



OVERVIEW of the Daf

1) Aninus for Nadav and Avihu

A Baraisa is cited that elaborates on the pesukim related to Aharon's aninus for the death of his sons Nadav and Avihu.

A contradictory Baraisa is cited.

Shmuel resolves the contradiction by distinguishing between R' Nechemia's position and the position of R' Yehudah and R' Shimon as recorded in a Baraisa.

Rava resolves the contradiction while maintaining that both Baraisos follow R' Nechemia's position.

The Gemara explains how R' Nechemia explains the relevant verses.

The Gemara explains how R' Yehudah and R' Shimon explain the relevant verses.

An unsuccessful challenge to R' Nechemia's position is presented.

An unsuccessful challenge to R' Yehudah and R' Shimon's view is presented.

The Gemara relates how R' Nechemia responds to the three challenges against his position put forward by R' Yehudah and R' Shimon.

2) When did Pinchas become a kohen?

The Gemara explained that R' Nechemia followed R' Elazar's opinion that Pinchas became a kohen after killing Zimri.

R' Ashi disagrees and maintains that Pinchas became a kohen following an incident recorded in Sefer Yehoshua.

The exchange between these two opinions is recorded.

3) Was Moshe Rabbeinu a kohen?

Rav asserts that Moshe Rabbeinu served as a kohen gadol.

Two unsuccessful challenges to this position are presented.

The Gemara begins a third challenge to Rav's assertion. ■

REVIEW and Remember

1. What is the point of dispute between R' Nechemia and R' Yehudah?

2. How do we know that Moshe was not embarrassed to admit that he erred?

3. Why did Moshe make two inquiries?

4. What is the source that Moshe was a kohen?

Distinctive INSIGHT

At what point did Pinchas become a kohen?

דאמר ר"א א"ר חנינא לא נתכהו פינחס עד שהרגו לזמרי וכו' רב אשי אמר עד ששם שלום בין השבטים

A chattas of Rosh Chodesh was brought on the first day of Nisan, on the day the Mishkan was dedicated. On that same day, Nadav and Avihu, the sons of Aharon and the brothers of Elazar and Isamar, died. As a result, Aharon and his two surviving sons became oninim, and one who is an onen may not partake of the meat of an offering. Therefore, the Rosh Chodesh chattas was burned. When Moshe heard that the chattas had been burnt, he thought that a mistake had been made. Aharon later explained what he did, and Moshe agreed that Aharon was correct.

The Gemara presents two opinions regarding why Aharon destroyed the meat of the chattas. With the death of Nadav and Avihu, Aharon and his two surviving sons became oninim, the status of a person between the time of death of a relative and the burial. R' Nechemia says that the chattas of Rosh Chodesh was burnt because an onen may not eat meat of offerings. R' Yehuda and R' Shimon hold that the chattas was burned due to tum'ah.

The Gemara asks a question against the view of R' Nechemia. Pinchas, the son of Elazar, was a nephew of Nadav and Avihu. He was not a direct relative who was required to observe mourning, and he was therefore not an onen. Pinchas was with them, and he could have eaten from the offering. Why, then, was the chattas of Rosh Chodesh destroyed and not eaten by Pinchas?

The Gemara answers that R' Nechemia holds according to R' Elazar, in the name of R' Chanina, who says that at this point Pinchas was not a kohen. Pinchas only became a kohen after he confronted Zimri and killed him, at which point God rewarded Pinchas with the covenant of priesthood (Bamidbar 25:13).

Aruch LaNer notes that this question regarding Pinchas assumes that he was a kohen at the time of this incident, when the Mishkan was dedicated. We might ask that if Pinchas was a kohen, how was it permitted for him to confront Zimri and kill him? A kohen is not allowed to be in contact with a corpse, and Pinchas would have been subjecting himself to ritual impurity by killing Zimri. The Midrash does report that many miracles occurred at the moment Pinchas killed Zimri and Kozbi, and one of those miracles was that they did not die the entire time Pinchas carried them. Nevertheless, Pinchas was not allowed to rely upon a

HALACHAH Highlight

Birkas Kohanim by a kohen who killed someone

לא נתכהו פינחס עד שהרגו לזמרי

Pinchas was not made a kohen until after he killed Zimri

The Gemara presents a disagreement whether Pinchas was a kohen at the time that he killed Zimri. According to R' Elazar in the name of R' Chanina he was not a kohen at the time he killed Zimri whereas according to R' Yehudah and R' Shimon he was already a kohen at the time of the incident. The reason why Pinchas was granted the covenant of priesthood (ברית כהנת עולם) was¹ that since he killed Zimri he figured (See Sanhedrin 35b) that he was disqualified from performing Birkas Kohanim and offering korbanos. In order to assure him that he retained his priestly status the pasuk emphasizes his connection to the priestly covenant.

Yad Ephraim² writes that according to R' Elazar in the name of R' Chanina, Pinchas did not become disqualified from serving as a kohen since at the time he killed Zimri he was not yet a kohen and it is only a kohen who kills who becomes disqualified from serving as a kohen. Sefer Chavatzes HaSharon³ adds the following explanation based on a comment of Tosafos⁴. Tosafos explains that the reason a kohen who killed may not perform Birkas Kohanim is that Birkas

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miracle and allow himself to come in contact with the dead.

Aruch LaNer answers that at the moment of the episode of Zimri's sin, Pinchas asked Moshe, "Didn't you teach us that a zealot may kill these people?" Moshe affirmed that it was true. If Pinchas knew the answer, why did he ask? It must be that he was asking whether he, as a kohen, could kill them. Moshe confirmed that a miracle would occur and that they would not die. This is why Pinchas allowed himself to do this act. ■

Kohanim requires the kohen to raise his hands and since murder is associated with one's hands (See Yeshaya 1:15) the principle that the prosecutor cannot serve as the defender (אין) (קטיגור נעשה סניגור) applies. Therefore, one could say that it is only hands that had the ability to bless the nation that become disqualified if used for killing. Hands that were not fit to bless the nation do not become disqualified when used for killing. For that reason Pinchas did not become disqualified from being a kohen fit to serve in the Beis HaMikdash and bless the nation because he had killed Zimri before becoming a kohen. ■

1. עי מושב זקנים לבעלי תוספות לבמדבר כ"ה: י"ג.

2. שו"ת יד אפרים או"ח סי' ה'.

3. ספר תבצלת השרון פר' פינחס עמ' תת"ל.

4. תוס' סנהדרין ל"ה: ד"ה שנאמר. ■

STORIES Off the Daf

Admitting an Error

"הודה ולא בוש לומר לא שמעתי אלא אמר שמעתי ושכחתי..."

Rav Moshe Feinstein, zt"l, explains that Moshe's admission that he made a mistake teaches that admitting when one is wrong is no embarrassment. He must realize that he is human and all humans err and forget.¹

Rav Shlomo Zalman Auerbach, zt"l, was very careful to always admit any error immediately. He even said that he did not believe he would be rewarded for this. "I am always happier saying to another, 'You are correct; I have erred,' than saying, 'You have erred; I am correct here.'"

"How could I be rewarded for this since being מודה על האמת makes me

happy and gives me so much pleasure?"

Rav Moshe Yadler, shlit"a, has made it his business to learn and teach hilchos Shabbos in very great depth. He has written dozens of letters to various gedolim, working through the various shitos from the gemara until the halachah l'maaseh.

Once, when he was in the middle of a very complex subject, Rav Shlomo Zalman wrote him that the Mordechai held a certain way. Since Rav Yadler is a big expert in hilchos Shabbos, he immediately realized that apparently the gaon had erred in this detail, since the Mordechai held the opposite.

When he wrote Rav Shlomo Zalman about this detail, his answer was short and to the point. "I am not embarrassed to admit that I erred in what I wrote about the Mordechai. You are correct; the Mordechai clearly says what you wrote."

When it came time to print one of

his huge volumes explaining hilchos bishul, Rav Yadler felt very uncomfortable writing this openly. After all, wasn't it a chilul Hashem to write that one of the gedolei hador had erred? Wouldn't this cause people to lose faith in his rulings?

To avoid this, he sent a messenger with a letter asking this question along with several others so that the gaon should not feel uncomfortable answering that this part of the letter should be left out. But Rav Shlomo Zalman did nothing of the sort. All he said about this query was, "What is written here is correct." He immediately began to look over the rest of the letter, as if to say that the question had been obviously superfluous. For him, the only thing that mattered was the truth.² ■

1. עלים לתרופה, פ' אחרי-קדשים, תשנ"ו, ע"ד

2. חכו ממותקים, ח"א ע"י מ"ב ■