



# Gone Missing

## The Daily Bircas Kohanim in Chutz L'Aretz

*Rabbi Shimshon Nadel*

Living in Eretz Yisrael, I am privileged to bless the Jewish People every single day — and on some days, more than once. But outside of the Land of Israel, aside from some Sephardic communities, Bircas Kohanim is performed only during the Yamim Tovim at Musaf.

A centerpiece of the *avodah* in the Beis HaMikdash, the mitzvah of Bircas Kohanim applies at all times, “in the Land and outside of the Land.”<sup>1</sup> In fact, Bircas Kohanim should be performed each day at Shacharis, on Shabbos and Yom Tov at Musaf, on fast days at Minchah, and at Neilah on Yom Kippur.<sup>2</sup>

According to the Gemara, a Kohein who does not bless the people transgresses several mitzvos: “Rabi Yehoshua ben Levi said: Any Kohein who does not ascend to the *duchan* violates three positive commands: ‘So shall you bless,’ ‘Say to them,’ and ‘Place My Name.’”<sup>3</sup> Some explain, based on a passage in the Talmud Yerushalmi,<sup>4</sup> that this statement applies only where the Kohein is called to ascend and does not do so.<sup>5</sup> Nevertheless, it illustrates the importance of the mitzvah.<sup>6</sup>

The obvious question is: Why isn’t Bircas Kohanim performed in the Diaspora daily?

The following are some of the responses that have been offered over the centuries to that question.

### *Mikveh*

While not required by halachah, a custom developed in medieval Ashkenaz for a Kohein to immerse in a *mikveh* before Bircas Kohanim, so that he could recite the *brachah* in a state of purity. Over time, it became difficult for Kohanim to immerse daily (according to some, due to the cold of winter). Some explain that this is why the custom developed to perform Bircas Kohanim only during the Yamim Tovim, since people were in any event accustomed to immersing before Yom Tov in fulfillment of the requirement to purify oneself at the onset of *aregel* (see *Rosh HaShanah* 16b).<sup>7</sup> Others write that due to the need for purity, there is an actual prohibition for a Kohein to perform Bircas Kohanim when his wife is a *niddah*.<sup>8</sup>

### *Kohanim Bizman Hazeh*

Rav Ephraim Zalman Margolios explains that the issue is the status of Kohanim today. Kohanim today are not *meyuchasim* — i.e., they do not possess a clearly traceable lineage back to the Kohanim who served in the Beis HaMikdash. Since their *kehunah* is based only on *chazakah*, he explains that the daily practice of Bircas Kohanim was stopped out of concern for *brachah l’vatalah* and the prohibition for a non-Kohein to perform Bircas Kohanim.<sup>9</sup> Nevertheless, he writes, we allow Kohanim to *duchen* on Yom Tov so that the “Torah of the Kohanim not be forgotten.”<sup>10</sup> This will ensure that they don’t violate any of the currently applicable mitzvos of the *kehunah*, such as avoiding *tumas meis*. Rav Margolios adds that the present *minhag*, which was observed by the great Rishonim, is of ancient and impeccable pedigree and thus should be respected.<sup>11</sup>

### *Tefillah*

According to the Chasam Sofer, Bircas Kohanim is not performed daily due to the quality of our tefillah. He writes: “The whole week we are occupied with thoughts of livelihood and sustenance, and most of





our *tefillos* are without *kavanah* and full of distraction. *Tefillah* without *kavanah* is like an unwanted *korban*.<sup>12</sup>

*Tefillah* today is in place of the *avodah*. Just as Bircas Kohanim required a proper *avodah* in the Beis HaMikdash, today it requires a proper *tefillah*. The Chasam Sofer therefore continues, “We bless on Yom Tov, when all are free to concentrate on their *tefillah*.”<sup>13</sup>

Similarly, Rav Moshe Shternbuch explains that as part of *tefillah b'tzibur*, Bircas Kohanim requires a minyan to pay close attention and answer Amen.<sup>14</sup> Today, many people are distracted and do not pay close attention to the Chazaras HaShatz. For this reason, Bircas Kohanim is performed only during the Yamim Tovim, when “there are large numbers of people who are not distracted and we are sure that ten will listen.”<sup>15</sup>

### Simchah

The Rema offers the most famous justification for the current practice. He writes: “The custom in all of our lands is not to lift the hands [i.e., perform the ritual of Bircas Kohanim] except on Yom Tov, since we are immersed in the *simchah* of Yom Tov, and ‘one of glad heart should bless’ — as opposed to most days, even Shabbos during the year, when we are occupied with thoughts of livelihood.”<sup>16</sup>

While many have accepted the Rema’s explanation,<sup>17</sup> the following questions still require clarification: Do we find any other area of halachah in which a mitzvah is not performed due to preoccupation with *parnassah*? Were the previous generations, in which Bircas Kohanim was performed daily, less preoccupied with their livelihood? Are the Sephardim, or *bonei Eretz Yisrael*, who maintain the daily practice of Bircas Kohanim, less burdened by material concerns?

### “Minhag Garua”

The Rama MiFano strongly criticizes those communities who do not perform Bircas Kohanim daily, calling it a *minhag garua*, a bad custom.<sup>18</sup> He writes that those who justify the *minhag* do so with a “weak argument, which has the strength of straw.”<sup>19</sup>

The Beis Yosef, too, criticizes this practice, calling the stringency of immersion before Bircas Kohanim a “practice not mentioned in the Talmud,” and “a stringency that leads to a leniency.”<sup>20</sup> He also offers a *yasher koach* to the communities of Eretz Yisrael

and Egypt who continue to practice Bircas Kohanim daily.<sup>21</sup>

### The Vilna Gaon and His Students

The students of the Vilna Gaon record that their master was intent on restoring the daily practice of Bircas Kohanim. They maintain a tradition that the Gaon would say that he would “travel from city to city, being *mevatel* his own Torah study, if he could restore *nesias kapayim* daily.”<sup>22</sup>

Rav Chaim of Volozhin, the prime student of the Gra, testified about the Gaon:

A number of times our teacher z”l wanted to institute *nesias kapayim* daily in his *beis medrash*, but could not do so. One time, in the middle of the day, he decided that on the following day the Kohanim would raise their hands. On that very day he was imprisoned and charged with a false accusation. It appeared as if this was prevented from Heaven.<sup>23</sup>

Rav Dovid Luria adds that “when he [the Vilna Gaon] was freed from prison, he did not want to try to restore the *minhag* again.”<sup>24</sup>

Rav Chaim himself also decided to reinstate the daily practice of Bircas Kohanim. As the Netziv relates, the night before they were to begin, the shul, together with half of the city, was destroyed in a fire.<sup>25</sup> This too was understood as a sign from Above.

Other Acharonim attempted to restore the practice as well. Rav Nosson Adler was the *rav* of Frankfurt am Main in the late 18<sup>th</sup> century, and the *rebbe* of the Chasam Sofer. The Chasam Sofer testified that his *rebbe*, who was a *Kohein meyuchas*, would perform Bircas Kohanim in his *beis medrash* daily.<sup>26</sup> According to a tradition, the Baal HaTanya also attempted to reintroduce Bircas Kohanim on a daily basis.<sup>27</sup>

### The Aruch HaShulchan laments:

There is no correct justification for our custom to prevent the positive command of Bircas Kohanim ... but what can we do? It is as if a *bas kol* came out, not to allow us to raise our hands the entire year. I have received a tradition that two of the giants of the previous generations, each in his place, desired to perform *nesias kapayim* each day. But when the set day arrived, the issue became confused and they were unable. They said, “We see that so it was decreed from Heaven.”<sup>28</sup>

It is curious that the great Vilna Gaon would be influenced by a sign from Heaven

in matters of halachah. After all, *lo baShamayim hi* — the Torah is not in Heaven! Rav Moshe Shternbuch explains that if our great tzaddikim “sense a sign or hint, they investigate the halachah a second time and then establish their ruling.”<sup>29</sup>

### “Minhag Eretz Yisrael”

When they settled in Eretz Yisrael in the early 19<sup>th</sup> century, the students of the Vilna Gaon were successful in establishing the daily practice of Bircas Kohanim.<sup>30</sup> While this custom has proliferated in most of Eretz Yisrael, the Ashkenazic communities of Tzfas and Tiveria in the Galil perform Bircas Kohanim only on Shabbos and Yom Tov at Musaf. In *Ir HaKodesh V’HaMikdash*, Rav Yechiel Michel Tukachinsky writes that it is unclear how the *minhag* in the Galil developed.<sup>31</sup> It would seem that while the students of the Vilna Gaon held sway over Yerushalayim and its environs, the chassidic communities that settled in the Galil chose to maintain the *minhag Ashkenaz* there.<sup>32</sup>

### A Blessing for All

Bircas Kohanim has become part of the *nusach hatefillah*. Even those who do not perform Bircas Kohanim daily recite the Bircas Kohanim as part of the *chazzan*’s repetition at Shacharis every day and at Minchah on fast days. Rav Aryeh Zvi Frumer, who served as *rosh yeshivah* of Yeshivas Chochmei Lublin before World War II, explained beautifully that the *shaliach tzibur* leading the *tefillah* serves as a *shaliach* for the Kohanim.<sup>33</sup> Since there is a principle of “*shlucho shel adam k’moso* — one’s representative is like himself,” it is as if the *tzibur* is receiving Bircas Kohanim directly from the Kohanim themselves.<sup>34</sup> Rav Shalom of Koidenov even suggests appointing a *Kohein* to serve as the *shaliach tzibur* daily, in order to have the Bircas Kohanim that is recited as part of the Chazaras HaShatz come from the mouth of a *Kohein*.<sup>35</sup>

According to the Gemara, the *brachah* of the Kohanim emanates to their fellow Jews “out in the fields” who are unable to be present during Bircas Kohanim.<sup>36</sup> According to some, those residing outside the Land of Israel are like those “out in the fields,” and included in the blessings of the Kohanim as well.<sup>37</sup> Rav Shternbuch suggests that a person residing in the Diaspora should ask a *Kohein* in Eretz Yisrael to have him

in mind during Bircas Kohanim.<sup>38</sup>

According to the Gemara, Hashem desires the *brachah* of the Kohanim.<sup>39</sup> Our fervent prayer is that Hashem will restore the *avodah* to the Beis HaMikdash, speedily in our days so that we may serve Him there “as in days of old and former years.” ■

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### Endnotes:

- 1 *Sifrei, Shoftim* 167; *Sefer HaChinuch*, no. 378. See also *Sifra, Shemini* 1:17.
- 2 *Mishnah Taanis* 4:1; *Taanis* 26b; Rambam, *Hil. Tefillah U’Bircas Kohanim* 14:1-2; *Smag*, asin 20; *Smak* 113; *Sefer HaChinuch*, loc. cit.; Tur, *Orach Chayim* 129; *Shulchan Aruch, Orach Chayim* 129:1.
- 3 *Sotah* 38b; *Menachos* 44a. Cf. *Yerushalmi Berachos* 3:1.
- 4 *Berachos* 5:4.
- 5 *Hagahos Maimonios to Hil. Tefillah U’Bircas Kohanim* 15:12; *Shulchan Aruch, Orach Chayim* 128:2. See also Magen David, ad loc.
- 6 See Beis Yosef, *Orach Chayim* 128.
- 7 *Sefer Chassidim* (Frankfurt, 1925), no. 1,613; *Shu”t Maharil, Chadashos*, no. 21; *Sefer HaAgur*, no. 176; *Orchos Chayim, Hilchos Nesias Kapayim; Kol Bo*, no. 122. See also *Shu”t Beis Ephraim, Orach Chayim*, no. 6.
- 8 *Sefer HaMiktzas*, no. 47, based on the Raavad to *Mas. Tamid, Sefer Chassidim*, no. 1,611; *Pri Chadash, Orach Chayim* 128:30. See also *Shu”t Chasam Sofer, Orach Chayim*, no. 23, where he argues strongly against this premise.
- 9 *Shu”t Beis Ephraim, Orach Chayim*, loc. cit.
- 10 *Ibid.*
- 11 *Ibid.*
- 12 *Shu”t Chasam Sofer, Orach Chayim*, loc. cit.
- 13 *Ibid.*
- 14 *Moaddim U’Zmanim*, vol. 1, no. 31. See also his *Hilchos HaGra U’Minhagav*, p. 124.
- 15 *Moaddim U’Zmanim, ibid.*
- 16 *Orach Chayim* 128:44. Cf. *Darhei Moshe, Orach Chayim* 128:21.
- 17 See Levush, *Orach Chayim* 128:44.
- 18 *Shu”t Rama MiFano*, no. 95.
- 19 *Ibid.*
- 20 *Orach Chayim* 128. See also *Chesed L’Alafim*, no. 1; *Kaf HaChayim, Orach Chayim* 128:16.
- 21 *Ibid.*
- 22 *Hilchos HaGra U’Minhagav*, pp. 123-124. Betzalel Landau, *HaGaon HeChassid MiVilna* (Jerusalem, 1965), p. 123.
- 23 *Aliyos Eliyahu, Maalos HaSulam*, fn. 13.
- 24 *Ibid.*
- 25 *Meishiv Davar*, vol. 2, no. 104. Cf. *Aliyos Eliyahu, ibid.*
- 26 *Chut HaMeshulash*, p. 20.
- 27 *Shaarei Halachah U’Minhag*, vol. 1, pp. 167-168. Cf. *Likutei Sichos*, vol. 18, p. 448.
- 28 *Orach Chayim* 128:64.
- 29 *Teshuvos V’Hanagos*, vol. 1, *Yoreh Dei’ah*, no. 431.
- 30 *Paas HaShulchan, Hil. Eretz Yisrael* 2:16 and *Beis Yisrael*, ad loc.
- 31 Vol. 3, Chap. 25.
- 32 See *Hilchos HaGra U’Minhagav*, p. 124; *Minchas Yitzchak*, vol. 8, nos. 1,2. See also *Piskei Tshuvos* 128:90.
- 33 *Eretz Tzvi*, no. 30.
- 34 *Ibid.*
- 35 *Sefer Mishmeres Shalom* 10:9.
- 36 *Sotah* 38b and Rashi, ad loc, s.v. *shebasados*.
- 37 *Chesed L’Alafim* 6:21; *Eileh HaMitzvos*, *Mitzvas Nesias Kapayim; Shaarei Halachah U’Minhag*, loc. cit.
- 38 *Teshuvos V’Hanagos*, vol. 1, no. 130. See also *Shaarei Halachah U’Minhag*, loc. cit.
- 39 *Sotah* 38b.

