The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קכ"ט סעיף א'-ב'

Overview

Siman 129 Seif 1:

***Birkas kohanim* is recited during *shacharis*, *mussaf* and *ne'ilah* on days when *ne'ilah* is recited, for example on Yom Kippur. It is not recited during *mincha* since it is common for people to be drunk and there is a concern that the kohen may be drunk. Chazal decreed that *birkas kohanim* is not recited during *mincha* on a fast day to be consistent with other days. On a fast day that does not include the *tefila* of *ne'ilah* since *mincha* is recited close to *shekias hachamah* it is similar to *ne'ilah* and would not be confused with *mincha* during the rest of the year, therefore, *birkas kohanim* is recited.** (Our custom was discusses above in *siman* 128).

- In other words we do not recite *birkas kohanim* in our countries other than on Yom Tov and even then it is only during *mussaf*. Nevertheless, the *halachos* of this *seif* apply with regards to determining when to say א-לוקינו וא-לוקי אבותינו as explained above in *siman* 127 that whenever *birkas kohanim* would be recited we recite in its place א-לוקינו וא-לוקי אבותינו. (M.B. 8)

Siman 129 Seif 2:

If a kohen ascended the platform to recite *birkas kohanim* on Yom Kippur during *mincha* he may "lift his hands" and is not told to descend since it is obvious that there is no concern for drunkenness and telling him to descend could raise a suspicion that he is unfit to recite *birkas kohanim* and that is why they demanded that he descend. Therefore, during *mincha* on Yom Kippur the *shaliach tzibbur* recites א-לוקינו וא-לוקי אבותינו even though it is not a time for *birkas kohanim* since if a kohen would ascend he would not be told to descend - it is considered to some degree a time for *birkas kohanim*. This is the custom in these countries even though there are those who disagree.

- The reason *birkas kohanim* is not recited is because one could confuse Yom Kippur with the rest of the days of the year, therefore, if he already ascended he does not descend but during *mincha* the rest of year he must descend even if he ascended. (M.B. 9)
- When people fast until midday and then *daven mincha*, for example on *erev* Rosh HaShanah, the *shaliach tzibbur* does not say א-לוקינו וא-לוקי אבותינו even according to this opinion. (M.B. 10)

Stories to Share

Drunken Logic

ש"ע, ס' קכ"ט, א': "אבל לא במנחה משום דשכיחא שכרות..."

On today's amud we find that kohanim do not recite the priestly blessing during minchah since some kohanim may have drunk wine and is not halachically permitted to recite the priestly blessing. Clearly, an inebriated person's judgment is severely compromised.

Rav Elchonon Wasserman once used the example of "drunken logic" to prove a point.

A priest provoked his sovereign into summoning Rav Yonasan Eibeschitz to pose what he thought was a genuine stumper.

The priest asked the sage, "The Talmudic rule is that one should follow the majority. Since the non-Jews are the majority of the world's population, why don't you join our religion? According to your own law you must follow the custom of the majority!"

But Rav Yonasan could not be bested. "We only follow the majority when we are in doubt. When we know the truth, the practice of the majority is irrelevant!"

שרי המאה בחלק על רב יונתן אייבשיטץ

Rav Elchonon Wasserman offered a different explanation, however. "A sober person would never follow the opinion of even a hundred drunks since the one who is drunk is constitutionally incapable of thinking straight. The Jewish sages are likened to a sober minority since they purify themselves from ulterior motives and personal agendas. How can we expect people who have not purified themselves from impure agendas to find the truth?"

ביאורי אגדות על דרך הפשט

Halacha Highlight

Birkas kohanim during *mincha* on a fast day

Shulchan Aruch Siman 129 Seif 1

וגזרו במנחה של תענית אטו מנחה שאר ימים

They decreed regarding *mincha* on a fast day on account of *mincha* the rest of the year

Shulchan Aruch (סע' א') relates that *birkas kohanim* is recited during *shacharis*, *mussaf* and *ne'ilah* but not during *mincha*since it is common for people to be drunk at that time and a kohen who is drunk is not permitted to recite *birkas kohanim* (ע' סי' קכ"ח סע' ל"ח). Even on a fast day that includes *ne'ilah*, e.g. Yom Kippur, *birkas kohanim* is not recited at mincha to be consistent with other days. Mishnah Berurah (סק"ה) explains that on days when *ne'ilah* is recited *mincha* is *davened* earlier in the day so that *ne'ilah* could be recited before *shekiah*. Since the timing of *mincha* is similar to the timing of *mincha* the rest of the year, the *halacha* that *birkas kohanim* is not recited in *mincha* also remains consistent. On fast days when *ne'ilah* is not recited, *mincha* is *davened* at the end of the day since there is no rush to *daven* early so that one should be able to eat (ע' מ"ב סק"ה). Since *mincha* on fast days is *davened* at a different time than the rest of the year people will not confuse it with the rest of the year and *birkas kohanim* is recited at that time.

Rav Yechiel Michel Tikochinsky (לוח ארי"י) notes that according to this explanation if a *tzibbur davens mincha* early in the afternoon of the fast day (מנחה גדולה) they should not recite *birkas kohanim* in order to remain consistent with the rest of the year when *birkas kohanim* is not recited during *mincha* that is *davened* early in the afternoon. Instead the *shaliach tzibbur* should recite א-לוקינו וא-לוקי אבותינו. It is therefore preferable for the *tzibbur* to *daven* after *plag hamincha* in order to be able to recite *birkas kohanim*. Chazon Ish (או"ח סי' כ') disagrees with this position. He contends that once Chazal instituted that *birkas kohanim* is recited during *mincha* on a fast day that does not include *ne'ilah* we do not change that practice even when a *tzibbur davens* early (ע' ארחות רבינו ח"ב עמ' ס"ז).