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Horayos Daf 11

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Perform a Mitzvah First

Rabbi Chiya bar Abba said in the name of Rabbi Yehoshua ben Korchah: At all times a man should try to be first in the performance of a *mitzvah*, as on account of the one night by which the elder daughter preceded the younger daughter (*in having relations with their father Lot*), she preceded her by four generations in having a descendant join the nation of Israel: Oved, Yishai, David and Solomon. For the younger had no descendant join Israel until Rechavam (*son of Solomon*), as it is written: *And the name of his mother was Naamah the Ammonite.* (11a)

Nasi and Anointed Kohen

The *braisa* states: *From among the people of the land.* This excludes an Anointed Kohen and a Nasi (*that only a commoner brings a female lamb or goat*).

The *braisa* asks: Don't we already know that an Anointed Kohen brings a bull and a Nasi brings a goat (*as opposed to a commoner who brings a sheep or female goat*)?

The *braisa* answers: One might think that an Anointed Kohen would bring a bull if he forgets the law and accidentally sins, but he would bring a sheep or goat if he merely sinned accidentally. This is why the verse *From among the people of the land* excludes an Anointed Kohen and a Nasi.

The *Gemora* asks: This is understandable regarding an Anointed Kohen. However, a Nasi does bring his special *korban* for merely sinning accidentally!

Rav Zevid answers in the name of Rava: The case is where he ate a *k'zayis* of forbidden fat when he was a commoner, and he then became Nasi and found out that he ate the forbidden fat. One

would think he would bring a sheep or female goat. This is why the verse says: *from among the people of the land.*

The *Gemora* asks: This is understandable according to Rabbi Shimon who says that the *korban* is brought based on the time of awareness. However, according to the Rabbis who say it is based on the time that he sins, what is the verse excluding?

Rather, Rav Zevid answers in the name of Rava: The case is where he ate half a *k'zayis* of forbidden fat when he was a commoner, and he then became Nasi, ate another half *k'zayis*, and then became aware about both half *k'zaysim*. One would think he would bring a sheep or female goat. This is why the verse says: *from among the people of the land.* (11a)

Change of Status

Rava inquired of Rav Nachman: Does becoming a Nasi interrupt the liability to bring a *korban*? What is the case he is referring to? The case is where he ate half a *k'zayis* of forbidden fat when he was a commoner, and he then became Nasi, ate another half *k'zayis*, and then became aware about both half *k'zaysim*. Do we say that these two half *k'zaysim* do not combine, as one was eaten when he was a commoner, but in a case where both half *k'zaysim* would be eaten when he was a Nasi, it would combine? Or do we say that it does not make a difference?

The *Gemora* says: We should be able to answer this question from the statement of Ulla in the name of Rabbi Yochanan. He says that if someone inadvertently ate forbidden fat, designated a *korban* for this purpose, he then abandoned his religion completely and then repented, he no longer brings a *korban*, being that it was pushed aside (*when he was an apostate*). [*We should therefore say that when he became Nasi, he pushed aside the previous eating!*]

The *Gemora* answers: In that case, the apostate is someone who is not fit to bring a *korban*. In our case he is fit to bring a *korban* (and there is therefore no proof it should be pushed aside).

Rabbi Zeira inquired of Rav Sheishes: If while he was a commoner he ate a piece of fat concerning which there was a doubt that it might be *cheilev*, and then he became *Nasi* and became aware that he possibly ate *cheilev*, what is the law? According to the Rabbis who say that what matters is the time that he sinned, he clearly brings an *asham taluy*. The question is according to Rabbi Shimon. Do we say that being that he changes regarding a definite *korban* (if he inadvertently ate *cheilev* but only found out after he became *Nasi*, he would bring the *korban* of a *Nasi*), he changes regarding a doubtful one as well (and he would not bring an *asham taluy*)? Or do we say that he only changes by a definite *korban*, for the law is that even a *Nasi* will bring a *korban*. Being that in this case, he would not bring a *korban* at all if we look at the status of a *Nasi* (as a *Nasi* does not bring an *asham taluy*), perhaps we view him as a commoner? The *Gemora* leaves this question unresolved. (11a)

Renegade (Mummar)

The *Gemora* cites a *braisa*: From among the people of the land. This excludes a renegade (for we do not accept a chatas from him). Rabbi Shimon bar Yosi says in the name of Rabbi Shimon: That are not to be done – inadvertently - and he is guilty teaches us that only someone who would have avoided performing this action when he became aware that it is forbidden brings a *korban* for an inadvertent action. If he would have done it anyway, he does not bring a *korban*.

The *Gemora* asks: What is the difference between them?

Rav Hamnuna says: The difference is regarding a person who deliberately eats forbidden fats, and wishes to bring a *korban* because he ate blood inadvertently. The first opinion holds that being that he is a renegade regarding *cheilev*, he is considered a renegade for blood as well. Rabbi Shimon holds that he would not have eaten the blood had he been aware that it was forbidden, and he therefore is able to bring a *korban*.

The *Gemora* asks: Didn't Rava say that according to everyone a renegade regarding *cheilev* is not considered a renegade for eating blood?

Rather, the *Gemora* answers: The difference between them is in a case where a person was deliberately eating an improperly slaughtered animal due to desire (as opposed to doing so in order to make Hashem angry), and he inadvertently ate *cheilev* thinking that it was permitted fat. One opinion says that being that he is deliberately eating an improperly slaughtered animal at the time, he is considered a renegade regarding the forbidden fat as well. Rabbi Shimon says that being that if he would have had permissible meat he would have eaten that instead, he is not a renegade (and therefore we accept his *korban*).

The *Gemora* cites a *braisa*: One who eats *cheilev* is a renegade. What is a renegade? It is someone who eats improperly slaughtered animals etc.

The *Gemora* asks: What does this *braisa* mean?

Rabbah bar bar Chanah says in the name of Rabbi Yochanan: It means that if he ate this animal because he desired to do so, he is considered a renegade. If he did so to anger Hashem (out of defiance; he would eat it even if there was permitted meat there), he is a Sadducee. (The *braisa's* question is) What renegade is assumed to be a Sadducee? Someone who eats improperly slaughtered animals, *tereifos* (animals that are near death due to sickness), abdominal or crawly creatures, or drinks wine poured for idolatry.

The *braisa* continued: Rabbi Yosi the son of Rabbi Yehudah says: A renegade is also someone who deliberately wears *shatnez* (a mixture of linen and wool).

The *Gemora* asks: What is the difference between them?

The *Gemora* answers: The difference is *shatnez* that is forbidden according to Rabbinic law. The first opinion holds that one is only a renegade if he commits sins forbidden by Torah law. The

other (*Rabbi Yosi*) holds that being that *shatnez* is a well known prohibition, even if he transgresses a Rabbinic aspect, it is forbidden.

Rav Acha and Ravina argue. One says that a person who eats improperly slaughtered animals because he desires to do so is a renegade. One who does so to anger Hashem is a Sadducee. The other says that both are deemed renegades (*even though the latter is clearly worse*). Who, then, is a Sadducee? It is someone who worships idolatry.

The *Gemora* asks a question from a *braisa*. The *braisa* states: If someone ate a single flea or gnat, he is a renegade. Now, this is obviously just to anger Hashem, and even so he is clearly deemed a renegade, not a Sadducee!?

The *Gemora* answers: In that case, he just wanted to know what a gnat or flea tasted like (*and did not do it to anger Hashem*). (11a)

Rulers

The *Mishna* had stated: What is a *Nasi*? He is a king.

The *braisa* states: A *Nasi*. One might think this means the head of a tribe, like Nachshon ben Aminadav. The verse says: *from all the mitzvos of Hashem his God*, and it says elsewhere: *in order to learn to fear Hashem his God*. Just as the latter verse is talking about someone (*a king*) who has none above him but Hashem, so too this verse (*regarding the special korban of a Nasi*) is referring to someone who has none above him but Hashem (*i.e. a king*).

Rebbe asked Rabbi Chiya: Would I be obligated to bring a he-goat? [*Rebbe was the leader of the Jews in Eretz Yisroel.*]

Rabbi Chiya answered: Your counterpart is in Babylon. [*In other words, being that the head Exilarch of Babylon was more powerful, he would be deemed the leader.*]

The *Gemora* asks a question from a *braisa*. The *braisa* states: Kings of Israel and Kings from the house of David would both

bring a special *korban* of a *Nasi* (*even though they ruled at the same time*).

The *Gemora* answers: This is because they are independent of each other, as opposed to the leader of *Eretz Yisroel*, who was subservient (*at the time*) to the leader of Babylon.

Rav Safra taught this discussion in the following manner. Rebbe asked Rabbi Chiya: Would I be obligated to bring a he-goat? Rabbi Chiya replied: They are the ruler with the scepter, while here we are just a legislator. The *braisa* states: *A scepter should not depart from Yehudah* refers to the head Exilarch in Babylon, who rules with a staff. *And a scholar from his descendants* refers to the grandchildren of Hillel, who teach Torah in public. (11a – 11b)

Mishna

Who is an Anointed *Kohen*? It is only a *Kohen Gadol* who is anointed with the anointing oil (*prepared by Moshe*), not one who merely wears the eight garments of the *Kohen Gadol*. The difference between these two types of *Kohen Gadol* is solely this *korban*, the bull they offer if they transgress.

There is no difference between an active *Kohen Gadol* and one who was relieved of his duty (*as Kohen Gadol, because he was only a substitute until the regular Kohen Gadol healed from his blemish*) besides the bull of *Yom Kippur* and the tenth of an *eifah* (*offered every day by the Kohen Gadol*). Otherwise, they can both do the service of *Yom Kippur*, must marry virgins, cannot marry widows, cannot become impure by the death of their relatives, cannot grow their hair long and rend their clothes over them, and their deaths allow an unintentional murderer to go free from a city of refuge. (11b)

Anointing Oil

The *braisa* states: The oil of anointment made by Moshe Rabbeinu in the Wilderness was prepared by boiling the roots of the spices listed in the Torah in olive oil; these are the words of Rabbi Yehudah. Rabbi Yosi says: The oil would not even be enough to mix with the spices (*and remain oil*)! [*Certainly it could not be boiled with the oil, as there would be very little oil*]



left!] Rather, they would soak the roots of the spices in water, and (after removing the roots) he would pour the oil on top of the water where it would absorb the scent of the spices. They would then skim the oil from the bowl and wipe off the oil (which was still on the roots). Rabbi Yehudah replied: Was there only one miracle done with the oil of anointment? It started out as twelve *lugin* of oil, and was used to anoint the *Mishkan*, its vessels, Aaron, and his sons during each of the seven days of consecration (known as the *Milu'im*). And yet, the entire twelve *lugin* will remain intact in the future, as the verse says: *This holy oil of anointment will be for Me for your future generations.*

Another *braisa* states: *And Moshe took the oil of anointment, and he anointed the Mishkan and everything in it.* Rabbi Yehudah says: The oil of anointment that was in the Wilderness had many miracles happen with it from beginning to end. It started off as only twelve *lugin* of oil. See how much oil a pot absorbs, how much oil roots absorb, how much oil is usually burned away. It was used to anoint the *Mishkan*, its vessels, Aaron, and his sons during each of the seven inaugural days of the *Mishkan*, as well as other *Kohanim Gedolim* and kings.

A *Kohen Gadol* the son of a *Kohen Gadol* still needs anointment, although a king the son of a king does not. Why, then, did they anoint Shlomo? This was because of the argument caused by Adoniyah (who claimed the throne). They also anointed Yoash due to Atalyah, and Yehoachaz because of Yehoyakim, who was two years older than him.

And nevertheless, that oil will remain in the future, as the verse says: *This holy oil of anointment will be for Me for your future generations.* “Zeh” – “This” is the numerical value of twelve (indicating all twelve *lugin* will still be intact in the future). (11b)

Anointing the Sons

The *braisa* said: A *Kohen Gadol* the son of a *Kohen Gadol* still needs anointment.

The *Gemora* asks: How do we know this?

The *Gemora* answers: This is as the verse says: *And the Kohen who is anointed in his place from his sons.* The verse could have said, *And the Kohen who is his place from his sons.* Why did it say *who is anointed*? This implies that a *Kohen Gadol*, the son of a *Kohen Gadol*, still needs anointment, or he is not considered a *Kohen Gadol* (who is anointed).

The *braisa* said: A king the son of a king does not need anointment.

The *Gemora* asks: How do we know this?

Rav Acha bar Yaakov says: The verse says: *in order that he should lengthen his days of his kingdom (he and his sons) etc.* This implies that it is considered as an inheritance for them.

The *Gemora* asks: How do we know that when there is argument about who is the king we do anoint, and that not everyone is fit to be the king just because his father was king?

Rav Pappa answers: The verse says: *He and his sons in the midst of Israel.* This implies that when there is peace in Israel, he can transfer the monarchy to his son without anointment.

The *braisa* states: Even Yeihu ben Nimshi was only anointed due to the argument regarding Yoram.

The *Gemora* asks: Why don't we say he was anointed because he was the first in his family to become king?

The *Gemora* answers: It is as if there are missing words, and it means as follows. We anoint kings from the house of David, not kings of Israel (and since he was a king of Israel, he was only anointed due to the dispute).

The *Gemora* asks: How do we know this?

Rava says: The verse says: *Arise and anoint him because this etc.* This implies someone who is a king from the house of David. One from the Davidic dynasty requires anointment, not other kings.



The *Gemora* asks: Does it make sense that we should commit *me'ilah* (*misuse*) the oil of anointment just because Yoram the son of Achav was disputing his kingship?!

This is as Rav Pappa answered: They used pure balsam oil, not the oil of anointment (*for other anointments*). The same is true regarding the anointment of Yeihu.

The *braisa* said: They anointed Yehoachaz due to Yehoyakim, who was two years older than him.

The *Gemora* asks: Was Yehoyakim actually two years older than Yehoachaz? The verse states: *The son of Yoshiyahu, the eldest was Yochanan, the second Yehoyakim, the third Tzidkiyahu, the fourth Shalom*. Rabbi Yochanan says: Shalom and Tzidkiyahu are the same person, and Yochanan and Yehoachaz are the same person (*This means Yehoachaz was older than Yehoyakim, as he was Yochanan, the eldest!*)

The *Gemora* answers: Actually, Yehoyakim was older. However, Yehoachaz is called the eldest because he was king before is brother.

The *Gemora* asks: Do we usually allow a younger brother to rule before an older brother? Doesn't the verse say: *And he gave the kingship to Yehoram, because he was the eldest?*

The *Gemora* answers: Yehoram followed in his father's ways, whereas Yehoyakim did not.

Rabbi Yochanan says: Shalom and Tzidkiyahu are the same person, and Yochanan and Yehoachaz are the same person.

The *Gemora* asks: Doesn't the verse refer to each separately, as is indicated by the verse: *the third...fourth?* [*This implies they were not the same person!*]

The *Gemora* answers: It calls Tzidkiyahu the third because he was the third son. It calls (*Tzidkiyahu the name*) Shalom the

fourth because he was the fourth king. The order of the kings was: Yehoachaz, Yehoyakim, Yechanyah, and Tzidkiyah.

The *braisa* states: Shalom is Tzidkiyah. Why is he called Shalom? This is because he was complete (*shalem*) in his actions. Others say: This is because the Kingdom of David ended (*during the first Temple*) with his reign. What was his real name? It was Matanyah. This is as the verse says: *The king of Babylon made Matanyah, his uncle, king instead of him. He made his name Tzidkiyahu*. This was as if to say, Hashem should call the judgment righteous if you rebel against me. The verse also says: *And also in King Nevuchadnetzer he rebelled, who made him swear by Hashem.* (11b)

DAILY MASHAL

CEASEFIRE

Our *Gemora* talks about a kingdom in dispute. Shlomo HaMelech, the wisest of all men, teaches us in Koheles (3:15) *VeHaElokim Yivakeish Es Nirdaf*--Hashem seeks those who are pursued. The Midrash Rabbah teaches that we can see this clearly from the kinds of Karbanos that Hashem accepts in the Bais HaMikdash: An ox is chased by a lion, a goat is pursued by a leopard, and a sheep is hunted by a wolf. Hashem is not at all interested in the pursuers--but **only** in the pursued. Based upon this, the Chofetz Chaim writes, one should learn and appreciate how far he should stay from even associating with those who pursue *Machlokes*--for Hashem rejects them outright. In the end, they will be called to task and punished. However, **one who ceases fire--one who avoids any tinge of Machlokes** in the end will be honored before all--as the very same Shlomo HaMelech, the wisest of all men, teaches *Kavod Lalsh Sheves MeiRiv*--**abstention from quarrel is a man's honor** (Mishlei 20:3).

Our friends at Hakhel Note: A quarrel does not have to mean a battle between two sects or large groups--the Hadfields and the McCoy's and their like. It can also mean a disagreement among friends, among family, and yes, even among siblings or spouses. Why should we be among the pursuers--when we can be counted among the pursued--and enjoy all the true honor of being human--guaranteed to us by the *wisest* of all men?!