

Kosher Wine

by: Rabbi Jeremy Rosen

Last year, there was not one single fatality on commercial airlines, and there hasn't been a fatality on a US commercial flight since 2009. Whereas in 2016 road accidents accounted for 37,461 fatalities in the US and 335 in Israel.

You may be aware that there is a special blessing called *Tefilat Haderech*, the prayer for travel, which one says before venturing out. And more significantly, there is a blessing made, usually when one is called to the Torah in synagogue, for surviving a crisis of almost any sort, called *Hagomel*: "He [that is, God] who is so good to us humans and has been good to me." It is not a full blessing, but it is taken seriously by people recovering from illness or who have survived any dangerous situation, including a "dangerous journey"—usually defined as crossing water, mountains, or seas.

Surely nowadays the facts are compelling that a transatlantic flight is far less dangerous than a drive from Jerusalem to Tel Aviv or from New York to Boston. Now I understand a small private jet. (Sadly, several Jewish families on holiday this past month lost their lives in small planes.) And I understand anyone trying bungee jumps or rock climbing might argue for its retention. But why don't we scrap it for commercial airline or cruise elip journeys? It would make more sense to recite it after walking across the street or returning home from a local car trip.

The simple answer is inertia. We won't change anything unless we are forced to. Nowadays we suffer from unenlightened religious legislation and a belief that you can only retain or pile on new restrictions. Never ever change them for the better or more sensible. This is a feature, sadly, of our day and age in Orthodoxy. Which reminds me of another such anomaly that [I have dealt with before on my blog](#)—the issue of non-Jewish wine. It's another perfect example where both logic and practice demand a rethink.

We are just coming out of party season, the time of year when people drink more wine than usual. But what wine can one drink? Does it have to be kosher? And what is kosher wine?

Let me ask you this. Is your tap or faucet water kosher? Of course it is. What can be not kosher about it? It is possible it contains lead, fluoride, even bugs. But all that does not make it not kosher. It might make it not safe or healthy, but that is equally true of overeating fatty kosher food too! Even breathing in air involves ingesting minute creatures of dubious provenance.

We might understand that kosher food involves ensuring that there is no forbidden ingredient or that the process has not been compromised by other foodstuffs. But since wine comes from grapes, what could possibly need

supervision? Why is it that one can drink whisky and vodka made and served by non-Jews, but one cannot drink wine unless it is supervised as being “kosher” and not touched by a non-Jew?

We are not talking about “kosher” in the traditional sense of the word, meaning there is a forbidden ingredient here. It is true that some cheap wines have had ox blood and even antifreeze added illegally, and some better wines add animal substances to clear the liquid of [lees](#) and impurities. But even if there is absolutely no unacceptable ingredient, the wine is still forbidden.

The Torah forbids idolatrous wine, *Yayin Nesech*, simply because of its association with paganism, corruption, and values we hold abhorrent. Idolatry was such a major issue that anything forbidden because of it was forbidden even more strictly than, say, *treifa* non-kosher animals—one is forbidden even to derive indirect pleasure from it or trade in it. But such wine is hardly to be found anymore (some might argue that communion wine falls into this category). Most wine nowadays is called *Stam Yayin*, which means ordinary non-Jewish wine. This, as well as bread and olive oil, was the subject of a series of special rabbinic innovations some 2,000 years ago, as part of a campaign to prevent intermarriage.

Wine was the staple drink in the days when water was usually contaminated. The average person drank mead or beer, then vodka or whisky (and now we seem to be returning to water). But at banquets, wine, bread, and meat were the essential features, which is why traditionally we celebrate festive meals with these three items and start the meal with wine.

So to prevent people of different religious practices from sitting down together, the rabbis forbade eating bread, wine, and olive oil with non-Jews. Olive oil soon fell by the way, because it would have made any cooking impossible, and bread too would have prevented any traveling on business, so they modified it to allow commercial bread, *Pat shel Palter* as opposed to *Pat shel Baal HaBayit*, private baking (always assuming, of course, there were no forbidden ingredients, such as non-kosher fat to keep the bread fresh). But to reinforce the wine taboo, they imposed all the strictures of *Yayin Nesech*, such as not allowing others to touch the wine (which meant not just idolators, but also Jews who did not keep the laws of the Torah).

Similarly, one could not derive benefit such as trading in *Stam Yayin*. In medieval Europe, Rashi and Rabbeynu Tam actually made a living trading in wine. So that aspect of the law was soon observed in the breach. But one is bound wonder why the rabbis didn't ban spirits. And if this meant that they didn't want to be too restrictive, then why not allow wine in a private setting?

Halachically, boiled wine was not considered real wine fit for a banquet and was therefore allowed. There is much discussion about the amount of heat required to make wine *Mevushal*, boiled. There are, as ever, dissenting halachic voices, but the pasteurising process that most popular wines and grape juices go through is of a high enough degree of heat that it satisfies most definitions of *Mevushal*.

There are several different approaches to halacha. One is the simple one of saying that if it is forbidden, then just accept it as such without question or even without looking into the reasons and trying to be consistent or even logical. If the Talmud says you should not leave water uncovered because snakes might spit venom into it. You will find some people saying this should stand even in Manhattan let alone where snakes abound even if they don't spit venom into water out of spite. And others, fortunately, saying it can be safely ignored. If you can get drunk with a non-Jew on vodka but not on wine, then simply drink vodka. Nowadays more and more people don't want to drink alcohol, and it is quite acceptable in business circles to drink tonic water or fruit juices and not need to get drunk in order to clinch a deal or be part of a team.

Another point of view would be to examine the reason for the law and then try to be consistent and say that if any alcohol can lead to lowering one's guard, one ought to be consistent and not drink any in company you wouldn't want to marry into. And one should not put oneself or one's children at study or work in positions where they might mix. On the other hand, if the ingredient is not the issue, and only the company, and if one can bring one's spirits home to drink *en famille*, then why not bring ordinary wine home to drink, other than that usage has led to an established precedent? Yet throughout Jewish history, we have mixed with non-Jews, traded with them, socialized with them and even, according to the Talmud, discussed the law with them.

When I was young, the Kashrut authorities in Britain used to supervise the food at kosher banquets but not the wine. One could bring good French wine to the table. Nowadays that would not be possible. Everything has to be supervised. But then in my youth separate seating and dancing was all but unheard of.

Nowadays much of accepted practice is much stricter. There are far more religious men without a secular education seeking jobs, and we need to find them employment. Kosher now has more to do with convention and what is socially acceptable, rather than the bare necessities of the law.

Up until the 1960s you could have a kosher supervised wedding with non-supervised wine, no longer. Once head covering amongst Ashkenazi Jews was exclusively the custom of particularly strict Middle European Jews and Hasidim. Times change, and conformity is a powerful tool.

I am not at all opposed to conformity to old fashioned values in a complex open world in which there is so much pressure to assimilate. If one chooses to be strict, then why not? It is when excessive strictness is both pointless and unnecessary that one begins to wonder whether we have become unhealthily obsessive. Just as valid as being strict is being lenient. So long as one is learned enough to know what the halacha really is and that it is often very different than accepted conventions. The answer is to study. To know the law and to use a little bit of common sense. And to be brave enough to tell the Ayatollahs to get lost.

And if I am not in any danger, then thanking God for getting me out of it

sounds to me a bit like a blessing in vain.