

OVERVIEW of the Daf

1) Was Moshe Rabbeinu a kohen? (cont.)

The Gemara completes an unsuccessful challenge to Rav's assertion that Moshe served as a kohen gadol.

Another unsuccessful challenge to Rav is recorded.

It is suggested that the question of whether Moshe was a kohen gadol is subject to a dispute between Tannaim.

The assertion that every time the Torah uses the phrase חרון אף leaves a mark is unsuccessfully challenged.

2) Kings

R' Yannai and R' Yochanan offer different sources for the obligation to show respect to a king.

Ulla asserts the Moshe Rabbeinu wanted to be the king but he was not granted this wish.

Rava unsuccessfully challenges the assertion that Moshe Rabbeinu did not serve as king.

Tangentially, the Gemara analyzes whether the term הלום connotes for generations.

3) Blemished kohanim

A Baraisa provides the source that blemished kohanim are given a share of korbanos.

Two additional Baraisos are cited that record different expositions of the phrase כל זכר.

The intent of the last Baraisa is challenged and two explanations are suggested.

(Continued on page 2)

REVIEW and Remember

1. What caused Moshe to lose the right to serve as kohen?

2. What is the source that blemished kohanim are given a portion of a korban?

3. What halacha did R' Elazar the son of R' Shimon teach in the outhouse?

4. Why was R' Elazar the son of R' Shimon permitted to teach Torah in an outhouse?

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Distinctive INSIGHT

Aharon could not rule in regard to Miriam's plague

ואם תאמר אהרן הסגירה אהרן קרוב הוא ואין קרוב רואה את הנגעים

The Gemara mentions that Miriam could not have been secluded by Moshe, because Moshe was not a kohen. Also, it could not have been Aharon who declared that Miriam be sent into seclusion, because Aharon was her brother, and as a relative, he was disqualified from inspecting her plague and ruling upon it. The Gemara concludes that God, Himself, issued the ruling regarding Miriam, and God sent her into seclusion and later declared that she be allowed to reenter the camp.

Tosafos (ד"ה אהרן) notes that R' Meir and Chachamim disagree whether a relative may inspect and rule regarding nega'im (skin discolors which may be tzara'as). R' Meir contends that a relative may not make this decision. R' Meir learns that the ruling of a kohen is associated with the laws of rulings of disputes, which cannot be adjudicated by a relative. Chachamim allow a kohen who is a relative may make the declaration regarding the purity of a plague. They do not learn that this type of ruling is associated to judgments of monetary matters. The only thing a kohen may not do is to judge his own plague symptoms.

The Mishnah (Nega'im 3:1) teaches that even a non-kohen can examine a plague spot and determine if it is tahor or tamei. Nevertheless, the afflicted person will only be tamei if the declaration is made by a kohen. Even if the kohen himself is ignorant of the laws, if he is informed by a non-kohen who is an expert, the kohen can be instructed by the expert and then make the official declaration.

Accordingly, Rosh explains that a person may examine his own plague and decide if it is tamei or tahor. Yet, his status of being tamei can only be effected when someone other than himself corroborates his decision and makes an official declaration. However, Rambam (Hilchos Tum'as Tzara'as 9:1) writes that a person is not allowed to make the determination about his own plague at all, even if it is simply to inform a kohen who will make the official ruling. Minchas Chinuch (Mitzvah 178) asks from our Baraisa regarding Aharon and Miriam against Rambam. It seems that there are two parts to the process. One is that decision whether the plague is tamei or tahor, and the other is the official declaration of "Tamei!" or "Tahor!" Rambam explains that a person cannot rule about his own or his relative's plague, but he could apparently be the one to make the final ruling. Why, then, could Aharon not let someone else examine Miriam's plague, and that he make the declaration of "Tamei!" even though he was a relative?

Chazon Ish (Nega'im 4: #10) learns from here that Rambam holds that a kohen may not make a decision about his or his relative's plague, and that he may also not be the one who declares "Tamei!" or "Tahor!". ■

HALACHAH Highlight

Honoring a king who is wicked

אמר ר' ינאי לעולם תהא אימת המלך עליך

R' Yannai states: You should always have the fear of the king upon you

R' Yannai teaches that one should always have awe for the king. His proof is from Moshe Rabbeinu's statement to Pharaoh warning of makas bechoros that all of Pharaoh's servants would come running to Moshe. Moshe Rabbeinu did not mention that Pharaoh would also come running to Moshe Rabbeinu because that would have been disrespectful to the king. Teshuvos Chasam Sofer¹ wrote that one is Biblically obligated to honor any king who possesses the prerequisites necessary for one to make the beracha on a king (See Shulchan Aruch 224:8 with Mishnah Berurah 8). He derived support for his position from our Gemara that relates that Moshe Rabbeinu showed honor to Pharaoh and Eliyahu Hanavi to Achav. The respect they showed was not out of fear that Pharaoh or Achav would kill them; rather it was due to the Biblical imperative to show honor to kings. Based on this principle, Chasam Sofer entertained the possibility that one would be permitted to cut his hair to show honor to the king even during a time in which haircutting is not permitted. This requirement to be well groomed when meeting with a king is evident from the fact that Yosef's hair was cut before he was brought to Pharaoh (See Breishis 41:14).

A similar question was sent to Chasam Sofer from the community of Vienna². The Kaiser was coming to visit and numerous preparations were made in the Beis HaKnesses to sing songs of praise and thanksgiving to Hashem and to pray on behalf of

4) One who is ineligible to serve

The principle that one who is ineligible to serve is not given a portion of the korbanos faces numerous unsuccessful challenges.

5) One who became tamei when the fats were burned

The Gemara infers from the Mishnah that one who became tamei when the fats were burned is given a portion of the korbanos. It is noted that this position is not universally accepted.

Abba Shaul's position as recorded in the Baraisa is successfully challenged.

6) Tevul Yom

Rava cites a Baraisa that presents the theoretical conversation between a tahor kohen and a tevul yom attempting to receive a portion of a korban.

R' Achai suggests another conversation that could have occurred and the Gemara explains why this case was left out of the Baraisa.

The Gemara explains how R' Elazar the son of R' Shimon could have discussed this matter in the outhouse. ■

the king and his descendants. Chasam Sofer wrote that not only are they obligated to honor the king but they must also display honor to a degree that is noticeably more than the honor that the gentiles show the king. The reason this is such an important principle is that not only is it logical to show honor and respect to the one who runs the government but it is also a mandate from the Torah to show respect and give honor to kings. ■

1. שו"ת חת"ס ח"א סי' קנ"ט.

2. שו"ת חת"ס השמטות סי' ק"צ. ■

STORIES Off the Daf

Absolute Honesty

"אהרון קרוב הוא..."

After Rav Simcha Bunim of Peschicha, zt"l, passed away, his students adopted Rav Yitzchak of Vorki, zt"l, as their leader. Interestingly, Rav Chaim Leib of Kalashin, zt"l, became a chassid of Rav Menachem Mendel of Kotzk, zt"l, yet continued to travel to Rav Yitzchak of Vorki as well.

Generally, the Kotzker Chassidim—known for their sharp approach—did not like people to maintain a dual loyalty. If one was a Kotzker chassid he should be one through and through. Although anyone who had dared to do what Rav Chaim

Leib did would have faced scathing rebuke—the fate of many others who had tried to do the same—they did nothing to him. He was such a gaon and such a genuine chassid whose every action was obviously l'shem shamayim, that they felt that he was above rebuke.

Nevertheless, many outsiders felt that Rav Chaim Leib did not really belong in Kotzk. After all, the Rebbe there was known for intense charifus while Rav Chaim Leib was gentle and easygoing and exuded ahavas Yisrael, the apparent opposite of the Rebbe of Kotzk. When people would ask him about this he would respond that they were mistaken, "The Kotzker acts exactly as a rebbe should act. He must be uplifted and not play favorites with anyone, not even his brother or his children.

"We see this from Zevachim 102. The gemara there wonders who ruled that Miriam had been struck with tzora'as. It excludes Moshe since he was a zar and it excludes Aharon since he was a relative who is disqualified to rule regarding tzora'as. The Gemara concludes that Hashem Himself declared her a metzora'as. Tosefos there brings the midrash that Aharon understood that a relative cannot prohibit or permit his relative's tzora'as.

"Yet why doesn't the Gemara relate to Moshe as a relative? It must be that when one becomes a rebbe and when it comes to halachah, a rebbe or moreh hora'ah must never feel beholden to anyone. Moshe was not like a brother to Miriam since he was lifted above the people, and that is how every rebbe should be!"¹ ■

1. בית קוצק, ע' תל"ו. ■