**YESHIVAT HAR ETZION**

**KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**PARASHAT HASHAVUA**

**Rav Meir Shpiegelman**

**PARASHAT SHEMINI**

**The Sin of the Sons of Aharon**

The Torah mentions personal punishments twice, and both are startling in their severity. One is the punishment meted out to Moshe at Mei Meriva; the other is the punishment of the sons of Aharon in our *parasha* (chapter 10). The *midrashim* and commentators offer different explanations of what exactly Nadav and Avihu did to deserve their punishment; I, too, will try to shed light on this difficult episode.

**Why did the sons of Aharon sin?**

Most commentators who address this story start by trying to understand the “what” of the sin that brought on the punishment. I would like to proceed from a different starting point, with a question that is no less troubling: regardless of *what* the specific wrongdoing was, *why* did Nadav and Avihu sin? How could Aharon’s sons even think of wrongdoing on the day of the inauguration of the *Mishkan*, God’s house?

More specifically: According to a plain reading of the text, their sin lay in the fact that they offered a “foreign fire,”[[1]](#footnote-1) in which case we must ask how they could have dared to make such an offering, against Moshe’s instructions and on such an auspicious occasion. Alternatively, if we adopt the approach (cited in Rashi, *Vayikra* 10:2) that maintains their sin was entering the *Mishkan* in a state of inebriation, then our question is how Aharon’s sons could drink wine on a day when they knew they were to perform the Divine service for the first time.[[2]](#footnote-2)

Another problem that relates to this topic is how to understand the “argument” between Moshe and Aharon concerning the burning of the sin offering (10:16-20). Why does Moshe think the offering should have been eaten by the *kohanim* instead of being burned, and what does he learn from Aharon’s answer, such that the episode concludes with the words: “And Moshe heard [Aharon’s response], and it was pleasing in his eyes” (10:20)?

**The service of Aharon and the service of his sons**

If we examine the description of the sacrificial service on the eighth day of inauguration, we encounter a perplexing question: When Aharon offers his sacrifice, the Torah describes cooperation between him and his sons – Aharon slaughters the sacrifice and applies its blood to the altar, while his sons offer the blood on the altar:

And Aharon came near to the altar, and slaughtered the calf of the sin offering that was for himself. And Aharon’s sons brought the blood to him, and he dipped his finger in the blood and placed [it] on the horns of the altar, and he poured out the blood at the base of the altar. But the fat and the kidneys and the lobe of the liver of the sin offering, he made smoke upon the altar, as the Lord had commanded Moshe… And he slaughtered the burnt offering, and Aharon’s sons presented the blood to him, and he sprinkled it upon the altar round about. (*Vayikra* 9:8-12)

The Torah emphasizes this division of labor in its description of Aharon’s own sacrifices, but it seems the same division was followed when it came to the national sacrifices as well.[[3]](#footnote-3) What is the significance of this division? Clearly, Aharon’s sons – like any other *kohen* – were permitted to perform the service on the altar; why, then, did they neither sprinkle the blood nor bring the sacrifice on the altar?

**The Eighth Day vs. Yom Kippur**

In general, when the Torah talks about atonement by means of a sin offering, it uses the phrasing of *kappara al* (making atonement “for” someone); the sacrifice makes atonement *for* the person who brings it. In two places, however – Yom Kippur and – the Torah uses a different term: *kappara be’ad* (“atonement on behalf”):

*On the eighth day of the inauguration*: And Moshe said to Aharon: Draw near to the altar, and offer your sin offering and your burnt offering, and make atonement on behalf of yourself (*be’adecha*), and on behalf of (*be’ad*) the people, and perform the offering of the people, and make atonement on their behalf (*be’adam*), as the Lord commanded. (*Vayikra* 9:7)

*On Yom Kippur*:And Aharon shall bring (offer) the bull of the sin offering, which is for himself, and make atonement on his own behalf (*ba’ado*) and on behalf of (*u-ve’ad*)his household… and he shall make atonement on behalf of himself (*ba’ado*), and on behalf of (*u-ve’ad*)his household, and on behalf of (*u-ve’ad*) all the congregation of Israel… and he shall perform his burnt offering and the burnt offering of the people, and make atonement on behalf of himself (*ba’ado*) and on behalf (*u-ve’ad*) of the people. (*Vayikra* 16:6, 17, 24)

The use of the phrase “*be’ad*” in connection with Yom Kippur is easy to understand: the purpose of the sacrifices of Yom Kippur is to repair the *Mishkan*, which has become defiled in the wake of the sins of Bnei Yisrael – not to atone *for* Bnei Yisrael. We must therefore conclude that in our *parasha*, too – in connection with the sacrifices of the eighth day – the purpose of the sacrifices was to prepare the *Mishkan* for the Divine Presence and for the sacrificial service, rather than to atone for the people.

Another shared feature is that God is revealed to the nation (or its representative) on each of these days. On Yom Kippur, the *Kohen Gadol* encounters God when he enters the Holy of Holies; on the eighth day of the inauguration, God is revealed after the service of the outer altar. It is therefore logical that only Aharon could perform the service of the altar on the eighth day, just as only he is permitted to enter the Holy of Holies on Yom Kippur, and thus the other *kohanim* did not take part in this service.

In light of this comparison between the eighth day and Yom Kippur, we must now ask why Aharon’s sons performed *some* of the service on the eighth day. On Yom Kippur, as we know, the *Kohen Gadol* is the only one who may perform the service; none of the other *kohanim* do anything.[[4]](#footnote-4) Nevertheless, on the eighth day, the sons of Aharon pour the blood on the altar, rather than leaving everything to Aharon himself.

**The dual status of the *Kohen Gadol***

The Torah gives two different designations to the “chief *kohen*”: he is *ha-kohen ha-gadol mei-echav* (“the *kohen* who is greater/the greatest among his brethren,” *Vayikra* 21:10), and he is also the *kohen* “who has the anointing oil poured over his head” (ibid.). There is a fundamental difference between these two epithets: The first refers to the *Kohen Gadol’s* status in relation to the other *kohanim* and to the Sanctuary – for any situation in which a number of people are working together within a single system requires that there be someone in charge of the system. The *Kohen Gadol* has various obligations as part of his role in this context, arising from his special status and sanctity. The *Kohen Gadol* is also the only one of the *kohanim* who is anointed for all generations, and some of the special laws pertaining to him arise from this unique fact.

Thus, there are two complementary aspects within the role of the “chief *kohen*”: he is the *Kohen Gadol*, and he is also the “anointed *kohen*.” His sanctity as *Kohen Gadol* arises not from the fact that he is anointed, but from his role as being in charge of the *kohanim* – thus, anyone who functions as *Kohen Gadol*, even if he has not been anointed with the anointing oil, in imbued with the sanctity of the *Kohen Gadol*.[[5]](#footnote-5) Proof of this lies in the fact that when the Torah defines who will serve in the Tent of Meeting on the eighth day, it does so in terms of who has worn the priestly garments throughout the seven days of inauguration (*Shemot* 29:29-30); no mention is made of the anointing oil.[[6]](#footnote-6) This aspect of the sanctity of the *Kohen* *Gadol* arises from his role, and expires when his role ends. The sanctity of anointment is an entirely different matter: it is permanent,[[7]](#footnote-7) and it may perhaps even be transmitted from the *Kohen Gadol* to his sons.

The fact that Aharon’s role comprises at least two parts (in fact there are more) invites a study of which laws pertain to his status as *Kohen Gadol* and which to his status as “the anointed *kohen*.” For example, the Torah emphasizes that the “*par he-eleim davar*” (a bull brought as a sin offering in the case of unwitting violation of a prohibition for which the punishment is *karet*) of the *Kohen Gadol* is related to his status as the “anointed *kohen*” (*Vayikra* 4:3), and this is also reflected in the *halakha* (*Hilkhot Shegagot* 15:6). In contrast, *Parashat Tzav* indicates that the wearing of the eight special garments relates to his role as *Kohen Gadol*. The special laws with regard to marriage and mourning may be related to both aspects, since the Torah gives them a dual explanation (*Vayikra* 21:10).

**The status of the *kohanim***

At the end of *Sefer Shemot* (40:15), the Torah states explicitly that the sons of Aharon were anointed with the anointing oil.[[8]](#footnote-8) For future generations, only the *Kohen* *Gadol* would be anointed, but it is possible that generally, *kohanim* usually inherit the sanctity of anointment from their fathers, and only the sons of Aharon – who were born before their father was anointed – needed to be anointed themselves. The status of the *kohanim* of that generation was therefore an intermediate one: somewhere between a *Kohen Gadol* and a regular *kohen*. Perhaps the laws related to the role of the *Kohen Gadol* as the one responsible for the *kohanim* did not apply to the rest of the *kohanim*, while the laws pertaining to his anointment did apply, in that generation, to all the *kohanim*, who were also anointed.

Proof for this may be cited from the Torah and *halakha* together. First, after the deaths of Nadav and Avihu, Moshe commands Elazar and Itamar not to dishevel their hair and prohibits them from becoming ritually impure by attending to the burial of their deceased brothers (and he therefore summons their cousins to remove Nadav and Avihu from the Tent of Meeting). For future generations, however, a *kohen* is permitted – and in fact obligated – to attend to the burial of a close family relative who has died; thus, the prohibition of becoming impure, which for future generations applied to the *Kohen Gadol* alone, also applied in that generation to Aharon’s sons, who had been anointed.

A further proof from *halakha* may be found in the Gemara in *Yoma* 42b, which cites a dispute as to whether a regular *kohen* may handle the *para aduma* (red heifer). The dispute seems odd; the very first *para aduma* is dealt with by Elazar, who is a regular *kohen*![[9]](#footnote-9) We have no choice but to conclude that the Gemara is unsure whether a *para aduma* must be handled by a “*kohen* who is anointed.” For future generations, any “*kohen* who is anointed” is by definition a *Kohen Gadol*, and thus, the practical significance of the dispute is whether a *Kohen Gadol* is required for a *para aduma*. Elazar, who prepared the ashes of the first *para aduma*, was a regular *kohen* who was anointed, and therefore we cannot conclude, based on his example, that a regular *kohen* in future generations may perform this duty. The Rambam (*Hilkhot Para Aduma* 1:11-12) rules that a regular *kohen* may in fact deal with the *para aduma*; moreover, if the *Kohen* *Gadol* does do so, he wears only the four garments of the regular *kohen*.[[10]](#footnote-10) Thus the *halakha* emphasizes that, in principle, the person who prepares the ashes of the *para aduma* should be a regular *kohen*, wearing just the four regular priestly garments. Even according to the opinion that only the *Kohen Gadol* may engage in this duty – this is only because he is the sole “anointed *kohen*,” and therefore the Torah permits him to perform the service wearing the four regular garments.[[11]](#footnote-11)

**The mistake of the sons of Aharon**

Now we can come back to the question with which we began, and suggest that while Aharon’s sons knew that only the *Kohen Gadol* was authorized to perform the sacrificial service of the eighth day (just as only the *Kohen Gadol* may perform the service of Yom Kippur), they thought this law applied to him in his capacity as the “*kohen* who was anointed,” rather than as “*Kohen Gadol*.” Aharon’s sons were also qualified to handle the blood, indicating that they were not excluded from the service of the eighth day; thus, requiring the *Kohen Gadol* specifically was apparently a show of respect to him, rather than a halakhic necessity.

Just as the Sanctuary is sanctified by means of the anointing oil, so the sons of Aharon were sanctified with that same oil, and therefore they thought they were entitled to serve there.[[12]](#footnote-12) However, it turned out that they sinned by offering “a foreign fire, which He had not commanded *them*.” Since *they* had not been commanded to bring the fire, it became “foreign fire.”

According to the above explanation, the sin of Nadav and Avihu arose not out of willful rebellion, but rather out of a mistake. The real reason his sons were eligible to offer the blood on the eighth day lies in a difference between the eighth day and Yom Kippur: on Yom Kippur, the *Kohen Gadol* must make atonement for the nation, which can be done by him alone; on the eighth day of the inauguration, on the other hand, the *Kohen Gadol* performed the service because the Divine Presence would be revealed above the altar, while aspects of the service that were not related to the altar could be performed by other *kohanim* as well.[[13]](#footnote-13)

In light of this understanding of the mistake of Nadav and Avihu, we can also understand the exchange between Moshe and Aharon regarding the sin offering. Perhaps Moshe thought that Elazar and Itamar could eat the goat of the sin offering, since they had been anointed with the anointing oil; as he understood it, any *kohen* who is anointed continues to perform the service in the Sanctuary even if he is in mourning, and therefore Elazar and Itamar, who had been anointed, should continue to serve despite their brothers’ death.[[14]](#footnote-14) Aharon, for his part, reminds Moshe that his sons died because they brought a fire to the altar despite not being *Kohanim Gedolim*, and in his understanding, even the license to perform the sacrificial service at a time of mourning applies specifically to the *Kohen Gadol*, not to every “*kohen* who is anointed.”

This explanation still leaves us with a question. Moshe is angry with Aharon and his sons because they didn’t eat the sin offering in the Tent of Meeting. Aharon offers only a partial response: he explains why he himself did not eat the sin offering, but does not explain why his sons refrained:

And Moshe diligently inquired… saying: “Why did you not eat the sin offering in the place of the Sanctuary? … [You should] certainly have eaten it in the Sanctuary, as I commanded.”

And Aharon spoke to Moshe: “Behold, today they offered their sin offering and their burnt offering before the Lord, and such [things] as these have befallen me; if I had eaten the sin offering today, would it have been pleasing in the eyes of the Lord? (*Vayikra* 10:16-19)

Perhaps the Torah is combining two different explanations. One line explains why Aharon’s sons did not eat the sin offering: because they were not *Kohanim Gedolim* and were not permitted to eat the sin offering in their state of mourning. An additional explanation addresses why Aharon himself could not eat the sin offering that day.

**The fire of revelation is the fire that kills**

What was the purpose of the fire that came down from the heavens on the eighth day? Moshe tells *Am Yisrael* in advance that the purpose of the sacrifices is to ready the Sanctuary and the nation for the revelation of God:

And Moshe said: This is the thing which the Lord commanded you should do, [so that] the glory of the Lord may appear to you. (*Vayikra* 9:6)

It is clear from the verses that God’s revelation was realized in the fire that descended from heaven and consumed the sacrifices on the altar:

“And fire came forth from before the Lord and consumed upon the altar the burnt offering and the fats, and all the people saw, and they shouted and fell upon their faces. (9:24)

And the Torah uses the very same words to describe the burning of Aharon’s sons:

“And fire came forth from before the Lord and consumed them, and they died before the Lord.” (10:2)

The conspicuous repetition of the same formula indicates that there is a connection between the two events. The fire in which God is revealed, and which consumed the burnt offering and fats on the altar, is the same fire that burns Aharon’s sons.

**Aharon’s punishment**

The sin offering that Aharon brought on the eighth day was a calf – but nowhere else do we find a calf being brought as a sin offering. It would therefore seem that the purpose of sacrificing this calf is (inter alia) an atonement for the episode of the golden calf, in which Aharon played a central role. We know that one of the principles of *teshuva* is that “one who causes the collective to sin – he is not given a chance to do *teshuva*” (*Avot* 5:18), and a *kohen* who engaged in idolatry is not permitted to perform the priestly blessing.[[15]](#footnote-15) It is exceedingly difficult to understand how Aharon, who indirectly caused this most grave sin of *Am Yisrael*, later becomes the *Kohen Gadol*. As I have explained elsewhere, Aharon’s appointment reflects not just his personal status, but also a desire to create a connection between the priesthood, teaching God’s law, and kingship.

But the Divine attribute of justice is not left wanting, heaven forfend. After the deaths of Aharon’s sons, Moshe tells him, “This is as the Lord spoke, saying: ‘Through those who are close to Me I shall be sanctified, and before all the people I will be glorified’ (*Vayikra* 10:3) – and Aharon is silent. Where did God say such a thing? It seems that just as God will punish *Am Yisrael* in the future for the sin of the golden calf – “but on the day of My visiting [or “remembrance”], I will visit [or “remember”] their sin upon them” (*Shemot* 32:34) – so He will also punish Aharon in the future. He cannot be punished with the loss of his own life, since he is destined to be the *Kohen Gadol*; instead, God exacts punishment through his sons. The same fire that burns the fats and seals the sanctification of the *Mishkan* and of Aharon himself – it also burns Nadav and Avihu. Aharon’s silence reflects not only acceptance of God’s judgment, but an actual inability to respond. How can a father respond when God tells him that he is “responsible” for his sons’ death?!

When Moshe sees that the goat of the sin offering was burned, and Aharon and his sons did not eat it, he fears that this is Aharon’s reaction to the death of Nadav and Avihu; it would be quite reasonable if, after discovering that his sons were killed because of the need to make him *Kohen Gadol*, Aharon would wish to give up his priesthood altogether. Moshe fears that the burning of the goat is an expression of defiance towards God, and a refusal to accept the position of *Kohen Gadol*. He is reassured, however, once Aharon explains that that is not the case: the burning of the goat does not express a relinquishing of the position; rather, he cannot eat of the goat because it reminds him of what happened as a result of his own sin.

We can now understand why there are two parallel explanations for the burning of the goat. Aharon’s sons cannot eat it while they are in mourning because they are not considered *Kohanim* *Gedolim*, and Aharon himself cannot eat it because of what has happened to him. And indeed, Moshe accepts Aharon’s explanation:

“And Moshe heard, and it was pleasing in his eyes.”

(Translated by Kaeren Fish; edited by Sarah Rudolph)

1. *Vayikra* 10:1; *Bamidbar* 3:4, 26:61. [↑](#footnote-ref-1)
2. Aharon and his sons had spent the entire seven days of “*miluim*” (preparation) in the Tent of Meeting, and we may assume that they knew this was not an appropriate place in which to drink – especially when they were due to perform the sacrificial service the next day. The opinion in *Chazal* that attributes to them the sin of entering the *Mishkan* in a state of inebriation seems to have emerged from an attempt to connect their sin with that of Noach after the Flood. After the seven days, the sons of Aharon felt their role had ended and they could now permit themselves a greater measure of freedom – like Noach drinking wine after the Flood. It is difficult to accept this explanation of *Chazal* literally, however, in view of the explicit statement in the text as to what Nadav and Avihu did. [↑](#footnote-ref-2)
3. Concerning the sacrifices of the nation, the Torah states only, “And the people’s offering was presented… and he slew it and he offered it as a sin offering, like the first” (9:15). There is no reason to conclude that the sacrifice was necessarily performed by Aharon himself; it is possible that his sons acted as his agents. [↑](#footnote-ref-3)
4. Regarding the question of which parts of the Yom Kippur service must be performed specifically by the *Kohen Gadol*, see the *Maor ha-Gadol* and *Milchamot Hashem* on the beginning of *Masekhet Yoma*.

Furthermore, the slaughter of the sacrifice, in particular, is done by Aharon, even though it *could* be carried out by others. However, it may be that the reason for this is not his role as *Kohen Gadol*, but rather his status as the owner of the sacrifice: with all sacrifices, the slaughter is to be performed by the owner; only if the owner is unable to do so will a *kohen* slaughter the animal in his stead. This is suggested by the verses at the beginning of *Parashat Vayikra* (1:2-5), and by the Gemara in *Pesachim* 7b. With regard to the sacrifices of the people on the eighth day, too, perhaps Aharon performs the slaughter as a representative of the people, paralleling his role as their representative on Yom Kippur, when he confesses their transgressions. [↑](#footnote-ref-4)
5. It might also be possible to remove the *Kohen Gadol* from his level of sanctity – see *Yoma* 12b, “*Kohen* *Gadol* - because of animosity.” [↑](#footnote-ref-5)
6. See *Yoma* 5a. It is possible that the difference of opinion between the Rambam and Ra’avad (*Hilkhot Klei ha-Mikdash* 4:13) is also related to this issue, but I will not elaborate further here. [↑](#footnote-ref-6)
7. The Rambam (*Hilkhot Shegagot* 15:7) rules that a *kohen* who was anointed but is no longer serving will still bring a “*par he-eleim davar*” (a bull brought as a sin offering in the case of unwitting violation of a prohibition for which the punishment is *karet*). [↑](#footnote-ref-7)
8. Admittedly, other verses (for example, *Shemot* 29:7-9) suggest they were *not* anointed. This seeming contradiction might be resolved by proposing that there are two different aspects to the anointing, and Aharon’s sons were anointed concerning just one aspect. This discussion deviates from the subject of our discussion, but in any case, it does not contradict the approach presented here, in which Aharon’s sons were in fact anointed. [↑](#footnote-ref-8)
9. The Gemara cites a verse with a view to drawing a distinction between that first red heifer and those of the future, but the reasoning behind this distinction is not entirely clear. [↑](#footnote-ref-9)
10. We know that if the *Kohen Gadol* performs any other service in the Sanctuary wearing any less than his full eight priestly garments, his service is rendered invalid. We must therefore explain (as noted in the *shiur* on *Parashat Tetzaveh*) that the requirement to wear the eight garments applies only within the Sanctuary. [↑](#footnote-ref-10)
11. Further proof of the distinction between the “*Kohen Gadol*” and the “*kohen* who is anointed” may be brought from the special laws regarding the “*kohen* anointed for war” (*Yoma* 72b). [↑](#footnote-ref-11)
12. There is no need to get into a discussion of whether Aharon’s sons brought their “foreign fire” in the Sanctuary or in the courtyard, since on the eighth day, they were prohibited from offering incense even in the courtyard. [↑](#footnote-ref-12)
13. As explained above, the slaughter was performed by Aharon because he was considered the owner of the sacrifice, not because of his status as *Kohen Gadol*. [↑](#footnote-ref-13)
14. The Torah explains the prohibition against the *Kohen* *Gadol* leaving the Sanctuary due to bereavement with the words: “for the consecration of the anointing oil of his God is upon him” (*Vayikra* 21:12). [↑](#footnote-ref-14)
15. Editor’s note: see *Menachot* 109 with *Tosafot*, s.v. *lo yeshamshu ba-mikdash be-Yerushalayim*. [↑](#footnote-ref-15)