



Daf In Review – Weekly Chazarah

Maseches Horayos, Daf יז – Daf יח

Daf In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
v'l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf יז---5-----

MISHNA

- **R' Meir** says, if Beis Din paskened erroneously and all or most of the kahal acted based on this psak, Beis Din must bring a par helam davar shel tzibbur. If they ruled erroneously and were matir avoda zara, they must bring the par helam and a goat as a korbon as well. **R' Yehuda** says, the 12 shevatim (not Beis Din) must each bring their own par helam, and if the psak was regarding avoda zara they must each bring a par helam and a goat. **R' Shimon** says there are 13 par helams that are brought (one from each shevet and one from Beis Din) and if the psak was regarding avoda zara, there are also 13 goats that are brought.
- **R' Meir** says, if Beis Din issued an erroneous psak and 7 shevatim, or a majority of 7 shevatim, acted on their ruling, Beis Din must bring a par helam davar shel tzibbur, and if they ruled erroneously regarding avoda zara, they must bring the par helam and a goat as a korbon as well. **R' Yehuda** says, if 7 shevatim sinned, they must each bring a par helam, and the other shevatim who did not sin must also each bring a par helam because of the other 7 who did sin. **R' Shimon** says, if 7 shevatim sinned there would be a total of 8 par helams brought (one for each of the 7, plus one for Beis Din), and if the psak was regarding avoda zara there would also be 8 goats that would be brought.
- **R' Yehuda** says, if the highest Beis Din of one of the shevatim issued an incorrect ruling and that shevet acted based on that ruling, it is that shevet who must bring a par helam, but the other shevatim are patur. The **Chachomim** say there is only a chiyuv for a psak made by the Great Sanhedrin of 71, as the pasuk says "v'ihm kol adas Yisrael yishgu", which implies that it does not include the "adas" (Beis Din) of a single shevet.

GEMARA

- A Braisa says, if the kahal sinned regarding two matters, one of which was due to an erroneous psak of Beis Din and one of which was not, and Beis Din does not remember which sin was caused by their psak (they don't remember what their erroneous psak was), we would think that they would be chayuv for a par helam. The pasuk therefore says "v'noda hachatas" (the sin must be known), which implies that it is not enough that only the sinners be known. The pasuk says "asher chatu", which teaches that if two shevatim sinned they bring two par helams. If three shevatim sinned, they bring 3 par helams. Or, maybe we should say that this means that if even two individuals sin they should bring 2 par helams and if 3 sin they should bring 3? The pasuk therefore says "hakahal", which teaches that only a kahal is chayuv to bring a par helam, and each and every kahal (i.e. shevet) is chayuv to bring its own par helam. How does this present itself? **R' Yehuda** says, if two shevatim sin, they bring two par helams. If 7 sin, they bring 7 par helams. The other shevatim who did not sin also each bring a par helam on account of the shevatim that did sin. This is why the pasuk says "kahal", to teach that each and every kahal (shevet) must bring their own par helam. **R' Shimon** says, if 7 shevatim sin they must bring 7 par helams and Beis Din must bring one as well. We learn this through a gezeira shava – regarding the erroneous psak the pasuk uses the word "kahal" and regarding the par helam the pasuk uses the word "kahal", and we learn that just as above (regarding the psak) the word refers to Beis Din along with the kahal, the word below (regarding the korbon) also refers to Beis Din along with the kahal. **R' Meir** says, if 7 shevatim sin, Beis Din brings a par helam and the shevatim themselves are patur. We learn this from the gezeira shava – just as the "kahal" written above refers only to Beis Din, the "kahal" written below also refers only to Beis Din. **R' Shimon ben Elazar** says in his (**R' Meir's**) name, if 6 shevatim sinned and they make up a majority of the Yidden, or if 7 sinned and even if they are not the majority, Beis Din must bring a par helam.
 - The Braisa said that the par helam is only brought when it is known which sin was done based on the erroneous psak of Beis Din. **R' Yehuda in the name of Rav** (or **Rava**) said, this does not follow **R' Eliezer**, who says in a Braisa that if one is sure he did an aveira that requires him to bring a korbon, but is unsure

Daf In Review – Weekly Chazarah

what aveira it was, he still brings a korban. **R' Ashi** said, even **R' Eliezer** would agree that with regard to a par helam the exact sin must be known, because the pasuk says “asher chatu *aleha*”.

- **Q:** With regard to a regular chatas the pasuk says “asher chatah *bah*”, which should teach that the exact sin must be known, and yet **R' Eliezer** holds that the exact sin need not be known!? **A:** That word “bah” comes to teach that one who did an aveira while he is preoccupied with something else is not chayuv a chatas.
- **Q:** What is the reasoning of **R' Yehuda**? **A:** He holds that there are 4 drashos that can be made – the word “hakahal” is written twice and each “hakahal” allows for 2 drashos (“kahal” is one and “*hakahal*” is the second). One teaches that each shevet must bring their own par helem, one teaches that Beis Din must make the psak and the people must act upon the psak, one teaches the concept of “greira” (“dragging” – that the shevatim that did not sin must also bring a par helam), and one teaches that when a shevet sinned based on its own Beis Din it must bring a par helam.
- **R' Shimon** holds there are only 3 drashos, because the “hakahal” of the pasuk of “mei'einei hakahal” is written in the way people normally speak and is therefore not meant to be darshened. One drasha is to teach that every shevet must bring its own par helam, and the other two are used for a gezeira shava to teach that Beis Din must bring a par helam in addition to the ones brought by each shevet.
- **R' Meir** says, that “*hakahal*” does not allow for an additional drasha, and therefore there are only 2 available drashos. They are used to create a gezeira shava which teaches that just as only Beis Din is involved in the psak, so too only Beis Din brings the par helem.
- **R' Shimon ben Elazar** says, there seems to be a contradiction in the pesukim – one pasuk says “*mei'einei ha'eida*”, which suggests that even if only a minority sinned there would be a chiyuv for a par helem, but another pasuk says “*ki l'chol ha'am bishgaga*”, which suggests that a majority is needed. He says that the pesukim teach that if 6 shevatim sin but they are the majority, or if 7 shevatim sin even if they are the minority, there would be a chiyuv for a par helem.
- **Q:** How do **R' Shimon** and **R' Meir** learn that the psak must be by Beis Din and it must then be acted on by the people? **A: Abaye** said, the pasuk says “*v'haya ihm mei'einei ha'eida ne'esisa lishgaga*” which suggests that the act was caused by someone else (the sin was done by people and was caused by Beis Din). **A2: Rava** said, the pasuk says “*l'chol ha'am bishgaga*”, which teaches that it is the people who must act on the psak.
 - Both pesukim are needed. If we only had the pasuk of **Abaye** we would think that even a minority would make a chiyuv for a par helam. If we only had the pasuk of **Rava** we would think Beis Din must act along with the majority in order to create a chiyuv for a par helam.
 - Although these pesukim are written in regard to avoda zara, through a gezeira shava on “mei'einei” we can learn to all other aveiros as well.

HORU BEIS DIN SHEL ECHAD...

- **Q:** According to **R' Yehuda**, if a single shevet sinned based on an erroneous psak of the Great Beis Din, would the other shevatim have to bring a par helam (do we say greira in this case as well)? Do we say that when 7 shevatim sin they require the others to bring as well, because the 7 are the majority, or do we say that there is no difference and therefore even when one shevet sins the other shevatim must bring a par helam as well? **A:** A Braisa says – what do they bring? They bring one par. **R' Shimon** says, they bring two. Now, what is the case of the Braisa? If 7 shevatim sinned, **R' Shimon** should require that eight korbanos be brought!? Rather, it must be that only one shevet sinned. Now, **R' Shimon** doesn't require a korban when it is the shevet's Beis Din that paskened, only when it is the Great Beis Din. Who is the **T”K** of the Braisa? It can't be **R' Meir**, because he says there must be a majority of shevatim in order to make a chiyuv. Rather, it must be that it is **R' Yehuda**, and we see that he holds that when only one shevet sins, only that one shevet brings a par helam (and there is no greira).
 - The Gemara says this is no proof. The Braisa may be talking about where 6 shevatim sinned, and these 6 make up a majority of Yidden, and the **T”K** is the view of **R' Shimon ben Elazar**, who says in a Braisa that if 6 shevatim who are the majority of Yidden sin, or if 7 shevatim even if they are only a minority of Yidden sin, there would be a chiyuv for a par helam.

Daf In Review – Weekly Chazarah

- We can answer based on another Braisa, where **R' Yehuda** says, if a shevet sins by following the psak of its own Beis Din, that shevet is chayuv to bring a par helem, but all other shevatim are patur. However, if one shevet sins by following the psak of the Great Beis Din, even the other shevatim are chayuv to bring a par helem. This Braisa clearly answers the question, **SHEMA MINAH**.
 - **R' Ashi** said, we can learn this from our Mishna as well. The Mishna says, if a shevet sins based on the psak of its Beis Din, that shevet is chayuv, “but all the other shevatim are patur”. Now, by saying that one shevet is chayuv we can deduce that the others are patur. Why did the Mishna have to explicitly say so? We must say that the Mishna is coming to teach that the other shevatim are only patur because the shevet that sinned followed the psak of its own Beis Din. However, had it sinned based on the psak of the Great Beis Din, even the other shevatim would be chayuv. **SHEMA MINAH**.
- **Q:** According to **R' Shimon**, if one shevet sinned based on an erroneous psak of the Great Beis Din, would they be chayuv to bring a par helem? **A:** We can answer from a Braisa. The Braisa says – what do they bring? They bring one par. **R' Shimon** says they bring two. Now, what is the case of the Braisa? If 7 shevatim sinned, **R' Shimon** should require that eight korbanos be brought!? Rather, it must be that only one shevet sinned. Now, **R' Shimon** doesn't require a korban when it is the shevet's Beis Din that paskened, so it must be talking about when it is the Great Beis Din that paskened, and we see that one shevet is chayuv to bring a par helem when they relied on a psak of the Great Beis Din.
 - **Q:** If the Braisa is talking about a single shevet that sinned, who is the **T”K**? It can't be **R' Meir**, because he says that there must be a majority of shevatim in order to make a chiyuv! It can't be **R' Yehuda**, because he would hold that the other shevatim must bring in this case as well!? Rather, the Braisa may be talking about where 6 shevatim sinned, and these 6 make up a majority of Yidden, and the **T”K** is the view of **R' Shimon ben Elazar**, who says in a Braisa that if 6 shevatim who are the majority of Yidden sin, or if 7 shevatim even if they are only a minority of Yidden sin, there would be a chiyuv for a par helem.
 - We can answer based on our Mishna. The Mishna said that the **Chachomim** say that a single shevet is only chayuv when they sin based on the psak of the Great Beis Din. Who is the view of the **Chachomim**? It can't be **R' Meir**, because he says that they are only chayuv when there is a majority of Yidden. Rather, it must be the view of **R' Shimon**, and we see that he holds that if one shevet sinned based on an erroneous psak of the Great Beis Din, they would be chayuv to bring a par helem. **SHEMA MINAH**.
- **Q:** According to **R' Yehuda** and **R' Shimon**, how do they know that a single shevet is given the status of a “kahal”? **A:** The pasuk says that Yehoshafat stood among the “kahal Yehuda” in Yerushalayim. We see that the single shevet of Yehuda is called a “kahal”.
 - **Q:** **R' Acha bar Yaakov** asked, maybe Yerushalayim is different, because Binyamin was there as well, and since there are two shevatim there that is why it is referred to as “kahal”? **A:** Rather, **R' Acha bar Yaakov** said, Hashem told Yaakov that he will be established as a “kahal amim”. At that point, it was only Binyamin who was not yet born, and the pasuk says that Yaakov will still have an additional “kahal”. We see that even one shevet is referred to as a kahal.
 - **Q:** **R' Shaba** said to **R' Kahana**, maybe the pasuk is saying that when Binyamin is born there will then be all 12 shevatim, who together are referred to as the kahal? **A:** **R' Kahana** said, without Binyamin there were 11 shevatim, so how can we say that they are not referred to as a kahal? We see that even 2 shevatim are referred to as kahal! Clearly, when Hashem spoke to Yaakov, He was referring only to Binyamin, and referred to him as a kahal.

-----Daf 1--6-----

- A Braisa regarding the two parim that were brought by the Levi'im at the time of their installation says, **R' Shimon** says, why does the pasuk say “upar sheini ben bakar tikach l'chatas”? It can't be to teach that there are two separate parim, because the pasuk already says “va'asei es ha'echad chatas v'es ha'echad olah LaShem”!? Rather, we would have thought that the chatas should be eaten by the Levi'im. The pasuk of “upar sheini” teaches that the chatas is treated like the olah – just as the olah is not eaten, this chatas is not eaten as well. Similarly **R' Yose** said, the pasuk regarding the Yidden who went back to EY after the Galus Bavel says that they

Daf In Review – Weekly Chazarah

brought Olos to Hashem, brought 12 parim, etc., and then says “all of them an Olah”. Now, the pasuk says that the 12 parim were brought for a chatas, so how can the pasuk say they were Olos? Rather, they were all like an Olah in the sense that they were not eaten. A Braisa says, **R’ Yehuda** explains, that these chataos were brought for the sin of avoda zara done by the tzibbur, and that is why they were not to be eaten. **R’ Yehuda in the name of Shmuel** explained, that the sin was committed in the times of Tzikkياهو (before going into galus).

- **Q:** According to **R’ Yehuda** we can say that they brought 12 parim because all of the shevatim sinned, and that is why each shevet had to bring their own chatas, or we can say that 7 shevatim sinned and still all 12 shevatim had to bring a chatas, because of the concept of greira (as explained previously).

According to **R’ Shimon** we can say that the case is that 11 shevatim sinned, which required each of them to bring a chatas and the 12th par was brought by Beis Din (presumably for making the erroneous psak that caused these sins). However, according to **R’ Meir** that it is Beis Din who brings the par, and not the tzibbur, how do we get to a total of 12 parim? **A:** The case is that they sinned, and sinned again, and again, for a total of 12 times, each time requiring a separate korbon to be brought.

- **Q:** How can they have brought a chatas for the people who sinned in the times of Tzikkياهو? Those people were no longer alive at that time (and a chatas can’t be brought for someone who is no longer alive, and the animal would actually have to be left to die)!? **A: R’ Pappa** said, a chatas is only left to die when its owner was an *individual* who died, but in this case it was the tzibbur, and “a tzibbur doesn’t die” (is never considered to die).

- **Q:** How does **R’ Pappa** know this? It can’t be from the pasuk of “tachas avosecha yihiyu banecha” (which says that the children of sinners stand in their place), because then even an individual’s chatas should be brought by his children! **A:** Rather, he learns it from the fact that the chatas of Rosh Chodesh is brought from the communal fund, even though there are some of the community who have died since the collection of the fund.

- **Q:** With regard to Rosh Chodesh we can say that it is *possible* that no one has died, but in this case after the galus, we know for certain that there were people who died!? **A:** Rather, he learns it from the eglah arufah, which the pasuk says serves as a kapara for the people who left Mitzrayim (“kaper l’amcha Yisrael asher padisa Hashem”) even though they are no longer alive.

- **Q:** The case of the eglah arufa is different, because it principally serves as a kapara for the people who are present at the time, and once it serves as a kapara for the living it can also be said to serve as a kapara for those who are no longer alive. However, in the case of the chataos brought after the galus, all the people who needed the kapara were no longer alive!? **A:** We learn from the pesukim that many of the people were actually still alive, and in fact, we see from a pasuk that these people were the majority present at the time.

- **Q:** The people who sinned at that time did so b’meizid, so how can they bring a chatas!? **A:** This was a “hora’as sha’ah”. We must say so, as we see that there were a number of other korbanos that were brought that cannot be explained other than to say that this was a hora’as sha’ah.

- A Braisa says, if one of the people of the tzibur died after the sin (that caused the par helam to be required) was committed, they are still chayuv to bring the par helam. If one of the members of Beis Din died, they are no longer chayuv.

- **Q:** Who is the Tanna of this Braisa? **A: R’ Chisda in the name of R’ Zeira in the name of R’ Yirmiya in the name of Rav** said, it is **R’ Meir**, who says that it is Beis Din who must bring the par helam. Therefore, even if one of the tzibbur dies it must be brought, because the Beis Din is still in existence. But, if one of the dayanim die it is not brought, because it is a chatas of partners where one of the partners died, and that is why they are patur.

- **Q:** **R’ Yosef** asked, why can’t we say that the Tanna of the Braisa is **R’ Shimon**, who says that Beis Din brings the korbon as well as the tzibbur, and when one of the tzibbur dies they are still chayuv, because the “tzibbur doesn’t die”, but when one of the dayanim die they are patur, because their korbon is a korbon of partners? **A: Abaye** said, we see from a Braisa regarding the

Daf In Review – Weekly Chazarah

korbon of Yom Kippur (which is owned in partnership by the Kohanim) that **R' Shimon** holds it would not be left to die, but is rather treated like a chatas of the tzibbur. Therefore, the earlier Braisa cannot reflect his view.

- **R' Yosef** said, you can't bring a proof from the Yom Kippur chatas of the Kohanim, because we find that Kohanim are referred to as a "kahal" in a pasuk, and that is why their korbon is treated like the korbon of the tzibbur rather than a korbon of a partnership. However, **R' Shimon** would agree that the korbon of Beis Din would not be brought if one of the dayanim died. Therefore, the Braisa can be the view of **R' Shimon**!
 - **Q:** If Kohanim are considered to be a "kahal", they should have to bring their own par helam, and **R' Shimon** has said that the maximum amount brought is 13 – 12 for the shevatim and one for Beis Din!? **A:** **R' Acha the son of R' Yaakov** said, although they are a kahal for purposes of giving their chatas the status of a chatas of the tzibbur, they are part of Shevet Levi, who is not considered to be a kahal for other purposes. We learn this from a pasuk that connects the term "kahal" to inheritance of a share in EY. Since Shevet Levi did not get a share in EY, they are not given the status of "kahal" for other purposes.
 - **Q:** If Shevet Levi is not a kahal they would not bring a par helam. If so, we don't have 12 shevatim bringing a par helam!? **A:** **Abaye** said, the pasuk of "Efraim u'Menasheh k'Reuven v'Shimon yihyu li" teaches that Shevet Yosef is split into two – Efraim and Menasheh – and that is how we get to 12 shevatim.
 - **Q:** **Rava** asked, the pasuk says "ahl shem acheyhem yikaru b'nachalasam", which teaches that Efraim and Menasheh are only considered separate shevatim with regard to matters of inheritance, but not for other matters!?
 - **Q:** We find they are separated for the "degalim" (the flags and the formation of the way they were placed when travelling)!? **A:** That is because the degalim were set up based on the way they were to inherit EY. That is why they were separate for that purpose as well.
 - **Q:** We find that they are separated for purposes of the Nasi – each having its own Nasi!? **A:** That was done to give honor to the Nessi'im, so that one of these two would not have to be passed over for the other.
- **Q:** How do we come out – does **R' Shimon** treat the chatas of partners like the chatas of a tzibbur, in which case it could still be brought if one of the partners died? **A:** A Braisa discusses the 5 cases of where a chatas must be left to die. **R' Shimon** explained that 3 of these cases can't happen by the chatas of a tzibbur (e.g. one of the cases is regarding the offspring of a chatas, but the chatas of a tzibbur is a male and therefore can't have offspring born to it). He says, that the other two cases will therefore also not apply to a chatas of the tzibbur, because either all 5 cases apply or all 5 don't apply. Similarly, we will say that since regarding the partner's chatas not all 5 cases can apply (it is also a male and cannot have offspring and it is also not subject to the concept of "temurah"), none of the 5 cases will apply and it is therefore treated like the chatas of the tzibbur.

HADRAN ALACH PEREK HORU BEIS DIN!!!

-----Daf 7-----

PEREK HORAH KOHEN MOSHIACH -- PEREK SHEINI

MISHNA

- If the Kohen Gadol paskened erroneously for himself b'shogeg and he then acted on the psak b'shogeg, he brings a par as a chatas. If he paskened b'shogeg but acted b'meizid, he is patur from bringing a chatas. If he

Daf In Review – Weekly Chazarah

paskened b'meidid and then acted on it b'shogeg, he is patur from bringing a chatas. This is all because the psak of a Kohen Gadol that he makes for himself is the same as when Beis Din paskens for the tzibbur.

GEMARA

- When he paskened b'shogeg and acted on it b'shogeg it is obvious that he must bring a chatas!? **A: Abaye** said, the case is where he paskened, but forgot why he paskened in the way that he did, and he then acted on the basis of that psak. We would think that since if he remembered why he had paskened in that way it may have led him to retract the ruling, maybe he is considered to be somewhat of a meizid. The Mishna therefore teaches that he is still chayuv a chatas.

MEIZID V'ASA SHOGEK...

- This is based on a Braisa which says that when the pasuk regarding the Kohen Gadol says "l'ashmas ha'am" it teaches that the Kohen Gadol is treated like the tzibbur for purposes of a chatas. The Braisa asks, we would seem to be able to learn this based on logic – the tzibbur is removed from the category of an individual and the Kohen Gadol is removed from the category of an individual; just as the tzibbur is only chayuv when the erroneous psak was given b'shogeg and the sin was done b'shogeg, the same should be true for the Kohen Gadol. However, we may also say that the Kohen Gadol should be learned from the case of the Nasi, who is chayuv for a shogeg act even if it is not based on the erroneous psak, and Kohen Gadol should be the same. On the one hand the Kohen Gadol is more similar to the tzibbur in that they both bring a par and don't bring an asham taluy. On the other hand he is similar to the Nasi in that he brings a goat when the aveira is avoda zara and brings an asham when appropriate. Therefore, the Torah writes the pasuk of "l'ashmas ha'am" to teach that the Kohen Gadol is treated like the tzibbur. Maybe we should say that just as when the tzibbur acts on a psak of Beis Din they bring a par helam, so too if they act on a psak of the Kohen Gadol he must bring a korbon? The pasuk therefore says, "v'hikriv ahl chataso asher chata", which teaches that he only brings a korbon for a sin that he himself has committed, not for a sin committed by others.
 - **Q:** How do we know that the Kohen Gadol does not bring an asham taluy? **A:** The pasuk says, "v'chiper alav haKohen ahl shigigaso asher shagag", which teaches that only someone who is chayuv a chatas for a regular shogeg can become chayuv for an asham taluy. However, a Kohen Gadol, who is like the tzibbur, and therefore only brings a chatas when there was an erroneous psak, would not be chayuv for an asham taluy.

MISHNA

- If the Kohen Gadol paskened on something on his own and acted on that psak on his own, he must bring his own korbon. If he paskened along with the Beis Din and acted along with the tzibbur, he gets a kapara from the par helam. This is because Beis Din is not chayuv for a par helam unless it paskens incorrectly regarding a *part* of a concept of a halacha, and the same is true for the Kohen Gadol. Beis Din is also not chayuv for a korbon in the case of avoda zara unless they pasken to be matir only part of it.

GEMARA

- **Q:** How do we know that the Kohen Gadol can get a kapara through the par helam? **A:** A Braisa says, if the Kohen Gadol paskened along with the tzibbur and acted along with them, we would think that he must bring his own par. The Braisa asks, the Kohen Gadol is like the Nasi in that they are both excluded from the category of an individual, and yet the Nasi gets a kapara from par helam when he acts along with the tzibbur, so the Kohen Gadol should be the same!? The Braisa says, a Nasi is different, because he gets a kapara along with the tzibbur on Yom Kippur, but a Kohen Gadol who does not, we would think must bring his own korbon even when he paskens along with and acts along with the tzibbur. The pasuk therefore says, "ahl chataso asher chata", which teaches that when he sinned on his own he brings his own korbon, but when he sinned along with the tzibbur he gets a kappara with them from the par helam.
- **Q:** What case is the Mishna talking about (that he and Beis Din both paskened but they paskened regarding different matters and therefore acted on these different matters)? If the case is that the Kohen Gadol is the most prestigious chochom and Beis Din is not, then Beis Din's psak won't create a chiyuv for a par helam

Daf In Review – Weekly Chazarah

because the most prestigious chochom was not involved in that psak (and we learned earlier that if that chochom was not there, there is no par helam) and it is therefore obvious that the Kohen Gadol must bring his own korbon!? If the case is that the Kohen Gadol is not a prestigious chochom, then his psak should not even be considered a psak to make him chayuv in a korbon altogether!? **A: R' Pappa** said, the case is that they are both equally prestigious chachomim.

- **Abaye** thought to say that the case of the Kohen Gadol ruling independently of the Beis Din is that they are sitting in different places and paskening about two different issurim. **Rava** said, they don't have to be sitting in different places, as long as they are paskening about different issurim.
 - **Q:** It is obvious that if he paskens about cheilev and they pasken about avoda zara they are considered to be different, because the issurim are from different pesukim, and require different korbanos – he brings a par and they must bring a par and a goat. Certainly, if he paskened about avoda zara and they paskened about cheilev they would be different, because he would then bring a goat and they would bring a par. What if they rule about two different types of cheilev? Do we say that since they are learned from different pesukim they are different, or do we say that the korbanos are the same and are both issurim of cheilev and are therefore considered to be the same thing? If we say that they are the same, what if he paskened regarding cheilev and they paskened regarding blood – do we say that they are different issurim from different pesukim or do we say that they require the same korbon and are therefore the same? **TEIKU**.

SHE'EIN BEIS DIN CHAYAVIN AHD SHEYORU L'VATEL MIKTZAS...

- We learn this (as taught previously) from the pasuk of “v'nelam *davar*”. We learn this is the same for the Kohen Gadol based on the pasuk of “l'ashmas ha'am”.

V'LO BA'AVODAS KOCHAVIM...

- **Q:** How do we know this? **A:** A Braisa says, there is a gezeira shava from avoda zara to par helam which teaches that this special korbon for the sin of avoda zara is referring to where there was an erroneous psak in Beis Din and teaches that it is only required when the psak permits a *part* of the concept, not the whole concept.

MISHNA

- There is only a requirement of the par helam if Beis Din paskened erroneously and the tzibbur acted b'shogeg based on that. The same is true regarding the Kohen Gadol. Beis Din is also not chayuv for a korbon for a psak regarding avoda zara unless it paskened erroneously and the tzibbur acted b'shogeg based on that.

GEMARA

- A Braisa says, the pasuk of “yishgu” would teach that as long as the act was done b'shogeg there is a chiyuv for this special korbon even without an erroneous psak. The pasuk therefore says “yishgu v'nelam *davar*” to teach that it must be based on an erroneous psak of Beis Din.

V'CHEIN HAMOSHIACH

- We learn that this is the same for the Kohen Gadol based on the pasuk of “l'ashmas ha'am”.

V'LO BA'AVODAS KOCHAVIM ELAH AHL HELAM DAVAR...

- A Braisa says, there is a gezeira shava from avoda zara to par helam which teaches that this special korbon for the sin of avoda zara is referring to where there was an erroneous psak in Beis Din, along with an act done b'shogeg relying on that psak.
- The Mishna does not mention this requirement of korbon for avoda zara regarding a Kohen Gadol. It must be that the Mishna follows **Rebbi**, who says that the Kohen Gadol is chayuv for an act b'shogeg of avoda zara even if it was not based on an erroneous psak. The **Chachomim** argue and say that it must be based on an erroneous psak. They both agree that he brings a goat and that he does not bring an asham taluy.
 - The Gemara says this is not correct. The next Mishna says that the special korbon for the sin of avoda zara is only brought for the type of act that when done b'meid would carry a kares penalty. There too, there is no mention of the Kohen Gadol, but it surely means to include the Kohen Gadol. The same can be said for our Mishna.

Daf In Review – Weekly Chazarah

- **Q:** What is the basis for **Rebbi's** view? **A:** The pasuk says “v'chiper haKohen ahl hanefesh hashogeges b'cheta bishgaga” – “hanefesh” refers to the Kohen Gadol, “hashogeges” refers to the Nasi, “b'cheta bishgaga” – **Rebbi** says this means the sin must be done b'shogeg. The **Chachomim** say this teaches that only someone who is otherwise chayuv a chatas for a shogeg would be chayuv for a chatas for a shogeg regarding avoda zara. This excludes a Kohen Gadol who is only chayuv a chatas when his shogeg is based on an erroneous psak.
- **Q:** How do they know that he brings a goat? **A:** The pasuk says “nefesh achas” which teaches that this includes an individual, a Nasi, and the Kohen Gadol.
- **Q:** How do they know that he doesn't bring an asham taluy? **A:** The pasuk regarding an asham taluy says, “ahl shigigas asher shagag”. **Rebbi** says that this teaches that it is only brought by one who brings a chatas on *everything* based simply on the doing of an act b'shogeg. However, the Kohen Gadol sometimes only brings when there is an erroneous psak (except in the case of avoda zara). Therefore, he does not bring an asham taluy. The **Rabanan** say that the pasuk teaches that an asham taluy is only brought for an act that would cause a chatas to be brought if done b'shogeg. According to them, a Kohen Gadol never brings a chatas for an act done b'shogeg (unless there is also an erroneous psak) and therefore he would not bring an asham taluy.

-----Daf 7--8-----

MISHNA

- Beis Din is only chayuv for a par helam when the psak was regarding an aveira which would carry kares when done b'meizid and would require a chatas when done b'shogeg. The same applies for the Kohen Gadol. They also would not be required to bring the special korban for the sin of avoda zara unless they pasken regarding an aveira which would carry kares when done b'meizid and would require a chatas when done b'shogeg.

GEMARA

- **Q:** How do we know this requirement? **A:** A Braisa says, **Rebbi** says, the pasuk regarding the par helam says “aleha” and the pasuk regarding arayos says “aleha”, which creates a gezeira shava and teaches that par helam is only for an aveira that carries a chatas and kares penalty. We then learn out Kohen Gadol from the tzibbur based on the pasuk of “l'ashmas ha'am”. We learn Nasi from the tzibbur through a gezeira shava on the word “mitzvos”. We then learn the case of an individual from Nasi, because it is written right after the parsha of Nasi and it begins with the word “v'ihm”, with the conjunctive “and”, which connects the two parshiyos.

V'LO BAAVODAS KOCHAVIM AHD SHEYORU

- **Q:** How do we know this halacha regarding avoda zara? **A:** A Braisa says, we learn it from a gezeira shava on the word “mei'einei” written by avoda zara and by par helam. The parsha of tzibbur who sin with avoda zara is followed by the parsha of an individual who did so, and the parsha begins with the word “v'ihm”, with the conjunctive “and”, which connects the two parshiyos. The parsha of the individual includes an individual, a Kohen Gadol, and a Nasi (since they are all considered “nefesh achas”).
- **Q:** The source to all the above hinges on “aleha” of arayos being used for a gezeira shava. Now, this can work according to **Rebbi**, who says “aleha” is used for a gezeira shava. However, the **Rabanan** say that it is used to teach something else, so how would they learn that the aveira must be something that carries the kares and chatas penalties? **A:** They learn it from the drasha of **R' Yehoshua**, who says, the pasuk immediately before the pasuk of Avodah Zara says, “Torah achas yihyeh lachem l'oseh bishgagah”, and thereby makes a hekesh from avodah zara to the shogeg of every other aveirah, and teaches that just like avodah zarah is something that carries kares when done b'meizid and chatas when done b'shogeg, so too for all aveiros, one is only chayuv a chatas for a shogeg if the aveirah carries the kares penalty when done b'meizid. The other groups/types of people who must bring a chatas are then learned from this.
 - **Q:** What does **Rebbi** darshen with this pasuk? **A:** He darshens it as it is darshened in a Braisa. The Braisa says, we would think that since we treat an individual who worships avodah zara differently than a majority of a city who does so (the former is killed with stoning and his possessions are passed to his

Daf In Review – Weekly Chazarah

inheritors, whereas the latter is killed by the sword and their possessions are destroyed), that their korbanos for having done the aveirah b'shogeg should also be different. The pasuk of "Torah achas" therefore teaches that they all bring the same korban.

- **Q:** What else would we think the majority should bring? Every other possible animal is already brought for another category of chatas!? **A:** We would think that either they should bring a par for a chatas and a sa'ir for an olah (which is a unique combination not brought for any aveirah), or that they have no form of kaparah whatsoever.
- **Q:** All agree (as we have been assuming until now) that the pesukim that say that a goat is brought as the chatas refers specifically when the aveira is avoda zara. How do we know this? **A:** **Rava** (or **R' Yehoshua ben Levi**) said, the pasuk says this applies to one who does "eis kol hamitzvos ha'eileh". We say this refers to a mitzvah which is considered to be equal to all the other mitzvos – this is the mitzvah to stay away from avoda zara. The yeshiva of **Rebbi** said, one pasuk in the parsha suggests that the mitzvah was heard directly from Hashem and another suggests that it was heard from Moshe. There is one mitzvah which was heard from Hashem – the issur of avoda zara, as **R' Yishmael** taught that "Anochi" and "Lo Yihyeh Lecha" were heard by us from Hashem Himself. The yeshiva of **R' Yishmael** taught, the pasuk suggests that this was the first mitzvah given to us. This is the mitzvah of avoda zara (which was the first of the Aseres Hadibros).
 - **Q:** We have learned that we were commanded with 10 mitzvos at Marah (which was before we reached Har Sinai)!? **A:** We must use one of the two previous answers.

MISHNA

- Beis Din is not chayuv to bring a par helam if they make a wrong psak regarding the assei or lo saasei of the Mikdash, and a person does not bring an Asham Taluy regarding the assei or lo saasei of the Mikdash, but Beis Din would be chayuv for the assei and lo saasei regarding a niddah, and a person does bring an Asham Taluy regarding the assei or lo saasei regarding a niddah.
 - What is the mitzvas assei regarding niddah? It is the mitzvah to separate from a niddah.
 - What is the lo saasei? It is the issur of "do not be with a niddah".

GEMARA

- **Q:** How do we know that there is no par helam or ashram taluy for an assei or lo saasei of the Mikdash? **A:** **R' Yitzchak bar Avdimi** said, the pasuk regarding an individual's chatas says the word "v'asheim" and only discusses a fixed chatas (not a chatas that is a korban oleh v'yoreid), and the pasuk regarding an ashram taluy uses the word v'asheim as well, and the pasuk regarding the tzibbur's par helam uses the similar word of "v'asheimu". This creates a gezeira shava and teaches that the par helam and an ashram taluy are only brought for aveiros that would require a fixed chatas. The chatas for tumah in the Mikdash is an oleh v'yoreid, and therefore cannot be the basis for these korbanos.
 - **Q:** The pasuk of oleh v'yoreid uses the word "yesham", which is similar and should therefore be included in the gezeira shava as well!? You can't answer that the words are not similar enough, because we find that the words can be even less similar and still serve as the basis for a gezeira shava!? Also, there is another pasuk of oleh v'yoreid which uses the word "v'asheim", which is indeed more similar!? **A:** **R' Papa** said, the gezeira shava is built on the pesukim using the words "v'asheim" and "mitzvos Hashem". These words are not written regarding oleh v'yoreid.
 - **Q:** **R' Simi bar Ashi** asked, the pesukim share another common word with the pasuk of oleh v'yoreid – the words referring to forgiving of the aveira – so we should include it in the gezeira shava!? **A:** **R' Nachman bar Yitzchak** said, we learn the gezeira shava based on the words of "asheim" and "mitzvos Hashem asher lo sei'asena" (many words that are the same), which is not written in the pesukim of oleh v'yoreid.

MISHNA

- Beis Din is not chayuv for a par helam for an erroneous psak regarding "shmiyas kol", "bituy sifasayim", or "tumas Mikdash ukidashav" (all examples of aveiros that require the bringing of a korban oleh v'yoreid). **R'**

Daf In Review – Weekly Chazarah

Yose Haglili says that a Nasi is treated like them as well. **R' Akiva** says a Nasi is chayuv for all these aveiros except for shmiyas kol (he swears that he did not witness something that he did witness), because the halacha is that a king (the Nasi) may not judge or be judged, and may not testify or be testified against.

GEMARA

- **Ulla** explained that the basis for **R' Yose Haglili's** view is the pasuk that says “v'haya ki yesham l'achas mei'eileh”, which he darshens to mean that only someone who is chayuv for all three of the things mentioned in the Mishna will be chayuv for any one of them, and since the king is not chayuv for “shmiyas kol” he is not chayuv for the others either.
 - **Q:** Maybe the pasuk should be understood to mean that one can be chayuv for any one of them without the possibility of being chayuv for any of the others? **A:** Rather, the basis for **R' Yose Haglili's** view is a Braisa, which says that **R' Yirmiya** would say that the pesukim regarding oleh v'yoreid discuss how it applies to someone who can't afford an animal and then someone who can't even afford birds. This teaches that oleh v'yoreid only applies to one who can be a pauper. This excludes a king (who is always wealthy) and excludes the Kohen Gadol (who, we are taught by a pasuk, must be the wealthiest of the Kohanim, and if he doesn't have money, the other Kohanim must give him enough so that he becomes the wealthiest of the Kohanim).

-----Daf 9-----

- **Ravina** asked **R' Nachman bar Yitzchak**, if a king becomes a metzora and thereby becomes unfit to be king until he is healed (as will be taught), while he is a metzora does he remain patur from having to bring an oleh v'yoreid, or do we say that he was only patur while fit to be king but is now chayuv? **R' Nachman bar Yitzchak** said, his wealth (which is the reason for a king being patur, as learned previously) remains the way it was before he was a metzora and he therefore remains patur.
- A Braisa says, **R' Akiva** says a Kohen Gadol is patur from all 3 sins that create a chiyuv for an oleh v'yoreid.
 - **Rava** said, the pasuk that discusses the korbon mincha that must be brought by the Kohen Gadol every day says “zeh korbon Aharon uvanav”. This teaches that *only this* is the mincha that they ever bring. This means they would not bring the mincha of an oleh v'yoreid, and if they can't bring the mincha they don't bring the korbon in any other form either.
 - **Q:** Maybe say that they only don't bring the oleh v'yoreid in the mincha form, but would still bring it in the form of an animal or birds? **A:** The pasuk regarding oleh v'yoreid says “mei'achas mei'eileh”, which teaches that if one can receive a kaparah with any of the choices of form of korbon, he would be chayuv in this korbon, but one who cannot, would be patur. Since he cannot bring it as a korbon mincha, he would be patur.
 - **Q:** If that is how we darshen these words, when another pasuk in the parsha says “l'achas mei'eileh”, we should say that one only becomes chayuv in any of the 3 sins that require oleh v'yoreid if he could be chayuv for each one of them. If so, how does **R' Akiva** say that a king is chayuv in two of them, but would not be chayuv for shmiyas kol? **A: Abaye and Rava** said, **R' Akiva** only darshens “*mei'achas*” in this fashion, but not “*l'achas*”. The reason is, that the fact that the Torah wrote “mei'achas” in the last part of this parsha, shows that this is how it is meant to be darshened.

MISHNA

- Regarding any mitzvah in the Torah for which one would be chayuv kares if he was oiver it b'meizid and a chatas if he was oiver it b'shogeg, an individual brings a female lamb or female goat as a chatas, the Nasi brings a male goat, and the Kohen Gadol and Beis Din would each bring a par. If the sin was avoda zara, the individual, the Nasi, and the Kohen Gadol would bring a female goat, and Beis Din would bring a par as an Olah and a male goat as a chatas.

Daf In Review – Weekly Chazarah

- With regard to an asham taluy, an individual and the Nasi can become chayuv to bring it, but the Kohen Gadol and Beis Din are patur. With regard to an asham vadai, the individual, the Nasi, and the Kohen Gadol would be chayuv, but Beis Din would be patur.
- With regard to shmiyas kol, bituy sifasayim, and tumas Mikdash ukidashav, the individual, the Nasi, and the Kohen Gadol would be chayuv, except that a Kohen Gadol is not chayuv a korbon for tumas Mikdash ukidashav. This is the view of **R' Shimon**. What do the Nasi and Kohen Gadol bring in these cases (for the ones for which they would be chayuv)? They would bring a korbon oleh v'yoreid. **R' Eliezer** says the Nasi would bring a male goat.

GEMARA

- A Braisa says, **R' Shimon** would give general rules: anything for which an individual would bring an asham taluy, the Nasi is also chayuv, but the Kohen Gadol and Beis Din would be patur; anything for which an individual would bring an asham vadai, the Nasi and the Kohen Gadol would also be chayuv, but Beis Din would be patur; for shmiyas kol, bituy sifasayim, and tumas Mikdash ukidashav, Beis Din would be patur, the Nasi and the Kohen Gadol would be chayuv, except that the Nasi is not chayuv for shmiyas kol and the Kohen Gadol is not chayuv for tumas Mikdash ukidashav; for anything that an individual would be chayuv a korbon oleh v'yoreid, the Nasi is also chayuv, but the Kohen Gadol and Beis Din are patur.
 - **Q:** The Braisa first says that the Kohen Gadol is only patur from tumas Mikdash, and then says that he and Beis Din are patur from all oleh v'yoreid, which suggests that he is even patur for the others as well!? **A: R' Huna the son of R' Yehoshua** said, the earlier part of the Braisa that says he is chayuv is referring to bringing birds or an animal, and the later part of the Braisa that says that he is not chayuv refers to the bringing of the mincha option. This is because **R' Shimon** agrees with **R' Akiva** regarding the mincha option (that the Kohen Gadol would not be chayuv in that), but disagrees with him regarding the animal and birds options.

ELAH SHE'EIN KOHEN GADOL CHAYUV...

- **Chizkiya** explained, the basis for **R' Shimon's** view that the Kohen Gadol is patur regarding tumas Mikdash ukidashav, is because the pasuk says "v'nichrisa hanefesh hahee mitoch hakahal", which teaches that only someone who has the same korbon as the "kahal" is chayuv for this. This excludes the Kohen Gadol, who on Yom Kippur is not included along with the kahal's korbon.
 - **Q:** If so, the Nasi should also not be chayuv, because his korbon chatas is different than that brought by the kahal!? **A:** They both receive a kapara together on Yom Kippur, and he is therefore not excluded.
 - **Q:** If so, Kohanim should not be included in the concept of tumas Mikdash, because they are also not included in the korbon of the kahal on Yom Kippur!? **A:** They are considered part of the kahal for kapara during the rest of the year, and therefore they are not excluded.
 - **Q:** The Kohen Gadol is also included along with the kahal during the rest of the year (when he paskens along with Beis Din and acts along with the tzibbur he is included in the par helam of the tzibbur)!? **A:** Rather, **Rava** said, the "kahal" refers to the individuals of the kahal, and should be understood to teach that whoever is chayuv a chatas like an individual – meaning that he is chayuv for a simple shogeg without the need for an erroneous psak – is chayuv for tumas Mikdash. Based on this, the only one who is excluded is the Kohen Gadol.

R' ELIEZER OMER HANASI MEIVI SA'IR...

- **R' Yochanan** said, **R' Eliezer** only holds that the Nasi brings a goat instead of an oleh v'yoreid for the sin of tumas Mikdash. The reason is that this carries the kares penalty like a fixed chatas.
 - **R' Pappa** said, this makes sense, because **R' Eliezer** only made his statement regarding tumas Mikdash, where a Kohen Gadol is patur. If he meant for this to apply to the other cases as well, he should have said that the Nasi brings a goat and the Kohen Gadol brings a par. Since he didn't say that, it is clear that he is only referring to the case of tumas Mikdash.
 - **Q: R' Huna the son of R' Nosson** asked **R' Pappa**, maybe **R' Eliezer** is referring to all the cases, and the reason he does not mention anything about the Kohen Gadol is because he holds like **R' Akiva**, who holds that the Kohen Gadol is patur in all these cases!? **A: R' Pappa** said, **R'**

Daf In Review – Weekly Chazarah

Akiva holds the Kohen Gadol is patur from bringing an olah v'yoreid, but he holds that he is chayuv to bring a par for these sins! Therefore, the proof of **R' Pappa** is an absolute proof.

- **R' Yochanan** said, **R' Eliezer** agrees that the Nasi does not bring an asham taluy for tumas Mikdash.
 - A Braisa was taught in front of **R' Sheishes** that said that an asham taluy is brought for the case of tumas Mikdash. **R' Sheishes** said to the one who taught the Braisa, this Braisa would have to follow **R' Eliezer**, who says that since kares is written regarding tumas Mikdash it is treated as a fixed chatas. However, this can't be, because **R' Yochanan** said that **R' Eliezer** agrees that the Nasi does not bring an asham taluy for tumas Mikdash! This is a KASHYEH.

HADRAN ALACH PEREK HORAH KOHEN MOSHIACH!!!

-----Daf 10-----

PEREK KOHEN MOSHIACH -- PEREK SHLISHI

MISHNA

- If a Kohen Gadol sinned (in a way that would make him chayuv to bring his special korban) and he was then removed from the position of Kohen Gadol (before bringing the korban or before even realizing that he had sinned), and similarly if a Nasi sinned and then lost his position, the Kohen Gadol still brings a par as his chatas and the Nasi brings a male goat (we look at the time of the sin to determine which korban he brings).
- If the Kohen Gadol was removed from his position and he then sinned, or a Nasi that was removed from his position and then sinned, the Kohen Gadol would still bring his special par, but the Nasi would have the status of a regular individual.

GEMARA

- **Q:** If in the case where the Kohen Gadol sinned after being removed from his position he brings the par, why is it necessary to teach that if he sinned while still in office he brings the par!? **A:** It is only because the Mishna had to teach both cases regarding a Nasi (because the halachos are different), so it also taught both cases regarding a Kohen Gadol.
- **Q:** How do we know that a Kohen Gadol who sinned after leaving office still brings a par? **A:** A Braisa says, the pasuk regarding the Kohen Gadol says "*v'hikriv ahl chataso*". These extra words teach that he brings the par even when he sins after leaving office. We would think that since a Nasi, who brings his korban for a shogeig without an erroneous psak, brings the korban of a regular individual once he leaves his position, then a Kohen Gadol, who only brings his special korban based on his erroneous psak, should surely be treated like an individual once he leaves office. The pasuk therefore teaches that he brings the par even when he sins after leaving office.
 - **Q:** We should darshen a kal v'chomer and say that if a Kohen Gadol brings his par after he leaves office even though he only brings a korban when he makes an erroneous ruling, then a Nasi should certainly bring his special korban after he leaves office, since he brings the korban for a simple shogeig!? **A:** The pasuk says "*asher Nasi yecheta*", which teaches that he only brings the special korban when he is still the Nasi, but not when he leaves the position.

MISHNA

- If the Kohen Gadol or Nasi sinned before they were appointed to office and were then appointed to their positions, they are treated like regular individuals. **R' Shimon** says, if they realized that they had sinned before they were appointed (so that both the sin and the realization happened before the appointment), they are chayuv a chatas like a regular individual. If they didn't realize until after they were appointed, they are patur.
- Who is the "Nasi" that we are referring to? It is the king. We see this based on the pasuk of "*mikol mitzvos Hashem Elokav*", which teaches that we are referring to someone who has nothing above him other than Hashem.

Daf In Review – Weekly Chazarah

GEMARA

- **Q:** How do we know the halacha of the Mishna? **A:** A Braisa says, “ihm haKohen hamoshiach yecheta” comes to exclude sins committed before he takes office. Now, it would seem that we can learn this without the pasuk – if a Nasi, who brings a korbon for a simple shogeig, does not bring his special korbon for sins committed before he takes office, then a Kohen Gadol, who only brings a korbon when he sinned based on his erroneous ruling, should surely not bring his special korbon for sins committed before he takes office! However, we can’t learn Kohen Gadol from Nasi, because the Kohen Gadol continues to bring his special korbon for sins committed after he leaves office, whereas a Nasi does not. The pasuk therefore says “hamoshiach yecheta”, which comes to exclude sins committed before he takes office.
 - There is a similar Braisa with regard to a Nasi. The Braisa says, the pasuk says “asher Nasi yecheta”, which comes to exclude sins committed before he takes office. Now, it would seem that we can learn this without the pasuk – if a Kohen Gadol, who brings his special korbon even for sins committed after he leaves office, does not bring it for sins committed before he takes office, then certainly a Nasi, who does not bring his special korbon for sins committed after he leaves office, should certainly not bring it for sins committed before he takes office! However, we cannot learn Nasi from Kohen Gadol, because the Kohen Gadol only brings his korbon based on an erroneous psak, but the Nasi who brings for simple shogeig may possibly bring even for sins committed before he takes office. Therefore, the pasuk says “asher Nasi yecheta”, which comes to exclude sins committed before he takes office.
- A Braisa says, the pasuk says “asher Nasi yecheta”, which seems to say that it is a gezeira from Hashem that the Nasi will sin! The pasuk regarding Kohen Gadol says “ihm haKohen hamoshiach yecheta” (*when* he will sin). Just as regarding the Kohen Gadol it means “when he will sin” (not that he will definitely sin), the same is meant regarding the Nasi.
 - **Q:** Where do we ever find the concept of such a gezeira that would make us think that that is what is meant here? **A:** We do find such a concept regarding tzaraas, where **R’ Yehuda** darshens the pasuk to teach that there will be a time when tzaraas will come.
- A Braisa says, “asher Nasi yecheta” comes to exclude a sick Nasi from bringing the special korbon of a Nasi.
 - **Q:** Just because he is sick he is no longer considered to be the king!? **A:** **R’ Avdimi bar Chama** said, the pasuk is excluding a king who has tzaraas. We find this regarding King Uzziya who got tzaraas and no longer held the position of king.
 - The pasuk regarding King Uzziya says that when he got tzaraas he lived in the “freedom house”. This teaches that until that time he was a slave, because a king is a servant to his people. We find this in a story with **R’ Gamliel**, where he wanted to appoint **R’ Elazar Chisma** and **R’ Yochanan ben Gudgida** to positions of authority and at first they refused to come. He said to them, if you refused because you are looking to shun the honor, do not worry, because authority makes one a servant to the people that he has authority over.
- A Braisa says, the pasuk says “asher Nasi yecheta”. **R’ Yochanan ben Zakai** said, lucky (asher) is the generation whose Nasi brings a korbon on his shogeig. If the Nasi brings a chatas, surely the regular people will do so, and if the Nasi brings for his shogeig, surely he will do teshuva for any aveira that he does b’meizid.
 - **Q: Rava the son of Rabbah** asked, there are many other instances of use of the word “asher” that cannot be darshened in this way, so why can this one be darshened in this way? **A:** The pasuk regarding the Nasi does not follow the pattern of the surrounding parshiyos (that begin with “ihm”, and instead begins with “asher”) and that is why it must be that it was written to darshen in this way.
 - A similar drasha can be made on the pasuk where Shlomo talks of the suffering of the tzaddikim and the success of the resha’im. The pasuk can be darshened to mean – lucky are the tzaddikim who suffer in this world (to cleanse them of any sin) and woe is for the resha’im who enjoy success in this world (they are left with no reward for Olam Habbah). **Rava** disagrees with this drasha. He darshens, lucky is the tzaddik who enjoys success in this world (as well as in Olam Habbah) and woe is to the resha’im who don’t enjoy success in this world (or in Olam Habbah). **Rava** once applied this drasha to **R’ Pappa** and **R’ Huna the son of R’ Yehoshua**, who mastered many parts of the Torah, but who were also able to be financially successful as well.

Daf In Review – Weekly Chazarah

- **Rabbah bar bar Chana in the name of R' Yochanan** said, the pasuk says “The roads of Hashem are straight, the tzaddikim walk in them and the resha'im stumble in them”. This refers to two people doing the same actions with different results. For example, one person eating the Korbon Pesach for the sake of the mitzvah, and another person eating it when he is beyond full.
 - **Reish Lakish** asked, this second person has not done the mitzvah in its best form, but he can't be referred to as a rasha!? Rather, the example would be where a man is in a dark room with his wife and his sister and has bi'ah with one of them. If he ends up with his wife, that would be an example of the “tzadikim walking in them” and if he ends up with his sister, that would be an example of a rasha stumbling in it.
 - The Gemara asks, this would be an example of 2 distinct roads (the wife and the sister), not one road as referred to in the pasuk!? Rather, the example would be the story of Lot and his 2 daughters. The daughters had bi'ah with their father for proper reasons (they thought the world was destroyed and had to carry on the human race), whereas Lot didn't have proper intention and would be the rasha who stumbles on the road. **R' Yochanan** said, that we see from the verbiage in the pasuk that Lot was steeped in zhus.
 - **Q:** Lot was forced, so how can he be called a rasha? **A: R' Yose bar R' Choni** taught, there is a dot over the letter “vuv” in the story, which teaches that Lot realized what happened when he awoke after the first night, and he therefore should not have allowed himself to drink wine the next night.
 - **Ulla** said, Tamar was mezaneh and Zimri was mezaneh. Tamar had good intentions and therefore she bore kings. Zimri had bad intentions and therefore caused the death of tens of thousands.
- **R' Nachman bar Yitzchak** said, an aveirah done with good intention is greater than a mitzvah done with improper intention. We learn this from Yael, who the pasuk compares to Sarah, Rivka, Rachel, and Leah, and her greatness was for having been mezaneh with Sisra with the good intention of killing him and saving the Yidden. We have learned that **R' Yehuda in the name of Rav** said that a mitzvah should be done even for ulterior motives, because it will lead to the mitzvah being done for the proper reason!? Rather, an aveirah done with good intention is equally as good as a mitzvah done with ulterior motives.
 - We stated above that **R' Yehuda in the name of Rav** said that one should do mitzvos even with ulterior motives, because it will lead to doing them with the proper intentions. We see this is correct, because Balak brought 42 korbanos with bad intentions, and yet he was rewarded for it by having Rus as a descendent.
- **R' Chiya bar Abba in the name of R' Yochanan** said, we learn from the story of Lot and his daughters that Hashem does not withhold reward even for one's use of finer speech. Regarding the son of the older daughter, who called her son Moav (meaning “from my father”) and announced to all that he was the product of incest, Hashem told Moshe that the Yidden cannot fight a war with them, but this seems to allow the Yidden to harass them. Regarding the son of the younger daughter, Amon, whose name does not announce to all that he was the product of incest, Hashem told Moshe that the Yidden may not even harass the nation of Amon.
- **R' Chiya bar Avin in the name of R' Yehoshua ben Korcha** said, a person should always try to do a mitzvah as soon as possible, because the older daughter of Lot, who did the “mitzvah” (in their minds it was a righteous act) one night earlier merited to have Jewish kings come from her descendants four generations before the descendant of the younger daughter became a Jewish king.

-----Daf נ"ו-----11-----

- A Braisa says, the words “*mei* am haaretz” written regarding an individual's chatas comes to exclude a Kohen Gadol. Another drasha is that it comes to exclude a Nasi. We can ask that they are already excluded by the fact that the Torah tells us that a Kohen Gadol brings a par and a Nasi brings a male goat (which are different than an individual's chatas). The answer is, that we would think the Kohen Gadol only brings the par when his sin is

Daf In Review – Weekly Chazarah

based on his erroneous psak, but when it is a simple shogeig we would think that he may bring the chatas of an individual. Therefore the pasuk says “mei’am haaretz” to exclude him even in this case.

- **Q:** This answer makes sense regarding the Kohen Gadol, but not for the Nasi, since the Nasi brings his korbon for a simple shogeig!? **A: R’ Zvid in the name of Rava** answered, the case is where the Nasi ate a kezayis of cheilev before he became Nasi, then became the Nasi, and then realized that he ate the cheilev. We would think that he is to bring the individual’s chatas. The Braisa teaches that he does not.
 - **Q:** This makes sense according to **R’ Shimon** who says that we follow the time of knowledge of the sin. However, according to the **Rabanan** who only look to the time of the sin itself, in this case he would bring the individual’s chatas!? **A:** Rather, **R’ Zvid in the name of Rava** said, the case would be where he ate half a kezayis of cheilev as an individual, was then appointed Nasi, and then completed the kezayis and realized what he had done. We would think that the two halves should combine to make him chayuv an individual’s chatas. The pasuk teaches that he is not chayuv.
- **Q: Rava** asked **R’ Nachman**, does becoming Nasi make a separation? For example, if he ate half a zayis of cheilev as an individual, was then appointed Nasi and was removed from Nasi, and then completed the kezayis (all within kidei achilas pras). Do we say that in the previous case the two halves don’t combine because he had a different status when he ate each half, but in this case he has the same status and therefore they combine, or do we say that even here they will not combine? **A:** We can answer from what **Ulla** said in the name of **R’ Yochanan**, that if someone ate “cheilev”, separated a korbon chatas to bring for the aveirah, and then became a “mumar”, and he then came back to Judaism, he cannot use that korbon, because once it was pushed away it remains pushed away. The same should be said regarding the korbon for this person once he became Nasi.
 - The Gemara says this is no proof. In **R’ Yochanan’s** case, since a mumar is not fit to bring a korbon, it is considered to be pushed away. However, in the case of the Nasi, he is fit to bring a korbon, only a different type. Therefore, the cases are not comparable.
- **Q: R’ Zeira** asked **R’ Sheishes**, if a person ate safek cheilev and was then appointed Nasi and then realized that he ate safek cheilev, would he be chayuv to bring an asham taluy? According to the **Rabanan** who say we follow the time of the sin it is clear that he would be chayuv. The question is according to **R’ Shimon** – do we say that since in the case of a chatas his change in status makes him patur the same is true for an asham taluy, or do we say that he becomes patur from a chatas only because his korbon changes along with his status, but since his asham taluy does not change along with his status he would remain chayuv? **TEIKU.**
- A Braisa darshens “mei’ahm haaretz ba’asosah” to teach that one who is a mumar would not bring a chatas if he does an aveira b’shogeig. **R’ Shimon bar Yose in the name of R’ Shimon** said, we don’t need that pasuk for that, because we darshen another pasuk to teach that only someone who would stop from doing the aveira if he knew he was doing an aveira brings a chatas for doing that aveira. A person who would not stop does not bring a korbon.
 - **Q:** What’s the difference between these drashos? **A: R’ Hamnuna** said, the difference would be one who was a mumar to eat cheilev, but who mistakenly ate blood. The **T”K** would hold that he is considered to be a mumar regarding blood as well and therefore could not bring a korbon. **R’ Shimon bar Yose in the name of R’ Shimon** would hold that since he would stop eating blood if he knew what he was doing, he would bring a korbon for having eaten blood.
 - **Q: Rava** has said that all agree that one who is a mumar to eat cheilev would not be considered a mumar for eating blood!? **A:** Rather, the machlokes would be regarding a person who eats neveila “l’tai’avon” who thought he was eating kosher fats and mistakenly ate cheilev. The **T”K** holds that since he eats l’tai’avon b’mizid, he is considered to be a mumar and can’t bring a korbon. **R’ Shimon** holds that since if he had mutar meat he would not eat assur meat, he is not considered to be a mumar (and he therefore could bring a chatas).

Daf In Review – Weekly Chazarah

- A Braisa says, one who eats cheilev is a mumar. Who is a mumar? One who eats neveilos, treifos, shkatzim, or remasim or drinks yayin nesech. **R' Yose the son of Yehuda** says, also someone who wears kilayim.
 - **Q:** The Braisa first defines a mumar and then asks who is a mumar!? **A:** **Rabbah bar bar Chana in the name of R' Yochanan** said, the Braisa means to say, if one eats cheilev l'tei'avon, he is a mumar. If he does so "l'hachis" he is a Tzedoki. The Braisa then asks, who is the mumar that is typically a Tzedoki? It is one who eats neveilos, treifos, shkatzim, or remasim or drinks yayin nesech.
 - **Q:** What is the difference between the **T"K** and **R' Yose**? **A:** The difference would be regarding klayim D'Rabanan. The **T"K** holds that only when it is assur D'Oraisa does it make him a mumar, and **R' Yose** says that since kilayim is a well-known issur, he is a mumar even if it is only assur D'Rabanan.
- We have learned, with regard to a "mumar" there is a machlokes between **R' Acha and Ravina** – one says that a mumar who eats neveilos for pleasure is called a mumar, and one who eats neveilos simply to defy the Torah is considered to be a "Tzedoki". The other says that even one who eats neveilos simply to defy the Torah is considered to be a mumar, and a "Tzedoki" would be one who worships avoda zara.
 - **Q:** A Braisa says, if a person eats a flea or a gnat he is a mumar. Now, this person would clearly be one who eats these things simply to defy the Torah (there is no pleasure in eating these things) and the Braisa says that he is considered to be a mumar. This refutes the first view!? **A:** This person wants to taste something that is assur, and gets pleasure from doing so. That is why he is considered to be a mumar.

V'EIZEHU NASI ZEH MELECH...

- A Braisa says, the pasuk says a "Nasi" brings a special chatas. We would think this even applies to the nasi of every shevet. The pasuk therefore says "mikol mitzvos Hashem Elokav" and a pasuk regarding a king says "l'maan yilmad l'yira es Hashem Elokav". The gezeira shava teaches that the Nasi referred to in the pasuk is the king.
 - **Rebbi** asked **R' Chiya**, would I bring the korbon of the Nasi (**Rebbi** was the Nasi in EY, and was considered to be the ruler)? **R' Chiya** said, you have a counterpart in Bavel (the Reish Galusa) and therefore you are not one who only has Hashem above you. **Rebbi** asked, when there was a King of Yisrael and a King of Beis Dovid they would each bring the korbon of the Nasi, so we see that even when there are two rulers each brings the special korbon!? **R' Chiya** said, there the kings are of equal power, but here, we are subordinate to the Reish Galusa.
 - **R' Safra** had a version where **R' Chiya** answered that the Reish Galusa is referred to as the "leader" in the pasuk of "lo yasur shevet mi'Yehuda" whereas you, the nasi, are referred to as the "legislator" in the pasuk – "mechokeik mibein raglav". Therefore you would not bring the korbon of the Nasi.

MISHNA

- Who is the "Kohen Moshia" (who brings the par for a chatas based on his erroneous ruling)? It is the Kohen Gadol who is anointed with the shemen hamishcha, and not a Kohen Gadol who was installed by donning the special clothing of the Kohen Gadol (which is what was done during the Second Beis Hamikdash).
- There is no difference between a Kohen Gadol who was anointed with the "shemen hamishcha" and one installed just by putting on the clothing of a Kohen Gadol, except that the latter would not bring the special chatas that is brought by a Kohen Gadol when he paskens wrong and sins based on that.
- There is no difference between a Kohen Gadol who is currently in office, and one who is no longer in office, except that only the one currently in office brings the special par on Yom Kippur, and the special Korbon Mincha brought by the Kohen Gadol each day. They are both equal with regard to doing the Avodah for the rest of Yom Kippur, are both commanded to only marry a besulah, are both assur to marry an almanah, both are assur to become tamei even to their immediate relatives or to let their hair grow long or rip their clothing in mourning, and the death of either of them frees the one who is in galus for having killed b'shogeig.

Daf In Review – Weekly Chazarah

GEMARA

- A Braisa says, **R' Yehuda** said, the shemen hamishcha made by Moshe in the Midbar would be made by boiling the roots of spices in olive oil. **R' Yose** said, there was not enough oil in which to boil the roots (the roots would absorb all the oil)! Rather, they would first soak the roots in water and then pour the oil over them, thereby imparting their fragrance into the oil, and Moshe would then wipe the oil off the roots and save it with the other oil. **R' Yehuda** said, you think there was only one miracle done with the shemen hamishcha!? It was made with only 12 lug of oil, and it was used to anoint the entire Mishkan and all its keilim, Aharon and his sons all 7 days of the Milu'im, and will still exist in full in the future!
 - Another Braisa says, **R' Yehuda** said, many miracles happened with the shemen hamishcha from beginning to end. It was made with only 12 lug of oil, and although a pot absorbs, and roots absorb, and the fire causes evaporation, this oil was used to anoint the entire Mishkan and all its keilim, Aharon and his sons all 7 days of the Milu'im, and to anoint Kohanim Gedolim and kings – in the case of a Kohen Gadol he would need to be anointed even if his father was also the Kohen Gadol, but in the case of a king, if his father was king he would not have to be anointed, and although we find such kings who were anointed, like Shlomo, that was because there were those who contested their kingship – and yet this oil remains in full existence for future times, as the pasuk says “shemen mishchas kodesh yihyeh zeh li l'doroseichem”, and the word “zeh” is gematriya 12, for the 12 lugin of oil that were used.
 - **Q:** How do we know that a Kohen Gadol must be anointed even if his father was the Kohen Gadol? **A:** The pasuk says “v'haKohen hamashi'ach tachav mibanav”. This teaches that even if he is the child of a Kohen Gadol he must be “mashi'ach” – anointed.
 - **Q:** How do we know that a king is not anointed if his father was the king? **A:** **R' Acha bar Yaakov** said, the pasuk talks of a king as if it is an inheritance to his children. Therefore, a son does not need to be anointed.
 - **Q:** How do we know that when there is a dispute regarding the kingship even the king's son must be anointed? **A:** **R' Pappa** said, the pasuk says “hu ubanav b'kerev Yisrael”, which teaches that when there is shalom among Klal Yisrael there is automatic passing of the kingship from father to son, but where there is not shalom, it does not pass in this way.
 - A Braisa says that Yeihu ben Nimshi did not need to be anointed to become king but was anointed because of the fight with Yehoram.
 - **Q:** Why can't we say that he needed to be anointed because his father was not the king? **A:** The Braisa is missing words and should say that only kings of Beis Dovid are anointed, but kings of Yisrael are not. Therefore, the only reason that Yeihu, who was a king in Yisrael, was anointed was because of the argument with Yehoram.
 - **Rava** said, the pasuk in which Hashem tells Shmuel to anoint Dovid uses the word “zeh”, which teaches it is only this one (Dovid's dynasty) who needs anointing, but not the kings of Yisrael.
 - **Q:** If a king of Yisrael is not supposed to be anointed, how could they be oiver me'ilah with the oil and anoint Yeihu just because of the argument with Yehoram? **A:** It is as **R' Pappa** says elsewhere, that they anointed him with other oil, not Moshe's shemen hamishchah.
 - **Q:** The Braisa quoted earlier said that Yeho'achaz should not have been anointed, because he was the son of a king, but he was anointed because he was two years younger than his brother Yehoyakam. Now, a pasuk says that Yoshiyahu had 4 sons: Yochanan, Yehoyakim, Tzidkiyahu and Shalum. **R' Yochanan** says, Yochanan was Yeho'achaz and the pasuk says that Yeho'achaz was the bechor!? **A:** He was the “bechor for the kingship”, but was actually not the oldest brother.
 - **Q:** A pasuk seems to teach that the other brother was supposed to get the kingship, so why did Yeho'achaz get it? **A:** He was more worthy of the throne than his older brother.

Daf In Review – Weekly Chazarah

- **Q: R' Yochanan** also said that “Shalum” was Tzidkiyahu. How can that be when the pasuk lists them separately!? He is listed as 3rd, because he was the 3rd of the brothers. He was listed as 4th, because he was fourth to be king (after each of his two brothers were king, his nephew became king).
 - A Braisa says he was called Shalum because he was perfect in his deeds. Others say it was because the Davidic dynasty ended in his days. His true name was Matanya, but Nevuchadnetzar called him Tzidkiyahu as if to say, “Hashem should justify my judgment on you if you rebel against me”.
- **Q:** How can it be that the shemen hamishchah was around at the time that Yeho'achaz took the throne? A Braisa says that Yoshiyahu hid the shemen hamishcha along with the Aron and many other special items. This happened before his son Yeho'achaz took the throne!? **A: R' Pappa** said, he was anointed with balsam oil, not with Moshe's shemen hamishcha.