



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

OVERVIEW of the Daf

1) Clarifying the Mishnah

The reason it is necessary for the Mishnah to mention two cases regarding the Anointed Kohen is explained.

The source that an Anointed Kohen who left his position and then sinned brings a bull is cited.

The source that a Nasi does not bring his special korban when he sins after leaving his position is presented.

2) **MISHNAH:** The Mishnah discusses the korban that is brought by the Nasi or Anointed Kohen for a sin committed before taking their respective positions.

3) Clarifying the Mishnah

A Baraisa is cited that cites the source for the Mishnah's ruling regarding the Anointed Kohen.

A second Baraisa is cited that provides the source for the Mishnah's ruling regarding the Nasi.

A Baraisa entertains the possibility that there is a Divine decree that a Nasi will sin but cites an exposition that rejects that notion.

The Gemara gives an example of a circumstance in which the Torah foretells bad news.

R' Shimon's position recorded in the Baraisa is further explained.

4) A Nasi who becomes ill

A Baraisa teaches that a Nasi who becomes ill does not bring the special korban of the Nasi.

This is explained to refer to when the Nasi contracts tzara'as.

An incident is recounted that discusses the principle that a king is considered a servant of the people.

Another Baraisa presents an exposition related to a Nasi who sins.

Rava the son of Rabbah unsuccessfully challenges this Baraisa.

5) אשר - אשרי

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REVIEW and Remember

1. What is the definition of a Nasi?

2. What type of illness causes the Nasi to lose his status?

3. How does R' Yochanan interpret the pasuk, כי ישרים דרכי ה' וצדיקים ילכו בם ופושעים יכשלו בם?

4. What was Balak's reward for offering forty-two korbanos?

Distinctive INSIGHT

The Kohen does not bring his special offering for prior sins

מנא הני מילי דתנו רבנן אם הכהן המשיח יחטא פרט לקודמות

The opening halacha of the Mishnah is that of an Anointed Kohen or Nasi who sinned as an individual before being appointed into his new role. The law is that if the sin transpired before he was appointed to his new role, he brings the offering as an individual for his earlier mishap. This rule is determined from the verse in Vayikra (4:3) which states, "If the Anointed Kohen sins." There are varying approaches among the commentators to understand how this verse teaches us this lesson.

Ra'aved (to Toras Kohanim) explains that the verse uses the term "יחטא - will sin," rather than the past tense "חטא - sinned." Later, this same verse uses the past tense ("he shall bring the offering for the sin he sinned.") This suggests that the only offering he brings is for future sins, which he might commit as the Kohen or Nasi, but not for sins of the past committed as an individual.

Sefer Korban Aharon concurs that the lesson is learned from the verse's using the future tense "that he will sin," rather than "he did sin." He explains, though, that the future tense is inappropriate, because an offering is only to be brought for a sin that was already committed, and not where the person will sin later. Therefore, the lesson of the verse is that the Kohen or Nasi does not bring a bull for previous sins, but rather a she-goat or sheep which were the offerings obligated by him as an individual.

The commentary of Rabeinu Hillel to Toras Kohanim explains that the entire verb "יחטא" is unnecessary, as the actions of the Anointed Kohen are already described at the beginning of the verse, "When a soul sins..." The extra word is therefore an indication of the special lesson that the Kohen and Nasi bring the offering appropriate for them as individuals.

Ra'aved notes that the discussion regarding the offering brought by the Kohen or Nasi is in reference to where his prior sin as an individual was committed based upon an erroneous ruling of the court. This is where a parallel situation would now result in his being obligated to bring a bull, and where we need the verse to teach us which offering should be brought. If, however, the prior sin was due to a simple mistake of his own (שגגת מעשה) without the court's having erred, this same situation would not result in the Kohen or Nasi having to bring a bull even in their elevated status. We would not need a verse to teach that the Kohen or Nasi does not bring a bull in this case.

Chazon Ish adds that the verse only is needed to teach that the Kohen brings the offering of an individual and not a bull in a case where he sinned before being appointed as a Kohen, but he realized his error only after being appointed to his new, elevated position. If he sinned and realized it before his promotion, there would be no reason to assume that he would bring a bull. ■

HALACHAH Highlight

Forcing someone to accept a position of authority

ממדומין אתם ששררה אני נותן לכם עבדות אני נותן לכם

You think that I am giving you a position of authority; it is slavery that I am giving to you

The Gemara relates that R' Gamliel became aware that his students, R' Elazar Chasma and R' Yochanan ben Gudgada, did not have food to eat or clothing to wear. In order to assist them R' Gamliel decided to appoint them as leaders so that they would have an income. He sent for them and they refused to come. He called for them a second time and again they refused to respond. R' Gamliel then informed them that as leaders they would not be in an exalted position, serving as a leader is a type of slavery. Teshuvah Even Shoham¹ reports of a city that elected someone to serve as leader of the community and it was decided that if he does not accept the position he will be fined a certain amount of money and will not be given an aliyah for the entire year. The representatives reported to him the decision and he refused to accept the position. They repeated the offer additional times and informed him of the consequences and yet he refused to accept the position. They want to penalize him according to the guidelines they set up but the person does not want them to be enforced. What is the halacha? Can a person be forced to accept a leadership position against his will?

Even Shoham answered that where custom allows a community to appoint people to positions of leadership against their will that custom uproots any halacha that would indicate otherwise. In those places that don't have such a custom a community may not force someone to accept a position he does not want. Proof to this is found in our Gemara. R' Gamliel wanted to appoint his students as leaders so that they would have an income for food and clothing. They refused to accept the position and R' Gamliel attempted to reason with them why they should accept

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R' Nachman the son of R' Chisda expounds a pasuk in Koheles that is based on the word אֲשֶׁר being read as אֲשֶׁרִי.

Rava rejects this interpretation.

A related exposition is recorded.

6) Righteous and wicked

Rabbah bar bar Chana in the name of R' Yochanan contrasts the behavior of the righteous and the wicked.

Reish Lakish rejects this analogy and offers his own analogy.

This analogy is also rejected in favor of another exposition.

7) Lot

R' Yochanan demonstrates how we know that Lot intended to sin with his daughters.

Additional expositions related to Lot are presented.

8) A transgression for the sake of Heaven

Ulla contrasts Tamar's behavior with Zimri's behavior.

R' Nachman bar Yitzchok contrasts a transgression committed for the sake of Heaven with a mitzvah performed with an ulterior motive.

R' Nachman bar Yitzchok's proof is challenged forcing the Gemara to revise his original statement.

R' Yochanan examines Yael's behavior.

R' Yehudah in the name of Rav emphasizes the importance of studying Torah even if it is not for its own sake.

9) Lot (cont.)

R' Chiya bar Abba in the name of R' Yochanan derives from the story of Lot's daughters that Hashem does not withhold reward even for refined speech. ■

the position without concern that they are inappropriately accepting a position of authority. If one could be forced to accept a position against his will why didn't R' Gamliel simply insist that they accept the position? It must be that a person cannot be forced to accept a position against his will. ■

1. שו"ת אבן שהם סי' ל"ט. ■

STORIES Off the Daf

A Sin for the Sake of Heaven

גדולה עבירה לשמה יותר ממצוה שלא לשמה

The Sifsei Tzaddikim, ז"ל, explains a statement on today's daf with a parable. "A certain person discovered a fortune of money in a deserted place in the woods not far from his home. The money was out in the open and he was afraid that someone else would discover it and take it before he had a chance to come back for it. The problem was that he had nothing with which to convey such a large cache of coins

to his house.

"After a few minutes of thought he realized that if he took off all of his clothes, he would be able to form a makeshift sack to carry the money. The moment this thought hit him he immediately took off all of his outer clothes and put the money in his improvised satchel. But since it was so heavy he had no choice but to drag it home with great difficulty. As he was almost at his door, a gang of bandits spotted him and snatched his treasure away.

"Imagine the disappointment of this unfortunate wretch. After all his pain and self-sacrifice, he lost the money right on the threshold of his home. He wishes he had

never taken the treasure in the first place.

This is how the yetzer hara feels when a person does an עבירה לשמה. It takes much time and effort to trap a person in sin. If the moment the yetzer is about to entrap him it turns out that he does the sin for the sake of heaven, the yetzer wishes he had never tried to entrap this person in the first place.

"This explains why a baal teshuvah stands in a higher place than a tzaddik. He transforms all of his sins to merits and makes the yetzer wish he had never started with him to begin with!"¹ ■

1. שפתי צדיקים, ע' ל"א ■

