

Parshas Mote Achari: A fundamental קושיא, which is found in a number of places in ש"ס, is that frequently - in both the משנה and the ברייתא, as well as in the גמרא - we find מחלוקת between a דעת יחיד and a רבים. And invariably (with major exceptions), we follow the רבים. That being the case, what's the purpose of bringing us the דעת יחיד and the מחלוקת at all? Just tell us what the דעת רבים is, and we'll know what the הלכה is!

This קושיא is addressed in משניות עדיות, where בית הלל and בית שמאי have a number of major מחלוקתים. The שיטה points out that the greatness of בית הלל is shown in that, even though they often opposed the שיטה of בית שמאי, they were willing to concede when בית שמאי convinced them. They were not עקשנים - they weren't stubborn - but rather they were מודה and accepted the שיטה when they realized it was correct.

That's one fundamental lesson - a מוסר השכל - that we pick up from מחלוקתים in ש"ס: that even among great תלמידי חכמים, when one recognizes that the other side is correct, he must concede.

Another fascinating מוסר השכל that we can learn from מחלוקת between a רבים and a דעת יחיד comes from our אחרית מות שני בני אהרן: פסוק, on the שמע, ירושלמי, מסכת יומא, חז"ל. פרשה, אחרי מות אהרן - That although אהרן's sons were נפטר on ניסן - as we know, on the השמיני, when the משכן was first consecrated - their deaths are nevertheless mentioned here, in אחרי מות, in connection with יום כיפור. And from that we learn, the גמרא says, that just as יום כיפור is מכפר for our עבירות, so too, the מיתה of צדיקים provides כפרה for the entire דור.

R' Chaim Kanievsky, זכותו יגן עלינו, shares a beautiful idea which he heard בשם the famous Rav, R' Yitzchok Elchonon Spector of Kovno, גדול הדור. The גמרא relates that at the levaya of רבי - that חיי העולם הבא were ראוי for all who participated in his levaya were רבי יהודה הנשיא, a קול בת קול proclaimed that all who participated in his levaya were ראוי for חיי העולם הבא. בני עולם הבא. So the קושיא is: Why was such a קול בת קול made specifically at the levaya of רבי יהודה הנשיא? What about the לוויית of many other חכמים - equally great צדיקים and תנאים? Why no קול בת קול then?

R' Yitzchok Elchonon explained that there was a מחלוקת between רבי יהודה הנשיא and רבי יהודה. חכמים held that יום כיפור alone is מכפר for someone who first does תשובה, while the חכמים held that יום כיפור is only מכפר for someone who first does תשובה. Unquestionably, תשובה is a vital and wonderful component of our עבודה - but the underlying question is: does יום כיפור give כפרה only to those who do תשובה, or to everyone, even without תשובה? The הלכה, of course, follows the חכמים - that without יום כיפור, תשובה is not a blanket כפרה. Therefore, at the לוויית of most צדיקים, there is no general קול בת קול proclaiming עולם הבא for all those in attendance - because who knows if they had done תשובה or not? But at the levaya of רבי יהודה הנשיא, as a tremendous expression of הכרת הטוב and respect for his שיטה, Hashem arranged that everyone who was there - whether or not they had done תשובה - received כפרה. And so the קול בת קול said that everyone present would merit a חלק in עולם הבא.

As I said before, there's no question that we are obligated to do תשובה. But the power of a דעת יחיד was so great that it was able to be מזכה all those who were at the levaya of רבי יהודה הנשיא with חיי עולם הבא - regardless of their תשובה status.

It is a tremendously important lesson: that we must listen to all of the דעת יחיד opinions we see in the גמרא and משנה. Because we never know what kind of זכות we may receive by listening to and learning from each one of these great חכמים, teachers, and leaders - who have an influence on each and every one of us.

