YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**War in Halakha**

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**Shiur #15: The Priest Anointed for War**

In Parashat *Shoftim*, the Torah describes how the camp of Israel goes out to war:

When you go forth to battle against your enemies, and see horses, and chariots, and a people more than you, you shall not be afraid of them; for the Lord your God is with you, who brought you up out of the land of Egypt. And it shall be, when you draw near to the battle, that the priest shall approach and speak to the people, and shall say to them: Hear, O Israel, you draw near this day to battle against your enemies; let not your heart faint; fear not, nor be alarmed, neither be frightened of them; for the Lord your God is He that goes with you, to fight for you against your enemies, to save you. (*Devarim* 20:1-4)

Almost incidentally, the verses mention the role of a *kohen* (priest), referred to by *Chazal* as the *kohen mashuach milchama*, "the priest anointed for war," who speaks to the people before they go out to battle. From the verses themselves, one might have understood this as a simple description, rather than a positive commandment that there must be a priest who will speak in this manner, and indeed this passage is almost never discussed in the Gemara. However, it was included in lists of the 613 Biblical commandments (Rambam, positive commandment 191; *Semag* 120; *Sefer ha-Chinukh* 526) as a full-fledged positive commandment to appoint a priest who will give this speech to the people.

We shall now examine the particulars of this mitzva – the status of the *kohen mashuach milchama*, the nature and significance of his function, and why the Torah deems it important that he address the people before they go out to battle.

**Does the priest anointed for war go out to war?**

The Torah describes three stages in the preparations for going out to war (ibid., vv. 1-9): it first describes how the priest delivers the speech cited above; it then records the laws concerning those who return from the ranks of war, regarding which the officers do the talking; and finally, the section concludes with preparations for the actual fighting:

And it shall be, when the officers have made an end of speaking to the people, that captains of hosts shall be appointed at the head of the people. (Ibid., v. 9)

We might ask where the priest is during the final stage; does he take part in the actual mobilization for war, or does his role end with his address to the people, leaving the responsibility of conducting the war itself to the officers?

An answer to this question may be found in the Gemara in *Nazir*, which discusses what to do when a choice has to be made about whose life to save and addresses the status of the *kohen mashuach milchama*:

The question was asked: [Between] the priest anointed for war and the deputy High Priest, which of them takes priority? Does the priest anointed for war take precedence, because he is fit to go to war, or does the deputy perhaps take precedence, because he is fit to perform the Temple service?… Mar Zutra said: Regarding saving his life, the priest anointed for war takes precedence. What is the reason? Because many [people] depend upon him. (*Nazir* 47b)

The Gemara explains that with regard to the decision about whose life to save, a *kohen mashuach milchama* is given priority over a deputy *Kohen Gadol* (High Priest) because "many people depend upon him." Rashi explains:

For he makes war for the sake of many.

Rashi's words imply that the *kohen mashuach milchama* takes part in the war itself. This is also the understanding of the Radak:

“[Benayahu son of Yehoyada] killed the two of Ariel of Moav” – Even though Benayahu was a priest and forbidden to become impure through contact with the dead… And similarly, He commanded that there be a priest anointed for war and to enter with Israel into war. And behold, Pinchas defiled himself for the sake of a mitzva when he slew Zimri and Kozbi, and he also went out to war against Midyan with the rest of Israel. (Radak, II *Shmuel* 23:20)

The Rosh expands on this understanding and adds an additional level to it:

The priest anointed for war is given priority, because many people depend upon him – the entire organization of the war is carried out on his orders. (Rosh, commentary to *Nazir*, ad loc.)

Similarly, in his *Tosafot*:

For it is obvious to him that with regard to saving a life, the priest anointed for war is given priority, for he heads the organization of the war, and the lives of Israel depend upon him. (*Tosafot ha-Rosh*, *Horayot* 13a)

That is to say, the role of the priest anointed for war does not end when he speaks to the people before the campaign; rather, he takes a real part as a fighter and a commander. It is possible that the Rosh's statement that "the entire organization of the war is done on his orders" means the appointment of military officers to lead the people, as described in the Torah, is done according to his word.

In contrast to the above, the Mordekhai implies that the priest did not participate in the war. The Gemara discusses a case of the “scent” of a *get* [bill of divorce] – where a *get* was written but the divorce did not come into force – and whether the woman is considered a divorcee and therefore disqualified from marrying a priest. The Mordekhai asks why we cannot use the case of a *kohen mashuach milchama* as proof that there is no such disqualification – for those who went out to the wars of the house of David would write their wives a conditional *get*. He writes as follows:

There is no proof from “all who go out to a war of the house of David” – that there were also priests among them, or at the very least there had to be one priest among them who read the verse: "Who is it that is fearful and faint-hearted?" [*Devarim* 20:8] – for if so, what is the Gemara asking in the first chapter of *Kiddushin*: "What is the law of a priest with respect to a captive woman?" Learn it from the fact that there were priests in the war, for the priest anointed for war was also in the war. Rather, certainly it does not apply to him, for perhaps he would return to his home and would not enter the ranks of the war. (Mordekhai, *Gittin*, no. 432)

Thus, it seems that according to the Mordekhai , the priest has no role in the fighting itself, and the actual mobilization for war is carried out exclusively by the officers.

**The Essence of the Function of the Priest Anointed for War**

This dispute, regarding the scope of the role of the priest anointed for war, seems to rest on a deeper ambivalence about the nature of his role. We see from the Torah’s description that going out to war requires both spiritual preparation – words of encouragement, which strengthen faith in God during the war – and human preparation – sending home those who are exempt from service and appointing commanders – and it is not clear which purpose necessitates the special appointment of a priest. Is his role primarily representative-spiritual, to remind the combatants of God, or is it to actually lead the people into battle? This question has practical ramifications for many of the *halakhot* connected to the details of the laws regarding this priest, some of which we will review here.

**The Content of His Words**

The Mishna in *Sota* lists the speech of the priest anointed for war as one of the things that must be recited in Hebrew only:

The following are recited in the holy tongue: the declaration made at the offering of the first fruits… the section of the king, the section of the *egla arufa*, and the priest anointed for war when he speaks to the people. (Mishna *Sota* 7:2; 32a)

The *Tosafot* note the Mishna’s change in wording:

If you ask: Let the *mishna* say: "the section of the *kohen mashuach milchama*," just as it says: "the section of the *egla arufa*" – it can be answered: It would be out of place to say "the section of the *kohen mashuach milchama*," for it was not given because of the mitzvaof recitation, but for the sake of exhortation. (*Tosafot*, *Sota* 42a, s.v. *mashuach milchama*)

What does it mean that the section of the *kohen mashuach milchama* was given "for the sake of exhortation"? Rabbi Yitzchak Zev Soloveitchik, the Griz, explains:

What they mean is that in the case of the *egla arufa*,it is a matter of reciting the section, which is not the case regarding the *kohen mashuach milchama*. (*Chiddushei ha-Griz, Sota* 32a)

Meaning, in the other cases mentioned in the *mishna*, there is a halakhic obligation to recite the Torah section*.* This is a matter of *reading*, similar to the obligation to read the Torah or to read the *Megilla* on Purim*.* In contrast, the role of the *kohen mashuach milchama* is not to "read a section" of the Torah before the people; rather, the point is the meaning of the words, to inspire the people so they will strengthen their hearts. The *Tosafot's* precise reading of the *mishna* relates to a very significant practical question – what exactly does the priest say to the people? The *Sefer ha-Chinukh* writes that the priest may add his own words to the address and expand on the message of the verses themselves:

And he adds further words of his own that arouse people to war and persuade them to endanger themselves to assist the religion of God and protect it, and to take vengeance upon the fools that destroy the arrangements of the states. (*Sefer ha-Chinukh*, *mitzva* 526)

On the other hand, it appears from the Rambam (*Hilkhot Melakhim* 7:3) that the priest must read the section as it appears in the Torah, neither more nor less, and the *Minchat Chinukh* writes in objection to the words of the *Chinukh*:

It also seems obvious that the priest and the officers are forbidden to add to the verses of the Torah, but must only say what the Torah commanded – as in the case of the Priestly Blessing, where it is forbidden to add a blessing, such as "The Lord your God…," as explained in tractate *Rosh Ha-shana* [28b]. Here too [that is the *halakha*] –for what would be the difference? – and this is included in the prohibition of *bal tosif* (adding to the *mitzvot*). Further examination is needed regarding the *Chinukh*,who writes: "And he adds further words of his own that arouse people to war"; from where does he derive this? For it is certainly forbidden to add, for what is the difference between this and all the other *mitzvot* and the Priestly Blessing? This requires further examination. (*Minchat Chinukh* on *mitzva* 526)

The *Minchat Chinukh* does not accept a distinction between the Priestly Blessing and the words of the priest anointed for war, but equates them explicitly: in both cases, there is a commandment that the priest recite a certain text; any addition to that text is no different from any other addition to a commandment, which is forbidden by the prohibition of *bal tosif*. Rabbi Samson Raphael Hirsch formulated this approach beautifully:

The priest anointed for war says exactly the words of the text in Hebrew (see *Sota* 32a, 42a) so that it is not his assurances but the promises laid down by God in His Torah and given for all times. Just as the Priestly Blessing has to be spoken in Hebrew and exactly in the words of the text of the Torah. (Rabbi Samson Raphael Hirsch, *Devarim* 20)

The *Chinukh* and the *Tosafot*, in contrast to these sources,dispute the comparison between the Priestly Blessing and other *mitzvot* of recitation, on the one hand, and the words of the *kohen mashuach milchama*, on the other. It seems that this dispute rests on our previous question, regarding the priest's involvement in actual combat. Is the role of the *kohen mashuach milchama* to bring the word of God to the warriors, similar to the general role of the priests, or does he also have a responsibility regarding the war itself, as a military and political leader, for the morale of the troops and the organization of battle? And relatedly, are the words that the Torah puts in his mouth his sole content – a kind of priestly benediction, a message from God to the soldiers of Israel – or are they just a portion and an example of a broader exhortation and encouragement that he would deliver?

**The High Priest and the Priest Anointed for War**

It may be that this question relates to the question of the relationship between the *Kohen Gadol* and the *kohen mashuach milchama*. The Gemara in *Horayot* lists the laws regarding which the *Kohen Gadol* differs from an ordinary *kohen* – for example, the Yom Kippur service and the eight garments – and at the end, it describes how the *kohen mashuach milchama* fits into this framework:

All these laws are inapplicable to a priest anointed for war, with the exception of five things that are specified in the Biblical section: He must not let his hair grow wild, nor may he rend his garments; he must not contract impurity [by contact with the dead bodies] of his relatives; he is commanded to marry a virgin and forbidden to marry a widow; and [his death] enables an accidental killer to return [from a city of refuge]; these are the words of Rabbi Yehuda. But the Sages say: He does not enable [the accidental killer] to return. (*Horayot* 12b)

The *kohen mashuach milchama* is not subject to the laws of the *Kohen Gadol* in regard to the Temple service, but he is bound by those pertaining to his personal status and conduct – marriage and impurity.[[1]](#footnote-1) The similarities and differences between the two offices raise the question: What is the essence of the difference between these two positions?

We can try to understand this by considering the question of how many garments are worn by a *kohen mashuach milchama*. We know that an ordinary *kohen* performs the service wearing four garments and the *Kohen Gadol* does so wearing eight garments; what about a *kohen mashuach milchama*, who is somewhere between them? While the *beraita* quoted above seems to indicate that he serves in four garments, the Gemara in *Yoma* records an Amoraic disagreement about the matter:

When Rav Dimi came [from Eretz Israel] he said: The priest anointed for war serves in the same [number of] garments as the High Priest, as it is stated: "And the holy garments of Aharon shall be for his sons after him" (*Shemot* 29:29) – for one who comes after him [i.e., whose rank is just below his] in greatness.

Rav Adda bar Ahava, and some say Kedi, raised an objection [from the following *beraita*]: [One] might [have assumed that] the son of the priest anointed for war succeeds him in service, just as the son of the High Priest succeeds him in service. Therefore, the verse states (ibid. v. 30): "Seven days shall he wear them, the son who is priest in his stead, who comes into the tent of meeting," [indicating that a son inherits his father’s position only in the case of] he who is fit to enter the tent of meeting [i.e., the High Priest]. Now if it were the case [that the priest anointed for war wears the same garments as the High Priest], then he [too] would be fit [to enter the tent of meeting]?

Rav Nachman bar Yitzchak said: This is what [the *beraita*] means: Whoever was anointed *primarily* for the [purpose of] the tent of meeting – excluding one who was anointed mainly for war. (*Yoma* 72b-73a)

Rav Dimi learns that the *kohen mashuach milchama* wears eight garments based on the statement that they are intended "for one who comes after him in greatness [of office]" – greatness that may find expression both in the appointment to the office of *Kohen Gadol* and in the appointment to the office of *kohen mashuach milchama*. But even if we assume there is no difference between them in terms of "greatness" and personal sanctity, there is no question that their functions are different: the *Kohen Gadol* is "anointed primarily for the purpose of the tent of meeting," whereas the *kohen mashuach milchama* is " anointed mainly for war." As Rashi puts it:

“He who is fit to enter the tent of meeting” – to atone in the Holy on Yom Kippur, of him I say to you "the son who is priest in his stead," that his son shall be in his stead, to the exclusion of one who is not “fit [to enter the tent of meeting”], because he is not the High Priest.

Thus, the tension here is between a High Priest and a priest who has a similar level of sanctity but whose function is different. This is further emphasized by a suggestion brought at the end of the discussion:

When Ravin came, he said: This [that the *kohen mashuach milchama* wears eight garments] was stated with reference to inquiry [by way of the *Urim* and *Tumim*]. It was also taught thus [in a *beraita*]: The garments in which the High Priest serves – the *kohen mashuach milchama* [wears] them for inquiry. (*Yoma*, ibid.)

That is to say, there is no dispute that a priest who was anointed for war does not enter the Holy of Holies wearing four garments. The discussion here applies in the context of inquiring through the *Urim* and *Tumim*; for this action, which expresses the role of the priest who was anointed for war, as an appointee of the people of Israel, in the Temple, there is a rationale to say that he wears eight garments.[[2]](#footnote-2)

This passage increases our uncertainty regarding a priest who was anointed for war from the other direction – not to what extent he belongs to the world of war, but to what extent he belongs to the world of the Temple: Perhaps his primary appointment is to be an important priest who brings God’s word to the fighters – in which case, his role is analogous to that of the High Priest and it is possible that he would wear the eight garments on certain occasions – or perhaps his appointment relates to conducting war, while his spiritual identity as a priest is secondary – so that even in the context of inquiry by way of the *Urim* and *Tumim*, he is considered as an "outside" representative and dresses like an ordinary priest.

Another point related to this question is whether the *Kohen Gadol* can serve as a priest anointed for war. If the main function of the *kohen mashuach milchama* is to represent the priestly tribe as God’s representatives and as custodians of the people's relationship with Him, the *Kohen Gadol* can do this just as well as (and perhaps even better than) an ordinary priest who is anointed for this position; for in terms of his personal status, he certainly represents the priestly tribe (perhaps even better than the *kohen mashuach milchama*). But if we are dealing with a different function that requires additional abilities, perhaps the *Kohen Gadol* would be unable to fill this role.

The Gemara in *Sota* raises the possibility that it is indeed the *Kohen Gadol* who recites these verses before the people:

Our Rabbis taught: "The priest shall approach and speak to the people" (*Devarim* 20:2). You might think that any priest who so desires [may address them]; therefore, the verse states (ibid. v. 5): "And the officers shall speak" – just as the officers were appointed, so must the priest have been appointed [for the purpose]. But I might say that it is the High Priest [who addresses them]! It is analogous to an officer; just as an officer is one who has a superior appointed over him, so also the priest [who addresses the people] has a superior appointed over him. (Sota 42a)

The Gemara argues that the Torah is speaking of another priest, who has a superior appointed over him, and it is not the *Kohen Gadol* who addresses the people before battle. However, it is not clear whether it is an indispensable requirement that there be a superior over the *kohen mashuach milchama*, or whether the Torah is teaching us that the *kohen mashuach milchama* does not *have* to be the *Kohen Gadol*, but we may still appoint him to that office if we wish.

The Meiri argues that the position of *Kohen Gadol* is indeed separate from that of the *kohen mashuach milchama*:

"And the officers shall speak" – just as the officer is by appointment, so too the priest anointed for war is by appointment; but if not by appointment, no, not even a High Priest or his deputy. (*Beit ha-Bechira*, ad loc.)

The Griz, however, cites his brother, Rabbi Moshe Soloveichik, and their father, Rabbi Chayyim Brisker, who was inclined to say that a *Kohen Gadol* is indeed qualified:

As for that which the Gemara says: "But I might say that it is the High Priest [who addresses them]! It is analogous to an officer; just as an officer is one who has a superior appointed over him..." – there is uncertainty. For it is possible to say that the Gemara's question, "But I might say that it is the High Priest," is that we specifically need a High Priest for this, and regarding this the Gemara answers that included in this is a priest who has a superior appointed over him – but a High Priest is certainly qualified. Or perhaps the Gemara answers that it is specifically a priest who has a superior appointed over him that is qualified, but not a High Priest, and the reason is that we need a priest who is anointed for his [specific] duty. He asked his father, R. Chaim, about this, and he too was slightly in doubt about it but was more inclined to say that the High Priest is fit to recite the section. (*Chiddushei ha-Griz, Sota* 42a)

As noted, this question depends on how we understand the role of the *kohen mashuach milchama*: Is he a representative of the priests, and by extension, of God; or is his particular charge broader than that of the *Kohen Gadol*, in which case he must be "anointed for his duty," as the Griz put it, as an independent and special appointment?

The question of the relationship between the role of a *kohen mashuach milchama* and that of a *Kohen Gadol* arises further in connection with another issue – the ability to pass the office on to one's heirs.

**Inheriting the Office of a Priest Anointed for War**

The Rambam writes that there is a law of inheritance regarding the High Priesthood, among other positions:

When the king, the High Priest, or any other appointed official dies, his son or anyone fit to inherit him is appointed in his place. (*Hilkhot Klei ha-Mikdash* 4:20)

But he rules in the next *halakha*, based on the Gemara in *Yoma* (73b), that this law does not apply to a *kohen mashuach milchama*:

The priest anointed for war – his son is not appointed in his place. Instead, [the son] is like all other priests: if he is anointed for war, he is anointed; if he is not anointed, he is not anointed.

This difference in the modes of appointment points toward the view that the office of the *kohen mashuach milchama* differs fundamentally from that of the *Kohen Gadol*, and indeed, this is how the Radbaz explains it:

It can be said to explain the matter that there is no inheritance regarding a priest anointed for war, for with respect to other positions, there is no concern even if the son is not fully like his father, but regarding a priest anointed for war, who must strengthen the hearts of the people in the face of war, they did not want this office to be hereditary; rather, everything is in accordance with the needs of the hour. (Radbaz, ad loc.)

According to him, the unique role of the *kohen mashuach milchama* precludes its being subject to inheritance, for it is not merely a representative position but one that requires certain abilities and skills in action. Rabbi Yosef Shalom Elyashiv took this idea in an even more practical direction:

But as for a priest anointed for war, here, he must take on a role in the functioning of the war, and this requires great skill. Therefore, as long as [the son] is not fully like his father – and nobody can be fully like his father – there is no room for inheritance. For this position, we are looking for a person who is completely qualified – not half, a third, or a quarter qualified – and therefore the principle of inheritance does not apply at all here. (Notes of Rabbi Yosef Shalom Elyashiv, Yoma 72b)

This position fits in well with the opinion we saw above that the High Priest should not also be the priest anointed for war, for we are dealing with an independent office with different requirements, and the two should not be confused.

**A Priest Anointed for War in Our Time**

Now that we have explored the function of the *kohen mashuach milchama* at length, and the question of whether his role is to represent the priesthood or to be the commander of the army, I wish to move on to discuss this relevance of this mitzvain our day.

The *Minchat Chinukh* cites the book *Yosifon*, which says Yehuda Maccabee was considered a *kohen mashuach milchama*, and he comments that this does not mean he held this title fully, for they did not have the anointing oil with which to anoint him:

That which is found in *Yosifon*,that Yehuda Maccabee, who was the son of Matityahu the High Priest, was a priest anointed for war – that is, that he was called that for the honor; however, he did not have the sanctity of a *kohen mashuach milchama* with regard to the five things. It also seems, regarding the *kohen mashuach milchama* speaking to the people in a time of war, as explained in tractate *Sota* and in the Rambam in chapter 7 of *Hilkhot Milchama*, that this does apply at all without the anointing oil, and this law did not apply during the Second Temple Period. (*Minchat Chinukh*, *mitzva* 107)

The *Minchat Chinukh* suggests that the status of a *kohen mashuach milchama* cannot apply when there is no anointing oil, and that his sanctity depends on being anointed. In his view, the title "*kohen mashuach milchama*" that was assigned to Yehuda Maccabee could only have been an honorific. Alternatively, the Griz (ibid.) suggests a resolution according to which Yehuda Maccabee read the verses in his role as *Kohen Gadol*: this position can be assumed by donning the additional garments of the *Kohen Gadol*, even without the anointing oil – and as we saw earlier, the Griz is of the view that the *Kohen Gadol* can fulfill the role of a *kohen mashuach milchama*.

The basic premise of the *Minchat Chinukh* and the Griz is that the law of the priest anointed for war is still relevant today in principle, and if we can succeed in working out the details – such as the issue of the anointing oil – the law is indeed applicable in our time. This does seem to be the case, and we can add two points: First, even if we have not been privileged to fulfill the mitzvaof a priest anointed for war in practice in our own day, we can learn from Yehuda Maccabee that the principles this section of the Torah teaches are still relevant: inspiring the troops with a fighting spirit and representing God even in the battlefield can make a real difference to the soldiers’ spirits and success in the war, as well as the sanctity and purity of the camp.

A second point emerges from the words of the *Chinukh*, who teaches two important things about this *mitzva*:

And this commandment is practiced by males, at a time when the Land of Israel is settled. And this is one of the commandments that is incumbent upon all of the community. (*Sefer ha-Chinukh*,526)

The appointment of the *kohen mashuach milchama* pertains only when the Land of Israel is settled, such that the wars are wars of the people of Israel, and it falls upon the entire community. It is possible that these *halakhot* reveal another important facet of the role and mission of the *kohen mashuach milchama*, which was noted by the *Sefat Emet*:

In the *midrash*: "When you cry out, your gathering will save you" (*Yeshayahu* 57:13) – it was taught: His gathering and the gathering of his sons saved him from Esav. For the main victory in war stems from the gathering and unification, and then Divine assistance comes, as it is stated: "For the Lord your God walks in the midst of your camp, to save you" (*Devarim* 23:15). Therefore, the priest anointed for war said: "Hear, O Israel" (ibid. 20:3) – in the merit of "Hear, O Israel," you are worthy to be saved. "Hear" is the gathering. And Yaakov, whose strength was great – nevertheless, the main victory was by way of the gathering. (*Sefat Emet*, *Vayeshev*, 5658)

Besides going to war and representing the priesthood and the Holy, the *kohen mashuach milchama* must also care for the unity of the people – to remind them in the time of war that indeed, we are all fighting for one cause and for the One God whose name is one, and therefore we too should be united among ourselves when going out to face the enemy.

**Summation**

In this *shiur*,we surveyed some of the laws governing the priest who was anointed for war: his role and his words to the people at the beginning of the war; his personal sanctity and its relationship to the sanctity of the High Priest; and the question of whether this commandment and office are relevant in our own day.

Accompanying our inquiry, with ramifications regarding many of the different laws we saw, was the question of how we should understand the essence of the role of this priest: Is he supposed to bring the word of God and His faith to the warriors in the field, as a representative of his fellow priests and their general mission of fostering the relationship between God and the Jewish people? Or, more than a priest, is he supposed to be a commander and a leader, responsible for the morale of the troops and leading them in the battle itself?

We concluded with the words of the *Sefat Emet*, who argues that the purpose of the priest's speaking to the people is not only to strengthen their faith in God but also to foster internal unity among the troops and the people, through which the Jewish people will merit Divine assistance.

(Translated by David Strauss; edited by Sarah Rudolph)

1. With the exception of the law of return for a killer who had been exiled, which is subject to disagreement, but this is not the forum to explore that topic. [↑](#footnote-ref-1)
2. In the *Yerushalmi* (*Yoma* 1:1), Rabbi Yona explains that this inquiry was carried out outside of the Temple: "Rabbi Yona said: Would he not serve inside, and would he not inquire outside?" This emphasizes that even regarding inquiring of the *Urim* and *Tumim*, there is a fundamental difference between the inquiry of the High Priest and the inquiry of a priest anointed for war. [↑](#footnote-ref-2)