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From: Torah Musings <[newsletter@torahmusings.com](mailto:newsletter@torahmusings.com)> date: Thu, Mar 17, 2016 at 12:19 PM subject: Torah Musings

**Vort from the Rav: Vayikra**

The Vort from the Rav feature restarts, courtesy of **Dr. Arnold Lustiger**, adapted from his newly published

Vayikra volume of **Chumash Mesoras HaRav** <http://tinyurl.com/chumash-mesoras-haRav-Vayikra> **Rabbi Joseph B. Soloveitchik z"l**

ViNirtza Lo and it will be accepted for him.

In our weekday Shemoneh Esrei prayer, we end the petitionary section starting with the words Shema Koleinu : Listen to our voice, Lord our G-d...and in compassion and favor accept our prayer, for You, G-d, listen to prayer and pleas. Immediately following this blessing we recite the paragraph which starts with the word Retzeih - Find favor, Lord our G-d, in Your people Israel and their prayer...and accept in love and favor the fire offerings of Israel and their prayer. It would seem that the theme of this latter blessing is identical to the earlier one and is superfluous. Why did the Anshei Knesses Hagedolah see fit to apparently repeat the same request in sequence?

The theme of the Shema Koleinu prayer is that G-d should accept our prayer. The theme of Retzeih is that our prayer should be considered as a sacrifice. The word Retzeih evokes the phrase ViNirtza Lo in the context of sacrifice. Through this statement, and indeed through this entire benediction, something wondrous takes place: our prayer, which until this point has been in the form of a conversation, is now transformed into a sacrifice. The term Avodah Shebeleiv the service of the heart inherent to prayer, is an act of self-sacrifice. (Shiurim Lezecher Abba Mori, Volume 2, p. 216; Worship of the Heart, p. 178)

The blessing of the kohanim is connected to the benediction of Retzeih since that blessing was made after the completion of the communal sacrifices in the Temple. Without this blessing, the Temple service was incomplete. The Torah states: And Aaron lifted up his hands towards the people and blessed them. He then descended from preparing the sin offering, the burnt offering, and the peace offering (Lev. 9:22). The kohanim therefore walk to the platform during the blessing of Retzeih, for it is this blessing that

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transforms the repetition of the Amidah into a communal sacrifice. (Shiurim Lezecher Abba Mori, Vol. 2, p. 214; Mesorah, Vol. 5, p. 5)

From: **Rabbi Chanan Morrison** <[chanan@ravkooktorah.org](mailto:chanan@ravkooktorah.org)> reply-to: rav-kook-list+owners@googlegroups.com to: rav-kook-list@googlegroups.com date: Wed, Mar 16, 2016 at 7:58 AM subject: **[Rav Kook Torah]**  
Rebuilding the Temple

Rebuilding the Temple

Uproar Over a New Yeshiva in Jerusalem

A brief notice posted in a small magazine ("The Christian") in England generated a great stir in the London Zionist office. The London office quickly dashed off a request for an immediate clarification to the Zionist executive in Jerusalem. And the surprised Jerusalem executive committee forwarded the inquiry to the Chief Rabbi.

The Zionist office quoted the original London article, dated Dec. 22, 1921: "A matter of great significance to the public has been reported from Jerusalem. Chief Rabbi Kook has announced that a new yeshiva or seminary will be established in the holy city, with the goal of instructing men of priestly or Levite descent regarding their Temple duties. The studies will include rites connected to the Temple sacrifices. "The rabbi believes that this matter is extremely pressing, as he is convinced that, with [the state of] the world at this time, the Jews will once again offer sacrifices to G-d. Indeed, such a possibility has been long expected by those with insight into Jewish sensitivities, knowledgeable in the prophecies of the Messianic Era." The Jerusalem executive demanded a response. What was going on? Were there imminent plans to rebuild the Temple and reinstate the Temple service?

Rav Kook Responds

temple The reality - a small group of young men studying the Talmudic tractates that discuss the principles and laws governing the Temple service - was light-years away from the London magazine's eschatological portrayal of an academy established for the practical instruction of kohanim. And yet, from Rav Kook's written response, one senses a certain approval for the magazine's interpretation of the significance of the event. And perhaps a measure of disappointment in the reaction of the London Zionist office.

Below are excerpts from Rav Kook's proud reply:

1. It is true that Yeshivat Torat Cohanim was established here [in the Old City of Jerusalem] with the unique goal that scholars who are kohanim will study the Talmudic order of Kodashim, which is the authoritative source of [study of] all Temple services.

2. The foundation of the Jewish people's national revival must - despite its secular manifestations - be based on the nation's foundations in holiness. The inner goals of the nation need to be firmly rooted in all matters of holiness.

We must affirm at all times our eternal aspiration that the Temple be rebuilt speedily in our days - openly and with deep faith, without hesitation and misgivings.

3. It is our firm belief that the day will come when all nations will recognize that the place that G-d chose for all time as the site for our Temple shall be returned to its true owners. There, "the great and holy Temple" will be built, a house which will become - through the Jewish people - "a house of prayer for all the nations" (Isaiah 56:7), as G-d has promised.

And even though this yeshiva is entirely and purely an institution for [theoretical] Torah study, the yeshiva's establishment nonetheless contains a subtle message to the world. The nations should not think that we have - even in a fleeting moment of despair, G-d forbid - conceded to relinquish our rights to the site of the Temple, the cornerstone of all holy places.

In the past, the official British committee questioned my views regarding the Temple Mount and our relationship to it. I responded that, until recently, realizing our national rights to the Land of Israel was universally viewed as an unlikely outcome. Nonetheless, Divine Providence brought about the means so that which was improbable became probable. We are certain that

this process will continue, until all peoples will recognize the justice of our rights to our holy Land, as it is written in Scripture.

So too, the day will come when all nations will recognize the truth of our rights to the Temple area. All will know and recognize that the prophetic vision regarding this holy place - that "My house will be called a house of prayer for all the nations" - will only come to pass when this great and holy Temple will be established there, in the hands of its original, eternal owners, the people of Israel, G-d's people from time immemorial. They and no other. (Adapted from Zichron Re'iyah, pp. 201-203; Igrot HaRe'iyah vol. IV, 1127)

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<http://www.reparashathashavuah.org/blog-rabbi-david-etengoff-parashat-hashavuah/parashat-vayikra-5774-2014-maimonides-korbanot-sacrifices-and-rav-soloveitchik>

Parashat Vayikra 5774, 2014, "Maimonides, Korbanot (Sacrifices) and Rav Soloveitchik"

3/2/2014

### **Maimonides, Korbanot (Sacrifices), and Rav Soloveitchik Rabbi David Etengoff**

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yechiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, and Yehonatan Binyamin ben Mordechai Meir Halevi, and the refuah shlaimah of Yosef Shmuel ben Miriam.

In the main, Sefer Vayikra discusses the Laws of the Kohanim and avodat Hashem (the service of Hashem) as expressed by the korbanot. The Rambam (Maimonides, 1135-1204) discussed the rationale inherent in the korbanot in two different sections of his Guide of the Perplexed. The first passage appears in III:32:

... at that time the way of life generally accepted and customary in the whole world and the universal service upon which we were brought up consisted in offering various species of living beings in the temples in which images were set up, in worshipping the latter, and in burning incense before them – the pious ones and the ascetics being at that time, as we have explained, the people who were devoted to the service of the temples consecrated to the stars - : His wisdom, may He be exalted, and His gracious ruse, which is manifest in regard to all His creatures, did not require that He give us a Law prescribing the rejection, abandonment, and abolition of all these kinds of worship. For one could not conceive the acceptance of [such a Law], considering the nature of man, which always likes that to which it is accustomed. At that time this would have been similar to the appearance of a prophet in these times who, calling upon the people to worship G-d, would say: "G-d has given you a Law forbidding you pray to Him for help in misfortune, to fast, to call upon Him for help in misfortune. Your worship should consist solely in meditation without any works at all." Therefore He, may He be exalted, suffered the above-mentioned kinds of worship to remain, but transferred them from created or imaginary and unreal things to His own name, may He be exalted, commanding us to practice them with regard to Him, may He be exalted. (The Guide of the Perplexed, translation and notes, Dr. Shlomo Pines, vol. II, page 526, underlining and bolding my own)

In sum, the Rambam maintained that Hakadosh Baruch Hu (the Holy One Blessed be He) commanded the offering of korbanot as a concession to the normative behaviors known to our forebears. In his view, the historical precedent set by the surrounding nations in the Middle East regarding animal sacrifices was simply too powerful to overcome or ignore. Therefore, G-d simultaneously "suffered" and commanded our ancestors to continue this form of worship as a testimony to His honor and glory, and thereby serve as an educative device.

Maimonides' second explicit section in the Guide for the Perplexed discussing korbanot appears in III:46. In this passage, he maintains that the

entire sacrificial service is, in reality, a negative response driven by the desire to delegitimize the practices of the surrounding idol-worshipping nations who forbade the offering of sheep (Egyptians), goats (Sabians), and oxen (all nations of the time):

Thus it was in order to efface the traces of these incorrect opinions [i.e. forbidding the offering of sheep, goats, and oxen] that we have been ordered by the Law to offer in sacrifices only these three species of quadrupeds: "When a man from [among] you brings a sacrifice to the L-rd; from animals, from cattle or from the flock you shall bring your sacrifice." (Sefer Vayikra 1:2) In this way an action considered by them as an extreme act of disobedience was the one through which one came near to G-d and sought forgiveness for one's sins. Thus wrong opinions, which are diseases of the human soul, are cured by their contrary found at the other extreme. (Ibid. , pages 581-582, underlining my own)

Thus, the Rambam maintained that the inherent rationale of the korbanot is comprised of two complementary historical parts: 1) A concession to the normative behaviors known to our forebears and as an educative device 2) The desire to delegitimize the practices of the surrounding idol-worshipping nations, and as a demonstration of that which is fitting and proper. My rebbe and mentor, Rabbi Joseph B. Soloveitchik (1903-1993), known as "the Rav" by his students and followers, strongly rejected the Rambam's approach to the rationalization of the mitzvot as presented in the Guide for the Perplexed. As we have seen in the case of korbanot, the Rambam focused upon the causalistic approach or the "how" question, (i.e. "How did sacrifices come to be?") when analyzing this class of commandments. The Rav vigorously repudiated this entire methodology:

Judging Maimonides' undertaking retrospectively, one must admit that the master whose thought shaped Jewish ideology for centuries to come did not succeed in making his interpretation of the commandments prevalent in our world perspective. While we recognize his opinions on more complicated problems such as prophecy, teleology and creation, we completely ignore most of his rational notions regarding the commandments. The reluctance on the part of the Jewish homo religiosus [religious person] to accept Maimonidean rationalistic ideas is not ascribable to any agnostic tendencies, but to the incontrovertible fact that such explanations neither edify nor inspire the religious consciousness. They are essentially, if not entirely, valueless for the religious interests we have most at heart. ... If rationalization is guided by the "how" question and by the principle of objectification then it is detrimental to religious thought. (Rabbi Joseph B. Soloveitchik, The Halakic Mind: An Essay on Jewish Tradition and Modern Thought, pages 92 and 98, brackets and underlining my own) In Rabbi Soloveitchik's view, both in regard to the korbanot and other aspects of Jewish practice, it must ever be our goal to search for explanations of the Torah and mitzvot that "edify and inspire the religious consciousness," so that we can grow closer to our Creator. This idea closely corresponds to the Rav's emphasis on the ultimate importance of devekut Hashem (cleaving and dedication to Hashem) that is so prominently displayed in his favorite work, "U'Bikashtem Misham" ("And From There He Will Search for You"). Clearly, for the Rav, only a spiritually-inspired being will be able to extend his hand to his Creator with the expectation that his gesture will be returned in kind.

Shabbat Shalom

Past drashot may be found at my blog-website:

<http://reparashathashavuah.org>

The email list, b'chasdei Hashem, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email [rdbe718@gmail.com](mailto:rdbe718@gmail.com).

## **Vayikra: Korban**

### **Rabbi Nisson E. Shulman**

An analysis of the relevance of korbonot, especially the sin offering. How badly today we need the ability to admit wrong, to confess sin. The sin offering teaches all of these.

#### **VAYIKRA; KORBAN**

1. We have just begun the third book of the Torah. A good part of it deals with the service in the Holy Temple. We tend to think about the offerings, or sacrifices in the Holy Temple as obsolete, belonging to another age and psychology, and consequently a good part of Vayikra seems unreal to us. But our Rabbis saw it as very real, to every age and to every society. How so?

2. A great deal has been written about sacrifices. Not everyone realizes that the word is a wrong translation. Karban is a word that comes from karov, meaning to approach or come closer. The purpose of the karban was to bring us closer to G-d, to fellow man, to Jerusalem, to our families. The Pesach Seder is based on the Pesach Karban, and nothing brings Jewish families together with such strong bonds as does a Pesach Seder. In fact, the other karban offerings, too, were usually enjoyed, like the Paschal offering, by the person or family who brought the Karban. Shelamim, for instance (often called a "peace offering"), was consumed as a feast in the proximity of the Temple, thus bringing the participants closer to G-d and to each other.

3. But not so the most prominent of the Karbanot, the "sin offering" which we read about in today's Torah reading. Here the one who brought that karban doesn't partake of it. It would be hypocrisy to allow him to benefit from his act of atonement. So the priests are the ones who benefit from that karban. But the whole procedure is to stimulate him to atone for his sin, and therefore, without proper repentance, his karban is meaningless, and bringing a karban without repentance is itself a serious transgression of the Torah law.

4. The Prophets and the Rabbis emphasized that the technical rite of bringing a karban cannot obliterate sin. You can't appease G-d and giving something to the sanctuary. G-d's real sacrifice is "the broken and contrite heart" of the penitent (Psalms 51:19). The sinner must really feel "There, but for the love of G-d, go I".

5. So the aim of the sin offerings and guilt offerings enumerated in the first chapters of Vayikra is to make a person sensitive to the error of his ways, and to teach him to repent. Genuine repentance cannot come from vague and transient thoughts of remorse. The sinner must boldly face the gravity of his guilt. He then relieves his burden by going to the sanctuary and expressing his feelings there. And the confession of his sin in the sanctuary requires him to resolve never to repeat that transgression. That is the essence of viduy and teshuva, which is part of the karban hatat.

6. Many thinkers and writers have disparaged feelings of guilt. They object to the idea that an awareness of guilt is a necessary step in repentance. Certainly in our time, guilt is regarded as a kind of disease that needs urgent treatment by a psychiatrist. In our permissive age, in our time when people are afraid to look into their own souls, a sense of guilt is considered a symptom of a mental disorder. If everything is allowed, why feel guilty? And in our search for pleasure and tranquillity, who needs the discomfort of a guilt trip?

7. The Torah tells us there is a place for guilt. Guilt resulting from specific wrongdoings indicates a person's healthy urge to return to normalcy. There is of course a great difference between a psychopathic complex, a feeling of excessive guilt for no cause, and the necessary confession of guilt, which leads to repentance. Not all guilt is to be considered a "complex". Some of us are simply guilty!

8. Realizing this, we were instructed to bring a karban – not to bribe G-d – but to lead ourselves out of sin and guilt into the path of repentance.

9. The possibility of making a wrong choice, of making a mistake, is part of the blessing of human freedom. And an important facet of this blessing is the ability to admit mistakes and try to rectify them.

10. No one is infallible. The list of those who are commanded to bring a sin offering starts with the "High Priest" (Leviticus 4:3). For even the highest-

ranking religious official is not infallible. He - like everyone else - must acknowledge his mistakes in public, even those committed accidentally.

11. This applies, not only the High Priest, but to the Sanhedrin as well. The highest judicial authority, the recognized leaders of the entire community, must also admit their guilt publicly when they are culpable. Everyone looks up to them for guidance. But they, too, can make mistakes. The Highest Court, dignified and powerful, must have the courage to admit its guilt when necessary and to bring its sin offering.

12. Next on the list is the head of state, the highest power in the land. He, too, must bring a sin offering. Rashi comments: "Happy is that generation whose leaders are ready to admit mistakes". Happy indeed.

13. Considering political reality, not only in ancient times but today as well, a generation whose leaders are ready to take the blame for wrongdoings upon themselves and not pass it on to their political opponents deserves to be praised. As Harry Truman said, "The buck stops here". The High Priest, the High Court's members, the Chief Executive, all of them could easily cover over their mistakes. So the Torah stresses that they are required to admit their guilt and may not employ any kind of cover-up.

14. We have all been appalled by recent school shootings and other instances of juvenile violence. In another context, the Bible describes how the elders of the city must take responsibility for a murder victim of an unsolved crime. They must go through a solemn ceremony in which they declare "Our hands have not shed this blood". The Rabbis of old asked: "Can anyone suspect the city's righteous elders of bloodshed?" They answered: "They did not guard him sufficiently well. Vagabond, wanderer he may be, but the safety of the roads are the responsibility of the city's elders". In this respect, all of us are the city's elders. All of us must accept some measure of the guilt, for only then will we be sufficiently moved to do something about the safety of all the citizens of all our society.

15. The awareness of guilt is the first step. Remorse over the past must be followed by acceptance of changes in the future. Only then is the way open to full repentance.

16. So the Temple service was to teach these values and require that they be applied. I suggest we can use some of these values today as well.

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from: Aish.com <newsletterserver@aish.com> date: Wed, Mar 16, 2016 at 5:33 PM subject: Advanced Parsha – Vayikra

#### **Lord Rabbi Jonathan Sacks**

##### **Vayikra(Leviticus 1-5) The Pursuit of Meaning**

The American Declaration of Independence speaks of the inalienable rights of life, liberty and the pursuit of happiness. Recently, following the pioneering work of Martin Seligman, founder of Positive Psychology, there have been hundreds of books on happiness. Yet there is something more fundamental still to the sense of a life well-lived, namely, meaning. The two seem similar. It's easy to suppose that people who find meaning are happy, and people who are happy have found meaning. But the two are not the same, nor do they always overlap. Happiness is largely a matter of satisfying needs and wants. Meaning, by contrast, is about a sense of purpose in life, especially by making positive contributions to the lives of others. Happiness is largely about how you feel in the present. Meaning is about how you judge your life as a whole: past, present and future. Happiness is associated with taking, meaning with giving. Individuals who suffer stress, worry or anxiety are not happy, but they may be living lives rich with meaning. Past misfortunes reduce present happiness, but people often connect such moments with the discovery of meaning. Happiness is not unique to humans. Animals also experience contentment when their wants and needs are satisfied. But meaning is a distinctively human phenomenon. It has to do not with nature but with culture. It is not about what happens to us, but about how we interpret what happens to us. There can be happiness without meaning, and there can be meaning in the absence of happiness, even in the midst of darkness and pain.[1] In a fascinating article in The Atlantic,

"There's more to life than being happy,'[2] Emily Smith argued that the pursuit of happiness can result in a relatively shallow, self-absorbed, even selfish life. What makes the pursuit of meaning different is that it is about the search for something larger than the self. No one did more to put the question of meaning into modern discourse than the late Viktor Frankl, who has figured prominently in this year's Covenant and Conversation essays on spirituality. In the three years he spent in Auschwitz, Frankl survived and helped others to survive by helping them to discover a purpose in life even in the midst of hell on earth. It was there that he formulated the ideas he later turned into a new type of psychotherapy based on what he called "man's search for meaning." His book of that title, written in the course of nine days in 1946, has sold more than ten million copies throughout the world, and ranks as one of the most influential works of the twentieth century. Frankl knew that in the camps, those who lost the will to live died. He tells of how he helped two individuals to find a reason to survive. One, a woman, had a child waiting for her in another country. Another had written the first volumes of a series of travel books, and there were others yet to write. Both therefore had a reason to live. Frankl used to say that the way to find meaning was not to ask what we want from life. Instead we should ask what life wants from us. We are each, he said, unique: in our gifts, our abilities, our skills and talents, and in the circumstances of our life. For each of us, then, there is a task only we can do. This does not mean that we are better than others. But if we believe we are here for a reason, then there is a *tikkun*, a mending, only we can perform, a fragment of light only we can redeem, an act of kindness or courage or generosity or hospitality, even a word of encouragement or a smile, only we can perform, because we are here, in this place, at this time, facing this person at this moment in their lives. "Life is a task," he used to say, and added, "The religious man differs from the apparently irreligious man only by experiencing his existence not simply as a task, but as a mission." He or she is aware of being summoned, called, by a Source. "For thousands of years that source has been called G-d." [3] That is the significance of the word that gives our *parsha*, and the third book of the Torah, its name: *Vayikra*, "And He called." The precise meaning of this opening verse is difficult to understand. Literally translated it reads: "And He called to Moses, and G-d spoke to him from the Tent of Meeting, saying ..." The first phrase seems to be redundant. If we are told that G-d spoke to Moses, why say in addition, "And He called"? Rashi explains as follows: And He called to Moses: Every [time G-d communicated with Moses, whether signalled by the expression] "And He spoke", or "and He said", or "and He commanded", it was always preceded by [G-d] calling [to Moses by name]. [4] "Calling" is an expression of endearment. It is the expression employed by the ministering angels, as it says, "And one called to the other..." (Isa. 6:3). *Vayikra*, Rashi is telling us, means to be called to a task in love. This is the source of one of the key ideas of Western thought, namely the concept of a vocation or a calling, that is, the choice of a career or way of life not just because you want to do it, or because it offers certain benefits, but because you feel summoned to it. You feel this is your meaning and mission in life. This is what you were placed on earth to do. There are many such calls in Tanakh. There was the call Abraham heard to leave his land and family. There was the call to Moses at the burning bush (Ex. 3:4). There was the one experienced by Isaiah when he saw in a mystical vision G-d enthroned and surrounded by angels: Then I heard the voice of the Lord saying, "Whom shall I send? And who will go for us?" And I said, "Here am I. Send me!" (Isaiah 6:8) One of the most touching is the story of the young Samuel, dedicated by his mother Hannah to serve in the sanctuary at Shiloh where he acted as an assistant to Eli the priest. In bed at night he heard a voice calling his name. He assumed it was Eli. He ran to see what he wanted but Eli told him he had not called. This happened a second time and then a third, and by then Eli realised that it was G-d calling the child. He told Samuel that the next time the voice called his name, he should reply, 'Speak, Lord, for your servant is listening.' It did not occur to the child that it might be G-d summoning him to a mission, but it was. Thus began his career as a

prophet, judge and anointer of Israel's first two kings, Saul and David (1 Samuel 3). When we see a wrong to be righted, a sickness to be healed, a need to be met, and we feel it speaking to us, that is when we come as close as we can in a post-prophetic age to hearing *Vayikra*, G-d's call. And why does the word appear here, at the beginning of the third and central book of the Torah? Because the book of *Vayikra* is about sacrifices, and a vocation is about sacrifices. We are willing to make sacrifices when we feel they are part of the task we are called on to do. From the perspective of eternity we may sometimes be overwhelmed by a sense of our own insignificance. We are no more than a wave in the ocean, a grain of sand on the sea shore, dust on the surface of infinity. Yet we are here because G-d wanted us to be, because there is a task He wants us to perform. The search for meaning is the quest for this task. Each of us is unique. Even genetically identical twins are different. There are things only we can do, we who are what we are, in this time, this place and these circumstances. For each of us G-d has a task: work to perform, a kindness to show, a gift to give, love to share, loneliness to ease, pain to heal, or broken lives to help mend. Discerning that task, hearing *Vayikra*, G-d's call, is one of the great spiritual challenges for each of us. How do we know what it is? Some years ago, in *To Heal a Fractured World*, I offered this as a guide, and it still seems to me to make sense: Where what we want to do meets what needs to be done, that is where G-d wants us to be. NOTES:

1. See Roy F. Baumeister, Kathleen D. Vohs, Jennifer Aaker, and Emily N. Garbinsky, 'Some Key Differences between a Happy Life and a Meaningful Life,' *Journal of Positive Psychology* 2013, Vol. 8, Issue 6, Pages 505-516.
2. Emily Smith, 'There's more to life than being happy,' *The Atlantic*, 9 Jan. 2013.
3. Viktor Frankl, *The Doctor and the Soul: from Psychotherapy to Logotherapy*, New York: A.A. Knopf, 1965, 13.
4. Rashi to *Vayikra* 1:1.

Mordechai Tzion toratravaviner@yahoo.com [ravaviner] Mar 16  
to ravaviner **Yeshivat Ateret Yerushalayim**

From the teachings of the Rosh Yeshiva **Ha-Rav Shlomo Aviner Shlit"א**  
Prepared by Rabbi Mordechai Tzion

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Same question to various Rabbis

**Question: Is it permissible to ask the same question to more than one Rabbi?**

Answer: It depends on what you are asking. The Gemara in *Avodah Zarah* (7a) says that one who asks a Rabbi a question and he (the Rabbi) declares it impure may not ask another Rabbi who will declare it pure, and one who asks a Rabbi a question and he declares it forbidden may not ask another Rabbi who will declare it permissible. This ruling is quoted in the *Shulchan Aruch* (*Yoreh Deah* 242:31). Why is it forbidden to ask the same question a second time to a different Rabbi? Some explain that it is because of the honor of the first Rabbi (Rashi to *Niddah* 20b): You asked a question and don't like the answer so you go to a different Rabbi?! You are shaming the first Rabbi! Others explain that when the first Rabbi rules, the object on which he ruled now has the status which he placed upon it. This means that if I ask a Rabbi if something is kosher or not and he rules that it is not Kosher, the ruling of another Rabbi cannot change it. The Halachah follows the second explanation (This is the opinion of most *Rishonim*, including *Ra'avad*, *Ramban*, *Rashba* quoted in the *Ran Avodah Zarah* *ibid.* and *Rosh*, *ibid.* 1:3). Therefore, when I ask a Rabbi a question about a piece of meat, the meat has the status of his ruling, but if I have another piece of meat and I have the same question, I can ask a different Rabbi. There are also questions regarding a person's activities: How should I act in a given situation? A Rabbi's ruling fixes the status of an object, but not the status of a person's activities. Regarding an object, you can only ask one Rabbi, but regarding a person's conduct, you can ask various Rabbis. Even in the case of an object, if I fervently want to ask a second Rabbi, I can, as long as I tell him that I

already asked the first Rabbi. If the second Rabbi so desires, he can talk to the first Rabbi and try to convince him to change his mind (Rama *ibid.*). I remember that someone once asked me a question regarding the laws of Family Purity and I answered: she is impure. The questioner went and asked Ha-Rav Mordechai Eliyahu. Ha-Rav Eliyahu called me and said: "Rav, look at it from this perspective and that perspective." I then understood that it was permissible to be lenient and I said: "I retract, she is pure." Furthermore, it is obvious that someone who asks a theoretical question may ask as many Rabbis as he wants. You may also ask questions to different Rabbis at different times, since all Rabbis are Torah. By the way, if someone accidentally asked the wrong Rabbi a question, it is permissible to re-ask the question. If he intended to ask a Rabbi in general (and not a specific Rabbi), he must follow his answer. And it once happened that a couple had a question on Shabbat night about the laws of Family Purity. Since they lived near to Ha-Rav Ovadiah Yosef, the wife went to his apartment building, but accidentally went to the floor above Rav Ovadiah, where Ha-Rav Ben Tzion Abba Shaul lived, and he ruled that it was forbidden. When she returned home, the husband understood that his wife had made a mistake. He went on his own to Rav Ovadiah, who permitted it, and related that his wife had accidentally asked Rav Ben Tzion Abba who prohibited it. Rav Ovadiah said: Rebbe Ben Tzion is a Gaon in Halachah, but my opinion in this case is that it is permissible. Therefore, if you originally intended to ask me, it is permissible, but if you intended to ask any Rabbi, it is forbidden, especially since you asked Chacham Ben Tzion, and I cannot permit what he did not (Maran by Ha-Rav Michal Shtern pp. 247-248).

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<http://5tjt.com/when-bigger-isnt-better/>

### **When Bigger Isn't Better**

#### **Halachic Musings**

**By Rabbi Yair Hoffman**

It is a complaint that a number of teachers have had of late: large class sizes. Some state categorically that a class should never be larger than 25 students. This discussion is actually nothing new; it is the subject of debate among Rishonim. The debate centers on how one understands the Talmudic passage in Bava Basra (21a).

The Rambam (Hilchos Talmud Torah 2:5) indeed writes that there should not be a class larger than 25 students unless an assistant is also procured. Once the class size reaches 40, it should be split into two classes. The Rosh, however, disagrees with the Rambam's reading and allows the class size to reach as many as 40 students. The position of the Rosh is that from 40 students to 50 students, an assistant should be procured. If the class size reaches above 50, the class should be divided into two.

The halachos are discussed in Yoreh De'ah 245, where the Mechaber rules like the Rambam.

The Gilyon Maharsha (Y.D. 245:15) cites the Emunas Shmuel that nowadays "the hearts have shrunk" and the figure of 25 is too large for a teacher to handle. He says the maximum size should even be less.

#### **The Ruling**

The Tashbatz (1361–1444) rules like the Rambam as normative halachah. Rav Moshe Feinstein, zt'l, (Igros Moshe Y.D. II #29) writes that, as a matter of course, nowadays the halachah is unequivocally like the Rambam and Shulchan Aruch that the limit is 25 per class. This is also the view of the Piskei Din Rabani'im (Volume IX, page 10).

The Shach seems to understand the issue as depending upon the nature of the student as well as the abilities of the teacher.

The Maharsha cites a fascinating hint in the pasuk that states, "Ko sevorchu es bnei Yisrael—thus shall you bless the children of Israel." The gematria of the word "ko" is 25. The implication is that the children of Israel shall be blessed when we do not exceed class sizes of 25.

Interestingly enough, in Israel, the Misrad HaChinuch has set certain guidelines that the minimum to open a class is 20 students and that a class can hold up to 40 students.

#### **Grade Levels**

In his book *HaKatan v'Hilchosav* (Vol. I 3:32), Rabbi Boruch Rakovsky writes that classes should be divided by age (or grade) level and not be mixed classes. The purpose of this is so that a uniform standard can be achieved. A ninth-grade student cannot write at the level of an eleventh- or twelfth-grade student, and they should not be mixed.

#### **Research And Practicalities**

What does the scientific research say? Overwhelmingly, study after study reports that, all other factors being the same, reducing class size is perhaps the most important method of improving both long-term and short-term educational results.

So what is the problem? Shrinking class sizes is also the most expensive way of improving educational results. Let's assume, for argument's sake, that a classroom teacher makes \$50,000 for a full day of work. And let's assume that a particular grade in one school has 80 children. If the 80 students are divided into three classes of 27, 27, and 26, the shared cost of the teachers' salaries alone is \$1,875 per child. However, if the 80 students are divided into 4 classes of 20, the shared cost of the salaries is \$2,500 per child. The cost of the additional classroom is also not negligible.

Often, administrators are well aware of these extra costs and they put pressure on the principals to keep the classes larger.

#### **New York City Schools**

The New York City Department of Education reports on class size twice a year, with a preliminary report in November and an updated report in mid-February. This year, for elementary schools the class-size average is 25.1, for middle schools it is 26.9, and for high schools it is 26.5.

The United Federation of Teachers in New York City actually has included within the teachers' contracts a limitation on class size of 25 students. This, however, seems to be ignored by the city. Indeed, it has been ignored for a number of years already.

#### **A Community Obligation**

Going back to the Gemara in Bava Basra, we learn that Rabbi Yehoshua ben Gamla had instituted the community obligation to pay for and appoint teachers. The class limit of 25, according to most meforshim, defines a parameter of the community obligation.

Yet we still see that quite often yeshivas do not adhere to the class size discussed in the poskim. They are hampered by the fact that most of our communities are not structured in the manner that Rabbi Yehoshua ben Gamla had arranged. Consequently, the funding to make this happen is often absent. Does the yeshiva administration have the same obligation in this regard? Are they permitted to squeeze a 26th child or a 27th child into the classroom? It would seem that the administrators should still follow these guidelines.

Since the halachah seems to have been established in accordance with the Rambam and not the Rosh (notwithstanding Israel's Misrad HaChinuch), this author would like to suggest that having larger classes should be done only when it is possible to follow the guidelines of the Shach—that is, adjusting to the abilities of the teacher and the needs of the students. And it should not be done without input from an outside source who is not pressured by the financial considerations, yet who understands the difficulties that a school faces.

The addition of just one or two more students can seriously undermine the education that the other students receive. This is the surveyed view of both teachers and students.

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From: **Shlomo Katz** <skatz@torah.org> reply-to: do-not-reply@torah.org  
to: hamaayan@torah.org date: Thu, Mar 17, 2016 at 1:05 AM subject:

**Hamaayan** - Parshas Vayikra Torah.org by Shlomo Katz

Parshas Vayikra

For My Fires, Not for Me BS"D Volume 30, No. 24 9 Adar 2 5776 March  
19, 2016 Today's Learning: Nach: Yoel 1-2 Mishnah: Uktzin 2:1-2 Daf  
Yomi (Bavli): Kiddushin 8

The Book of Vayikra, especially this week's parashah, describes many of the korbanot / sacrificial offerings that the Torah commands us to bring. R' Yehuda Halevi z"l (Spain; approx. 1075-1141) writes that the key to understanding this aspect of our service to Hashem is the word "le'ishai" / "My fires" in the verse (Bemidbar 28:2), "My offering, My food for My fires, My satisfying aroma, you shall be scrupulous to offer to Me in its appointed time." He explains: Indeed, says Hashem, the offerings, the "food," and the "satisfying aroma" relate to Me, but only through "My fires," i.e., by way of the fire which I cause to consume the offerings on the altar. This is nothing more than a procedure that Hashem established which, if followed, will cause His Shechinah to reside amongst us.

R' Uri Sherki shlita (rabbi and educator in Yerushalayim) explains further: There are two aspects to our knowledge about Hashem. On the one hand, we recognize that He is removed from our comprehension and we cannot know Him. On the other hand, we understand that He has established points at which He comes in contact with the world for the purpose of allowing us to form a relationship with Him. Offering korbanot is one of those points of contact.

R' Yehuda Halevi continues: No prophet could experience Divine revelation if he said, "Prophecy is a spiritual experience! Why should I eat or take care of my other physical needs?" Hashem created a world in which the physical and spiritual must interact, not because He needs them to, but because He wants them to. Fire is a symbol of that interaction, because it is a physical phenomenon, yet fire itself is not quite physical. (Kuzari II 26, with the commentary of R' Sherki shlita)

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"He called to Moshe . . ." (1:1)

Midrash Rabbah teaches: If a Torah scholar lacks de'ah [best translated here as the Yiddish word "seichel," which combines common sense and proper manners], an animal carcass is better than he is. We can learn this, the midrash continues, from Moshe Rabbeinu. He was the father of all wise men and the father of all prophets. He took Bnei Yisrael out of Egypt and, through him, miracles were performed in Egypt and awesome wonders at the Yam Suf. He went up to Heaven and brought down the Torah, and he built the Mishkan. Nevertheless, he did not enter the Mishkan until he was called, as it is written, "He called to Moshe." [Until here from the midrash]

R' Yerucham Halevi Levovitz z"l (1873-1936; mashgiach ruchani of the Mir Yeshiva) observes: This midrash teaches that a person can be a Torah scholar of the highest order, yet still lack "de'ah." At first glance, this is difficult to understand. If Moshe Rabbeinu had entered the Mishkan without being called, he still would have been the father of all wise men and the father of all prophets. No human ever came closer to perfection than Moshe Rabbeinu; could we have blamed him if he had hurried into the Mishkan in search of complete perfection? Yet, our Sages tell us that all of Moshe Rabbeinu's accomplishments would have amounted to nothing if he had done so! How can this be?

R' Levovitz explains: The midrash is teaching a frightening, yet foundational, lesson--that all of a person's spiritual accomplishments are meaningless unless there is a force that unifies them, a king that rules over them. That unifying force, that king, is de'ah. In the same way that an army of soldiers without a general lacks direction and will be ineffective, so an "army" of accomplishments without the "commanding officer" known as de'ah leaves a person no better than an animal carcass. (Da'at Torah:

Ma'amar Ha'de'ah Ve'ha'memshalah)

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"A person who will bring close a korban . . . to Hashem . . ." (1:2)

R' Yitzchak Isaac Chaver z"l (1789-1852; rabbi of Suvalk, Lithuania) notes that only the Divine Name Y-K-V-K ("Hashem") is used in connection with the sacrificial offerings; never the name "Elokim." He explains:

"Elokim" refers to G-d as the Master of nature, while "Hashem" refers to His hashgachah / direct involvement with His creations, when He overrules nature. Bringing sacrifices brings us closer to Hashem and allows us to escape the control of nature. Thus, the Name Hashem, not Elokim, is used in connection with sacrifices. (Haggadah Shel Pesach Yad Mitzrayim: Potei'ach Yad)

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Parashat Zachor

Our Sages teach that the nation of Amalek demonstrated its particularly evil nature by attacking Bnei Yisrael immediately after the entire world witnessed the wondrous miracle of the splitting of the sea. However, asks R' Shlomo Brevda shlita, this seems to be contradicted by another teaching of Chazal, i.e., that only one person – Yitro – was moved to convert to Judaism as a result of the miracles that occurred. Were the nations of the world other than Amalek impressed by the miracles, or were they not impressed?

R' Brevda explains: The Gemara (Shevuot 41b) teaches that people do not notice things in which they have no interest. Yitro was already a truth-seeker before the Exodus. Thus, hearing about the Exodus moved him to take action. The other nations of the world at that time were not moved in the same way because they were not truth-seekers to begin with. Nevertheless, the miracles that occurred did make some impression on them, as the Torah relates (Shmot 15:14-15), "Nations heard – they were agitated; terror gripped the dwellers of Philistia. Then the chieftains of Edom were confounded; trembling gripped the powers of Moav; all the dwellers of Canaan dissolved." Amalek, however, was an exception. Amalek was so far removed from any trace of subservience to G-d that the miracles of the Exodus and the splitting of the sea made no impression on them at all. (Kiyemu V'kiblu p.18)

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From: Rabbi Yitzchok Adlerstein <ravadlerstein@torah.org>

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Subject: Meshech Chochmah - Parshas Vayikra

**Meshech Chochmah**

**by Rabbi Yitzchok Adlerstein**

Torah By The Dawn's Early Light Slaughter it at the opening of the Tent of Meeting.

Meshech Chochmah: The gemara[2] finds in this expression a requirement for the validity of a korban shelamim: it must be slaughtered only after the doors of the Ohel Moed have been opened. (Understandably so. Twice in the next few sections[3] the Torah speaks of slaughter "in front of" the Ohel Moed. The anomalous reference to the "opening" sustains a legal position that the slaughter of the shelamim can only take place when the animal stands before the unobstructed entrance-way of the Ohel, and not just in front of it.[4] ) Similar phraseology[5] indicates that the sprinkling of the blood of the olah also requires that the doors of the Ohel be open.

Now, one part of the avodah of animal korbanos certainly does not require that the doors be open. The burning of the specified limbs of the korban takes place even at night, after the closing of the doors. Putting it all together, we can say that the initial steps of the offering of an animal must take place by day; the conclusion of the avodah can follow even by night.

Why would this be?

One of the themes of korbanos that sits a bit beneath the surface is that the avodah must serve the full Essence of Hashem. Were it not for this requirement, people might subdivide their understanding of Divinity, and aim at one or other of the different elements, attributes, or Names with which our imperfect human minds use to grasp what we really cannot[6] - or, worse yet, to any force subsidiary to Him. The Torah therefore insists that the

beginning of sacrificial avodah take place during the daytime period, whose light speaks of illumination and relative clarity about the nature of Divinity, so that it is oriented at the full reality of Hashem. Once the avodah begins on the correct path, all steps that follow are drawn after the initial steps. The concluding burning of the limbs on the altar is therefore permitted at night.

We can easily show that the daytime hours are associated with a clearer, fuller revelation of Hashem's Self. Hashem spoke to Moshe only by day.[7] In fact, in his time atop Mt. Sinai, Moshe knew how to differentiate between day and night this way.[8] When Hashem spoke with him, he knew it was daytime below; when he had to study alone, he knew it was night. (For this reason, the gemara[9] speaks of the Shechinah standing opposite Torah scholars who study at night. Since the study of Torah is elsewhere likened to the avodah,[10] we might make the mistake of taking the comparison too far, and see learning at night as the equivalent of the burning of the limbs, i.e. a lesser form of avodah, divorced from the greater revelation of Hashem by day. Therefore the gemara makes a point of stating that Torah study is different from animal avodah. "Arise, cry out at night...opposite the Face of Hashem.") [11] Learning Torah at night brings the fuller revelation of Hashem's Presence which is elsewhere associated only with daytime.

We might look at Chazal's praise of "evening" Torah study in a different manner. They might refer to the conditions of learning, rather than a time period. They perhaps reserve their praise for learning that takes place occluded from public scrutiny and accolades, privately and modestly, often under difficult circumstances, shrouded, as it were, in darkness.

It is not just the tzniyus and the dedication involved in such learning that make it so special. When we learn for a given purpose, e.g., to achieve honor, or to become an authority, or even to become better people, there is a disconnect between the activity of learning and the achieving of the purpose, which comes only after some time. We therefore do not feel the full sweetness of the learning until we near the goal. Those who learn "at night," under trying circumstances and away from public adulation, do so because they have no goal and purpose other than bonding with Torah itself! Their reward is instantaneous with their learning. They connect with Hashem, and taste the pleasantness of Divine Torah!

[1] Based on Meshech Chochmah, Vayikra 3:2 [2] Zevachim 55B [3] Vayikra 8:6, 13 [4] See Torah Temimah [5] Vayikra 1:5 [6] See Menachos 110A, and Ramban to Vayikra 1:9 [7] Torah Cohanim 96 [8] Shemos Rabbah 47:5 [9] Tamid 32B [10] Menachos 110A [11] Eichah 2:19

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From: Ohr Torah Stone <ohrtorahstone@otsny.org> reply-to: yishai@ots.org.il date: Thu, Mar 17, 2016 at 6:02 AM <https://ots.org.il/parsha-point-vayikra-5776/>

"Parsha to the Point" – Vayikra 5776

Posted: March 17, 2016 by OTSTeamCategory: "Parsha to the Point" -

**Rabbi David Stav** on the Weekly Portion, Torah InsightsTags: 5776, Leviticus, parshat hashavua, portion of the week, Rabbi David Stav, shabbat shalom, Vayikra

Parshat Vayikra (1:1-5:26)

**Rabbi David Stav**

(Translated from the Hebrew original)

Parshat Vayikra focuses on the various types of korbanot / offerings that a person could offer. In the modern age, most people find it difficult to connect to a world of korbanot, for several reasons. Some are skeptical that sacrificing an animal could lead to atonement. They say this is too simple to be an effective way of correcting a person's misdeeds. Others cower at the fate of animals who give their lives for the sins of humans. There may even

be those who feel queasy when picturing a slaughterhouse with thousands of animals, serving as the place in which the Divine Presence inhabits.

Some of these concerns were shared by the prophets of Israel, who warned of the dangers of thinking that a korban can substitute for genuine teshuva / repentance, and for the hard work we must do to make proper amends.

One verse, however, might shed some light on the subject and refocus our view. When presenting the various options of korbanot, the verse begins with a person's voluntary offering:

"... when a person who will bring an offering from among you, an offering to Hashem." (Vayikra / Leviticus 1:2)

Something in the syntax of the verse seems a bit off. In proper Hebrew, we would say "when a person FROM AMONG YOU will bring an offering...", since the phrase "from among you" describes those bringing the offering. In this verse, however, it looks like the phrase isn't in its most natural location.

Our sages learned from this verse that the sacrifice must be made out of the possessions of the one sacrificing, and not from stolen property. This prompts an obvious question: why would anyone ever consider bringing a sacrifice from stolen property?!

It turns out that everything is possible in life. A person might entertain the thought that he could atone for an act of theft by making a big donation to a synagogue, or by bringing a distinguished sacrifice to the Holy Temple. This is why the Torah says "... who will bring an offering from among you...". Your sacrifice must always be from your own possessions, and it can never be made at the expense of anyone else.

Any progress made in worshipping Hashem needs to originate solely in the worshipper, and not at someone else's expense. An ancient adage states that the ways of man are to become concerned for their material situation, and for the spiritual state of everyone else. It is time for us to reverse this skewed norm and worry about the material state of others, and about our own spiritual state. This is why the Torah emphasizes that the offering is made "from among you", and not from among others.

However, another way of understanding this verse is that by saying "...when a person who will bring an offering from among you...", the Torah is hinting at the need to offer up something that belongs to us, something tied to our identities and personalities. I cannot approach Hashem if I am not doing everything of myself, out of the very sources of my being, using all of my creative powers. I can't rely on others to do this for me.

When our sages depicted the world of sacrifices, they wanted us to imagine a world in which we would ostensibly be offering up ourselves to our Creator. This is a world where people are fully devoted to their ideas, without any falsehoods, as if they themselves were being offered up on the altar.

Today, when cynicism all too often seems to dictate our actions, it is important to remember that there is a world in which people give up their lives for their ideas. There are those who forfeit their lives in the army, for the purpose of settling the land, for the sake of Torah study, or for scientific research. Our world is sustained by those who submit themselves on the altar of their ideas, without hesitation.

The verse "...when a person who will bring an offering from among you" can have another painful and even terrifying message. Over the generations, the Jewish People has paid with its blood for being what it is. Every so often, events occur that remind all of us what being a Jew really means, even in a progressive and enlightened world. Our identity is the very epitome of what the forces of evil are trying to fight.

We will continue to aspire to draw nearer to ourselves and our vision, even if, in the long run, we will need to offer up cherished souls from among us – "when a person who will bring an offering from among you".

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From: Ohr Somayach <ohr@ohr.edu> to: internetparshasheet@gmail.com date: Thu, Mar 17, 2016 at 11:51 AM subject:

**Insights into Halacha - The Halachic Discourse of Louis Pasteur**

web: <http://ohr.edu/4978> For the week ending 19 March 2016 / 9 Adar II 5776 The Halachic Discourse of Louis Pasteur

**by Rabbi Yehuda Spitz**

Parshat Vayikra - Tzav - Purim Ohrnet PDF New Audio: The Jewish Metaphysics of Baseball Rabbi Schiller

Can you feel Purim just around the corner? Who isn't eagerly anticipating this annual Yom Tov extravaganza, featuring joyous dancing, Mishloach Manos, colorful costumes, and, of course, the Megillah reading? However, for many it is the unique mitzvah to get drunk that they are eagerly awaiting. Since Purim is described in the Megillah[1] as a day of Mishteh (referring to a wine feast) and the Purim turnabout miracle occurred at such wine feasts, there is a rare dispensation from the norm, and an apparent obligation to drink wine,[2] as the Gemara Megillah (7b) famously rules that 'MeiChayav Inish Livesumei B'Puraya, a person is obligated to drink and get intoxicated (on some level) on Purim'. Hopefully, the wine will enable us to experience a sublime, spiritual Purim.[3]

Yet, and quite unknowingly to most, we all have someone to thank for enabling us to safely drink wine nowadays, Louis Pasteur (1822-1895). Although best known as the "father" of microbiology, bacteriology and germ theory, as well as the discoverer of the rabies and anthrax vaccines, he was also responsible for the prevention of numerous diseases. What is lesser known is that he also invented a process of heating up liquids, which would destroy bacteria and other germs lurking inside, thereby increasing shelf-life and preventing these liquids (mainly milk and wine) from causing disease. This process later became known as "pasteurization", for obvious reasons.

**Hilchos Pasteur?**

Aside from the health benefits of pasteurization, there potentially might be halachic benefits as well. It is well known that there is a Biblical prohibition to benefit whatsoever from wine that was poured as a libation in idol worship (Yayin Nesech). There is also a Rabbinic prohibition to drink wine that was poured or touched by a non-Jew, as a safeguard to prevent intermarriage and assimilation (Stam Yaynam).[4] This prohibition was extended to include wine that was touched or poured by Public Sabbath Desecrators (Mechalalei Shabbos B'farhesya).[5]

However, there is an important exclusion to this rule: if the wine is cooked (Yayin Mevushal) then even if it was later touched or poured by a non-Jew, it loses its status of Yayin Nesech, and is permitted to be drunk.[6] There are several reasons advanced by the Halachic authorities for this exception, among them:[7] 1) Cooked wine is considered substandard and is no longer fit for a libation. 2) Cooked wine is uncommon, and therefore was never considered part of the prohibition. 3) Cooked wine's taste is inferior to uncooked wines, and is not considered real wine for this purpose.

**Debate Heats Up**

There is some debate among the authorities as to what level of cooking this wine needs in order to receive Mevushal status. The Shulchan Aruch (Yoreh Deah 123: 3) simply states "when it gets hot on the fire", implying that it must be at least "Yad Soledes Bo",[8] when one would pull his hand away from touching it, for fear of getting burned. The Shach (ibid. 7), quoting the Rashba and Ran, however, adds another caveat, that the heat level has to be such that the wine's volume has to be noticeably reduced due to the cooking[9]. Rav Moshe Feinstein, in several responsa[10], estimates this temperature to be approximately 175°F. He maintains that once the wine reaches this temperature while being cooked, it is already considered Yayin Mevushal, and we no longer have to worry about the halachic ramifications if a gentile would touch this wine.

There is, however, a third opinion, brought in the Gilyon Maharsha and Darchei Teshuvah[11] that in order to be truly considered cooked, this wine must really be so – meaning it has to reach its boiling point. Even though water boils at 212°F (100°C), due to its alcoholic content (alcohol has a much lower boiling point than water) the average wine's boiling point is approximately 195°F. Rav Feinstein maintains that since this opinion is not brought in the Shulchan Aruch or its main commentaries, we are not required to follow it.[12] Other contemporary authorities, nevertheless, do take this opinion into account.

This debate also influences the halachic ramifications of pasteurization. Wine producers are not eager to actually cook, let alone boil, their wine, as doing so drastically diminishes its quality and taste, and consequently, and more importantly to them, their profits. And that's where pasteurization comes into the picture. Since they have to pasteurize their wine anyway for health reasons, if it is also considered mevushal, they can "kill two birds with one stone" and keep the quality (and their profit margins) intact.

**Pondering Pasteuring**

Contemporary authorities are divided as to the permissibility of pasteurization being considered cooked. Rav Moshe Feinstein held that the temperature of pasteurization is

sufficient to be considered mevushal. Rav Ovadiah Yosef[13] agrees that this process satisfactorily meets this requirement.

Rav Shlomo Zalman Auerbach,[14] Rav Yosef Shalom Elyashiv,[15] Rav Ben Tzion Abba Shaul,[16] Rav Menashe Klein,[17] and the Tzehlemer Rav,[18] however, are unconvinced, as the vast majority of wine is pasteurized, and therefore cannot be considered uncommon, as cooked wine is supposed to be.[19] Additionally, if the wine is flash-pasteurized (process performed extremely quickly - in a 'flash'), the evaporated wine is recovered through sealed pipes and therefore is not actually reduced, and the taste ends up not significantly altered. Moreover, the majority of wine drinkers cannot distinguish pasteurized wine from uncooked wine. These decisors also take the stringent definition of mevushal into account, and therefore maintain that pasteurized wine cannot possibly be deemed mevushal. Although they all do not make the same arguments, these poskim hold that the pasteurization process as we know it does not adequately translate into actual yayin mevushal.

Other authorities, including the Minchas Yitzchak, the Shevet HaLevi, and Rav Moshe Sternbuch,[20] maintain a middle ground, albeit each via separate reasoning, that although pasteurization should not be considered cooking to actually permit consumption of wine touched by a non-Jew, it nonetheless would be considered as such to permit wine touched by a Public Sabbath Desecrator, as it is only a corollary of the original proscription.[21]

**Not Out to Pasteur!**

Although there is no one clear-cut contemporary consensus to this 'touchy' subject, I can imagine that if he were alive today, Dr. Pasteur would be amazed to find that his works are still being discussed and debated, not just in the halls of science and academia, but even in the hallowed halls of Batei Midrashim all over the world. Hafoch Bah V'Hafoch Bah d'Kulah Bah!

The author wishes to thank author and educator, Rabbi Yair Hoffman, as his related article was the impetus for my interest and research on this topic

This article was written l'zechus Shira Yaffa bas Rochel Miriam v'chol yotzei chalatzeha for a yeshua sheleimah teikif u'miyad!

For any questions, comments or for the full Mareh Mekomos / sources, please email the author: [yspitz@ohr.edu](mailto:yspitz@ohr.edu).

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[1] Esther (Ch. 9: verse 19 and 22).

[2] See Abudraham (Hilchos Purim), Rokeach (237), Shu"t Radbaz (vol. 1: 462), Elyah Rabba (Orach Chaim 695: 1), Chayei Adam (vol. 2, 155: 30), Tzror Hachaim (Haderech Hashmini, Midrash L'Purim pg. 120 - 121), Kitzur Shulchan Aruch (142: 6), Aruch Hashulchan (Orach Chaim 695: end 6) and Biur Halacha (695 s.v. chayav). This is also the basic understanding of Rashi's commentary (Megillah 7b), who simply translates livesumei as getting drunk with wine. Similarly, the Rambam (Hilchos Megillah Ch. 2: 15) only mentions drinking wine. However, there are those who maintain that one need not get drunk exclusively with wine. See Gilyonei HaShas (Megillah 7b s.v. meichayav), Shu"t Hisorerus Teshuvah (vol. 3, Orach Chaim 491), and more contemporary, Mikraei Kodesh (Purim, 44: in the footnotes), Orchos Rabbeinu (vol. 3: Purim, 92, pg. 56), Shu"t Rivevos Efraim (vol. 1, 395: 2; vol. 3, 465: 1; and vol. 7, 360: 1), Shu"t Mishnah Halachos (vol. 5: 83), Shu"t Mishnas Yosef (vol. 4: 50), Shu"t Lehoros Nossan (vol. 9: 22), Shu"t Shevet Hakehasi (vol. 6: 258), Moadim U'Zmanim (vol. 2: 190), and Moadei HaGra"Ch (pg. 336).

[3] As Rav Shlomo Wolbe (Alei Shur vol. 2: pg. 468) wrote about Rav Yisrael Salanter on Purim. See the Maharal M'Prague's Ohr Chodosh (Hakdamah, pg. 49) for an interesting assessment why we drink on Purim, explaining that by drinking we are completely negating ourselves, which shows that our existence is totally from Hashem, similar to the time of the Purim miracles. A similar assessment is given by the Seder HaYom (Seder Seudas Purim s.v. chayav). Rav Chaim Shmuelevitz (Sichos Mussar 5731, Maamar 11) takes this point a step further, explaining that at that point of drinking we are showing that we are entirely 'Avdei Hashem', and not 'Bnei Chorin' making rationale decisions. The Chasam Sofer (Toras Moshe, Parshas Tetzaveh, L'Purim, s.v. chayav) writes that our drinking Leshaim Shamayim on Purim is meant to negate the drinking that was done at Achashveirosh's party in order to sin. Another idea is that the wine serves as a catalyst to draw us close to one another, as the Gemara in Sanhedrin (103b) states "Great is drinking... for it brings together those who are distant". See Rav Chaim Friedlander's Sifsei Chaim (Moadim vol. 2, pg. 205) and the Birkas Avraham (Megillah ad loc. s.v. ad) at length. For different and fascinating hesberim of why we drink on Purim, see Rav Avraham Yitzchok Hakohen Kook's Olas Reiyah (by the Brachos of the Megillah), Rav Yitzchok Hutner's Pachad Yitzchok (Purim, Inyan 6), and Rav Moshe Sternbuch's Shu"t Teshuvos V'Hanhagos (vol. 4: 173). See also Nesivos Shalom (Purim, pg. 57-58) who offers a completely separate understanding of the Gemara. He notes that the Gemara does not say 'livesumei' with wine, rather 'livesumei BePuria', in Purim, meaning that one should get intoxicated from Purim itself, as in the connotation of Yeshaya (Ch. 51: 21) "drunk, but not from wine". On Purim a person must become so "drunk" on the elevated revelations of Purim that he cannot tell between the 'Arur Haman' and 'Boruch Mordechai' of his Avodas Hashem, his interpersonal relationships, and even himself.

4 Mishnah (Avodah Zarah 29b); see Tosafos (ad loc. s.v. vyayin) who explains that this decree is due to preventing intermarriage, 'chasmus', as the Gemara later on (Avodah Zarah 36) states this as well. This is also how the Tur, Shulchan Aruch, and their Nesei Keilim conclude (Yoreh Deah 123:

1). However, even though 'Stam Yaynam' is Derabbanan, the Chochmas Adam (75: 1) avers that one who drinks it will have his neshamah uprooted from Gan Eden and will have no share in Olam Habaah. The Chida (Shirurei Brachah, Yoreh Deah 123: 2 s.v. uv'emes) writes similarly, adding that the violator will also be reincarnated as a donkey. Very strong exhortations, indeed. However, the B'aer Heitiv (ad loc. 1, in the parenthesis) cites the Chavos Yair (Shu't 183), that even so, one does not have to give up his life, or even limb, for this prohibition.

5 See, for example, Rashi (Chullin 5a s.v. ela lav), Ran (ad loc.), Rambam (Hilchos Shabbos Ch. 30: 15), Shulchan Aruch (Orach Chaim 385: 3, Yoreh Deah 2: 5; 119: 7; see also 124: 8), Shach (Nekudos Hakesef beg. Yoreh Deah 124), Magen Avraham (Orach Chaim 306: 29), Pri Chodosh (Yoreh Deah 112: 2), Pri Megadim ad loc. Sifsei Daas: 2), Kitzur Shulchan Aruch (72: 2), and Kaf Hachaim (Yoreh Deah 112: 11). On the other hand, there are several poskim, including the Chasam Sofer (Shu't Yoreh Deah 120) and the Chazon Ish (Yoreh Deah 2: 23 and 49: 7), who maintain that this chumrah regarding wine touched by Mechalalei Shabbos is truly only a kenass, and not actually m'din, as 'Chasnus' should technically not apply to any sort of Jew. Rabbi Akiva Eiger (Yo reh Deah 123, gloss to Taz 3) implies this way as well. There is much contemporary Rabbinic literature how to properly define modern day Mechalalei Shabbos B'farhesya, if they are included in this category, or perhaps have the exception of 'Tinokos Shenishbu' (see Rambam - Hilchos Mamrim Ch. 3: 1 - 3). Certainly, it would be preferred lechatchilla to ensure wine being served to any sort of Mechalalei Shabbos be mevushal, in order to not come into halachic question.

6 Rava's statement in Avoda Zarah (30a), and followed lemaaseh by Rashi (ad loc. s.v. harei amru), Tosafos (ad loc. s.v. yayin mevushal), Rambam (Hilchos Maachalos Asuros Ch. 11: 9), and Tur and Shulchan Aruch (Yoreh Deah 123: 3), and later authorities. However, Rabbi Akiva Eiger (ad loc. s.v. v'afa'g) further qualifies this leniency, that it is only referring to a Jew's yayin that a non-Jew touched, that is still permissible to be drunk, but not to a non-Jew's cooked wine, even if it is technically 'kosher'. Rav Tzvi Pesach Frank was known (Shu't Har Tzvi vol. 2 Yoreh Deah 111) to have practically ruled this way.

7 See Rosh (Avodah Zarah Ch. 2: 13), Rashba (Shu't vol. 4: 149 and in Toras Habayis, Bayis 5 Shaar 3), Meiri (Avodah Zarah 29b - 30a), Knesses Hagedolah (Yoreh Deah 123, Haghos on Beis Yosef 16), Taz (ad loc. 3), and Sdei Chemed (Maareches Yayin Nesech).

[8] Rambam (Avodah Zarah 30; citing the Raavad), Biur HaGr'a (Yoreh Deah 123: 7); this is also the basic understanding of the Shulchan Aruch (ad loc.).

9 Rashba (ibid.), and Ran (Avodah Zarah 10a in the Rif's pagination). This is also the Ramban's (ibid.) own shittah, as well as that of the Rosh (ibid.), Ritva (Avodah Zarah ad loc.), Tashbatz (Shu't vol. 1: end 29), and Orchos Chaim (Yoreh Deah, pg. 247).

10 Shu't Igros Moshe (Yoreh Deah vol. 2: 52, Yoreh Deah vol. 3: 31, Yoreh Deah vol. 5: 9, and Even Ha'ezer vol. 4: 108). Although in several of the responsa Rav Moshe writes that once the wine reaches 165° F it is sufficient, see however, Rav Yisroel Halevi Belsky's Shu't Shulchan Halevi (Ch. 25: 4) who writes that the ikar in Rav Moshe's shittah is 175° F, as he himself indicates in other teshuvos. This author finds it interesting that in all of his teshuvos on topic, Rav Moshe never once mentions that he holds that the process of modern day pasteurization is sufficient to make the wine be considered mevushal; rather he only refers to the heat level that is reached during pasteurization as sufficient to be considered as 'bishul'. Several years ago I asked Rav Mordechai Tendler, Rav Moshe's grandson and author of Mesores Moshe his thoughts on the matter, and he agreed that based on Rav Moshe's teshuvos it would indeed be a chiddush to say that Rav Moshe allowed all aspects of the pasteurization process to be considered actual bishul, as opposed to how it is widely quoted in his name.

11 Gilyon Maharsha (Yoreh Deah 115: 1), Darchei Teshuvah (123: 15), quoting several early Sefardic Acharonim, including the Divrei Yosef (vol. 3: 845, 2), Chida (Kikar La'aden pg. 162a; citing the Maharam de Luzano), Ikrei Hada't (Ikrei Dinim, Yoreh Deah 13: 13), Knesses Hagedolah (ibid. 14), Ria'z (cited by the Shiltei Giborim on Avodah Zarah 10a), and Rav Chaim Palaj'i (Ruach Chaim 123: 2). The Chochmas Adam (75: 10), and Ben Ish Chai (Year 2 Parshas Balak 7) were also known to be machmir for this shittah, mandating 'bishul gamur'. This was also known to be the opinion of several Rishonim, including the Meiri (Avodah Zarah 29b) and Ohr Zarua (Avodah Zarah Ch. 2: 155). See also next footnote.

12 Shu't Igros Moshe (Yoreh Deah vol. 3: end 31). This is akin to the position of the Shulchan Gavoah (Yoreh Deah 123: 7), that 'the Shiltei Giborim's shittah is 'batlah da'ato eitzel kol hani derabvusa'. On the other hand, the Kaf Hachaim (Yoreh Deah 118: 7) writes that he found that the Rambam in Hilchos Issurei Mizbe'ach (Ch. 6: 9) holds that the meaning of 'bishul' is that it must be cooked to the extent that its intrinsic taste changed. The Kaf Hachaim posits that the same should apply by Hilchos Stam Ya ynam as well. He then cites several of the aforementioned poskim (in the previous footnote), concluding that certainly lechatchilla we should be choshesh for the Rambam's and the other poskim's more stringent opinion, but b'dieved, 'ain lechachmir klal' since the vast majority of authorities hold that simply heating it up is indeed sufficient.

13 See Rav Ovadiah Yosef's Shu't Yabia Omer (Vol. 8 Yoreh Deah 15), where he attempts to 'answer up' all of the claims and taynos of the machmirim, yet still concludes that if one can be machmir and not have to rely upon the pasteurization process as actual bishul, then 'tavo alav brachah'. See also Rav Yisroel Halevi Belsky's Shu't Shulchan Halevi (Ch. 25), as well as Rabbi Yissochar Dov Eichorn's maamar in Kovetz Yeshurun (vol. 14; ppg. 838 - 841), where he concludes that pasteurization is indeed sufficient to make the wine be considered mevushal.

14 Shu't Minchas Shlomo (Kamma vol. 1: 25). It is known that Rav Shlomo Zalman ruled extremely stringently in this manner, and even b'shaas hadchak or hefsek merubah (see sefer Va'aleihu Lo Yibol vol. 2, Yoreh Deah 5 and 6), yet nonetheless acknowledged that he was aware that the 'oilam is noheg to be meikel'.

15 Kovetz Teshuvos (vol. 1: 75 and 76).

16 Shu't Ohr Letzion (vol. 2, Ch. 20: 18, Biurim s.v. v'yesh).

17 Shu't Mishnah Halachos (vol. 12: 34 - 36). However, he was somewhat more lenient than the other machmirim, as he wrote 'devadai lechatchillah ain lishtosos chas veshalom, v'gam ain lekadesh oh lehavdil alav, aval ain lehchmir bo k'she'avar b'dieved'.

18 His opinion is cited in Rav Avrohom Blumenkrantz's annual Kovetz Hilchos Pesach (ex. 5766, pg. 784). However, the Tzhelemer Rav was machmir for the heat level of pasteurization (but not the process), and maintained that the pasteurization needed to be performed at a higher temperature to be considered mevushal.

19 On the other hand, see Shu't Avnei Nezer (Yoreh Deah 116: 4), who maintains that we are not worried that future generations might use yayin mevushal as part of idolatrous practice. He explains that we always and exclusively follow the letter of Chazal's takkanos, and since at the time of the prohibition they were not gozer against yayin mevushal, it is considered never to have been, nor can be, included and proscribed.

20 Shu't Minchas Yitzchok (vol. 7: 61: 1), Shu't Shevet Halevi (vol. 2: 51 and vol. 7: 234, 2), and Shu't Teshuvos V'Hanhagos (vol. 2: 401).

21 Although Rav Shlomo Zalman Auerbach, and other machmirim, ruled stringently with this as well, on the other hand, Sefer Halichos Shlomo (Mo'adim vol. 2, Pesach, footnote 429 s.v. ulam) mentions an important qualification to Rav Shlomo Zalman's ruling. He held that regarding those who are not yet Shabbos observant, but are coming closer to Yiddishkeit and Shemiras Torah U'Mitzvos by attending Yeshivos and programs to learn more about their heritage, their touch will no longer prohibit wine. Certainly an important snif to be aware of.

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The Torah in this week's parsha identifies human beings with the word nefesh. There is no exact translation of this word in English that captures the nuances associated with the word in its Hebrew form. The word certainly implies a much more spiritual, soulful, ethereal human being than the flesh and blood physical being that we usually associate with people. The Torah seems to imply that it is not only the physical part of humans that commits sinful acts that require sacrificial forgiveness but it is really the inner, unseen, spiritual side of us that requires a pardon from our Creator. And that is true of our offerings of thankfulness and of generosity – it is the inside of the person, the nefesh, and not only the physical person which must be generous and grateful. The Torah also uses other words for human beings – Adam, nassi, etc. – because in human terms the inner soul, important as it is, is insufficient alone. The physical body must also be involved in all matters of the spirit. The difficult alliance between body and soul, between intent and behavior, between nefesh and adam is probably the most vexing of all human challenges. A person can only be a whole human being if somehow the inside and the outside do not coincide and are properly aligned one with the other. Most of the ritualistic laws regarding animal sacrifices, that form the basic spine of the parsha, apply to cases of unintentional transgressions. In effect, the Torah leaves it up to the individual's conscience to admit wrongdoing and to attempt to make amends. This process requires a review of one's past behavior and an honest self-analysis. That certainly is the nefesh part of the equation, the connection between the inside and the outside, which is the keystone of true religious behavior. It is hypocrisy that is the deadly enemy of the religious community. Rabbi Menachem HaMeiri (fourteenth century Provencal Spain), in his monumental commentary to the Talmud, deals with such hypocrisy by stating: "There are people who wrap themselves in large tallitot (prayer shawls) with their tzitziyot showing on the outside of their clothes, but their hearts are far distant from their Father in Heaven..." The outside may appear to be pious but the nefesh is not in tune with the external display. We are taught in the Talmud that Merciful heaven searches for our hearts. And to a great extent, this is the primary lesson that the subject of sacrifices teaches us, a lesson that is relevant and timely even now in an age when animal sacrifices no longer exist. The Torah speaks to all generations and all circumstances. Every generation must find itself in the words of the Torah. So this week's parsha has great importance in teaching us that in all matters of faith and religion, it is the nefesh that must always be reckoned with. Shabbat shalom Rabbi Berel Wein