

Masseches Horayos has ben dedicated in memory of Rabbi Simchah Freedman z"l, 3rd of Nissan 5778

OVERVIEW of the Daf

1) Lot (cont.)

The Gemara concludes its discussion of Lot and his daughters.

2) Nasi and Anointed Kohen

A Baraisa presents the exposition that excludes a Nasi and Anointed Kohen from bringing the standard Korban Chatas.

The exposition in the Baraisa is challenged and revised.

Rava asks R' Nachman about the halacha of someone who ate an olive's volume of cheilev but in the middle of eating he was appointed nasi and then he left that position.

A possible answer is suggested but rejected.

R' Zeira asks about a case of a person who unknowingly ate fat about which there was an uncertainty whether it was cheilev and he became aware of what he did after becoming Nasi. Does he bring an Asham Talui?

After further clarifying the question the matter is left unresolved.

3) Renegade

A Baraisa presents two opinions related to which people are excluded from the obligation to bring a Korban Chatas.

R' Hamnuna explains the difference between these two positions.

This explanation is rejected and an alternative explanation of the dispute is presented.

A related Baraisa is cited.

Rabbah bar bar Chana in the name of R' Yochanan explains the intent of the Baraisa.

The Gemara explains the point of dispute between the two opinions in the Baraisa.

R' Acha and Ravina disagree about who is considered a renegade and who is considered a Tzeduki.

One of these opinions is unsuccessfully challenged.

4) Nasi

A Baraisa presents the source that the term נשיא refers to the

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REVIEW and Remember

1. How do we know that one should strive to be first in a mitzvah matter?

2. What is the point of dispute between R' Acha and Ravina?

3. Who is the מרובה בבגדים?

4. When is it necessary for the son of the king to be anointed?

Distinctive INSIGHT

Clarifying that R' Zeira's question refers only to the Nasi

בעא מיניה רבי זירא מרב ששת אכל ספק חלב כשהוא הדיוט ונתמנה ונדע לו על ספקו מהו?

In general, an asham offering is brought if a person did an act which he later realizes involved some element of doubt whether it was in violation of a sin which is liable for chattas if done inadvertently and kares if done purposely. The asham protects the person from any punishment until such time that he finds out that he actually did the sin, at which time he would bring a chattas. A commoner brings either a female goat or sheep, while a Nasi brings a goat. The asham for the commoner and the Nasi is identical.

R' Zeira asked R' Sheishes a question regarding the offering of the Nasi. A person ate a piece of fat, thinking that it was a permitted type, and he was then appointed to be the Nasi. As Nasi, he then realized that the fat which he ate a commoner was possibly a prohibited piece of cheilev. Should he now bring an asham offering to atone for the doubt which refers to his act as a commoner before he was appointed to be the Nasi? The Gemara clarifies that this question is not relevant from the perspective of Tanna Kamma in the Mishnah (10a), as they clearly hold that the criteria used to determine the obligation for an offering is only the moment when the sin was committed. Therefore, in this case, the Nasi would bring an asham, which he would have brought as a commoner. However, R' Shimon holds that an offering is brought only if the moment of sin and the moment when he realized his error both occurred while the person had a single status, either as a commoner or as a Nasi. On the one hand, a commoner and a Nasi share in common that their asham offering is identical, so R' Shimon would say that the Nasi should bring the asham. On the other hand, though, a certain sin for a commoner requires a female goat or sheep, but for a Nasi the offering is a male goat. If we consider this difference, even R' Shimon would say that we do not have a sin and realizing one's error occurring during the same level or status, and the Nasi would be exempt.

ספר הורה גבר notes that the question of R' Zeira is only applicable to a Nasi, and not for an Anointed Kohen Gadol. It is only according to R' Shimon who requires that the sin and the subsequent awareness be within the same status of obligation that we can suggest that perhaps the Nasi, who brings the same asham as does a commoner, can bring the asham even after being appointed to his new position. However, the Anointed Kohen does not bring an asham at all, so there is no parallel between his previous status as a commoner and his current status as a Kohen. He certainly would not bring the asham for his previous misdeed. ■

HALACHAH Highlight

Reading the parsha of the Korban Chatas

אמר ליה הרי צרתך בבב

He said to him, "Your counterpart is in Bavel."

The Gemara relates that R' Yehudah HaNasi, who was the head of the Jewish community in Eretz Yisroel, asked R' Chiya whether he would bring the korban of the Nasi if he were to sin. R' Chiya responded that since there is an Exilarch (ריש גלותא) in Bavel it cannot be said that there is no one above you and thus you do not meet the qualifications of the Nasi. Be'er Sheva¹ wonders about the practical impact of this question since during the time of R' Yehudah HaNasi there was no Beis HaMikdash so there would be no korban to bring either way. Additionally, one should not suggest that the question was academic for the purpose of receiving reward for the study of Torah because those types of questions are recorded in the Gemara only when it is relevant for the interpretation of a verse.

Chasam Sofer² also wonders why the Gemara recorded this conversation and he writes that this conversation proves that one is obligated to read the parsha of the Korban Chatas every day. After reading those verses one must state that if he is liable to offer a Korban Chatas this reading should stand as a replacement for that korban. Accordingly, R' Yehudah HaNasi was uncertain whether he had the status of the Nasi and should read the verses about the korban brought by the nasi or whether he had the status of a commoner and should read the verses of the standard Korban Chatas. The practice of reading the verses related to the Korban Chatas is found in Sha'arei Teshuvah. Sha'arei Teshuvah³ writes that reading the verses of the Korban Chatas, whether from a text or by heart, stands in place of actually bringing the korban. The basis of

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king.

Rebbi asked R' Chiya whether he has the Biblical status of the Nasi and R' Chiya responded that he does not.

Rebbi unsuccessfully challenges R' Chiya.

A second version of this exchange is presented.

5) **MISHNAH:** The Mishnah differentiates between the Anointed Kohen and the Kohen Gadol who wears additional garments. The Mishnah also contrasts the Kohen Gadol who is actively serving in the Beis Hamikdash and the one who passed out of service.

6) **Anointing oil**

A Baraisa presents a dispute between R' Yehudah and R' Yosi regarding the manufacturing of the anointing oil made by Moshe Rabbeinu.

A second related Baraisa is presented.

The Gemara identifies the sources for the halachic statements of the second Baraisa.

This discussion leads the Gemara to analyze why certain kings were or were not anointed.

R' Yochanan's interpretation of a verse from Divrei HaYamim is challenged and consequently further clarified.

A Baraisa also maintains that Shalum and Tzidkiyahu are the same person. ■

this is the Gemara Menachos (110a) that declares that studying (עוסק) the verses that discuss the Korban Olah is considered as though one offered a Korban Olah and studying the verses of the Korban Chatas and Korban Asham is considered as though one offered those korbanos as well. ■

1. באר שבע ד"ה כגון.
2. חת"ס ד"ה בעא מחת"ס עה"ת פרשת ויקרא ד"ה בהוריות.
3. שערי תשובה שער ד' אות ח'. ■

STORIES Off the Daf

The Staff of Yehudah

לא יסור שבט מיהודה אילו ראשי גליות שבבבל

The Ben Ish Chai, ז"ל, explains why the verse only refers to the heads of the exile in Bavel as a shevet, or staff. He cites the Seder HaDoros:

Once there was a Parthian king who decided to eradicate the seed of Dovid in his area. He began killing everyone known to be a descendant of Dovid, sparing no one.

He managed to eradicate everyone except a single widow who was expecting a child from her brutally murdered husband. But of course the king's next step was to track down all of the wives of those he had killed to ensure that no child survive his

decree.

That very night he dreamed that he was in a resplendent garden with magnificent tree bearing all sorts of luscious fruits. But the king was in an angry mood in the dream and he began to chop down all the trees of the garden until none remain aside from a little sapling, standing straight as a shevet, or staff. The king lifted up his axe to destroy this final remnant when an old man with ruddy skin and beautiful eyes gave a great shout, grabbed the axe from the king and struck him a blow to the head.

The king fell at the feet of the old man begging him to spare his life. "Isn't it enough that you destroyed my garden, you must also destroy this little shoot that stands like a staff planted in the garden?"

The king begged forgiveness and swore to change his ways. If the old warrior would spare him he would devote his days to pro-

tecting this shoot and nourishing it. He swore solemnly to care for it always, day and night, planting from its fruit until the entire garden is restored."

The old man spared him and he woke up terrified.

He called the Jewish sages into the room and they explained that the old man had been Dovid Hamelech and that he had sworn to protect his descendant.

The king was as good as his word and made a special place in his palace for the young mother to be, giving her everything she required. And this kindness extended to the child she bore, who was named Rav Bustenai after the garden or "bustan," in the king's dream.

The Ben Ish Chai concluded, "This is why the verse uses the word שבט to allude to the exilarchs from the line of Bustenai."¹ ■

¹בן יהוידע, ח"ה, ע' א' ■

