

The onset of Sefer Vayikra is always challenging for those who need to weekly produce moderately entertaining Torah content related to the Parashah. Rabbi Yosef Ibn Caspi in the following section simply abandons ship, and tells us he'll be back briefly at Acharei Mot. His rationale for this is apparently that these sections of Torah have no intrinsic value, but were included out of sociological necessity at the time of Sinai; the Jews were incapable of "buying in" to a religion that didn't have sacrificial rites.

In saying this, Ibn Caspi is simply taking Rambam's Guide 3:32, which I discuss in [What is the Purpose of Animal Sacrifice](#), at face value. But Ibn Caspi drops Hilkhot Tum'ah Vetaharah as well as Tazria and Metzora, on the ground that they are not currently practiced, and it seems to me likely that he does not find this lack of practice a source of deep regret.

Now Ibn Caspi was made famous by Professor Isadore Twersky z"l for a story in which, kept waiting outside a young rabbi's house to ask a kashrut sh'eilah, he briefly wonders whether he had made a wise choice in moving from study of Halakhah to study of philosophy, but then concludes that, yes, he had: "He knows spoons, whereas I know G-d". Professor Twersky, as I recall, made him a prime example of "antiTalmudism", although a less challenging term might be anti-panTalmudism, or the rejection of the position that Talmud and Talmudic modes of thought provide the proper Jewish approaches and responses to all questions, in contradistinction to philosophy. (I am bracketing here the question of whether the Talmud contains genuinely philosophic thinking, although I hope to address it in this forum soon.)

PanTalmudism, and its near and yet more extreme relative panHalakhism, are alive and well in our day. The presumption of PanHalakhism in particular is that Halakhah is the Archimedean point from which all other claims of worth can be evaluated. This presumption prevents one from viewing particular halakhic categories as socially bound, or tied to questionable moral or factual position.

The attraction of the presumption is the resistance it offers on slippery slopes. Fundamentally, the claim that a particular Halakhah is a product of its time, rather than an eternal verity, is unfalsifiable – American Jews tend to place the laws regulating but permitting slavery in that category, but one can imagine a culture in which such laws were seen as obviously necessary, whereas rules requiring a higher standard of proof than usual in trials for murder are dismissed as the naïve detritus left over from a liberal age. Thus there is no textual way to resist, or for that matter to defend, the claim that a particular law reflects external influences which we can and should overcome.

On the other hand, panHalakhism must inevitably fail, as our derivations of values from the Halakhah will themselves of course reflect all the influences in our lives.

As with most serious issues, the best answer one can hope for is a correct description of the weight of competing forces, rather than a resolution of all contradictions. What bothers me most about Ibn Caspi is the willingness to admit the fundamental irrelevance of large sections of Torah to the religious lives of many, many Jews. This issue bothers me less with regard to nonBiblical texts, and thus I welcomed Rabbi Norman Lamm Shlita's argument (in his response to Noah Feldman) that hypertechical but lenient Halakhic responses to the question of violating Shabbat to save Gentiles reflect moral progress and a fundamental shift of values.

I'd be very interested in hearing from you whether and where you have red lines on this question. Shabbat Shalom!

כבר הודעתי בפירושי זה פעמים, ובספר הסוד ובספר המשל, כי תכונתי חזקה בבחירת הקיצור בכל מקום. לכן, כאשר ראיתי זאת הפרשה ורבות מהנמשכות אחריה סובבות על מעשה זבחים וקרבנות, אשר ידוע שמשה רבינו עליו השלום כתבו בספרו מוכרח ואנוס, כי אין חפץ לשם בעולות וזבחים, רק הכרח מנהג האומות כולם בזמן ההוא הביאם לזה, לכן די לנו בידיעת מלות אלו הספורים ואם לא נדעם אין זה היזק בזה, ורב במה שנמצא בפרוש רש"י אף כי פירוש אבן עזרא. לכן אניח הפרשה הזאת, והפרשת צו, ויהי ביום השמיני, גם אעזוב פרשיות באו בטמאות וטהרות אינם נוהגות ויספיק במ פרושי קדמונים כפרשת תזריע ותורת המצורע, וכן אעזוב פרשת אחרי מות, במה שבאו בה קצת קרבנות, אבל אדבר במה שבא בה מצות העריות.

I have already indicated several times in this commentary, and in my Sefer Hasod and Sefer HaMashal, that my character is to strongly prefer brevity in all cases. Therefore, when I saw that this Parashah and many that follow it revolve around the making of offerings and sacrifices, which it is known that Mosheh Rabbeinu of Blessed Memory wrote in his book under necessity and coercion, because the Name has no wish for wholly burnt sacrifices and offerings, rather it was the necessity generated by the practice of nations at the time that brought them to this, therefore it is sufficient for us to know the words of these *sippurim*, and if, and if we do not know them nothing damaging happens, and certainly what is found in the commentaries of Rashi and also Ibn Ezra is more than sufficient. Therefore I will let this parashah be, and Parashat Tzav, and Vayehi Bayom haShemini, and I will also leave aside the parshiyot that address ritual impurity and purity which are not currently practiced, so the commentaries of predecessors will suffice for them as for them as they do for Parshiyot Tazia and Metzora, and I will also leave aside Parashat Acharei Mot insofar as it discusses a few sacrifices, but I will speak about it insofar as it discusses the commandments regarding forbidden sexual partners.