The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קכ"ח סעיף ל"ד-ל"ו

Overview

Siman 128 Seif 34:

A child who does not have two hairs may not "lift his hands" by himself at all but if he is together with other *kohanim* he may recite *birkas kohanim* for the sake of *chinuch*. Someone who does have two hairs may "lift his hands" even by himself, however, this may be done only occasionally but not regularly until his beard is full. At that point he may regularly recite *birkas kohanim* by himself. Someone who reached the age at which he should be capable of having a full beard is considered to have a full beard even if he doesn't actually have one (see above 53:8).

- Once a child reaches his 13th birthday we assume that he is physically mature. (M.B. 121)
- A child may even recite the *beracha*. The age of *chinuch* for *birkas kohanim* is when he is mature enough to "lift his hands" in accordance with the custom of the *kohanim*. (M.B. 123)
- Since in our countries we only recite *birkas kohanim* on Yom Tov the young man without a beard may recite *birkas kohanim* on each Yom Tov. (M.B. 125)
- In *siman* 53 we are taught that even one who has a thin beard is considered in possession of a full beard once he is 18 or older. (M.B. 126)

Siman 128 Seif 35:

A kohen who killed someone, even if inadvertently, may not "lift his hands" even if he repented. Some say that if he repented he may "lift his hands" and one should be lenient regarding those who wish to repent in order that the door should not be closed before those who wish to repent and this is the custom.

- One who was forced to kill someone may "lift his hands." (M.B. 128)
- One who pushed a pregnant woman and caused her to miscarry is permitted to "lift his hands" since one is not liable for death for killing a fetus. (M.B. 129)
- Some authorities are stringent if one killed intentionally. (M.B. 131)

Siman 128 Seif 36:

One who circumcised a child who died may still recite *birkas kohanim* but if people are disparage him that he is a murderer, as long as the matter has not been clarified he may "lift his hands."

- Shulchan Aruch does not refer to where he is being disparaged that he killed a child while circumcising; rather he refers to where he is accused of murder but since there are no witnesses he may continue to recite *birkas kohanim*. If he knows that he murdered someone he should not recite *birkas kohanim*. (M.B. 133)

Halacha Highlight

Birkas kohanim by youngsters

Shulchan Aruch Siman 128 Seif 34

קטן שלא הביא שתי שערות וכו'

A child who does not have two hairs etc.

Shulchan Aruch (סעי' ל"ד) writes that a child who is not yet physically mature may not recite *birkas kohanim* by himself. If he is together with other adult *kohanim* he may recite *birkas kohanim* to learn how to fulfill the *mitzvah*. When a child recites *birkas kohanim* he also recites the *beracha* (מ"ב ס"ק קכ"ג). Mishnah Berurah explains that the age of *chinuch* for *birkas kohanim* is not the same as it is for other *mitzvos*. Generally it is assumed that a child has reached the age of *chinuch* at five or six years of age but for *birkas kohanim* the age will be higher since a child may not recite *birkas kohanim* until he is capable of "lifting his hands" in the same manner as the adult *kohanim*. There are a number of communities who follow Rama MiPano's ruling that a child does not recite *birkas kohanim* even occasionally. This is based on the fact that Rashi and Rambam maintain that a child never recites *birkas kohanim* (חיי משה). Even in those places that children recite *birkas kohanim* in accordance with Shulchan Aruch's position, the children do so only on Shabbos and Yom Tov but not every day even though it is technically permitted.

Shulchan Aruch rules that once a kohen is physically mature he may recite *birkas kohanim* only occasionally. A kohen may not recite *birkas kohanim* regularly until he has a full beard. Teshuvas Minchas Yitzchok (ח"ו סי' ט"ו) writes that in a yeshiva that has *kohanim* who do not yet possess full beards they should rotate and each day only one kohen will recite *birkas kohanim*. By doing so *birkas kohanim* will be recited each day but the young *kohanim* will not recite *birkas kohanim* regularly. Sefer Mishnah Halacha disagrees and asserts that if the *tzibbur* is comprised of teenagers the *kohanim* may recite *birkas kohanim* every day. The reason why young *kohanim* do not recite *birkas kohanim* every day is that it is not proper honor for the *tzibbur* but in a *tzibbur* of young people it is not disrespectful (חיי משה).

Stories to Share

A Kohein and a Murderer?

ש"ע ס' קכ"ח, ל"ה: "כהן שהרג את הנפש אפילו בשוגג לא ישא כפים..."

A certain kohein would often embarrass a fellow congregant that he did not like. He had very little patience for those whom he felt were his intellectual inferiors. When he got upset he would embarrass his victim to no end. For a long time people tried to get him to stop and eventually they were somewhat successful. He was an exemplary Jew in most other ways. He always made it to minyan on time and was always the first person to attend shiur. Yet he refused to request forgiveness from his victim.

One of his neighbors wondered whether he could recite the priestly blessing. As we find on today's amud, a kohein who ever killed a fellow Jew—even b'shogeg—may not recite the blessing. Since our sages compare shaming one's fellow to killing him, perhaps one who regularly shames his fellows may not recite this blessing? And maybe even if such a person does complete teshuvah he also cannot recite the blessing, just like a kohein who murdered someone may not? But of course one needs to consult with a great posek to determine whether shaming is really compared to murder in this respect.

When this question reached Rav Yosef Shalom Eliyashiv, zt"l, he ruled that the comparison was certainly valid. "Although it is fitting to be stringent regarding a kohein who publicly humiliated his fellow and disallow him from reciting the priestly blessing, the custom is that such a kohein does recite the blessing. But if he refuses to ask mechilah he should not be permitted to recite the blessing."

מאיר נתיבים, ע' 137