

## OVERVIEW of the Daf

1) The necessity of the seemingly repetitious Mishnayos (cont.)

The Gemara concludes explaining the necessity of the different Mishnayos that teach that, "The mouth that prohibits is the mouth that permits."

2) **Credibility regarding kohanim**

A Baraisa is cited that elaborates on the dispute between Rabanan and R' Yehudah concerning a person's declaration that he or his friend is a kohen.

A conflicting Mishnah is cited that reverses the opinions of Rabanan and R' Yehudah regarding concerns of reciprocity.

R' Ada bar Ahavah suggests that the names in one of the sources was reversed.

Abaye suggests an alternative explanation.

Rava notes that Abaye's explanation only addresses the contradiction in the position of R' Yehudah but ignores the contradiction in the opinion of Rabanan.

Rava, therefore, resolves both contradictions.

The original statement of R' Chama bar Ukva, cited as part of Rava's explanation, is identified. Different related sources related to the tumah of a potter's pots are clarified.

Another explanation of the dispute between R' Yehudah and Rabanan is offered.

3) **Establishing a person's kohen status**

The Gemara inquires whether a person could be elevated to the status of a kohen based on a document that refers to him as a kohen.

After the inquiry is clarified the Gemara relates that the matter is disputed by R' Huna and R' Chisda.

The Gemara inquires whether a person could be elevated to the status of a kohen based on the fact that he recites Birkas Kohanim.

This inquiry is related to the dispute whether a person could be elevated to the status of a kohen based on the fact that he eats terumah.

The Gemara relates that the matter is disputed by R' Chisda and R' Avina.

R' Nachman bar Yitzchok asked Rava about the halacha of this case.

Rava cited a Baraisa that indicates that a kohen is not elevated to the status of a kohen because he recites Birkas Kohanim.

The Gemara refutes this explanation and demonstrates that the alternative explanation is more reasonable. ■

Today's Daf Digest is dedicated  
By Mr. and Mrs. Eric Rothner  
In loving memory of their father  
Mr. Nathan Rothner, ז"ל

## Distinctive INSIGHT

*The problem of a non-kohen blessing the people*

איבעיא להו מהו להעלותו מנשיאות כפים ליוחסין? תיבעי למ"ד מעלין מתרומה ליוחסין ותיבעי למ"ד אין מעלין

The Gemara presents an inquiry whether we may promote a person to the status of a full kohen based upon seeing his participating in the mitzvah of blessing the Jewish people. The Gemara introduces this inquiry with a clarification that this question can be posed according to either Rav Yehuda or Rabbanan who earlier disputed whether a person may be promoted to a full kohen status after he is seen eating teruma.

The Gemara explains the first side of the issue. A person who eats teruma would be liable for death from heaven if he is not a kohen. Rabbi Yehuda earlier said someone seeing him eat teruma might therefore come and testify that he is a kohen. This may be only in terms of eating teruma, which carries a severe penalty for a non-kohen. However, a non-kohen who blesses the nation is only in violation of a positive command. Here, perhaps we are not concerned that someone viewing him participate in this mitzvah will automatically assume that he is a full-fledged kohen. Or, it could be that there is no difference between this case and that of eating teruma.

What does the Gemara mean when it refers to blessing the people as an **איסור עשה**? Rashi explains that the verse (Bemidbar 6:23) teaches "You shall bless the Bnei Yisroel," from which we derive that only the kohanim may bless the people, and that non-kohanim are excluded. A negative command which is derived from a positive statement results in an **עשה**.

Tosafos (Shabbos 118b, **ד"ה אילו**) cites R"l who says that he does not know which violation is involved in someone going up to the platform to join the kohanim as they bless the people, other than, perhaps, if he pronounces a bracha in vain. The Achronim wonder about the question of R"l, for, as Rashi states, there is an **איסור עשה** from the verse, as stated above.

Darkei Moshe (Orach Chaim 128) suggests that the **איסור עשה** which Rashi mentions is only in effect when the non-kohen blesses the people by himself, but not when he joins other kohanim who are already standing and blessing the people.

Chasam Sofer explains: We know that a kohen only has an obligation to bless the community when he is called upon to do so. The prohibition for a non-kohen to bless is only in a case where a kohen under similar circumstances would be obligated to bless. When the leader of the services calls out to a group of kohanim with this non-kohen among them, "Kohanim!" he certainly intends only for the genuine kohanim to go up. Being that he has not been called, the non-kohen is not in violation of the **איסור עשה**. If he is by himself, the chazzan is calling him, so he would be in violation if he blesses. ■

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לע"נ ר' אלחנן בן ר' יהודה ע"ה  
By the Schwabacher Family

# HALACHAH Highlight

## A non-Kohen reciting Birkas Kohanim

אבל נשיאות כפיים דאיסור עשה  
 But "Raising the hands (Birkas Kohanim recited by a non-kohen)" that violates a positive command

Mishnah Berurah<sup>1</sup> rules that a non-kohen who recites Birkas Kohanim violates a positive command whether he recited Birkas Kohanim by himself or whether he recites the beracha with other kohanim. Accordingly, Beur Halacha<sup>2</sup> raises the question of the custom to bless guests as they are escorted on their journey with the pesukim of Birkas Kohanim. Since intent is not necessary to fulfill mitzvos<sup>3</sup> it should be prohibited for non-kohanim to offer these berachos since it constitutes a violation of the positive commandment against non-kohanim blessing the people. Although the Yerushalmi indicates that Birkas Kohanim must be recited in the context of davening, it is clear that that is only a Rabbinic enactment. Therefore, Biblically it should be prohibited for a non-kohen to bless another with the pesukim unless one concludes that the common custom indicates that halacha follows the position that mitzvos require intent and since there is no intent to fulfill the mitzvah there is no violation of the positive mitzvah.

One possible resolution is to assume that the common custom accepts the position of Rav Yoel Sirkis, the Bach, who maintains that the positive command is not violated unless one recites the beracha with his hands spread out (פריסת ידים).

Alternatively, one could argue that once Chazal enacted that the berachos must be recited in the context of davening, anyone who recites them outside of that context is assumed to have intent to not fulfill the mitzvah and thus the positive command is not violated.

# STORIES Off the Daf

## The One-Handed Blessing

"אבל נשיאת כפיים דאיסור עשה..."

Rav Shmuel Aharon Yudelevitz, zt"l, was a very great scholar. Every motion he made was completely thought through. Every act was totally in keeping with halachah and minhag.

Every Friday night he would give his children a whispered blessing with only his right hand on their heads. When one of his sons read about this custom in the siddur of Rav Yaakov Emden, zt"l, he questioned his father's unusual practice. The siddur states that it is the custom of the Jewish people to bless their children on

Friday night after the evening prayers. Rav Yaakov Emden added that his father, the Chacham Tzvi, zt"l, would place both hands on his children and bless them. The son asked his father to explain why he deviated from the custom of the Chacham Tzvi.

Rav Shmuel Aharon responded, "The Torah Temimah recounts in his commentary on Bemidbar 6:23 that he heard from a reliable source that when the Vilna Gaon, zt"l, blessed the Noda B'Yehudah, zt"l, at his chuppah, he did it with only one hand on the chosson's head. When the Gaon was asked to explain this he said, 'We don't find a blessing delivered with two hands anywhere except in the Mikdash itself.'

Rav Shmuel Yaacov continued, "The Gaon was referring to the Gemara in Kesuvos 24b which states that a Yisrael who gives a blessing with raised hands violates a mitzvas asei. The Pachad Yitzchak and Rav Chaim Palagi, zt"l, both write that they saw those who are careful would not place both hands on their student's head when giving them a blessing, since this would be considered raising one's hand to bless in the manner of the Kohanim in the Mikdash. Nowadays, of course, there is no actual halachic prohibition for blessing with both hands. However, it is still better to bless in a low voice, since the Kohanim had to say their blessing out loud. Furthermore, to do so with one hand only would be following in the footsteps of the Gaon to avoid all possible questions!" ■

# REVIEW and Remember

1. What is the novelty of the Mishnah's case of the two women taken into captivity?
2. Why is a salesman not believed when he identifies his competitor's merchandise as better than his own?
3. What causes the potters pots to become טצאים?
4. How did R' Yosi demonstrate that "presumption-חזקה" is halachically significant?

Rav Yechezkel Landau<sup>4</sup>, the Noda B'Yehudah, mentions a disagreement regarding the intent of Tosafos<sup>5</sup> who writes that the positive command that is violated when improperly reciting Birkas Kohanim is for mentioning Hashem's name in vain. Is Tosafos referring to Hashem's name that is recited in the beracha or does he refer to Hashem's name that is contained in the verses? Noda B'Yehudah writes that his inclination is to assume that it refers to Hashem's name in the verses but Teshuvos Yehudah Ya'aleh<sup>6</sup> questions this conclusion from the fact that parents and teachers bless their children and students with these verses reciting Hashem's name without hesitation. ■

1. מ"ב סי' קכ"ח סק"ו.
2. ביאור הלכה שם ד"ה דזר.
3. שו"ע או"ח סי' ס' סעי' ד'.
4. שו"ת נודע ביהודה מהדו"ק או"ח סי' ו'.
5. תוס' שבת ק"י"ח: ד"ה אילו היו.
6. שו"ת יהודה יעלה או"ח סי' ס"א. ■

