



פרשת וישב

כסלו תש"פ

שבת מברכים טבת

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## A pit can never remain empty

'The pit was empty, there was no water in it'. This is how the Torah describes the pit into which the brothers threw Yosef. The Gemara points out the obvious redundancy in this Posuk; If the pit was empty, it is obvious that there was no water in it, so why does the Posuk need to state this?

Our sages answer that the meaning of the Posuk is that whilst the pit was empty of water, it was filled with something else - snakes and scorpions.

This explanation raises a difficulty: The reason Reuven suggested throwing Yosef into the pit was so that he could come back to save him. If the pit was filled with snakes and scorpions, Yosef would have been long dead before his brother returned!

The Vilna Gaon offers a novel resolution based on the placement of this teaching in the Gemara. The interpretation that the pit was filled with snakes and scorpions comes in the Gemara's discussion on the laws of Chanukah, immediately after the ruling that Chanukah candles that are higher than 20 Amos (approx. 10 meters) above the ground are invalid. The function of the candles is Pirsumei Nissa (that they be seen by passers-by to publicise the miracle). Objects placed higher than 20 Amos are not noticed and so they fail to achieve their function.

The juxtaposition of these Talmudic teachings is usually attributed to them being taught by the same Amora. The Vilna Gaon explains their association differently. Based on other Talmudic passages, he proves that the pit was at least 20 Amos deep. If so, the rule governing Chanukah candles would apply.

Since the eye does not naturally notice things beyond a height or depth of 20 Amos, the brothers were unaware that there were snakes and scorpions in the pit and Reuven determined that he would be able to return and save Yosef's life.

The Midrash offers a deeper interpretation of this Posuk. Water represents Torah. By casting Yosef into the pit, the brothers showed that the pit of Jacob (a reference to his offspring) had run dry of the water of Torah. A key principle in Kabbalistic thought is that when holiness departs from a space, it creates a vacuum which draws the forces of impurity to fill the void. This is why when a person passes away and the Neshama leaves the body, the body becomes a source of impurity.

We see from this that there is no 'neutral' ground. When one's pit is empty of water, when they are not connected to and involved in the study of Torah, one does not just remain 'empty'. The void becomes a vacuum, attracting negative spiritual influences - the snakes and scorpions that poison the soul.

The Torah is not only likened to water but also to wine. Water and wine each describe a different aspect of Torah.

Wine represents the logic of Torah. We drink wine because of its pleasant taste and fragrance. This represents the study of Torah study because we understand and appreciate its teachings.

In contrast, water does not have any taste. We drink water out of necessity. Water reflects the Kabbolas Ol dimension of Torah: We study it not because of its wisdom that we can understand, but because the Torah is G-dly and through it we connect to Hashem in the deepest possible way.

In the Al Hanisim of Chanukah we describe how the Yevanim sought to cause us 'to forget Your Torah'. Chassidus explains that the Yevanim had no problem with the Jews studying Torah as a form of academia and philosophy. What they could not accept was the belief that the Torah is G-dly and that it is beyond human logic and rationale.

They tried, so to speak, to empty the pit of the water dimension of Torah. Their ultimate intent was that by divorcing Torah from its G-dly source and Divinity, the empty pit would expose the Jewish people to the snakes and scorpions of heresy that ultimately come from a purely academic approach to Torah study.

One cannot fight the rational approach of the Yevanim with logic. The victory of the Chashmonaim came about through their Mesiras Nefesh - a completely irrational dedication to Hashem. They were willing to sacrifice their lives for Hashem even when it was questionable according to the 'logic' of Torah whether they were allowed to do so. They flooded the pit with water, chasing away the snakes and scorpions of the heresy of the Yevanim.

Hashem reciprocated in kind, going beyond the 'logical' structure of nature, to shower us with the 'irrational' miracles of Chanukah.

# The weekly Halacha analysis

## Chanukah Candles made of Milk and Meat Part 2

Rabbi Yonason Johnson

At the end of our discussion in last week's edition we brought the argument of the Shaar Efraim as to why Basar Bechalav candles should not be used for Chanukah.

The Shaar Efraim[9] explains that since one is forbidden to benefit from milk and meat that was cooked together, it must be destroyed. Since the resulting mixture is 'destined' to be destroyed, it is considered in Halacha as though it has been destroyed already.

If we consider the Basar BeChalav Chanukah candles to be 'destroyed' already, in 'halachic reality' they are unable to burn for the proscribed duration and cannot be used. This Halachic 'technical reality' is known as מכתת שיעורא כרותי.

### Response #1

However, it can be argued that in this case, the principle of מכתת שיעורא כרותי does not apply;

The standard case where this principle is applied is where the object of the Mitzvah itself must have a specific minimum measure. A lulav, for example, must be at least 4 Tefachim long. The Halacha is that a Lulav taken from a tree of idolatry may not be used. Since idolatry must be destroyed, this lulav is viewed as having been 'destroyed' already and therefore lacks the required measurement.

However, regarding Chanukah candles, the requirement of a minimum measure is not in the object of the candle itself, but rather the duration for which it must burn. Therefore the principle does not apply.

### Response #2: To burn or to bury

Another argument can be raised: The method of disposing Basar BeChalav differs from that of idolatrous articles. Basar BeChalav falls into the category of things which must be buried. The Mishna [10] rules that *nikbarim einam nisrafim* - things which are to be disposed of by burying cannot be burned.

The Rambam [11] understands that this is because even the ashes of Basar BeChalav are forbidden for benefit (aside from the possibility that burning the mixture may violate the Biblical prohibition of cooking Basar BeChalav - see below). Burying the mixture will ensure that no part of the Basar Bechalav mixture can be used any longer.

If so, the Basar BeChalav combination is not destined for physical destruction and the principle of מכתת שיעורא כרותי does not apply [12].

On the flipside, the Shaar Efraim suggests that

the argument *nikbarim einam nisrafim* may actually be a reason to forbid lighting candles made of Basar Bechalav. The Mishna seems to forbid one to burn those items that require burial. If so, how could one light Basar Bechalav candles which would then be destroying them through burning?

He suggests a possible resolution to this question; The reason one may not burn Basar Bechalav is because the ashes remain forbidden to benefit from and one may come to use them [13]. When one burns a candle, no ash is left over from the Basar Bechalav mixture. Any resulting ash is from the wick, which was never forbidden [13a].

### Cooking the Candle Wax

The Elya Zuta [14] takes a novel approach to the entire issue. The problem at hand is not one of benefitting from Basar Bechalav. Rather, when one burns these candles, they transgress the prohibition of *cooking* milk and meat together. As the fat is drawn up the wick and burned by the flame, the Basar Bechalav becomes 'cooked'.

One of the objections to this approach is based on the principle found in the laws of Shabbos אין בישול אחר בישול - that something which has already been cooked cannot be subject to further cooking (literally there is no cooking after cooking). There is considerable debate amongst the Acharonim whether this principle applies in the context of Basar BeChalav or not [15].

If we say that this rule does apply to Basar Bechalav as well, the milk and meat were already cooked when the candle was made. The subsequent burning of the candles would be considered as 'cooking after cooking' and would no longer violate the prohibition on cooking milk and meat together.

(If the candle was originally made by frying the butter in melted fat, the halacha may be different. In last week's edition we presented a dispute whether frying is biblically considered as cooking. If frying is not biblically considered as cooking, then cooking the mixture now through kindling would be considered cooking for the first time, even by those who hold that אין בישול אחר בישול [16].

Furthermore, one can argue that burning in a candle is not the conventional manner of cooking and would not be prohibited. Usually the purpose of cooking is to prepare food for consumption and it can be argued that this is the cooking that the Torah prohibits. However, as the candle wax is burned up altogether (מקלי קלי איסורא), there is nothing left that could be eaten and therefore no violation has occurred [17].

In response to this argument, the Shevus Yakov [18] writes that before the wax is burned up, it reaches cooking point and could theoretically be eaten at that point and so the argument stands.

### The Ruling of the Mishna Berura

The Mishna Berura [19] rules that despite the scope for leniency as discussed in this exploration, Basar Bechalav candles should not be used for lighting the Chanukah lights.

In addition he raises another point; What happens if the Basar BeChalav candles became mixed up with other "kosher" candles? Do they become Battel (nullified) like other forbidden foods do when mixed with a sufficient quantity of kosher food?

### Nullification

There are certain categories of things which cannot become Battel due to their unique status. One of these categories is a *davar shebeminyan* - something that is sold by individual number (as opposed to being sold by weight or bag etc.). The fact that it is sold by number, with each item being counted individually, shows that each item is always considered "important" and therefore cannot become battel in a mixture.

Based on the opinion of the Pri Megadim [20], the Mishna Berura classifies candles as a *davar shebeminyan* (candles are sold by number for example Chanukah candles are typically sold in a box of 44). Therefore the forbidden Basar Bechalav candles cannot become nullified even if they became intermingled with 1000 "kosher" candles.

In the zechus of our Torah discussion, may we merit to see the candles of the Menorah in the Third Beis Hamikdash with the immediate revelation of Moshiach.

[9] Rabbi Efraim Yakov Hakohen of Vilna (1616-1678). Teshuva 38

[10] Temura 33b

[11] Hilchos Maachalos Asuros Chapter 9. This view is also held by the Pri Toar 87:2. The Minchas Yaakov however, maintains that through burning the mixture to ashes, any milk residue or moisture is completely removed and the ashes can be benefited from.

[12] This response is brought in the Teshuva of the Shaar Efraim. See Sharei Teshuva 673:1 that it is possible that if one does burn things which should be buried, the concern of מכתת שיעורא כרותי may still apply.

[13] Rambam quoted above

[13a] However, it is possible that it makes no difference that there is no ash in this case, because concerning the

laws of the Chachamim we say that even if the reason does not apply, the rule remains in effect.

[14] Elya Rabba Orach Chaim 673

[15] Mishbetzos Zahav Y.D. 105:2 rules that milk and meat that have been cooked together already, may be cooked again. Other Poskim, including the Tzemach Tzedek disagree.

[16] The Chasam Sofer Teshuva 92 distinguishes between a standard candle and a ner kroizel for the ability to cook

[17] See the words of the Shoel in Shevus Yaakov 1:38

[18] 1:38

[19] 673:2

[20] Yoreh Deah 99 Sifsei Daas 11