

Horayos – Simanim

פרק ב – הורה כהן משיח

דף ח – Daf 8

1. חטאת and ברת are only for an *aveirah* which incurs כרת and פר העלם דבר

The next Mishnah states: *Beis Din is not liable* (to bring a פר העלם דבר) unless they rule to permit something whose intentional transgression incurs kares, and its unintentional transgression obligates a chatas (but not an *aveirah* which obligates an אשם ודאי). The same applies to the פר of a משיח. Regarding *avodah zarah* as well, these *korbanos* are only obligated for worship which incurs כרת and חטאת (not for some form of honor which is not its usual method of worship, which is only a לאו). Rebbe derives this from a *gezeirah shavah* (עליה עליה) from the prohibition of a wife's sister to teach that a פר העלם דבר of a צבור is also only for a prohibition which carries a punishment of כרת and חטאת. Additional *derashos* extend this to the *korbanos* of a משיח, a נשיא, and יחיד – a common individual, as well as these categories regarding *avodah zarah*. The Rabbonon, who *darshen* "עליה" to teach the laws of יבום, instead *darshen* the היקש comparing all *aveiros* to *avodah zarah* with ברת.

2. There is no קרבן עולה ויורד for *aveiros* which obligate אשם תלוי or פר העלם דבר

The next Mishnah states: *Beis Din is not liable* to a פר העלם דבר for positive or negative commandments about [being *metamei*] the Mikdash, nor do [individuals] bring an אשם תלוי (for doubtful transgressions) of positive or negative commandments about [being *metamei*] the Mikdash [An עשה requires a *tamei* to leave the Mikdash, and a לאו prohibits a *tamei* from entering the Mikdash]. An individual who transgresses this unintentionally brings a קרבן עולה ויורד – a *korban* which "goes up and down," i.e., varies according to his financial status (between an animal, two birds, or flour). In contrast, *Beis Din* brings a פר, and an individual brings an אשם תלוי, for the עשה and לאו of *niddah* (namely, the positive commandment to abstain from one's wife before her anticipated period, and the negative prohibition against relations with a *niddah*). The Gemara *darshens* from a *gezeirah shavah* between חטאת, צבור, אשם תלוי, and פר העלם דבר of *Beis Din*, and an individual, are only liable for *aveiros* which obligate קבועה – a set (non-variable) chatas.

3. *Machlokes* if נשיא brings a קרבן עולה ויורד

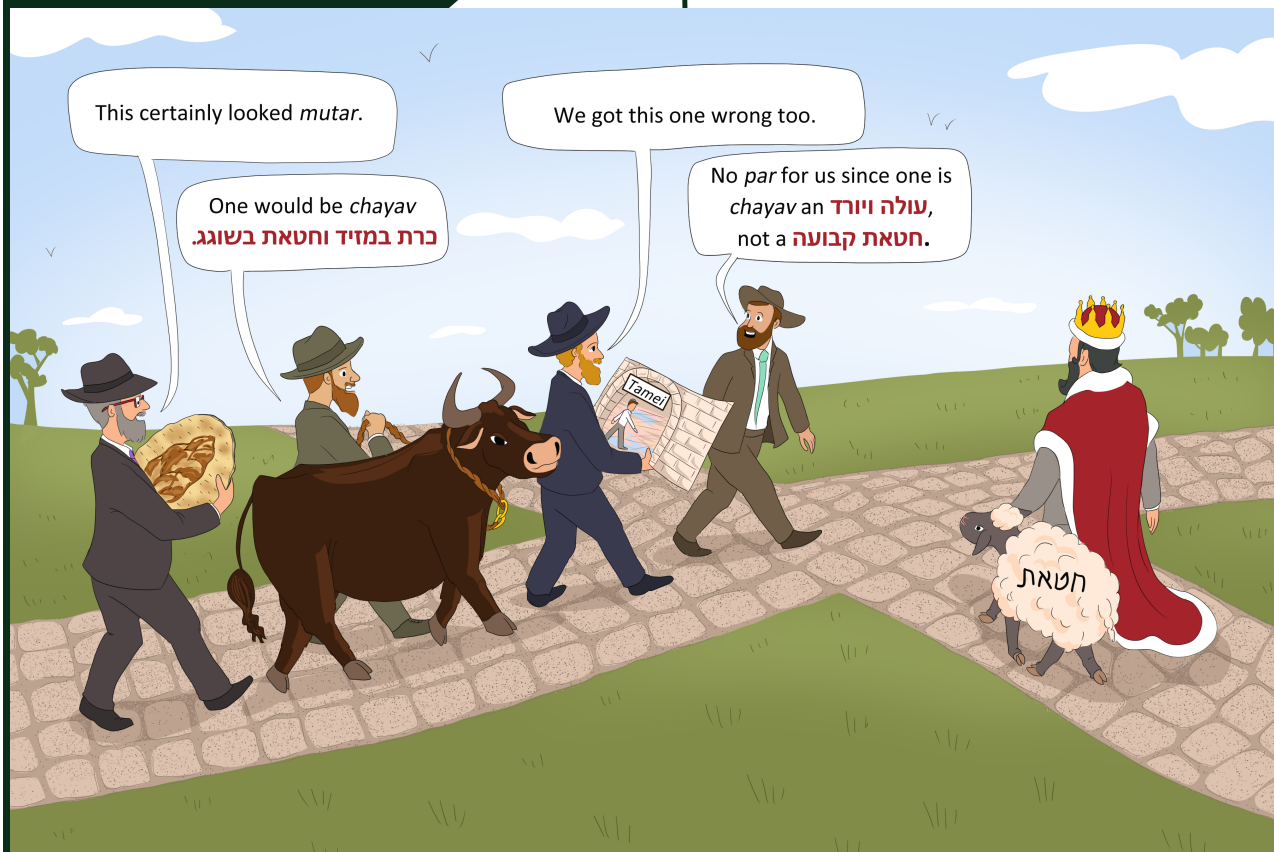
The next Mishnah lists the cases of קרבן עולה ויורד, repeating that a *Beis Din* does not bring a פר העלם דבר for such *aveiros*. Rebbe Yose HaGlili adds: והנשיא כיוצא בהם – and the *Nasi* is like them and does not bring any *korban* for these transgressions. Rebbe Akiva says a נשיא is חייב a *korban* for such *aveiros*, except for "שמיעת קול" (witnesses who falsely swear not to know testimony), because a king cannot judge or be judged, and he cannot testify or be testified against. Since he cannot testify, he is not liable for swearing not to know testimony. Rebbe Yose's opinion is based on the *pesukim* describing one's means as being insufficient for animal *korbanos*, or for bird *korbanos*, implying that this *korban* only applies to עשירות and עניות – someone who can come to either poverty or wealth, but not to a משיח, who cannot be poor, as the Gemara proceeds to prove.

Siman – Challah

The *Beis Din* who was bringing a פר העלם דבר for *paskening* that a matzah that looked like a challah was *mutar*, since one would be *chayav* בחטאת בשוגג, but not for *paskening* incorrectly that a certain type of *tamei* person can enter the Mikdash since one is *chayav* חטאת קבועה and not a קרבן עולה ויורד, crossed paths with the נשיא bringing a קרבן עולה ויורד.

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Challah



The Beis Din who was bringing a דבר פר העלם דבר for paskening that a matzah that looked like a challah was mutar, since one would be chayav בשוגג וחסאת בשוגג, but not for paskening incorrectly that a certain type of tamei person can enter the Mikdash since one is chayav an עולה ויורד and not a חטאת קבועה, crossed paths with the נשיא bringing a קרבן עולה ויורד.

3 things to remember

1. פר כהן משיח and פר העלם דבר are only for an aveirah which incurs חטאת and כרת
2. There is no אשם or פר העלם דבר for aveiros which obligate a קרבן עולה ויורד
3. Machlokes if נשיא brings a קרבן עולה ויורד

