

# A BLIND KOHEN CAN

*by Rabbi Yissocher Frand*

## Parshios Tazria & Metzorah

### A Blind Kohen Can't Rule On Negaim Even Though A Kohen Shoteh Can

*These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape# 809 - Netilas Yadayim - Things You Never Knew. Good Shabbos!*

The majority of this week's parsha deals with the laws of Tzoraas (commonly translated as leprosy, which in truth it is not). In several places, the Talmud says that Tzoraas comes as a punishment for a variety of sins. The most commonly quoted exposition is that Tzoraas comes as a result of lashon hara [gossip/slander]. Chazal utilize a linguistic exegesis of the word Metzorah [leper] to teach this idea. They indicate that Metzorah is a contraction of the words motzi rah [he spews forth evil].

The Torah teaches: "If a person will have on the skin of his flesh a s'eis or a sapachas, or a baheres, and it will become a Tzoraas affliction on the skin of his flesh; HE SHALL BE BROUGHT TO AARON THE KOHEN, OR TO ONE OF HIS SONS THE KOHANIM. [Vayikra 13:2]. Rashi states: "It is a decree of Scripture that there is neither impurity of affliction of Tzora'as nor their purification except by word of a Kohen." In other words, even if the Kohen is not an expert in these laws, and even if he does not know what he is talking about (the laws of Tzoraas are indeed complicated and complex), if the Kohen is told by a scholar what to say and he parrots the words of the Talmid Chochom, the blemish is pronounced tahor [pure] or tamei [impure] based on the proclamation of the Kohen, not on the proclamation of the Talmid Chochom who is not a Kohen.

The Rambam elaborates on this principle in Hilchos Tumas Tzoraas Chapter 9 Halacha 2: "Even though anyone is fit to inspect blemishes, purity and impurity (tumah and tahara) depends on the Kohen. How so? A Kohen who does not know what to look for has a scholar inspect (the blemish) and has the scholar instruct him 'Say it is impure' and the Kohen says 'impure'; or the scholar instructs 'Say it is pure' and the Kohen says 'pure'; or the scholar instructs 'Put him in a suspended state for another week' and the Kohen puts him in a state of suspension (masgeero) as it is written 'based on their mouths shall be every fight and every blemish' [Devarim 21:5]. And even if the Kohen

is a minor (katan) or an imbecile (shoteh), the scholar instructs him and he decides whether the person is definitely impure, pure, or suspended further..."

Based on this Rambam, the Minchas Chinuch speculates whether or not the proclamation (based on direction of a scholar) of a blind Kohen regarding a nega would be effective. The Minchas Chinuch discusses the possibility. However, it is implicit in the Meiri and also from Rashi and Tosfos in Sanhedrin 34 as well, that a blind Kohen CANNOT rule on the status of Tzoraas, even if so directed by a Talmid Chochom. This is learned out from the expression [Vayikra 13:12] "l'chol mar'eh einei haKohen" (wherever the eyes of the Kohen can see). Rashi on this pasuk quotes the Toras Kohanim, Negaim, perek 4:4: "To the exclusion of a Kohen whose power of vision is impaired." Under normal circumstances, it would be obvious to us that a blind Kohen cannot rule on such matters of visual determination. However, in light of the earlier cited Rambam that even a minor or mentally deficient Kohen can rule based on the guidance of a scholar, the exclusion of a blind Kohen is somewhat of a novelty.

What in fact is the difference between a katan and shoteh on the one hand and a blind Kohen (sumah) on the other? Why must the Kohen see the blemish with his own eyes? I saw an interesting answer to this question from the Tolner Rebbe. In the Talmud [Sanhedrin 104b], Rava asks in the name of Rabbi Yochanan: Why does the letter "Peh" precede the letter "Ayin" in the third and fifth chapters of Eichah (in which the pasukim are otherwise arranged in perfect alphabetical sequence)? Rava answers that this sequence commemorates the Spies who spoke with their mouths (Peh) that which they did not see with their eyes (Ayin). In other words, they spoke subjectively without basis in what they had actually witnessed.

This teaching is an insight into Lashon Harah in general. Many times, Lashon Harah is a crime of saying something that one has not seen. Typically, with this kind of gossip, a person sees something and then jumps to a conclusion and speaks, not about what he has seen but what he surmises based on what he has seen. Lashon Harah is a crime of letting one's mouth (Peh) jump ahead of what his eye (Ayin) has seen.

Halevai, we should be able to eliminate all of our gossip. But if we at least accepted upon ourselves to cut back on speaking those things which we have never seen, that would be great progress in our efforts towards Shmiras haLashon [Guarding one's tongue]. Homiletically, the Tolner Rebbe uses this idea to explain why a Kohen Shoteh can rule on the status of Negaim, but a blind Kohen cannot. We want to send a message that "You have to see it!" If you do not see it, you cannot say "tameh". A Kohen Shoteh does not have much intelligence, but at least he saw it. That gives him the license to talk about it. A blind Kohen, who does not see the Negah (like most people who speak lashon harah without having seen what they are speaking about), has no license to speak.

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