

## For a seven-day period, the Kohen who succeeds him from his sons, who shall enter the Ohel Moed to serve in the Sanctuary shall wear them. (29:30)

The son of the *Kohen Gadol* (if he is worthy) takes precedence over any other *Kohen* to succeed his father. Two *Kohanim* actually served in the positions of *Kohen Gadol* – the regular High Priest – and *Kohen Mashuach Milchamah* – a *Kohen Gadol* ordained specifically prior to the nation's entrance into a war. This latter one was a specially designated *Kohen Gadol* whose purpose it was to address the nation and give his charge before the battle, encouraging them that Hashem will protect them. The *Kohen Mashuach Milchamah* is forbidden to marry a widow and may pose questions to the *Urim v'Tumim*. The function of the *Kohen Mashuach Milchamah* was just that: to address the nation prior to war. Such a *Kohen* could go through life with the august title and never do anything but speak publicly one time. One distinction between the *Kohen Gadol* and *Kohen Mashuach Milchamah* is inheritance. The *Kohen Gadol's* son succeeds his father; the *Kohen Mashuach Milchamah's* son does not.

Returning to our opening *pasuk*, *Chazal* (*Yoma 73a*) teach that the rule that the *Kohen Mashuach Milchamah's* son does not inherit his father's portion is derived from the *pasuk* that adds: "Who shall enter the *Ohel Moed* to serve in the Sanctuary?" – only the son of a *Kohen Gadol* who enters the Holy of Holies may inherit his father's position. The son of a *Kohen* who only performs the duty of addressing the nation prior to war does not inherit his father's position.

Having said this, we cite a well-known *teshuvah*, responsa, from the *Techeiles Mordechai*, *Horav Mordechai Yohlin*, *zl* (served as *Rav* in a suburb of Kiev, Ukraine, then emigrated to America, where he was *Rav* in Philadelphia. *Niftar Erev Yom Kippur* 1942). He was asked about the laws of *chazakah*, whereby a *chazzan* had a long-standing position leading the *Shacharis* service during the *Yamim Noraim*. After a number of years, an assistant *chazzan* was appointed, who, due to the fact that the primary *chazzan* was still active, would instead lead the services on *Shabbos* and *Yom Tov*. Since he did not work during the *Yamim Noraim*, he took a position elsewhere during these days.

The question was: The first *chazzan* left this world for his eternal rest. His son claimed *chazakah* (the *halachic* status of permanence that is established when an event repeats itself three times), since his father had held the position of *chazzan* for many years. The assistant *chazzan* claimed that, by right, it belonged to him as the next in line. The only reason he was not present for the *Yamim Noraim* was that he had no work. Furthermore, the rule of *chazakah* should not apply if it is not consecutive, 365 days a year, for three years. The late *chazzan* had only worked three days a year!

He quotes *Horav Moshe Nosson HaLevi Rubinstein*, *zl*, who cites *Chazal* in *Meseches Yoma* who apply our opening *pasuk* as support to disallow the son of the *Mashuach Milchamah* from inheriting

his father's position. He suggests that if, in fact, a *chazakah* of three incomplete times was invalid, why would *Chazal* require a *pasuk* to teach that the *Mashuach Milchamah's* position does not go to his son? The *Kohen Mashuach* did his service from time to time. Thus, the *chazakah* was faulty. Apparently, the idea that *Chazal* found it necessary to employ a lesson from the *pasuk* to invalidate the son of the *Mashuach Milchamah* is an indication that otherwise he would have succeeded his father, based on the rule of *chazakah*.

I suggest that the *chazzan*, who led service three times a year, and the *Kohen Mashuach Milchamah*, who performed his function sparingly, are both entitled to the benefits of the rule of *chazakah*. How often a person carries out his function has no bearing on his title or position. At the end of the day, he is the *shul's chazzan*, and he is the *Kohen Gadol Mashuach Milchamah*. This title is ongoing; thus, it provides him with a *chazakah*.