serve in the Temple is still valid even if he completely repents. As *Beis Yosef* mentions (*O.C.* 128), it seems so from our *Mishna* since it rules plainly that the *kohen* is forbidden to serve in the Temple without mention that if he repents, the halachah is different.

But the Rishonim disagree as to if the other halachos of *kehunah*, aside from service in the Temple, no longer apply to him, such as blessing at the *duchan* or getting the first *aliyah*. Rambam (*Hilchos Tefillah Unesias Kapayim* 15:3) explicitly rules: "A *kohen* who worshipped an idol, perforce or erroneously, though he repented, must not ever bless the congregation...and the same applies to a renegade (convert) *kohen*, though he repented, he must not ever bless the congregation." Tosfos (s.v. *Lo yeshamshu*) cite *Sefer Hazahir* that a *kohen* who converted profanes his sanctity, which never returns and therefore he no longer blesses the congregation forever (it is self-understood that the prohibitions of the *kehunah*, to become impure for the deceased and marry a divorcee, still apply to him).

On the other hand, a few Rishonim, cited by the Tur and *Beis Yosef* and including Rashi (Responsa, 170, cited in Tosfos on our *sugya*), maintain that a *kohen* who converted and repented may bless the congregation. Rashi finds a basis for his opinion in our *Mishna*, which says that such *kohanim* shall not serve in the Temple in Yerushalayim, meaning that they are not rejected from other tasks of the *kehunah*. Moreover, our *Mishna* defines penitent *kohanim* as having a defect (*ba'alei mumim*) and a *ba'al mum* may bless the congregation unless he has a defect in his hands. Therefore, there is no reason to prevent the converted who repented from blessing the congregation.

You thus discourage the penitent: Rabeinu Gershom Meor HaGolah (Responsa, 4) strengthens this statement with the contention that if we prevent converted *kohanim* from approaching the *duchan*, "you thus discourage the penitent and it is improper to do so", as explained in Sanhedrin 103a.

Maharam of Rottenburg (cited in *Beis Yosef*) suggests a sort of compromise. Such a *kohen* should not be encouraged to approach the *duchan* but if he approached, he is not prevented (see *Hagahos Maimoniyos, Hilchos Tefillah* 15:3).

As for the halachah, *Beis Yosef* and the *Bach* tend to rely on most of the Rishonim, especially as we must open a way for the penitent. *Shulchan 'Aruch* (ibid, *se'if* 37) rules: "A converted

kohen must not approach the *duchan* and some say that if he repented, he approaches (and that is the main ruling)." The author of *Kaf HaChayim* (os 219) asserts that despite that according to the rules of decisions of *Shulchan 'Aruch*, when he rules a certain halachah and then quotes "some say" who disagree, he didn't intend to rule according to the second opinion but merely to mention it, still we have received a tradition that in pressing circumstances one may also rely on what he wrote in the name of "some say." This halachah is considered a pressing circumstance to encourage the penitent!

DAILY MASHAL

HaGaon Rabbi Chayim Ozer Grodzhinski zt"l and other halachic authorities were asked to express their opinion as to how to treat *kohanim* who, though they haven't converted, might be defined as apostates because of their blatant disregard of mitzvos in public (as in Rashi, Chulin 5a, s.v. *Ela*: "Shabbos is as strict as idolatry as an idolator denies Hashem and he who desecrates Shabbos denies His works and gives false testimony that Hashem did not rest at the Creation").

One cannot deny something one is unaware of: Rabbi Grodzhinski (Responsa *Achi'ezer*, IV, 3) ruled that in our era most of those who stray from the Torah are "captured children", relying on the author of *Binyan Tziyon* (Responsa, *Hachadashos*, 23), who describes Jews who pray in synagogue, sanctify Shabbos (by saying *kiddush*) and then desecrate it. Those people do not deny Hashem's kingship but never had the merit to achieve deep recognition of their task in our world and, as such, of course they cannot deny something they are unaware of (and see another reason, *ibid*).

HaGaon Rabbi Moshe Feinstein zt"l (Responsa *Igros Moshe*, O.C., I, 33; see *ibid*) recommended to behave in such cases according to the above opinion of Maharam of Rottenburg.