

## Horayos – Simanim

פרק א – הורו בית דין

### דף ה – 5 Daf

#### 1. Number of פרים brought for a הוראה acted upon by all twelve שבטים

In the next Mishnah, Rebbe Meir says: הורו ב"ד ועשו כל הקהל או רובן על פיהן – if *Beis Din* ruled erroneously, and the entire congregation or most of them acted based on it, they (*Beis Din*) bring a single פר, and if the ruling and transgression were about *avodah zarah*, they bring a פר and a שעיר. Rebbe Yehudah says: י"ב שבטים מביאין י"ב פרים – the twelve שבטים bring twelve פרים (and for idolatry, additionally bring twelve שעירים), because he considers each שבט an independent "קהל" – congregation, but he holds *Beis Din* does not bring a *korban*. Rebbe Shimon holds thirteen פרים are brought: each שבט brings one, and *Beis Din* brings another. This *machlokes*, and the disputes which follow in the Mishnah, revolve around the number of times "קהל" is written in the פרשה, as the Gemara explains below.

#### 2. Number of פרים if most שבטים followed the הוראה ("גרירה" – "dragging")

The Mishnah states that if seven שבטים followed the mistaken הוראה, Rebbe Meir says *Beis Din* brings a single פר, parallel to what he holds when the entire nation sins. Rebbe Yehudah says that the seven שבטים who sinned bring seven פרים, and the other שבטים who did not sin also bring פרים because of those who did, שאף אלו שלא חטאו – because even those who did not sin bring [*korbanos*] because of those who sinned [thus, twelve פרים are always brought]. Rebbe Shimon says eight פרים are brought – seven by the שבטים who sinned, and one by *Beis Din* (as he held above), but the שבטים who did not sin do not bring *korbanos*. Rebbe Yehudah holds that even a single שבט following an erroneous ruling would obligate a פר העלם דבר, but Rebbe Meir requires a majority of שבטים. Rebbe Shimon ben Elazar says (in Rebbe Meir's name) that if six שבטים sinned, and they constitute a majority of Klal Yisroel's total population, or if seven שבטים sinned, even if they are not a majority of Klal Yisroel, that would suffice to obligate a פר העלם דבר.

#### 3. One שבט which follows the הוראה of its own Beis Din, or of the הגדול בית דין

The Mishnah states that if the *Beis Din* of an individual שבט issued a mistaken ruling, which was followed by its שבט, Rebbe Yehudah says that שבט brings a פר, but the other שבטים do not (in contrast to his opinion above when seven שבטים followed *Beis Din*'s ruling). The *Chochomim* say they are only liable for rulings of הגדול בית דין (Sanhedrin), because the *passuk* says וְאִם כָּל יִשְׂרָאֵל יָשָׁגוּ – and if the entire assembly of Yisroel errs, and not the assembly of individual שבטים. The Gemara on *amud beis* asks according to Rebbe Yehudah, if one שבט sinned based on the ruling of הגדול בית דין, would all the other שבטים also bring פרים? A Baraisa is presented in which Rebbe Yehudah says that if a single שבט follows its own Beis Din's ruling, they bring a *korban* and the other שבטים do not, but if they followed the ruling of הגדול בית דין, אפילו שאר שבטים חייבים – even the other שבטים are obligated to bring *korbanos*. Although Rebbe Shimon disagrees with Rebbe Yehudah's principle of "גרירה" – dragging innocent שבטים into a פר obligation, the Gemara proves that he agrees a single שבט sinning suffices to obligate a *korban*. It proceeds to explain their source that a single שבט is called a "קהל" – congregation.

#### Siman – Hay

While twelve *shevatim* let their פרים chew on hay while they were waiting to be brought for the majority acting on *Beis Din*'s ruling, members from five *shevatim* stood on some bales of hay and proclaimed they were being dragged along even though they didn't act, when all of a sudden one *shevet* appeared and informed them that they followed another ruling of הגדול בית דין and now each *shevet* would have to bring another *par*.

דף ה | DAF 5

Hay



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### 3 things to remember

1. Number of פרים brought for a הוראה acted upon by all twelve שבטים
2. Number of פרים if most שבטים followed the הוראה – “dragging”)
3. One שבט which follows the הוראה of its own Beis Din, or of the בית דין הגדול

