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Halachos of Birkas Kohanim – 1

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The Mitzva of Birkas Kohanim

Halachos

1. It is essential that Kohanim, who give a bracha to Hashem's nation, know the halachos of Birkas Kohanim well to be able to fulfill the mitzva with the proper care and precision. It is equally vital for Yisre'eilim receiving the bracha to know the halachos, as many points apply to them—how to receive the bracha, how to call out the bracha to the Kohanim, in which places is the minhag to do Birkas Kohanim, etc. Thus, we set forth here the common and applicable halachos so that Kohanim will give the bracha properly and Yisre'eilim will receive the bracha properly.

The Mitzva

2. **For the Kohen.** It is a mitzvas asei d'oraisa for Kohanim to bless Bnei Yisroel with uplifted hands (גמ' סוטה דף ל"ח ע"א, רמב"ם פט"ו) (תפילה הי"ב), as the posuk says (פ' נשא ו, כ"ג), "כה תברכו את בני ישראל". Hashem, in His great goodness, wanted His nation to get a bracha specifically through the Kohanim, as they are constantly in the house of Hashem; their thoughts are completely attached to His avoda; and their souls are bound to His yirah all day. In their zechus, the bracha will take effect on them; all their actions will be blessed; and the pleasantness of Hashem will be on them (חינוך מצוה שע"ח).
3. **For the Yisroel.** Some say that just as the Kohen has a mitzva to give the bracha, the Yisroel has a mitzvas asei to receive the bracha (הפלאה כתובות כ"ד ע"ב בשם ס' חרדים, שו"ת חת"ס אור"ח סי' כ"ב, באור הלכה סי' הפלאה כתובות כ"ד ע"ב בשם ס' חרדים, שו"ת חת"ס אור"ח סי' כ"ב, באור הלכה (ריש סי' קכ"ח). However, some hold it is not a full mitzvas asei, but there is an element of mitzva for the Yisroel receiving the bracha too (שו"ת מהרש"ם ח"ח סי' כ"ה).

Nowadays

4. **D'rabanen.** Some say that now that there is no Beis HaMikdash, mid'oraisa this mitzva does not apply; it is only d'rabanen. This is either because the chiyuv d'oraisa is only when the Shem HaMeforash is said, as it was in the Beis HaMikdash (ישועות יעקב) or because the yichus of Kohanim today is uncertain (מור וקציעה סי' קכ"ח, שו"ת בית אפרים אור"ח סי' ו').
5. **D'oraisa.** However, most poskim hold it is a mitzva d'oraisa even today (שער הציון סוף סי' קכ"ח).

Everywhere

6. Strictly speaking, the mitzva of Birkas Kohanim applies at all times and in all places (חינוך שע"ח), even chutz l'aretz. However, for various reasons, many communities in chutz l'aretz today only do Birkas Kohanim at Mussaf of Yom Tov, as will be explained.

In Chutz L'Aretz and Eretz Yisroel Today

Chutz L'Aretz

7. Strictly speaking, the mitzva of Birkas Kohanim applies both in Eretz Yisroel and chutz l'aretz at all times, i.e., at every tefilla that has no issue of drunkenness, as will be explained (in the coming issue, א"י). However, the minhag in most places is to do Birkas Kohanim less frequently in chutz l'aretz. We will mention various reasons and minhagim.

Ashkenazim

8. It has been the minhag in the countries of Ashkenaz for almost 800 years to only do Birkas Kohanim on Yom Tov and the Yamim Nora'im, and even then, only in Mussaf, not the other tefillos (מהר"ם מרונבנר, תשב"ץ, כלבו, מהר"ל הובא בשו"ת בית אפרים סי' ו'). We will cite several reasons for this (below, 13 and on).

Sefardim

9. **Every day.** There are differing minhagim among Sefardim regarding Birkas Kohanim in chutz l'aretz. Some have the minhag to do it every day, like in Eretz Yisroel (שו"ת צ"א ח"ז סי' ו'). This is the most common minhag today among Sefardim in chutz l'aretz.
10. **Every Rosh Chodesh.** Some Sefardim in chutz l'aretz do Birkas Kohanim every Rosh Chodesh (בשם הר"ח אלפנדרי).
11. **Days with Krias HaTorah.** Some do Birkas Kohanim on days with Krias HaTorah (מנהג איזמר, ס' כה תברכו, מערכת כ' אות ב').
12. **Every Shabbos.** Some do Birkas Kohanim every Shabbos (מנהג אטליה ואמשטרדם, חיד"א בשו"ת יוסף אומץ סי' ע', שו"ת זרע אמת ח"ג סי' י"ג).

Reasons to Minimize Birkas Kohanim in Chutz L'Aretz

13. **Lack of simcha.** One reason given by the poskim is that Kohanim are not joyous most times, so they cannot give the bracha properly. On a regular Shabbos, they are not joyous because they are distracted by thoughts of parnassa, and on regular weekdays, they are distracted when they are delayed from going to work (רמ"א סי' קכ"ח סמ"ד ע"פ ביאור המ"ב ס"ק קס"ז). They are only joyous enough at Mussaf, when they will be leaving shul to rejoice in the simchas Yom Tov (רמ"א שם). There is Birkas Kohanim at Mussaf of Yom Kippur in chutz l'aretz too because of the joy that comes with forgiveness for sins (מ"ב ס"ק קס"ז).
14. **Lack of tevila in a mikva.** Some write that the reason to minimize Birkas Kohanim in chutz l'aretz is because the minhag of Kohanim is to go to the mikva before Birkas Kohanim (עי' מ"ב ס"ק קס"ה), and it is difficult to do so at times (שו"ת מהר"ל החדשות סי' כ"א). However, some question this reason, as going to the mikva is not essential to the mitzva, so this would not be enough of a reason to nullify a mitzvas asei.
15. **Tefilla in the place of avoda.** Some explain the above reason (13) that the Torah mentions Birkas Kohanim after the avoda. Since tefilla takes the place of avoda, tefilla without kavana is like an undesirable korban, and during the week, when people are busy with their work, they do not have the requisite kavana. Alternatively, the minyan is compromised in its status of a tzibbur, which is necessary for Birkas Kohanim (מור וקציעה דמורידים וזמנים). These reasons do not apply on Yamim Tovim, when people daven properly, without distractions (ג' חת"ס סוף סי' כ"ג, שו"ת חת"ס אור"ח סי' ו').
16. **Yichus of Kohanim.** One posek writes that the reason is because today's Kohanim only have a chazaka [assumed status], not true yichus. If a Kohen is really a Yisroel, he violates a mitzvas asei by doing Birkas Kohanim and also makes a bracha l'vatala, and the Yisre'eilim do not get a bracha. Thus, there was a need to minimize Birkas Kohanim in chutz l'aretz. However, it was allowed at Mussaf on Yom Tov so that the concept of Birkas Kohanim would not be forgotten altogether (שו"ת בית אפרים סי' ו').

17. **סוד ה' ליראיו**. There were some outstanding tzaddikim who tried at times to restore the original minhag of daily Birkas Kohanim in chutz l'aretz (הבעל התניא, הגר"א הובא בפסקי תשובות סי' קכ"ח הע' 415) but were prevented min haShomayim in all kinds of extraordinary ways. These tzaddikim saw there is some obstacle min haShomayim preventing Birkas Kohanim in chutz l'aretz. Since then, it became the established minhag of Ashkenazim not to do Birkas Kohanim in chutz l'aretz besides for at Yom Tov Mussaf.

In Eretz Yisroel

18. **Minhag Yerushalayim**. The minhag in Eretz Yisroel is to do Birkas Kohanim every day (מ"ב ס"ק קס"ד). However, this is not the minhag of Ashkenazim everywhere in Eretz Yisroel. In Yerushalayim, even Ashkenazim do Birkas Kohanim every day, as there are several areas in halacha where they accepted the psak of the Beis Yosef in Eretz Yisroel (פאת השלחן הל' א"י סי' ב' סט"ז). Today, there are also many cities in Eretz Yisroel with communities of people who left Yerushalayim where they do Birkas Kohanim every day.
19. **Galil**. Many Ashkenazim in the cities of the Galil only do Birkas Kohanim at Mussaf, e.g., on every Shabbos and Yom Tov—some also do so on Rosh Chodesh—but not at Shacharis on weekdays (עיר הקודש והמקדש ח"ג פכ"ה ס"ו, שו"ת מנחת יצחק ח"ה סי' א' וב'). This was implemented after mass immigration to Eretz Yisroel as a sort of compromise between the minhag Eretz Yisroel and the minhag of those who came from the countries of Ashkenaz.

Follow the Local Minhag

20. One should never deviate from the local minhag. Thus, a ben chutz l'aretz in Eretz Yisroel should follow the minhag Eretz Yisroel and go up for Birkas Kohanim. Similarly, a ben Eretz Yisroel in chutz l'aretz should follow the local minhag and not do Birkas Kohanim on a weekday. We will now go through some of the details of these halachos.
21. **Minyan of bnei Eretz Yisroel in chutz l'aretz**. If there are ten bnei Eretz Yisroel making their own minyan in chutz l'aretz, they may do Birkas Kohanim. Since they are all bnei Eretz Yisroel and there are no bnei chutz l'aretz among them, they may follow the minhag Eretz Yisroel (ארחות רבינו ח"א עמ' ס"ז). Similarly, ten bnei Eretz Yisroel on an airplane without bnei chutz l'aretz there may do Birkas Kohanim (תשובות והנהגות ח"ב סי' קי"א).

Bnei Eretz Yisroel Going to a Sefardi Shul in Chutz L'Aretz

22. **Kohen**. An Ashkenazi Kohen from Eretz Yisroel in a Sefardi shul may do Birkas Kohanim with the Sefardim since it is also his minhag to do Birkas Kohanim every day. He is also not deviating from the local minhag since he is among people who do Birkas Kohanim every day even in chutz l'aretz (שו"ת רבבות אפרים ח"ו סי' נ"ז).
23. **Yisroel**. Similarly, a Yisroel from Eretz Yisroel who wants to get the bracha from the Kohanim may go to a Sefardi shul in chutz l'aretz to get the bracha; some exceptionally great people from Eretz Yisroel specifically went to a Sefardi shul for the bracha. However, a ben chutz l'aretz should not intentionally join a Sefardi minyan for the bracha, as a ben chutz l'aretz should not seek to deviate from the minhag of bnei chutz l'aretz (הגרש"א, הליכות שלמה פי"א אות ב').

Kohen from Eretz Yisroel in Yom Tov Sheini Minyan

24. The poskim discuss whether a Kohen from Eretz Yisroel in a minyan of bnei chutz l'aretz may also do Birkas Kohanim at Mussaf of Yom Tov sheini, being that he is not obligated in the tefilla of Yom Tov sheini.
25. **Sofeik**. Some are unsure about this, as Birkas Kohanim is in place of avoda, and a ben Eretz Yisroel is not obligated in Mussaf that day, so he has nothing to do with Mussaf that day to allow him to do Birkas Kohanim. Thus, they recommend joining the Kohanim from chutz l'aretz for Birkas Kohanim, but without the bracha of "אשר קדשנו". If he is the only Kohen, b'dieved he can rely on the poskim who allow him to make a bracha too (מהר"א הלוי בשו"ת גינת וורדים כלל א' סי'). (י"ג הובא בשערי תשובה סי' תצ"ו סק"ד, שו"ת שבט הלוי ח"ג סי' צ"ז).
26. **Mutar**. Others hold he may even make a bracha on Birkas Kohanim since a ben Eretz Yisroel can do Birkas Kohanim by day when there is Chazoras HaShatz multiple times a day. If he is in chutz l'aretz and the local Kohanim are doing Birkas Kohanim, he can make a bracha with them. If he is in Eretz Yisroel in a bnei chutz l'aretz minyan, he may certainly say the bracha with them, as the minhag Eretz Yisroel is to do Birkas Kohanim even on a weekday (מהר"ם בן חביב הובא בשו"ת שם); one can rely on this l'chatchila (באר משה עמ' מ"ז, סי' יו"ט שני כהלכתו בשם בעל אג"מ).

Kohen as Shliach Tzibbur

27. The poskim discuss whether a Kohen serving as the shliach tzibbur in chutz l'aretz should have in mind when saying "אלוקנו" to fulfill the mitzvas asei of Birkas Kohanim, thereby giving the tzibbur the zechus of Birkas Kohanim from a Kohen, or whether it is better to just have in mind that it is a tefilla, not the mitzvas asei.
28. One posek says it is commendable to have a Kohen serve as the shliach tzibbur for Chazoras HaShatz so he can have in mind to fulfill the mitzvas asei of Birkas Kohanim, as the bracha of "אשר קדשנו בקדושתו של אהרן" is not essential. The tzibbur will receive the bracha and answer "Amen" (משמרת שלום סי' י' אות ט').
29. However, others argue. They hold lifting the hands is part of the essential form of the mitzva, without which it is invalid. Since the Kohen-shliach tzibbur does not turn to the tzibbur or lift his hands, he would be violating "כל תגרע" by doing the mitzva in a form not prescribed to him in the Torah. In fact, it would be better for him to have in mind that it is just a tefilla and *not* to fulfill the mitzva (שו"ת קנין תורה ח"ז סי' י"א, מרן פוסק הדור בתשובות והנהגות ח"ב סי' ק"ב).

Halachos Pertaining to Those Receiving the Bracha Like Receiving a Bracha from Hashem

30. We mentioned (above, 3) that some hold there is also a mitzvas asei for a Yisroel to receive the bracha. Even if it is not a mitzva, there is certainly an element of mitzva in listening to Birkas Kohanim, as doing so demonstrates emuna in the bracha of Hashem via Birkas Kohanim. The more one believes and internalizes the emuna and awareness of Hashem, to accept upon himself Hashem's malchus and that Hashem is the Source of all brachos, the more he makes himself fit to receive the abundant flow of bracha, as the posuk says, "ושמו את שמי על בני" (עקידת יצחק שער ע"ד) "ישראל ואני אברכם".
31. **Opening the hands as if receiving something**. Lately, there are those who, as a segula, open their two hands during Birkas Kohanim, like a person receiving something from his friend. Doing this demonstrates and illustrates the reality that one is truly receiving a bracha from Hashem through his messengers—"These Kohanim are messengers of Hashem" (מפי הגר"א לאפיאן). [This is akin to the minhag (בן איש חי שנה א' פ' יגש סי"ב) of spreading the hands toward Shomayim when saying the posuk "פותח את ידיך" as a symbolic action for one's mazel to receive the flow of bracha from Above (וודרת וחקרת מילואים סי' י"ג אות ד' עמ' של"ט).]

Not Leaving During Birkas Kohanim

32. Thus, one who is in shul when the Kohanim are called up to give a bracha to the tzibbur may not leave the shul if he has not yet heard Birkas Kohanim that day. Even if he did hear it that day, it is proper not to leave while the Kohanim are standing to give the bracha in order to show the importance of the matter (ק"ק קמ"ט).
33. Since there is an element of mitzva for those receiving the bracha as well, they should also have in mind to receive Birkas Kohanim with awe and reverence (כ"ה החיים ס"ק קל"ח). They should focus on the words of the bracha and not distract themselves by looking around, learning a sefer, or the like. They should certainly not interrupt with speech (שו"ע סי' קכ"ח סכ"ג).

