



Parashat Shemini

Among the laws presented in Parashat Shemini is the prohibition against performing the service in the Temple in a state of intoxication. God tells Aharon, the *kohen gadol*, "You shall not drink wine or other intoxicants – neither you nor your sons, with you – when you enter the Tent of Meeting, so that you do not die" (Vayikra 10:9). The Almighty then adds, "So as to distinguish between the sacred and the profane, and between the impure and the pure, and to instruct the Israelites with regard to all the statutes that the Lord has spoken to them through Moshe" (10:10-11).

The Talmud (Keritot 13a) explains the sequence of these verses as presenting an additional prohibition against rendering halakhic rulings in a state of inebriation. By speaking of the importance of "instructing the Israelites with regard to all the statutes that the Lord has spoken" in the context of the prohibition against entering the *Mikdash* intoxicated, God subtly indicates that one should not offer halakhic instruction, either, after ingesting alcohol.

Intuitively, of course, this prohibition is readily understandable. A person under intoxication cannot think clearly and is prone to mistaken judgment; he will very likely issue an erroneous ruling, which would have grave consequences not only for the particular situation and questioner, but also for innumerable future situations, in which this ruling will be invoked as a faulty precedent. This brings to mind Maimonides' harsh condemnation of insufficiently trained scholars who issue halakhic rulings: "They increase divisiveness, destroy the world, extinguish the flame of Torah, and destroy the vineyard of the Lord of Hosts" (Hilkhos Talmud Torah 5:4).

However, Maimonides' classification of this prohibition – against issuing halakhic rulings under intoxication – suggests a different perspective. In *Sefer Ha-mitzvot* (*lo ta'aseh* 73; see also Hilkhos Bi'at Mikdash, chapter 16), Maimonides includes under a single *mitzva* the prohibitions against entering the *Mikdash* after drinking wine, and issuing a halakhic ruling after drinking wine. He understood the Gemara's reading of the verses as yielding not two separate *halakhot*, but rather two components of a single prohibition, barring performing these sacred acts – the Temple service and halakhic decision-making – in a state of inebriation.

Performing the rituals in the *Mikdash* under intoxication is, presumably, forbidden not merely due to the possibility of the *kohen* mishandling the Temple rituals, but rather because of the intrinsic impropriety of encountering the realm of sanctity in such a frame of mind. The *Mikdash* demands a sense of awe, reverence and focus that is clearly compromised by the influence of alcohol. Beyond the practical concern for the meticulous compliance with the detailed laws governing the sacrifice, this prohibition serves as well to ensure the proper frame of mind and decorum in the Temple.

By extension, then, we might assume that Maimonides understood the second component of this law – the prohibition against issuing halakhic rulings after ingesting alcohol – in a similar vein. The Torah thereby seeks to ensure not only clarity of judgment for the sake of minimizing the chance of error, but also the appropriate degree of reverence towards the holy task at hand. Interpreting Jewish law must be approached as a sacred venture, an encounter with the Almighty comparable to the sacrificial service in the *Beit Ha-mikdash*. Hence, halakhic decision-making must be conducted with a sense of reverence for its stature of holiness, beyond the sense of responsibility for the consequences of the ruling at hand.