

# למודי משה

על המועדים

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מלוקט על ידי משה הריס



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**ת.נ.צ.ב.ה**

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*V'shar cholay Yisroel*

And in the *zechus* of a *shidduch* for:

Nechomah bas Shoshanah  
Adina Aidel bas Rochel Leah  
And all those in need of a *shidduch*

Please *daven* for them and have them in mind when learning from this *Kuntros*.

This booklet was compiled by Moshe Harris and is available to be picked up from Mem Gimmel 24, Knisa 2, Dira 3 (Yerusholayim), 37 Legh Street (Manchester) or 265 Coatsworth Road (Gateshead). For any comments, feedback or to subscribe to receive my weekly booklet, email: [limudaymoshe@gmail.com](mailto:limudaymoshe@gmail.com) or call/text 07724840086 (UK), 0585242543 (Eretz Yisroel).

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## Contents

All You Need to Know About <i>Ma'os Chittin/ Kimcha De'Pischa</i> .....	7
False Teeth, Fillings, Crowns, Implants and Real Teeth - How Should We Prepare Them for Pesach? .....	13
Selling <i>Chometz</i> – Who, What, When and How?.....	18
Is One Allowed to Bake/Buy <i>Chometz</i> Before Pesach with Intention to Sell it With His Other <i>Chometz</i> ? .....	26
Waiting for Twelve Months.....	29
The Mitzvah of <i>Korban</i> Pesach Nowadays .....	34
<i>Seder</i> Night and Food Intolerances.....	40
Drinking Water on Pesach.....	44
Using <i>Shemitta</i> Wine for <i>Daled Koisos</i> [Four Cups of Wine].....	48
The Prohibition of <i>Kitniyos</i> on Pesach .....	54
Eating and Drinking After <i>Afikomen</i> .....	64
Must <i>Afikomen</i> Pledges Be Kept?.....	66
Practical Guide for a Ben Eretz Yisroel Who is in <i>Chutz La'aretz</i> for Yom Tov Sheini .....	69
Second Night <i>Seder</i> for a Ben Eretz Yisroel in <i>Chutz La'aretz</i> (Step by Step Guide) .....	78
<i>Sheva Berachos</i> at the <i>Seder</i> .....	86
Eating <i>Matzah</i> All Seven Days of Pesach – Diversity of Opinions .....	91
Hand <i>Matzos</i> Vs. Machine <i>Matzos</i> ?.....	97
Haggadah Insights.....	102
Insights for Shevii Shel Pesach .....	181

(The *haskomas/ michatvei berachah* attached below were given on previous *kuntrasim* that I brought out.)

Rabbi Naftoli Ha'kohen Kopshitz

הרב נפתלי הכהן קופשיץ

Rabbi of

רב קהילת ובית המדרש

"Chanichei Hayeshivos" Congregation

"הנוכי הישיבות"

Romema, Jerusalem

רוממה, ירושלים

מען למכתבים: רח' פתח תקוה 3 ירושלים טל: 02-5023303

בס"ד כ"ז שבט תשפ"ב

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כעתירת וכברכת מוקירו ומכבדו כערכו

נפתלי הכהן קופשיץ

ס"ד



Rav: Rabbi Y.S. Cohen  
122 Leicester Road  
Salford  
M7 4GB  
Tel: 0161 740 9504



Contact Address:  
Adass Yeshurun Shul  
Cheltenham Crescent  
Salford  
M7 4FP

כסלו תשפ"ב

מכתב ברכה

כס

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יסק שליט"א כן

DAYAN GAVRIEL KRAUSZ

formerly Rosh Beth Din, Manchester

118 Leicester Road, Manchester Salford M7 4GF

Tel: 0161 740 4548 Fax: 0161 740 9300

Email: dayangavrielkrausz@gmail.com

גבריאל קרויס

מלכתחילה ראב"ד דק"ק מנשטער והגליל יצ"ו

מו"ס מקד הברכה

ושאר ספרים

בס"ד

שלום וברכה לכוונת אשה שליטא

Thank you very much for the consistently amazing *יונתונים* and weekly *פרשה* sheets that you send me. Generally, I refrain from giving *הסכמות* for certain reasons. However, sometimes I have to make exceptions, e.g. close family members. Due to my long-standing *יחס* with your *אבא*'s father, I feel you qualify for such an exception.

"*Joh geh em arais fun die* שליטא". I am really baffled how a "junger Mann" like <sup>you</sup> not even yet 30 *אמא* can be so *אמא*. In addition to your daily schedule, you managed to compile such "gewaltige" *יונתונים* (in addition to your weekly *פרשניות*).

I wish I could learn through all your writings. However, due to my *אורחות*, this is not feasible. Nevertheless, they are placed prominently in my library, (תקן ז' אמור, אופן where I usually sit) for reference *זדה*. I was *אין* quite a bit in your writings, but for the reason given above.

Consequently, I cannot state that my *הסכמה* means, I agree with everything *לפני* and *אחרי*. However, what I have seen is well written and in accordance with *הלכה* and *הנהגות* אמת שלפני ה' ריוק שליטא, ותן ה' שבת ה' למוז ולתם אמר, מנות ה' ורבות בצדק ולמסוקי שמחתא איוזא דלכתא באות נשקי, ויתגלה ל' את ה' ויתגלה ל' את שמוי אמרן יטאל סד זיאג יון זרא, ה' את לכוונת ה' ואתפיה זיוולתחוב אן לכוונת זכוני ל' שנת השפא לפיך פה ערך ה' מנשטער ושל

הפוסק שליטא  
גבאיא זכאים

RABBI E LIEBERMAN  
37 GRASMERE STREET WEST  
GATESHEAD NE8 1TS  
ENGLAND  
TEL: +44 191 477 1598

אלעזר ליבערמן  
בן אאמו"ר הגה"צ ר' יוסף נתן זצוק"ל  
מו"ץ וראש הכשרות

בס"ד

### מכתב ברכה

לכבוד תלמידי היקר הר"ר משה שליט"א בן ידידי היקר הר"ר שמעון שליט"א, וחתן ידידי היקר הר"ר דוד שליט"א,

מאד נהניתי לראות פרי עמלו קונטרס למודי משה על התורה, שמוציא לאור מידי שבת בשבתו זה כבר זמן הרבה, והוא נכתב בלשון צח וקל באגדה ובהלכה באופן שכל אחד יכול ליהנות ממנו, להוסיף יראת שמים ולפאר הסעודות שבת שלו עם דברי אגדה השקפה ומוסר הראוי לכל אחד ואחד.

והנני מכיר את המחבר שליט"א כבר מזמן איך ששוקד על במתי התורה והיראה ולומד בהתמדה גדולה עם מדות תרומיות, וזכה להפיץ מעיינותיו החוצה בבהירות גדולה והבנה ישרה בין באגדה ובין בהלכה.

והנני מברך את המחבר היקר שליט"א שכה ימשיך וכה יוסיף ללמוד וללמד, לעלות בתורה וביראה, לכתוב ולהפיץ מעיינותיו החוצה, ולהרבות כבוד שמים, מתוך בריות גופא ונהורא מעליא, מתוך מנוחת הנפש והרחבת הדעת להגדיל תורה ולהאדירה.

ממני הכו"ח לכבוד התורה ולומדיה.



אלעזר ליבערמן

פה גייטסעהד יצ"ו – כ"א שבט תשפ"ג לפ"ק

## All You Need to Know About Ma'os Chittin/ Kimcha De'Pischa

All of us have heard the expression *ma'os chittin*, which heralds the yearly *tzedokah* appeal in advance of the Yom Tov Pesach. However, many are unaware of the fact that the collection of *ma'os chittin* [money for wheat] is not a simple *tzedokah* collection like all others, but involves an actual obligation, with a range of laws and definitions.

Below we will discuss various different *halachic* aspects involved in the mitzvah of giving *ma'os chittin*.

### Source of the Custom

The first *Darkei Moshe* in *Hilchos Pesach* (*Orach Chaim* 429) cites the *Ohr Zarua* (*Pesochim* 255), who sets out the halachah of *ma'os chittin*: מנהג הקהילות להשים מס על הקהל לצורך חיטים ליתן בפסח לעניים: - "The custom of communities is to levy a tax on the community for the purpose of purchasing wheat, and to distribute it for Pesach to the town's poor." This halachah is codified by the *Rema* (429:1): לחיטים - ומנהג לקנות חטים לחלקן לעניים לצורך פסח - "The custom is to purchase wheat and to distribute it to the poor for the needs of Pesach."

The source of the custom, as the *Ohr Zarua* writes, is from a *Yerushalmi* (*Bava Basra* 1:4): לחיטים - "For the 'Pesach wheat' [one must live in the town for] twelve months, both for receiving and for giving." Clearly, the matter of *ma'os chittin* is thus an ancient custom, which was already around in Talmudic times.

In the wake of the ruling of *Rema*, this halachah is ruled by virtually all *poskim*, who mention further that this is the simple custom. In the words of the *Shulchan Aruch HaRav* (529:5): מנהג פשוט בכל - "It is the simple custom among all of Yisroel that every congregation levies a tax on its townspeople, for the purpose of wheat for Pesach. The money is used for purchasing wheat and distributing it among the town's poor."

In addition to the aforementioned *Yerushalmi*, the Vilna Gaon (*Kol Eliyohu, Parshas Bo*, 13:6) finds a hint in the Torah. In *Parshas Bo*, there are two *pasukim* one after the other (13:6-7): שבעת ימים - "For seven days you shall eat *matzah*, and on the seventh day it shall be a festival for Hashem. *Matzos* shall be eaten for seven days...". The Vilna Gaon asks, why the *pasuk* repeats the obligation to eat *matzah* twice and why in the second clause it uses the passive form of eaten rather than the command form of eat. He explains that the passive form indicates that there is an obligation to make sure that each poor person fulfils this mitzvah.

### Custom or Obligation?

The aforementioned sources raise a question concerning the basic nature of *ma'os chittin*. As the *Beis Dovid* (Rav Yosef Dovid of Salonika, no. 136) notes, the *Rema* mentions a custom to give *ma'os chittin*, whereas the *Yerushalmi*, which is the source of the halachah, implies that *ma'os chittin* is an obligation, which is coerced upon members of the community. How can we reconcile the *Yerushalmi* which says an obligation with the *Rema* which mentions a custom?

The *Beis Dovid* answers this question by stating that since the idea is not found in the *Bavli* [and major *rishonim* such as the Rambam and the Rosh do not mention it], we may derive that the strict halachah does not follow the *Yerushalmi* in this matter. Yet, although the donation of *ma'os chittin* is not obligatory, it is customary to follow the ruling of the *Yerushalmi*, and to establish a communal fund of *ma'os chittin*.

The *Mishnah Berurah* (*Sha'ar HaTziyon* 429:7), who also raises the question, offers a different resolution. In his opinion, the obligation found in the *Yerushalmi* can be fulfilled by giving the poor money, rather than wheat. The custom, however, as ruled by the *Rema*, is to give the poor wheat, bringing the final product of *matzah* one step closer.

These resolutions, however, are somewhat strained in consideration of the wording of the *Ohr Zarua*, who quotes the *Yerushalmi* and directly derives the custom to collect *ma'os chittin*. How can this direct derivation be understood?

### **Tax or Charity?**

Perhaps we can suggest a further resolution after presenting an additional seeming contradiction in the rulings of the *poskim*. On the one hand, the *poskim* write that the halachah of *ma'os chittin* is a tax levied on the community, as the above-quoted words of the *Shulchan Aruch HaRav* demonstrate. Yet on the other hand, the *Shulchan Aruch HaRav* himself concludes: ואפילו תלמידי חכמים הפטורים ממס נותנין חלקם לפי שצדקה היא זו - "Even *talmiday chachomim*, who are exempt from taxes, are obligated to participate, because it is a contribution to charity."

The obvious question that arises concerns the nature of *ma'os chittin*: Is it a tax collection, or a contribution to *tzedokah*?

In resolving this question, it would seem that the law is indeed founded on principles of *tzedokah*: Just as throughout the year, those with the financial means are responsible for providing the basic needs of those who lack the means for providing them. However, in order that the poor should have sufficient funding for Pesach, and in keeping with the special character of Pesach, which is the 'festival of freedom' (see below), it is customary to collect this *tzedokah* donation by means of a mandatory tax (see article of Rav Rubin in *MiBeis Levi* 1, p. 129-130).

According to this understanding, the *Yerushalmi* itself means to present a custom that evolved out of an obligation. Out of an appreciation of the general obligation of *tzedokah*, communities adopted the custom of levying taxes on members, to ensure that the Pesach needs of the poor are met.

In addition to this, the custom of giving *ma'os chittin* broadens the assistance offered to the poor beyond the regular boundaries of *tzedokah* (see below), and it is possible that the custom of levying taxes was established on account of this extension. The custom ensures that the poor will receive the extended assistance of *ma'os chittin*, which goes beyond year-round allocations of *tzedokah*.

### **How Much to Give?**

One should give according to his ability, and enough funds should be collected to provide for the entire Pesach (see *Mishnah Berurah* 429:4, *Kaf HaChaim* 16, and *Sha'arei Teshuva* 429:3, *Kaf HaChaim* 20).



## Why is *Ma'os Chittin* Special to Pesach?

The *Mishnah Berurah* (*Sha'ar HaTziyon* 429:10) questions why the halachah of *ma'os chittin* was enacted specifically for Pesach. The expenses of other Yomim Tovim, such as Succos and Rosh Hashanah, are far from slight, yet the concept of *ma'os chittin* is unique to Pesach.<sup>1</sup> Why is this so?

The *Mishnah Berurah* suggests two responses to this question. One is that the enactment was made specifically for Pesach on account of it being the 'festival of freedom' (*chag hacheirus*). The annual commemoration of *yetzias* Mitzrayim obligates us in a special mode of celebration, which goes further than the celebration of other Yomim Tovim.

As the *Mishnah Berurah* writes: אין זה כבוד לה' שהעניים יהיו אז רעבים וצמאים וע"כ נותנין לו קמח על כל ימי - "It is dishonourable to Hashem that the poor of Yisroel should be hungry and thirsty at this time. Therefore, we give them all the flour they require for the duration of Pesach, so that they will be able to recount the tale of the Redemption with joy."

The second reason suggested by the *Mishnah Berurah* is that the Yom Tov of Pesach is special in that bread, the staple food of a person's diet during the year, is prohibited. Because *matzah* is hard to purchase, which can lead to the poor people's going hungry, or even to their transgression of the prohibition (*chas vesholam*), it was enacted that they should be specially provided for.

According to the first rationale suggested by the *Mishnah Berurah*, the special nature of the Pesach celebration requires the unique collection of *tzedokah*. According to the second explanation, it is not the celebration that necessitates the collection, but rather concern for what might arise due to the prohibition of *chometz* on Pesach.

## Giving Beyond *Tzedakah*

Based on the first rationale mentioned by the *Mishnah Berurah*, which highlights the special nature of the Pesach celebration, we can explain two laws that are unique to the collection of *ma'os chittin*.

One halachah, which is stated by the *Mekor Chaim* (429, *chiddushim* 3), sets aside the allocation of *ma'os chittin* from regular *tzedokah* collections. By regular *tzedokah*, only those poor who lack the means for fourteen meals may benefit from the town's *tzedokah* fund (*Shulchan Aruch, Yoreh De'ah* 253:1). According to the *Mekor Chaim*, this limitation does not apply to *ma'os chittin* (this ruling is quoted by *Biur Halachah* 429).

This halachah is well explained in the light of the above-mentioned rationale. Because the celebrations of Pesach require a special degree of 'freedom,' we lower the standard by which a poor person qualifies for receiving donations. Even those who would not qualify for regular *tzedokah* money qualify for *ma'os chittin*. Beyond the minimal expenses, we wish every Jew to experience the unique joy of freedom.

## The Question of *Shemurah Matzah*

Another possible ramification of the same rationale is the question of *shemurah matzah*.

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<sup>1</sup> In fact, the *She'elas Ya'avatz* (no. 7) writes that the obligatory donation towards *ma'os chittin* applies to all Yomim Tovim. This, however, is a *da'as yachid*, an opinion to which other *poskim* have not agreed to.

In *Hilchos Chanukah*, the *Mishnah Berurah* writes (*Biur Halachah* 671, citing from the *Chemed Moshe*) that although local *tzedakah* funds distribute candles to the poor for Chanukah, the poor should be given no more than the bare minimum—one candle per day. Those with the means can and should practice the *mehadrin* custom of lighting several candles every day; those who lack the means should not perform *hiddurim* at the expense of the community fund.

However, with regard to *ma'os chittin*, the *poskim* do not apply the same principle. The consumption of *shemurah matzah*, meaning *matzah* that has been guarded from becoming wet from the time of harvesting the wheat, is a *hiddur*, and not obligatory. Nonetheless, a poor person who consumes *shemurah matzah*, either because he is a *talmid chocham*, or because this is a custom he has already performed (making the *chumrah* a *neder*), is given *matzah* according to his level of observance.

In spite of the extra expense involved (*shemurah matzah* is considerably more expensive than regular *matzah*), his *hiddur* is paid for out of the *ma'os chittin* fund (*Pischei Teshuvah* 429, and several *poskim* who cite the ruling). The *Kaf HaChaim* (429:14 and 671:4) mentions both the 'tighter' handout of Chanukah, and the more 'generous' distribution of Pesach, indicating that the two rulings are not in conflict dispute with one another, but rather two *halachos* that somehow go together.

The discrepancy between Chanukah and Pesach can be explained by the special status of *ma'os chittin*, which derives from the unique nature of the Pesach celebration. A person used to stringent standards for *matzah* (*shemurah matzah*), and who is forced to eat *matzah* of a lesser standard due to insufficient means, will be unable to feel the elation of Pesach. On Chanukah, however, the regular principles of *tzedakah* apply, by which a person is not provided with more than the bare minimum.

An alternative explanation would be to distinguish between the *mehadrin* practice of Chanukah, which is accepted as a *hiddur*, and the *chumros* of Pesach, which are seen as a concern for *chometz*. With regard to Pesach, *hiddurim* in *matzos* take on significance beyond those of other laws, and for this reason we are prepared to pay them out of the *ma'os chittin* fund.

### **What Can be Purchased with *Ma'os Chittin*?**

As the name *ma'os chittin* or *kimcha de'pischea* suggests, the original enactment of *ma'os chittin* was that the money raised by the Pesach tax should go towards wheat for the needy. In those times, it was common practice for each person to grind his own wheat, and to bake his own *matzos* from the resultant flour.

In later times, after people stopped grinding their own wheat, the custom of *ma'os chittin* was changed from distributing wheat to distributing flour, from which the poor could directly benefit (*Mishnah Berurah* 429:6). Today, it is rare to find people (rich or poor) who bake their own *matzos*, and the common custom is therefore to distribute *matzos* (*Kaf HaChaim*).

Moreover, whereas in previous generations an abundance of *matzah* was perhaps sufficient cause for creating the uplifting atmosphere of Pesach, this would not be true for the higher living standards of our generation. Therefore, it has become customary to use *ma'os chittin* for all Pesach needs (*Halichos Shlomah*, Nissan, note 90; see also *Sha'arei Teshuva* 429:3, who writes that leftover *ma'os chittin* should be used for other Pesach expenses).

As we find in the *Shulchan Aruch* (442:2), adorning the table with fine dishes is part of the *cheirus* (freedom) of the Pesach celebration, and the same applies to other expressions of grandeur and finesse. Therefore, it is fitting to make use of *ma'os chittin* for all Pesach requirements, including clothing, fine dishes, and so on.

### ***Ma'os Chittin from Ma'aser Money***

As we mentioned above, the collection of *ma'os chittin* was enacted by means of a tax. As an obligatory payment, it would seemingly be prohibited to use one's *ma'aser* moneys for donations of *ma'os chittin*, for *ma'aser* money may not be used to pay financial obligations.

Yet, there is also room to argue that because the foundation of the enactment is *tzedakah*, as explained above, it follows that one may use *ma'aser* money in paying the tax, despite the obligatory nature of the payment.

Today, however, Rav Shlomo Zalman Auerbach (*Halichos Shlomo*, Nissan 2) ruled that one can certainly use *ma'aser* money for *ma'os chittin*. This is because the power of the *kehillah* (community) has waned, and the payment of *ma'os chittin* is no longer forced upon the individual member. Furthermore, there is no longer any set sum that a person must contribute, so that one can certainly make one's contributions from *ma'aser* money.

### **The Obligation (Today) of *Ma'os Chittin***

In previous generations, when the collection of *ma'os chittin* was made by means of a mandatory tax, clear criteria defined which residents were obligated in making the donation, and which were not. The *Yerushalmi* clarifies that only those residents who had lived in the town for at least twelve months were obligated in paying the tax, and similarly, only those poor who had lived there for the same period could receive the donations. This halachah is ruled by the *Ohr Zarua*, the *Rema*, and other *poskim*.

Over the years, the enactment was broadened, and *poskim* write that even those who had occupied the town for only thirty days were obligated to participate in the collection (*Semak* 247; *Magen Avraham* 429:2).

The *poskim* add that these criteria apply specifically to those who have not yet made the town their permanent dwelling place. If somebody arrives to make his permanent residence in the town, he is immediately obligated in paying the tax (*Chok Yaakov* 429:5; *Mishnah Berurah* 5).

Today, as mentioned above, the communities do not have the same standing they once had, and it is no longer customary to levy a tax from members of the community. Yet, there are numerous worthy organizations, both local and international, which collect money for *ma'os chittin*, and distribute the funds to the poor for Pesach requirements.

One should therefore make every effort to fulfil this ancient enactment in its modern embodiment. As the *Mishnah Berurah* (429:6) rules, the community tax would apply to each individual according

to his personal means. Even today, each person should contribute, according to his means, towards allowing the poor to share in the unique 'freedom' of the Pesach celebrations.<sup>2</sup>

### **Upgraded Version of a Famous *Dubno Maggid* Parable**

Before concluding the topic, I would like to share an upgraded version of a famous *Dubno Maggid* parable which R' Yaakov Reisman shared in a *ma'os chittim* appeal:

Imagine for a moment, a wealthy *gvir* wanting his family to get together. Although a seasoned businessman, he was not so familiar with traveling. He gives Chaim, one of his sons in Eretz Yisroel, his credit card to arrange for everyone to come to New York. They will all get together in a luxurious hotel. Chaim purchases first class bookings for himself, his wife and children. His brother Yaakov and family from Kiryat Sefer were booked on Delta with a 12 hour stop-over. Brother Dovid and family from Beit Shemesh were booked on Ukrainian Airways through Kiev, saving his father thousands of dollars. Shimshi and family were booked on a fabulous deal on Turkish Airlines.

When Chaim's father went to pick him up from JFK, he asked where everyone else was. Chaim answered, "Well, Yaakov is on Delta, arriving tomorrow, Shimshi is on Turkish Airlines arriving Tuesday night and Dovid will be here Thursday morning from Ukraine".

"What?? I gave you the credit card so that everyone could come. Instead, you booked yourself on First Class so that you could live in luxury while your brothers are struggling on two-bit air fares!"

"But Ta, I saved you money!"

"I am reversing the charges on your airfare, Chaim! Pay for those tickets yourself!"

The *Dubno Maggid* explained that regarding our obligation to give *tzedokah*, it is not that we are the owners of our money and we choose to give it to the needy. No. We are mere messengers of Hashem to give this money that He gave us to His other children. When we eat on Yom Tov, but our brethren do not — it is an abuse of the system no different than the parable expounded above!

### **A Novel Interpretation for *Ma'os Chittim* from the *Chochmas Shlomah***

The *Chochmas Shlomah* has a novel interpretation as to what is behind the reason we give *ma'os chittim*, he writes as follows:

נראה לי טעם נכון בעזה"י למנהג זה כיון דנתקן לו' בכהא לחמא כל דכפין ייתי ויכול והרי באמת אם יבוא עני ולא יתנו לו הוי בדובר שקרים לפניו יתברך לכן נתקן ליתן לעניים מעות חטים א"כ אח"כ כשיבוא העני יאמרו לו אני לא אמרתי רק כל דכפין ייתי ויכול אבל אתה אינך דיכפין כי כבר נתתי לך מעות חטים ואם אתה נתת המעות על דבר אחר אתה גרמת בעצמך ולא יהיה דובר שקרים לפני הקב"ה וא"ש וזה נראה לי טעם נכון ודוק היטב.

"It appears to me, that the reason behind the custom is, that we say in *Ha Lachma Anya*, 'anyone who is needy come and eat', and truth be told if a poor person would turn up we would probably

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<sup>2</sup> Although we mentioned that according to R' Shlomo Zalman *ma'aser* money may be used, when Rav Chaim Kanievsky was asked by a somebody who had already fulfilled his *ma'aser* obligations, if he still had to give *ma'os chittin*, Rav Chaim responded that *ma'os chittin* constitutes a separate obligation, and that even though he had fulfilled his obligations vis-à-vis *ma'aser*, he remained obligated to participate in giving *ma'os chittin*.

send him away. Therefore, in order to make it that we aren't telling lies on *seder* night, the custom was enacted to give *ma'os chittim*. That way, if a poor person would come and we would turn him down, we can say to him, I only invited the needy, and you aren't needy as I already gave you *ma'os chittim* before Pesach. If you spent it in other things that's your fault. This appears to me to be a good reason for the custom."

### **As Nissan Arrives**

In conclusion, it is worth citing the words of *Maharil*, in his customs for the month of Nissan: ומשמתחילין הל' יום דרך בני אדם לכבד החדרים ולהדיח הכלים ובראש כל דבר לקנות חטין לעניים - "When the thirty days [before Pesach] commence, it is customary to clean the rooms and wash the dishes, and above all to purchase wheat for the poor."

The first half of *Maharil's* statement is assiduously fulfilled by every Jewish household. Yet, in *Maharil's* words, "above all" stands the enactment of *ma'os chittin*, which ensures that the poor will be able to cater for the special needs of the Yom Tov of Pesach. If we would give the same attention to the poor as we give our Pesach cleaning, they would surely be in good shape!

In the merit of this great mitzvah—the mitzvah of *tzedakah* upon which the Redemption stands (*Bava Basra* 10a)—may we speedily see the fulfilment of the promise (Michah 7:15): בימי צאתך מארץ מצרים אראנו נפלאות - "As the days of your coming forth from Mitzrayim, I shall show you wonders."

(Mostly taken from a halachah write-up written by R' Yehoshua Pfeffer)

## **False Teeth, Fillings, Crowns, Implants and Real Teeth - How Should We Prepare Them for Pesach?**

One of the most astounding creations in our body is our teeth. They grind; they chew; they are the first stop for digestion. And they flash white when you smile! While certainly no substitute for the real thing, false teeth can also do the job. Since people lose their teeth for a variety of reasons, medical science has found ways of supplementing lost teeth to enable chewing and to remedy the aesthetic damage caused by missing teeth. As early as the 7th century BC, Etruscans in northern Italy made partial dentures out of human (dead or alive) or other animal teeth fastened together with gold bands. Later, materials such as beeswax, animal bone or porcelain were used to construct dentures. Other materials utilized were ivory, rubber or even gold. Today, dentures are made of acrylics.

By the end of the 18<sup>th</sup> century, use of dentures became so widespread that a *halachic* debate arose revolving around two basic questions: must one have two sets of teeth, one for dairy and another for meat? And what happens with the teeth on Pesach? Do the dentures need *kashering*, and if yes, how?

During the course of the *halachic* debate, *poskim* offered various answer as to why natural teeth don't require any form of *kashering* – halachah clearly states that one is permitted to eat boiling meat right after drinking hot milk. Why don't natural teeth absorb flavour of the foods we eat?

## Absorbing Flavors

The *poskim* mention several reasons why natural teeth don't absorb food flavours. While most reasons apply also to dentures, one doesn't. As a result, the *poskim* regard them differently.

The *Beis Yitzchok* (*Yoreh Deah* 1, 43:12) writes that a living organ doesn't absorb flavour. Therefore, a limb of a living animal that fell into boiling milk and was removed doesn't absorb dairy flavour as long as the animal is still living, and consumption will not be forbidden once the animal is *shechted* [slaughtered]. Based on this it would seem, that natural teeth don't absorb flavours, however, dentures do. However, the *Beis Yitzchok* refutes this assumption since even natural teeth are not fully alive, and there must be other reasons that would apply even for dentures.

## Leniency

As we mentioned, the *poskim* bring down various reasons to be lenient in regard to natural teeth, and many of the reason apply to dentures as well, below is a short summary of the reasons. But first, some basic rules:

In order for a utensil to absorb flavour, the temperature of the forbidden food (*chometz*/meat/milk) must be *yad soledes bo* [a temperature, which when touched a person's hand will recoil]. Contemporary *poskim* debate what this temperature is. While some sources titrate it at 45 degrees Celsius, Rabbi Shlomo Zalman Auerbach proved it could not be less than 47 degrees Celsius and the *Chazon Ish* measured it at 49 degrees Celsius.

Additionally, for flavour to be absorbed into teeth hot food must be consumed directly from the pot in which it was cooked (*kli rishon*). *Chometz* flavour on Pesach is judged more stringently, and halachah forbids even flavour of *chometz* that was absorbed in a *kli sheini* [secondary utensil].

## Reasons for leniency which apply to both dentures and natural teeth:

- 1) By the time food comes in contact with teeth, both natural or synthetic, it is less than *yad soledes bo* and cannot be absorbed (*Beis Yitzchok*, *Yoreh Deah* 1, 43:12; *Maharsham* 2:197; *She'elas Shalom* 195).
- 2) People don't usually drink or eat directly from a pot (*Beis Ha'otzar* chapter 39; *She'elas Shalom* 195, and others). Drinking from a cup that was warmed in a microwave will be discussed further on.
- 3) Food does not remain next to the teeth very long. Even if the food is at the temperature of *yad soledes bo*, it does not remain so hot for more than a few seconds (*Maharsham* 1:197; *Beis Ha'otzar* chapter 39). This leniency follows the *Radvaz* (1:223) and *Chamudei Doniel* (*Ta'aruvos* 1:34) who maintain that absorption of prohibited flavours occurs only if the forbidden element remains in place for some time. If it only remains in place for a few seconds, there's no harm done. However, the *Ohr Chadash* (95:9) and *Pri Megodim* (introduction) maintain that absorption occurs immediately (those who have learnt *Issur V'Heter* will know that there are countless proofs against opinion of the *Chamudei Doniel*).
- 4) Dentures are made of non-absorbent materials (*Beis Ha'otzar* 39 and others). While *lechatchilah* [ideally] we are stringent with newly invented substances, here we can be lenient due to a combination of reasons, one of which is the fact that medical scientists produce dentures from non-

absorbent materials in order to prevent decay and infection. Along with the fact that people cannot eat without their dentures it becomes a *sha'as hadechak* [a time of pressing need], and dentures can be seen as non-absorbent.

5) The temperature of the mouth and the enzymes in the saliva were created by Hashem in order to break up food particles. It does the same for food particles on dentures (*She'elas Shalom* 195, mentioned in *Darchei Teshuva*, *Yoreh Deah* 89:11 and in *Kaf HaChaim* *ibid*, footnote 22). R' Shlomo Zalman (*Minchas Shlomo* 2:46) sees this reason as the main reason for leniency.

6) While the *Beis Yitzchok* (*Beis Yitzchok*, *Yoreh Deah* 1, 43:12) writes that for Pesach there could have been reason to do *hagolah* on natural teeth, since it is impossible, it is unnecessary. Dentures, however, which can easily be *kashered*, *hagolah* is recommended because they do touch boiling *chometz*.

### Early Halachic Rulings

The *Sdei Chemed* (volume 5, *Chometz U'matzah* chapter 4:24) notes a dispute between his colleagues: Rabbi Avraham Mattiya Chalfan (*Beis Ha'otzar* 39) sees dentures as natural teeth because of the material it is made of, and because the food does not remain near it at *yad soledes bo* temperature for long. Rabbi Moshe Mishel Shmuel Shapira (*Beis Ha'otzar*, *Ohr Tzadikim* chapter 3:2) though argues that dentures should be immersed in boiling water for Pesach for the following reasons:

1) People consume food or beverages at temperatures that would forbid dishes had the food been forbidden, or directly from the vessel used to warm the food.

2) Additionally, one may eat a boiling chunk of food (known as a *dovar gush*), which according to the *Maharshal* doesn't cool off even when transferred to another utensil.

3) When eating sharp foods (*devorim charifim*) teeth expel the flavour that was absorbed. Therefore, when one eats *matzah* together with horseradish for *marror* (which is sharp), the flavour of the *chometz* he ate before Pesach will be discharged into his food resulting in eating *chometz* along with *matzah*.

4) The *Shulchan Aruch* mentions the custom to scrape out the walls near the stove, despite not being the mainstream halachah. Therefore, there's no reason not to *kasher* dentures.

5) *Kashering* them is not difficult, therefore, there's no reason not to.

The *Maharsham* writes that despite the possibility of refuting every one of the reasons to be lenient, since there is a combination of reasons, it is possible to be lenient.

The *Darchei Teshuva* (*Yoreh Deah* 89:11) notes that he discussed the issue with a denture manufacturer in Vienna who told him that dentures (at the time) were produced from non-absorbent substance to prevent rot and danger of infection. While the *Darchei Teshuva* maintains that it is not required, preferably one should have separate sets for meat, dairy, and Pesach.

The *Kaf HaChaim* (*Yoreh Deah* 89:22) maintains that *kashering* dentures is unnecessary because food is not *yad soledes bo* and dentures are made of non-absorbent substances.

The *Melamed L'hoyil* (volume 1, *Orach Chaim* 93) summarizes all the opinions on the matter and rules that since dentures are ruined in boiling water, and since it is permitted, one need not be stringent.

### **Contemporary Poskim**

Rabbi Tzvi Pesach Frank (cited in *Tzitz Eliezer* volume 9 chapter 25:5) rules that dentures should be cleaned with alcohol for Pesach.

The *Shevet HaLevi* (1:148); Rav Ovadia Yosef (*Yechave Da'as* 1:8); and R' Ben Tzion Abba Shaul (*Ohr Letzion* volume 3 chapter 10:15) rule leniently where dentures may be ruined because all the presumptions that demand *kashering* are not *m'ikar hadin* [strict halachah]. Therefore, since they may be ruined there is no need to be scrupulous.

R' Moshe Sternbuch (*Teshuvos V'hanhagos* volume 2, chapter 211:7) writes that it is proper to be scrupulous and refrain from eating hot *chometz* with dentures 24 hours before Pesach and then to pour over them boiling water directly from a *kli rishon*. However, when *erev* Pesach falls on Shabbos one is not obligated to eat a cold Shabbos meal (and cancel the mitzvah of *oneg* Shabbos). One should, however, try not to eat boiling hot *chometz*. This also appears to be the opinion of R' Shlomo Zalman Auerbach (*Minchas Shlomo* 2:46).

### **Touching Boiling Chometz**

Rav Ovadia Yosef notes that the Ben Ish Chai (Bo, Year 2, footnote 5) defines *yad soledes bo* as the temperature which one is not able to put food in his mouth. Similarly, Rav Moshe Feinstein (*Igros Moshe, Orach Chaim* 1:5) rules that one can drink hot milk and then eat meat because *yad soledes bo* food cannot enter one's mouth. Therefore, between dairy and meat one should clean his dentures just as he would clean his natural teeth.

On the other hand, Rabbi Shlomo Zalman Auerbach writes that this rule is not carved in stone: some people can drink or eat things that are *yad soledes bo*. Therefore, the main reason for leniency with dentures is the mouth's internal temperature that ruins all flavours absorbed.

As mentioned earlier, the debate is not about the facts but about the definition of *yad soledes bo*. *Poskim* who define it in the higher temperatures have a lower chance of people eating or drinking at that temperature. Those who see it as the lower temperatures have more room for scrupulousness. It remains, though, that even according to the *Minchas Shlomo*, one who never ingests too-hot food, and especially one who is sensitive to heat can certainly be lenient with his dentures.

### **Eating From the Pot**

Early *poskim* debate if a person eats directly from a pot or not, and if so, perhaps his mouth becomes a *kli sheini*.

This discussion is relevant for people who eat or drink microwaved food or beverages. The *Shevet HaLevi* and Rav Ovadia Yosef note that most people don't eat directly from pots, and even if they do drink microwaved foods and beverages, they don't usually pour it directly on their teeth – they sip it with their lips. This would make the contact with teeth a *kli shlishi* which the *Mishnah Berurah*



(451:10) regards leniently even for Pesach. Those who see teeth as a *kli sheini* (due to eating boiling hot microwaved foods on the plate on which they were warmed) can be scrupulous for Pesach, but it is considered a *chumra*, not the mainstream halachah.

### Review of Approaches

The *Tzitz Eliezer* (volume 9, chapter 25:10) summarizes the six different approaches to dentures in halachah:

- 1) Mainstream halachah requires one to rub and wash dentures well.
- 2) Some require immersion in boiling water.
- 3) Others require soaking in cold water for 3 days, changing the water every 24 hours (applicable only for people with more than one set of dentures or who can live without them for 3 days).
- 4) Some maintain that one should pouring boiling water on them directly from a pot.
- 5) Some are scrupulous not to eat *chometz*, and at least not hot *chometz*, for 24 hours prior to *kashering*.
- 6) The most scrupulous prepare another set of dentures for Pesach, as well as for meat and dairy.

R' Shlomo Zalman Auerbach (who himself had dentures) and others recommend refraining from consuming sharp foods on Pesach.

### Crowns and Fillings

Halachah sees crowns, gold or silver teeth, and fillings as equal to dentures. However, with these even those who are scrupulous with dentures must rely on the lenient opinions. The scrupulous are careful not to eat hot food 24 hours before Pesach, and before the last time for eating *chometz* drink something slightly hotter than what they are used to drinking. Some are scrupulous not to eat sharp vegetables, but where refraining from it would cancel the joy of Yom Tov, or for the mitzvah of eating *maror*, one need not exercise scrupulousness.

### Summary

Mainstream halachah sees dentures, crowns, gold and silver teeth or fillings as being non-absorbent substances and therefore do not require *kashering*. Where it is not difficult, and when *erev* Pesach is not on Shabbos, the above-mentioned procedures can be employed, provided it is not at the price of other things and where there is no risk to the fixtures. Customarily, *poskim* are not strict with dentures or dental fixtures with *issurim* other than Pesach and only discuss *chometz* because the prohibition of *chometz* is more severe than others.

(Taken from a halachah write-up written by Torah and *Ho'orah*, for a more extensive discussion see last year's Pesach *Kuntros*).

## Selling Chometz – Who, What, When and How?

### Changing Times

Many generations ago, the number of Jews who sold their *chometz* on Pesach was relatively small. The enactment and general custom of selling one's *chometz* does not appear in the Gemara, and it would seem that in the distant past there was little need for it.

In those times, each Jew would ensure that almost no *chometz* remained in his possession when Pesach arrived. The small amount that was left over was burned or otherwise disposed of, as the Torah commands (*Shemos* 12:15): אך ביום ראשון תשביתו שאור מבתיכם – “Only on the first day shall you clear the leaven from your houses.”

Over the ages, there arose a need to provide a practical alternative to destroying their *chometz* for owners of manufacturing plants and breweries, for whom this aspect of Pesach raised a tangible threat of financial collapse. In particular, after the industrial revolution and the methods of mass production that emerged in its wake, the conventional means of dealing with *chometz* on Pesach became economically unviable. A new approach was called for.

The solution was to sell the *chometz* to a non-Jew before Pesach, and to buy it back after Pesach. As we will see, this approach is not actually new to modern times, yet its application on an extensive scale, and its institutionalization as part of the preparations for Pesach, are the product of circumstances that arose in recent generations. Today, there is barely a household among observant (and even many non-observant) Jews that does not sell their *chometz* before Pesach.

### A Topic for *Halachic* Conversation

The custom of selling *chometz* on Pesach has prompted voluminous writings on the part of *halachic* authorities and remains to this day a common topic for *poskim* to dwell upon.

One of the issues over which many quills have been worn out is the technical means by which the ownership of the *chometz* is transferred to the non-Jew. For most transactions, the technical *kinyan*, which transfers legal ownership to the buyer, is fairly straightforward and not necessarily significant. For food we eat throughout the year, for instance, the transfer of legal proprietorship is simple (achieved by carrying the item or by bringing the food home), and not important. Even if the legal transfer is flawed, the food may be eaten by the purchaser.

In the case of selling *chometz*, the *kinyan* is not simple, and the consequences are severe. Considering the great amounts of *chometz* that are sold, the non-Jew clearly cannot take all the *chometz* into his physical possession, raising the question of which is the most effective *kinyan* [mode of acquisition] for transferring ownership to him. The significance, in turn, cannot be greater, for if the sale is void, the Jew will transgress the prohibition of having *chometz* in his possession over Pesach, and the *chometz* will have been rendered worthless.

The question of which is the right *kinyan*, which is of primary relevance for the *rov* (who performs the actual sale) rather than the layman, is beyond the scope of this write-up and we will focus primarily on the *halachos* of selling *chometz* that are pertinent to the general community.

## Primary Sources for Selling *Chometz*

The concept of selling *chometz* to a non-Jew in advance of Pesach first appears in the *Tosefta* (*Pesochim* 2:6-7). The *Tosefta* rules that if a Jew who is on a ship has *chometz* in his possession on dry land, he may sell the *chometz* to a non-Jew on the boat and buy it back after Pesach. The only provision is that the sale should be an absolute and unconditional sale. The *Tosefta* adds that it is even permitted for the Jew to hint that he will buy back the *chometz* after Pesach.

Rav Amram Gaon (*Otzar HaGeonim, Pesochim* 48) extends this halachah beyond the specific scenario of a ship (in which the person requires the food after Pesach for his survival), stating that it is generally permitted to sell *chometz* to a non-Jew and to buy it back after Pesach. Yet, he limits the application of the halachah to an occasional basis, writing that one may not utilize this method on a regular basis.

As mentioned, the *Tosefta* permits the Jewish seller to hint that he will buy back the *chometz* after Pesach. This leniency is taken a stage further by the *Terumas HaDeshen* (130), who adds two important points. First, he writes that the sale need not be for the true price of the *chometz*, but can even be made for a nominal sum. Second, he writes that this can be done even in the knowledge that the non-Jew will sell the *chometz* back to the Jew after Pesach. A similar statement is found in the *Beis Yosef* (*Orach Chaim* 448) and ruled in *Shulchan Aruch* (448:4).

## Keeping *Chometz* in the Home on Pesach

In the above sources, we find permission to sell *chometz* to a non-Jew for the duration of Pesach, even under the assumption that the non-Jew will sell or give back the *chometz* after Pesach. Nevertheless, the sale must be absolute and unconditional, so that the *chometz* entirely leaves the Jew's ownership for the duration of Pesach.

However, we have yet to find permission to sell the *chometz* to a non-Jew and to leave it in the Jew's domain (even if sold) over Pesach, which is the prevalent custom today.

The first to mention the concept of selling *chometz* without removing it from the seller's physical premises is the *Bach* (*Orach Chaim* 448), who suggests the leniency on account of the circumstances that prevailed in his locality: "In this province, where most of our business is with alcoholic beverages, which cannot be moved to non-Jews outside the house...it is permitted to sell all the *chometz* in the room to a non-Jew, or even to sell the room itself."

Since the *chometz* is sold to a non-Jew, and/or even the room in which the *chometz* is present is sold, the *chometz* is considered as having left the Jew's domain in the legal sense. Therefore, the (Jewish) former owner is absolved from any *chometz* transgression.

The *Magen Avraham* (448:4) emphasizes that it is sufficient to sell the *chometz* alone, without selling the room where the *chometz* is present. The only condition that must be fulfilled is that the Jew may not accept responsibility for the safekeeping of the *chometz*. Yet, he agrees that it is preferable if one sells the room containing the *chometz*. This is also the ruling of some later authorities (*Mishnah Berurah* 448:12).

## Critics of the Sale

Some *poskim* clearly regarded the leniency of selling *chometz* in the manner described above as applying to extraneous circumstances alone. The *Eliyah Rabba* (448:7) writes that under ordinary circumstances one may not rely on this leniency, even making a distinction between whisky (which may be sold) and beer (which may not be sold). The reason for this distinction is that in contrast with whisky, it is relatively easy to control the amount of beer in one's possession.

*Shu"t Ori Veyish'i* (121) writes that in his day sale of beer was permitted, because of the large amounts of beer that pubs work with. Once again, he is careful to avoid a blanket leniency, and writes that his ruling is only on account of "grave financial loss amongst Yidden."

Because of the reservations mentioned by some of the *poskim*, several *poskim* have written that one should not rely on the sale of *chometz* for actual *chometz*. The Vilna Gaon (quoted in *Ma'aseh Rav*) went even further, and refrained after Pesach from purchasing items of *chometz* that were sold over Pesach.

Yet, in spite of these reservations, it has become a widespread custom to perform a *chometz* sale in advance of Pesach. Some rely on the sale for actual *chometz*, selling even items such as whisky and beer. Others utilize the sale solely for items where there is only a slight chance that they contain *chometz*. Still others do so only 'for safety's sake,' meaning to ensure that if some *chometz* was missed, it should be included in the sale (*Takanas Mechiras Chometz*, Chap. 1, note 17, writes that this is a worthy practice).

## The Collective Sale of *Chometz*

Initially, anyone who had *chometz* in his possession, which he couldn't dispose of before Pesach, would make an individual contract with a non-Jew to purchase his *chometz*. However, on account of the many pitfalls that arose from private sales of *chometz*, communities began to sell their *chometz* collectively, by means of the local *rov*. As a result, the sale was made in the most proper manner for all members of the community.

In a letter sent by Rav Shlomo Kluger to Rav Moshe Toibes, which is printed in *Shu"t Naos Desheh* (end of vol. 1), the writer disagrees with his contemporary on this subject. The thrust of the argument is that Rav Toibes only favoured a personal sale of *chometz* because he was unfamiliar with the ways of large communities. If he would have been aware of the pitfalls involved in this practice for large communities (where individual contracts cannot be supervised), he would surely have preferred the communal method.

There are two basic approaches on how to conduct a 'communal sale'. One method is for individuals to transfer their *chometz* to the ownership of the *rov*. The *rov* then proceeds to sell the *chometz* of the entire town to a non-Jew. However, some *poskim* voiced objections to this model (see *Amudei Kesef*, Introduction to *Hilchos Mechiras Chometz* 5): Why should the *rov* "place himself into a tight corner without any need?" Accepting large amounts of *chometz* into his ownership on *erev* Pesach cannot be a pleasant experience for local *rabbonim*!

The other model involves the appointment of the *rov* (or somebody else), by means of a specially prepared authorization form, as a *shliach* [envoy] to sell the *chometz*. The *rov* thus becomes a

*shliach* to sell the *chometz* on behalf of others. This is the model recommended by the *Aruch HaShulchan* (448:27), and it has become the virtually universal custom.

### Whose *Chometz* are You Burning?

Does a person fulfil the mitzvah of burning or getting rid of *chometz* by selling it to a non-Jew?

According to many *poskim*, the answer to this question is positive. The Mishnah writes that until the time when *chometz* becomes prohibited, it is permitted to sell it to a non-Jew. It is thus clear that no prohibition of owning *chometz* is transgressed when *chometz* is sold. Extending this, several *poskim* write that because the sale of *chometz* to a non-Jew effectively removes it from one's possession, one even fulfils the mitzvah to remove all *chometz*—the mitzvah of *tashbisu*—by means of the sale (*Chelkas Ya'akov*, *Orach Chaim* 20; *Pri Yitzchok* 1:19, among others).

The *Chayei Adam* (*Nishmas Adam* 112:8) disagrees with this position, maintaining that the mitzvah is not performed by selling the *chometz* to a non-Jew. He thus writes that the sale should only be performed under highly limited circumstances. We have already noted that there is no prohibition of selling *chometz* (as clear from the Mishnah). Therefore, it is probable that the *Chayei Adam* only objects to a person who sells all of his *chometz* and doesn't leaving anything with which to fulfil the mitzvah of burning the *chometz*.<sup>3</sup>

A similar idea is suggested by the *Chasam Sofer* (*hagaos* 448, *Magen Avraham* 8), who writes that a person should exclude from the sale the *chometz* he finds in *bedikas chometz*, in order to fulfil the mitzvah of burning *chometz*. The advice he gives (quoting from Rabbi Daniel Prosnitz) is to give away the *chometz* he plans to burn to another Jew, so that the *chometz* is not in his possession when the sale to the non-Jew takes place. After the sale takes place, the *chometz* is taken back from the Jewish recipient in order to burn it before Pesach.

Some contracts for the sale of *chometz* adopt a similar approach by explicitly excluding the *chometz* that will be found during the search for *chometz* (at least the ten pieces of *chometz* that are traditionally prepared for the event) from the sale (*Kelach Shel Eizov* 25). This ensures that when the *chometz* will be burned, it will be the Jew's *chometz* that is being burned, and not the non-Jew's!

A number of *poskim* have criticized this method (see *Teshuvos Vehanhagos* 293), and a simpler option is to ensure that one burns the *chometz* before the time that the sale takes effect. The precise time can be ascertained from the *rov*, and it is usually close to the time when the prohibition of *chometz* comes into effect. However, this 'simple' method will not help those who sell their *chometz* on the 13<sup>th</sup> of Nissan since one only burns on the fourteenth.

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<sup>3</sup> Another possibility is that the *Chayei Adam* understands that the sale of the Mishnah refers to a sale in which the *chometz* is removed from the seller's house, whereas the sale referred to by the *Chayei Adam* is a sale in which the *chometz* remains in the seller's domain. Although a sale whereby the *chometz* entirely leaves the domain fulfils the mitzvah of burning *chometz*, a sale where the *chometz* is not removed does not fulfil the mitzvah, and should be avoided.

## **The Non-Jew's Access to the *Chometz***

One who sells his *chometz* to a non-Jew must ensure that the non-Jew has free access to the *chometz*. This can be arranged by means of giving a key to the non-Jewish buyer, as the *Bach* (448) advises. It can also be achieved by informing the non-Jew of where he is able to find the key (*Mishnah Berurah* 448:12; *Aruch HaShulchan* 448:23).

Some write that if the keys are not handed over to the non-Jew and he is not informed of where they are found, the sale is null because a sale in which the buyer cannot access his purchase is inherently void (see *Taz* 448:4). However, the majority of *poskim* rule that *bedieved* [post-facto], the sale remains valid (see *Biur Halachah* 448, citing from *Pri Megadim*). According to the *Aruch HaShulchan*, the status of the sale depends on whether the seller failed to transfer the keys inadvertently, or whether he did so wilfully.

One who sells *chometz* may not prevent the non-Jewish purchaser from entering. If the non-Jew's access is denied specifically at the time of the sale, the *Mishnah Berurah* writes that the sale is revealed as being fictional, and is inherently void. However, if access was possible at the time of the sale, and was only denied later, the sale remains valid, even though the Jew acted unlawfully in preventing the non-Jew from entering.

## **Erecting a Partition in Front of *Chometz***

If *chometz* that is sold to a non-Jew is present in specific places in the house, and the seller continues to live in the house over Pesach, the seller is obligated to erect a ten-*tefach* (approx. one meter) partition in front of the *chometz*. This serves to cordon off the *chometz*, and ensures that nobody will inadvertently come to eat it over Pesach (*Shulchan Aruch* 440:2).

However, the obligation of erecting a partition applies only to edible items that are actual *chometz*, and not to items that are not fully considered *chometz*, or to inedible items (*Eishel Avraham* 440).

For the purpose of this obligation, it is sufficient to put up a [ten-*tefach* tall] sheet, or even a sheet of paper, and nail (or staple) it to the place of the *chometz* (for instance, a closet). Some advise sellers to place a label on the closet door, warning that there is *chometz* inside, and that the contents have been sold to a non-Jew. This method has become fairly customary (*Siddur Pesach Kehilchosah* 17).

## **Appointing the *Rov***

On a Torah level a *shliach* [envoy] can be appointed verbally, without a written document (*Shulchan Aruch, Choshen Mishpot* 182:1). Moreover, there is no need for the *shliach* to be present at the time of his appointment. Appointment can be made by mail, email, phone, and so on (*Tzemach Tzedek, Orach Chaim* 46; *Aruch HaShulchan* 448:28). Of course, the envoy needs to be informed of the appointment, so that he is able to act on behalf of the appointer.

Nonetheless, the general custom is to make an appointment to sell *chometz* by means of a written authorization document (see *Maharashdam, Choshen Mishpot* 146, 170). This adds an element of seriousness to the sale, for the seller will be unable to deny his consent to sell the *chometz*.

Some also make a *kinyan sudar* when giving the document to the *rov* (the appointer raises a handkerchief, or other item belonging to the appointee), which serves to ‘strengthen’ the *halachic* transfer of the *chometz*. This act is not essential, and the *Chazon Ish* (cited in *Orchos Rabbeinu, Mechiras Chometz* 1) did not perform the *kinyan sudar*.

Many are careful to give the *rov* (or other appointee) a small payment, in exchange for his trouble in selling the *chometz*. This payment is not obligatory, but some explain that by means of the payment the appointee becomes a labourer of the appointer, which strengthens the status of the appointee in performing the sale as an agent (see *Moadim U’zemanim*, 4:275).

### **Buying *Chometz* after Signing the Authorization Form**

May a person buy *chometz* after signing the selling authorization form with the *rov*?

Some *poskim* rule that a person cannot make a *shliach* to sell items that are not yet in his possession, and a person should therefore avoid purchasing new *chometz* after the document has been signed.

However, if the appointer bought new *chometz*, and wishes to include it in the sale, the *chometz* should be placed in the location in the property that is sold or rented to the non-Jew, with the intention that the possession of the *chometz* should be transferred to the buyer.

A preferable option is to contact the *rov*, and ask him to sell the extra bought *chometz*.

Some forms include a clause that the sale should apply even to items that are bought after its signing, and this clause is effective according to all opinions (*Divrei Malkiel*, 4:22:17).

Some *poskim* add that *chometz* can even be sold on behalf of somebody who didn’t appoint an envoy to sell it. The reason for this is that the sale of *chometz* is certainly in his best interests, and one is therefore able to do it on his behalf, even without his knowledge (*Tzemach Tzedek, Orach Chaim* 46). One should not rely on this generally. (This is something that the Rabbanut in Eretz Yisroel do, for all those people who don’t sell *chometz* over Pesach.)

### **Listing Goods and Prices**

Must the sold goods be listed in the authorization form, or in the final bill of sale between the *rov* and the non-Jew?

When *chometz* is sold by means of a *rov* or other communal *shliach*, there is no need for the *chometz* items to be individually listed (*Igros Moshe, Orach Chaim* 1:150). As Rabbi Akiva Eiger writes (*Tinyana* 7), it is sufficient for a person to write that he wishes to sell “all of my *chometz*” for the sale to take effect (see also *Biur Halachah* 448).

Some do make a general inventory of the types of items that are included in the sale, but not the specific amounts. As the *Aruch Hashulchan* (448:28) writes, there is no need to specify the amount of each item. Nonetheless there are *rabbonim* who are careful to make a careful and detailed inventory (see *Kinyan Torah* 4:43).

Although the sold items need not be listed, it is important to mention the price that the non-Jew is paying for them (*Mekor Chaim* 448:9; *Chayei Adam* 124:3). The price should not be set far above the true price of the goods, for this would risk the sale being rendered void. Yet, it is permitted to

stipulate a lower price than the market price of the goods (*Terumas HaDeshen* 130; *Chayei Adam* 124:3), though some prefer not to do this because it gives the sale a fictitious appearance.

In fact, there is no need to state a concrete price, and it suffices to make a general statement whereby the price of goods will be determined by future estimation (*Pischei Teshuvah*, *Choshen Mishpot* 209; *Divrei Malkiel* 4:24:51; *Igros Moshe*, *Orach Chaim* 150). This is the general custom. Therefore, if the non-Jew chooses to sell the *chometz* back after Pesach (which he usually does), the need to make an actual estimation does not arise. Only if and when the non-Jew decides to retain the *chometz* permanently will it be necessary to perform a valuation.

A similar stipulation should be made concerning the sale or rental of a small part of the appointer's property, which is transferred to the non-Jew for purposes of making a *kinyan* [*halachic* transfer] on the *chometz*.

### **The Time of Making the Sale (the 13<sup>th</sup> or 14<sup>th</sup>)**

The sale of *chometz* to the non-Jew—the final sale made by the *rov* to the non-Jew—must be performed no later than the end of the fifth hour of the 14<sup>th</sup> of Nissan (*Chayei Adam* 124:2). 'Hours,' for this purpose, refer to *sha'os zemanios*, which are defined as one twelfth of the period between sunrise and sunset.

If the sale was not made on time, a minority opinion permits the sale up to 60 minutes before the midpoint between sunrise and sunset on the morning of the 14<sup>th</sup> of Nissan, in the place where the owner of the *chometz* is situated (*Shulchan Aruch* 443:1 and *Mishnah Berurah* 9). One should not rely on this opinion unless a great loss is involved.

Some bring the sale forwards to the 13<sup>th</sup> of Nissan, before sunset. The purpose is to complete the sale before the obligation of searching for *chometz* (*bedikas chometz*) is incumbent. The obligation of *bedikas chometz* will thus not apply to *chometz* and places included in such a sale (*Mekor Chaim* 436:4).

However, many *poskim* are lenient in this regard, and write that one may complete the sale of *chometz* on the 14<sup>th</sup> of Nissan, and still be exempted from searching for *chometz* in the relevant places (see *Binyan Olam* 20; *Tzemach Tzeddek* 36, and many other *poskim*, who write at length on this question).

The *Mishnah Berurah* (436:32) cites the two sides of the dispute, and concludes: "Nonetheless, although one should not object to those who are lenient, it is better [for one who wishes to be exempt from searching for *chometz*] to sell one's *chometz* on the 13<sup>th</sup>."

Because the sale of *chometz* exempts the seller from searching for *chometz*, one who sells his entire house to a non-Jew for Pesach (for instance, one who is going away for the duration of Yom Tov) should exclude part of the house from the sale. This enables him to perform the mitzvah of searching for *chometz* in the area that was excluded from the sale.

### **Chometz in a Different Country**

An interesting question arises when a person owns *chometz* in a location different from his current residence. Does the latest time of selling *chometz* follow the place of the seller's residence, or the



location of the *chometz*? The consensus among the *poskim* is that the timing depends on the location of the seller. In light of this ruling, *chometz* must therefore be sold before the prohibition of *chometz* commences in the place where the seller is (See *Oneg Yom Tov* 36; *Ha'elef Lecha Shlomah* 206; *Igros Moshe, Orach Chaim* 94-5).

According to this ruling, if someone from *Chutz La'aretz* travels to Eretz Yisroel for Pesach, he must ensure that the *chometz* he left behind is sold before *chometz* becomes prohibited in Eretz Yisroel (assuming that this is the earlier of the two times). If his family (who are still home) continues to use the *chometz* in his absence until the time of prohibition, he should ensure that the *chometz* is transferred to their possession, so that they will be able to sell it according to local time (*Minchas Yitzchok* 7:25, Sec. 1).

Due to dissenting opinions amongst the *poskim*, the same rule should be applied in the other direction. If somebody from Eretz Yisroel is in *Chutz La'aretz* for Pesach, it is preferable that he sell his *chometz* (which he left at home) according to the earlier time of Eretz Yisroel, and not wait for the later time of *Chutz La'aretz*.

### **What Does One Sell?**

Which items must or should one include in the sale?

As we mentioned above, some include items of actual *chometz* in the sale of *chometz*. Items of actual *chometz* include items such as bread, baked goods, breakfast cereals, yeast, whiskey, beer, edible medicines (syrups or chewy tablets) that contain *chometz*, and so on.

Even those who are stringent and do not sell actual *chometz*, sell numerous goods that are not actual *chometz*. A good example is flour. The production of flour (as bought in the stores) includes a process of washing and drying, which causes the flour to slightly expand. Such flour may not be used on Pesach (*Shulchan Aruch* 467:2), but it is not considered to be actual *chometz*, and many include it in the *chometz* sale (see *Mechiras Chometz Kehilchosah* Chap. 4, note 2).

Similarly, one should sell any grain that wasn't guarded from becoming *chometz*. Some even sell wheat that has been prepared and guarded for Pesach, out of concern for wheat kernels that sprouted (*Shu"t Rabbi Meshulam Igra, Orach Chaim* 39, Sec. 16).

*Chometz* that remains intact in utensils should also be included in the sale (though today's utensils are usually clean). Some even sell the taste of *chometz* that has been absorbed in utensils. However, there is no obligation to do so (*Chazon Ish* 117:15). One should certainly avoid selling the actual utensils, for this would lead to a potential obligation of *tevilah* upon their repurchase from the non-Jew following Pesach (see *Teshuvos VeHanhagos* 294).

Some maintain that one who owns shares in a company that produces or owns *chometz* should include the shares in the sale of *chometz*. Such shares are not considered to be actual *chometz*, because many *poskim* do not see the ownership of shares as being synonymous with the ownership of company assets. Yet, they should nonetheless be included in the sale (see *Maharia HaLevi* 2:124; *Minchas Yitzchok* 3:1).

(The above is based on a halachah write-up I saw written by R' Yehoshua Pfeffer)

## Is One Allowed to Bake/Buy *Chometz* Before Pesach with Intention to Sell it With His Other *Chometz*?

Before we discuss the above *shailah* some background information about *mechiras chometz* is needed. The *mechiras chometz* that we have today<sup>4</sup>, in which we sell our *chometz* to a non-Jew but keep it in our possession and store it in a small room which we rent out to the non-Jew over Pesach is a relatively modern institution. R' Zevin who was *niftar* around 40/50 years ago in one of his *seforim* writes that what we do today is around 250 years old. Moshe Rabbeinu never came down from Har Sinai with the *nussach* [text] of the *shtar mechirah* [sales document] that we have today, it's new thing. In fact, we find no mention of such a thing in *Bavli*, *Yerushalmi* etc. the earliest reference to such a thing can be found in the *Tosefta*, and even the case of the *Tosefta* is not like what we do. The *Tosefta* discusses a case where there was a Jew and non-Jew travelling together on a boat over Pesach - in those days people would travel for months on a boat and would bring with a large food supply. What should the Jew do with his *chometz* over Pesach, if he would get rid of it he would starve? The *Tosefta* says, he should sell it to the non-Jew and after Pesach buy it back. He would sell it to the non-Jew properly (not merely lock it up in a cupboard and rent that space to a non-Jew without the *chometz* ever leaving his jurisdiction). Even the *Shulchan Aruch* (448:3) when he talks about selling *chometz* to a non-Jew doesn't describe what we do, he writes, if one knows a non-Jew and he sold him his *chometz* before Pesach he can buy it back after Pesach. However, in the case of the *Shulchan Aruch*, the *chometz* left the property of the *yid*, to sell *chometz* and keep it in your own *reshus* [property] is a relatively new idea.

The first mention of something similar to what we do can be found in the *Bach*. The *Bach* (448) discusses what someone who sells whiskey and other *chometz* beverages should do with his *chometz* over Pesach. The *Bach* writes, that in his town lots of people made money by selling whiskey and the like and one can't just simply hand it over to a non-Jew for the duration of Pesach. The *Bach* says, one can keep it in his house and sell the place where it is being stored to a non-Jew. This is similar to what we do today.

Standard practice nowadays is to do a *mechira* similar to what the *Bach* described, and even one who isn't in the alcohol industry sells *chometz* in such a way. Up until relatively recently the sale was carried out between a Jew and his non-Jewish neighbour, in fact, in the old *Haggadah's* the *nussach* of the *shtar mechira* [sales document] use to be printed. Nowadays, however, it is no longer done privately and normally a *rov* carries out the *mechira*. There even use to be a time where one would sell his *chometz* to a *rov*, now we no longer do this, and the *rov* is merely appointed as a *shliach* to sell the *chometz* to a non-Jew.

The question is, is one allowed to buy *chometz* before Pesach so that he knows that on *motzei* Pesach he will have plenty of *chometz*?

### **Why Would One Want to Do This?**

If one lives in a town where the bakery owner who sells kosher bread is a *mechalel* Shabbos and is open on Shabbos and Yom Tov and even on Pesach selling *chometz*, then after Pesach there is a problem to buy *chometz* from him. Since he stocks and sells *chometz* over Pesach all the *chometz*

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<sup>4</sup> This discussion is based on something I wrote last year, so a few things overlap what we mentioned in the previous discussion.

he sells is *chometz she'ovar olov* haPesach [*chometz* which has passed through Pesach] and it is forbidden to benefit from such *chometz*. Consequently, if this is the only bakery in town, one won't be able to buy any *chometz* for a number of days after Pesach until the bakery starts selling *chometz* that was made after Pesach with ingredients that were purchased after Pesach as well. If one would buy bread before Pesach, freeze it, and sell it to a non-Jew then he won't have such a problem. Is one allowed to do such a thing?

Similarly, if someone is making a *bar mitzvah*, *aufruf*, *chasunah* etc. right after Pesach and the mother/sister of the *bar mitzvah* boy wants to bake lots of fancy homemade cakes etc., something that is hard to find in the bakery, and it's very difficult to bake them all after Pesach, is she allowed to bake before Pesach and then sell them with the rest of the *chometz*?

Another case may be, the *shailah* that was asked to R' Nosson Gestetner (*L'Horas Nossan* 4:37). If someone has a son/daughter who lives in a faraway town on a *kiruv* mission, and it is very difficult to get kosher food there. Can the parents buy for them lots of *chometz* before Pesach so that when the children return back to their home after Yom Tov they can be sent off with a large stock of kosher food?

### **Teshuva from HaRav Meshulam Igra**

R' Nosson Gestetner quotes a *Teshuva* from HaRav Meshulam Igra who deals with the above *shailah*. He is talking about something called *meltzin*, which is a type of yeast (fermenting agent) which is very difficult to get hold of after Pesach. He discusses if one is allowed to buy it when it is still available before Pesach and sell it with the rest of his *chometz*. He rules that one is not allowed to do this.

Why not? Because there is a problem of *roitseh bekiyumoi*, meaning that the person wants the existence of the *chometz*. For example, there is a halachah in *Shulchan Aruch (Orach Chaim 450:7)*, that one isn't allowed to rent a *keli* [vessel] to a non-Jew over Pesach in order for him to cook *chometz* inside. The *Mishnah Berurah* explains, the reason it's forbidden is because if the *chometz* would spill out of the pot the pot is likely to break as leaving an empty pot on the fire is not good for the pot, therefore, the Jew wants the *chometz* to remain inside the *keli*. Since the Jew wants the *chometz* in the *keli* it is considered that he is benefiting from the *chometz*.

Similarly, in the case of the *meltzin*, the Jew specifically wants this *meltzin*, therefore there is a problem of *roitseh bekiyumoi* and even if he were to sell it with his *chometz* there would be a problem.

Why is this different to normal *mechiras chometz*? R' Nosson Gestetner explains, when it comes to normal *mechiras chometz*, the Jew isn't really interested in the *chometz* and if a non-Jew would offer \$1000 for the *chometz* he would happily take it, the only reason he is selling it is because he doesn't want to waste money, if he would receive a cash alternative instead of selling his *chometz* he would be more than happy. In the case of *meltzin* the Jew wants this specific *chometz* item as it is something very difficult to get hold of after Pesach, without it one can't make bread. Since he wants this specific item there is a problem of *roitseh bekiyumoi* and therefore one can't buy it with intention to sell over Pesach.

## **Selling a *Challah* from the Twelve *Challos* of a Tzaddik to a Non-Jew**

There is a *minhag*, primarily amongst the *chasidische rebbe's* that they make *hamotzi* on Friday night using twelve *challos*, representing the twelve *challos* of the *lechem haponim* [showbreads]. After the *rebbe* makes *hamotzi* on them, *chasidim* are desperate to take the *challos* as they act as a special *segulah* and *shemirah* [protection]. What is one supposed to do when it comes to Pesach?

Based on the *svora* [logic] of *roitseh bekiyumoi* that we mentioned above, one would not be allowed to sell the *challah*. If selling *meltzin* is a problem because of *roitseh bekiyumoi*, how much more so is selling one of the *rebbe's* 12 *challos*.

R' Nosson Gestetner brings that he saw some who want to suggest that it's ok to sell such a *challah*. Since one doesn't intend to eat it and he merely wants to keep it as a *shemirah*, the *chometz* is automatically nullified. He is very unhappy with such a *svora*, as if it is true one wouldn't even need to sell it.

He then brings the *Agudas Ezoiv* who quotes the *Divrei Chaim*, that one should burn the *challah* and keep the ashes as a special *shemirah*.

The *Pri Chodosh* (467:9) brings that some people hide the *challah* in a wall in the *reshus harabbim* [public domain] and retrieve it after Pesach. He says that one isn't allowed to do the above, and if he is really worried and doesn't want to burn it or eat it, he can sell it with his other *chometz*. However, he says, it would be better to actually give the *chometz* to a non-Jew as opposed to renting a room to the non-Jew in his house.

## **Back to What We Started With**

Back to our original *shailah* of baking cakes for the *bar mitzvah*, *chasunah* etc. that is straight after Pesach. The *Kovetz Halachos* (*pesokim* of R' Shmuel Kamenetsky) discusses the very *shailah* of someone who is making a *simcha* straight after Pesach and has no time to buy or bake *chometz* after Pesach, and his *minhag* is to sell *chometz* (some people have the *minhag* not to sell real *chometz* to a non-Jew over Pesach at all, see previous discussion) if he is allowed to bake *chometz* and then sell it. He brings from R' Shmuel that one is allowed to and there is no problem of *roitseh bekiyumoi*. R' Shmuel doesn't even say that it's better not to, he seems to hold there is absolutely nothing wrong.

Why? R' Forsheimer explains, this case is not like the case of renting a *keli* to a non-Jew. In the case of the pot, the Jew wants the *chometz* to stay inside the pot to avoid it breaking, and he is therefore benefiting directly from the *chometz* on Pesach. When one sells fancy cakes that one has spent two months making, he isn't benefiting directly on Pesach from the actual *chometz*. The main benefit is after Pesach, on Pesach itself one isn't actually benefiting from the cakes, therefore, one is allowed to bake them before and sell them with the rest of the *chometz*. He brings a *Sdei Chemed* which says that he would buy leavening agents before Pesach and sell them over Pesach to a non-Jew, in order that he would be able to have them straight after Pesach. We see clearly that if one doesn't benefit directly from the *chometz* on Pesach there is no problem of *roitseh bekiyumoi*.

## **Can a Shopkeeper Order *Chometz* Before Pesach to Ensure He is Stocked Up Straight After Pesach?**

The *L'Horas Nossan* says that a shopkeeper is allowed to stock up on *chometz* before Pesach and sell it to a non-Jew over Pesach and there is no problem of *roitseh bekiyumoi*. Since the shopkeeper

is only stocking up in order to sell on to others, and if a non-Jew would give him a good offer for it, he would happily sell it on, there is no problem of *roitseh bekiyumoi*. However, the *Shibolay HaLeket* (*Shu"t* 4:49) and *Sdei Chemed* say that doing the above is *megunah* [despicable] and shouldn't be done unless there is big need.

### Waiting for Twelve Months

(The following write-up is based on a write-up written by R' Yirmiyohu Kaganoff, and I would like to present it very much in a similar way to he did, so the following write-up will be in a slightly different style to normal.)

#### **Question #1: Sentimental China**

"A family is in the process of *kashering* their home for the first time, and they own an expensive and sentimental, but *treif*, set of china. Is there any way that they can avoid throwing it away?"

#### **Question #2: Is There a Way to *Kasher* China from *Fleishik* to *Milchik***

"I own an expensive set of *fleishik* china that I do not use, and, I desperately need money for other things now. Someone is interested in paying top price for this set because it matches their *milchik* china. Is there any way I can *kasher* it and sell it to them, and they may use it for *milchik*?"

#### **Question #3: Hungry on Pesach**

"Help! I just completed cooking the meals for the first days of Pesach, and I realize now that I used a pot that was used once, more than two years ago, for *chometz*. Do I have to throw out all the food I made? I have no idea when I am going to have time to make more food!"

#### **Introduction:**

All the above *shailos* are not merely theoretical *shailos*, and in fact they all show up in some famous *Teshuvos*, which will bring below. They all touch on the status of food equipment that has not been used for twelve months. In order to have more information with which to understand this topic, some *halachic* background is needed.

When food is cooked in a pot or other equipment, halachah assumes that some "taste," of the food remains in the walls of the pot, even after the pot has been scrubbed completely clean. We are concerned that this will add flavor to the food cooked subsequently in that pot. This is the basis for requiring that we *kasher treif* pots, because the *kashering* process removes the residual taste.

#### ***Nosein Ta'am Lifgam***

Once twenty-four hours have passed since the food was cooked, the residual taste in the vessel spoils and is now categorized as *nosein ta'am lifgam*, a *halachic* term meaning that the taste that remains is unpleasant. Something is considered *nosein ta'am lifgam* even if it is only mildly distasteful.

The Gemara (*Avodah Zorah* 67b) cites a *machlokes Tanoim* as to whether *nosein ta'am lifgam* is permitted or prohibited. The Mishnah (*Avodah Zorah* 65b) rules that *nosein ta'am lifgam* is permitted. This is the conclusion of the Gemara in several places (*Avodah Zorah* 36a, 38b, 39b, 65b,

67b) and the conclusion of the *halachic* authorities (Rambam, *Hilchos Ma'achalos Asuros* 17:2; *Shulchan Aruch, Yoreh Deah* 103:5; 122:6). This means that, although it is prohibited to eat a food that includes a pleasant taste or residue of non-kosher, when the non-kosher food provides a less than appetizing flavor, the food is permitted.

### **Treif Pots**

Because of the *halachic* conclusion that *nosein ta'am lifgam* is permitted, *min* haTorah one would be allowed to use a *treif* pot once twenty-four hours have passed since it was last used. As mentioned above, at this point the absorbed flavour is considered spoiled, *nosein ta'am lifgam*. The reason that we are required to *kasher* equipment that contains *nosein ta'am lifgam* is because of a *gezeiras Chazal* [Rabbinic enactment]. This is because of concern that someone might forget and cook with a pot that was used the same day for *treif*, which might result in the consumption of prohibited food (*Avodah Zorah* 75b).

### **Chometz is Different**

The above discussion regarding the rules of *nosein ta'am lifgam* is true regarding the use of a pot in which non-kosher food was cooked. However, regarding *chometz*, the prohibition is stricter. Ashkenazim rule that *nosein ta'am lifgam* is prohibited in regard to Pesach products. Why is the halachah stricter regarding Pesach? *Nosein ta'am lifgam* still qualifies as a remnant of non-kosher food; it is permitted because it does not render a positive taste. However, regarding Pesach, we rule that even a minuscule percentage of *chometz* is prohibited. Thus, if a *chometz-dik* pot was used to cook on Pesach, even in error, the food is prohibited.

### **Fleishik to Milchik**

The rules governing the use of *fleishik* equipment that was used for *milchik* and vice versa are similar to the rules that apply to *treif* equipment, and not the stricter rules that apply to *chometz-dik* equipment used on Pesach. Someone who cooks or heats meat and dairy in the same vessel, on the same day, creates a prohibited mix of meat and milk. If the *fleishik* equipment had not been used the same day for meat, the meat flavour imparted to the dairy product is *nosein ta'am lifgam*. Although the pot must be *kashered*, since it now contains both milk and meat residue, the dairy food cooked in it remains kosher (*Shulchan Aruch, Yoreh Deah* 93:1). The same is true regarding dairy equipment used to prepare *fleishik*.

### **Kashering from Fleishik to Milchik**

Although non-kosher equipment can usually be *kashered* to make it kosher, and *chometz-dik* equipment can usually be *kashered* to make it kosher for Pesach, there is a longstanding custom not to *kasher fleishik* equipment to use as *milchik*, and vice versa (*Magen Avraham* 509:11). The reason for this custom is because if a person regularly *kashers* his pots or other equipment from *milchik* to *fleishik* and back again, he will eventually make a mistake and use them for the wrong type of food without *kashering* them first (*Shu"t Igros Moshe, Yoreh Deah* 1:43). As an aside, it is accepted that someone who *kashered* their *fleishik* pot for Pesach may now decide to use it for *milchik* and vice versa.

## Earthenware

We need one more piece of information before we begin to discuss the laws of equipment that has not been used for twelve months. That is to note that there is equipment that cannot usually be *kashered*. The Gemara teaches that we cannot *kasher* earthenware equipment, since once the non-kosher residue is absorbed into its walls, it will never come out.

## Twelve Months

Now that we have had an introduction, we can discuss whether anything changes twelve months after food was cooked. *Chazal* created a prohibition, called *stam yeinam*, which prohibits consumption, and, at times, even use, of wine and grape juice produced by a non-Jew. *Halachically*, there is no difference between wine and grape juice. Notwithstanding the prohibition against using equipment that was once used for non-kosher, we find a leniency that equipment used to produce non-kosher wine may be used after twelve months have transpired. The equipment used by a gentile to crush the juice out of the grapes, or to store the wine or grape juice is also prohibited. This means that we must assume that this equipment still contains taste of the prohibited grape juice.

The Gemara (*Avodah Zorah* 34a) rules that the grape skins, seeds and sediment left over after a gentile crushed out the juice are prohibited both for consumption and for benefit. This is because non-kosher grape juice is absorbed into the skins, seeds and sediment. However, after they have been allowed to dry for twelve months, whatever non-kosher taste was left in the skins, seeds and sediment are gone, and it is permitted to use and even eat them. Similarly, once twelve months have transpired since last use, the equipment used to process or store the non-kosher juice also becomes permitted. Thus, the Gemara rules that the jugs, flasks and earthenware vessels used to store non-kosher wine are prohibited for twelve months, but may be used once twelve months have elapsed since their last use. The conclusions of this Gemara are ruled in the *Shulchan Aruch* (*Yoreh Deah* 135:16). The process of allowing twelve months to transpire and then permit the leftovers is called *yishun*.

Several common products are permitted because of this halachah. One example is a wine derivative called tartaric acid, an organic compound with many practical usages. Among its food uses is in beverages, as a flavour enhancer and as baking powder. It is commonly considered kosher, notwithstanding that it is a by-product of non-kosher wine. (It should have a *hechsher* since it can be produced in ways that are non-kosher.)

It is important to note that this method of *kashering*, i.e., of waiting twelve months, is mentioned in the Gemara only with reference to *kashering* after the use of non-kosher wine. The *poskim* debate whether this method of *kashering* may be used regarding other prohibitions, and this is the starting point for us to address our opening questions.

## Hungry on Pesach

“Help! I just completed cooking the meals for the first days of Pesach, and I realize now that I used a pot that was used once, more than two years ago, for *chometz*. Do I have to throw out all the food I made? I have no idea when I am going to have time to make more food!” It would seem that there is no hope for this hardworking housewife, and indeed all her efforts are for naught. However, let us examine an actual case and discover that not everyone agrees.

A very prominent eighteenth-century *halachic* authority, the *Chacham Tzvi*, was asked this question: On Pesach, someone mistakenly cooked food in a pot that had been used once, two years before, for *chometz*. Since Ashkenazim rule that even *nosein ta'am lifgam* is prohibited on Pesach, it would seem that the food cooked on Pesach in this pot is prohibited, and this was indeed what some of those involved assumed. However, the *Chacham Tzvi* contended that the food cooked in this pot is permitted, because he drew a distinction between *nosein ta'am lifgam* after 24 hours, and *yishun* after 12 months. He notes that grape juice absorbed into the vessels, or the remaining seeds and skins is prohibited, even for benefit, for up to 12 months, yet after 12 months it becomes permitted. Thus, we see that even the actual wine becomes permitted, because after twelve months it dries out completely and there is no residual taste. It must certainly be true, reasons the *Chacham Tzvi*, that *chometz* flavour absorbed into a pot or other vessel must completely dissipate by twelve months after use and that no residual taste is left (*Shu"t Chacham Tzvi* 75, 80; cited by *Pischei Teshuva*, *Yoreh Deah* 122:3).

Notwithstanding this reasoning, the *Chacham Tzvi* did not permit using *treif* equipment without *kashering* it, even when twelve months transpired since its last use. He explains that since *Chazal* prohibited use of *treif* equipment even when the product now being manufactured will be kosher, no distinction was made whether more than a year transpired since its last use — in all instances, one must *kasher* the vessel before use and not rely on the *yishun* that transpires after twelve months. However, *bedieved* [after the fact], the *Chacham Tzvi* permitted the food prepared in a pot that had been used for *chometz* more than twelve months before.

### **Aged Vessels**

About a century after the *Chacham Tzvi* penned his *Teshuva*, we find a debate amongst the *poskim* that will be germane to a different one of our opening questions.

Someone purchased non-kosher earthenware vessels that had not been used for twelve months. He would suffer major financial loss if he could not use them or sell them to someone Jewish. Rav Michel, the *rov* of Lifna, felt that the Jewish purchaser could follow a lenient approach and use the vessels on the basis of the fact that, after twelve months, no prohibited residue remains in the dishes. However, Rav Michel did not want to assume responsibility for the ruling without discussing it with the renowned sage, Rabbi Akiva Eiger (*Shu"t Rabbi Akiva Eiger* 1:43).

Rabbi Akiva Eiger rejected this approach. First of all, he noted that the *Chacham Tzvi*, himself, did not permit cooking in vessels aged twelve months since last use, he only permitted the product that was cooked in those pots.

Secondly, Rabbi Akiva Eiger disputed the *Chacham Tzvi's* approach that the concept of *yishun* applies to anything other than wine. Rabbi Akiva Eiger writes that, among the *rishonim*, he found the following explanation of *yishun*: The *Rashba* writes that the concept of *yishun* applies only to wine vessels, and the reason is because no remnant of the wine is left since it has dried out (*Shu"t HaRashba* 1:575). Rabbi Akiva Eiger writes that the only other *rishon* he found who explained how *yishun* works also held the same as the *Rashba*. This means that the *kashering* method known as *yishun* applies only for non-kosher wine, but to no other prohibitions. Since Rabbi Akiva Eiger found no *rishon* who agreed with the *Chacham Tzvi*, he was unwilling to accept this *heter*. In his



opinion, the food cooked on Pesach in *chometz–dik* vessels from more than twelve months ago must be discarded.

## Sentimental China

At this point, let us examine a different one of our opening questions:

“A family is in the process of *kashering* their home for the first time, and they own an expensive, but *treif*, set of china. Is there any way that they can avoid throwing it away?”

Rav Moshe Feinstein was asked this exact question (*Shu”t Igros Moshe, Yoreh Deah 2:46*). Rabbi Shmuel Weller, a *rov* in Fort Wayne, Indiana, asked Rav Moshe about a family that, under his influence, had recently decided to keep kosher. The question is that they have an expensive set of porcelain dishes that they have not used for over a year, and they do not want to throw it away. Is there any method whereby they may still use it? Rav Moshe writes that, because of the principle of *takanas hashovim* — which means that to encourage people who want to do *teshuva* we are lenient in *halachic* rules — one could be lenient. The idea is that although *Chazal* prohibited use of an *eino ben yomo* [a pot which has been used in the past 24 hours], they prohibited it only because there is still residual flavour in the vessel, although the flavour is permitted. Once twelve months have passed, the *Chacham Tzvi* held that there is no residual flavour left at all. Although the *Chacham Tzvi*, himself, prohibited the vessels for a different reason, Rav Moshe contends that there is a basis for a *heter*. (See also *Shu”t Noda B’Yehudah, Yoreh Deah 2:51*.)

Rav Moshe notes that there are other reasons that one could apply to permit *kashering* this china, and he therefore rules that one may permit the use of the china by *kashering* it three times.

## Is There a Way to Kasher China

At this point, let us refer again to a different one of our opening questions: “I own an expensive set of *fleishik* china that I do not use, and I desperately need money for other things now. Someone is interested in paying top price for this set because it matches their *milchik* china. Is there any way I can *kasher* it and sell it to them, and they may use it for *milchik*?”

This question presents two problems:

- 1) Is there any way to remove the residual *fleishik* flavor and *kasher* the china?
- 2) Is it permitted to *kasher* anything from *fleishik* to *milchik*?

In a *Teshuva* to Rav Zelig Portman, Rav Moshe Feinstein (*Shu”t Igros Moshe, Yoreh Deah 1:43*) discusses this question.

We will take these two questions in reverse order. As we mentioned earlier, the *Magen Avraham* (509:11) reports that there is an accepted *minhag* not to *kasher fleishik* equipment in order to use it for *milchik*, and vice versa. Wouldn’t changing the use of this china violate the *minhag*?

Rav Moshe explains that the reason for this *minhag* is to avoid someone using the same pot, or other equipment, all the time by simply *kashering* it every time he needs to switch

from *milchik* to *fleishik*. The obvious problem is that, eventually, he will make a mistake and forget to *kasher* the piece of equipment before using it.

Rav Moshe therefore suggests that the custom of the *Magen Avraham* applies only to a person who actually used the equipment for *fleishik*; this person may not *kasher* it to use for *milchik*. However, someone who never used it for *fleishik* would not be included in the *minhag*.

Regarding the first question, Rav Moshe concludes that, since twelve months have passed since the china was last used for *fleishik*, one may *kasher* it.<sup>5</sup>

### **The Mitzvah of Korban Pesach Nowadays**

In the year 5017 (1257), several hundred *Ba'alei Tosfos*, led by Rav Yechiel of Paris, headed for Eretz Yisroel. A younger contemporary, Rav Ashtori HaParchi, the author of *Kaftor VaFerech*, records a fascinating story (Vol. 1, page 101 in the 5757 edition). The *Kaftor VaFerech* had gone to Yerushalayim to have his *sefer* reviewed by a *talmid chocham* named Rav Boruch. Rav Boruch told the *Kaftor VaFerech* that Rav Yechiel had planned to offer *korbonos* upon arriving in Yerushalayim. The *Kaftor VaFerech* records that at the time he was preoccupied readying his *sefer* for publication and did not think about the *halachic* issues involved, but after the pressures of his publishing deadline passed, he realized that there were practical *halachic* problems with Rav Yechiel's plan, as we will discuss shortly.

It seems that Rav Yechiel's plan to offer *korbonos* failed, presumably because Yerushalayim was under Crusader rule at the time.

Let us fast forward to the early nineteenth century. Rav Tzvi Hersh Kalisher, the *rov* of Thorn, Germany, who had learnt in his youth in the *yeshivos* headed by Rabbi Akiva Eiger and the *Nesivos HaMishpot* (Rav Yaakov of Lisa), published a *sefer* advocating bringing *korbonos* in the location where the *Beis HaMikdash* once stood in Yerushalayim. Rav Kalisher considered it not only permissible to offer *korbonos* before the *Beis HaMikdash* is rebuilt, but even obligatory.

As one can well imagine, his *sefer* created a huge furor. Rav Kalisher corresponded extensively with his own *rabbonim*, Rabbi Akiva Eiger and the *Nesivos*, and other well-known luminaries of his era including the *Chasam Sofer* and the *Aruch LaNer*. All of them opposed Rav Kalisher's opinion, although not necessarily for the same reasons.

Some *rabbonim*, notably Rav Yaakov Ettlinger, the *Aruch LaNer*, prohibited offering *korbonos* before the reconstruction of the *Beis HaMikdash* even if we could resolve all the other *halachic* issues involved (*Shu"t Binyan Tzion* 1). However, it should be noted that this question did not bother either Rav Yechiel of Paris or Rav Ashtori HaParchi. Furthermore, Rabbi Akiva Eiger asked his son-in-law,

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<sup>5</sup> There are various other scenarios where the *heter* of waiting twelve months may be applicable. One case I heard was, if someone makes Pesach one year (i.e., Corona) and then he puts his Pesach china dishes away for a number of years, and he completely forgets what plates were for milky and which ones were for meaty.

And a second case I heard was, someone brought an apartment, and in the basement, he found lots of expensive china dishes, however, he was unsure if they are meaty or milky, does he have to throw them out, or perhaps because it has been twelve months there is room to be lenient.

the *Chasam Sofer*, to request permission from the ruler of Yerusholayim to allow the offering of *korbonos*. Presumably, Rabbi Akiva Eiger felt that his son-in-law, who had a close connection to the Austro-Hungarian royal family, might be able to use their influence to gain access to the Ottoman Empire who ruled over Yerusholayim at the time. The *Chasam Sofer* responded with great respect to his father-in-law, but pointed out that the *Beis HaMikdosh* area is unfortunately covered by a mosque that is sacred to its Muslim rulers who will not permit any non-Muslim's to enter (*Shu"t Chasam Sofer, Yoreh Deah 236*). Thus, we see that both Rabbi Akiva Eiger and the *Chasam Sofer* agreed with Rav Kalisher that we are permitted to bring *korbonos* before the reconstruction of the *Beis HaMikdosh*.

In order to offer *korbonos* nowadays, numerous *halachic* issues have to be dealt with, below we will discuss just a few of them.

Rav Kalisher responded to the correspondence, eventually producing a *sefer* "*Derishas Tzion*" (published many years after the demise of Rabbi Akiva Eiger, the *Chasam Sofer*, and the *Nesivos*) and subsequent *Teshuvos* where he presented and clarified his position. Numerous *Teshuvos* have been published opposing Rav Kalisher's thesis.

Before quoting this discussion, we need to clarify several points. First, can we indeed offer *korbonos* without the existence of the *Beis HaMikdosh*?

### **May One Bring *Korbonos* Without the *Beis HaMikdosh*?**

The Mishnah (*Eduyos* 8:6) quotes Rabbi Yehoshua as saying, "I heard that we can offer *korbonos* even though there is no *Beis HaMikdosh*." The Gemara (*Zevachim* 62a) tells us a story that provides us with some background about this statement. "Three prophets returned with the Jews from Bavel (prior to the building of the second *Beis HaMikdosh*), Chaggai, Zechariah and Malachi, each bringing with him a *halachic* tradition that would be necessary for the implementation of *korbonos*. One of them testified about the maximum size of the *mizbayach*, one testified about the location of the *mizbayach*, and the third testified that we may offer *korbonos* even when there is no *Beis HaMikdosh*." Based on these testimonies, the Jews returning to Eretz Yisroel began offering *korbonos* before the *Beis HaMikdosh* was rebuilt.

Obviously, Rav Kalisher and Rav Ettlinger interpret this Gemara differently. According to Rav Kalisher and those who agreed with him, the prophet testified that we may offer *korbonos* at any time, even if there is no *Beis HaMikdosh*. Rav Ettlinger, however, understands the Gemara to mean that one may offer *korbonos* once the construction of the *Beis HaMikdosh* has begun, even though it is still incomplete. But in the view of Rav Ettlinger, after the destruction of the *Beis HaMikdosh* we may not offer *korbonos* until Eliyohu announces the building of the third *Beis HaMikdosh*.

An earlier *posek*, Rav Yaakov Emden, clearly agreed with Rav Kalisher in this dispute. Rav Emden, often referred to as "The *Ya'avetz*," contends that Jews offered *korbonos*, at least occasionally, even after the second *Beis HaMikdosh* was destroyed, which would be forbidden according to Rav Ettlinger's position (*Shailos Ya'avetz* 89). This is based on an anecdote cited by a Mishnah (*Pesochim* 74a) that Rabban Gamliel instructed his slave, Tovi, to roast the *korban* Pesach for him. There were two *Tanoim* named Rabban Gamliel, a grandfather and a grandson. The earlier Rabban

Gamliel, referred to as “Rabban Gamliel the Elder,” lived at the time of the second *Beis HaMikdosh*, whereas his grandson, “Rabban Gamliel of Yavneh,” was the head of the Yeshivah in Yavneh and was renowned after the destruction of the *Beis HaMikdosh*. Thus, if we can determine which Rabban Gamliel is the protagonist of the Mishnah’s story, we may be able to determine whether Jews offered *korbanos* after the *churban*. This would verify Rav Kalisher’s opinion.

Rav Emden assumes that the Rabban Gamliel who owned a slave named Tovi was the later one. He thus concludes that Rabban Gamliel of Yavneh offered *korbanos* after the destruction of the *Beis HaMikdosh*. Although the *Ya’avetz* brings no proof that the Rabban Gamliel in the above-quoted Mishnah is Rabban Gamliel of Yavneh, he may have based his assumption on a different Gemara (*Bava Kamma* 74b), which records a conversation between Rabbi Yehoshua and Rabban Gamliel concerning Tovi. Since Rabbi Yehoshua was a contemporary of Rabban Gamliel of Yavneh, this would imply that the later Rabban Gamliel indeed offered the *korban* Pesach after the destruction of the *Beis HaMikdosh*.

However, this does not solve the numerous *halachic* issues that need to be resolved in order to allow the offering of *korbonos*. Although Rav Kalisher responded to these issues, the other *gedolim* considered his replies insufficient.

### ***Korbanos* on A Mountain**

The Brisker Rav, Rav Velvel Soloveitchik, raised a different objection to Rav Kalisher’s proposal. Basing himself on several *pasukim* and *halachic* sources, he contended that the *Beis HaMikdosh* site only has *kedusha* when it is a high mountain. Since the Roman’s razed the present site and it is no longer the prominent height it once was, it is not kosher for offering *korbonos* until the mountain is raised again to its former glory (quoted in *Mo’adim U’Zemanim* Volume 5, pg. 222).<sup>6</sup> Thus, according to this approach, one of Moshiach’s jobs will be to raise the mountain to its former height. Presumably, Rav Kalisher felt that although the mountain should and will be raised, *korbonos* may be offered before that time.

We will now present some of the other questions involved in ascertaining whether we may bring *korbonos* before the coming of Eliyohu and Moshiach.

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<sup>6</sup> Although the Brisker Rov maintains that the *Beis HaMikdosh* requires a mountain, he offers no explanation. R’ Moshe Sternbuch, however, offers a *peshat* based on a *chiddush* from R’ Nossan Adler. The Medrash teaches that when Avrohom Avinu was on his way to perform the *akeidah* he saw that the place where he was supposed to perform the *akeidah* was a valley. Avraham Avinu *davened* to Hashem, that it’s a lack of *kavod* to the Ribbono Shel Olam for the *akeidah* to take place in a valley, and Hashem created a miracle and the valley became a mountain. With this idea, R’ Nossan Adler answers a question raised by *Tosfos*. The Mishnah in *Avodah Zorah* (45a) teaches that the non-Jews served all the mountains as *avodah zorah*, and *Tosfos* asks that the *Beis HaMikdosh* was on a mountain? R’ Nossan Adler answers, since the mountain the *Beis HaMikdosh* is built on was originally a valley, the non-Jews never served it. Once the miracle occurred and it became a mountain it was already *kodosh* and non-Jews were no longer able to serve it and make it *avodah zorah* as, אין אדם אוסר דבר שאיני שלו - “one can’t forbid something which isn’t his”. Hashem specifically wants to rest his *shechinah* on this mountain, which was created with a *nes* by the *akeidah*, this is why the *Beis HaMikdosh* needs a mountain.

## **May a *Tomei* Person Enter the *Beis HaMikdosh*?**

Virtually all opinions agree that it is an *issur de'O'raisa* [biblical prohibition] to offer *korbonos* anywhere in the world except for the designated place in the *Beis HaMikdosh* called the *mizbayach*. This creates a *halachic* problem, because it is a severe *issur de'O'raisa* to enter the *Beis HaMikdosh* grounds while *tomei*, and virtually everyone today has become *tomei meis* through contact with a corpse. (Someone who was ever in the same room or under the same roof as a corpse also becomes *tomei meis*.) Although other forms of *tumah* can be removed by immersion in a *mikveh* at the appropriate time, *tumas meis* can only be removed by sprinkling ashes of the *porah adumah*. Since the ashes of the previously prepared *paros adumos* are lost, we cannot purify ourselves from *tumas meis*. Thus, we would be prohibited from bringing most *korbonos* because every Kohen is presumed to be *tomei meis*.

However, although we have no available *tahor* Kohanim, this would not preclude our offering *korban* Pesach or certain other *korbonos tzibbur* [public sacrifices].

## **Why is *Korban* Pesach Different from Most Other *Korbonos*?**

Most *korbonos* cannot be brought when either the owner of the *korban* or the Kohen offering the *korban* is *tomei*. However, the Torah decrees that *korbonos* that are offered on a specific day must be brought even when every Kohen is *tomei*. Thus, the *korban* Pesach, the daily *korban tomid*, and the special *mussaf korbonos* that are brought on Shabbos, Yom Tov and Rosh Chodesh may be offered by a Kohen who is *tomei meis* if necessary.

Other *korbonos*, however, may not be offered by a *tomei* Kohen even if this results in them not being brought at all. Thus, since there is no *tahor* Kohen available today, we would assume that Rav Yechiel only planned to offer one of the above *korbonos* (*Shu"t Chasam Sofer, Yoreh Deah 236*).

## **Location of the *Mizbayach***

As mentioned above, the debate over Rav Kalisher's proposal concerned other *halachic* issues that must be resolved before we may offer *korbonos*. The *Kaftor VaFerech* raised two of these issues over five hundred years before Rav Kalisher. How could Rav Yechiel offer *korbonos* when we do not know the exact location of the *mizbayach*? As the Rambam writes (*Hilchos Beis HaBechirah 2:1-3*): "The location of the *mizbayach* is extremely exact and it may never be moved from its location.... We have an established tradition that the place where Dovid and Shlomo built the *mizbayach* is the same place where Avraham built the *mizbayach* and bound Yitzchok. This is the same place where Noach built a *mizbayach* when he left the *teivah* [ark] and where Kayin and Hevel built their *mizbayach*. It is the same place where Adam offered the first *korban*, and it is the place where he (Adam) was created.

"The dimensions and shape of the *mizbayach* are very exact. The *mizbayach* constructed when the Jews returned from the first exile was built according to the dimensions of the *mizbayach* that will be built in the future. One may not add or detract from its size".

As noted above, prior to building the second *Beis HaMikdosh*, the prophets Chaggai, Zechariah and Malachi testified regarding three *halachos* about the *mizbayach* that were necessary to reinstitute

the *korbonos*, one of which was the exact location of the *mizbayach*. If so, how can we offer *korbonos* without knowing the location of the *mizbayach*?

Rav Kalisher offered an answer to this question, contending that the prophets' testimonies were necessary only after the destruction of the first *Beis HaMikdosh*, because the Babylonians razed it to its very foundations. However, Rav Kalisher contended that sufficient remnants exist of the second *Beis HaMikdosh* to determine the *mizbayach's* precise location, thus eliminating the need for prophecy or testimony to establish its location.

Rav Kalisher's correspondents were dissatisfied with this response, maintaining that the calculations based on the *Beis HaMikdosh* remnants could not be sufficiently precise to determine the *mizbayach's* exact location. Thus, they felt that we must await the arrival of Eliyohu HaNavi to ascertain the *mizbayach's* correct place.

### **Yichus of Kohanim**

Another issue that was raised is if we have Kohanim today? Only a Kohen who can prove the purity of his *yichus* [lineage] may serve in the *Beis HaMikdosh* (see *Rambam, Hilchos Issurei Biah* 20:2). The Gemara calls such Kohanim "*kohanim meyuchasim*." Kohanim who cannot prove their lineage, but who have such a family tradition, are called "*kohanei chazakah*," Kohanim because of traditional practice. Although they may observe other *mitzvos* related to Kohanim, they may not serve in the *Beis HaMikdosh*.

An early source for the distinction between Kohanim who can prove their *yichus* and those who cannot is the story found in *Tanach* about the sons of Barzilai the Kohen. When these Kohanim came to bring *korbonos* in the second *Beis HaMikdosh*, Nechemiah rebuffed them because of concerns about their ancestry (Ezra 2:61-63; Nechemiah 7:63-65). The Gemara states that although Nechemiah allowed them to eat *terumah* and to *duchen*, he prohibited them from eating *korbonos* or serving in the *Beis HaMikdosh* (*Kesubos* 24b). Similarly, today's Kohanim who cannot prove their *yichus* should be unable to serve in the *Beis HaMikdosh*. This would eliminate the possibility of offering *korbonos* today.

However, Rav Kalisher permits *kohanei chazakah* to offer *korbonos*. He contends that only in the generation of Ezra and Nechemiah, when there was a serious problem of intermarriage (see Ezra, Chapter 9), did they restrict service in the *Beis HaMikdosh* to *kohanim meyuchasim*. However, in subsequent generations, any Kohen with a *mesorah* [tradition] may serve in the *Beis HaMikdosh*.

The *Chasam Sofer* (*Shu"t Yoreh Deah* 236) also permits *kohanei chazakah* to offer *korbonos*, but for a different reason, contending that although using a *kohen meyuchas* is preferred, a non-*meyuchas kohen* may serve in the *Beis HaMikdosh* when no *kohen meyuchas* is available.

Other *poskim* dispute this, maintaining that a Kohen who is not *meyuchas* may not serve in the *Beis HaMikdosh* (*Kaftor VaFerech*).

The question then becomes – If only a Kohen who can prove his *kehunah* may offer *korbonos*, and there are no surviving Kohanim who can prove their *kehunah*, how will we ever again be able to bring *korbonos*?

The answer is that Moshiach will use his *ruach hakodesh* to determine who is indeed a kosher Kohen that may serve in the *Beis HaMikdosh* (Rambam, *Hilchos Melochim* 12:3). This approach pre-empts Rav Kalisher's proposal completely.

### **Bigdei Kehunah**

Before *korbonos* are reintroduced, *gedolei haposkim* will have to decide several other matters, including the definitive determination of several materials necessary for the Kohen's special clothing.

The Torah describes the garments worn to serve in the *Beis HaMikdosh* as follows: "Aharon and his sons shall put on their belt and their hat, and they (the garments) shall be for them as *kehunah* as a statute forever" (*Shemos* 29:9). The Gemara deduces, "When their clothes are on them, their *kehunah* is on them. When their clothes are not on them, their *kehunah* is not on them," (*Zevachim* 17b). This means that *korbonos* are valid only if the Kohen offering them wears the appropriate garments.

One of the garments worn by the Kohanim is the *avneit*, the belt. Although the Torah never describes the *avneit* worn by the regular Kohen, the *halachic* conclusion is that his *avneit* includes threads made of *techeiles*, *argaman*, and *tola'as shani* (*Yoma* 6a). There is uncertainty about the identification of each of these items. For example, the Rambam and the Ra'avad dispute the colour of *argaman* (*Hilchos Klei HaMikdosh* 8:13). The identity of *techeiles* is also unknown. Most *poskim* conclude that Hashem hid the source of *techeiles*, a fish known as *chilazon*, and that it will only be revealed at the time of Moshiach. Thus, even if we rule that our Kohanim are kosher for performing the service, they cannot serve without valid garments!

Rav Kalisher himself contended that the garments of the Kohen do not require *chilazon* as the dye source, only the colour of *techeiles*. In his opinion, *chilazon* dye is only necessary for *tzitzis*. (He based this approach on the wording of the Rambam in *Hilchos Tzitzis* 2:1-2.) Therefore, in Rabbi Kalisher's opinion, one may dye the threads of the *avneit* the correct colour and perform the *avodah* [service]. However, other *poskim* did not accept this interpretation but require the specific dye source of *chilazon* blood to dye the garments (*Likutei Halachos*, *Zevachim* Chapter 13 pg. 67a).

Rav Kalisher does not address the dispute between the Rambam and the Ra'avad about the colour of the *argaman*. Apparently, he felt that we could determine the answer and dye the *avneit* threads appropriately.

### **Additional Issues**

The *poskim* raised several other issues concerning Rav Kalisher's proposal. One problem raised is that Klal Yisroel must purchase all public *korbonos* from the funds of the *machatzis hashekel*, which would require arranging the collection of these funds before the publicly owned *korbonos* could be offered. However, this question would not preclude offering *korban* Pesach, which is a privately owned *korban*.

Rav Kalisher's disputants raised several other questions, more than can be presented here. As we know, the *gedolei haposkim* rejected Rav Kalisher's plan to reintroduce *korbonos* before the rebuilding of the *Beis HaMikdosh*.

However, we have much to learn from Rav Kalisher's intense desire to offer *korbonos*. Do we live with a burning desire to see the *Beis HaMikdash* rebuilt speedily in our days? Even if, *chas veshalom*, we are still not able to offer *korban* Pesach this year, we should still devote *erev* Pesach to studying the *halachos* of that *korban*. And may we soon merit seeing the Kohanim offering all the *korbonos* in the *Beis HaMikdash* in purity and sanctity, *Amen*.

(The above write-up is based on a halachah write-up written by R' Yirmiyohu Kaganoff and on R' Moshe Sternbuch's *Teshuva* in *Mo'adim U'Zemanim* Volume 5).

### **Seder Night and Food Intolerances**

Although Pesach is a wonderful Yom Tov and something we all look forward to, many people find *seder* night very difficult. For many people, it's because they have been very busy preparing for Pesach and when they finally get to *seder* night they are exhausted and are too tired to enjoy themselves. This can easily be avoided, by getting ready in good time and having a rest on *erev* Yom Tov.

However, for some people *seder* night is very difficult and a good rest won't help make things easier. For some people the consumption of *matzah*, *marror*, wine or grape juice is uncomfortable, for a variety of reasons. Consumption of these foods may exacerbate certain medical conditions, such as allergies, diabetes, celiac disease, Crohn's disease, irritable bowel syndrome and reflux. To what extent must someone afflicted by these conditions extend him/herself to fulfil these *mitzvos*? And does it make a difference if the mitzvah is required *min* haTorah, such as *matzah*, or only *miderabonon*, such as *arbah kosos* or *marror* nowadays?

#### ***Pikuach Nefesh***

One is never required to perform a positive mitzvah when there is a potential threat to one's life. Quite the contrary, it is forbidden to carry out any mitzvah whose performance may be life-threatening. Therefore, someone who has a potentially life-threatening allergy or sensitivity to grain may not consume *matzah* or any other grain product – ever – and this prohibition applies fully on *seder* night as well.

#### **Not Dangerous, Just Unpleasant**

However, must one observe these *mitzvos* when the situation is not life threatening, but is painful or affects one's wellbeing? Must one always fulfil the mitzvah, even though doing so is extremely uncomfortable or makes one unwell?

#### **R' Yehudah's Headache**

The Gemara in *Nedorim* (49b) reports that the great *Tanna* Rabbi Yehudah, who is quoted hundreds of times in the Mishnah and Gemara, suffered from the consumption of wine. The Gemara records the following anecdote:

Rabbi Yehudah looked so happy that a Roman woman accused him of being inebriated. He responded that quite the contrary: "Trust me that I taste wine only for *kiddush*, *havdolah* and the four cups of Pesach. Furthermore, after drinking four cups of wine at the *seder*, I have a splitting headache that lasts until Shavuos".



From the above Gemara it seems that one is required to undergo a great deal of discomfort to fulfil even a mitzvah that is *miderabonon* in origin, and certainly a mitzvah that is *de'O'raisa*, such as eating *matzah* on Pesach. Based on this anecdote, the *Rashba* (*Shu"t* 1:238) requires someone who avoids wine because he despises its taste or because it harms him (*mazik*) to drink four cups on *seder* night. The *Shulchan Aruch* (*Orach Chaim* 472:10) rules accordingly: מי שאינו שותה יין מפני שמדיקו – או שונאו צריך לדחוק עצמו לקיים מצות ארבע כוסות – “One who normally refrains from drinking wine as it harms him, or because he doesn't like it, is required to push himself to fulfil the mitzvah of drinking four cups of wine on *seder* night”. Accordingly, one might conclude that one must fulfil the mitzvah of *arbah kosos* in any non-life-threatening situation, even when the consequences are unpleasant.

However, several *poskim* sanction abstaining from *arba kosos* under certain extenuating, but not life-threatening, circumstances, even though they also accept the ruling of the *Shulchan Aruch*! For example, the *Aruch HaShulchan* (472:14) permits someone who is ill to refrain from consuming *arba kosos* on *seder* night, and the *Mishnah Berurah* rules similarly (472:35). They explain that the harm one must experience to fulfil the mitzvah does not include physical harm, but is limited to discomfort or moderate pain.

### ***Derech Cheirus***

In *Sha'ar HaTziyon*, the *Mishnah Berurah* explains why he permits refraining from *arba kosos* under such circumstances: Becoming bedridden because one consumed *arba kosos* is not *derech cheirus* [demonstrating freedom]. The reference to *derech cheirus* alludes a Gemara in *Pesochim* (108b), the Gemara in *Pesochim* states:

יצא ידו חירות לא יצא - שתאן חי יצא אמר רבא ידו יין יצא ידו חירות לא יצא - “One who drinks the wine undiluted has fulfilled his obligation. Rava says, ‘he fulfils his obligation to drink wine, however he doesn't fulfil the requirement of demonstrating freedom’.”

What does this Gemara mean? Why does drinking one's wine straight not fulfil this mitzvah called demonstrating freedom?

The wine of the Gemara's era required one to dilute it before drinking. Imbibing it straight was not the normal method of drinking and, therefore, would not demonstrate the freedom that the *seder* emphasizes.

The *Mishnah Berurah* contends that a mitzvah whose purpose is to demonstrate that we are freemen cannot require becoming bedridden as a result. Although a potential massive headache, such as what affected Rabbi Yehudah, does not exempt one from the mitzvah, becoming bedridden is qualitatively worse. The *Aruch HaShulchan* rules similarly, although he omits the reasoning of *derech cheirus* and simply assumes that the mitzvah does not apply under these circumstances.

(There may be a difference of opinion between the *Mishnah Berurah* and the *Aruch HaShulchan* germane to *mitzvas marror*. The *Mishnah Berurah's* reason of *derech cheirus* applies only to the *arba kosos*, and therefore he might hold that one must eat *marror* even if he becomes bedridden as a result. However, the *Aruch HaShulchan's* ruling may apply to any mitzvah *derabonon*, and thus permit someone who would become ill from eating *marror* to abstain from performing this mitzvah.)

## Wine Vs. Grape Juice

If one is able to drink grape juice without any ill result, but may have some difficulty with wine, is there a requirement for him/her to drink wine?

The Gemara in *Bava Basra* (97b) states that: "One may squeeze a cluster of grapes and then immediately recite *kiddush* over it". Obviously, this grape juice has no alcoholic content, and yet it is acceptable for *kiddush*.

However, the Gemara's ruling that someone who drank the *arba kosos* without dilution does not fulfil *cheirus* implies that the *seder* mitzvah requires wine with an alcoholic content, and therefore grape juice does not perform this aspect of the mitzvah. Nevertheless, someone who cannot have any alcohol may fulfil the mitzvah of *arba kosos* with grape juice (see *Shu"t Shevet HaLevi* 9:58).

## Diluting Wine

Is it better for someone to dilute their wine with water, rather than drink grape juice?

Some *poskim* contend that one fulfils the concept of *cheirus* as long as one can detect alcoholic content, even though the wine is diluted. However, before diluting wine one has to make sure to contact the manufacturer or the *hechsher*, as some wines are already diluted to maximum amount that wine is allowed to be diluted until.

The *Pri Megodim* (*Eishel Avraham* 204:16) rules that although *Chazal* diluted their wine significantly (Shabbos 77a), our wine is very weak and should be diluted only moderately. He contends that if one adds more water than wine the *berachah* becomes *shehakol*; one can certainly not use this wine for *kiddush* or *arba kosos*. The *Aruch HaShulchan* (204:14) rules even more strictly, that any added water renders our wines *shehakol* and invalidates them for *kiddush* or *arba kosos*. The above is not necessarily a *machlokes* [dispute] and may simply be a reflection of the quality of the wine available; the wine available to the *Pri Megodim* could be diluted without ruining it, as long as there was more wine than water, whereas that available to the *Aruch HaShulchan* was easily ruined.

On the other hand, diluting wine with grape juice does not jeopardize the *berachah*, and, if the alcohol content is still noticeable, one will fulfil the concept of *cheirus*. Therefore, it would seem that ideally one should drink wine diluted with grape juice, if however, one can't take any wine then drinking grape juice would be ok.

## Arba Kosos Substitutes

If someone cannot drink four cups of wine or grape juice, the *Mishnah Berurah* rules that one may substitute by using *chamar medinah*, literally, the national "wine." This follows a ruling of the *Rema* (483) that someone who has no available wine may fulfil the mitzvah of *arba kosos* with *chamar medinah*.

Exactly what *chamar medinah* is, is a big discussion, some *poskim* maintain that tea or coffee qualifies, others contend that it must be alcoholic and still others maintaining that most places today have no *chamar medinah*.

## Some Practical Suggestions

So far, we have concluded that someone who becomes ill enough to be bedridden may not be obligated in *arba kosos*, but someone who finds drinking four cups of wine or grape juice uncomfortable and even painful, but does not become bedridden as a result, is required to drink them. However, it's important to note that sometimes one may be lenient and use a smaller cup and drink a smaller proportion of its wine than we would usually permit. These are matters to discuss with one's *rov*.

### What About *Matzah*?

So far, we have only explained the rules pursuant to drinking the four cups of wine, which is a mitzvah *derabonon*. Does any leniency exist to exempt someone from eating *matzah* on *seder* night, in non-life-threatening situations? One is certainly not required or permitted to eat *matzah* if doing so may be life-threatening; but if the results are simply discomfort, to what degree must one extend oneself to observe a positive mitzvah *de'O'raisa*?

R' Shlomo of Vilna in his *Binyan Shlomo* (47) in a lengthy *Teshuva* establishes how far someone who is ill must go to eat *matzah*, when there is nothing life-threatening. The halachah is that one is prohibited from spending more than one fifth of his money to fulfil a positive mitzvah. The *Binyan Shlomo* reasons that since maintaining good health is more important to most people than spending a fifth of one's money, one is exempt from performing a mitzvah that will impair one's health, even when there is no risk to one's life.

The *Binyan Shlomo* applies this rule to all *mitzvos*: One is exempt from observing any mitzvah, if fulfilling it will seriously impair one's health. Furthermore, one could conclude that, if fulfilling a mitzvah causes such intense discomfort that one would part with one fifth of one's financial resources to avoid this pain, one may forgo the mitzvah.

According to the *Binyan Shlomo*, if this law is true regarding *matzah*, it will certainly hold true regarding *arba kosos* and *marror*, which are only *mitzvos derabonon*. Thus, someone who will not be bedridden as a result of consuming *arba kosos* or *marror*, but whose health will be severely impaired as a result of this consumption is absolved from fulfilling this mitzvah, as will someone to whom the consumption is so unpleasant that he would gladly part with one fifth of his earthly possessions to avoid this situation.

### Non-Wheat Flours

In the last few years, *matzah* for Pesach produced from either spelt or oat flour has become available. Someone who is able to eat wheat *matzos* should ideally refrain from using such *matzos*, however, someone who is absolved from eating *matzah* on Pesach according to the above-mentioned definition, but who can eat either of these varieties of *matzah*, should eat them to fulfill the mitzvah on the first night of Pesach. Someone who can tolerate both spelt and oat *matzah* should eat spelt.

### I Know It May Be Life-Threatening but I'm Eating Anyway

In regard to the above topic, there is a fascinating *Teshuva* from the *Maharam Shik* (*Shu"t* 260). Someone for whom eating *matzah* or *marror* was potentially life-threatening insisted on eating

them at the *seder*, against halachah. The *Maharam Shik* was asked whether this person should recite the *berachah* 'al *achilas matzah*' before eating the *matzah* and 'al *achilas marror*' before eating the *marror*!

The *Maharam Shik* responded that he is uncertain whether the patient may recite any *berachah* at all before eating the *matzah* and the *marror*, even the *berachah* of *hamotzi*! His reason is that consuming harmful food is not considered eating, but is considered damaging oneself, and one does not recite a *berachah* prior to inflicting self-harm! The *Maharam Shik* then questions his supposition, demonstrating that someone who overeats recites a *berachah*, even though he is clearly damaging himself. He therefore concludes that one does not recite a *berachah* when eating something that causes immediate damage. However, when eating something where the damage is not immediate, reciting a *berachah* before eating is required.

Pursuant to the original *shailah* whether one recites 'al *achilas matzah*' before eating the *matzah* and 'al *achilas marror*' before eating the *marror*, the *Maharam Shik* concludes that one should not recite these *berachos* in this situation. Since the patient is not permitted to eat *matzah* and *marror* which is dangerous to his life, he is not performing a mitzvah when eating them, but a sin of ignoring the proper care his body requires, and one does not recite a *berachah* prior to transgressing.

## Conclusion

Anyone to whom these *shailos* are unfortunately relevant should discuss them with his/her *rov*. We found that the *Shulchan Aruch* rules that one is required to fulfil *arba kosos*, even if one will suffer a severe headache as a result, and certainly if one despises the taste. However, should one become bedridden as a result or suffer severe health consequences, there are *poskim* who permit forgoing drinking wine or grape juice and substituting a different beverage that qualifies as *chamar medinah*. Similarly, there are *poskim* who permit forgoing consuming *matzah* at the *seder* if one would suffer severe health consequences as a result — even if the situation is not life-threatening.

(The above write-up is based on a halachah write-up written by R' Yirmiyohu Kaganoff)

## Drinking Water on Pesach

The halachah is that *chometz* on Pesach is not nullified even by a ratio of one to one-thousand. This means that if even a tiny crumb of *chometz* falls into a large pot filled with food on Pesach, the entire pot of food becomes forbidden. This is something that we normally don't find by other prohibitions, for when a small amount of prohibited food falls into a larger amount of permissible food, it is usually nullified by a ratio of one to sixty. For instance, if a drop of milk accidentally spills into a large pot of meat soup, the soup is permissible for consumption since there is certainly at least sixty times more than the drop of milk in the soup. However, in regard to *chometz* on Pesach *Chazal* ruled stringently and said that it cannot be nullified at all.

Most people think that the above is merely theoretical as our houses are cleaned for Pesach so when it comes to cooking on Pesach it's unlikely any *chometz* falls into the food. The food we buy for Pesach was made before Pesach and so any *chometz* that may be inside is already nullified in 60 (before Pesach *chometz* is nullified in 60). However, the above is very practical, as water that we drink or cook with on Pesach that comes from the tap normally comes from a river/reservoir/ocean etc. and often there is bread inside. Moreover, factories often dump their waste into nearby rivers and streams and very often the waste contains *chometz*. True, the water that comes out the tap may be filtered but there is another problem of *kovush kemavushal*, which means that if something

is left soaking in a liquid for 24 hours, after 24 hours it starts to impart its taste into the liquid. For example, if non-kosher meat is left soaking in water for 24 hours, after 24 hours the taste of the non-kosher meat transfers to the water, and one is now unable to drink the water. Therefore, even if one's water that comes out of the tap is filtered, there may have been bread (and often there is) in the original water source, and even if the water is filtered, *chometz* was soaking in there for over 24 hours and a *chometz* taste is imparted into the water and on Pesach even a small amount of *chometz* is forbidden, so how can one drink water on Pesach?

### **The *Rishonim* Already Talk About the Above**

The above *shailah* isn't a new *shailah* and the *rishonim* already deal with it. In the olden days they use to draw water from a well, what happens if someone throws a piece of bread into the well, and the bread was left in there and imparted its *ta'am* [taste] into the water, is one allowed to use such water on Pesach?

The *Shibolay HaLeket* addresses the above and he says that one isn't allowed to drink water from such a well over Pesach, this is also how the *Roke'ach* and *Ravyah* take on. If water in the well is a problem, why should water that we get from a tap on Pesach be any different?

Because of the above, there are indeed pious individuals who act stringently in this regard and fill up large tanks with enough water to last them the entire Pesach before Pesach begins (when *chometz* is nullified in 60) and they do not use water from the tap the entire Pesach for the above reason. If one wants to be *machmir* for the above presumably he can buy bottled water as well, as long as it has no *chometz* additives. However, the majority of people don't do this and do take water from the tap. Even those who normally only drink bottled water, when they cook, they use water from the tap, what are they relying on, and why isn't there a problem of *chometz*?

### **We Can Assume the Fish Ate the *Chometz***

A number of years ago, people began raising awareness that there were several restaurants along the banks of the Kinneret which is in the north of Eretz Yisroel which would throw bread into the lake on Pesach itself. R' Ovadia Yosef was the chief Rabbi of Israel at the time, and he went and inspected this on his own. When he realized that the claims were actually correct, he penned a *Teshuva* on this topic (see *Yabia Omer* 7:43). He brings a number of reasons to be lenient. One of his reasoning's to be lenient is, that the *Shulchan Aruch* rules that a courtyard where there are birds need not be searched for *chometz*, for even if a piece of *chometz* was left over, the birds would certainly eat it. Based on this, in the Kinneret where it is almost certain that the fish eat whatever is thrown into it quickly, there is no reason to be concerned about any *chometz* mixture.

However, the above is very difficult as the *Shulchan Aruch* is talking about *bedikas chometz* and R' Ovadia is talking about eating *chometz*, eating *chometz* is surely more stringent.

Moreover, the *Shulchan Aruch* is talking about a courtyard where there is a *sofek* [doubt] if there is *chometz* there or not, if there is only a *sofek* we can assume birds ate the *chometz*, if however, there was definitely *chometz* there we wouldn't say the above.

True the *Rema* says even if there was definitely *chometz* there we can rely on birds eating it, but the *Mechaber* doesn't so it's very difficult to rely on such a logic. However, regardless of if we can

compare the logic said by *bedikas chometz* to actual eating of *chometz* or not, often one can go to a reservoir on Pesach itself and see that there is *chometz* there in the water, so how can we use it on Pesach?

### **Constant Flow**

The *Shu"t Yehoshua* (Hagaon HaRav Yehoshua Heschel of Tarnipol) also deals with the above issue and he writes that in Jewish communities along the rivers, non-Jews would throw bread into the river throughout the entire Pesach and this creates a problem of *chometz* mixtures. He writes that this was the case in the city of Dubno along whose river ran a water-powered mill and the non-Jews would dump the chaff and bran into the river. Similarly, the leftover beer they produced there from barley would be spilled into the river as well. If so, the river should thereby constitute a *chometz* mixture and should be forbidden to drink from on Pesach.

The great author of the *Sefer Yehoshua* inquired about this from the Gaon of Lisa (*Chavos Da'as*). The Gaon of Lisa ruled leniently on the matter since the water was constantly flowing at a fast pace and the *chometz* did not have the opportunity to be steeped in it; thus, this cannot be considered a *chometz* mixture.

For *kovush kemavushal* to happen the *chometz* needs to remain stagnant in the water for 24 hours, if the water keeps changing then the process of *kovush kemavushal* doesn't happen. Since water in a river is constantly flowing, the *chometz* doesn't have a chance to impart its taste, therefore, there is no problem. (R' Akiva Eiger in *Yoreh Deah* and the *Aruch HaShulchan* say the same idea.)

### **Not All Water is Running**

The above answer helps for a place where the water is running, but what happens in a place where the water isn't constantly running?

R' Shlomo Kluger in his *Teshuvos Tuv Taam V'Daas* deals with the above, and he suggests another reason to be lenient. He suggests that if a bit of water is added to the mixture it stops the *kvisha* happening. *kovush kemavushal* is similar to cooking, just like if you add a bit of cold water to a pot that is cooking it cools it down and slows down the cooking, similarly if one would add a bit of cold water to something which is undergoing *kovush kemavushal* it will slow it down. Therefore, even if the water is still, often water will be added, either by rain, or factories adding things to the water source etc. therefore there is no problem of a mixture of *chometz*.

### **Avoiding Kovush on a Lulav**

People like to preserve their *lulav* on Succos and keep it fresh, everyone has his own favourite way, some wrap it in a towel, others say a towel is terrible you have to use silver foil etc. etc. some even submerge the *lulav* in water. The *din* is that an *esrog* that is *kovush* (left soaking in water for 24 hours is disqualified), the *Chasam Sofer* maintains that the same thing applies to a *lulav* as well. Normally the *lulav* isn't left for 24 hours soaking, on Shabbos however (which is 25 hours) the *lulav* is left for over 24 hours, so what should such a person do?

People who are big fans of the above approach normally build a special can out of water and make a whole in it and insert a plug, after 23 hours they remove the plug and let the water drain out.

According to the above approach of R' Shlomo Kluger there is a much easier solution, one can simply add a bit of water.

However, many of the above *heterim* are often not practical, as often we drink water that comes from water that remains still and has no water added, and *chometz* is left in the water soaking for more than 24 hours, so what are we relying on?

### **Not All *Chometz* is Forbidden in Small Amounts**

As we mentioned above, *chometz* is forbidden even in small amounts, is all *chometz* forbidden in small amounts, or is there perhaps some exceptions? What happens if *chometz* belongs to a non-Jew?

The *Shaaray Teshuvah* (467:30) says that if *chometz* belongs to a non-Jew, a small amount is not a problem and it is nullified in 60. Based on the above we have a simple *heter* provided the *chometz* belongs to a non-Jew. However, the halachah is, a Jew isn't allowed to eat kosher l'Pesach food on the same table as a non-Jew eating *chometz*. The *Shach* explains, because we are worried that a crumb of *chometz* that belongs to the non-Jew may end up in the food of the Jew and he will come to eat *chometz* on Pesach. The question is, we just said that a small amount of *chometz* that belongs to a non-Jew is nullified in 60, so what is the problem? (See *Yad Yehudah*).

### **The River is Connected to the Ground**

Another room for leniency is based on a *Ritva* in *Avodah Zorah* (47). Like *chometz*, *avodah zorah* is also prohibited even in small amounts and isn't nullified in 60. The *Ritva* says *avodah zorah* is only forbidden in small amounts in items that are *telushin* [moveable], if it is in something that is *mechubar lekarka* [connected to the ground], then it is nullified in 60. A body of water is considered *mechubar lekarka*, like we find that it isn't subject to *tumah*. The *Yad Yehudah*, *Avnei Nezer* and others say that this is the *heter* to drink water on Pesach - since the water source is *mechubar lekarka* the *chometz* is in fact nullified in 60.

The question is, the *Shulchan Aruch* makes no such distinction and says *chometz* is forbidden even in small amounts wherever it may be?

The *Teshuvos Maharshag* says, the *Shulchan Aruch* never had a *Ritva*, if he did then he would have said such a distinction.

### **A Small Amount is Only Forbidden if it Can Come to Give Off a *Ta'am***

HaRav Yehoshua Heschel himself adds a different reason for leniency which is that the only reason *Chazal* ruled that *chometz* is not even nullified by a ratio of one to one-thousand is because they were concerned about a situation where the *chometz* might actually add flavour to the mixture. However, with regards to a tremendous river where it is impossible for *chometz* to add any flavour to the water, they did not enact that the *chometz* should not be nullified.

The *Shaaray Deah* says the above in a slightly different *nussach* [way]. He says "a *mashahu* [small amount] is only forbidden if it has a *chashivus* [significance] compared to the permissible item, if it's so insignificant then it's not a problem".

R' Yaakov Kamenetsky used to say that he asked the above question to R' Chaim Ozer and he answered "a *mashahu* [small amount] also has a *shiur* [size]". Although the rule is that even a *mashahu* of *chometz* isn't nullified, if it's so small, then it's not even considered a *mashahu*.

### **Not Everyone Agrees that *Chometz* is Forbidden in Small Amounts**

Another important point to add to all the above is, there is a disagreement among the *poskim* as to the validity of the halachah that *chometz* on Pesach is not even nullified by a ratio of one to one-thousand. According to the *She'iltos* of Rav Achai Gaon and the *Ba'al HaMa'or*, *chometz*, even on Pesach, is nullified by a ratio of one to sixty like all other forbidden foods.

### ***Chometz* in the *Dud Shemesh* [Boiler on the Roof]**

In Eretz Yisroel many people have something called a *dud shemesh*, which is like a boiler on top of the roof that has water in that gets heated by the sun. Often, they aren't sealed properly and birds can drop *chometz* inside. The water is inside a *keli* [vessel] and is therefore *tolush*, and it's possible to put enough *chometz* inside that can impart a taste, what should one do?

The *Minchas Yitzchok* suggests that one should sell it to a non-Jew and ask him for permission to use his water on Pesach.

### **A *Chumra* for the *Machmirim***

Some are concerned that a container with water in it for 24 hours can release and absorb a forbidden substance touching its outside surface through *kevisha* (see *Hagoas* R' Akiva Eiger, *Yoreh Deah* 105:1). According to this, one must ensure that the glue used to attach the label does not contain *chometz* so that it does not make the water in the bottle *chometzdik*. Therefore, one who is *machmir* to buy bottled water for Pesach, has to make sure that the sticker on the bottle is attached with glue that is kosher l'Pesach.

### **Using *Shemitta* Wine for *Daled Koisos* [Four Cups of Wine]**

Although we are currently in the eighth year (*shenas hasheminis*) of the *shemitta* cycle, and hence actually post-*shemitta*, and most people think *shemitta* is completely over. The question of *shemitta* wine is actually more practical this year than last year, as it is only now that items such as *shemitta* wine are commercially available.

The *Yerushalmi* in three places is in doubt if wine made from *shemittah* produce can be used for *daled koisos*. The *Yerushalmi* (Shabbos 8:1) asks: מהו לצאת בין של שביעית תני ר' הושיעה יוצאין בין של - שביעית - "What is the halachah in regards to using *shemittah* wine for *daled koisos*, R' Hoshia taught that one can fulfil his obligation".

There is a similar *Yerushalmi* in *Pesochim* (10:1) and in *Shekolim* (3:2).

### **What Is the Doubt?**

The question is, what exactly is the doubt, why should there be a problem, and if there is a problem why is it not a problem?

The *achronim* offer various explanations and we will *iy'h* bring various different approaches below.



## Approach #1

The *Pnei Moshe* and *Tiklin Chadatin* (on *Shekolim*) explain that the *Yerushalmi* is talking about *shemittah* wine after the *zeman biur* (the time one is supposed to remove *shemittah* produce from his house and relinquish ownership) after which *shemittah* produce becomes *ossur behanoh* [forbidden to derive benefit from]. The *Yerushalmi* is in doubt if one can fulfil his obligation of *daled koisos* with such wine. The *Yerushalmi* concludes that since, מצוות לאו ליהנות ניתנו – “benefit that one derives when carrying out a mitzvah isn’t considered benefit”, one can fulfil his obligation of *daled koisos* using such wine.

However, the above explanation is very difficult as the *Ran* in *Nedorim* (15b) writes, that even though we say, מצוות לאו ליהנות ניתנו, if one receives physical pleasure when carrying out the mitzvah then there is a problem. For example, if one makes a *neder* [oath] not to benefit from a *mayon* [spring], he is allowed to *toivel* in it in the winter, in the summer however, since he receives physical benefit from the fact that the spring cools him down, he isn’t allowed to. One of the biggest pleasures is eating and drinking, therefore, it’s very difficult to apply the concept of, מצוות לאו ליהנות, ניתנו, when it comes to drinking.

## Approach #2

The *Korban Eidah* learns that the doubt of the *Yerushalmi* is if *shemittah* wine is considered *lochem* [yours]. There is a *machlokes rishonim* if *matzah* needs to be *lochem*, and the *Yerushalmi* is in doubt if there is also a *din* of *lochem* by *daled koisos*. Since *shemittah* produce is *hefker* [ownerless] it isn’t considered *lochem*, therefore, perhaps it can’t be used for *daled koisos*. The *Yerushalmi* concludes that there is no *din* of *lochem* by *daled koisos* and therefore it’s ok to use *shemittah* wine.

This explanation is also very difficult as how can the *Korban Eidah* understand that *shemittah* produce isn’t considered *lochem*, the *pasuk* says clearly: והיתה שבת הארץ לכם לאכלה – “the land shall rest, and it should be yours to eat” (*Vayikra* 25:6).

Moreover, the prime example of needing *lochem* is the *daled minim* [four species] on Succos, yet, we find in the Mishnah in Succah (39a) that one can fulfil his obligation of *daled minim* on Succos using an *esrog* of *sheviis*. Moreover, the Mishnah in *Kiddushin* (50b) says that one can do *kiddushin* with *shemittah* produce, and for *kiddushin* one has to use an item which is his.

Therefore, we have to say that true *shemittah* produce is *hefker* for everyone to take, however, once someone takes it is considered his (see *Reshash* to *Pesochim* 68 and *Doivev Meishorim* 3:1,3).

## Approach #3

In a *kuntros* at the back of the *Pe’as HaShulchan* a third approach is brought from the R’ Avrohom Mendel Steinberg (*Machzeh Avraham*) and R’ Nochum Wedenfeld (*Chazon Nochum*). They understand that the doubt is that according to the Ramban (*Sefer HaMitzvos*) there is a mitzvah to eat *shemittah* produce, and drinking *daled koisos* is also a mitzvah, therefore, perhaps there is a problem of *ein oisin mitzvos chavilos chavilos* (bundling up *mitzvos*, i.e., doing more than one mitzvah at a time, which makes it look like *mitzvos* are burdensome).

However, R’ Nochum Wedenfeld and R’ Tzvi Pesach Frank ask that one can fulfil the mitzvah of *matzah* with *matzos* made from *terumah* and *challah* (see *Succah* 35a) so why should *shemittah* wine be any different (see *Har Tzvi* who attempts to answer above).

#### Approach #4

R' Tzvi Pesach Frank offers a fourth approach. *Tosfos* in *Shabbos* (25a) learns that one isn't allowed to burn *shemen seraifah* [oil of *terumah* that needs to be burnt] on *Yom Tov*, even if one will use it to cook with on *Yom Tov* (one is allowed to use *shemen seraifah* to cook with). Even though one is allowed to cook on *Yom Tov*, since there is a mitzvah to burn the *shemen seraifah*, the *hanoh* [benefit] of cooking becomes *botul* [nullified] to the mitzvah of burning the *shemen seraifah*. R' Tzvi Pesach suggests a similar thing with using *shemittah* wine for *daled koisos*, if one uses *shemittah* wine, the mitzvah of *daled koisos* will sort of override the fact that the wine is *shemittah* wine, and it will be considered as if one is wasting *shemittah* produce, which is not allowed.

However, this is very difficult to understand as eating and burning are very different. Burning is in effect ruining something, therefore, if one burns it for a mitzvah we can look at the act as burning for a mitzvah and not cooking, when it comes to drinking however, both *daled koisos* and eating/drinking *shemittah* produce are the same act. Moreover, how can we say that by drinking *daled koisos* he is wasting *shemittah* produce, in the end of the day he is drinking it, and that is what one is supposed to be doing.

#### Approach #5

The *Aderes* in his *hagoas* on the *Yerushalmi* (*Tuv Yerusholayim*) offers yet a fifth explanation in the doubt of the *Yerushalmi*. He explains it using another *Yerushalmi*, the *Yerushalmi* says that one can fulfil the mitzvah of *daled koisos*: בין ביין חייבין במזוג – “using undiluted wine (and therefore very strong) or diluted wine”. When it comes to consuming *shemittah* produce, one has to consume it in the normal way otherwise it is considered wasting it. The *Yerushalmi* therefore is asking if one uses undiluted *shemittah* which is not considered the normal way of consumption, does he fulfil his obligation of *daled koisos*, or do we say since it's not the normal way of consumption it's a mitzvah *haboh b'aveirah* [a mitzvah that came about through a forbidden act] and therefore one doesn't fulfil his obligation. The *Yerushalmi* concludes that even still it's ok and one fulfils his obligation.

The problem with this approach is, that the *Yerushalmi* makes no mention of the *shemittah* wine being undiluted, moreover, if that was the doubt why does the *Yerushalmi* have to ask the *shailah* in regard to *daled koisos*, the same *shailah* could have been asked by *kiddush* which is said every *Shabbos*.

Moreover, the Gemara in *Pesochim* (108b) says: שתאן חי ידי יין יצא ידי חירות לא יצא – “If one drinks (for *daled koisos*) undiluted wine, he fulfils the obligation of drinking wine, but he hasn't fulfilled the obligation of drinking it *derech cheirus* [freely]”. From the above Gemara it seems, one isn't really allowed to use undiluted wine for the *daled koisos*, therefore, it's difficult to say that the *Yerushalmi* is referring to such a case.

#### Approach #6

In the *Ohr Some'ach* (*Hilchos Shabbos* 29:14) we find yet a sixth approach. The Rambam rules, that one shouldn't make *kiddush* on wine that is unfit to be used for *nesochim* [wine libations]. *Shemittah* wine can't be used for *nesochim* as it says in *Toras Kohanim*: לאכילה ולא לנסכים – “for eating and not for *nesochim*” and in *Menachos* (84a): לאכלה ולא לשריפה – “for eating and not for burning”. Based on the above, the *Yerushalmi* is in doubt if *shemittah* wine can be used for *daled koisos*.

However, we just said that one can't use *shemittah* wine for *nesochim* so what is the *shailah* and how can the *Yerushalmi* conclude that one is *yoitsa*? We have to explain, that when the Rambam

says wine that can't be used for *nesochim* can't be used for *kiddush*, he means if the wine itself is bad and not fitting, if however, the wine is ok, just it can't be used because it's *shemittah* wine and has *kedushas sheviis*, then it's not a problem.

However, like we asked above, if that is the *shailah*, why does the *Yerushalmi* not ask it by a normal case of *kiddush* on Shabbos, why does it ask specifically by *daled koisos*?

### Approach #7

Rabbeinu Meshulom (a *rishon* on *Pesochim*) offers yet another *peshat*. He says: לפי שאין עובדין טוב בשביעית ואין מתקינין אותו ואינו טוב – “since one is not allowed to work on his field during *shemittah*, the quality of the grapes isn't going to be very good, therefore, perhaps one shouldn't use such grapes for *daled koisos*”.

He understands that the doubt of the *Yerushalmi* is, if one can use poor quality grapes for *daled koisos*, to which the *Yerushalmi* concludes that you can.

### Approach #8

R' Asher Weiss suggests, perhaps we are talking about wine that was made from grapes which were *shomur v'neved* [protected or worked on during *shemittah*]. There is a *machlokes rishonim* if one is allowed to eat *shomur v'neved shemittah* produce. Rashi in *Yevomas* (122a) learns that even though one isn't allowed to do the above if he did the fruit can be eaten. Rabbeinu Tam (there, and in *Rosh Hashanah* 9a and *Succah* 39a) however, argues and says that one isn't allowed to eat such fruit.

Perhaps the doubt of the *Yerushalmi* is who do we *pasken* like and the *Yerushalmi* concludes, we *pasken* like Rashi that there is no *issur* to eat such fruit.

### Approach #9

R' Asher Weiss then suggests even if *shemittah* produce that was *shomur v'neved* is forbidden for consumption, perhaps one is allowed to use it for *daled koisos*, and the doubt of the *Yerushalmi* is in mitzvah *haboh baveirah*. Since fruit that is *shomur v'neved* isn't intrinsically prohibited and the *issur* doesn't come from the fruit itself (unlike *chazor*), perhaps the *issur* is only an *issur derabonon*, and perhaps *bedieved* [post-facto] one can use it. The *Yerushalmi* concludes that in fact *bedieved* it's ok.

### Approach #10

R' Asher Weiss suggests yet another approach, that the *Yerushalmi* is in doubt if one is allowed to guard wine in order to use it for the mitzvah of *daled koisos*.

### Approach #11

The Rogatchover (*Tzofnas Paneach, Kilayim* 10) offers another approach to understand the *Yerushalmi*. There is a *machlokes* in *Sheviis* (9:8) between R' Yehudah and R' Yosi about who is allowed to eat *shemittah* produce after the *zeman* of *biur*. R' Yehudah maintains, poor people may eat, however, rich people can't, and R' Yosi maintains even rich people can.

The Rogatchover explains, the *Yerushalmi* is going in accordance with R' Yehudah and is in doubt if a rich person can be fulfill his obligation of *daled koisos* with *shemittah* wine after the *zeman biur*. Does the wine need to be fitting for the person himself, or is the fact that a poor person can use it good enough.

The difficulty with this approach is, we *pasken* like R' Yosi and not like R' Yehudah.

### Approach #12

In R' Chaim Kanievsky's *pirush* on the *Yerushalmi* we find yet a 12<sup>th</sup> explanation from the *Chazon Ish*. From the Gemara in *Pesochim* (53a) it's clear that the *zeman* of *biur* for grapes is *erev* Pesach (each fruit has its own time, but the time for grapes is *erev* Pesach). The *din* is, after the *zeman* of *biur* one is only allowed to keep enough of that specific fruit for three meals, three wine meals is 3 *reviis*. The doubt of the *Yerushalmi* is, if one is allowed to keep 4 *reviis* of wine - the amount needed for *daled koisos* or is it too much. The *Yerushalmi* answers, since the 4 *reviis* of wine is needed for *seder* night, it's considered *tzorchei seudah* and one can keep it.

### Approach #13

If it wouldn't be for all the above *peshotim* perhaps we could suggest a different approach. Throughout the year it's not normal to drink four cups of wine at one meal, however, on *seder* night one has to drink four cups of wine. *Lechatchilah* [ideally] one is even supposed to drink the entire cup, and some even say that if one is using a big cup that can hold many *reviisim* of wine one has to drink most/all of the wine (see 472:9 and *Mishnah Berurah* there). Moreover, even if wine is damaging and gives one a headache, he has to force himself to drink, like we find in *Nedorim* (49b), that R' Yehudah bar Iloi would have a headache until Shavuot from drinking *daled koisos*.

Perhaps the doubt of the *Yerushalmi* is, since drinking four cups of wine is very difficult perhaps it's considered drinking in an abnormal way and wasting *shemittah* produce which is forbidden, therefore, perhaps one isn't allowed to do it. The *Yerushalmi* concludes that it's not a problem, either because this isn't considered an abnormal way, or because drinking a lot and being uncomfortable isn't a problem.

### Spilling *Shemitta* Wine by the *Makkos*

The common *minhag* is that at the *seder* during *Maggid*, when reciting the *eser makkos* [ten plagues], some wine must be spilled from the cup (a total of 16 times), (see *Rema, Orach Chaim* 473) Since spilling wine is not considered wine's main use, and might be more accurately defined as wasting, many *poskim* prohibit doing so with *shemitta* wine. Therefore, although technically it would indeed be permitted to use *kedushas sheviis* wine at the *seder*, it still should not be used for the second cup (*Maggid*), or any time one may not come to finish the entire cup - a caveat which might include most of us for the other cups as well.

This is akin to the *halachos* of making *havdolah* using *shemitta* wine (which several *poskim* maintain is actually preferable, as one can enhance the mitzvah of making *kiddush* or *havdolah*, by using wine of *kedushas sheviis* which also is also a mitzvah item) that one must be careful not to spill it, nor use it to put out the candle; rather he must ensure that he drinks every drop.<sup>7</sup>

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<sup>7</sup> However, it is known (see *Halichos Shlomah, Moadim* vol. 2, Pesach Ch. 9: footnote 242) that Rav Shlomah Zalman Auerbach would use *sheviis* wine for *havdolah* (careful not to overflow the cup) and was not worried about the few drops that would naturally spill. Rav Moshe Sternbuch (*Shemittah Kehilchasah* Ch. 3: footnote 11), Rav Ben Tzion Abba Shaul (*Ohr L'Tzion* on *Sheviis* Ch. 2: 6), as well as Rav Shmuel HaLevi Vosner (cited

This does not mean there is no solution; if one did end up using *shemitta* wine for either the *seder* or *havdolah*, he can still rectify the situation by making sure that the collected drippings of wine are drunk afterwards. This is a good reason for making sure that a saucer or plate should be placed underneath the cup. This way, any spills will be caught, allowing 'recycling' of any spilled wine, and no potential 'wasting' of *shemitta* produce.

### **Zman Biur**

However, there is another important issue involved with using *shemitta* wine at the *seder* - that of *biur*. *Biur* requires that one take *kedushas sheviis* produce out of the house to a public place and giving up all rights to the fruit, announcing it 'hefker' in front of three people. Once one properly performs *biur* he may actually reacquire the produce himself.

Every type of fruit has its own specific *zman biur*, time of year when this must be performed, as it depends on when each species of fruit is no longer commonly available in the fields.

The Gemara (*Pesochim* 53a) informs us of the *biur* dates of four types of fruit: dried figs on Chanukah, dates on Purim, grapes on Pesach, and olives on Shavuot - all in the eighth year. Although the Mishnah (*Sheviis* 9:2,3) divides Eretz Yisroel into nine different 'zones' for *biur*, nowadays, since the exact locations are unclear and all types of fruit are readily available throughout Eretz Yisroel, the consumer must keep listen out for the dates that are publicized by the agriculture industry.

But since we know that the *zman biur* for grapes, and therefore wine as well, is Pesach of the eighth year, that means that anyone wanting to use *kedushas sheviis* wine at the *seder* (or actually any time after that) must perform *biur* on *erev* Pesach on all of his *shemitta* wine. This means one has to take all his wine bottles out to the street and publicly declare them *hefker* and then reacquire them. If one did not do so, according to most *poskim*, all of the *kedushas sheviis* wine would be prohibited, and you would not have wine for the *seder*. However, once one does the above, he can simply reacquire the wine.

It is due to the severity of these issues that although the *Yerushalmi* permits it, nevertheless, many *poskim* exhort extreme caution when thinking of using *shemitta* wine for the *seder*. Certainly, while fulfilling one mitzvah, one would not want to *chas veshalom* violate another.

### **What Happens If One Forgot to Do Biur?**

There are several *Achronim*, including the *Pnei Moshe* and *Tiklin Chadatin* (see above) who learn that the *chiddush* of the *Yerushalmi* is that *shemitta* wine for *arba kosos* may be used even if *biur* was not performed on it; however, most *poskim* argue and maintain that if *biur* was not performed the *shemitta* wine becomes prohibited.

However, if one did not perform *biur* on his *shemitta* wine on *erev* Pesach, according to several *poskim* he still has what to rely upon to use *shemitta* wine for the *seder*. This is due to

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in *Dinei Sheviis Hashalem*, Ch. 32, 1:12) conclude similarly, that one does not have to worry about a spill of several drops that one would not ordinarily concern himself with, as this is the normal way one drinks.

the Mishnah's ambiguous *lashon* when it states that the *zman biur* for grapes is 'on Pesach'. Although most understand it to mean *erev* Pesach, others, including the *Chazon Ish* and Rav Chaim Kanievsky (*Derech Emunah* vol. 4, *Hilchos Shemittah V'Yovel* Ch. 7:58), understand the Mishnah to mean the first day of Pesach. Another understanding is the last day of Pesach. Based on this *machlokes*, some maintain that when performing *biur* on *erev* Pesach and reacquiring it, one should have in mind not to actually completely acquire it for himself until the last day of Pesach, and up until that point everyone can use it. According to the last two opinions one is still permitted to use the *shemitta* wine at the *seder*.

An additional rationale for leniency is that, technically speaking, after a fruit's *zman biur*, one may still possess enough of that food for three meal's worth for him and his family. Rav Yosef Elyashiv is cited (*Sefer Dinei Sheviis Hashalem*, Ch. 32: Pesach 27), as maintaining that this would include the *seder* itself. However, it is known that the Steipler Gaon (*Orchos Rabbeinu*) was of the opinion that this refers to three regular meals - which would only add up to the amount of three *revi'is* of wine, not enough wine for *arba kosos*.

Rav Asher Weiss (*Minchas Asher on Sheviis; Tinyana 42*) offers an alternate solution and novel approach, utilizing a *tziruf* [combination] to be *meikel b'shaas hadchak* and *hefsed merubah*, as there are those, including the *Chochmas Adam* (*Shaarei Tzedek* 19: 5; citing the *Chareidim*) and Rav Yechiel Michel Tukachinsky (*Sefer HaShemitta* 9:10), who hold that *b'makom oness*, not performing *biur* will not prohibit the produce. See also *Yalkut Yosef* (*Sheviis* Ch. 22: 2 - 5, 7 & 9; pg. 479 - 483) who holds similarly, that *bedieved* there is what to rely upon that the wine did not become prohibited. Either way, it is certainly preferable to *lechatchila* not come into a *shailah*.

### **The Prohibition of Kitniyos on Pesach**

The difference between Sephardi and Ashkenazi dietary customs on Pesach is testimony to the richness and variety of Jewish tradition. While all Jews refrain from products that have a concern of *chometz*, Ashkenazim add a significant range of foods to avoid on Pesach. These fall under the category of *kitniyos*

#### **What is Kitniyos?**

The word *kitniyos* is often rendered into English as legumes. Yet, the actual definition of *kitniyos* is more complex.

The *Shulchan Aruch* (*Orach Chaim* 453) defines *kitniyos* as those products that can be cooked and baked in a fashion similar to *chometz* grains, yet are not actually *chometz* (meaning that they do not belong to the five species of grains: wheat, barley, spelt, oats, rye).

Although there are various customs as to exactly what constitutes *kitniyos*, the following items are generally included: beans, buckwheat, corn, fenugreek, lentils, millet, mustard, peas, poppy seeds, rapeseed, rice, sesame seeds, soybeans and sunflower seeds.

According to *Rema* (453:1), aniseed and coriander seeds are not *kitniyos*. The *Magen Avraham* recommends that one avoid eating these seeds because other grains, some of which could turn to *chometz*, are often mixed in with them. However today special equipment is used to ensure that

no foreign particles are mixed in, and one can therefore find aniseed and coriander with a Kosher for Pesach certification.

### Origins of the Custom<sup>8</sup>

Although we do not know exactly when the custom of refraining from *kitniyos* began, one of the earliest sources to mention the custom is Rabbi Yitzchok of Korbil's *Sefer Mitzvos Katan (Semak, 223)*, which notes some communities have the custom of not eating *kitniyos* during Pesach, even though these items are clearly not *chometz*.

The *Semak* notes the "custom of old" of refraining from *kitniyos*, including rice and beans in the definition. Although he writes that his mentor, Rabbi Yechiel of Paris, used to eat white beans on Pesach, he adds that it is extremely difficult to permit the practice, which is contrary to the custom.

It is noteworthy that others, aside from the aforementioned Rabbi Yechiel, objected to the custom. The *Ohr Zarua* (Vol. 2, no. 256) mentions that Rabbi Yehudah of Paris ate *kitniyos* on Pesach, and concludes that the custom is "mistaken." The *Beis Yosef* (453) writes that we are not concerned for the custom, and the *Shulchan Aruch* (453:1) rules that it is permitted to eat rice and other *kitniyos* on Pesach.

Nonetheless, the custom was accepted in Ashkenaz communities, as the *Maharil* points out (*Macholos Asuros al Pesach* 16), and the *Rema* writes that it is forbidden to eat *kitniyos* on Pesach.

Even in later times we find an attempt to nullify the custom by the *Ya'avatz* (*Mor U'ketziah* 453), who states that his father (the *Chacham Tzvi*) was troubled by it, and he hopes that "the pillars of the generation will agree" to abolish it.

The pillars of the generation did not agree, and the custom of *kitniyos* remains very much in force today. Indeed, many *poskim* treat the matter of *kitniyos* with great severity, and the *Maharash* (cited in *Maharil*, Pesach 41) even writes that eating *kitniyos* transgresses the prohibition of "lo sosur."

### Reasons for the Custom

Two main reasons are offered to explain why the custom of refraining from eating *kitniyos* was instituted.

One is that *kitniyos* can be easily confused with *chometz*. Raw *kitniyos* resemble the five grains in appearance, and *kitniyos* are processed in a similar manner to the five grains. Moreover, *kitniyos*

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<sup>8</sup> Although we refer to the prohibition of *kitniyos* as a custom, it is interesting to note that the *poskim* all refer to the problem of *kitniyos* in slightly different terms. The *Kitzur Shulchan Aruch* refers to the *kitniyos* restriction as an *issur*, the *Mishnah Berurah* calls it a *chumrah*, the *Aruch HaShulchan* says it's a *geder*, Rav Tzvi Pesach Frank calls it a *gezeirah*, Rav Moshe Feinstein refers to it as a *minhag*, and the Klausenberger Rebbe denotes it as a *takonah*. Nonetheless, they all maintain that the *kitniyos* prohibition is compulsory on all Ashkenazic Jewry. In fact, the *Aruch HaShulchan* writes: "once our forefathers have accepted this prohibition upon themselves, it is considered a *geder m'din* Torah, and one who is lenient is testifying about himself that he has no fear of Heaven." He adds, echoing Shlomah Hamelech's wise words in Koheles regarding a *poretz geder* [one who doesn't listen to boundaries that *Chazal* made]: "One who breaks this prohibition deserves to be bitten by a snake."

can be milled into flour, made into dough, and baked into bread – or cooked into a porridge that can resemble *chometz* (*Mishnah Berurah* 453:6).

Because of the similarities between *kitniyos* and actual *chometz*, the rabbis feared that *amei ha'aretz* may mistakenly believe that if they can eat *kitniyos* on Pesach, they can also eat *chometz*. This reason is given by the *Semak*, and the Vilna Gaon (453:1) even finds a source for the concern in the Gemara (40b), which relates how Rava did not permit the use of lentil flour on Pesach in an unlearned community, for fear that it would lead to confusion and cause the mistaken eating of *chometz* on Pesach.

A second reason for the prohibition is that *kitniyos* are often grown in close proximity to the five grains. Due to this, it was common for a small amount of the five grains to become intermingled with *kitniyos*. There was therefore a risk that upon eating a dish of beans on Pesach, somebody could actually come to eat *chometz*. This reason is given by the *Tur* (453).

For this reason, Sephardim, who eat *kitniyos* on Pesach, are careful to check the grains three times to make sure no *chometz* grains became intermingled with the *kitniyos*.

### **Equal to *Chometz*?**

By contrast with actual *chometz*, the custom to refrain from *kitniyos* applies only to eating.

It is permitted to keep *kitniyos* in one's property over Pesach (or even to buy *kitniyos* during Pesach), and it is even permitted to derive benefit from *kitniyos* over Pesach, since the customary prohibition applies to eating alone. Thus, one may use *kitniyos* for all non-eating purposes, such as fuel for candle lighting and heating, or for pet food. These rulings are mentioned by the *Rema* (*Orach Chaim* 453: 1).

For some matters, however, the laws of *kitniyos* are similar to those of *chometz*. For instance, the *Shevet HaLevi* (3:31, citing the *Chok Ya'akov*) rules that the prohibition against eating *kitniyos* begins at the same time as the prohibition against eating *chometz*. Not all agree with this. The *Maharsham* (*Da'as Torah* 453) permits consumption of *kitniyos* until the evening of Pesach itself.

However, the general custom in this matter is to be stringent, equating *kitniyos* to *chometz* concerning the timing. Note that the prohibition against *kitniyos* applies in *Chutz La'aretz* even on the eighth day of Pesach.

### **Contact with Water**

Another question of equating *kitniyos* to *chometz* relates to the question of *kitniyos* that have not come into contact with water. For *chometz*, it is of course permitted to consume wheat products that have not been in extended contact with water—such as the *matzah* we eat on Pesach. Is the same true of *kitniyos*, or is the custom of refraining from *kitniyos* a blanket prohibition, which does not follow the same guidelines as the prohibition of the five species of grains on Pesach?

The *Terumas HaDeshen* (no. 113) writes that the prohibition against *kitniyos* does not apply when they were not in contact with water, since the custom relates to the prohibition against *chometz* (deriving from a concern that people will confuse *kitniyos* with *chometz*), and therefore it does not stand to reason to be more stringent concerning *kitniyos* than concerning *chometz* itself.



Several later *poskim* follow this ruling, and are lenient concerning *kitniyos*, which have not been cooked or soaked in water (see *Shu"t Maharsham* 1:183; *Shulchan Aruch HaRav* 453:5; *Chayei Adam* 127:1; among others). This approach also emerges from the wording of several *rishonim*, who write that the prohibition applies only to cooked *kitniyos*.

However, the wording of the *Rema* is inconclusive in this matter, and some *poskim* are stringent concerning all *kitniyos*, even those that were not in contact with water. See for instance *Shu"t Ma'amar Mordechai* (no. 32) *Shu"t Avnei Nezer* (no. 373, 533), and see *Sdei Chemed (Chometz U'Matzah* 6, 1-2).

This discussion is relevant to eating peanuts on Pesach. The custom in most communities today is to be stringent on this matter. Since peanuts do not generally come into contact with water we see that the prevailing custom is to be stringent on this matter.

### ***Kitniyos* for Children and the Sick**

Children who need to eat *kitniyos*, people who are ill, and people whose diet is otherwise restricted and must eat *kitniyos*, are excluded from the custom and may consume *kitniyos* (after consulting with a *rov*).

This halachah is relevant to baby formulas and nutritional supplements, which often contain *kitniyos*, and are used by people who don't have non-*kitniyos* choices. It is likewise relevant for children (and sometimes adults) with gluten-related allergies, whose choice of Pesach foods is severely restricted.

However, when it comes to healthy adults, the custom of refraining from eating *kitniyos* is treated stringently.

Emphasizing the stringency of the matter, the *Shu"t Teshuvah Me'havah* (no. 259) writes that even if the *Beis Din* of Shmuel HaRamosi or Eliyohu HaNavi were to reconvene, they would not have the jurisdiction to permit *kitniyos*. The *Maharil (Hilchos Pesach* 25) also writes with great stringency on the matter of *kitniyos*.

Thus, even when one family member is permitted to eat *kitniyos*, it remains forbidden for other family members to consume those foods.

### ***Beliyos* of *Kitniyos***

When a family member is eating *kitniyos* on Pesach, can the same pot be used for regular Pesach foods? In other words, is there an issue of *beliyos* [absorbed taste] for *kitniyos* on Pesach?

The custom is to be stringent even concerning *kitniyos* utensils, and one who must prepare *kitniyos* on Pesach should use separate utensils and not regular Pesach dishes. This is ruled by *Shu"t Maharam Shick* (241) and by other *poskim*.

Thus, if Pesach dishes were used for *kitniyos*, they should not be used in the same year for Pesach foods (*Kaf HaChaim* 453:27; Rabbi Shlomo Zalman Auerbach, *Halichos Shlomo* Pesach p. 88). However, they can be used the next year, without needing to *kasher* the pot.

## **Mixture of Kitniyos**

While, as noted, the custom is to treat *kitniyos* with some stringency, one important and far-reaching leniency concerning *kitniyos* relates to cases in which *kitniyos* were mixed in with other non-*kitniyos* foods. The *Rema* writes that, by contrast with *chometz* where even a single crumb renders the entire mixture forbidden, for *kitniyos*, if some *kitniyos* falls into a mixture, the mixture remains permitted, provided the *kitniyos* is in a minority (there is no need for the usual 1-60 ratio).

The *Darkei Moshe* mentions the source of this halachah as the *Terumas HaDeshen*, who is lenient in the matter, unlike the stringent opinion of the *Maharil*.

Later *poskim* agree with this leniency, permitting mixtures of *kitniyos* provided the *kitniyos* remain a minority of the mixture. These *poskim* include the *Chayei Adam* (127:1), the *Aruch HaShulchan* (453:6), the *Pri Megodim* (464:8), and the *Mishnah Berurah* (453:9). The *Shulchan Aruch HaRav* (464:2) adds that the leniency does not apply if the main part of the food is *kitniyos*.

This means that some products that are marked “only for those who eat *kitniyos*,” are permitted for consumption even by Ashkenazim, since the *kitniyos* within them is nullified as a minority.

While it is not permitted to annul *kitniyos* intentionally, the *Taz* (*Yoreh De'ah* 108:4) rules that buying a product in a store is not considered an intentional nullification, so that doing so will not involve any level of prohibition. Additionally, because the products are marketed for Sephardim, there is no prohibition involved in the manufacturer's adding the *kitniyos* to the mixture, and therefore no consequential prohibition in consuming them (see *Chok Ya'akov* 453:6).

On a practical level, one should not rely on such products unless there is some need, and a *rov* should be consulted before doing so.

## **Kitniyos Oil**

A significant question among *poskim* relates to whether *kitniyos* derivatives, such as corn or peanut oil, are considered part of the custom and thus off limits for consumption over Pesach.

Some *poskim*, such as the *Shu"t Maharsham* (1:183), permit the oils of *kitniyos* (*shemen kitniyos*) on Pesach, provided the *kitniyos* did not come in contact with water, and the oil was produced before Pesach. The reason for this is that the prohibitive custom only applies to forms of the *kitniyos* that share the characteristics of grain but does not apply to liquid extracted from *kitniyos*.

This leniency is not widely accepted, and the selection of Kosher-for-Pesach oils is therefore quite limited, though oil from olives, palm, coconut and walnuts are acceptable for Pesach use. Cottonseed oil presents a special case, because the fruit from which the oil is extracted (cottonseed) is not edible. The *Minchas Yitzchok* (3:138,2) suggests that cottonseed oil is *kitniyos*, yet reconsiders his position in a subsequent *Teshuva* (4:114,3; see also *Mikra'ei Kodosh*, Pesach 2:60, who rules leniently and also cites Rav Chaim Ozer Grodzinsky who was lenient). Rav Moshe Feinstein also was

lenient (See *Siddur Pesach Kehilchosah* (16 footnote 26)) and this remains the custom in the United States<sup>9</sup>.

While the common custom in the United States is not to consider cottonseed oil as *kitniyos*, in Eretz Yisroel many refrain from using it and that was the custom of Rav Elyashiv (*Kovetz Teshuvos* 3:81) and Rav Shlomo Zalman Auerbach (*Halichos Shlomo* 4:17). Canola oil involves similar yet slightly different questions; while there is no firm decision on the matter, the common custom is to refrain from using it.

### Sweeteners and Other Derivatives

Today, many products in the food industry, including a number of artificial sweeteners, are made from *kitniyos* (in particular corn).

Because the final product is so far removed from the original *kitniyos*, most *poskim* maintain that there is no concern in using them for Pesach. This is known as *kitniyos shenishtanu*, and the discussion of this matter bears a close resemblance to a similar discussion of grapeseed (non-kosher) derivatives, which are discussed at length by *poskim* (see *Pischei Teshuva*, *Yoreh De'ah* 123:20; *Shu"t Chelkas Ya'akov*, *Yoreh De'ah* 50; *Chok Ya'akov* 467).

Another important point in the matter of derivatives is that the prohibition does not apply to cases in which the *kitniyos* are not processed with water—which is common for many derivatives.

### R' Moshe's Teshuva on Peanuts

Rav Moshe Feinstein (*Igros Moshe*, *Orach Chaim* 3:63) famously writes that peanuts are not *kitniyos*, though those who have the custom, should refrain from eating peanuts on Pesach.

R' Moshe explains that the custom to not eat *kitniyos* developed differently from other prohibitive customs, and he therefore rules that only foods that we know were specifically included in the custom are forbidden. A similar point is made by the *Chok Yaakov* (453:9).

It is based on this reasoning that Rav Moshe explains the accepted custom not to consider potatoes to be *kitniyos*<sup>10</sup>, even though logically they should be (they are cooked in a similar manner, and they can be made into flour). The custom of *kitniyos* dates to well before the time potatoes were

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<sup>9</sup> This is something important for the consumer to know, as if someone is *machmir* like the *poskei* Eretz Yisroel not to eat cottonseed oil, he has to be aware that he may very well find products which are certified for Pesach which come from United States and make no mention of having *kitniyos* in, when in fact they contain cotton seed oil, however, since the *poskim* in United States maintain its ok they make no mention of this. Therefore, before buying products imported from United States make sure to check the ingredients.

<sup>10</sup> There is a *Chayei Adam* (*Nishmas Adam*, *Hilchos Pesach*, *shailah* 20) which seemingly considers potatoes as *kitniyos*, and the *Pri Megodim* mentions that he knows of such a custom to prohibit potatoes on Pesach as a type of *kitniyos*. However, the vast majority of *poskim* rule that potatoes are not any form of *kitniyos* and are permissible to all on Pesach.

The *Shu"t Divrei Malkiel* (1:28) writes the *minhag* is to eat potatoes: אדם והוא עיקר מאכל פסח לרוב בני – “and it's one of the main foods people eat on Pesach”. The Sanzer Rebbe even wittingly remarked: “The *Chayei Adam* (אדם חיי) is trying to forbid something the *chayei adam* [life of a person] depends on”.

introduced to Europe (in the 16th century), so that potatoes are a “new” vegetable that was not included in the custom.

Similar logic has been employed as a basis for permitting the consumption on Pesach of quinoa, which has only recently been introduced to the Northern Hemisphere from its native South America, and was never in the past considered to be *kitniyos* because it wasn't part of the diet of those who refrain from eating *kitniyos*.<sup>11</sup>

A difficulty with the approach of R' Moshe is the fact that the common custom is to consider corn to be *kitniyos*, even though it, too, is a relatively new introduction to our diet (*Mishnah Berurah* 453:4). It is possible that because of the great similarity of corn to other *kitniyos* it is included in the custom in spite of its being relatively new, and the question of whether this logic can also be applied to quinoa remains open. In addition, quinoa is often packaged in plants that also package wheat and barley, and one must be careful to check the grains carefully to ensure that no *chometz* grains are present.

### **Alcohol and Its Products on Pesach**

The Torah prohibits keeping any edible *chometz* in one's house or possession over Pesach. Even an item containing only a weak mixture of *chometz* is forbidden to be eaten and possibly even from having any benefit (see *Rema, Orach Chaim* 447:4; *Mishnah Berurah* 35; *Chazon Ish* 119:12). One must either get rid of it before Pesach, or sell it to a non-Jew.

Some of the most common *chometz* issues we are faced with annually are matters of alcohol. While we might not feel so bad about throwing a bag of noodles into the pre-Pesach bonfires, this is often not the case for our last bottle of single-malt whiskey!

Moreover, the *chometz* nature of some alcohol compounds leads to questions concerning many alcohol derivatives, including of course pure alcohol, and ranging from perfumes and deodorant through vinegar.

Below we will discuss some of the *halachic* issues with alcohol on Pesach.

#### **Beer and Whiskey**

If barley is soaked in water under proper conditions, it ferments into beer. Because the barley is immersed in water for more than 18 minutes, beer is *chometz* (*Shulchan Aruch, Orach Chaim* 442:5).

Beer contains approximately 5% alcohol, making it a relatively mild alcoholic beverage. Drinks with higher alcohol content are made by allowing the grain to ferment, and then separating the alcohol from (some of) the water using a process of distillation. This produces whiskey containing 30-95% alcohol.

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<sup>11</sup> For an in-depth discussion of quinoa's status in regard to *kitniyos* and a breakdown of the opinions of various *kashrus* agencies see last year's Pesach *Kuntros*.

The consensus among the *poskim* is that whiskey produced from one of the five grains is considered real *chometz* and not just a *chometz* mixture (*Mishnah Berurah* 442:4).

### **Corn Whiskey**

Even whiskey made from corn or other non-*chometz* grains may be *chometz*. One reason for this is that the water remaining after distillation (“backset”) is often used in making other kinds of whiskey. Thus, even if the grain used in creating the whiskey is *kitniyos* (say, corn), the water used might be from a *chometz* whiskey.

Another reason is that before fermentation, the non-*chometz* grain’s starch is broken-down into individual glucose molecules, a process traditionally carried out by barley malt. Since the *chometz* barley malt plays a crucial role in the creation of the whiskey, it is considered a *davar hama’amid* (a foundation), rendering the product *chometz* (see *Shulchan Aruch* 442:5 and *Mishnah Berurah* 442:25).

As such, all types of whiskey should be considered *chometz* unless they are specifically certified as kosher for Pesach.

### **Vinegar**

An important by-product of alcohol is vinegar, which is used in many foods (such as pickles olives, salad dressings, and so on). Vinegar is created from alcohol by a process of re-fermentation, and the primary concern is thus the source of the alcohol.

Of course, malt vinegar is *chometz*, for it derives from malt or beer. In contrast, wine vinegar and apple cider vinegar are made from wine and apple cider, and don’t involve any *chometz*. Yet, Pesach certification is required if the vinegar is to be used in food, because of concern about the use of *chometz* equipment in the production.

The question of white distilled vinegar is more complex, because it is derived from distilled alcohol, the origins of which are hard to discern. There is also concern about the use of a *chometz* product in initiating the fermentation process. Distilled vinegar is used in many foods (such as the foods mentioned above), and these require special Pesach certification.

The majority of vinegar products are not from specifically *chometz*-based alcohol, and therefore many *poskim* advise that although uncertified vinegar cannot be used on Pesach, there is no need to destroy the vinegar. It should however be sold. Even those who are careful to destroy all items of “*chometz gamur*” (“absolute *chometz*,” such as beer and whiskey), can rely on the sale of *chometz* vinegar.

### **Fixing Up the Chometz**

What is the status of pure grain-based alcohol? On the one hand, pure alcohol is not fit for consumption. Since it is inedible, we might argue that no *chometz* prohibition should apply. However, by undergoing a common physical change – distillation – the alcohol can become fit for consumption. Is such alcohol permitted over Pesach?

The *poskim* argue about the status of items that are unfit for consumption, but can be fixed and made fit for consumption by means of cooking (e.g., distillation) or by adding certain ingredients to them.

This question has been discussed by *poskim* of previous generations (see *She'arim Metzuyanim Be'halachah* 112:8). Some of them opine that what counts is the current status of the item in question, and others argue that the ability to restore an edible condition renders the item prohibited. The question has received much attention in recent times, in particular as a result of technological advances in food engineering.

The majority of contemporary *poskim* rule stringently on this question (see *Mikraei Kodesh* 54; *Chazon Ish, Yoreh De'ah* 116:3 (see 23:1); *Sefer Hilchos Pesach* p. 25, citing Rav Isser Zalman Meltzer, Rav Aharon Kotler, Rav Moshe Feinstein and Rav Yaakov Kamenetsky). Accordingly, pure grain-based alcohol should be sold or disposed of before Pesach.

### **Denatured Alcohol**

Many products, such as cologne, hair spray, deodorant, cleaning agents, and others, use denatured alcohol as an ingredient. Denatured alcohol is alcohol mixed with small quantities of various chemicals or substances that render it inedible. What is the *halachic* status of these products?

In this case, it appears that even those *poskim* who rule stringently concerning *chometz* that can be reconstituted, will concede that there is no need for stringency.

The reason for this is a Gemara in *Pesochim* (45b), which teaches that “a mass of sourdough that was set aside as a chair” is permitted on Pesach. The Gemara adds that the sourdough chair was coated with clay, meaning that it was designated for sitting by a concrete action (*Sha'ar HaTziyon* 442:67). This halachah is ruled by the Rambam (*Hilchos Chometz U'Matzah* 2:15) and by the *Shulchan Aruch* (*Orach Chaim* 442:9).

Perfume, deodorant, and similar products, have clearly been set aside for purposes other than for eating. Moreover, a concrete action has been performed with these products – adding the extra ingredients – to designate them for this purpose.

Therefore, it seems clear that these products are permitted on Pesach, and they can be used without the need for special certification. This argument has been raised by Rav Rubin (*Moriah* Vol. 30, 5-7, p. 171, citing also Rav Nissim Karelitz). These *poskim* strongly question the ruling of *Shu"t Divrei Malkiel* (4:24:43), who compares perfume to whiskey<sup>12</sup>.

### **Anointing With Chometz?**

In the case of the sourdough chair it remains forbidden to eat the chair. By eating an item that has been designated for non-edible purposes, a person effectively re-designates it for eating. This concept is referred to as *achshevei*. The chair regains the status of a food item, and it regains the full stringency of *chometz* on Pesach.

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<sup>12</sup> The *Divrei Malkiel* maintains that it's *chometz gomur*, and he writes that people need to make sure to warn their family members about it. He goes so far as to say, that if people come to *shul* with perfume on their garments, they are causing a stumbling block for all those who smell the perfume.

The question is whether this concept also applies to *sichah*, meaning anointing. For purposes of Yom Kippur, the halachah is that *sichah* is considered as drinking. Could it be that it will be forbidden to use a *chometz*-based ointment, because doing so gives the products the importance of food?

There are a number of reasons why this concept might not apply to cosmetic and other products for purposes of *chometz*.

One possibility is that in general, the application of these products does not amount to *sichah*. *Sichah* involves rubbing oil into one's skin – which is distinct from the application of deodorant, perfume, or even soaps. It would apply only to lotion such as a skin moisturizer.

A similar consideration is raised by Rav Moshe Feinstein (*Igros Moshe, Orach Chaim* 3:62), who rules that it is permitted to use *chometz* creams on Pesach for purposes such as treating a skin condition. His basic distinction is between enjoyment and pampering the skin, and other purposes.

### **Contemporary Rulings**

The *Chofetz Chaim (Biur Halachah* 326:10) rules that one should avoid non-kosher soaps all year round, out of concern that their use is considered as drinking. The same principle will apply to *chometz* soaps, and likewise to creams and lotions, on Pesach.

However, many *poskim*, based on the considerations mentioned above, dispute this and rule leniently. The *Chazon Ish (Demai* 15:1) writes that the entire concept of *achshevei* does not apply to non-edible items.

Rav Shlomo Zalman Auerbach, moreover, rules that there is no concern for any prohibition concerning soaps and creams (*Me'or HaShabbos* Vol. 2, 30:6), because they are completely inedible. It is noteworthy that the *chometz* elements of such creams and lotions cannot be restored to their original state.

As noted, Rav Moshe Feinstein also ruled leniently concerning the use of creams and soaps for purposes other than pleasure. Rav Moshe is likewise cited by Rav Shimon Eider as ruling that there is no *halachic* concern for toothpaste on Pesach, because the toothpaste is inedible.

As for the concern of *achshevei*, this does not apply to toothpaste, since there is no intention to swallow it (*Mishnah Berurah* 442:45, citing *Magen Avraham*, as based on *Terumas HaDeshen*). Nonetheless, Rav Eider reports that Rav Moshe advised using certified toothpaste, since this is readily available.

### **Different Types of Alcohol**

Not all alcohol is *chometz*. Isopropyl alcohol has no *chometz* components and even ethyl alcohol (ethanol) is not always derived from grain but is sometimes synthesized from chemicals.

Moreover, it is currently cheaper to produce alcohol from corn or from potatoes than from *chometz* grains, and therefore the majority of cosmetic and other products do not have actual concerns for *chometz*<sup>13</sup>.

This joins with the considerations noted above in the general permission to use deodorants, soaps, perfumes etc. on Pesach without the need for certification, as ruled by most *poskim*.

At the same time, it is common custom to prefer dishwashing liquid with certification. Many *kashrus* guides include a broad range of products with certification for Pesach, from paper plates through hair spray and even glue. As we all know, when it comes to Pesach there are virtually no limits to how far custom and halachah can go.

(*Mareh Makomos* were taken from a halacha write-up written by R' Yehoshua Pfeffer and from R' Rubin's *Teshuvah* in *Moriah* Vol. 30, 5-7)

### **Eating and Drinking After Afikomen**

The Mishnah (*Pesochim* 10:8) states: אין מפטירין אחר הפסח אפיקומן - "We do not conclude with *afikoman* after eating the *korbon* Pesach".

The exact meaning of the word is a *machlokes* in the Gemara (*Pesochim* 119b). According to Rav, the word derives from *afiku manaichu* (אפיקו מנייכו), meaning, "take out your vessels." This refers to the prohibition against transferring from one group to another to eat the Pesach, which must be eaten in one place.

Shmuel, however, derives the word from *afiku man* (אפיקו מן), "bring in food," referring to a prohibition of eating dessert after eating the Pesach. By not eating anything else after the *korban* Pesach—today, we apply this principle to the *matzah*—the Pesach taste will remain in the mouth.

The *Yerushalmi* (10:6) brings an alternative meaning, and says the word derives from *minay zemer* (מיני זמר), "types of song". The *Korban Eidah* explains, that they use to sing various songs after the meal, on Pesach however, they would sing *Hallel* instead.

*HaYerushalmi KiPshuto* (vol. 1 p. 521) explains that the term relates to the Greek practice of *epikomazein*—going from house to house and forcing others to join a banquet, which is somewhat reminiscent of Rav's interpretation.

The first usage of the word *afikoman* as a reference to the *matzah* itself seems to come in *Shu"t Rashi* (304, p. 326), compiled by *talmidim* of Rashi, who mention that their teacher once forgot to eat the "*matzah of afikoman*" at the end of the *seder*, and remembered it only after *birchas hamazon*. Today, the common use of the terminology is to refer to the last *matzah*, after which it is forbidden to eat anything else.

### **Eating and Drinking After Afikoman**

The universally accepted halachah is that *matzah* today is equivalent to the *korban* Pesach which was eaten during the times of the *Beis HaMikdosh*. Therefore, just like one isn't supposed to eat

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<sup>13</sup> Regarding this point I heard from R' Kuber *shlita*, that although in America and most places in the world corn is cheaper to produce and many alcoholic products are produced from corn, in Europe the EU subsidizes wheat production and offers special bonuses. Therefore, although in places such as America most alcohol is produced from corn, in Europe this may well not be the case.



anything after the *korbon* Pesach, similarly one isn't supposed to eat anything after eating the *afikomen matzah* (*Shulchan Aruch, Orach Chaim 478:1*).

*Tosfos* in *Pesochim* (120a) explains that the reason for this is to preserve the taste of *matzah* in our mouths. Although the subsequent two cups of wine at the *seder* remove some of the taste, one must refrain from further removing the remaining taste.

When mentioning this halachah the *Shulchan Aruch* (478:1) writes: אחר אפיקמן אין לאכל שום דבר – “after *afikomen* one should refrain from **eating** anything”. Is the prohibition against eating after *afikoman* specifically eating, or is one supposed to refrain from drinking as well?

The answer to this question can be determined by analysing the rationale behind a second prohibition. Aside from the prohibition of eating after *afikoman*, there is another prohibition against drinking anything other than the subsequent two cups of wine. The *Rishonim* offer three different reasons for this prohibition.

Citing Rabbeinu Yonah, the *Tur* (*Orach Chaim 481*) writes that too much alcohol will prevent a person from continuing to discuss *yetzias* Mitzrayim and the *halachos* of Pesach through the night. According to this opinion, there is no restriction on drinking non-alcoholic beverages.

The Ramban (*Pesochim 119b*), however, writes that the prohibition relates to the prohibition against adding to the *daled kosos*. Accordingly, it is forbidden to drink even popular non-alcoholic beverages, which are *chamar medinah*, since they may be used to fulfil the obligation of *daled kosos*. However, according to this explanation, it is permitted to drink beverages that are not classified as *chamar medinah*, which may not be used to fulfil the obligation of *daled kosos*.

*Tosfos* (*Pesochim 117b*) offers a third explanation and says that the obligation of retaining the taste of *matzah* applies even to drinking. Therefore, one must refrain from all drinks other than water, which has no taste.

### **Halachic Rulings and Using Mouthwash**

The *Taz* (*Orach Chaim 479:2*) cites the first reason mentioned above (the concern about inebriation), and therefore maintains that non-alcoholic drinks are permitted. The *Magen Avraham* (478:1; 481, introduction) disagrees, and forbids drinking anything but water after the *afikoman*. This ruling is noted by the *Mishnah Berurah* (478:2) on a *lechatchila* level, and therefore one should refrain from any way of removing the *afikoman* taste.

For this reason, a number of *poskim* (see *Birkay Yosef, Orach Chaim 481:1; Be'er Heitev 481:1; Kaf HaChaim 481:4*) forbade smoking after *afikoman*. Today, many forbid smoking generally on Yom Tov because it is no longer a common practice—aside from the prohibition of engaging in activities that damage one's health. Although smoking involves neither eating nor drinking, it remains forbidden since it removes the *afikoman* taste. For this reason, some forbid using mouthwash during the night of Pesach, since this will remove the taste of the *matzah*.

However, if somebody wishes to drink coffee during the night for purposes of staying awake, engaging in *sippur yetzias* Mitzrayim and learning Torah, one can be lenient based on the opinions noted above (see at length Rabbi Ovadia Yosef, *Chazon Ovadya*, Vol. 1, Chap. 50, who is lenient concerning drinking coffee; some are careful to drink coffee without sugar).

## **Must Afikomen Pledges Be Kept?**

One of the most exciting parts of *seder* night is the *afikoman*. This is especially true for children, who have adopted the custom of ‘stealing’ the *afikoman*, and only returning it for some attractive ransom. This custom is not without a source. Based on the ruling of a *Tosefta* (*Pesochim* 10:6), the Gemara writes that the *matzah* of *seder* night is ‘grabbed’. The reason for this is that the children should be induced into asking questions, and staying awake for the duration of the proceedings.

Many *meforshim* understand the word ‘grabbed’ to mean that the *matzah* is hurried. One doesn’t take one’s time, but gets on with the *seder* (see Rashi, *Pesochim* 109a). Others, however, write that the *matzah* is literally grabbed from one person to another (see Meiri, *Pesochim* 108b), a type of *seder* night pass-the-parcel that is sure to attract the kids’ attention.

The modern incantation of this custom is that the father puts away the *afikoman matzah* (the larger part of the *matzah* divided in *yachatz*), only to have it ‘stolen’ by the kids, who return it in return for a promised reward. Naturally enough, the method is fairly effective in keeping children awake. The *shailah* that arises, however, is if parents have to keep their *afikoman* pledge. A promise is, of course, a promise, and telling the truth is always a worthy attribute. But is there a full *halachic* obligation to honour one’s promise, or can a parent somehow wriggle his way out of paying the potentially pricy *afikoman* ransom?

### **The Obligation to Honour Promises**

The basic obligation to honour an *afikoman* promise is based on a ruling of the Gemara (*Bava Metzia* 49b), whereby one who does not keep his word is considered as ‘lacking faith.’ Although this ruling is presented as a dispute among *amora'im*, Rav Papa explains that even Rabbi Yochanan, who rules that merely not keeping one’s word is not considered unfaithful, agrees that a promise to give a ‘small gift’ must be honoured.

The reason for this distinction is that by contrast with a large gift, the intended beneficiary of a ‘small gift’ fully anticipates the fulfilment of the giver’s promise. Because the recipient has complete faith in the giver’s promise, the promise carries greater weight, and it is therefore obligatory to keep one’s word.

The *Shulchan Aruch* (*Choshen Mishpot* 204:6-7) rules in accordance with Rabbi Yochanan, explaining that the obligation to honour one’s word applies specifically to the promise of a ‘small gift,’ but not to a large gift, whose receipt the beneficiary does not fully anticipate.

Because the distinction between a small and large gift is contingent on the trust of the recipient, it follows that a ‘small gift’ must be defined by the subjective circumstances of the particular recipient and giver. The amount for a poor giver and wealthy recipient will not be the same as the amount for a wealthy giver and a poor recipient.

### ***De'O'raisa* or *Derabonon***

According to some *poskim*, the obligation to keep one’s word in the case of a ‘small gift’ is a full mitzvah *de'O'raisa*. Dwelling on the *pasuk*: **והין צדק יהיה לכם** - “you shall have a just *hin* (a measure of volume)” (*Vayikra* 19:36), the Gemara (*Bava Metzia* 49a) cites the explanation of a *beraisa*: “Your ‘yes’ (*hen*) shall be just, and your ‘no’ shall be just.” Some maintain that even according to Rabbi

Yochanan, this implies a mitzvah *de'O'raisa* of keeping one's word with regard to 'small gifts' (see *Ittur*, cited in Mordechai, *Bava Metzia* 451; *Ba'al HaMa'or* 80a and Ri Mi-Korbil, cited in *Shita Mekubetzes*, *Kesubos* 86a).

According to other *poskim* (including Ramban and Rosh based on the Rif), Rabbi Yochanan interprets the ruling of the *beraisa* to mean one's speech should always be wholehearted. The Mordechai (*Bava Metzia* 312) writes that according to this opinion, the obligation to honour promises (for a 'small gift') is derived from a *pasuk* in Zephaniah (3:13): שארית ישראל לא ידברו כזב – “The remnant of Yisroel will not perform iniquity, nor will speak falsehood.” Because the *pasuk* does not appear in the Torah itself, this would imply, that the obligation is not *de'O'raisa*, but merely a *derabonon* based on a *pasuk*.

Although the *Sema* (204:12) quotes the *pasuk* of '*hin tzedek*' as the source of the obligation to honour one's promises, it remains possible that this does not imply a full Torah obligation. As the *Tosfos Yom Tov* (end of *Shevi'is*) writes, the reference to the *pasuk* can be understood as an *asmachta* [support].

### Promises in the Absence of the Recipient

As noted, the prohibition of breaking one's promise is contingent on the degree of the recipient's reliance. Based on this assertion, there is room to question if the obligation can apply even to a promise made in the absence of the recipient. Surely, if the recipient does not know of the promise, he does not rely on it, and the obligation to keep the promise would not apply?

The *Shulchan Aruch HaRav* (*Hilchos Mechirah* 6) cites an explicit ruling of *Shulchan Aruch* (*Choshen Mishpot* 243:1-2), which states that the law of 'lacking faith' (*mechusar emonah*) applies even to a promise made in the absence of the recipient, yet questions the rationale behind the ruling (*Tziyun* 22). Surely, there is no reliance on the part of the unknowing recipient, and there should therefore not be any prohibition?

The *Pri Yitzchok* (1:51) in fact rules that “if a person makes a promise to himself that he will give a gift to somebody else, and the recipient does not know of the promise, there is no prohibition whatsoever on retracting the promise.” The *Machaneh Ephraim* (*Ona'ah* 28) extends this to all promises that the recipient is unaware of: “All this applies when the giver informed the recipient of his intention to give him a 'small gift,' so that he relies on the promise.”

### Promises to Children

Rav Meir Arik (*Minchas Pittim*, *Choshen Mishpot* 204:8), who discusses the above question (promises that the recipient is unaware of), writes that the same question applies to promises made to children. A child lacks *da'as*—the level of cognition required for Torah legal actions—and a promise made to a minor is therefore equivalent to a promise made in the absence of the recipient. He brings a proof to this from the *Mahari Algazi* (*Kehilas Yaakov*, *Tosefes Derabanan* 7), who rules that breaking a promise made to children does not carry the stringency of 'lacking faith.'

Yet, there is room to distinguish between the cognition required to enact legal actions, and the level required for basic reliance. Although a ten-year-old cannot enact a Torah *kinyan*, it is possible that

he relies on his father's promise no less than his thirteen-year-old brother. Provided the child is older than three or so, there is therefore room to argue that the prohibition would apply.

In addition, the Gemara (*Succah* 46b) warns that it is forbidden to lie to children, for this trains them to lie: לא לימא איניש לינוקא דיהיבנא לך מידי ולא יהיב ליה משום דאתי לאגמוריה שיקרא – “A person shouldn't say to a child that he will give him something, and then refrain from giving it, as the child will learn to lie”. Rabbi Yosef Chaim Sonnenfeld (*Salmas Chaim*, Vol. 2, no. 79) was asked why the Gemara cites a special prohibition for fear of training children to lie, since the regular obligation to keep promises ought to apply? To this, he responded, “It seems that the principle of a small gift applies to an adult and not to a minor.” This fits well with the position of Rav Meir Arik.

If we assume that the obligation to honour promises applies even to children, the ruling of the Gemara could be explained as referring to cases in which the obligation does not apply, such as a large gift, or a case in which there is no reliance on the part of the child.

### **Promises Under Duress**

A further point of note is that *afikoman* promises are made under duress. The *Shulchan Aruch* (*Choshen Mishpat* 264:7) rules that monetary commitments made under duress need not always be honoured. Although some rule that this principle is limited to instances where the recipient performs a mitzvah (and is therefore obligated to perform the action for free) such as returning lost property, the majority ruling is that the principle applies to all cases of duress.

Perhaps the *afikoman* promise, made under duress of not getting the *matzah* back, is therefore void?

It is unlikely that the duress argument is valid with regard to *afikoman* gifts. Unlike the classic cases of duress (such as somebody who is escaping from aggressors and needs a boat to ferry him across a river), the *afikoman* game is a customary part of the *seder* night, and a parent generally makes promises of his free will. Only in very extreme cases, where the *afikoman* is used to extort extravagant promises, could the duress argument be relevant.

Additionally, since another *matzah* can in fact be used for the *afikoman*, true duress is unlikely (though not all are familiar with this halachah).

### **Conclusion**

In conclusion, it seems that under normal circumstances, there is an obligation to keep *afikoman* promises.

As we have seen, there is a full obligation to honour promises of ‘small gifts,’ and based on the subjective definition of a ‘small gift,’ *afikoman* promises will almost always fall into the category. Although some rule that the obligation does not apply to children (under *bar-mitzvah*), a parent must avoid lying to his children, for fear of teaching them ways of falsehood. Therefore, the promise must in any case be honoured.

For very young children (for instance a three-year-old), who has forgotten about the promise, or who can be persuaded to forgo the gift for a bar of chocolate (cheaper than a new BMX bike), one can certainly be lenient.<sup>14</sup>

### **Amusing Anecdote**

To end our discussion of the above topic, we must mention an amusing anecdote. The renowned Rav Heschel (some tell the tale about Rav Chaim of Brisk), who later became one of the leading luminaries of his generation, was known for his sharpness even as a young boy.

One *seder* night, Rav Heschel's father stretched out his hand to take hold of the *afikoman*, only to find it missing. All eyes turned to the young Heschel, who duly produced the *afikoman*, and demanded a silk garment in exchange for its return. The father agreed, and the *matzah* was returned.

When the father began to allocate the *matzah* to the participants, he skipped over Heschel, causing the boy to cry out in dismay: "Father, why have you not given me any *afikoman*?" The father explained that he was fully prepared to give Heschel his part of the *afikoman*, but only on condition that the boy forego the promise of the silk garment.

At hearing this, Heschel reached into his pocket, and took out a piece of *matzah*. "I suspected, dear Father, that you would try to repay me in turn, so I kept some of the *afikoman* for myself." To his father's dismay, Heschel proceeded to pronounce, loud and clear: "*Hineni muchan u'mezuman lekayem mitzvas achilas afikoman...*"

*Afikoman* promises were not born today. Rav Heschel lived in the early seventeenth century. Under ordinary circumstances, we ought to treat them as just another part of our Pesach expenses.

(The above is based on a halachah write-up I saw written by R' Yehoshua Pfeffer)

### **Practical Guide for a Ben Eretz Yisroel Who is in *Chutz La'aretz* for Yom Tov Sheini**

Yom Tov is a time when many people who live in Eretz Yisroel come to visit their parents and family who live in *Chutz La'aretz*. Most commonly people come to visit for Pesach, but there are many people who come for Succos and perhaps even Shavuos as well. Sometimes a Ben Eretz Yisroel [Israeli] may find himself in *Chutz La'aretz* for numerous other reasons as well. The question is, what exactly are they supposed to do and how are they supposed to conduct themselves. I feel that this area of halachah is something which is very practical and an area where many people make mistakes. *Boruch* Hashem R' Pesach Eliyohu Falk zt"l has two *Teshuvos* which he dedicates to the topic, and I feel that until one goes through these *Teshuvos* he/she is likely to make numerous mistakes. Below I will discuss what he writes in regard to Yom Tov Sheini in general and in the following write-up we will discuss Pesach and the second night *seder* in its own rite.

### **Yom Tov Candles**

The halachah is, if a woman living in Eretz Yisroel finds herself in *Chutz La'aretz* on Yom Tov Sheini she should light Yom Tov candles, however, she should light without a *berachah*.

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<sup>14</sup> The *Mekadesh Yisroel* (Pesach p. 249) writes further that if a child of any age (under *bar-mitzvah*) forgets about the promise, there would no longer be an obligation to honor it.

## Arguments Against

Seemingly, there would be a number of arguments to suggest, that a woman in such a scenario doesn't have to light candles. The only reason a Ben Eretz Yisroel<sup>15</sup> has to keep Yom Tov Sheini, is so that it doesn't cheapen Yom Tov Sheini in the eyes of people who live in *Chutz La'aretz*. In the case of lighting candles on second night Yom Tov, even if a woman living in Eretz Yisroel wouldn't light, it's not clear that she isn't keeping Yom Tov. Just because she hasn't lit any candles in the room where everyone is gathered and eating, it doesn't mean she didn't light candles, as perhaps she lit in another room. Secondly, perhaps she joined together with her mother (*mishtatef bepruti*<sup>16</sup>). Thirdly, even if she hasn't lit now, perhaps she intends to light later.

## Rejection

However, it is very difficult to say any of the above arguments.

The first argument, that perhaps she lit somewhere else is very difficult, as people will surely realize that in fact she hasn't lit somewhere else, as they will use the other rooms in the house and will see that she hasn't lit. Especially, nowadays, when people light in the place that they eat. And even more so, if on the first night Yom Tov she lit in the room where the meal took place, why on second night Yom Tov should she suddenly change?

The second argument we made, that perhaps she joined together with her mother (or mother-in-law), is also very difficult, as nowadays all married women light their own candles, and we no longer maintain that only one person in the house should light on behalf of everyone in the house.

The *Tehillah Le'Dovid* (263:6) says, that just like on Chanukah there is a *din of ner ish u'beiso*, that we only need to light one *menorah* per household, and practically in most houses everyone lights their own *menorah*, the same is by Shabbos (and Yom Tov) candles. Although, strictly speaking, only one set of Shabbos candles needs to be lit per household, the common *minhag* nowadays is for all married women to light for themselves. Being that this is the common *minhag* today, it's very difficult to start saying that a married women joined together with her mother/ mother-in-law.

Similarly, the third argument we suggested, that even if she hasn't lit now, perhaps she intends to light later is also very difficult, as surely as the night goes on everyone will see that she hasn't lit. Therefore, what she should do is light without a *berachah*. (This is also the *pesak* of R' Moshe Feinstein, see *Igros Moshe, Orach Chaim 3:72*.)

## If a Ben Eretz Yisroel Isn't Allowed to do *Melacha* on Yom Tov Sheini How Can a Woman Light Candles?

Some ask on the above *pesak* - that an Ben Eretz Yisroel should light on second day Yom Tov – as the halachah is that a Ben Eretz Yisroel is not allowed to do *melachah* on Yom Tov Sheini in *Chutz*

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<sup>15</sup> Although a Ben Eretz Yisroel literally refers to a man who lives in Eretz Yisroel, for purposes of simplicity we are going to refer to both men and women as Ben/ Bnei Eretz Yisroel.

<sup>16</sup> A concept which allows, that if a person pay towards the expenses of someone else's candles, they can both fulfil their *chiyuv* with the same candles.

*La'aretz*, so how is a woman allowed to light candles. For a woman who it is actually Yom Tov for, there is no problem as it is needed for Yom Tov, however, for someone who doesn't actually have a mitzvah to light, surely they shouldn't be able to light?

In response to the above, R' Falk offers a number of solutions.

Firstly, he says, anything that a Ben Eretz Yisroel does on Yom Tov Sheini in order to make it look like he/she is keeping Yom Tov is perfectly ok. Therefore, when a woman lights candles on Yom Tov Sheini, since the only reason she is doing it, is to make it look like it is Yom Tov for her, it is perfectly ok.

When Yom Tov Sheini falls on *erev* Shabbos, the halachah is that a Ben Eretz Yisroel is allowed to cook on *erev* Shabbos for Shabbos, even though he never made an *erev tavshilin*. Surely, since he has to keep Yom Tov Sheini in order not to cheapen Yom Tov Sheini in the front of those who live in *Chutz La'aretz*, he shouldn't be allowed to cook? We see from here, that as long as it is not recognizable that he is violating Yom Tov Sheini there is no problem (see *Magen Avraham* 296:13). Therefore, the same argument can be made with lighting Yom Tov candles on Yom Tov Sheini.

Secondly, when a Ben Eretz Yisroel lights on Yom Tov Sheini, it adds extra light to the meal, and enhances the meal for the Bnei *Chutz La'aretz*, and therefore, it is in fact considered an act that is being done for the sake of Yom Tov. Proof to this can be brought from the ruling of the *Sha'arei Teshuvah*. The *Sha'arei Teshuvah* (496:2) rules, that a Ben *Chutz La'aretz* is allowed to cook extra food on second day Yom Tov for a Ben Eretz Yisroel, and can even cook two different types of food in two different pots, even though she was originally only going to cook one dish. The reason being, that the more food and the more people there is creates an increase *simchas* Yom Tov. We see that a Ben *Chutz La'aretz* is allowed to do *melacha* on Yom Tov Sheini, even for a Ben Eretz Yisroel if it enhances Yom Tov. All the more so, we can say the same thing with a Ben Eretz Yisroel, and allow a Ben Eretz Yisroel to do *melacha* on second day Yom Tov if it brings about an increase *simchas* Yom Tov for Bnei *Chutz La'aretz*. Accordingly,, it's ok for a Ben Eretz Yisroel to light candles on second day Yom Tov, as the more candles that are lit, the more enhanced the meal will be.

Thirdly, when there is a big need to light a candle on Yom Tov it is allowed, like we find the *poskim* allow one to light a *yartzheit* candle on Yom Tov. For a Ben Eretz Yisroel to light candles on second night Yom Tov, in order not be lenient with Yom Tov Sheini in a place where people are being stringent, is a big need, and is therefore perfectly ok.

However, if for some reason there are already lots of candles being lit on the table, and it won't be recognizable if the Bnei Eretz Yisroel lit candles or not, then there is no need for them to light (especially as most women light at different times). Even if the *bnei bayis* [household members] will realize if they look very closely, there is no problem. As long as it is not obvious that the Bnei Eretz Yisroel haven't lit candles it's ok. (Like what we mentioned above, in regards to cooking on Yom Tov Sheini which falls on *erev* Shabbos without *eruv tavshilin*. As long as it's not obvious it's ok.)

### ***Boruch Hamavdil***

Before a Ben Eretz Yisroel lights candles on second day Yom Tov, there is no need to say *boruch hamavdil*. Although for a Ben Eretz Yisroel who only keeps one day Yom Tov, it is now considered weekday, and normally one is supposed to make *havdolah* before doing *melacha*, for *melachos*

which are permitted on Yom Tov itself – such as cooking – there is no need to say *boruch hamavdil* first. If the *melacha* may be performed on Yom Tov itself, then there is no difference between if it is Yom Tov or weekday, therefore there is no need to differentiate between the two by making *havdolah* (saying *boruch hamavdil*). The idea behind saying *boruch hamavdil* before performing *melacha* on *motzei* Yom Tov, is to make a *heker* [distinction] (see Rashi Shabbos 150b, *d.h. hamavdil*), between Yom Tov and weekday, and to do something which shows that Yom Tov has come to an end. However, to do something which would anyway be permitted on Shabbos or Yom Tov, there would seemingly be no need to make *havdolah*.

For example, if someone would want to heat up on *motzei* Yom Tov some water to wash a minimal amount of his body (which is allowed on Yom Tov) before making *havdolah*, there would be no need to say *boruch hamavdil*, as this act could be done on Yom Tov itself.

However, perhaps a Ben Eretz Yisroel lighting before saying *boruch hamavdil* on second night Yom Tov is different. For Bnei *Chutz La'aretz*, the candles they light on second night Yom Tov are being lit for Yom Tov, a Ben Eretz Yisroel however, who lights candles on second day Yom Tov is not lighting because of the mitzvah of lighting Yom Tov candles, as for them it's not Yom Tov. They are lighting not to be *mezalzel* [disgrace] in Yom Tov Sheini, but in effect they are lighting regular candles. Lighting candles not for any mitzvah purpose is forbidden on Yom Tov, and the only reason they are allowed to light, is because it's not really Yom Tov for them, therefore, perhaps a Ben Eretz Yisroel does in fact need to say *boruch hamavdil*. As one is not allowed to do something which could only be done in the weekday before saying *boruch hamavdil*.

The common *minhag* seems to be however, that Bnei Eretz Yisroel who are in *Chutz La'aretz* for second day Yom Tov don't say *boruch hamavdil* before helping to do things such as cooking. However, perhaps the reason is, since the cooking is mainly being done for Bnei *Chutz La'aretz* and for them it is Yom Tov, it's considered cooking on Yom Tov for Yom Tov and not cooking on Yom Tov for weekday.

However, when R' Shlomo Zalman discusses the above he makes no mention that the cooking needs to be done primarily for Bnei *Chutz La'aretz*.

The *Shemiras Shabbos* (62:2) writes, that before doing *melacha* on *motzei* Yom Tov one has to say *boruch hamavdil*, however, *melachos* that one is allowed to do on Yom Tov, such as cooking for that day, one is allowed to do without saying *havdolah*. Similarly, one is allowed to take fire from an existing candle on *motzei* Yom Tov before saying *havdolah*.

In the footnotes (footnote 6) the *Shemiras Shabbos* brings from R' Shlomo Zalman: מסתבר שמותר אפילו אם הבישול הוא עבור אחר הבדלה או עבור מי שכבר הבדיל ואע"ג שאסר לבשל מיו"ט לחול מ"מ לא מסתבר – דחשיב משום כך במלאכה האסורה – "It's logical that it is permissible to cook, even if the cooking is being done for after *havdolah*, or for someone who has already made *havdolah*. Even though it's forbidden to cook on Yom Tov for weekday, it's not logical that this is considered a *melacha* that one isn't allowed to do before *havdolah*".

Although R' Shlomo Zalman is not entirely sure, R' Shlomo Zalman was talking about cooking on *motzei* Yom Tov for the weekday, certainly for a Ben Eretz Yisroel to cook on Yom Tov Sheini for Bnei



*Chutz La'aretz* who for them it's actually Yom Tov would certainly be allowed. This is what seems to be the commonly accepted *minhag*.

### **Why It's Forbidden to do *Melacha* Before *Havdolah***

R' Shlomo Zalman's *chiddush* [novel ruling] that one is allowed to cook on *motzei* Yom Tov for after Yom Tov before making *havdolah* is a big *chiddush* however, in light of a famous *chakira* of the Brisker Rov we can understand R' Shlomo Zalman very well.

Why is it forbidden to do *melacha* before making *havdolah* on *motzei* Shabbos?

The Brisker Rov brings down two possibilities. One possibility is that the *kedusha* of Shabbos continues until one makes *havdolah*, only once one makes *havdolah* does Shabbos end (presumably only *miderabonon*). A second possibility is, that perhaps it is a *din* to with *havdolah*: Meaning, as soon as one has intention to end Shabbos, Shabbos ends, however, just like one can't eat before making *havdolah* as *Chazal* obligated that one makes *havdolah* before eating, similarly *Chazal* forbade one from doing *melacha* until he makes *hadvdolah*.

The Brisker Rov (*Chiddush HaGriz*, *Hilchos* Shabbos 29:35) shows that this is in fact a *machlokes Rishonim*. He proves from a Rashi and a Ran in Shabbos like the first option, that the *kedusha* of Shabbos remains until one makes *havdolah*. And he shows that the Rambam holds like the second option that it is a *din* related to *havdolah*.

Rabbeinu Yerucham maintains, that before making *havdolah* one is allowed to perform light *melachos* which don't have much *tircha* [effort] involved, however, one is forbidden to perform difficult *melachos* which have lots of *tircha* involved (cited by *Rema* 299:10). Many *poskim* struggle to understand the opinion of Rabbeinu Yerucham, as either *melacha* should be allowed before *havdolah* or not. If it considered Shabbos until *havdolah* is made all *melacha* should be forbidden, and if it's not considered Shabbos all *melacha* should be allowed, where does he get to make such a split?

The Brisker Rov explains, that Rabbeinu Yerucham holds like the Rambam that the *issur* to do *melacha* before *havdolah* is not to do with Shabbos, but it is to do with *hilchos havdolah*, and that *Chazal* enacted that one shouldn't do any *melacha* before *havdolah*. This new halachah of not doing *melacha* before *havdolah* was only made in regards to difficult *melachos*, however, it was not made in regards to easy *melachos* which have no *tircha* involved.

If we go like the Rambam and Rabbeinu Yerucham, then R' Shlomo Zalman's *chiddush* is very understandable. Perhaps, *melachos* that one is allowed to do on Yom Tov itself such as cooking are considered light *melachos* and such *melachos* can be done before making *havdolah*, even if they are being done for weekday and they can even be done on Yom Tov Sheini for a Ben Eretz Yisroel.

However, practically the halachah is like the Ran and Rashi, and the many *rishonim* who follow their opinion, that the prohibition to do *melacha* before *havdolah* is because the *kedusha* of Shabbos continues until one makes *havdolah*. Accordingly, we have to understand the *pesak* of R' Shlomo Zalman, as if on Yom Tov itself one isn't allowed to cook for weekday, why on *motzei* Yom Tov before making *havdolah* should one be allowed to?

Perhaps what we have to say is, according to Rashi and the Ran that the *kedusha* of Shabbos continues until one makes *havdolah*, it doesn't mean it is actually still Shabbos, it merely means we have to act like it is still Shabbos until making *havdolah*. To do a *melacha* however, that is allowed to be done on Shabbos there is no reason to refrain from doing it. Therefore, to cook on *motzei* Yom Tov for weekday before saying *boruch hamavdil*, is ok, as cooking is something that can be done on Yom Tov.

### Partaking in the Meal

If a Ben Eretz Yisroel is in *Chutz La'aretz* for Yom Tov Sheini and he has lots of family there (i.e. lots of uncles and aunties) and it is very logical that he may be eating out there, then he doesn't need to partake in the meal which is taking place in the house where he is staying (if they are not staying by themselves). His absence will not be a disgrace to Yom Tov Sheini as everyone will just assume he is eating out. Similarly, it would be ok for him to leave the meal early, as the family will just assume he is going to have a rest. However, if there is nowhere else he could possibly be, or it's obvious that he wouldn't be eating out somewhere else, he must partake of meal, as if he doesn't join, it will be a disgrace to Yom Tov Sheini (see *Chayei Adam* 103:4 and *Igros Moshe, Orach Chaim* 3:72).

The *Chayei Adam* (103:4) writes: ואם הוא בחדר בפני עצמו לא יסדר כלל – “if he has his own room, he doesn't need to partake of the *seder*”. A number of *poskim* understand from here, that if one is staying by a family who live in *Chutz La'aretz* but has his own sleeping quarters, then he doesn't need to partake in the *seder* (or Yom Tov meal on a regular second day Yom Tov) as the family will assume that he is having his own *seder* in the room he sleeps in. However, R' Falk disagrees and maintains that it's obvious that the *Chayei Adam* isn't referring to someone who merely has his own sleeping quarters as it's obvious that one wouldn't eat there. Rather, what the *Chayei Adam* refers to, is someone who is staying in his own house. If a Ben Eretz Yisroel is staying in his own house, with no Bnei *Chutz La'aretz* around, then he doesn't need to partake in the meal.

Some *poskim* maintain, that there is no prohibition for a Ben Eretz Yisroel to do *melachah* in front of his family who are Bnei *Chutz La'aretz*, as his family knows that he is a Ben Eretz Yisroel and so it doesn't cause a disgrace to Yom Tov Sheini. See for example, *Yom Tov Sheini Keilchosah (Perek 3, Ha'orah* 84) who writes, “if he (a Ben Eretz Yisroel) knows that no one else will come in, he doesn't need to worry, and doesn't need to partake of the *seder*. He can sit with them and eat, even without partaking in the *seder*. It's not considered a disgrace to second day Yom Tov as his family knows that the reason he isn't joining is because he is a Ben Eretz Yisroel”.

The above ruling is very lenient and illogical, and the *Chayei Adam, Igros Moshe* and *Birkay Yosef* all disagree. The *Pri Chodosh* was one of the *gedolei* [great people] Eretz Yisroel and he writes (end of *Orach Chaim* 496), “when I was in Mitzrayim for second day Yom Tov, with the intention of returning to Eretz Yisroel, I put *tefillin* on in private and said *shema*, then I went to *shul* and *davened shemonah esrei* without *tefillin*, in order not to publicly go against the custom of the town”.

There is no doubt that everyone knew the *Pri Chodosh* and that he was from Eretz Yisroel, yet, he didn't wear *tefillin* in front of them. He wasn't even prepared to *daven shemonah esrei* at home, as due to his fame he felt it would clear that he was absent. Even without coming on to the *Pri Chodosh*, if a regular Ben Eretz Yisroel turned up in *shul* wearing *tefillin* on second day Yom Tov, it would be

self-evident that he is a Ben Eretz Yisroel, and so they would be no disgrace to Yom Tov Sheini, yet we don't find anyone who allows this?

In response to the above, *poskim* answer, that when one is in public *Chazal* made a *lo plug* [no distinction] and even if it comes to a *melacha* which will be self-understand that the only reason one is doing it is because he is a Ben Eretz Yisroel, he shouldn't do it, as he may come to do something which isn't self-understand. However, the above is difficult as once *Chazal* are making a *lo plug*, they should make it when one is at home in front of a family of Bnei *Chutz La'aretz* as well.

Moreover, R' Falk maintains, the prohibition to do *melacha* on Yom Tov Sheini in order not to disgrace Yom Tov Sheini, is not based on the fact that it looks like one is being *mechalel* [desecrating] Yom Tov. Rather, the reason is, that we don't want Bnei Eretz Yisroel making public demonstrations in front of Bnei *Chutz La'aretz* demonstrating that Yom Tov Sheini is not *de'O'rasia*, or even a *sofek de'O'raisa*, but simply a *minhag* that was established in *Chutz La'aretz*. If a Ben Eretz Yisroel goes around doing *melacha* on Yom Tov Sheini it demonstrates that Yom Tov Sheini is merely a *minhag* and it cheapens Yom Tov Sheini. Being that this is the reason a Ben Eretz Yisroel shouldn't do *melacha* on Yom Tov Sheini, this applies even if one is in private staying with his family. Therefore, even if one is staying with his family, and no outsiders are going to enter, a Ben Eretz Yisroel must make sure to keep Yom Tov Sheini whilst he is in *Chutz La'aretz*.

### **Havdolah**

A Ben Eretz Yisroel in *Chutz La'aretz* for Yom Tov Sheini should say *havdolah* after first day Yom Tov. Although he should refrain from doing *melacha* until *motzei* Yom Tov Sheini, he should make *havdolah* after first day Yom Tov. He should make sure to do this quietly, and can either do it before the meal in private, or he can say it quietly to himself whilst the Bnei *Chutz La'aretz* make *kiddush*. If he waits until *motzei* Yom Tov Sheini, he will no longer be able to make *havdolah* and will have lost the mitzvah of *havdolah*. On *motzei* Shabbos one has until Tuesday to make *havdolah*, on *motzei* Yom Tov however, one only has until *shkia* of the next day to make *havdolah*<sup>17</sup> (see *Mishnah Berurah* 299:16).

The *Shu"t Betzel HaChochma* (1:23) brings the *Kol-Bo* who says that a Ben Eretz Yisroel in *Chutz La'aretz* should make *havdolah* after first day Yom Tov. He then writes, a Ben Eretz Yisroel should make sure to follow this opinion and not the opinion of the *Teshuvos Beis Yehudah* (2:28) who maintains, that on *motzei* Yom Tov, if one didn't make *havdolah* he has the entire week to make up for it.

The *Chida* in *Birkay Yosef* and in *Machzik Berachah* (299) argues on the aforementioned *Teshuvos Beis Yehudah*. Similarly, the *Beis Ephraim* (*Hilchos Oinen*, *ois* 24) warns that someone who is an *oinen* on *motzei* Yom Tov should make sure to make *havdolah* before *shkia* of the day after Yom Tov, as once it is *shkia* the next day, it is too late to make *havdolah*.

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<sup>17</sup> R' Falk in his *Teshuva* writes that one has until 24 hours after Yom Tov to still say *havdolah*, but seemingly 24 hours is *lav davka* [non-specific] as R' Akiva Eiger says the reason one has until the next day is because "the day goes after the night" and this logic only applies until *shkia*.

R' Moshe (*Igros Moshe, Orach Chaim 3:72*) seems to follow the opinion of the *Beis Yehudah* that one has more than the day after Yom Tov to make up *havdolah* on *motzei* Yom Tov, however, R' Moshe is difficult to understand as most *poskim* argue (see *Yabia Omer 7:47:4*).

If a Ben Eretz Yisroel would wait until *motzei* second day Yom Tov to make *havdolah*, he won't be able to eat anything on second day Yom Tov, as one is not allowed to eat before making *havdolah* and since for a Ben Eretz Yisroel Yom Tov ends after the first day, the *issur* to eat starts after first day Yom Tov. Therefore, since the time for *havdolah* for a Ben Eretz Yisroel is after first day Yom Tov, he should make *havdolah* then, and should either do it in private before the meal, or he should say *havdolah* quietly to himself, whilst everyone else make *kiddush*.

R' Moshe who maintains, that a Ben Eretz Yisroel should wait until *motzei* second day Yom Tov, says, such a situation is comparable to one who has no wine to make *havdolah* with, and in such a case one is allowed to eat before making *havdolah*.

R' Moshe is very difficult to understand, as it's clear that he holds that the time for a Ben Eretz Yisroel to make *havdolah* is after first day Yom Tov (as he says he should say *atoch chonantonu* in *shemonah esrei*). However, since people will see him making *havdolah* and it will be a disgrace to second day Yom Tov, he shouldn't make *havdolah*. The question is, why should this be any different to *tefillin*, just like when it comes to wearing *tefillin* we tell the Ben Eretz Yisroel to do it in private, we should say the same thing with *havdolah*. *Tzorich iyun*.

The *Piskei Teshuvos* (496, *he'orah* 132) brings that the *Shu"t Chaim Sho'al, Shu"t Betzel HaChochma, Pe'as HaShulchan, Kaf HaChaim, Be'ar Moshe* and the *Yom Sheini Kehilchosa* in the name of R' Shlomo Zalman, R' Elyashiv and R' Vosner all *pasken* that a Ben Eretz Yisroel should make *havdolah* after the first day of Yom Tov.

### **How to Make Havdolah**

If a Ben Eretz Yisroel is in *Chutz La'aretz* by himself, without his family, then he can make *havdolah* by himself discreetly without anyone knowing - when the family he is eating by makes *kiddush* he can simply say *havdolah* quietly. If, however, one is with his wife and family, things get a bit more complicated, as a woman ideally shouldn't make *havdolah* for herself, and the woman has to hear *havdolah* from husband, in such a case *havdolah* can't be said quietly. In such a case, a more ideal solution would be to say *havdolah* loudly privately before the meal.

Although *havdolah* is a mitzvah, a Ben Eretz Yisroel shouldn't even do *mitzvos* in front of Bnei *Chutz La'aretz* on second day Yom Tov, which show openly that he is only keeping one day Yom Tov. We see this idea, from the *Pri Chodosh* we mentioned above, who says that a Ben Eretz Yisroel shouldn't wear *tefillin* on second day Yom Tov in public.

If *motzei* first day Yom Tov falls out on *motzei* Shabbos, and so the *berachah* of '*borei me'orai ho'aish*' needs to be made, a Ben Eretz Yisroel shouldn't light a *havdolah* candle like he would on a regular *motzei* Shabbos as lighting a fire would involve an *issur molid*, and a Ben Eretz Yisroel isn't allowed to do *melacha* (even in private) on second day Yom Tov. Rather, what he should do is, put

a match close to a ready lit candle<sup>18</sup> or take two matches lit from a ready lit candle and hold them together, and let them go out by themselves.

### Special Intention that the *Berachah* of *Hagofen* Only Goes on the *Havdolah* Wine

When a Ben Eretz Yisroel makes *havdolah* after first night Yom Tov, he should have special intention (*kavonah*) that his *berachah* of *hagofen* only goes on the *havdolah* wine and not on the wine that he will be given to drink for *kiddush* or that he will drink later on during the meal. Although doing the above would seem like one is making unnecessary *berachos* (*berachah she'eino tzricha*), this is what one should ideally do (we will explain), if however, one didn't, then he shouldn't make *hagofen* again on any wine that he drinks later.

A woman who customarily doesn't drink from *havdolah* wine certainly needs to make *hagofen* again, as although she fulfills her *chiyuv* to make *havdolah* by listening to her husband's *berachos*, since she doesn't drink from the wine, the *hagofen* is considered a *birchas hashvach* for her and not a *birchas hanenin* (see *Mishnah Berurah* 296:6). If one doesn't drink from the wine of *kiddush* or *havdolah*, the halachah is that he can't rely on this *hagofen* later on when he wants to drink wine. The *hagofen* is only considered a *birchas hanenin* if one actually drinks the wine, therefore, if one hears *kiddush* or *havdolah* and doesn't drink wine, if he later wants to drink wine he has to make *hagofen* again (see *Shemiras Shabbos* 48:18). Moreover, if one makes *havdolah* without saying *hagofen* at all one fulfills his *chiyuv*. One needs to make *havdolah* on a cup of wine, and in order to drink one has to make *hagofen*, but technically *havdolah* doesn't need a *hagofen* (see *Mishnah Berurah* 296:33). Since *hagofen* doesn't strictly have anything to do with *havdolah*, it's obvious that a woman who hears *havdolah* from her husband and later drinks wine has to make *hagofen* again.

The reason one should make *hagofen* later a second time and not use the *hagofen* from *havdolah* is based on a *Tosfos* in *Berachos* (42a). *Tosfos* brings down an opinion, that *hagofen* of *havdolah* is its own entity and it doesn't help to exempt any wine drunk afterwards. Even if one has in mind when making *hagofen* of *havdolah* to exempt wine that is subsequently drunk, it doesn't help (see *Shulchan Aruch* 174:4 and 299:7).

Strictly speaking (*me'ikar hadin*) we take on that *hagofen* of *havdolah* does in fact exempt any wine that is subsequently drunk, in accordance with those who argue on *Tosfos*. Consequently, if one never had positive *da'as* (intention) that the *hagofen* of *havdolah* shouldn't go on any wine subsequently drunk he can drink wine without making another *berachah*.

In explaining, the opinion of those who are lenient and maintain that the *hagofen* of *havdolah* goes on any wine subsequently drunk the *Mishnah Berurah* (174:10) writes: כיון דהבדיל על השלחן דומה לומר – “since *havdolah* was made by the table, it shows that it was made in preparation for the meal and is therefore connected to the meal”.

It's clear from the *Mishnah Berurah*, that the only reason *hagofen* of *havdolah* works for any wine subsequently drunk in a meal is because *havdolah* and the meal are connected. Even if one would

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<sup>18</sup> When doing the above, one should ideally use the bottom of the match and not the side which one normally uses when striking the match.

make *havdolah* in one place and eat in a different place, as long as *havdolah* is being made in preparation of the meal it's ok.

In our case, regarding a family of Bnei Eretz Yisroel in *Chutz La'aretz*, when in order that the husband can make *havdolah* loud to be *moitzi* his wife they have to make *havdolah* in private before the family starts the meal, and will have *kiddush* with the family of Bnei *Chutz La'aretz* in the main room a while later, it would seem everyone agrees (even those that maintain *hagofen* of *havdolah* goes on wine subsequently drunk during the meal) that *hagofen* doesn't go on wine drunk later. However, being as it's not clear, the husband should have a positive *kavonah* that *hagofen* only goes on the wine of *havdolah*, and since there is good reason for it, there is no problem of causing unnecessary *berachos*.

What comes out from the above is, if when the man made *havdolah* he had the correct *kavonah* that *hagofen* shouldn't go on any wine drunk later, when he subsequently hears *kiddush* he should have *kavonah* for the *hagofen* made during *kiddush* and not on *kiddush*. He needs to pretend to take part in *kiddush*, but should have *kavonah* not to be *yoitsa kiddush*. Similarly, a woman should have *kavonah* for *hagofen* and not *kiddush*. If however, when making *havdolah* the man forgot to limit his *hagofen*, then when listening to *kiddush*, he should have positive *kavonah* not to be *yoitsa kiddush* or *hagofen*, as according to some *rishonim* he doesn't need another *hagofen*, and in matters of *berachos*, when in doubt we are lenient.

A Ben Eretz Yisroel who is hearing *kiddush* from a Ben *Chutz La'aretz* on second night Yom Tov, should have in mind to be *yoitsa* with *hagofen* of the *ba'al habayis* and answer *amen*. However, on the *berachah* of *kiddush* and *shehechyanu* a Ben Eretz Yisroel should have in mind not to be *yoitsa* and shouldn't answer *amen*. Since they are not *mechuyav* in *kiddush*, if they would answer *amen* it would create an unnecessary *hefsek* between *hagofen* and drinking wine, therefore, they should make sure not to answer *amen*. They shouldn't make their own *hagofen* afterwards, as that would be showing it is not really Yom Tov for them in public.

(The above is on a regular Yom Tov Sheini, however, second night *seder* is different, as many families have the *minhag* that everyone makes their own *kiddush*, we will discuss this below.)

## **Second Night Seder for a Ben Eretz Yisroel in Chutz La'aretz (Step by Step Guide)**

### **1) Kiddush**

Bnei Eretz Yisroel who are eating by a family in *Chutz La'aretz* on second night Pesach, should pretend to make *kiddush* along with everyone else, and when everyone gets towards the end of *kiddush* and says *shehechyanu*, the Bnei Eretz Yisroel should say *hagofen* and drink the wine with everyone else. They shouldn't make *hagofen* at the same time as everyone else, as since it is not Yom Tov for them it will create an interruption between *hagofen* and drinking the wine. The *Shulchan Aruch* (*Orach Chaim* 206:3) rules: כל אלו הברכות צריך שלא יפסיק בין ברכה לאכילה יותר מ כדי דיבור – “With all these *berachos*, one shouldn't interrupt between the making of the *berachah* and eating the food more than the *shiur* of *k'dei dibbur* (which is a few seconds)”. The *Beis Yosef* rules like the *Shibolay HaLeket* that if one did wait the *shiur* of *k'dei dibbur* he has to make the *berachah* again, however, many *Achronim* argue and halachah *lemesah* the *Mishnah Berurah* (206:12) says, we don't make the *berachah* again. However, ideally one should avoid doing this, therefore, the

Bnei Eretz Yisroel should only make *hagofen* just before drinking the wine, when everyone else is making *shehechayanu*.

Since it is not actually Yom Tov for them, they shouldn't say *kiddush* or *shehechayanu*.

## 2) *Berachah Achrona* After First Cup

After the Bnei Eretz Yisroel drink the first cup of wine, unless they have intention to soon drink more wine, they should make a *berachah achrona*, and if they don't, the cup of wine will be left without a *berachah achrona*. For Bnei *Chutz La'aretz*, for which it is *seder* night the entire *seder* is one big continuation and the *birchas hamazon* they make at the end of the meal will go on the cup of wine as well. Since the entire *seder* is one long continuation, it doesn't matter if there is an interruption between drinking the first cup of wine and *bentching*. For Bnei Eretz Yisroel however, since it isn't actually *seder* night, and they won't be *bentching* for a long time, the *haggadah* and everything else done in-between creates an interruption between drinking wine and *bentching* and if they don't make a *berachah achrona*, the first cup of wine will be left without a *berachah achrona*.

(The *Chayei Adam* 103:4 maintains that Bnei Eretz Yisroel don't need to make *berachah achrona*, but R' Falk heavily disagrees.)

If a Ben Eretz Yisroel wants to drink more wine (not in front of Bnei *Chutz La'aretz* who are prohibited from drinking wine at this point) for example in another twenty minutes, then he shouldn't make a *berachah achrona* after drinking the first cup of wine - in order to avoid making unnecessary *berachos*. However, he has to be careful to *bentch* after drinking the second cup of wine before the *shiu' ikul* (time it takes for first cup to be digested) of the first cup of wine passes, in order to ensure that the first cup of wine isn't left without a *berachah achrona*. When one eats a big meal, the *birchas hamazon* said at the end goes back on everything as the entire meal is connected, however, if one eats two fruits or drinks two cups of wine then the two items are not really connected, and one has to be careful to make a *berachah achrona* before the *shiu' ikul* of the first fruit or first cup of wine has past (see *Mishnah Berurah* 184:18 and *Shu"t Har Tzvi, Orach Chaim* 96).

## 3) *Haggadah* and the *Berachah* of 'Asher Go'alonu'

A Ben Eretz Yisroel should say together with everyone else at the table, the *berachah* recited at the end of the *Haggadah*, however, he should refrain from saying Hashem's name at the beginning and end of the *berachah*.

Additionally, when everyone says: והגיענו הלילה הזה לאכול בו מצה ומרור - "and we have arrived at this night, upon which we are commanded to eat *matzah* and or *marror*" a Ben Eretz Yisroel should say something else instead or be quiet - since it is not really *seder* night for him, it would be lying to say the above.

In regard to the names of Hashem that come up in the *Haggadah*, since for a Ben Eretz Yisroel it's not actually *seder* night, it is like he is learning Torah, since he is merely learning Torah it's best not to say Hashem's name. When it comes to the *pasukim* mentioned in the *Haggadah*, then perhaps he can mention Hashem's name, but if it is not a *pasuk*, it's best not to (see *Mishnah Berurah* 215:14).

An argument could perhaps be made, that since for Bnei *Chutz La'aretz* who have *seder* night, they are saying Hashem's with the intention to give *shvach v'hoda'ah* [praise and thanks] a Ben Eretz Yisroel who joins in is also intending to give *shvach v'hoda'ah* to Hashem, albeit without a *chiyuv* to do so (*eino metzuvah v'oseh*) and if one says Hashem's name to give *shvach v'hoda'ah* to Hashem there is no problem (see *Mishnah Berurah* 215:20).

However, the *Chayei Adam* (103:4) writes, that a Ben *Chutz La'aretz* should say *Haggadah* בקורה בתורה – “as if he is learning”, in which case one shouldn't say Hashem's name. Therefore, it would seem that ideally a Ben Eretz Yisroel should refrain from saying Hashem's name.

#### 4) *Hallel*

Although it would seem that it's obvious that a Ben Eretz Yisroel should sing *Hallel* together with Bnei *Chutz La'aretz* as if he doesn't people will notice, this is not so simple.

The Gemara in Shabbos (118b) teaches: האומר הלל הגדול בכל יום הרי זה מחרף ומגדף – “One who says the *Hallel* everyday curses and blasphemes G-d.”

Due to the above Gemara perhaps it would be better not to join in.

The *Shulchan Aruch* (*Orach Chaim* 584:1) rules, that we don't say *Hallel* on Rosh Hashanah and Yom Kippur. The *Magen Avraham* asks, if someone says *Tehillim* every day and gets to *pasukim* of *Hallel* what should he do? And he answers: כיון שאין אומרים אותו דרך שירה רק דרך תחנה ובקשה שרי – “since they aren't being said in way of song to thank Hashem, rather they are being said as supplications and requests from the Hashem it's allowed”.

Based on the above, perhaps what a Ben Eretz Yisroel in *Chutz La'aretz* should do, is, he should say *Hallel* like he would read *Tehillim*, and avoid singing it with everyone else.

However, it's very difficult for someone to sit at a table when everyone is singing, and refrain from joining in and just read *Hallel* like he would *Tehillim*, and surely, they will realize he is not joining in, and it may lead to a disgrace of Yom Tov Sheini.

Perhaps the Gemara in Shabbos which says, “one who says the *Hallel* everyday curses and blasphemes G-d”, is only said on a day which is not a day fitting for *Hallel*, second day Pesach is a time to say *Hallel*, and even a Ben Eretz Yisroel says *Hallel* (in *Shacharis* on second day Pesach), therefore, perhaps there is no problem.

However, the *Magen Avraham* (422:5) says, if one has already said *Hallel* on Rosh Chodesh, he should refrain from reading *Hallel* again to help someone else fulfill his *chiyuv*, if the other person is able to read *Hallel* himself, due to the problem of “one who says the *Hallel* everyday curses and blasphemes G-d.” We see from here, that even on a day when one is supposed to say *Hallel*, there is a problem.

However, our case is different, as one who says *Hallel* a second time on Rosh Chodesh in front of someone who is able to read it himself, is saying *Hallel* numerous times for no good reason. In our case however, the reason the Ben Eretz Yisroel is saying *Hallel* a second time is because he doesn't want to be different to everyone else at the table and he is not doing it for no good reason,



therefore, perhaps there is no problem of “one who says the *Hallel* every day curses and blasphemes G-d.”

R' Vosner (*Shevet HaLevi* 7:49) has a *Teshuva* where he discusses a similar *shailah*. He discusses what a Ben Eretz Yisroel should do if he is in *shul* on the eighth day of Pesach in *Chutz La'aretz*, and whether he should join in singing *Hallel*.

He rules that he should join in based on a Gemara in *Berachos* (20b). The Gemara says, that if someone is a *ba'al keri* [a type of *tumah* in the times of *Chazal* which if one was subject to, he couldn't read *krias shema*] and the *tzibbur* gets to *shema*, he should think about *krias shema* when they read *krias shema*. The Gemara asks, what the point of doing this is, and answers: כדי שלא יהו בטל והוא יושב בטל – “so that it shouldn't be that everyone else is busy with *shema* and he is sits there idly”.

Similarly, if the entire *shul* is busy singing *Hallel* as for them it is Yom Tov and a time fit for praising Hashem, a Ben Eretz Yisroel should join in and not be different from everyone else.

R' Vosner was talking about eighth day of Pesach in *Chutz La'aretz*, which is not even Pesach for a Ben Eretz Yisroel, and he said it's ok, all the more so, second night *seder* which is still Pesach for a Ben Eretz Yisroel, he is allowed to sing *Hallel* and there is no problem of “one who says the *Hallel* every day curses and blasphemes G-d.”

Based on all the above, there is definitely what to rely on and a Ben Eretz Yisroel in *Chutz La'aretz* for second night *seder* can join in with the rest of the family and sing *Hallel*.

## 5) Second Cup of Wine

A Ben Eretz Yisroel partaking in second night *seder* in *Chutz La'aretz* should make '*hagofen*' on the second cup of wine, however, he doesn't need to make a *berachah achrona* (just like the Bnei *Chutz La'aretz*).

The Gemara in *Pesochim* (108a) says: יין טובא מגרר תאות אכילה - “Lots of wine helps whet one's appetite”, since drinking wine whets the appetite, it is considered *tzorchei seudah* [something done for the meal], consequently, the *birchas hamazon* recited at the end of the meal goes on it. Our standard *kiddush* cups hold at least a *revi'is* and a half according to R' Chaim No'eh, which is considered a large enough amount of wine to be considered coming to whet one's appetite (see *Mishnah Berurah* 471:7 who says that a *revi'is* is already considered enough wine to whet one's appetite).

If for the second cup of wine, one uses grape juice instead of wine (and doesn't add any wine to the grape juice), then it won't whet one's appetite, as grape juice is no better than apple juice. Specifically, wine has the special ability to whet one's appetite and not other drinks. (See *Sha'arei Berachah*, *Perek* 7, *Ha'orah* 25 and *V'Zois HaBerachah*, *Perek* 9, *Sif Kotan* 5, *Ois* 2, however, see *Piskei Teshuvos* 174:11 who is in doubt.) Consequently, one who drinks grape juice is not considered to be preparing for the meal, since it's not considered something being done for the meal, *birchas hamazon* recited at the end of the meal won't go back on it, therefore, one who is using grape juice for his second cup should make sure to say *al hagefen* after drinking it.

If, however, he has intention to drink wine later on during the meal then he doesn't need to say *al hagofen* after drinking the second cup, even if it is grape juice. The reason being, anytime a *berachah* exempts something eaten in the meal (in this case the *hagofen* on the grape juice drunk before the meal, exempts wine drunk during the meal) the original *berachah* is connected to the meal, and *birchas hamazon* recited at the end of the meal goes on it as well.

If a Ben Eretz Yisroel is a Sephardi, and therefore rules like the *Shulchan Aruch* (474:1) that says one doesn't make a *berachah* on every single cup of wine, he should try and hide from the Bnei *Chutz La'aretz* that he is making a *berachah* on every cup of wine (if he doesn't, he will be demonstrating that it is not *seder* night for him). However, an Ashkenazi who is in *Chutz La'aretz* and is eating second night *seder* by a Sephardi, doesn't need to hide this, as they will just assume he is following the *Rema*.

## 6) Special Intention for *Birchas Hamazon* to Go on the Second Cup of Wine

Ideally a Ben Eretz Yisroel should have special *kavonah* [intention] when he recites *birchas hamazon* after the meal, that it goes on the wine which was drunk for the second cup of wine.

Both the Ramban and *Tosfos* maintain that if a person drinks wine before eating a meal, the *birchas hamazon* recited at the end of the meal doesn't go back on the wine. Due to these *shittos* [opinions] the *Biur Halachah* (174:6, *d.h. v'chein poteres*) writes, every Shabbos one should *kavonah* when reciting *birchas hamazon*, that it is going on the wine that was drunk for *kiddush* as well. The *din* is that if one makes *birchas hamazon* on wine he fulfils his duty (see 208:17). Therefore, when reciting *birchas hamazon*, since the Ramban and *Tosfos* maintain it doesn't go on wine drunk before the meal, if one has special *kavonah* that it is going on the wine before the meal, it would be comparable to reciting *birchas hamazon* which works, and at least the wine drunk before *kiddush* won't be left without a *berachah achrona*.

However, doing the above doesn't seem to be the accepted practice. Perhaps, many people drink wine during the meal, and since wine drunk during the meal doesn't need a *berachah* as the *berachah* said on *kiddush* exempts it, we can apply what we said above, that anytime a *berachah* exempts something eaten in the meal the original *berachah* is connected to the meal, and *birchas hamazon* recited at the end of the meal goes on it as well. (The Ramban and *Tosfos* however, were talking about someone who doesn't drink any wine during the meal.)

Seemingly, even on first night *seder* one should have *kavonah* in *birchas hamazon* that it goes on the second cup of wine, as the second cup of wine is coming for a mitzvah and not to whet one's appetite or for *kiddush*, as the first cup was for *kiddush*. Consequently, this should be no different to the *din* of 299:8, which says that if one drinks wine for *havdolah* and then eats a meal, he should make *al hagofen* before eating, and if he didn't, he should at least have in mind when he recites *birchas hamazon* that it also goes on the wine. However, the accepted practice seems to be not to do this.

Perhaps, the reason is, for one who is having a real *seder* night, all the *mitzvos* of the night are connected – even the meal is part of the *mitzvas haleilah* [*mitzvos* of the night] as the meal demonstrates *cheirus* [freedom] as is clear from the Rambam (*Hilchos Chometz U'Matzah* 7:7). Therefore, it's logical to say that *birchas hamazon* goes back on the wine that was drunk earlier

before the meal, just like it goes on everything else in the meal. However, a Ben Eretz Yisroel who has no mitzvah of *seder* night on second night, doesn't have the above logic, and therefore, should make sure to have special *kavonah* that *birchas hamazon* goes back on his second cup of wine.

### **7) Matzah and Marror**

A Ben Eretz Yisroel in *Chutz La'aretz* for second night *seder* should not say the *berachos* of '*achilas matzah*' and '*achilas marror*', since it is not really *seder* night for him, he has no *chiyuv* to eat *matzah* or *marror*.

A Ben Eretz Yisroel should also refrain from making the *berachah* of *ho'adomah* on the *marror* (lettuce) he eats, as it is something that comes as an accompaniment to the bread (*matzah*), and the *berachah* of *hamotzi* exempts it. Although on *seder* night, *marror* is eaten for to fulfil the mitzvah of *marror* and not to fill one up, still no *berachah* should be made, as in the end of the day it is an accompaniment to the bread.

Secondly, the *ho'adomah* that was said on *karpas*, exempts the *marror* (the same as Bnei *Chutz La'aretz*). Although a *shiur ikul* [time for food to be consumed] may have passed between the eating of *karpas* and eating of *marror* it doesn't matter, as the general consensus of the *poskim* is that a *berachah rishonah* doesn't get lost after the *shiur ikul* (see *Mishnah Berurah* 184:17 in the name of *Even Ha'Ozer*, *Derech HaChaim* and *Magen Gibborim*). Although the *gedolay achronim* (see *Graz* 184:3 and *Chayei Adam* 50:23) say we should be stringent and go like the *Magen Avraham* who maintains that it does when possible, in our case, together with the reason we mentioned above, there is what to rely on.

### **8) Ba'al Tosif [Adding on to Mitzvos]**

A Ben Eretz Yisroel in *Chutz La'aretz* for second night *seder* should make sure to have *kavonah* that everything he does is just a *shpiel* [play] and that he doesn't intent to fulfill any *mitzvos*, otherwise, he may run into issues of *ba'al tosif*.

The halachah is that one shouldn't sit in the *succah* on the eighth (in Eretz Yisroel) or ninth (in *Chutz La'aretz*) day of Succos. Since Succos is only 8/9 days, if one sits in the *succah* an extra day, he is adding on to the *mitzvos* that Hashem commanded and violates *ba'al tosif*. However, it's clear from the Gemara in Rosh Hashanah (28b) that this is only a problem if one intends to get an extra mitzvah, if one doesn't intend to there is no problem. Therefore, to ensure there is no problems of *ba'al tosif* a Ben Eretz Yisroel in *Chutz La'aretz* should have special *kavonah* that he isn't doing a mitzvah.

The above concern applies to *mitzvos derabonon* as well, therefore, both by *mitzvos de'O'raisa* and *derabonon* a Ben Eretz Yisroel in *Chutz La'aretz* should make sure to have special *kavonah* that he doesn't want to fulfil any mitzvah.

Although from the Gemara in Rosh Hashanah it seems that as long as one doesn't have a positive *kavonah* to fulfil a mitzvah it's enough, since one is sitting with people who are keeping *seder* night properly it's best to have a positive *kavonah* that one doesn't want to fulfil any mitzvah.

Support to the above idea can be brought from the *Birkay Yosef* (668:4). The *Birkay Yosef* writes, if a Ben Eretz Yisroel is in *Chutz La'aretz* for Succos, in order not to disgrace Yom Tov Sheini who should sit in the *succah* together with everyone else. However, he adds "he should say to himself that he is

not sitting in the *succah* to fulfil any mitzvah". Why does he need to do this, he should make sure to have no positive *kavonah*? We see that since he is sitting together with Bnei *Chutz La'aretz* it's worse, and in such a case one needs a positive *kavonah* that he doesn't want to fulfil the mitzvah.

### 9) How Much Does a Ben Eretz Yisroel Need to Eat?

Since it is not actually *seder* night for a Ben Eretz Yisroel there is no need for him to eat a full *kezayis* of *matzah*, *marror* or *afikomen*, and since the Bnei *Chutz La'aretz* are busy eating *matzah* and *marror* themselves they won't come to notice, therefore, as long as he eats something it's ok.

Similarly, there is no need to drink a full *revi'is* of wine for the four cups of wine (see later in regards to first cup) as it will not be recognizable to everyone how much he drank (see *Igros Moshe, Orach Chaim 3:72*).

Some raise the concern, that if one doesn't drink the full cup of wine, when it comes to filling up the next cup of wine (for example if for the third cup a Ben Eretz Yisroel only drinks half the cup, when it comes to the fourth cup, if a Ben *Chutz La'aretz* fills up the cup he will see that some wine was left) it will be recognizable that he isn't keeping second night *seder* properly and it will cause a disgrace to Yom Tov Sheini.

However, it would seem that as long as one is not violating Yom Tov Sheini in public (i.e., in front of three or more people) there is no concern. It's illogical to say that when a Ben Eretz Yisroel wears *tefillin* on *isru chag* he has to lock the door and make sure not a single person sees. The main concern of being *mezalzel* in Yom Tov Sheini is to things publicly in front of others. However, on something which one is doing his best to hide, and one person may look in his cup and realize, we are not worried about.

However, R' Shlomo Kluger (*Chochmas Shlomo, Orach Chaim 496*) takes on that a Ben Eretz Yisroel should try and be careful, even in front of individuals. The *Chida* in *Shu"t Chaim Sho'al* (1:55) also writes (he is discussing a case where a man keeps one day Yom Tov and his wife two), "since his wife is keeping two days and he is with her, he can't *daven shemonah esrei* or put on *tefillin* as his wife will see". We see that a Ben Eretz Yisroel has to be careful not to disgrace Yom Tov Sheini, in front of individuals and even in front of one's own wife. (See also *Betzel HaChochma 1:22* who brings the above to show one has to be careful even in front of individuals). However, the above is a big *chiddush* and the general consensus seems to be, that the main concern of being *mezalzel* in Yom Tov Sheini is to things **publically** in front of others.

Although we mentioned above, that a Ben Eretz Yisroel doesn't need to drink the entire cup of wine on second day Yom Tov, this doesn't apply to the first cup or last cup of wine. On the first and last cup of wine one recites a *berachah achrona*, therefore, one has to make sure to drink a *revi'is*, otherwise he enters himself into *shailos* of *berachah achrona*. There are a number of different opinions as to how much wine one needs to drink in order to make a *berachah achrona*, ranging from a *kezayis* up to a *revi'is*, therefore, for the first and last cup of wine, one has to make sure to drink at least a *revi'is* so that he will definitely be obligated to make a *berachah achrona*, or drink less than a *kezayis* and not enter into any doubts.

## 10) Third Cup of Wine

In regards to the third cup of wine, a Ben Eretz Yisroel in *Chutz La'aretz* should act like Bnei *Chutz La'aretz* and should make *hagofen* before drinking the wine, shouldn't make a *berachah achrona*, and should rely on the *berachah achrona* said after the fourth cup.

However, this is provided that there will only be a short gap between the two cups. If however, there will be along gap of half-an-hour or more, than a Ben Eretz Yisroel should make a *berachah achrona* after drinking the third cup, as if not, the third cup may end up being left without a *berachah achrona* (see *Kaf HaChaim* 184:29 and *Mishnah Berurah* 190:8).

For Bnei *Chutz La'aretz* who are actually having *seder*, a big gap is of no concern as for them the whole *seder* and all *mitzvos* involved are one big continuation from each other, and the *berachah achrona* recited after the fourth cup will go back on the third cup as well even if it is after the *shiur ikul*. The *Chazon Ish* (*Orach Chaim* 28:3) explains, that the reason behind the *din* of *shiur ikul* is because of *hesech hada'as*, therefore, as long as there is a continuation from what was done previously (i.e. both acts are part of the *seder* or one meal), the *berachah achrona* can back on both. However, for a Ben Eretz Yisroel, since it is not actually *seder* night, the two cups of wine are not considered a continuation from each other, therefore, one has to make sure to say a *berachah achrona* before the *shiur ikul* has passed.

## 11) Berachos After Hallel

A Ben Eretz Yisroel who is partaking in a second night *seder* should make sure not to say the *berachah* at the end of *Hallel*, as he will be making a *berachah levatolah* [blessing in vain], however, he can say the *berachah* without the *chasimah* [ending], i.e., he should miss out *ברוך אתה ה' מלך* *מהולל בתשבחות*.

## 12) Fourth Cup of Wine

A Ben Eretz Yisroel who is partaking in a second night *seder* shouldn't make a *berachah* on the fourth cup of wine, as the *berachah* recited on the third cup goes on this as well (unless he said *al hagefen* after the third cup due to concern we mentioned above). Bnei *Chutz La'aretz* make a new *berachah* on the fourth cup as for them each cup is a new *mitzvah* (see *Mishnah Berurah* 474:4), however, for a Ben Eretz Yisroel it's not and therefore there is no need for a new *berachah*.

## 13) Eating and Drinking After Seder

Although after the *seder* a Ben *Chutz La'aretz* is not allowed to eat and drink, since for a Ben Eretz Yisroel it isn't actually *seder* night, they are allowed to eat and drink what they want, as long as it is done in private.

In fact, even before the *seder* starts, as long as they have made *havdolah* they can eat what they want, as long as it is done in private.

The *Aruch HaShulchan* (496:5) rules that a Ben Eretz Yisroel in *Chutz La'aretz* should refrain from eating *chometz* on *Achron Shel Peasch* (eighth day *Pesach* in *Chutz La'aretz*) as he is worried that Bnei *Chutz La'aretz* will find out. His ruling is presumably only in regard to *chometz*, as a such a big

thing like that people will find out, however, eating before *havdolah* or after the *seder* is very different and presumably he wouldn't be stringent in such a case.

#### 14) Bedtime *Krias Shema*

The *Rema* (*Orach Chaim* 481:2) rules: וכל דין ליל ראשון גם כן בליל שני ונוהגים שלא לקרות על מטתו רק פרשת – “All the laws that apply on first night apply on the second night. The custom is, that for bedtime *krias shema* one only reads the portion of *shema* and not all the other things he says on a regular night, as *seder* night is a night which is guarded from demons (which on a regular night can cause harm)”.

The *minhag* is that on *seder* night we read only the *parsha* of *shema* and *hamapil*, and not the rest of the regular *pasukim* that we normally say. What is the *din* if a Ben Eretz Yisroel is in *Chutz La'aretz* for second night *seder*, should he recite all the portions of the bedtime *krias shema* like on a regular night being as it is not *seder* night and hence not *leil shimurim* for him, or do we say that since he is in *Chutz La'aretz* and in *Chutz La'aretz* it's *leil shimurim* he shouldn't?

Initially one would probably say, being that he is in *Chutz La'aretz* and in *Chutz La'aretz* it is *seder* night, this causes a *shemirah* [protection] from the *mazikim* [demons] and everyone is protected even a Ben Eretz Yisroel, and therefore, there is no need to say the full bedtime *krias shema*.

However, R' Falk concludes, that it's more logical that there is no general *hanogah* that everyone in *Chutz La'aretz* is protected, rather, *seder* night is the night when the Yidden left Mitzrayim, and just like on the night the Yidden originally left Mitzrayim Hashem afforded them special protection, the same thing is in future generation, on the night the Yidden commemorate and re-live leaving Mitzrayim Hashem affords special protection. Being that this is how it works, it only applies to those who are actually celebrating *seder* night, therefore, on Yom Tov Sheini where only Bnei *Chutz La'aretz* are keeping the *seder* and not Bnei Eretz Yisroel, this special protection is only for Bnei *Chutz La'aretz*, consequently, a Ben Eretz Yisroel should say the full bedtime *krias shema*.

R' Falk brings an interesting proof. If one is in *Chutz La'aretz* in a place where there are no Yidden around, there is no *din* that a Ben Eretz Yisroel has to keep the *halachos* of Yom Tov Sheini (see *Orach Chaim* 496:3). If a Ben Eretz Yisroel would be in such a place, it's obvious he should say the full bedtime *krias shema*. R' Falk says, we see from here that it's not a general *hanogah* that everyone in *Chutz La'aretz* is protected, rather, it is only a *hanogah* on those keeping Yom Tov Sheini.

#### ***Sheva Berachos at the Seder***

Although most people grimace at the thought of attending a wedding the week before Pesach, much less making one, scheduling a wedding that week also includes the possibility of making *sheva brachos*<sup>19</sup> at the *seder*. Certainly, for those who relish long, drawn-out *sheva brachos*, what could be

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<sup>19</sup> The *Yerushalmi* (*Pesochim* 10:1) says, “one who eats *matzah* on *erev* Pesach is comparable to one who lives with his *kallah* [bride] whilst she is still in his fathers-in-law house”. The *Rishonim* (*Ravyah*, *Ohr Zoruah* and others) explain, that just like a *kallah* requires *sheva berachos* [seven blessings] before she is allowed to live with her husband, similarly, one has to make *sheva berachos* on *seder* night before eating *matzah* (there is

more exciting than combining *sheva brachos* with the *seder*! And, in addition to the time-honoured question whether a *choson* wears a *kittel* at the *seder*, this *seder* has an additional question: Over which *kos* does one recite the first six *berachos* of the *sheva berachos*? Although as we said this *shailah* is not so practical, much *halachic* literature has been written on this topic, and much of it stems from a *sugya* in *Arvei Pesochim* (which many people learn this time of year) therefore, I would like to discuss the *shailah* below.

Ordinarily, after a *sheva berachos* meal we take out two cups and fill them with wine. The person leading the *bentching* holds one of the full cups, while the second cup remains on the table until *bentching* is completed. The second cup is then handed consecutively to six honourees who recite the first six *sheva berachos*. The person who led *bentching* then recites the last of the *sheva berachos*, '*borei pri hagofen*' while holding the first cup. He then drinks from his cup, then the wine in the two cups is mixed together, and finally the two cups are presented to the *choson* and *kallah*.

Why do we use two different *kosos*? Why not use the same cup for both *bentching* and *sheva berachos*?

The Gemara in *Pesochim* (102b) teaches that if someone is *bentching* and reciting *kiddush* at the same time, he should not recite both of them over the same cup. Rather, he should recite *kiddush* while holding one cup of wine and *bentch* while holding a different one. The Gemara then queries why it is necessary to take two different cups, to which it answers: אין אומרים שתי קדושות על כוס אחד - "We do not recite two *kedushos* over the same cup. Why not? Says R' Nachman bar Yitzchok, 'Because we do not bundle together several *mitzvos*'". Using the same *kos* for both *mitzvos* gives the impression that we view these *mitzvos* as a burden, rather than treating each *mitzvah* with due respect by designating for it its own cup of wine. This concept of *ein osin mitzvos chavilos chavilos* is often simply referred to as the problem of "*chavilos chavilos*" (which is how we will refer to it in the continuation).

### **Surely, We Recite Kiddush and Havdolah Over One Cup?**

When Yom Tov falls on a Sunday, we recite *kiddush* for Yom Tov and *havdolah* for Shabbos as part of the same ceremony, all while holding the same cup. Why is this not a problem of *chavilos chavilos*, since it "bundles together" the two *mitzvos* of *kiddush* and *havdolah*?

The Gemara in *Pesochim* (102b) explains that *kiddush* and *havdolah* are considered one *mitzvah* – thus, reciting them over one cup is not considered bundling *mitzvos* together.

Now we can understand why we recite *bentching* and *sheva berachos* over separate cups. *Tosfos* brings a *machlokes* whether one recites *sheva berachos* on the same cup that one recites *bentching* or over a different cup. Rabbeinu Meshulam maintains that reciting *sheva berachos* and *bentching* over the same cup of wine is not a problem of *chavilos chavilos*, since we do not recite the *sheva*

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some discussion as to what exactly these seven *berachos* are). This is not the *sheva berachos* that we are referring to.

*berachos* without *bentching*. Thus, since *bentching* causes the recital of the *sheva berachos*, this is not bundling separate *mitzvos* together. According to Rabbeinu Meshulam, we fill one cup with wine and hand it to the person leading the *bentching*. When he finishes *bentching*, he hands that *kos* to the honouree who recites the first of the *sheva berachos*, who then hands it to the next honouree and so on until the *kos* returns to the person who led the *bentching*, so that he may hold the *kos* while reciting ‘*borei pri hagofen*’. However, *Tosfos* quotes a differing opinion that contends that one should recite *bentching* and *sheva berachos* over separate cups, since they are, essentially, two separate *mitzvos*.

### How Do We Rule?

The *Shulchan Aruch* (*Even HaEzer* 62:9) quotes both opinions in this dispute and mentions that the custom is to use only one cup for both *bentching* and *sheva berachos*, following Rabbeinu Meshulam. The *Rema* notes that the custom among Ashkenazim is to use two different cups. The *Chida* (*Shu"t Yosef Ometz* 47), who was the *posek hador* of his generation among the Sephardim, notes that, although at the time of the *Shulchan Aruch* the custom among the Eidus HaMizrach (the Sephardim) was to recite the *sheva berachos* on the same cup as the *bentching*, in his day (the *Chida's*) a separate cup was used for *sheva berachos*. Thus, the *minhag* had changed among the Sephardim. It is also worthwhile to note that the *Chida*, who lived most of his life in Eretz Yisroel, traveled extensively through Northern Africa and Europe and was very familiar with the customs of many places. Other Sephardic *mechabrim* of the last several hundred years record two customs, some following Rabbeinu Meshulam (like the *Shulchan Aruch* recorded) and others using separate cups for the two *mitzvos* (like the *Chida*) (*Otzar HaPoskim* 62:9:53). The predominant custom today is to use two separate *kosos* [cups].

### Why Is This Night Different from All Other Nights?

If, on all other nights, we use separate cups for *bentching* and *sheva berachos*, why should we entertain the thought that on this night of Pesach we should use only one cup?

The background behind this question requires an additional introduction:

*Chazal* instituted that every individual should drink four cups of wine at the *seder* in order to commemorate the *daled lashonois shel geulah*, the four terms used by Hashem in the Torah to prophesy the redemption from Mitzrayim: “והוצאתי” - “I will take you out of Mitzrayim”; “והצילתי” - “I will save you”; “וגאלתי” - “I will redeem you”; “ולקחתי” - “I will take you to me as a nation” (Rashi and Rashbam, *Pesochim* 99b, quoting Medrash Rabbah; see Rashi 108a, who provides a different reason).

מצוה - “*Chazal* instituted four cups as a means of demonstrating that we gained freedom – each one of them should be used for a *mitzvah*” (*Pesochim* 117b). Therefore, we use the first cup for *kiddush*; on the second we recite the *berachah*, ‘*asher ga’alanu*’; we recite the *bentching* while holding the third cup of wine, and *Hallel* while reciting the fourth.



When celebrating a *sheva berachos* at a *seder*, we are faced with the following dilemma:

If we drink an extra cup of wine at the *seder* for *sheva berachos*, it gives the impression that we are drinking five cups of wine at the *seder*, when *Chazal* instituted that one should drink only four special cups. This is referred to as “adding to the cups,” *mosif al hakosos*, which is an *issur derabonon*. On the other hand, if we do not add a cup, we are bundling together the mitzvah of *sheva berachos* with the mitzvah of *bentching*. Thus, the principle of *ein osin mitzvos chavilos chavilos*, which is the reason why we use separate cups for *bentching* and for *sheva berachos*; has now become the basis for a difficulty.

Furthermore, there is another problem, in that once one drinks the third cup of wine one is prohibited from drinking another cup until after the fourth cup has been drunk (Mishnah *Pesochim* 117b).

The *shailah* of what to do in this predicament has been discussed by many prominent *poskim*, with *Teshuvos* going back six hundred years and the question continuing up to our time.

I am aware of at least five different approaches mentioned by the *poskim* to resolve this issue.

**1)** The *Chida* (*Shu”t Yosef Ometz* 47) quotes a very creative approach to resolve this problem, although he does not approve of it: Prior to *bentching*, one should fill two minimum-*shiur* cups. The person leading the *bentching* holds one of these cups, while the other is held by the honourees while they recite the *sheva berachos*. Following the completion of the *sheva berachos*, one pours the two cups into one large cup, and one of the participants drinks the large *kos* as the third *kos*. Thus, since each *kos* was initially separate, one used two cups for the two *mitzvos* and did not violate the precept of *ein osin mitzvos chavilos chavilos*, while at the same time one did not add an extra *kos*, since only one cup was drunk.

The *Chida* disapproves of this solution, although he does not explain why. Presumably, he contends that one violates the prohibition of adding to the *kosos* by using a separate cup for the *sheva berachos*, even if it is later poured together with the *bentching* cup. Thus, there is no advantage to this approach.

**2)** Another approach to resolve this problem is to recite the *sheva berachos* on a cup that is then set aside for someone to use for the fourth *kos*. (The *Ya’avetz*, quoted by *Pischei Teshuvah*, *Even HaEzer* 62:18, mentions this approach.) This opinion holds that since this *kos* is ultimately used for one of the four cups of the *seder*, one cannot say that it is “adding to the cups.” And to avoid violating the prohibition against drinking between the third *kos* and the fourth, the cup is drunk as the fourth *kos*.

Rav Moshe Feinstein (*Shu”t Igros Moshe*, *Even HaEzer* 1:95) writes that he does not understand this opinion. Simply put, the cup of *sheva berachos* in this case is serving two different purposes, the *sheva berachos* and the fourth cup. Thus, it is directly violating the prohibition of making *mitzvos* into bundles (*ein osin mitzvos chavilos chavilos*), without the advantage of Rabbeinu Meshulam’s opinion that the *sheva berachos* cup and the *bentching* cup may overlap. Thus, one is

doing *mitzvos chavilos chavilos* in a worse way than if he had simply used the *sheva berachos kos* for *bentching*. (See *Teshuvah* inside for a suggestion as to what this opinion may have held.) Presumably because of this criticism, the later *poskim* abandon this suggestion.

**3)** The *Chida* cites another approach, which is to leave everyone's cup a bit empty, and then fill each one with the wine from the *sheva berachos kos*. He does not like this approach either, because he says it makes the mitzvah look like a joke, although he does not explain why. Presumably, the concern is that this approach does not treat the *kos* of *sheva berachos* with proper *kavod*.

**4)** Other solutions are suggested. A number of *poskim* contend that one should recite both the *sheva berachos* and the *bentching* over the same *kos* (*Ya'avetz*; *Chida*). Their reason is that, although we usually assume that this violates *ein osin mitzvos chavilos chavilos*, Rabbeinu Meshulam held that reciting *sheva berachos* and *bentching* over one cup does not violate this rule. Therefore, on *seder* night, when the alternative is to create a problem of adding an extra *kos* to the *seder*, it is preferable to combine the two *kosos* of *sheva berachos* and *bentching* together. According to this opinion, one should recite the *sheva berachos* over the cup used by the person leading the *bentching*, and then each individual should drink from his own *kos*.

**5)** The *Rema* (*Darkei Moshe, Orach Chaim 473:4*) cites a different resolution to this dilemma. He rules that the person leading the *bentching* should hold his *kos* while reciting the *bentching*, and that those reciting the *sheva berachos* should hold the *kos* of the *choson* while reciting these *berachos*. The *Rema* does not discuss who drinks the respective *kosos*, but I presume that the person who led the *bentching* drinks the first *kos* and the *choson* drinks the second.

There is an obvious problem with this approach. Since each person holds his *kos* for *bentching* at the *seder*, the *kos* of the *choson* is also a *kos* of *bentching*. Therefore, what have we gained by having the *sheva berachos* recited over a different *kos* from the *bentching*? There are still *mitzvos* being performed over this *kos* — *bentching* and *sheva berachos* — and we have the problem of *ein osin mitzvos chavilos chavilos*. This is why several of the above-mentioned *poskim* reject this approach.

Evidently, this opinion contends that, although all of the assembled hold their cups during *bentching*, their cups are not considered the *bentching* cup. Only the *kos* of the person who leads the *bentching* has the *halachic* status of performing this mitzvah. The other cups are in fulfillment of *Chazal's* institution of the four *kosos*, preferring that we use each cup for a mitzvah. Therefore, it is not *osin mitzvos chavilos chavilos* when one uses this cup for *sheva berachos*. (As noted before, in this instance the *choson* and *kallah* do not drink from that cup, but drink from their own cups.)

Those who disagree with this approach contend that, at the *seder*, each person's *kos* is indeed a *kos* of *bentching*. Thus, there is no advantage to reciting the *sheva berachos* over the *choson's kos*.

There is a historical curiosity about this debate. Two very prominent early *poskim*, the *Ya'avetz* and the *Chida*, discuss this issue and conclude (option 4, above) that one should rely on Rabbeinu Meshulam when celebrating *sheva berachos* at the *seder*, and recite the *sheva berachos* and *bentching* over the same cup. The *Chida* published two different *Teshuvos* on this *shailah*, reaching

the same conclusion both times; but, in his earlier *Teshuva*, he does not mention that the *Rema* cites the opposite conclusion. In his later *Teshuva*, the *Chida* mentions that someone had criticized him for having previously written a *Teshuva* on the subject and ignoring the *Rema's* comments on the subject. In his later *Teshuva*, he explains that since he had quoted Rav Yaakov Emden, who in turn quoted the *Rema's* source and disagreed with it, he saw no need to point out that the *Rema* had quoted these comments.

It is also interesting that Rav Moshe also disagreed with the *Rema*, yet felt bound to follow the *Rema's* approach because of the *Rema's* greatness, whereas both Rav Yaakov Emden (the *Ya'avetz*) and the *Chida* decided not to follow *Rema's* approach, but to rule that one should use one *kos* for both *bentching* and *sheva berachos*.

In conclusion, those privileged to celebrate a *sheva berachos* for a newlywed couple at their *seder* could either have all the *berachos* recited over one *kos*, or have the *sheva berachos* recited over the *kos* of one of the other celebrants. In any case, the practice of mixing wine from the two *kosos* together should not be followed at the *seder*.

(The *mareh makomos* for the above were taken from a halachah write-up written by R' Yirmiyohu Kaganoff)

### **Eating Matzah All Seven Days of Pesach – Diversity of Opinions**

In *Parshas Bo* the Torah writes: שבעת ימים מצות תאכלו – “You shall eat *matzah* for seven days” (*Shemos* 12:15). Rashi quotes a *Mechilta* which says: “In another *pasuk* it writes: “Six days you shall eat *matzah*”! This teaches regarding the seventh day of the Pesach that there is no obligation to eat *matzah* on it, one just has to make sure not to eat *chometz*. How do we know that the other six days are also optional as regards the eating of *matzah*? Because the *pasuk* says: “Six days [you shall eat *matzah*]”. For the following is a rule by which the Torah may be expounded: Anything that is included in a general statement and is singled out from this general statement for the purpose of teaching something, does not go out from it in order to teach something regarding itself alone but it goes out from it to teach something about everything that is included in the general statement. Now the seventh day is included in the general statement “Seven days you shall eat *matzah*”, and in the *pasuk* “Six days shall *matzah*” it has left the general statement. How is it with the seventh day? It is optional in regard to eating *matzah*. This, according to the above rule, applies also to everything that was included in the general statement i.e., to the whole seven days, and therefore the other six days are also optional in this respect. One might think that the first night of the Pesach is also optional, therefore the *pasuk* writes, “In evening you shall eat *matzah*” the Torah fixes it as obligatory for that night”. The above is also a Gemara in *Pesochim* (120a).

According to the above, except for the first night of Pesach there is no obligation to eat *matzah*, and if one wants, he can eat chicken and potatoes the entire Pesach. The *pasuk* which says, “You shall eat *matzah* for seven days” is not literal.

However, the *Chizkuni* learns based on the above *pasuk* that if one eats *matzah* any time during the duration of Pesach he fulfills a mitzvah – the mitzvah is not limited to the first night. There is no

absolute obligation to eat *matzah* the entire Pesach, but one who does fulfill a mitzvah. The *Chizkuni* understands that the Gemara which says eating *matzah* the entire Pesach is a *reshus* [optional] is not literal and one indeed gets a mitzvah for every *kezayis* of *matzah* he eats on Pesach. If so, why does the Gemara says a expression of *reshus*? The *Meforshim* explain that the *Chizkuni* means that relative to the first night of Pesach - that whatever happens one needs to eat *matzah* - the rest of Pesach is a *reshus*, however, one still gets mitzvah for every *kezayis* he eats.

The above is not only the opinion of the *Chizkuni* the Gaon also holds like this. In *Maaseh Rav* (185) it's brought: "Eating *matzah* all seven days is considered a mitzvah and is only referred to as non-obligatory in relation to the first night [of Pesach] on which there is an obligation [to eat *matzah*]. This mitzvah [to eat *matzah* all seven days] is *min haTorah*."

### Is the Opinion of the Gaon Universally Accepted?

The above *chiddush* of the Gaon is far from universally accepted and there is diversion of opinions about the above. There are those who hold that every *kezayis* of *matzah* one eats over Pesach is a mitzvah. There are those who hold there is no mitzvah. Others hold every time one eats *matzah* he should make a *berachah* and there are even opinions that hold one shouldn't eat *matzah* the entire Pesach.

We will discuss the divergent opinions below:

#### 1) Every *Kezayis* is a Mitzvah

The *Chizkuni* and the Gaon both hold that for every *kezayis* of *matzah* one eats on Pesach he gets a mitzvah. This also seems to be the opinion of the *Baal HaMaor*.

The *Baal HaMaor* (*Pesochim* 26a, *MiDafay HaRif*) asks: ויש ששואלין באכילת מצה מה טעם אין אנו מברכים עליה כל ז' כמו שמברכים על הסוכה כל ז' דהא גמרינן מהדדי שלילה הראשון חובה מכאן ואילך רשות בין במצה בין עליה כל ז' - ודוחן וכל מיגי פירות משא"כ בסוכה שאין יכול לעמוד בלא שינה ג' ימים והוא חייב לישן בסוכה ולטייל בה - "Some ask, why we don't make a *berachah* on eating *matzah* during the seven days of Pesach just like we make a *berachah* on sitting in the *succah* all seven days of Succos, especially as we base the *halachos* of one on the other, such as the status of the first night being obligatory for both and not obligatory during the rest of the Yom Tov?"

The *Baal HaMaor* answers: ויש להשיב לפי שאדם יכול בשאר ימים לעמוד בלא אכילת מצה ויהיה ניזון באורד - "The answer is that a person can go through the rest of the days of Pesach without eating *matzah*, and sustain himself on other foods, whereas it's impossible to not sleep all seven days of Succos and one is required to sleep in the *succah* and spend time in the *succah*." Since it's impossible to go the entire Succos without eating/ sleeping in the *succah*, *Chazal* fixed that we should make a *berachah* every time. On Pesach however one can go the entire Pesach without eating *matzah*, therefore *Chazal* never fixed a *berachah*.

The *Avnei Nezer* (*Orach Chaim* 377) speaks out, from the fact that the *Baal HaMaor* has such a question it must be he holds there is a mitzvah to eat *matzah* the entire Pesach. If there was only an obligation on the first night, the question of the *Baal HaMaor* wouldn't start.

Rav Yosef Engel (*Gilyonei Hashas Pesochim* 38a) makes the same *diyuk* [implication] from the *Baal HaMaor*. He also has a second *diyuk* from a Gemara in *Pesochim* (38a). The Gemara says: “*Matzos* made from *ma’aser sheini*, according to R’ Meir, cannot be used to fulfil the mitzvah on **Pesach**, and according to the Rabbonon can be used to fulfil the mitzvah on **Pesach**. An esrog of *ma’aser sheini*, according to R’ Meir, can be used to fulfil the mitzvah on **Yom Tov**, and according to the Rabbonon, can’t be used to fulfil the mitzvah on **Yom Tov**.”

The Gemara teaches that one does not fulfil the mitzvah of *matzah* or *esrog* with an item of *ma’aser sheini*. The Gemara explains both *matzah* and *esrog* must belong to you, and R’ Meir maintains that *ma’aser sheini* is *mamon gavo’ah* [sanctified money belonging to *hekdesh*], rather than your own property. However, R’ Yosef Engel notes that in the context of *esrog*, the Gemara uses the expression *Yom Tov*, whereas in the context of *matzah* the expression *Pesach* is used. R’ Yosef Engel explains that this is because one who eats *matzah* all the days of *Pesach* fulfils a mitzvah *min haTorah*. However, the mitzvah *min haTorah* of *lulav* and *esrog* applies only the first day of *Yom Tov*. Consequently, the broader term *Pesach* is used with respect to *matzah* and the more limited term *Yom Tov* is used with respect to the mitzvah of *esrog*.

[See however the *Tzitz Eliezer* (10: 27) who cites the *Melech Shlomo* on *Pesochim* (Mishnah 2:5) who in one of his interpretations explains that the term “*Pesach*” refers to the *matzah* that was eaten with the *korban Pesach*, rather than to the entire *Yom Tov*.]

It comes out the *Baal HaMaor*, *Avnei Nezer*, R’ Yosef Engel, *Chizkuni* and Gaon all hold that there is a mitzvah for every *kezayis* of *matzah* one eats on *Pesach*.

## 2) Only the *Kezayis* on *Seder* Night is a Mitzvah

The *Orchos Chaim* (*Hilchos Leil Pesach* 29) asks the same question as the *Baal HaMaor* and answers that the reason we don’t make a *berachah* the rest of *Pesach* is simply because on the rest of *Pesach* there is no mitzvah. He compares it to one who eats kosher meat because he isn’t allowed to eat non-kosher meat - on such a thing there is no *berachah*.

We see that the *Orchos Chaim* clearly holds there is no mitzvah of eating *matzah* the rest of *Pesach*.

The *Magen Avraham* (639) brings cites the *Maharil*: מצוה שאין משום שאין מצוה כל ד' היינו משום שאין מצוה – “The reason there is no *berachah* on eating *matzah* all seven days is because there is no mitzvah to eat it, rather one is not violating the prohibition of eating *chometz*, which is not the case with *succah*.”

It is clear from the *Magen Avraham* that the reason no *berachah* is recited on *matzah* after the first nights of *Yom Tov* is that there is no mitzvah to eat *matzah* throughout the entire *Pesach*.

## 3) A *Berachah* on Every *Kezayis* Throughout *Pesach*

Many entertain the notion that according to the Gaon perhaps a *berachah* should be recited whenever one eats *matzah* during *Pesach*. In fact, the *Teshuvos Maharsham* (1:209) refers to a “*tzaddik*” who recited a *berachah* on *matzah* all seven days of *Pesach*. He notes however that this

“tzaddik” was actually acting against the halachah and should desist from his practice. He says, not only is he making a *berachah levatolah* [blessing in vain] but every time he makes a *berachah* of *achilas matzah* he is making a *hefsek* [interruption] between the *berachah* of *hamotzi* and eating *matzah* and therefore is going the entire Pesach without making a *berachah* on *matzah*. On *seder* night one says *hamotzi* and then the *berachah* of *achilas matzah*, however, on *seder* night there is a mitzvah and so the *berachah* doesn't constitute as *hefsek*. During the rest of Pesach however, the unnecessary *berachah* of *achilas matzah* constitutes a *hefsek*.

The consensus opinion seems to be that a *berachah* is not recited even according to the Gaon. However, the *Netziv* in his *Teshuvos Meishiv Davar* (2:77) writes that perhaps one who recites a *berachah* on an optional mitzvah has not violated the prohibition of *berachah levatolah*. He suggests that this may be the reasoning behind the position of Rav Saadia Gaon cited by the Rosh at the end of *Yoma* that one recites a *berachah* when immersing in the *mikveh* on *erev* Yom Kippur. According to the *Netziv* the practice of immersing in *mikveh* before Yom Tov is an optional mitzvah and one may recite a *berachah* when performing such a mitzvah.

#### **4) Refraining from *Matzah* the Entire Pesach Except the First *Kezayis***

There is an opinion that except for the first night of Pesach one shouldn't eat *matzah* the entire Pesach. The *Tzitz Eliezer* (13:65) cites such a *minhag*. He writes that some people who don't eat *matzah* the entire Pesach except on the first night because they are worried about a *chasash chimutz* [chance of *chometz*] in the *matzos*. *Matzos* are very difficult to make and if one is too quick or too slow they can easily become *chometz*, therefore they are 'machmir' [stringent] not to eat *matzah* except on the first night.

The *Tzitz Eliezer* finds it very difficult to except that the reason they don't eat *matzah* is because they are afraid that perhaps the *matzah* is *chometz*. If they are afraid the *matzah* is *chometz* then even on the first night they should refrain from eating it. True there is mitzvah to eat *matzah* but if the *matzos* might be *chometz* then what can one do. He says this reasoning seems very inconsistent. Furthermore, the *Tzitz Eliezer* argues that there is a mitzvah to eat bread or *matzah* every day of Pesach, especially Shabbos and Yom Tov. How could they ignore this obligation? If we accept the opinion of the *Chizkuni* and Gaon, then the followers of this practice also negate the fulfillment of eating *matzah* all Pesach.

Therefore, he suggests a second reason as to why maybe some people have the custom to only eat *matzah* on the first night of Pesach. He speculates perhaps the reason is because there was a group of people known as the *Keroim* (*Keraitz*) and they didn't believe in any *droshas* that *Chazal* made, they took the Torah literally. The *pasuk* literally says: שבעת ימים מצות תאכלו – “You shall eat *matzah* for seven days”. The *Keroim* who would take *pasukim* literally would deduce from the above *pasuk* that there is a strict obligation to eat *matzah* all seven days. Therefore, to counterbalance their opinion, the *Tzitz Eliezer* suggests people adopted the *minhag* to only eat *matzah* on the first night of Pesach.

The *Tzitz Eliezer* however doesn't agree with the above, and he says, for one to give up on such a special opportunity of getting a mitzvah every time one eats a *kezayis* of *matzah* just because of a group of people who take the Torah literally is not a wise decision to make.

### Various Proofs to the Opinion of the Gaon

The Gaon himself does not bring any proofs from the Gemara that one who eats *matzah* all seven days of Pesach performs a mitzvah. However, later *seforim* locate a number of Gemaras that seem to prove the Gaon's thesis.

1) The Gemara in *Pesochim* (28b) discusses the prohibition to derive benefit from *chometz* after Pesach. R' Yehudah is of the opinion that this is an *issur de'O'raisa*. However, R' Shimon assumes that the prohibition is only *midrabanan* in nature. The Gemara in *Pesochim* (28b) says: אמר לו רבי שמעון וכי אפשר לומר כן והלא כבר נאמר לא תאכל עליו חמץ שבעת ימים תאכל עליו מצות אם כן מה תלמוד לומר לא תאכל עליו חמץ בשעה שישנו בקום אכול מצה ישנו בבל תאכל חמץ ובשעה שאינו בקום אכול מצה אינו בבל תאכל חמץ – "R' Shimon said [to Rabbi Yehudah]: Can you say this? Does it not already say in the Torah "do not eat *chometz*, for seven days eat *matzah*", and if so, what is the meaning of "do not eat *chometz*" – when there is a mitzvah to eat *matzah* there is a prohibition to eat *chometz*, and when there is no mitzvah to eat *matzah* there is no prohibition of eating *chometz*." Effectively, Rabbi Shimon is arguing that the prohibition of *chometz* cannot exist after Pesach since at that time there is no mitzvah to eat *matzah*.

The *Pnei Yehoshua* asks how R' Shimon can link the prohibition to eat *chometz* with the mitzvah to eat *matzah* when the mitzvah to consume *matzah* applies only the first night of Pesach, and not throughout the Yom Tov. Therefore, the *Pnei Yehoshua* concludes that it would seem from this Gemara that R' Shimon holds like the Gaon that one who consumes *matzah* all seven days of Pesach fulfils a mitzvah.

2) Rabbi Yechezkel Abramsky, in his *Chazon Yechezkel*, cites another Gemara that indicates that one fulfils a mitzvah by consuming *matzah* all seven days of Pesach. The Gemara in *Pesochim* (38b) teaches that one does not fulfil the mitzvah of *matzah* with the *matzah* that was baked for the *korban todah*. The reason offered is, only *matzah* that can be eaten for seven days may be used to fulfil the mitzvah. If eating *matzah* for the duration of Pesach is not a mitzvah at all, why would the Gemara insist on *matzah* that can be eaten for all seven days? It would seem from the Gemara that the mitzvah of *matzah* is relevant for all seven days of Yom Tov. This accords nicely with the position of the Gaon.

3) The *Netziv* in his *Teshuvos Meishiv Davar* (2:77) cites a third Gemara that seems to indicate that one who eats *matzah* all seven days of Pesach has fulfilled a mitzvah. The Gemara in *Pesochim* (40a-b) teaches that the mother of Mar, the son of Ravina, would fill baskets with wheat to prepare for the *matzos* of Pesach. The *Netziv* wonders, what was the need to prepare so much wheat for *matzos*? Apparently, there was a need for so much *matzah* since the mitzvah to eat *matzah* is not limited to the first night of Yom Tov alone. Rather, any *matzah* consumed for seven days of Pesach fulfils this important mitzvah.

4) A fourth Gemara is the Gemara we mentioned above from R' Yosef Engel.

### **Given That There is a Mitzvah to Eat *Matzah* All Seven Days of Pesach, What *Matzah* Does One Need to Eat?**

According to *Netziv* we mentioned above, it would seem not only is there a mitzvah to eat *matzah* all seven days of Pesach, but that *matzah* must be *shmura matzah* as well. Effectively, this means that the mitzvah to consume *matzah* all seven days of Pesach is an extension of the mitzvah to eat *matzah* on the *seder* night. As such, the same type of *matzah*, *shmura matzah*, which is required on *seder* night, is needed to fulfil this mitzvah of eating *matzah* all seven days. (The Gaon himself was careful to eat only *shmura matzah* all seven days of Pesach. See *Maaseh Rav* 186. However, the reason mentioned there is not to be able to fulfil the mitzvah of eating *matzah* all seven days but because of the concern for *chometz*.)

Rav Forshlager (*talmid* of the *Avnei Nezer*) in his *sefer Toras Michoel* (*perek* 14) addresses a question posed by the *Chelkas Yo'av*. The *Chelkas Yo'av* (1:21) asks why we need a *pasuk* to obligate women in the eating of *matzah*. If the Gaon is correct that there is a *mitzvas hareshus* [optional mitzvah] to eat *matzah* all seven days of Pesach, then women should be obligated to eat *matzah* without a special *pasuk* - since the exemption of women from time bound positive *mitzvos* applies only to obligatory *mitzvos*, not to optional ones. Rav Forshlager answers that the mitzvah to eat *matzah* all seven days is an extension of the mitzvah from the *seder* night. Consequently, in the absence of a *pasuk*, women would not have to eat *matzah* the first night and despite the voluntary nature of the mitzvah the rest of the Yom Tov, they would be exempt all seven days, much as they are exempt from eating the first night. Rav Forshlager is arguing that because women are obligated to eat *matzah* the first night, they fulfil a mitzvah with the *matzah* they consume the rest of Pesach.

The argument continues that this can serve to explain, as well, why according to the Gaon a *berachah* is not recited every time one eats *matzah* throughout Pesach. After all, if eating *matzah* is the fulfilment of a mitzvah, shouldn't a *berachah* be recited? Rav Forshlager explains that the *berachah* one recites at the *seder* pertains to and serves to exempt all the *matzah* consumed during Pesach. This logic has led some modern day *poskim* to posit that when one recites the *berachah* on *matzah* at the *seder* he should have in mind to exempt all the *matzah* that he will eat throughout the Yom Tov.

R' Moshe Sternbuch (*Moadim U'Zemanim*, 3:267) says like the above, that when one eats *matzah* on *seder* night, he should have in mind when he makes the *berachah* "*al achilas matzah*" that it's going on the *matzah* he eats the entire Pesach similar to what we do with *shehechayanu* on Purim. We say it once on Purim morning and have in mind all the *mitzvos* that we will do later on throughout the day. He says, based on this, we can understand why the *berachah* is "*al achilas matzah*" and not "*lechol matzah*", as the *berachah* is not only going on the mitzvah that is immediately in front of us but it's going on the *matzah* we will eat throughout Pesach.

However, Rav Forshlager's assumption that the mitzvah to eat *matzah* all Pesach is an extension of the *seder* night is not entirely conclusive. There is a Gemara in *Pesochim* (36a) which indicates that there is no mitzvah to eat the type of *matzah* one eats at the *seder* all seven days of Pesach.



The Gemara in *Pesochim* (36a) writes: יומא קמא לא תלושו לי בדובשא מכאן ואילך לושו לי בדובשא – “The first day don’t knead [*matzah*] with honey, from then on, knead [*matzah*] with honey”. Rabbi Yehoshua ben Levi told his sons that on the first day of Pesach they should not knead *matzos* for him with honey, but the rest of Yom Tov they may do so. This statement may be understood in one of two ways. Either the Gemara is taking issue with the Gaon and assumes that there is no mitzvah whatsoever to consume *matzah* all seven days of Pesach. Alternatively, the Gemara assumes that there is a mitzvah to consume *matzah* for all seven days of Pesach, but the substance of the *matzah* that is consumed throughout Pesach need not be *lechem oni*- poor man’s bread, and *matzah ashira* would suffice. I saw brought down from a *sefer* called *Peninei MiBai Midrasha* that the second possibility is more correct. There is a mitzvah to consume *matzah* all seven days of Yom Tov; however, the *matzah* one consumes the rest of Yom Tov need not be *lechem oni*.

### **Why Should the First Night be Different?**

It is well known that *matzah* represents two opposite notions - freedom and slavery. Therefore, perhaps we can explain that the aspect of slavery is commemorated on the first night of Yom Tov only. Consequently, only on the first night is there a mitzvah to eat *lechem oni*. The mitzvah that is fulfilled the rest of Pesach is a commemoration of freedom. Therefore, even *matzah ashira* may be eaten.

This position, as intriguing as it sounds, is actually quite difficult. The Torah writes: לא תאכל עליו חמץ – “For seven days you should not eat *chometz*; rather you should consume *matzah*, ***lechem oni***” (*Devorim* 16:3). It would seem from the above *pasuk* that one is only fulfill the mitzvah of eating *matzah* all seven days of Pesach by eating *lechem oni* and not *matzah ashira*.

[It’s interesting to note that the Gaon was careful to eat *shalosh seudos* on the last day of Pesach, while he was not careful to eat *shalosh seudos* on other Yomim Tovim. This indicates that he believed that each additional *kezayis* of *matzah* that was eaten would constitute another mitzvah. He therefore went out of his way to eat an additional meal and thereby fulfil an additional mitzvah.]

### **Hand Matzos Vs. Machine Matzos?**

A controversy that has been raging for many years is whether machine baked *shmurah matzos* are acceptable to fulfil the mitzvah of *matzah* at the *seder*. Below we will discuss what we see from the Gemara and *Rishonim* and bring some of the opinions of the *poskim*. The following is a big topic and there is more to discuss than what we will bring.

#### **Gemara and *Rishonim***

The Torah commands us: ושמרתם את המצות – “to guard the *matzos*” (*Shemos* 12:17). The Gemara (*Pesochim* 38b) writes that this *pasuk* teaches that *matzah* must be, מצה - “watched for the sake of *matzah*”. Rashi explains that the Torah requires two tasks when it demands us to watch *matzah*. First, to make sure that it does not become *chometz*, and second, that one intends to make the *matzah* for the sake of the mitzvah. (This applies only to *matzah* to be consumed for the sake of the mitzvah to eat *matzah*.)

The Rosh (*Pesochim* 2:26), similarly, brings from the Geonim (*Sheiltos Parshas Tzav* and Rav Kohen Zedek) that only *matzah* baked by a Jew can be used for the mitzvah of *matzah*. This is because only *matzah* baked by a Jew can be considered baked for the sake of the mitzvah of *matzah* (“*lishma*”).

On the other hand, the Rosh brings the opinion of Rav Hai Gaon that *matzah* which was baked by a non-Jew but supervised by a Jew to ascertain that no *chometz* was mixed in, is acceptable. In fact, the Ritva (*Pesochim* 40a) cites the Re’ah who suggests that *matzah* does not have to be produced exclusively for the sake of the mitzvah. Rather, it suffices that the *matzah* be supervised for the sake of *matzah*. The Rambam’s opinion regarding this issue is not clear. See *Hilchos Chametz U’Matzah* 5:9, 6:5, and 8:13 and the *Maggid Mishnah* to 5:9.

The Rosh concludes this by noting that: ובעלי מעשה וחסידים והתמימים מחמירין על עצמן כגאונים המחמירין – ולשין ואופין בעצמן – “Pious individuals, bake the *matzos* by themselves”. The *Shulchan Aruch* (*Orach Chaim* 460:2) cites the Rosh and notes that it is proper for everyone to be personally involved in the mitzvah of baking *matzos*.

### How Do We Rule?

The *Shulchan Aruch* (460:1) rules like Rashi and the *Shailtos* that *matzah* must be made by a Jew for the sake of the mitzvah of *matzah*. The common *minhag* is for those involved in the preparing of *matzah* to expressly state (see *Biur Halachah* 460:1) that their actions are done for the sake of the mitzvah of *matzah*. The *Mishnah Berurah* (460:3) and *Shaar HaTziyon* (460:4) note the lenient opinions among the *Rishonim* who can be relied upon in exceptional circumstances, that *matzah* merely supervised by a Jew but not produced by a Jew can be used for the *seder*.

It is also important to note that the Rosh cites three opinions regarding from what point the *matzah* for the mitzvah must be watched that it not become *chometz*. The Rosh suggests that it suffices to watch the *matzah* from the point of kneading (*lisha*) but notes the practice among Jews in Germany and France to watch beginning from the time that grinding (*techina*) begins. He cites the Rif, however, who believes that it should be watched from the time of cutting of the grain (*ketzira*). This is the opinion of the Rambam (*Hilchos Chametz U’Matzah* 5:9) as well. The *Shulchan Aruch* (453:4) *paskens* to a certain extent in accordance with the strict view, in that it is best to watch the wheat from *ketzira*. The *Shulchan Aruch* writes that at minimum the wheat should be watched from the time of *techina* and in case of great need it may be watched from the point of *lisha*. See, however, the *Mishnah Berurah* (453:24) on why today it is absolutely essential that the grain be watched from the point of grinding due to changes in the processing of grain.

The *Mishnah Berurah* (460:2) points out that in preparing *matzah* not intended to be used to fulfill the mitzvah of eating *matzah*, one is not required to watch it for any other reason other than that it is best to be stringent that the *matzah* that one consumes the entire Pesach be watched from the point of *ketzira*. The *Aruch HaShulchan* (453:23) similarly writes that it is undoubtedly preferable to restrict the *matzah* one eats on Pesach to that which has been watched from *ketzira*.

## Machine *Shmura Matzah*

The introduction of machine made *shmurah matzah* in the nineteenth century aroused great controversy. Rav S.Y. Zevin presents the following history of the events regarding this issue:

A great controversy erupted among the Rabbi's. In every land there were those who were forbade [use of *machine shmurah matzah*] and those who permitted [machine made *shmurah matzah*]. In Galacia, Rav Shlomo Kluger of Brody ruled that it is certainly forbidden and Rav Yosef Shaul Nathanson ruled that it is certainly permitted. Special publications were prepared that dealt only with this issue. The work "*Moda'ah L'Beis Yisroel*" was composed by those espousing the strict view, and "*Bitul Moda'os*" was written by those espousing the lenient view.

The basic arguments for this issue are as follows. Those who rule strictly point to the fact that minors, non-Jews, or those who are mentally incompetent are disqualified from preparing *matzah*, because *matzah* must be made *lishma*. Minors, non-Jew's, and mentally incompetent individuals are, *halachically* speaking, incapable of baking *matzah lishma* because only a mentally competent adult Jew is considered capable of making *matzah lishma*.

The lenient opinion counters that if the individual who presses the button to begin the operation of the machine is a mentally competent adult Jew then that suffices to have the *matzah* be considered to be made *lishma*.

The strict opinion replies that pressing the button does not suffice to be considered as if one made the *matzah "lishma"*. They argue that it is analogous to a water powered machine which performs *shechita* [slaughtering] upon an animal. The Gemara (*Chullin* 16a) explains that only the first (immediate) action (*ko'ach rishon*) is considered to be a valid *shechita*. Only the first action of the machine is considered to be an action that is performed by a person (*shechita* must be performed by a person, see Mishnah in *Chullin* 31a). Any subsequent *shechitas* are considered to be invalid because the *shechita* is considered to be performed by the machine. The person's actions are considered too indirect or remote to have the subsequent *shechitas* be considered his actions. The *shechita* is only indirectly caused by the person, (*grama*), and thus is invalid.

Similarly, only the very immediate action of the *matzah* machine relates to the person who pressed the button. Afterwards, all the *matzah* is made by the *ko'ach* [force] of the machine and is analogous to *matzah* made by a non-Jew which is not considered to be made *lishma*.

The lenient argument is that by *matzah* the halachah does not require that the preparing action be performed by human action (*ko'ach adam*). Rather, as long as the process of making the *matzah* is begun *lishma*, the rest of the process is deemed acceptable, even though the process is not considered to be done by human action. The *Chazon Ish* (*Orach Chaim* 6:10) explains that as long as the process is begun explicitly *lishma*, the remainder of the process is viewed as *stama lishma* and human action is not a requirement (*stama lishma* means, roughly, "auto pilot *lishma*," see *Zevachim* 2b).

Interestingly, there exists the same controversy as to whether wool, which is spun by machine, but the process is begun *lishma*, is acceptable for *tzitzis*. Many *poskim* rule leniently on this issue (aforementioned *Chazon Ish*, *Achiezer* 3:69, and *Har Tzvi*, *Orach Chaim* 6).

## Conclusion

Since the issue of the use of machine *shmura matzah* is mired in controversy it seems that machine *shmura matzah* should be used only in case of great need (as Rav Ovadia Yosef rules, *Teshuvos Yechave Daas* I:14). It is, however, undoubtedly acceptable for those who wish to follow the Gaon who says that whenever one eats *matzah* throughout Pesach he fulfils a mitzvah. Similarly, machine *shmura matzos* are certainly acceptable for those who wish to restrict their eating of *matzah* on Pesach to only that which was watched from the time of *ketzirah*.

## Round or Square

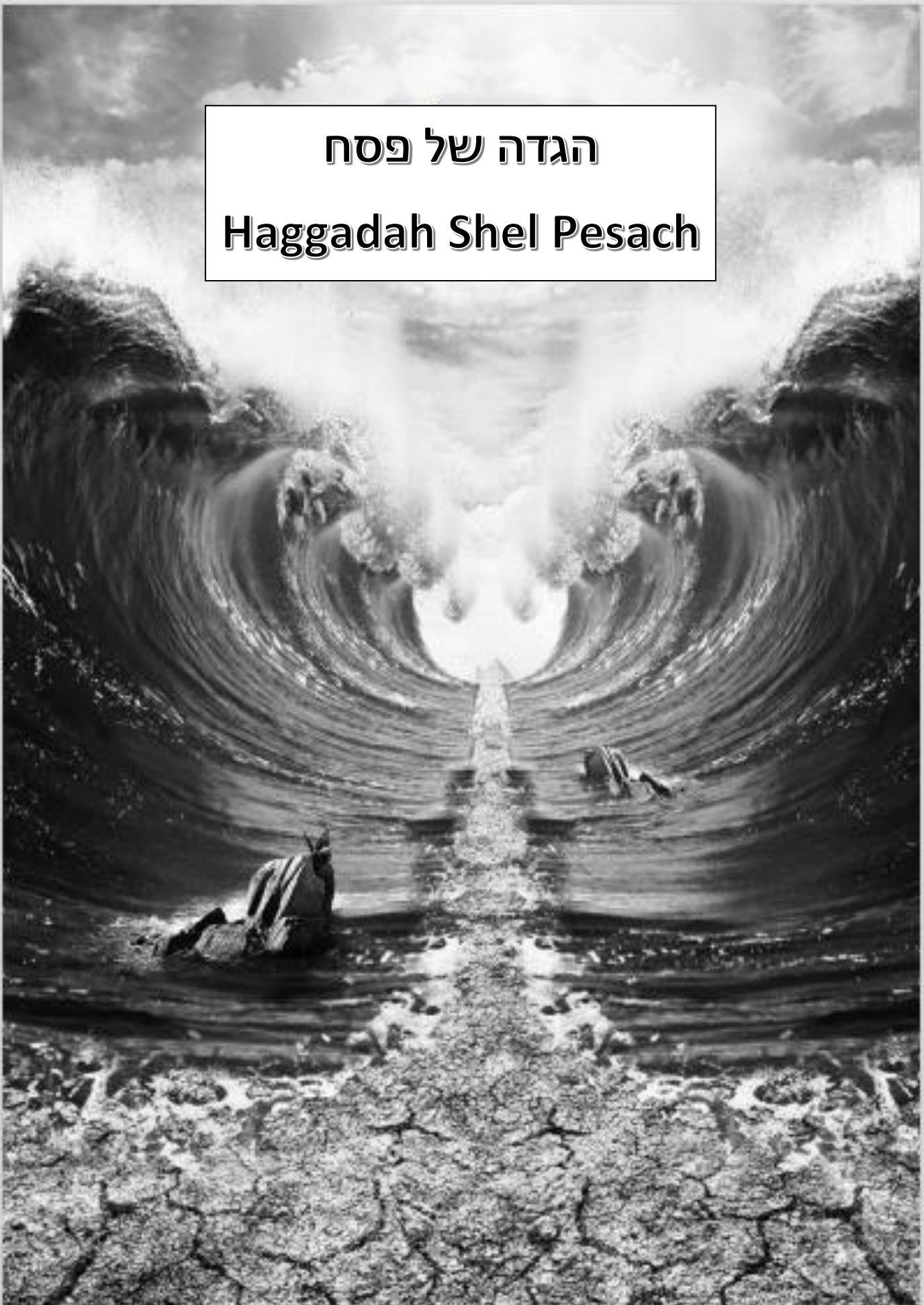
Some people argued that one shouldn't use machine *matzah* as *matzah* has always traditionally been round and machine *matzos* are square. Similarly, the *pasuk* says: ויאפו את הבצק אשר הוציאו וממצרים עגת מצות – “And they baked unleavened cakes of the dough that they had taken out of Egypt” (*Shemos* 12:39). The Torah describes *matzos* as ‘*ugos*’ and many *Meforshim* learn that this means round.

The *Shoel U'Meishiv* and others however dismiss this argument. The *Kesav Sofer* also dismissed the concern by stating: “In the merit of the four-cornered *matzos*, may Hashem redeem us from the four corners of the earth”!

## Some Additional Reasons for Round *Matzos*

- 1) *Matzos* are called “*lechem oni*”. Poverty is like a wheel that turns, hence it is round.
- 2) Tisha B'Av falls on the same day of the week as the first night of Pesach. Therefore, as a remembrance for the *aveilus* on the *churban*, we eat eggs by the *seder*; for the same reason the *matzos* are round.
- 3) At the time, the law in Mitzrayim was that one made his bread in a triangular or squared shape according to how many "gods" he believed in. Therefore, in order to separate themselves from this, the Jews made their breads round, signifying the Oneness of Hashem.

הגדה של פסח  
Haggadah Shel Pesach



## Haggadah Insights

קדש. ורחץ. כרפס. יחץ.

מגיד. רחצה. מוציא מצה.

מרור. בורך. שולחן עורך.

צפון. ברך. הלל. נרצה.

### A Clever Remez in the Seder Night Poem

We traditionally start the Pesach *seder* by singing a poem which contains the 15 things that we do on *seder* night. Many *meforshim* have found homiletical meaning in the above poem, aside from its obvious purpose of reminding us how to conduct the *seder*. For example, R' Yehoshua Segal Deutsch *zt"l* (rabbi of the Katamon neighbourhood of Yerusholayim) writes as follows:

Dovid HaMelech asks (*Tehilim* 24:3): ומי יקום במקום קדשו - "Who will climb Hashem's Mountain, and who can stand in His holy place?" This poem tells us how one can stand before Hashem and not worry about falling: "*kadeish u'rchatz*" / sanctify yourself and be confident! ("*rechatz*" in Aramaic means "be confident.")

How does one accomplish this? "*karpas yachat*" / man's material nature (which, like *karpas*, comes from the earth) cannot be reined in overnight. Rather, divide ("*yachat*") and conquer. According to one commentator, Bnei Yisroel's defence for the *chet hoeigel* [sin of the golden calf] was that Matan Torah [the giving of the Torah] had been too sudden for them and left them confused and disoriented.

Another tactic is "*maggid rachtzah*" / Tell others to cleanse themselves. This will inspire you to do the same.

However, one might ask, "Who am I to rebuke others?" The answer to this is "*motzi matzah*" / get rid of that humility, that view of oneself as being lowly as *matzah*. As important as humility is, there is no place for it when one sees others violating the Torah. However, do not become arrogant or haughty, but rather "*marror korech*" - wrap yourself in a cloak of authority (= "*marah*") which you can use when rebuking others, but can shed at other times.

In order to be an effective teacher, "*shulchan oraich*" / make sure your Torah knowledge is like a set table before you so that it will always be at your fingertips. Also, make sure that your rebuke does not become a weapon of the Heavenly prosecutor. Make sure that "*tzafun baraich*" / hidden ("*tzafun*") within your heart should be blessings for your fellow Jews. You should also "*hallel*" / praise your brethren before Hashem.

If you do this, your deeds will be "*nirtzah*" / accepted by Hashem. (*Haggadah Shel Pesach Kol Yeshuah*)

## Why the Seder is Called So?

Why is the Pesach *seder* referred to as such? Why don't we call it something else?

R' David Moshe HaKohen zt"l (son-in-law of the last Radomsker Rebbe) offers the following explanation:

Regarding all foods prohibited by the Torah, there is a minimum amount that one must eat before he is considered to have transgressed. (Usually, that amount is a *ke'zayis* [the volume of an olive].) *Chometz* however is different and is prohibited down to the smallest morsel. Also, in no case where the Torah prohibited eating a particular food did the Torah prohibit owning the food. No other food-related prohibition requires us to search for the contraband and destroy it. Why does *chometz* have these unique requirements?

The *Radvaz* famously answers this by referring to the Medrash which alludes to a connection between *chometz* and the *yetzer horah*. Just as *chometz* rises, the *yetzer horah* causes a person to "rise," i.e., to become haughty. Just as one is supposed to uproot every vestige of the *yetzer horah* from within himself, so one must uproot every vestige of *chometz* from his house.

There are four ways to interpret the Torah: *peshat* - the simplest explanation, *remez* – allusion (e.g., *gematria*), *drush* - homiletics, and *sod* - the esoteric meaning. It seems, however, notes R' David Moshe, that there is no "simple" explanation for the severity of the prohibition of *chometz*. The *peshat* is missing, and all that is left is the "*SeDeR*" – *sod*, *drush* and *remez*. (*Haggadah Shel Pesach Tiferes Shlomah* p. 53)

## קדו

### The Four Cups of Wine

The Pesach *seder* begins with *kiddush*, which is the first of the four cups of wine that we are required to drink. The four cups of wine which we drink at the *seder* are traditionally associated with the four expressions of redemption in *Shemos* (6:6-7): "I shall take you out from under the burdens of Egypt ... I shall rescue you from their service; I shall redeem you with an outstretched arm and with great judgments. I shall take you to Me as a people". But why are there four different expressions for redemption? Also, why are these commemorated specifically with wine?

Rav Shlomah Zalman Auerbach famously explains that the four expressions of redemption aren't four different phrases connoting freedom, but four different levels of freedom, with each one being higher than the one below it. Therefore, *Chazal* specifically instituted a requirement to drink four cups of wine because wine is unique in that each additional glass isn't simply more of what we've already had, but rather it qualitatively brings additional joy and happiness.

With apples or any other food, this isn't the case, as each additional fruit is essentially the same as those which preceded it, and by the third and fourth serving one is already accustomed to it and it adds little additional value. Because we are commemorating the four expressions of redemption and the fact that each represents a higher level of freedom and joy, wine is the appropriate means for doing so.

An alternative explanation I saw brought down from R' Ozer Alport is, wine is unique in that it is made from grapes. In their state as grapes, there is nothing particularly special about them, and the *berachah* recited when eating them is the same as for any other fruit. Only after they have been crushed with the proper amount of pressure does their juice come out, at which point it must be left to ferment in the right environment so that it becomes wine and not vinegar. In this sense, grapes are a perfect metaphor for the experience of the Jewish people in Mitzrayim. The Mitzriyim constantly pressed and squeezed the Jewish slaves, but their doing so was part of Hashem's master plan to subject the Jewish people to a כור הבזרל - iron furnace, in order to purify them and bring out their true greatness.

In fact, the very name Mitzrayim refers to constricting borders, which describes the experience of the Jewish slaves in Mitzrayim. However, just like the liquid secreted by the grapes, the Jews had a choice to succumb to the tests and trials and become vinegar, or to rise and overcome them to maximize their potentials by becoming wine. Because wine is unique in this regard and contains this symbolic message, *Chazal* specifically commanded us to use it to represent the four expressions of redemption.

### **The Four Levels of Freedom**

We mentioned above from R' Shlomo Zalman that the four expressions of redemption aren't four different phrases connoting freedom, but four different levels of freedom, what exactly were the four levels?

The *Chida* in his *Pesach Einayim* explains the four levels as follows: (1) The plagues began one year before Yetziyas Mitzrayim, and surely that resulted in some lightening of Bnei Yisroel's enslavement. (2) Six months later, in the month of Tishrei, the enslavement ended entirely. (3) In Nissan, they were redeemed. Nevertheless, they were not entirely free, because another king could have captured them and enslaved them. That is why Hashem split the sea, which (4) demonstrated His special relationship with Bnei Yisroel and frightened all of the nations of the world. [This highlights the audacity of Amalek, the one nation that was not intimidated.]

The *Chida* concludes, that this is the meaning of the aforementioned expressions of redemption: "I shall take you out from under the burdens of Egypt" alludes to lightening their enslavement. "I shall rescue you from serving them" refers to ending the slavery. "I shall redeem you with an outstretched arm and with great judgments" hints at the actual *yetzias* Mitzrayim. Lastly, "I shall take you to Me for a people" refers to Hashem's demonstrating that we are His people, and no one else's.

The Gemara (*Pesochim* 109b) says: "The Rabbis established four cups of wine, and each is a separate mitzvah." In the light of the above explanation, writes the *Chida*, i.e., that each cup represents a separate aspect of the redemption, we can understand why each cup is a separate mitzvah.

### **The Cup of Redemption: How The Four Cups At The Seder Are Connected To The Four Cups Of Pharaoh In The Wine Stewards Dream And The Attitude That Should Engender**

וּכְּסוּ פָּרְעֹה בַּיַּד... וְאֶשְׁחַט אוֹתָם אֶל כּוֹס פָּרְעֹה וְאֶתְּנֶה אֶת הַכּוֹס עַל כַּף פָּרְעֹה... וְנָתַתְּ כּוֹס פָּרְעֹה בְּיָדוֹ – "The cup of Pharaoh is in my hand... I squeezed them into the cup of Pharaoh, and I gave the cup on the hand of Pharaoh... and you shall give the cup in Pharaoh's hand (*Bereishis* 40:11-13).



When the cupbearer of Pharaoh told his dream to Yosef and when Yosef interpreted it, the word cup appears in the *pasukim* four times. We are told (*Shemos Rabbah* 6:4, *Yerushalmi Pesochim* 10:1) that the four cups at our Pesach *seder* correspond to the *arba leshonos shel geulah*, the four terms of redemption, which are mentioned in the Torah (*Shemos* 6:6-7). They are: “*Ve’hotzeisi* – I will take you out” of Egypt; “*ve’hitzalti* – I will rescue you” from servitude; “*ve’ga’alti* – I will redeem you;” and “*ve’lakachti* – I will take you” as My people.

The *Yerushalmi* says that another reason for the four cups is the four times that the cup of Pharaoh is mentioned in the above *pasukim*. What message were *Chazal* trying to convey in this association? What lesson can we learn from the cup-bearer’s dream and those four cups of Pharaoh, when we drink our four cups of wine at the Pesach *seder*?

Rav Eliyohu Klatzkin, in *Chibas HaKodesh (Cheilek HaDerush 1)*, offers a beautiful explanation of this *Yerushalmi*, which takes into account the actual context of the four cups of Pharaoh – namely, the dreams and ambitions of an imprisoned man, the *sar hamashkim*.

What was it that led Yosef to give a favourable interpretation to the cup-bearer, and a moment later to give a dismal interpretation to the baker? This question takes on great significance in light of the Gemara (*Berachos* 55b), which states that a dream follows its interpretation, and is often a reflection of what the dreamer thought about during the day. Although the Gemara says that the interpretation must be similar to the dream, why was Yosef unable to find something within the dream of the *sar ha’ofim* that could be interpreted favourably, as he did for the cup-bearer?

As we read the cup-bearer’s rendition of his dream, we note the repeated emphasis of the cup of Pharaoh, which indicates a person longing and even obsessed to return to his former post. The cup-bearer had obviously taken pride in serving Pharaoh before, and hoped to be given the chance to return to his job. Thus, when Yosef listened to the dream, he gave a positive interpretation. Since the cup-bearer was a person who only wanted to serve his master, any offense he may have committed (in which a fly was found in the cup of Pharaoh) was no doubt inadvertent, and he deserved another chance.

In the dream of the baker, however, there is no indication that he longed to return to serve Pharaoh. He never mentioned or described himself as baking for or serving his master, only that there was a basket of Pharaoh’s bread above his head. In fact, he should have carried the bread in his hand, where it would have been safer from birds. Signs of loyalty or devotion to his master were starkly absent from the dream. It seems he never cared about the royal personage he served; he only wanted the job so that he could fill his stomach with royal fare. The offense, in which a stone was found in the bread of Pharaoh, was a true offense to Pharaoh. According to the letter of the law, he deserved to be punished for his wrongdoing. Yosef could not find any redeeming factor in the dream to enable him to interpret it favourably. Therefore, Yosef delivered the interpretation that the baker would be killed and would never return to his position.

This, writes Rav Klatzkin, is why *Chazal* mandated four cups at the *seder*, corresponding to the four cups of Pharaoh. When we drink our wine and reflect on our liberation from Egypt, we should have in mind something akin to the longings and ambitions of the cup-bearer. He only wanted to be freed in order to return to serve his master and to continue to show his devotion to the king. In the same

vein, when thanking Hashem for deliverance from Egypt, we should also recall the true purpose of freedom.

Whatever pit we find ourselves in, our longing and prayer for redemption should be only to serve Hashem. Our ambition must be to keep His Torah and *mitzvos* and bask in His radiance, not the personal pleasure or physical perks that come with *geulah* and freedom.

And just as the longing to serve was the catalyst for the cup-bearer's freedom, so, too, our desire and longing to serve Hashem will be the merit that frees us from our pits, and allows us to go from darkness into light. (R' Avraham Bukspan)

### **A Clever Pshat in An Interesting Gemara and a Great Reason Why We Have Four Cups by the Seder**

שנה ושמונים בני ישראל אשר ישבו במצרים שלשים שנה וארבע מאות שנה – “Now the sojourning of the people of Yisroel, who dwelt in Egypt, was 430 years” (*Shemos* 12:40).

The Gemara (*Sanhedrin* 91a) describes a legal claim the Egyptians brought before Alexander the Great. They were trying to recoup the vast fortune that the Yidden had taken from Mitzrayim at Moshe's behest. Their argument was that the Jews had only borrowed this great wealth, and now it needed to be returned.

Geviha ben Pesisa advocated on behalf of the Jews. His counterclaim was that 600,000 people left Egypt (*Shemos* 12:37), who had been in Egypt for 430 years. Geviha demanded, “Pay us wages for that many people working for those many years.” After thinking it over for three days, the Egyptians realized that whatever was taken from their country was not adequate compensation for all those years of servitude.

Case dismissed!

Yet, the *Maharsha* asks an obvious question: We did not work in Mitzrayim for 430 years. We weren't even there that long; we were only in the country for 210 years. And most of those years were not spent as slaves. When we first descended to Egypt, we were treated royally. We were the family of Yosef, the saviour of Egypt. Only after all the *shevotim* died did the mistreatment begin.

In fact, the Medrash (*Shir HaShirim Rabbah* 2:11) writes that there were only 86 years of hard work. (The *gematria* of אלה-ים, which alludes to *Middas HaDin*, is 86.) These years began from the birth of Miriam, Moshe's older sister; that is why she was called Miriam, which comes from the root of מר, bitter, since that was when the Egyptians began to embitter the lives of the Jews, as it is written, וימררו את חייהם בעבדה קשה – “They embittered their lives with hard work” (*Shemos* 1:14).

So how could Geviha ben Pesisa state that we were there for 430 years and claim wages for all those years? The *Maharsha* says that the 86 years were so harsh that it was like 430 years.

Rav Marcus Lehmann, in his *Haggadah shel Pesach*, explains it differently. It's true that we did not work for 430 years, but only 86. On the other hand, although 600,000 people left Egypt, five times that amount did the actual work. The Torah tells us, וחמשים עלו בני ישראל מארץ מצרים – “And the Children of Yisroel were armed when they went up from Egypt” (*Shemos* 13:18). Rashi gives an alternative definition for the word *chamushim*, armed. חמשים can come from the word חמשה, which

means five; one fifth of the Bnei Yisrael ascended from Egypt, while four fifths died during the Plague of Darkness.

Thus, three million people worked for 86 years, which is the same as 600,000 people working for 430 years:  $600,000 \times 5 = 3,000,000$ ; and  $86 \times 5 = 430$ .

Geviha ben Pesisa did not have to fear that the Egyptians would question the validity of his claim, even though he said that the Jews had been in Egypt for 430 years. For if they would have countered that this was not the case, he could have brought up the abovementioned fact.

Rav Lehmann writes that based on this, we can bring a hint to why we have four cups at the *seder*. כוס, cup, is 86 in *gematria*. We raise the כוס four times to thank Hashem for the four times – כוס  $4 \times 86$  – which he took off of the calculation. By all rights, we should have worked for 430 years, five periods of 86, or כוס. (Our accounting of 430 years actually began from the *bris bein habesarim*, when Avram was told that his children would go into exile. The 400 years that Hashem told him about at that time began with the birth of Yitzchok; see Rashi *Bereishis* 15:13.)

Hashem, in His kindness, only had us work for 86 years, one period of כוס.

This is as it says in *Tehillim* (116:13): כוס ישועות אשא ובשם ה' אקרא – “I will raise the cup of salvations and the Name of Hashem I will invoke.” (R' Avraham Bukspan)

### **Why is There No Reference to *Mechiras Yosef* in the *Haggadah*?**

Rav Shlomah Kluger asks why there is no inference to *mechiras* Yosef [the sale of Yosef] in the *Haggadah*? The very reason that we were enslaved in Mitzrayim was because the *shevotim* sold Yosef there. If there is no mention of the problem, how will we know what to do, to make amends and avoid it happening again.

R' Shmuel Brazil answer as follows: We mentioned above that the four cups of wine which we drink at the *seder* are traditionally associated with the four expressions of redemption in *Shemos*. However, perhaps we can suggest an alternative explanation. The brothers of Yosef went down to Mitzrayim four times. (1) The first time they went down to Mitzrayim was to fulfil the command of Yaakov to bring back provisions to eat (*Bereishis* 42:1). (2) They then went home to get Binyomin and returned a second time, during their second visit Yosef revealed his true identity to them. (3) They then returned home and returned to Mitzrayim a third time with Yaakov and the seventy members of their family. (4) After Yaakov died, they went to bury him in Eretz Yisroel, and then they returned to Mitzrayim a fourth time, and this time their servitude began.

As hinted at in the words כתנת פסים [the name given to the special garment that Yaakov gave to Yosef], Yosef was sold four times: פוטיפר, סוחרים, ישמעאלים, מדינים. Each sale to another purchaser caused Yosef extra pain and anguish. Perhaps these four entries exist to and from Mitzrayim correlate to the four times Yosef was sold.

With this, we can understand another episode which took place while the brothers were in Mitzrayim with Yosef. Sitting by Yosef's table they drank wine with him, in spite of the fact that both parties never partook of wine from the day they sold Yosef to Mitzrayim (Rashi, *Bereishis* 43:31). Why did they suddenly drink now? The *Chiddushei HaRim* answers, that prior to this episode Yosef gave each brother a set of clothing, and to Binyomin, he gave five sets. The *shevotim* realized that

in spite of the extra gifts that were given to Binyomin, they didn't get jealous. This meant that they had corrected their *middah* [attribute] of jealousy that caused them in the first place to sell Yosef to Mitzrayim. Yosef also realized this, consequently, both parties were celebrating the *tikkun middah* [fixing of the attribute] of jealousy.

In fact, they realized that the four extra sets of clothing that Binyomin received was because he never took part in the four times that Yosef was sold. Although they did not yet realize that the viceroy of Mitzrayim was their brother, nevertheless, they took the message from Hashem and were happy to see that the *middah* of jealousy was uprooted. The Torah says they became inebriated. It could very well be that they drank four cups of wine symbolizing the four sales and the *tikkun* of their jealousy. Perhaps we can suggest, that the four cups of wine we drink at the *seder* correspond to the four cups that they drank with Yosef, each cup corresponding to an extra set of clothing that would have normally increased jealousy and yet it did not. The four cups of wine thereby demonstrated that they rectified the four times that Yosef was sold.

However, this only relates to the sales, however, the 22 years of agony that they caused Yosef and his father were not rectified and had to be fixed by Am Yisrael being enslaved to Mitzrayim. It could very well be that the decree of 400 years of bondage was shortened 190 years - the *gematria* of פסחים - for the brothers corrected the *middah* of jealousy which was the reason that had to go down to Mitzrayim in the first place.

These cups of wine that the *shevotim* had with their brother demonstrates that one can truly fix a bad *middah*, such as jealousy, which caused the *golus* of Mitzrayim. But it also carries with it the sad fact that the jealousy caused the sale four times in the first place. With this explanation we can answer Rav Shlomo Kluger's question as to why is there no reference to *mechiras* Yosef which is the cause of *golus* Mitzrayim? The answer is, we do have an allusion to it - the four cups of wine. (R' Shmuel Brazil's *Haggadah*)

## קדש ורחץ

### **Seder Night is All About Jumping Straight to Kedusha**

We start *seder* night by singing a song, *kadeish, urchatz, karpas*... a song which lists the 15 *simonim* of *seder* night. If we analyze the expression *kadeish urchatz* it seems to be an inverted expression. *Kadeish* means to make oneself holy, and *urchatz* means to wash oneself off from the *tumah* that he has. Normally, when one wants to clean something, he first gets rid of the dirt and then adds the shine. The order should be *rochatz v'kadeish* why is it reversed?

The lesson of *seder* night is, that even though people often think that to reach levels of *kedusha* they must rid themselves of their *yetzer horah* and of all the things that drag them down, it's not true. The lesson of Pesach is that one can jump straight into *kedusha*. Even if one feels unworthy and that the *yetzer horah* is dragging him down, *kadeish*, just jump into the *kedusha*. Where do we see this?

The Torah teaches that on Pesach night: ועבר ה' לנגף את מצרים וראה את הדם על המשקוף ועל שתי המזוזות - "Hashem will pass through to smite Egypt and He will see the blood that is on the lintel and the two doorposts; and Hashem will skip over the entrance and He will not permit the destroyer to enter your houses to smite" (*Shemos* 12:23). This *pasuk* is indeed the basis for the fact that the Yom Tov of Pesach is called exactly that — literally

meaning “pass over”, because He passed over the doors of Jewish houses when smiting the firstborns in Egypt on that auspicious night.

Normally the only way one achieves anything in the world of spirituality is by making some kind of effort. Without the expenditure of at least some effort – even the smallest effort – one cannot expect to gain ‘*ruchniyus*’ [spirituality]. Chazal teach us (*Shir HaShirim Rabbah Parsha 5*) “Open for Me an opening like the eye of a needle and I will open for you an opening that wagons and carts can pass through.” This is the normal rule of ‘*ruchniyus*’. It is like a law of physics or like the law of gravity: One needs to make some effort for something to happen.

There was an exception to this rule of ‘*ruchniyus*’: During *yetzias* Mitzrayim, the Jewish people merited great spiritual levels without deserving it, without acting. The Gemara states that during *Kriyas Yam Suf*, even the simplest of handmaidens saw prophetic visions of Divine Revelation that surpassed those of the great prophet Yechezkel.

The Rambam lists (*Hilchos Yesodei HaTorah Perek 7*) numerous awesome qualifications required to be eligible for receiving prophecy. “Prophecy is only given to a person who is exceptionally wise and of strong character (*gibor*), one who constantly has control over his evil inclination...” And yet by *Kriyas Yam Suf*, even the maid servants got a “free pass”, so to speak, to profound prophetic visions!

How did that work? Where was the preparation and prerequisite that the Rambam describes? Where was even the “opening equivalent to the eye of the needle” required to gain spiritual accomplishment? The Kotzker Rebbe says this is what the *pasuk* means by “Hashem passed over the door (*pesach*)”. Hashem passed over the normal requirement that one must “open the door” (the width of the eye of a needle) before achieving spiritual growth. The unique experience of “Pesach” was that without doing anything, without even opening the door, Hashem bent the rules and said “I am going to give Klal Yisroel this Redemption and I am going to shower them with gifts of *ruchniyus* [spiritual] wealth, gifts of *gashmiyus* [material] wealth, and gifts of prophecy. Hashem did this by “passing over” – by relaxing the requiring of “Pesach” (which normally requires man to make the initial effort of spiritual achievement).

Just like our forefathers were able to jump straight into *ruchniyus* on Pesach without the usual requirements, we are able to do the same. On this special night we have to do what our forefathers did, and jump straight into *kedusha*. After we jump into the *kedusha* then we can worry about *urchatz*, the getting rid of our *yetzer horah*.

With this *yesod* [principle], R’ Yisroel Reisman answers up various difficulties that arise on *seder* night. Most *mitzvos* that are time based are fulfilled in the day, i.e., *shofar*, *lulav*, *hallel*. Some *mitzvos* can be done by day or by night, i.e., *succah* or *kiddush*. However, we rarely find *mitzvos* that are specific to the night, on Pesach however, we are supposed to fulfil the *mitzvos* of *sippur yetzias* Mitzrayim, *matzah*, *marror* and *korban* Pesach all by night, how come?

Throughout *Tanach*, night-time (לילה) normally represents a period of darkness, a time of difficulty when we need *emunah*, a time of imperfection. It is a time of *koichois hatumah*. On the other hand, day represents *taharah* [purity]. As we know, the *Beis HaMikdash* was only open by day. Most *mitzvos* are day *mitzvos* as night represents *koichois hatumah*. However, on Pesach Hashem says, even whilst you are stooped in *tumah*, and struggling with the *yetzer horah* jump straight in and be *makeideish* [sanctify] yourselves. On Pesach we are not afraid of weaknesses, we are not afraid

of dirt, and we are not afraid of night. On Pesach at night, *kadeish urchatz*, be *mekadeish* yourself even before the *rechitzah* and even whilst it is still dark.

The Rambam brings different customs of how to keep the children awake and interested at the *seder*. The Rambam lists three things that are done. (1) Taking away the *seder* plate (they used to physically carry away the *seder* plate before the meal began, nowadays we just cover it), (2) Grabbing the *matzos*, which we do nowadays when the child steals the *afikomen*, and (3) giving nuts and grain to the children.

A *remez* [hint] to the above can be found in the *pasuk*: ולמטן תספר באזני בנך (Shemos 10:2). ולמטן has the *trop* [notes with which the *baal koreh* reads the *pasuk*] of a *pozer*, giving out (i.e., the giving out of nuts and grain). תספר has the *trop* of a *telisha ketanoh* and *telisha* means grabbing, i.e., the grabbing of the *afikomen*. באזני בנך has the *trop* of *kadmoh v'azloh*, meaning you take and go which is a reference to taking the *seder* plate off the table and going. The children then ask questions as to why we are doing these three things.

The *Haggadah Yerushalayim Umoi'a'deha* brings down an interesting question. During the Aseres Yemai Teshuvah many people refrain from eating nuts as *egoiz* [nut] is *gematriya cheit* [sin] and during the Aseres Yemai Teshuvah we don't want to have any connection to *cheit*. So how come the first thing we give out to the children on *seder* night to keep them up is nuts?

He answers, during Aseres Yemai Teshuvah we are afraid of *cheit*, even a hint to *cheit* we stay well away from. On *seder* night however, we are serving Hashem with great love and we are jumping into *kedushah*. We are not afraid of *egoiz* we are not afraid of *cheit*, we jump right into *kedusha* despite the *egoizim*, despite everything, that's what *seder* night is all about.

[R' Shmuel Brazil suggests a slightly different answer to the above question:

When it comes to Rosh Hashanah, we refrain from eating nuts, as אגוז is the same *gematria* as חטא. However, an obvious question arises, the *gematria* of אגוז (1+3+6+7) is 17, whereas the *gematria* of חטא (8+9+1) is 18?

One answer given, is that we have to take into account the word אגוז as well, which equals 17+1, which comes out to 18.

The *Baal Shem Tov* however, offers an alternative *peshat*. When one pronounces the word חטא, whether it is pronounced with an *aleph* on the end or not, the word sounds the same. Since the *aleph* is seemingly extra, when we work out the *gematria* of חטא we can ignore the *aleph*, and so it comes out that the *gematria* is in fact 17 the same as אגוז. The question is however, if the *aleph* at the end doesn't add to the pronunciation why is there at all?

The *Baal Shem Tov* explains that this is to show the *yid* that even when he does *aveiros* [transgressions] he should know that Hashem who is called אלופו של עולם [literally the *aleph* of the world] is still connected to him making *teshuva* more accessible. In other words, the *pinteleh yid* still remains even afterwards, thereby facilitating the *teshuva* process.

Rosh Hashanah is the first day of Aseres Yemai Teshuvah. By eating an אגוז on this night, one might arouse the *gematria* of חט (17) thereby causing a sinner to think that maybe he lost his bond with Hashem and He is no longer interested in his return to Him. Therefore, we are advised not to eat the אגוז so such a thought that there is no gain in doing *teshuva* will never enter his mind. One has

to have it crystal clear that מטא is spelled with an extra *aleph*, showing that there is always room for *teshuva*.

However, during *yetzias* Mitzrayim at the night of the original *seder*, that message was clear to us. We were holding by sinking into the fiftieth level of *tumah* and still Hashem Himself was going down to Mitzrayim to save us from *makas bechoros* [plague of the killing of the firstborns] and redeem us from the bondage. The אלופו של עולם appeared to us in a clear and open manner, and everyone was able to see that there is always room for *teshuva*, therefore, it's ok to eat nuts on *seder* night, even though their *gematria* is 17.]

The *Shlah HaKodosh* writes that *seder* night was the night that Yaakov stole the *berachos* from Eisav. We know that Yitzchok asked for two goats, one for *korban* Pesach and one for a *korban shelomim*. Yaakov came and gave Yitzchok the *korban* Pesach first. How could Yaakov be sure that when he left Yitzchok, Yitzchok wouldn't give a *berachah* to Eisav?

He worked out that Eisav wouldn't be able to get a *berachah* unless he gave Yitzchok something to eat, after all that's why Yitzchok asked for food in the first place. So Yaakov said, I will give my father the *afikoman* and the law is: אין מפטירין אחר הפסח אפיקומן – “one isn't allowed to eat after eating the *afikomen*”. So Yaakov gave Yitzchok to eat until he had finished *afikomen* and now he was no longer able to eat and then ran out of the room. Eisav then comes in and says, “come and eat”. Yitzchok says, “I can't eat anymore, I already had the *afikoman*”.

What does Yitzchok then say? בא אחיך במרמה ויקח ברכתך – “Your brother came with trickery and took your *berachos*” (*Bereishis* 27:35). Which trickery? *B'mirma* (2+40+200+40+5=287) is equal to the *gematria* of *afikomen* (1+80+10+100+6+40+50 =287).

The question is, why out of all the days of the year did Yitzchok specifically want to give the *berachos* on Pesach? The answer is, Pesach is the night of *kadeish urchatz*, Yitzchok knew that Eisav was no *tzaddik*, however, he was hoping to give him *kedusha*. What better night could there be then the night of *kadeish urchatz*, the night that wherever we are holding we can jump straight into *kedusha*.

This also explains why right after talking about the *chocham* we talk about the *rosha*. There most probably is not any other place in the Torah in which we discuss explicitly that a *rosha* participates in a mitzvah. Sometimes it says that a *mumar* is disqualified from a mitzvah. Sometimes it says nothing. But to just sit there and say that the *rosha* is part of the *seder*, how can it be? The reason is, because it is Pesach by night and on this night we let the *rosha* jump in and we tell him that this night we are not afraid of night, we are not afraid of nuts, and we are not afraid of you. We are not afraid of *reshaim*, because Pesach night is a night that a *rosha* can jump into *kedusha* and fulfil *mitzvos*, and that's why Yitzchok wanted to give the *berachos* to Eisav specifically on this night.

*Seder* night is the night of *kadeish urchatz*, a very special night where we can jump straight into *kedusha* without even needing to wash ourselves first. *Kadeish urchatz* is the right order. *Seder* night is all about jumping, in fact the word Pesach itself means to jump. So, let's not waste the opportunity and let's jump straight in.

## ורחץ

The Gemara in *Pesochim* (115a) cites Rabbi Elozer in the name of Rav Oshia: “Any food item that is dipped in a liquid (*dovar hateebulo b’mashkeh*) requires hand washing before eating”. Many *poskim* maintain that even nowadays one should do his utmost to be vigilant with this and wash his hands before eating a food item dipped in liquid. However, many people aren’t too careful about this halachah.

Based on the above, the *Chida*, in his *Simchas HaRegel* commentary on the *Haggadah*, explains why *urchatz* is the only *simon* at the *seder* that starts with and added ‘*vov*’ (ורחץ). When Yitzchok Avinu gave the *berachos* to Yaakov he added an extra ‘*vov*’ and instead of saying יתן לך – “Hashem should give you” he said וַיִּתֶן לְךָ – “and Hashem should give you” (*Bereishis* 27:28). According to *Chazal* and cited by Rashi, the extra conjunctive ‘*vov*’ means, יתן ויחזר ויתן – that Hashem should continually and constantly give.

Likewise, the *Chida* explains the extra ‘*vov*’ in *urchatz*. The *Baal Haggadah* is transmitting a message to us. Just like on *seder* night we are careful and make sure to wash before dipping a vegetable in salt water, רחץ ויחזר ורחץ - we should continue to wash our hands anytime we want to eat a food dipped in liquid, all year round.

The *Chasam Sofer* and his son-in-law, the *Chasan Sofer*, write in a similar vein in their *Haggadah*, that *urchatz* is meant to serve as a *tochacha* [rebuke] and yearly reminder to those who are lackadaisical with the observance of this halachah, in order to remind everyone that this applies year-round as well. Indeed, the *Taz* actually writes similarly, and concludes that at least during the *Aseres Yemei Teshuva* one should be stringent.

Rav Shlomo Zalman Auerbach adds that the ‘*vov*’ connects *urchatz* to *kadeish* – meaning *kadeish urchatz* – (as a command) that we should be *mekadeish* ourselves and continue to wash for food items dipped in liquid – even if not stringent with this all year round.

The *Levush* understands *urchatz* somewhat differently. He maintains it’s not due to an obligation of washing one’s hands before dipping something in liquid, rather it’s a special *chiyuv* on *seder* night due to ‘*chibas horegel*’. Due to the special *kedusha* of *seder* night, ‘we go the extra mile’ to strive for an increase in purity, as opposed to all year round, when in his opinion, it would not be mandated.

The *Netziv* in his introduction to *Imrei Shefer* (*pirush* on *Haggadah*) has another unique approach. The *seder* reminds us of the eating of the *korban* Pesach that took place when the *Beis HaMikdash* stood. Therefore, we follow the same *halachic* requirements at the *seder* that were in place during the times of the *Beis HaMikdash*. Everyone agrees that at the time of the *Beis HaMikdash* there was an obligation for one to wash his hands for dipped food items, therefore, on *seder* night we do so as well, regardless of whether or not we actually fulfil this year round.

Another idea, cited by the *Rema* in *Darchei Moshe* (*Orach Chaim* 473:12) is that the *Haggadah* is akin to a *tefillah*, in which we relate thanks and praise to Hashem for everything he has done for our ancestors and us. Therefore, immediately prior to the recital of the *Haggadah* we wash our hands in preparation without a *berachah* similar to the requirement before davening.

One more interesting explanation, suggested by Rav Reuven Margolios is that this washing is performed at the very beginning of the *seder* night ‘*derech cheirus*’, to show that we are doing so as free people and nobility, who are accustomed to washing their hands prior to eating even a



small amount. This is opposed to slaves, who do not have the rights or ability for such extravagance, but rather 'eat their bread with sweat'. This reasoning would seem to fit well with the *minhag* many perform of 'serving' the *baal habayis* for *urchatz*, by bringing him a wash basin and washing his hands.

## כרפס

### Why Karpas is Called So?

After *kiddush*, we wash our hands before eating a vegetable, which is referred to as *karpas*. Why do we call it *karpas* when it would seem that *yerek* - vegetable - would be a more appropriate and accurate name for what we are doing? What does *karpas* mean, and why do we use this term to refer to our eating of a vegetable dipped in salt water?

In the beginning of *Parshas Vayeishev*, the Torah records (*Bereishis* 37:3) that Yaakov made for Yosef a tunic made of "*passim*." Rashi explains that the word "*passim*" means fine wool, adding that it is similar to the term *karpas* which is used in *Megillas Esther* (1:6) to describe the opulent decor at Achashverosh's royal party. Achashverosh certainly wasn't hanging vegetables from his walls; he was hanging decorations made of fine wool, which is what *karpas* means.

What does fine wool have to do with dipping a vegetable into saltwater at the beginning of the *seder*? In his commentary on the Rambam (*Hilchos Chometz U'Matzah* 8:2), Rabbeinu Manoach writes that the dipping of the *karpas* in saltwater is supposed to remind us of the dipping of Yosef's tunic in blood by his brothers (*Bereishis* 37:31). In light of this, we now understand that *karpas* means fine wool, not vegetables, but we use the term to remind us of the sale of Yosef into slavery by his brothers. As we are about to begin the section of the *Haggadah* known as *Maggid*, which begins with the declaration that we were slaves to Pharaoh in Mitzrayim, it is necessary to first understand the historical background which brought us to that stage, namely the sale of Yosef which caused our ancestors to descend to Mitzrayim. In order to commemorate this, we dip a vegetable in salt water and call it *karpas*.

### What Does Dipping Karpas into Salt Water Represent?

R' Menachem Mendel Hager *zt"l* notes that, throughout the Gemara, salt is used as a metaphor for suffering. *Chazal* teach that suffering is actually good for a person for it expiates his sins, but, being only human, we quickly reach a point where we can stand no more. Salt reminds us of this, for a little bit of salt improves the taste of food, but if that same food is too salty, it is not edible. As we begin to recall the suffering of the slaves in Mitzrayim, this thought should be on our mind. (*Haggadah Shel Pesach Visheve-Vizhnitz Shearis Menachem*).

## יני'

### Why Do We Break the Middle Matzah?

Why is the middle *matzah* broken rather than the top or bottom one? There are two *berachos* that are recited before eating *matzah* at the *seder*: *Hamotzi*, the regular *berachah* we make on eating bread (*matzah*) and *al achilas matzah*, a special *berachah* over the mitzvah of eating *matzah* on the first night of Pesach. The halachah is that whenever we recite *hamotzi* it is preferable to have a

whole loaf of bread or *matzah* before us, whereas the *berachah* on the mitzvah of eating *matzah* is preferably recited over a broken *matzah*, symbolizing that it is “*lechem oni*” [“the bread of poverty (or affliction).”]

There is a *halachic* principle which states, “One may not pass over a mitzvah (or a mitzvah object).” Generally speaking, all *mitzvos* should be done in the order in which they present themselves to us (and all mitzvah-objects should be used in the order in which they are brought before us). This rule obligates us to recite *hamotzi* over the first *matzah* that we see when we are ready to eat, i.e., the top one in the pile of three, and because of the halachah cited above this *matzah* must be whole, not broken. The *berachah* of *al achilas matzah* must be recited on the second *matzah* we see, i.e., the middle one, and this one should be broken. If we had broken the bottom *matzah* instead of the middle one, we would have to pass over the middle (whole) *matzah* to reach the broken one, and this should not be done. (*Haggadah Shel Pesach MiBa'al Shelah Ha'kadosh*)

### **“Stealing” the Afikomen**

A young man in Eretz Yisroel married into a family which did not have the custom of stealing the *afikoman*. When he had a son who was old enough to “steal” his grandfather’s *afikoman*, the latter insisted that such behaviour violated the Torah’s prohibitions on theft and extortion. This dispute was then brought before R’ Chaim David Halevy zt”l (Sephardic Chief Rabbi of Tel Aviv; *niftar* 1998), who wrote as follows:

The Gemara (*Pesochim* 109a) mentions a custom of “grabbing” the *matzah* in order to keep the children awake. As explained by Rashi and Rashbam, this does not refer to a custom that children steal the *afikoman*, but rather that the *matzah* was stolen from the children. Why was this not prohibited as stealing? Apparently, writes R’ Halevy, because it is justified as one more strange thing that we do on the *seder* night to highlight for the children the uniqueness of the night.

The Gemara (*Bava Metzia* 61b) states that stealing is prohibited even if one does not desire the object of the theft, but merely intends to pain the victim. Interestingly, the Rambam does not quote this halachah. Instead, the Rambam writes that one may not steal, even in jest. Why doesn’t the Rambam quote this halachah? Additionally, what is the source for the Rambam’s halachah that one may not steal in jest?

R’ Halevy explains: Since we know that Rambam did not invent new *halachos*, nor did he ignore *halachos* that were found in the Gemara, we may assume that Rambam was merely reformulating the halachah that one may not steal in order to pain another. The Rambam’s use of the phrase “in jest” must be equivalent to the Gemara’s phrase “intended to cause pain.” Why did Rambam change the words? Because he wanted to teach us, incidentally, that the only time that stealing in jest is prohibited is when it is intended to cause pain. However, stealing the *afikoman* at the *seder* is not intended to cause pain. Rather, it is intended only to “liven-up” the *seder* and interest the children. (*Aseh Lecha Rav* 6:35)

## The Reason for Stealing the Afikomen

One year, at the *seder* of R' Shimon Sofer *zt"l* (known as the "*Michtav Sofer*"), his grandson asked him the reason for stealing the *afikoman*. At first, the *Michtav Sofer* did not respond, but after the *seder*, he explained as follows:

The Torah (*Shemos* 11:7) relates that as Hashem passed through Mitzrayim killing the firstborns, not one dog belonging to a Jew barked. It seems strange, said the *Michtav Sofer*, that *Chazal* did not establish any remembrance for this miracle which the Torah troubles itself to mention.

In fact, said R' Sofer, stealing the *afikoman* is that remembrance. The Gemara (*Pesochim* 113a) states that one is not permitted to live in a city that has no dogs. Rashi explains that the barking of dogs is a protection against thieves. It follows, therefore, that on Pesach night, when the dogs did not bark, there was a greater risk of thieves. We allude to this by stealing the *afikoman*.

Why didn't R' Sofer answer his grandson until after the *seder*? It has been suggested that he sought to teach his grandson that a Jew must accept our Torah, *mitzvos* and customs even when he does not understand them. (Quoted in *Vayaged Moshe*)

## מגיד

### The Father's Mitzvah Not the Son's

R' Shimon Schwab *zt"l* writes:

From my earliest youth, I remember that the children would ask each other on the first morning of Pesach, "How long did your *seder* last?" This was true in my youth, and it is still the case today.

If the children were to ask me this now, I would answer them, "I made sure to eat the *afikoman* before *chatzos* [midnight]." According to some *poskim*, even the recitation of *Hallel* should be completed before *chatzos*. I must point out, R' Schwab says, that the present-day practice in which all the children read from their prepared sheets which they received in school is not exactly in accordance with the mitzvah of *להגדת לבנך* – "and you shall tell your children" (*Shemos* 13:8). The children have started a new "mitzvah" of *להגדת לאביך ולאמך* – "and you shall tell your father and mother," which makes it extremely difficult to reach the mitzvah of *achilas matzah* [eating the *matzah*] – and certainly the *afikoman* – before *chatzos*.

R' Schwab continues: Rather than discourage the children from actively participating, parents should encourage their children to keep their remarks brief so that the father or other leader of the *seder* can read the text of the *Haggadah* and explain the miracles of *yetzias* Mitzrayim. Children should be encouraged to say their *divrei* Torah during the meal if there is time or, otherwise, during the daytime meals of Yom Tov.

On *seder* night, concludes R' Schwab, it is a *mitzvas aseh de'O'raisa* [an affirmative commandment from the Torah] to retell to one's children the events surrounding *yetzias* Mitzrayim. If one has merited to have children or grandchildren, it is a mitzvah for the father or grandfather to hand down to them the details of *yetzias* Mitzrayim. The saying of *vertlach* [short *divrei* Torah] is very nice, but if these are not the details of the narrative of *yetzias* Mitzrayim – or its meaning or message – they are not a part of this mitzvah.

On *seder* night, the children are encouraged to ask any question relevant to *yetzias* Mitzrayim, and the father has a special mitzvah *de'O'raisa* to respond to these questions, and to tell his children about the miracles that Hashem did for us. (Rav Schwab on Prayer p. 541)

## מגיד

### Why Don't We Make a *Berachah* on the Mitzvah of *Sippur Yetzias Mitzrayim*?

Why don't we recite a *berachah* on the mitzvah of *sippur yetzias* Mitzrayim [retelling the story of the Exodus]? R' Asher Anshel Katz *zt"l* (Hungarian rabbi; killed in the Holocaust) quotes a work called *Chessed L'Avraham* which explains as follows:

R' Yonasan Eyebchutz *zt"l* asks: Why do we not recite a *berachah* before performing the mitzvah of giving *tzedakah*? Because, R' Eyebchutz answers, the existence of this mitzvah is a curse. Were we worthy, we would see the fulfilment of the *pasuk* (*Devorim* 15:4), "However, may there be no destitute person among you; rather, Hashem will surely bless you." We do not recite a *berachah* over something which has an element of a curse to it.

Similarly, says the *Chessed L'Avraham*, if we were worthy, we would see the fulfilment of the *pasukim* (*Yirmiyah* 23:7-8), "Behold! Days are coming – the word of Hashem – when people will no longer swear, 'As Hashem lives, Who brought Bnei Yisroel up from the land of Egypt,' but rather, 'As Hashem lives, Who brought up and brought back the offspring of the House of Yisroel from the land of the North and from all the lands wherein He had dispersed them', and they will dwell in their own land." The miracles of the final *geulah* [redemption] will be so great that they will supplant what took place by *yetzias* Mitzrayim in our national consciousness. Since we look forward to that day, how can we recite a *berachah* over the mitzvah of *sippur yetzias* Mitzrayim!

R' Katz adds: Perhaps this is why we declare at the very beginning of the *seder*, "This year, here; next year in Yerusholayim." One would expect the *seder* to begin with a *berachah*, "Who sanctified us with His commandments and commanded us regarding the mitzvah of *sippur yetzias* Mitzrayim." Our declaration, "This year, here; next year in Yerusholayim," is our explanation for why we do not recite such a *berachah*. (*Haggadah Shel Pesach Chodesh Ha'aviv* p. 85)

**הא לחמא עניא די אכלו אבהתנא בארעא דמצרים. כל דיכפין ייתי ויכול כל דצריך ייתי ויפסח.  
השתא הכא לשנה הבאה בארעא דישראל. השתא עבדי לשנה הבאה בני חורין.**

**"This is the bread of poverty that our fathers ate in the land of Mitzrayim.  
Whoever is hungry, let him come and eat. Whoever is needy, let him come and  
celebrate Pesach. Now, we are here; next year may we be in the Land of Yisroel.  
Now, we are slaves; next year may we be free men."**

### A Deeper Understanding into *Ha Lachma Anya*

In his *Haggadah, Simchas HaRegel*, the *Chida* explains the flow of *Ha Lachma Anya*, based on the Medrash in *Eichah*. The third *pasuk* of *Eichah* begins, גלתה יהודה מעוני — "Yehudah has gone into exile from poverty." Referencing the word *mei'oni*, from poverty, the Medrash (*Eichah Rabbah* 1:28), as quoted by the *Chida*, explains that we went into exile for two reasons: due to not eating

*lechem oni*, the bread of poverty (*matzah*); and as a result of not giving *matnos aniyim*, gifts to the poor. (Our version of the Medrash differs from that of the *Chida's*.)

To offset these two shortcomings, we begin the *seder* by stating, *הא לחמא עניא די אכלו אבהתנא בארעא*, — “We, unlike our ancestors prior to the exile in Bavel, are eating the bread of poverty”, and *כל דיכפין ייתי ויכול כל דצריך ייתי ויפסח* - “We, unlike our ancestors prior to the exile in Bavel, are concerned with the poor, and are offering them *matnos aniyim* and support”.

Given the truth of our *tikkun* in these two areas, the last part of *Ha Lachma Anya* follows naturally: *השתא הנא לשנה הבאה בארעא דישראל השתא עבדי לשנה הבאה בני חורין* — “Now, we are here; next year may we be in the Land of Yisroel. Now, we are slaves; next year may we be free men”.

By making a few observations about the language and details of both *Ha Lachma Anya* and the Medrash in *Eichah*, we can arrive at a deeper meaning of the two, as well as a new insight into the *kavanah*, intent, required while eating *matzah* on Pesach.

Before that, we have a few questions. First, in *Ha Lachma Anya*, why is *matzah* described as the bread of poverty, rather than the bread of slavery, which would have been more accurate?

The second question is regarding the second part, where we say, “Whoever is hungry — let him come and eat. Whoever is needy — let him come and celebrate Pesach.” This call and offer to provide to others seems rather disingenuous. The guest lists have been made, the invitations have all gone out, and we are now beginning the *seder*. Any invitation to others, however hungry, falls only on our ears; it doesn't seem to be based on any real concern for the needy. What are we accomplishing with this statement?

As we read through the Medrash carefully, we come up with a few more questions. First, why is the sin of not eating *matzah* a reason to be sent to *galus*? What is the *middah k'neged middah*? Beyond this, what is so bad about not eating *matzah*? The sin is only a passive one, a *bittul mitzvas aseh*. Why would this warrant the severity of exile?

Another, more basic, difficulty in the Medrash is that it seems incomprehensible that the people as a whole would neglect to eat *matzah*, an action performed today by even the most secular Jews. There is no mention of the Jews not bringing the *korban* Pesach, a sin that would incur the *kores* punishment. If they were, as a whole, bringing the *korban* Pesach, how could they not be eating it with the requisite *matzah*?

And finally, is there any connection between not giving gifts to the poor and not eating the bread of poverty, or is the Medrash presenting us with two unrelated reasons?

The Gemara (*Berachos* 6b) tells us that Mar Zutra said: *אגרא דתעניתא צדקתא* — “The [main] reward of a fast day lies in the charity dispensed.” According to many *meforshim* (see *Mishlei Yaakov* on *Vayikra*, 144), the true value of a fast is not in abstaining from food, but in the sympathetic chord that resonates within the person who denies himself sustenance. All year long — while the belly is full — one cannot truly understand the plight of the poor and hungry. It is only during a fast, when one experiences his own hunger, that true identification with starving people is possible; it causes a person to reflect, “Just imagine. This guy feels this way all year long!” This thought process gives a person a newfound ability to give *tzedokah* with an open hand. Hence, the main reward for fasting is due to the identification with the poor and the empathetic change it can bring.

Perhaps this is one of the lessons of eating *matzah*. The Torah wants us, one week each year, to eat the simplest of fare: plain flour and water. By eating *lechem oni*, bread of poverty, during Pesach, we are reminded that some people have to subsist on this all year and cannot afford a more costly or tastier fare. That is why it is called bread of poverty, and not bread of slavery. As we chew on it, we should ruminate over how impoverished some of our brethren are, in contrast to the bounty with which we are blessed.

We can now reconcile the Medrash, which states that the *galus* came about because they did not eat *lechem oni*, with the more likely fact that if they brought the *korban* Pesach, they must have eaten *lechem oni* as well.

Yes, they did eat *matzah*, as most every Jew does, but they did not eat it as *lechem oni*, poor man's bread. They did not learn from it to have empathy for the poor. It is possible that they had the greatest intent of fulfilling this important mitzvah *bein adam la'Makom*, but they did not bear in mind how this can translate into a *bein adam la'chaveiro* concern.

Now we understand the two-step process of the Medrash. גלתה יהודה מעוני — Because we did not eat the *matzah* as *lechem oni*, with the right intent and feelings for the poor, this caused us not to give *matnos anyim*, which caused us to be exiled. This was *middah k'neged middah*; since we were not concerned about our impoverished brothers, we were placed in exile, where we, too, were not cared for.

Perhaps that is why we start the *seder* with *Ha Lachma Anya*. We remind ourselves that some people are truly hungry, surviving on flour and water. While we think about the sad lot of others versus the bounty which we have, the only possible course of action comes to both mind and lips. We are not issuing an insincere invitation to others, but we are speaking to and reminding ourselves of how we must act — not only during Pesach, but the entire year. While tonight the words are only spoken, henceforth they will be heard near and far: “Whoever is hungry, let him come and eat.” What better message for the start of the *seder*.

If we undo the mistakes of the past, this *galus* will come to an end.

השתא עבדי לשנה הבאה בני חורין

(R' Avraham Bukspan, *Classics and Beyond, Parshas Bo*)

### Understanding the Redundancy

**.השתא עבדי לשנה הבאה בני חורין. השתא הכא לשנה הבאה בארעא דישראל. Now, we are here; next year may we be in the Land of Yisroel. Now, we are slaves; next year may we be free men.”**

R' Yehoshua Heschel of Cracow *zt"l* (known as “the rebbe, Reb Heschel”) notes that the above statements appear to be redundant. He explains:

We have a tradition that the enslavement in Mitzrayim ceased six months before they actually left. Presumably, says R' Heschel, the same will be true when the final redemption arrives. Six months before Moshiach arrives we will notice a marked improvement in the Jewish people's condition. [In the discussion below, we will refer to the final redemption as “step 2” and the lightening of the burden of exile that will take place six months beforehand as “step 1.”]

There is a dispute in the Gemara whether the final redemption will take place in the month of Nisan (the opinion of Rabbi Yehoshua) or the month of Tishrei (the opinion of Rabbi Eliezer). The above

passage from the *Haggadah* refers to both of those views. [For greater clarity, we will explain the second sentence first.] According to Rabbi Eliezer, it is not likely that we will be in Eretz Yisroel next year, for if the final redemption (step 2) were destined to occur in this coming Tishrei, we would already have seen signs of step 1 now, six months before. If we have not seen those signs, then the most we can hope for is that step 1 will occur by next Pesach, and step 2 will occur six months afterward, in the second Tishrei from now. Hence, "This year, we are slaves, next year may we be free men [i.e., by next Pesach, step 1 will occur]."

According to Rabbi Yehoshua, the final redemption (step 2) could indeed happen by next Pesach. Perhaps step 1 will indeed occur by next Tishrei, six months before Pesach. Therefore, "This year, we are here; next year may we be in Eretz Yisroel [i.e., even step 2 may occur by next Pesach]." (*Chanukas HaTorah*)

## מה נשתנה הלילה הזה...

### "Why is this night different..."

#### **The Question-and-Answer Format, Even When Alone – Why?**

The Gemara says that the story of *yetzias* Mitzrayim should be told in a question-and-answer format. Even if a person is all alone, he is expected to follow this format. Why?

R' Aryeh Leib Zunz *zt"l* explains: The *Zohar* says that when a person tells the story of *yetzias* Mitzrayim, Hashem Himself rejoices. He then gathers together the entire heavenly entourage and says to them, "Go and hear My praises which My children are saying." Thus, says R' Zunz, a person who is conducting a *seder* is never really alone. (*Haggadah Shel Pesach Birchas Shir*)

#### **Whatever Tatte Does is for a Good Reason**

The *Sefas Emes* did not have the local *melamed* teach his son the *Mah Nishtanah*, but rather, he hoped that young Avraham Mordechai would himself notice the many changes and interesting customs of the night and ask the questions spontaneously, as described by *Chazal*. Each and every part of the *seder* was unique, different from a regular Shabbos or Yom Tov meal, yet the boy asked no questions.

The *Sefas Emes* was puzzled by his son's silence, and finally asked the child if he noticed anything different from the usual. "Yes," replied the boy, "everything was different from the usual." "So why didn't you ask me about it?" the *Sefas Emes* wondered. "Because I know," the child replied, "that whatever the *Tatte* does, he does with good reason, whether I understand it or not. Why, then, would I ask questions?"

#### **The Mah Nishtanah is Not Designed to be An All-Encompassing List**

Shortly after beginning the *maggid* portion of the *seder*, one or more of the children asks the *mah nishtanah*, a series of four questions highlighting atypical actions that we perform during the *seder*. The *Abarbanel* points out that there are several other unusual features of the *seder* that are not mentioned. For example, why don't we ask about the fact that at every other Shabbos and Yom Tov meal, we begin eating immediately after *kiddush*, while at the *seder* there is a lengthy delay? Why

don't we also inquire about the four cups of wine, which we are unaccustomed to drink on other occasions, or about the saying of *Hallel*, which is not a part of any other meal and is not normally recited outside of *shul*?

The *Abarbanel* explains that change can occur in one of three ways: Something can be added, removed, or switched. The first three questions that we ask at the *seder* correspond to each of these categories. We begin by asking why on other nights we eat both *chometz* and *matzah*, but tonight we take away the *chometz* and eat only *matzah*. Next, we ask why on all other nights we consume other types of vegetables, but tonight we switch and eat *marror* instead. We then ask why on other nights we are unaccustomed to dip even once, yet tonight we add and dip not once, but twice. Each of these first three questions focuses on a change in the meal, while the final question deals with a change in the attendees, namely that on other nights we do not recline while eating, but tonight we do so as a sign of our freedom.

In other words, the *Abarbanel* says that we are not attempting to create an exhaustive and all-encompassing list of every abnormal component of the *seder*, but rather to give one example of each type of change that we are experiencing.

Rav Eliezer Ashkenazi takes this concept one step further and suggests that the *Abarbanel's* explanation can help us understand that the four questions correspond to the four sons. The wise son is satisfied with his lot, so he questions the need to add to it by dipping twice when he is normally quite content without dipping even once. On the other hand, the wicked son is never happy with what he has and always desires more, so he focuses his query on the obligation to take something away, as he asks why we must relinquish the *chometz* that we are permitted to enjoy throughout the year? The simple son is unsophisticated and is only capable of inquiring about a switch from that which he is accustomed to, namely why we replace the traditional vegetables with *marror*. The last son does not even know how to ask a question. The proof of this is that he observes the numerous changes that we make at the *seder*, not only to the meal, but also to our bodies when we recline, yet none of them inspires him to ask for an explanation, thereby demonstrating that he is incapable of asking a question. (R' Ozer Alport, *Parsha Potpourri*)

### **"On All Other Nights We Eat *Chometz* and *Matzah*"**

R' Ben Zion Neshet *shlita* (*rov* in Tel Aviv) writes: The child says in the *Mah Nishtanah*, "On all other nights we eat *chometz* and *matzah*..." This implies that on all other nights, except for *seder* night, we are obligated, or at least accustomed, to eat both *chometz* and *matzah*. However, that is not the case!

R' Neshet explains: [One of those who is obligated to bring a *korban todah* is someone who was imprisoned and was freed.] The *korban* Pesach is a form of thanksgiving-offering, expressing our gratitude for the fact that we were freed from Mitzrayim. Therefore, the child asks: On all other nights when we have a *korban todah* to eat, we eat both *chometz* and *matzah* (See *Vayikra* 7:12-13). Why, then, is the *korban* Pesach - the thanksgiving-offering that we eat on the *seder* night - accompanied only by *matzah*, not by *chometz*?



What is the answer to the child's question? R' Neshet explains: When a person is saved from danger, there is both a physical and a spiritual component, for surely a Jew has no desire for physical life without a spiritual aspect. If not for the fact that the body that was saved has been given another chance to serve Hashem, what would be the point of being saved?!

R' Neshet concludes: The physical and spiritual aspects are represented by the heavier *chometz* loaves and lighter *matzah* loaves, respectively, that accompany the *korban todah*. Both are brought, because both aspects were saved. At the *sefer*, however, we wish to emphasize that we were not saved from Mitzrayim in order to be free physically. Rather, we were saved in order to serve Hashem. Therefore, we eat only *matzah* with the thanksgiving-offering on Pesach. (*Haggadah Shel Pesach Shir Tziyon* p.44)

**עבדים היינו לפרעה במצרים ... ואלו לא הוציא הקדוש ברוך הוא את אבותינו ממצרים הרי אנו  
ובנינו ובני בנינו משעבדים היינו לפרעה במצרים**

**“We were slaves to Pharaoh in Mitzrayim ... Had not the Holy One, Blessed is He, taken our fathers out from Mitzrayim, then we, our children, and our children's children would have remained subjugated to Pharaoh in Mitzrayim.”**

### **Without Torah the World Would Cease to Exist?**

R' Zevulun Hamburger *shlita* (Yerusholayim) asks: *Chazal* say that the world was created conditionally and that the entire universe would have ceased to exist if Bnei Yisroel had not received the Torah. How then would we, our children, and our children's children have remained subjugated to Pharaoh in Mitzrayim if there had been no *yetzias* Mitzrayim? To the contrary, we would not even exist!

He explains: Surely we would have left Mitzrayim and received the Torah at some point. However, the *Arizal* teaches that, had Bnei Yisroel remained in Mitzrayim one more instant, they would have sunk to the fiftieth level of impurity from which there is no climbing out. In that case, even after the eventual *yetzias* Mitzrayim and even after receiving the Torah, Bnei Yisroel would have remained spiritually subjugated to Pharaoh. (*Haggadah Shel Pesach Sha'arei Zevul* p.41)

### **Remaining Subjugated to Pharaoh in Mitzrayim**

R' Yosef Chaver *zt"l* notes that the *Haggadah* does not say, “We ... would have remained enslaved to Pharaoh in Mitzrayim,” but rather, “We ... would have remained subjugated to Pharaoh in Mitzrayim.” He explains: Mitzrayim was a land where a belief in astrology and in the supposed powers of the heavenly bodies reigned supreme. The purpose of the Ten Plagues was to demonstrate that those powers are false, and that Hashem is in control of every detail of existence. Not only the Egyptians needed this education; Bnei Yisroel needed it too. Thus, the *Haggadah* teaches, “Had not the Holy One, Blessed is He, taken our fathers out from Mitzrayim, then we, our children, and our children's children would have remained subjugated [to the false beliefs of] Pharaoh in Mitzrayim. (*Haggadah Shel Pesach Zeraa Netuyah*)

ואפילו כלנו חכמים כלנו נבונים כלנו זקנים כלנו יודעים את התורה מצוה עלינו לספר ביציאת מצרים. וכל המרבה לספר ביציאת מצרים הרי זה משבח.

**“Even if we all were wise, we all were understanding, we all were experienced, and we all were knowledgeable in Torah, we still would be obligated to talk about yetzias Mitzrayim.”**

### **Surely the Sign of a Wise Man is Silence (סיג לחכמה שתיקה)?**

Prior to killing the Egyptian who was hitting one of the Jewish slaves, Moshe looked around in every direction to make sure there were no witnesses, yet somehow, his actions became known to Doston and Avirom. When Moshe heard them casually invoke the fact that he had killed an Egyptian taskmaster, he became frightened and remarked: אכן נודע הדבר, which literally means, “Now the matter is known” (*Shemos* 2:14).

However, Rashi explains that this was Moshe’s way of saying that now that he saw that there were evil Jews talking negatively about one another, he understood why they warranted such bitter and crushing enslavement, and he began to worry whether they would be deemed worthy of salvation. In other words, Moshe recognized that the sin of speaking badly about other Jews was powerful enough to prevent them from being redeemed.

In light of Rashi’s interpretation, Rav Yitzchok Hutner explains (*Pachad Yitzchok*, Pesach 1) that we can now appreciate why the mitzvah of *sippur yetzias Mitzrayim* is specifically done with one’s mouth. *Chazal* normally advise us (*Avos* 3:13): סיג לחכמה שתיקה, that wise people normally tend toward silence, so how come the *Haggadah* tells us: וכל המרבה לספר ביציאת מצרים הרי זה משובח – “the more one talks about yetzias Mitzrayim, the more praiseworthy he is”?

The answer is, because on this night, the mitzvah is to be *mekadesh* the *dibbur*, to give holiness to one’s speech, to make up for the Jews in Mitzrayim who were not careful with their speech.

With this insight we can also understand why, ואפילו כלנו חכמים – “even if we were all wise men”, there is still a mitzvah to speak about yetzias Mitzrayim. Normally we would think the reverse, that even *am horatzim* (certainly *chachomim*) have to speak about yetzias Mitzrayim, what does it mean “even *talmiday chachomim*”?

Based on the above we can explain, that even though normally we say סיג לחכמה שתיקה, that a sign of wise man is silence, on this night even if we are all wise men there is a mitzvah to discuss yetzias Mitzrayim, and the more we do so, the more praiseworthy we are. Because our mission is to view ourselves as if we personally came out of Mitzrayim, we must rectify their sin of forbidden speech by using our mouths for *mitzvos*.

In a similar vein, Rav Tzodok HaKohen in his *sefer Ohr Zorua LaTzaddik* notes that opening Mishnah in *Pesochim* begins with the words: אור לארבעה עשר בודקין את החמץ לאור הנר - “On the evening of the 14<sup>th</sup> of Nissan, we check for *chometz* by the light of a candle.” Why does the Mishnah use the word אור (light), to refer to the night? The Gemara in *Pesochim* (3a) explains that this euphemism was intentionally employed to teach us to speak in a sensitive manner. Rather than use the term “night” which has negative connotations, *Chazal* chose to use the more positive word אור.

Nevertheless, they had numerous opportunities throughout *shas* to teach this lesson by replacing a coarse expression with a more refined one. Why did they specifically decide to make this point here? Rav Tzodok suggests, *Chazal* specifically wanted to introduce this concept at the beginning of *Pesochim*, as purity of speech was an essential component of our deliverance from Mitzrayim, and it is a trait that we must work on developing within ourselves so that we too will merit the ultimate redemption.

### **Have You Said All of Your Master's Praises?**

The *Siddur Avodas Yisroel* writes that there is a *perek* [chapter] of *Tehilim* which corresponds to each *parsha*. The *perek* which corresponds to *Parshas Va'era*, which describes many of the plagues, is *Perek 46*. On *pasuk 1*, "On the hidden things, a song," the Midrash *Shocher Tov* observes that we can't describe all of Hashem's wonders, for His true greatness is hidden. Similarly, *Chazal* criticize one who praises Hashem excessively. "Have you said all of your Master's praises?" *Chazal* ask rhetorically of the person who begins praising Hashem effusively and then stops. Rather, a person should limit himself to the set prayers and psalms. (*Berachos 33b*)

Yet, *Chazal* say, "The more one speaks about *yetzias* Mitzrayim, the more he is praiseworthy." How can this be reconciled with the above teachings?

There is a difference between praise and thanks, says the *Maharal*. When you are indebted to someone, do you refrain from thanking him just because you cannot thank him enough? For the specific event of Hashem redeeming us from slavery, we must be grateful, and must praise Him as much as we are able. It is only spontaneous praise that is prohibited. (*Gevuros Hashem ch.1*)

R' Yitzchak Hutner *zt"l* offers another answer: It is disrespectful to speak about the king's wealth because one might underestimate it. However, if the king has something that he wants to show off, he understands that each viewer will appreciate that object only on his (the viewer's) own level. Such is the case with the miracles of *yetzias* Mitzrayim, which Hashem performed only in order to increase His own honour. (*Pachad Yitzchok: Pesach ch.16*)

### **One Needs to Do More Than Just Read the Story**

The mitzvah of *sippur yetzias* Mitzrayim requires more than just reading the story. One's recitation of the *Haggadah* must be from the heart and also must penetrate one's heart, so that the story of *yetzias* Mitzrayim will serve as the basis for strengthening one's *emunah* [faith]. Indeed, R' Simcha Zissel Ziv *zt"l* (the "Alter of Kelm") used to observe that the statement in the *Haggadah*, "The more that one relates about *yetzias* Mitzrayim, the more praiseworthy it is," can also be translated as, "The more that one relates about *yetzias* Mitzrayim, the more improved he is."

R' Yaakov Levitt *zt"l* (Bialystok) illustrated with a parable the difference between the right way to tell the story of *yetzias* Mitzrayim and the wrong way:

A villager once took seriously ill. The doctor was called, and the doctor recognized that the villager's illness was fully curable if treated properly. He wrote out a prescription and he told the villager's wife, "Give your husband this prescription with water three times a day until it is finished, and he will be cured."

The family did as it was told. Every day, the simple village wife tore a small piece off the prescription, dissolved it in water and gave it to her husband to drink. Needless to say, his condition did not improve.

The doctor was called, but he was very perplexed. "I know that this prescription works," he said. "I have prescribed it for this illness before."

"Let me see the prescription," he requested finally. "Perhaps I made a mistake." The villager's wife explained, however, that she could not show him the prescription because she had given it to her husband as instructed.

"Fools," he shouted. "Can a piece of paper cure your husband's illness? It's not the paper that makes the difference, but what's written on the paper that would have cured him."

So, it is with the *Haggadah*. It is neither the book of the *Haggadah*, nor simply reading the *Haggadah*, which illuminates one's soul. Rather, one must absorb the contents of the story. (*Haggadah Shel Pesach Sha'arei Armon* p. 150)

**מעשה ברבי אליעזר... והיו מספרים ביציאת מצרים כל אותו הלילה עד שבאו תלמידיהם ואמרו להם רבותינו הגיע זמן קריאת שמע של שחרית**

**"There was a story (that happened) with R' Elazar .... They were discussing about yetzias Mitzrayim the entire night, until their *talmidim* came and told them that the time for the morning *shema* has arrived."**

### **Sippur Yetzias Mitzrayim Has No Limit**

R' Avraham ben Ha'Gra writes: the mitzvah of *sippur yetzias Mitzrayim* is unique in that it has no upper limit. In contrast, most *mitzvos* are subject to the prohibition of *baal tosif* [you shall not add]. For example, one may not keep nine days of Pesach or place an additional Torah-portion on the parchment in his *tefillin*.

R' Avraham continues: the story in the *Haggadah* about Rabbi Elazar ben Azaryah and his colleagues who sat all night speaking about *yetzias Mitzrayim*, until their *talmidim* came and told them that the hour had arrived to recite the morning *shema*, is meant to answer the first of the four questions of the *Mah Nishtanah* — "Why on all nights may we eat *chometz* and *matzah*, and, on this night, only *matzah*?" How so?

The *Zohar* says that the purpose of the mitzvah to learn Torah day and night ("You shall contemplate it day and night" — Yehoshua 1:8) is to destroy one's "*chometz*." What does this mean? *Chometz* is a metaphor for the *yetzer horah*, and the Gemara says, as if quoting Hashem, "I created the *yetzer horah* and I created the Torah as an antidote."

Thus, on all other nights, when a person has time to learn Torah, he may eat *chometz*, for the Torah he studies will destroy the "*chometz*." However, on this night, one has no time for Torah learning; one must occupy himself all night with the mitzvah of *sippur yetzias Mitzrayim*. Therefore, one must not eat any *chometz* on this night.

How far does the obligation of *sippur yetzias Mitzrayim* go? R' Avraham notes that the *talmidim* did not say, "The time has come to *daven*," but rather, "The time has come to recite *shema*." They knew that their rebbe's would stop their "storytelling" to recite *shema* at the earliest possible time, because *shema* also mentions *yetzias Mitzrayim*. However, they assumed that their teachers would not *daven* until the latest possible hour so that they could continue their *sippur yetzias Mitzrayim* as long as possible. (*Haggadah Shel Pesach Ge'ulas Avraham*)

**ברוך המקום ברוך הוא ברוך שנתן תורה לעמו ישראל ברוך הוא כנגד ארבעה  
בנים דברה תורה אחד חכם ואחד רשע ואחד תם ואחד שאינו יודע לשאול**

**Blessed be the Place [of all], Blessed be He; Blessed be the One who Gave the Torah to His people Yisroel, Blessed be He. Corresponding to four sons did the Torah speak; one [who is] wise, one [who is] evil, one who is innocent and one who doesn't know to ask.**

### **Why We Introduce the Passage of the Four Sons with *Birchas HaTorah***

Why does the *Haggadah* introduce the passage about the "four sons" with a *berachah* over the gift of Torah? R' Moshe Yisroel Feldman *zt"l* (rabbi of Dragomiresti, Hungary) explains:

The Mishnah (*Eduyos* 2:9) teaches that wisdom is hereditary. If so, how is it possible for one person to have four sons like the four sons of the *Haggadah*: a wise son, a wicked son, a simple son, and a son who does not know how to ask? The answer may be found in the teaching of the Gemara (*Nedorim* 81a): "Why is it rare for *talmiday chachomim* to have sons who are *talmiday chachomim*? Because they do not recite *berachos* over the Torah first thing [in the morning]." [The *Mefarsh* explains that the *talmiday chachomim* referred to are in such a hurry to return to their studies when they awaken that they neglect to recite the appropriate *berachos*, including the *tefillah*, "May we and our descendants . . . be students of Your Torah."]

Says R' Feldman: Now, as we are about to speak of the four sons, we remind ourselves to recite *birchas haTorah*, lest our sons grow up to be as different as these four. (*Haggadah Shel Pesach Shem Yisroel*)

### **Why Hashem is Referred to as HaMakom**

The Izbitzer Rebbe in his *Haggadah, Beis Yaakov*, offers a novel *peshat* [interpretation] as to why Hashem is referred to as HaMakom. The well-known *peshat* is based on the *Chazal* which explains that Hashem is the place of the world (מקומו של עולם). Nothing can exist whether physical or spiritual without space. Hashem gives space to everything. The Izbitzer Rebbe however, suggests that Hashem is referred to as HaMakom as Hashem has space for anyone to enter, whether to speak to Him, to *daven* to Him, hear out what someone has to say, to let Him be thought of, or to be comforted by Him etc. Something which human beings don't have.

I once heard a story from Rav Tzvi Meir Silverberg about a young 9-year-old orphan whose father before his death made him promise that although he went to Hebrew afternoon School and had a limited education of Torah, he wants him to register in a Yeshiva and truly learn Torah. After his father's death he went with his mother to Yeshiva Torah Voda'as to speak to the principal about his entering the Yeshiva. The principal asked him what Mishnayos he was presently learning. He

answered I never learned any. Surprised the principal asked further what *Parsha* in Chumash are you learning now? The young lad answered that he is not learning Chumash. Realizing the boy's lack of Torah learning and skills and the impossibility of joining an appropriate age class, he told them both that unfortunately there is no more room for another child in the classroom.

Disappointed but not to the degree of despair, the determined child requested to go to a lower class as long as he could learn Torah like he promised his father. The principal's heart went out to him but his better judgement said there is no room there either. The child asked to see the classroom saying I will squeeze in someplace. As the principal's heart strings were played, he had no choice but to take the child to the classroom and as he claimed there was no room the way the classroom was set up.

As they returned to the office the principal apologized to both of them and said to the boy, I see your determination is very special and out of the ordinary for a child your age, may you be able to learn Torah sometime soon. Before they left, the boy asked the principal if he could write for him a note. The principal agreed thinking to himself if I can't possibly take him into the Yeshiva for he'll be doomed to failure, the least I can do is write for him a note. What should the note say, asked the principal? To his surprise the child said, "can you please write that you had no room to take me into the Yeshiva and sign it"?

The principal was shocked at his request. Why would you want such a note? The young child answered innocently, "so that when die, I make sure that the *chevrah kadisha* [burial board] will take this note and place it in my coffin. When I get to *shomayim* I will meet my father. I am sure he will ask me why I didn't go to Yeshiva as I promised him. I will answer there was no room. He will scream out "What no room to learn Torah". He won't believe me. Then I will take out the note you wrote and signed, and give it to my father so he will believe me and won't be angry. The principal was so touched and moved by the tenacious determination of this pure innocent child to learn Torah that he could not hold back his tears. "You know what" he said. "You come tomorrow and somehow I will squeeze you in to one of the classrooms. You won't need this note any more".

How many of us hang out no vacancy signs to Hashem advertising sorry Hashem I have no room for you or time to talk to You. We say to ourselves, well this does not apply to me for I keep Torah and *mitzvos* meticulously. This is where we are wrong. When it comes to challenging *mitzvos* or *aveiros* many of us hang out no vacancy signs. We tell Hashem even if we don't say these exact words, that these "ones" are not for me, they are too challenging, so You too Hashem are not invited in.

ברוך שנתן תורה לעמו ישראל, only through the learning of Torah can we continuously make more space for Hashem to enter our lives.

Sometimes we don't really feel that Hashem is listening. After all, He runs the entire cosmos and it's hard to believe that He would have some spare time and space to listen to a micro mini nano microscopic speck of dust on earth, never mind of the universe. To rid oneself of such a falsehood *Chazal* tell us, כל הקובע מקום לתפלתו אלקי אברהם בעוזרו. The simple understanding of this *Chazal* is to fix a place for one's *davening*. However, we can explain it according to the above, that one should think that he is *davening* before Hashem who is called HaMakom which means He has space to let everyone in. Therefore, even if 10 million people are standing right next to you and they are all

talking to Hashem He is nevertheless focused on you alone and hears every word, breath, whisper and *krectz* that you convey to Him as you are talking to Him. (R' Shmuel Brazil's *Haggadah*)

### **Questions Are Fine, As Long As They Are Symbolically Asked Tomorrow**

The *Haggadah* emphasizes that the Torah addresses four different types of children and teaches us how to educate each of them about the *yetzias* Mitzrayim. In his work *Shemen HaTov*, Rav Dov Weinberger points out that when examining the *pasukim* that record the questions posed by the three types of sons who are capable of asking questions, the Torah (*Shemos* 13:14 and *Devorim* 6:20) introduces the questions of the wise son and the simple son with the words: *כי ישאלך בנך מחר* - "when your son asks you tomorrow", but in conjunction with the question attributed to the wicked son, the word *מחר* is omitted.

Rav Weinberger explains that although the wise and simple sons have questions about *yetzias* Mitzrayim, the Torah tells us that they only ask their questions the following day. On Pesach itself, they are focused on performing the special *mitzvos* of the Yom Tov, and only after they have fulfilled their obligations do they ask about what they did so that they can better understand Hashem's commandments.

The wicked son, on the other hand, insists on asking his question today, because if he is unable to understand the mitzvah and does not receive a satisfactory answer to his question, he will refuse to perform the mitzvah. This is what makes him wicked, as it is the diametric opposite of the Jewish attitude of, *נעשה ונשמע* - "we will do and we will listen" (*Shemos* 24:7).

Along these lines, the Kotzker Rebbe points out that we declare, *אין כאלקינו* - "there is none like our G-d", and only afterwards do we ask, *מי כאלקינו* - "who is like our G-d". He explains that this teaches us that asking questions is permissible and encouraged, but only after one has clearly established and accepted the fundamental tenets of Jewish belief.

Rav Chaim Soloveitchik had a *talmid* who unfortunately left *yeshiva* and abandoned the Torah lifestyle. Many years later the *talmid* came to visit him and asked, "I have several questions and doubts about Hashem and Jewish beliefs. Can we discuss them?" Rav Chaim responded, "I'll be happy to talk to you about your questions, but first tell me, did your questions come before you stopped observing Shabbos or afterward?"

The *talmid* replied that the doubts developed after he began to desecrate Shabbos. Rav Chaim responded that in that case, the *talmid* did not have questions but answers. He had already made up his mind not to follow the Torah, but as he began to feel guilty over his decision, he developed questions to justify his conduct. Rav Chaim said, "I'm happy to answer questions, but for answers I have no answers."

This theme is one of the lessons of the four sons. Questions are fine, even from a wise child, as long as they are symbolically asked tomorrow, meaning after one has accepted the primary and unshakeable obligation to perform the *mitzvos*. However, if the questions are a prerequisite to observing the Torah's commandments, it is an indication that we are unfortunately dealing with a wicked son. (R' Ozer Alport)

## The Four Sons Are Really One Son

The *Haggadah* teaches that the Torah addresses four different types of children and instructs us how to educate each of them about *yetzias* Mitzrayim. Specifically, we say that the Torah discusses four sons: one who is wise, one who is wicked, one who is simple, and one who does not know how to ask a question. Rav Nissan Alpert questions why the *Haggadah* repeats the word אחד (one) for each son, instead of stating more concisely, תם, רשע, חכם, רשע, תם, ושאינו יודע, כנגד ארבעה בני דברה תורה: אחד אחד? לשאל

Rav Alpert explains that although it appears that we are talking about four different children, in reality we are actually speaking about one child who has four different facets to him. He suggests that this is alluded to by the fact that the numerical value of the word אחד (13) multiplied by 4 (for the four times that this word is repeated) yields 52, which is the numerical value of the word בן (son), hinting to the fact that each child is comprised of four different parts.

How can one person contain within him such disparate and even contradictory elements? The answer is that children are still in their formative years and have not yet become established in their identities. Although they have many strengths and talents, they also have deficiencies. Our job as parents is to take each child, with his four different components, and raise him in a manner that will transform his latent potential into future success and accomplishments.

Where does the *seider* fit into this process? In advising us how to educate our children, the Torah commands (*Shemos* 13:8): והגדת לבנך ביום ההוא – “you should say to your son on that day (Pesach)”. However, the *Avnei Nezer* points out that the *Targum* renders the word והגדת into Aramaic as ואחוי which means “to show.” In other words, the *Targum* is telling us that the ideal form of “talking” to our children is not through words, but through actions. We must certainly speak to our children and instruct them how to behave, but that in and of itself is insufficient. We must additionally show our children through our decisions and our actions that we practice what we preach, just as the *Haggadah* specifies that the mitzvah of recounting *yetzias* Mitzrayim can only be performed: בשעה שישי מצה ומרור מונחים לפניך – “at the time when you have *matzah* and *marror* placed before you” – as this enables our children to see that we don’t just discuss the *mitzvos* in an abstract philosophical sense, but that we actually perform them as well. (R’ Ozer Alport)

## Blunt His Teeth” - הקהה את שיניו

The *Lev Simcha* zt”l said that there are three things that are a מעין, a miniature and derivative from its original form. (1) The *berachah* of ‘*al hamichya*’ which is מעין שלש, a miniature form of the three *berachos* of *birchas hamazon*. (2) The *berachah* of שבעה מעין, which is a miniature *chazaras hashatz* recited Friday night. (3) And Shabbos which is מעין עולם הבא, a derivative of *olam habah* [the world to come]. Surprisingly, we find that in the first two miniatures, we mention words that are not even mentioned in their original *berachos*. In the מעין שלש we mention על ובברכה עליה בקדושה ובטהרה, מזבחה ועל היכלך. Similarly, in מעין שבעה we mention פחד ופחד בראה ביראה פחד. From here we can derive that even though the מעין is considered a miniature of the original form, it nevertheless possesses a quality that is higher than the original. So too with Shabbos, even though it is only מעין עולם הבא, nevertheless it possesses an aspect that is even higher than *olam habah*.

R’ Shmuel Brazil brings a nice support to the above. *Chazal* say that Rebbi Yehudah HaNosi would return to his family Friday night to recite the *kiddush* even after his death. Putting aside momentarily



the question of how can he be *moitzi* them, why would he leave *olam habah* to spend Shabbos in this world which is only a מעין (derivative) of the world to come? The answer is like above, that sometimes the מעין of something possesses greater quality than the original from where it is derived from.

The three things that possess the aspect of מעין, a greater quality than the originals, all begin with the letter ש, and they are שבת, (מעין) שבעה, (מעין) שלש.

However, there is a vast difference between physical pleasures and spiritual ones. With physical pleasures, the מעין can never possess a higher quality thrill than the original pleasure. However, in spirituality which does not take up space, it is possible that in this world one can experience a closeness with Hashem that cannot be experienced even in the next world. The litmus of מעין demonstrates the falseness of physical pleasures versus spiritual *mitzvos*. The *rosha* is a pleasure seeker and that is where his downfall is. If only he would understand the difference between physical and spiritual מעין's, he would understand that the greatest pleasures in this world can only be obtained through *ruchniyus* from which one can derive even greater pleasures than those that are awaiting him in *olam habah*.

Every day (besides for Shabbos and Yom Tov) we wrap ourselves with *tefillin*. When donning the *tefillin* we wear three *shin's*, the two that are protruding on the head *tefillin* and the third *shin* which we form with the straps on our hand. We must be reminded every day of the מעין of *ruchniyus* and how it differs from material pleasures. When wearing our *tefillin* which is the מעין of Hashem's *tefillin* we can feel "בארץ" אחד מי כעמך ישראל גוי אחד, which is written in Hashem's *tefillin*, an experience of which we won't be able to feel in *olam habah* only on earth.

This is the response with which the *Ba'al Haggadah* directs the father of *seder* to address the complaint of the *rosha*. הקהה את שניו, set straight his letters of "shins" which symbolize the concept of מעין. Go through the process of explaining the three *shins* and then he will understand how all physical pleasures are limiting. The proof is from the מעין. Derivative physical pleasures are always less than the original substance. Derivative spiritual pleasures can surpass even their originals. (R' Shmuel Brazil's *Haggadah*)

### **Why the Treatment We Give the *Rosha* on *Seder* Night is Very Different to How We Treat Him on Yom Kippur?**

There are two days in the year when we address the wicked: Yom Kippur and Pesach. But the approach we take toward the wicked on these two days varies greatly. On Yom Kippur, at the beginning of the Kol Nidrei, we announce: על דעת המקום ועל דעת הקהל בישיבה של מעלה ובישיבה של - "With the approval of the Omnipresent and with the approval of the congregation; in the convocation of the Court Above and in the convocation of the Court below, we sanction prayer with the transgressors", meaning that on this day we accept sinners and do not turn them away. On *seder* night, however, when the wicked son comes to participate and pose his question, we treat him very differently, blunting teeth and rejecting him. Why do we not draw him close, as we do on Yom Kippur?

The answer is that if the wicked person wishes to join us on Yom Kippur, when we serve Hashem through fasting and abstaining from physical pleasures, he shows that his motives are pure, and we can therefore accept him. On *seder* night, however, when we sit at the table like princes, it is no

surprise that the wicked son wishes to join, and his desire to participate does not indicate any genuine interest in listening and drawing closer. Since he has excluded himself from the community of believers, we need not exert ourselves to accept him. (R' Yisroel Meir Druk)

**יכול מראש חדש תלמוד לומר ביום ההוא אי ביום ההוא יכול מבעוד יום תלמוד לומר בעבור זה  
בעבור זה לא אמרתי אלא בשעה שיש מצה ומרור מנחים לפניך**

**One could think that the mitzvah to talk about *yetzias* Mitzrayim starts on Rosh Chodesh, therefore it says, “on that day.” If it would only be written “on that day,” I might think the mitzvah starts whilst it is still day [before the night of the fifteenth of Nissan]. However, we learn [otherwise, since] it is stated, “for the sake of this.” “For the sake of this” refers to a time when *matzah* and *marror* are resting on the table in front of you.**

### **Why Would One Think to Start *Sippur Yetzias* Mitzrayim from Rosh Chodesh?**

R' Avraham ben Hagra *zt"l* explains: The ancient Egyptians worshiped the sheep, and to counter this fallacious belief, Bnei Yisroel were commanded to slaughter sheep for the *korban* Pesach. Not coincidentally, the sheep (Aries) is the astrological sign for the month of Nissan. Therefore, I might think that the time to speak of *yetzias* Mitzrayim and of Hashem's mastery over all other forces begins on Rosh Chodesh, when the sign of the sheep first ascends. For the same reason, the *Haggadah* states that I might think the time to discuss *yetzias* Mitzrayim is on the afternoon of *erev* Pesach. That is the time when the *korban* Pesach was slaughtered. (*Geulas Avraham*)

### **A Novel Insight from the Lubavitcher Rebbe**

R' Menachem Mendel Schneerson *zt"l* (the “Lubavitcher Rebbe”) asks: The very source for the mitzvah of retelling the story of *yetzias* Mitzrayim is the above *pasuk*, “You shall tell your son on that day, saying, ‘Because of this Hashem acted on my behalf when I left Mitzrayim.’” And, as the above passage indicates, the word “this” in the *pasuk* refers to the *matzah* and the *marror*. Since the mitzvah of *Haggadah* is thus connected with the *matzah* and the *marror* (whose time is Pesach night), how could the author of the *Haggadah* entertain the possibility that the mitzvah of telling the story of *yetzias* Mitzrayim begins on Rosh Chodesh, fifteen days before Pesach?

He explains: We are taught that the *Avos* observed the Torah before it was given. However, there is a difference between their Torah observance and ours. For us, there are such things as holy objects (for example, *tefillin*) and unholy objects (for example, a non-kosher animal). However, to the *Avos*, such concepts did not exist. Although they could observe the laws of *tefillin* and the laws of *kashrus*, the objects themselves were not yet invested with sanctity or impurity (as the case may be) because the Torah did not yet exist in the physical world. (This, says R' Schneerson, is why Avraham did not perform *bris milah* on himself before Hashem commanded him to do so. Before the mitzvah of *milah* was given, there was no impurity to the *orlah*.)

The *mitzvos* of *matzah* and *marror* were first given to Moshe on Rosh Chodesh Nissan, two weeks before Pesach. It was on that day that the idea of *matzah* and *marror* as mitzvah-objects first came into being, and the author of the *Haggadah* thought that perhaps that was sufficient basis to begin retelling the story *yetzias* Mitzrayim. No, the *Haggadah* concludes, the *matzah* and *marror* are not

invested with their full holiness until it comes time to eat them, and that is when there is a mitzvah to retell the story of *yetzias* Mitzrayim. (*Haggadah Shel Pesach: Admor Mi'Lubavitch*)

**מתחלה עובדי עבודה זרה היו אבותינו ועבשיו קרבנו המקום לעבדתו...**

**Originally our ancestors were idol worshipers, but now the Omnipresent has brought us near to His service...**

### **Why is it Relevant That Our Ancestors Were Idolaters**

Why is it relevant to the story of *yetzias* Mitzrayim that our ancestors were idolaters? R' Moshe ben Machir *zt"l* explains that the *Haggadah* is contrasting Avraham with our ancestors in Mitzrayim and with ourselves. In the process, we see Hashem's greatness and kindness. Avraham abandoned the idolatry of his fathers and rose to great heights. His descendants in Mitzrayim again became idolaters. Despite Bnei Yisroel's idolatry, Hashem redeemed them. So, too, he redeems us repeatedly from our oppressors in the merit of His covenant with Avraham. (*Seder Hayom*)

**ברוך שומר הבטחתו לישראל ברוך הוא שהקדוש ברוך הוא חשב את הקץ לעשות כמו שאמר לאברהם אבינו בברית בין הבתרים שנאמר ואמר לאברם ידע תדע כי גר יהיה זרעך בארץ לא להם ועבדום וענו אתם ארבע מאות שנה וגם את הגוי אשר יעבדו דן אנכי ואחרי כן יצאו ברכש גדול**

**Blessed be the One who keeps His promise to Yisroel, blessed be He; since the Holy One, blessed be He, calculated the end [of the exile,] to do as He said to Avraham, our father, in the Covenant between the Pieces, as it is stated (*Bereishis 15:13-14*), "And He said to Avram, 'you should surely know that your seed will be a stranger in a land that is not theirs, and they will enslave them and afflict them four hundred years. And also that nation for which they shall toil will I judge, and afterwards they will go out with much property.'"**

### **Understanding the Shortened Exile**

Rashi writes that 400 years passed from the birth of Yitzchok until *yetzias* Mitzrayim, and Yitzchok's birth was 30 years after Hashem spoke the above words to Avraham. That explains the 430 years mentioned in the second *pasuk* quoted above.

R' Chaim Zaichyk *zt"l* elaborates: The *Pirkei D'Rabbi Eliezer* teaches that Bnei Yisroel were in Mitzrayim for only 210 years. Although Hashem had told Avraham the exile would last 400 years, He shortened the time in the merit of the *Avos* and *Imohos*.

What "merit" is referred to? R' Zaichyk explains: The Gemara (*Makkos 11b*) teaches that a person who commits accidental manslaughter must flee to one of the cities of refuge and remain there until the Kohen Gadol dies. If the Kohen Gadol is disqualified from office after the murderer is sentenced to exile, but before he begins his exile, then, according to one opinion, it is as if the Kohen Gadol died and the murderer goes free.

The *Ritva* asks: The reason an accidental murderer goes free when the Kohen Gadol dies is that the latter's death provides atonement for the Jewish People's sins. But, if the Kohen Gadol was merely

disqualified, what provides that atonement? He answers: The anguish that the Kohen Gadol feels at being disqualified provides atonement. Another commentator, the *Meiri* explains, on the other hand, that the anguish that the murderer himself feels when his sentence sinks in and he pictures himself in exile subdues his heart and thereby provides atonement.

In light of this, R' Zaichyk continues, we can understand the above *Pirkei D'Rabbi Eliezer* as follows: When the *Avos* and *Imohos* envisioned the suffering that their descendants would undergo in Mitzrayim, they were so shaken and pained that it was as if they were in Mitzrayim. Hashem placed that anguish of the *Avos* and *Imohos* on the “merits” side of His “scales” and used it to shorten the exile in Mitzrayim. (*Ohr Chodosh*: Pesach p.78)

### **How to Ensure Great Wealth Doesn't Go to Your Head**

The Ribbono Shel Olam promised Avraham Avinu that when Klal Yisroel would leave Mitzrayim, they would leave with great wealth (יצאו ברכוש גדול). In regard to this, the *pasuk* (*Tehillim* 105:37) writes: כושל בשבטיו כושל – הוציאם בכסף וזהב ואין בשבטיו כושל – “You took Yisroel out with silver and gold and there was no stumbling block with the *shevotim*”. Why were Klal Yisroel referred to as *shevotim*?

To answer this, we must turn to a *peshat* given by the *Ibn Ezra*. In describing Klal Yisroel's readiness to leave Mitzrayim, the *pasuk* writes, “your loins are girded, your staffs in your hands and your shoes are on your feet”. The *Ibn Ezra* remarks why did everyone have to have a staff in his hands? Feet need shoes for travelling and girding the loins was a custom but what is the purpose of the staffs, especially for those who were young and didn't need support? He explains, since the donkeys are going to be carrying the wealth taken from Mitzrayim, Klal Yisroel needed sticks to force them to move with the wealth even under such heavy weight.

The *Meor Vashemesh* explains that the reason Hashem asked for the *korban* Pesach to be eaten *bechipozon* [swiftly] was because eating quickly does not yield that much enjoyment, in contrast to one who savors every mouthful. Eating the *korban* Pesach was a *tikkun* [fixing] for Adam's eating from the *eitz hada'as* which was *ta'avah* [desire] as the *pasuk* describes: טוב למאכל ותאוה לעינים – “good for eating and enticing to the eye”. The *tikkun* needed to come in the form of performing a mitzvah without any lust and *ta'avah* involved, and merely being carried out because one was commanded to. Similarly, when it came to taking the wealth of Mitzrayim into their own possessions, they had to be careful not to become overcome with a rush of *ta'avah* in suddenly possessing so much money, because then it could be very dangerous for their spiritual growth.

This was not the first time such a scenario occurred. When Avraham Avinu left Mitzrayim with riches from Pharaoh, the *pasuk* says (*Bereishis* 13:2): ואברהם כבד מאד במקנה בכסף וזהב – “And Avraham was very heavy, with cattle, gold and silver”. The Radamska Rebbe interprets the above *pasuk* to mean that the great riches that Avraham Avinu suddenly came laden with were to “heavy for him” (כבד מאד). Meaning, it was too much *olam hazeh* for the *tzaddik* to handle without affecting his *ruchniyus*. *Maaseh Avos simon lebonim*, the events that happened to the *Avos* foreshadowed what would happen to their descendent in the future. Just like Avraham left Mitzrayim with lots of wealth, the same thing was with Klal Yisroel in future generations, however, it was important for them to ensure that the wealth didn't go to their heads.

The *shevotim* sent Yaakov ten donkeys laden with goods from Mitzrayim. The *Maharal* explains that the donkeys were corresponding to his ten sons who sold Yosef to Mitzrayim as donkeys meaning they were just objects of Hashem's plan.

In light of all the above we can explain, that the reason Klal Yisroel had to take sticks with them when leaving Mitzrayim was to remind them, that in the same fashion that the sticks were there to force the donkeys to carry the heavy weight on their backs, so too they should carry the sticks to remind them not to lose Hashem when they suddenly become super rich. This symbolic stick that they took with them from Mitzrayim was for the purpose of arousing them to acquire the perspective that they themselves are mere donkeys just schlepping the wealth from Mitzrayim because Hashem said so.

Now we can understand the *pasuk* we started with, הוציאם בכסף וזהב ואין בשבטיו כושל, כושל. The word שבטיו in the *pasuk* means a stick as Shlomo Hamelech said: חושך שבטו שונא בנו – “if you spare the **rod** you hate your son”. The sticks that Klal Yisroel took out with them to force the donkeys to carry the heavy burden was to remind them that they are also just carriers fulfilling Hashem's mission and His promise to Avraham Avinu, ואחרי כן יצאו ברכוש גדול – “And afterwards they will leave with great wealth”.

They were successful in achieving their function of not letting the sudden wealth go to their heads. This that they worshipped the *eigel* by giving their gold which Moshe called די זהב – “to much gold”, was referring to the *erev rav* who didn't have that spiritual component to control and discipline their outlook on the sudden enrichment scenario. However, Klal Yisroel was able to do so since their alter *zaidy* Avraham Avinu programmed this response deep inside of them. (R' Shmuel Brazil's *Haggadah*)

### **Why Was Pharaoh Punished for Implementing Hashem's Word?**

Why was Pharaoh punished for implementing Hashem's word? After all, Hashem told Avraham that his descendants would be enslaved as punishment for Avraham's questioning the fulfillment of His promise (see *Bereishis* 15:8).

R' Rephael Yom Tov Lipman Halpern *zt"l* (the *Oneg Yom Tov*) explains as follows: There are two different ways that Hashem deals with the Jewish people. Sometimes He deals with them in a completely miraculous manner, without regard to the laws of nature. At these times, Hashem makes specific decrees as to what will happen to the Jewish people, whether for good or for bad. At other times, because of our sins, Hashem leaves us to be ruled by the laws of nature, and He stands by and does not interfere, whatever happens. (This is known as *hester panim* [hiding His face].)

Perhaps, says the *Oneg Yom Tov*, Hashem never decreed that the Jewish people should be slaves in Mitzrayim. Rather, because of Avraham's sin, and later, the sin of Yosef's brothers in selling him, Hashem decided to stand back and let nature take its course. Along came Pharaoh, a man with an evil nature, and mistreated the Jewish people. If not for Pharaoh's evil character, the fact that Hashem was “standing aside” would not have resulted in Klal Yisroel's enslavement.

This explains, as well, why we consider it a kindness that Hashem took us out of Mitzrayim. Had He been the cause of our enslavement, we might have considered Hashem to be obligated to redeem us. However, since He did not make us slaves in the first place (but merely refrained from saving us

when Pharaoh enslaved us), it was a kindness to save us. (*Oneg Yom Tov Al Drush, Drosha Leshabbas Hagadol*)

### **Contradictory Reasons for the Servitude**

We read in the Torah that Hashem foretold to Avraham that the Jews would be exiled. [Some *meforshim* say that the exile was a punishment for Avraham because he questioned Hashem's promise that he would inherit Eretz Yisroel.] On the other hand, *Chazal* tell us that the servitude in Mitzrayim was caused by Yosef's brothers selling him as a slave. Which is the real reason?

Similarly, the Gemara teaches in one place that the *Beis HaMikdosh* was destroyed because of the prevalence of murder, adultery and idolatry. In another place, the Gemara states that the *Beis HaMikdosh* was destroyed because the Jews did not study Torah. Again, which is the real reason?

R' Yisroel Reisman *shlita* explained (in one of his *motzei Shabbos Novi shiurim*) that Hashem runs the world the way a person does a jigsaw puzzle. How does one decide where to place each piece of the puzzle? The answer is that there are often multiple reasons for placing a particular piece in a specific location, i.e., the right side fits the piece on the right, the left side fits the piece on the left, etc. So, too, we should not look for one reason for why Hashem acts the way He does. There may be multiple reasons.

**והיא שעמדה לאבותינו ולנו שלא אחד בלבד עמד עלינו לכלותנו אלא שבכל דור ודור עומדים  
עלינו לכלותנו והקדוש ברוך הוא מצילנו מידם**

**And it is this that has stood for our ancestors and for us; since it is not [only] one  
[person or nation] that has stood [against] us to destroy us, but rather in each  
generation, they stand [against] us to destroy us, but the Holy One, blessed be  
He, rescues us from their hand.**

### **A Vort that Had to be Written Down on Chol HaMoed**

When we recite these words during the *seder*, it is customary to cover the *matzah* and to lift the cup of wine. Why? Is not the *matzah* a mitzvah *de'O'raisa*, while the four cups are only a rabbinically-ordained mitzvah? Why do we seem to attribute more importance to the rabbinic mitzvah than to the Torah mitzvah?

R' Menachem Mendel Kalish *zt"l* (Rebbe of Vorka, Poland) explained: What is it that has held the Jewish people together and has stood us in good stead throughout the millennia of exile and persecution? It is the *talmiday chachomim* of each generation who have ensured the continuity of halachah and mitzvah-observance, and it is our adherence to their words that has preserved us as a nation. This is why we point out a rabbinic mitzvah and say, "It is this that has stood by our fathers and us."

When R' Aharon Rokeach (father of the current Belzer Rebbe) repeated R' Kalish's explanation to his father, the Belzer Rebbe, R' Yissochor Dov Rokeach, the latter ordered that it be written down immediately. When he was reminded that it was *chol hamoed*, when writing should be avoided if possible, R' Yissochor Dov responded that such a thought is too important to forget. It must be written down, even on *chol hamoed*. (Quoted in *Mi'saviv La'shulchan* No. 140)

צא ולמד מה בקש לבן הארמי לעשות ליעקב אבינו שפרעה לא גזר אלא על הזכרים ולבן בקש לעקר את הכל

**Go and learn what Lavan the Aramean attempted to do to our father Yaakov! For Pharaoh decreed only against the males, while Lavan attempted to uproot everything.**

### **The Nations Know Hashem's Kindness More than Us**

R' Shlomo Zalman Auerbach *zt"l* comments: Although the Torah never mentions explicitly that Lavan wanted to kill Yaakov, *Chazal* testify that such was his intention. And, just as the details of Lavan's plot against Yaakov remain hidden, so it has been throughout history. We read in *Hallel*: "Praise Hashem, all nations... For His kindness has overwhelmed us..." The *meforshim* ask: Why should the nations praise Hashem because His kindness has overwhelmed us? The answer that is commonly given is that only the nations can truly appreciate Hashem's kindness to us, because only they know how many times they have plotted against us and failed. (*Haggadah Shel Pesach* R' Shlomo Zalman Auerbach)

### **Women are Hakol [Everything]**

R' Levi Yitzchok Horowitz *zt"l* (Bostoner Rebbe) asks: Why do we say, "Lavan sought to uproot *hakol*," rather than, "Lavan sought to uproot the females as well"?

He writes: The answer came to me in a dream. The term "*hakol*" alludes to women. For example, the Gemara (*Yevamos* 62a) teaches: A man who has no wife lives without joy, without blessing, without goodness, without Torah..." In short, such a person lacks *hakol* [everything]!

The Torah writes in *Bereishis* (24:1), "Hashem had blessed Avraham *bakol* (with everything)." The Gemara (*Bava Basra* 16b) states that Avraham had a daughter and her name was "Bakol." In light of the above Gemara, we can understand why that name was appropriate.

The Bostoner Rebbe continues: One of the terms for a wife is *akeret bayit*, for she is the *ikkar* [essence] of the house. Especially on Pesach night, concludes the Bostoner Rebbe, women are "*hakol*." After all, *Chazal* teach that *yetzias* Mitzrayim occurred in the merit of the women. (*Haggadah Shel Pesach Ezras Avoseinu* p.116)

### **Why Don't We Mention Esav?**

Why doesn't the *Haggadah* mention that Esav also wanted to "uproot everything"?

R' Chaim Kanievsky answers that the statement quoted above actually alludes to Esav. How so? R' Kanievsky explains: The Torah does not say anywhere that Lavan wanted to destroy Yaakov and his family. If so, to what is the *Haggadah* referring? It is referring to the Medrash *Sefer Hayashar* which relates that Lavan sent a messenger to Esav saying, "Yaakov has left my territory and is traveling toward you. Do with him as you wish." In other words, how did Lavan try to uproot everything? By provoking Esav. (Quoted in *Haggadah Shel Pesach Shiras Ha'leviim* p.57)

**“They became a nation” - This teaches that the Yidden were distinctive there.**

### Unity

R' Yosef Zvi Duschinsky *zt"l* explains this passage in light of the *pasuk* (*Shemos* 1:9), “[Pharaoh] said to his people, ‘Behold! the nation (*am*), Bnei Yisroel, is greater (*rav*) and stronger than we.’” Pharaoh expressed this concern at the beginning of Bnei Yisroel’s stay in Mitzrayim. Is it possible, asks R’ Duschinsky, that at that time, before they began multiplying miraculously, Pharaoh could imagine that they would outnumber the Mitzriyim? Surely Bnei Yisroel were an extremely small minority in Mitzriyim, which was one of richest and most secure world powers of that period!

R’ Duschinsky explains: What concerned Pharaoh was the unity of Bnei Yisroel, a trait not shared by the Mitzriyim. That is what Pharaoh meant when he exclaimed that “the nation (*am*), Bnei Yisroel, is greater (*rav*).” “*Am*” and “*rav*” are singular, alluding to the unity that Pharaoh saw among Bnei Yisroel. This is what we allude to also when we say in the *Haggadah*, “They became a nation [a unit]’ - This teaches that the Yidden were distinctive there.” They were united by their distinctive language, style of dress and feelings toward each other.

In addition, R’ Duschinsky continues, this passage in the *Haggadah* alludes to the promise that Hashem made to Yaakov when he descended to Mitzrayim. Hashem said to him (*Bereishis* 46:3), “Have no fear of descending to Mitzrayim, for I shall establish you as a *goy gadol* (great nation there).” Yaakov was afraid that his descendants would assimilate in Mitzrayim, so Hashem assured him that they would remain a *goy gadol* (again, a unit) - recognizable by the fact that they were united in their distinctiveness.

R’ Duschinsky concludes: If it was important for the Jewish People to preserve their distinctiveness in a country where they were, in any case, the lowest rung of society, how much more so is it important when we have the ability to assimilate. (*Haggadah Shel Pesach Maharitz* p.74)

**במתי מעט כמה שנאמר בשבעים נפש ירדו אבותיך מצרימה, ועתה שמך ה' אלקיך ככוכבי השמים לרב**

**“As a small number” - as it is stated (*Devorim* 10:22), “With seventy souls did your ancestors come down to Mitzrayim, and now the Hashem your G-d has made you as numerous as the stars of the sky.”**

### The World Was Created for My Sake

R’ Moshe Rosenstain *zt"l* said: It is a basic principle of the Torah that we are bound to value every individual. Each person must say, “The world was created for my sake.” Yet how is it possible to view each man as a world unto himself? When we see that man is as numerous as the fish in the sea, are we truly to think that each is worthy to have Hashem create the world for his sake? How can we imagine that Hashem would make a covenant with each and every one?



But when we gaze upwards to the heavens, towards the billions of stars, and realize that each star is a world in itself, immense and important, then we can believe that, even if the people of the world are like the sands of the seashores, each is a world unto himself. Hashem created all for his sake and he is worthy to hear the word of Hashem and enter into His covenant. (Quoted in *The Artscroll Mussar Haggadah*)

**ובני ישראל פרו וישרצו וירבו ויעצמו במאד מאד ותמלא הארץ אתם**

**“Bnei Yisroel multiplied and swarmed and grew numerous and strong, most exceedingly and the land became full of them.”**

### **Even Pharaoh Couldn't Deny**

The *Maharit* writes: No one, not even Pharaoh, could deny that the growth rate of Bnei Yisroel was miraculous. Therefore, perhaps the *pasuk* (1:9), “He said to his people, ‘Behold! the people, Bnei Yisroel, are more numerous and stronger *mimenu*” [usually translated “more numerous and stronger than we”] should be translated, “more numerous and stronger from Him.” If this is the correct translation, continues the *Maharit*, then the next *pasuk*, “Let us outsmart *lo*” [usually translated “it,” referring to Bnei Yisroel] perhaps should be translated, “Let us outsmart Him,” again referring to Hashem. Indeed, *Chazal* say that Pharaoh said, “Let us outsmart the Redeemer of Bnei Yisroel.” That, of course, is none other than the Ribbono Shel Olam. (*Tzofnas Panei'ach*)

### **Sixty Children at Once**

The *Medrash Rabbah* states that the Jewish women in Mitzrayim gave birth to sextuplets. Another opinion says they gave birth to sixty children at a time.

The *Maharal Mi'Prague* writes: The *Medrash* does not literally mean that women gave birth to sixty children at a one time. Indeed, he observes, if it were possible for one woman to carry that many children, each one would be so small as to not be viable. Rather, the *Medrash* means that women who gave birth, rather than suffering the weakness that normally follows birth, felt so strong that they could have delivered sixty babies if such a thing were possible.

As for the opinion that they gave birth to sextuplets, the *Maharal* suggests that this was Hashem's response to the fact that Bnei Yisroel were enslaved six days a week. (*Gevuros Hashem* ch.12)

**ונצעק אל ה' אלקי אבותינו וישמע ה' את קלנו וירא את ענינו ואת עמלנו ואת לחצנו**

**“And we cried out to Hashem, the G-d of our ancestors, and Hashem heard our voice, and He saw our affliction, and our toil and our duress” (*Devorim* 26:7).**

### **It All Depends on the People's Crying Out**

R' Yosef Yitzchok Schneerson *zt"l* (the Lubavitcher Rebbe) once commented: People mistakenly think, “If only we had a Moshe Rabbeinu today, he would rescue us from our exile.” Those people are wrong. The redemption is not delayed because we don't have a Moshe Rabbeinu. Even in

Mitzrayim, Hashem sent the redeemer only after the people cried out to Him. If we would cry out to Hashem similarly, He would send out redeemer. (Quoted in *Otzros Tzaddikei U'geonei Ha'doros*)

**ונצעק אל ה' אלקי אבותינו כמה שנאמר ויהי בימים הרבים ההם וימת מלך מצרים ויאנחו בני ישראל מן העבודה ויזעקו ותעל שועתם אל האלקים מן העבדה**

**“And we cried out to Hashem, the G-d of our ancestors” - as it is stated (*Shemos 2:23*); “And it was in those great days that the king of Egypt died and Bnei Yisroel sighed from the work and yelled out, and their supplication went up to Hashem from the work.”**

### **Hashem Takes Care of Everything**

The Torah writes in *Parshas Vo'eira*: ... והוצאתי אתכם מצחת סבלת מצרים ... ולקחתם אתכם לי לעם והייתי לכם לאלקים וידעתם כי אני ה' אלקיכם המוציא אתכם מתחת סבלות מצרים - “Therefore, say to Bnei Yisroel, ‘I am Hashem, I shall take you out from under the burdens of Mitzrayim ... I shall take you to Me for a people and I shall be a G-d to you; and you shall know that I am Hashem your G-d, Who takes you out from under the burdens of Mitzrayim.” (*Shemos 6:6-7*)

Why is word *sivlos* [burdens] written in the *chosar* [lacking] form (i.e., without the letter *vov*) in *pasuk* six and in the *molay* [full] form (i.e., with the letter *vov*) in *pasuk* seven?

R' Yosef Zvi Salant *zt"l* explains: Bnei Yisroel experienced two types of persecution in Mitzrayim - physical and spiritual. However, the enslaved people were primarily conscious of only the physical oppression. The spiritual damage that was being done to them was less apparent. Thus we read (2:23-25), “Bnei Yisroel groaned because of the work and they cried out. Their outcry because of the work went up to Hashem. Hashem heard their moaning, and Hashem remembered His covenant with Avraham, with Yitzchok, and with Yaakov. Hashem saw Bnei Yisroel; and Hashem knew.” Bnei Yisroel groaned only because of their physical labours, and that outcry surely went up to Hashem. However, Hashem Himself knew that they were suffering from another cause as well; they were losing their spiritual connection to Avraham, Yitzchak and Yaakov.

In this light, the word *sivlos* is written here “lacking” (i.e., without a *vov*) to indicate that Bnei Yisroel's suffering was lacking a dimension. However, Hashem takes us out from all of our *sivlos* - written “full” - because He recognizes when we are suffering spiritually as well. (*Be'er Yosef*)

### **Being Jewish Requires More Than Dressing, Speaking and Having a Jewish Name**

The word *sivlos*, which is translated as “burdens,” is used by the commentators (Kotzker Rebbe and others) to connote a sense of complacency in adapting to slavery. Thus, *sivlos* is connected to *savlanus*, patience, reticence. The Jews had become content, accepting their situation in life, obsequiously willing to submit to being Egyptian slaves. Furthermore, they had become part of Egyptian culture to the point that it had become their culture, their mindset. The Egyptian way of life was not foreign to them; it was not an anathema. It was the way they were willing to live. This bespeaks the *galus* [exile], mindset to which the Jews in Egypt were subject. In this sense, Hashem not only redeemed us from Egypt; He expunged Egypt from within us.

Among the *zechusim* [merits], warranting our redemption were: we did not change our Hebrew names; we retained our Hebrew language; and we dressed in the same distinctive manner which characterized us in our original home. How then did we adopt the Egyptian culture? We did not speak like Egyptians; dress like Egyptians; or take Egyptian names. It seems that we did preserve our "Jewishness."

Apparently, being "Jewish" means more than having a Hebrew name, speaking the language and maintaining a distinctive mode of dress. It is how we think that determines our essence. If one dresses like a Jew, but thinks like a *goy*; speaks like a Jew, but acts like a gentile; has a Jewish name, but limits his Jewishness to these traits, he retains Egypt within himself.

In contemporary society, we dress differently, speak differently, even converse in a different language. Can we assert, however, that our lifestyle, our mindset, is really different from those around us? If our adherence to the Jewish way of life is external, but our consciousness is state of the art American, we maintain *galus* within us. Acting outwardly *yeshivish*, but thinking inwardly "worldly" does not render us "*yeshivish*," "*chassidish*," or much of anything Jewish for that matter. (Peninim on the Torah)

**וירא את ענינו זו פרישות דרך ארץ כמה שנאמר וירא אלקים את בני ישראל וידע אלקים**

**"And He saw our affliction" - this [refers to] the separation from the way of the world, as it is stated (*Shemos* 2:25); "And Hashem saw Bnei Yisroel and Hashem knew."**

### **What Did Hashem Know?**

What is it that "Hashem knew"? R' Yosef Dov Halevi Soloveitchik *zt"l*, better known as the *Beis HaLevi* explains: The Medrash records that the *malochim* complained, "What is the difference between Bnei Yisroel and the Egyptians? Just as the latter are idolaters, so are the former!"

Hashem answered, "Would you have Me judge an involuntary transgressor (*'onnes*) as a wilful sinner (*'mazid*)?" Whereas the Egyptians worshipped idols by choice, Bnei Yisroel in Egypt became idolaters only because they were confused by the pain of the exile.

Only Hashem knows when a transgression is truly involuntary. While it may sometimes appear that a person is being forced to sin, we cannot say that he was truly entrapped unless he was not predisposed to commit that sin. However, if he would have transgressed even without the pressure of external circumstances, he is not an "*onnes*." This is the meaning of the above *pasuk*, "And Hashem knew," i.e. He knew that the idolatry of Bnei Yisroel was a true case of "*onnes*."

The preceding idea has *halachic* applications as well. For example, the Gemara states that a couple which remains childless for many years should divorce, yet the practice in the Diaspora is not so. Why? Because we assume that it is the sin of living in the Diaspora which has caused the childlessness, and not the incompatibility of the couple. The *Hafla'ah* asks: Is this so? Do we not follow the *halachic* view that one is exempt from the mitzvah of settling in Eretz Yisroel in times of economic hardship? Why then should people be punished for not settling in Eretz Yisroel?

His answer is none other than the principle explained above. A person is not called an “*onnes*” unless the only factor which induces his action or inaction is the one that “forces” him to choose that course. However, there are many people who have no desire to settle in Eretz Yisroel, and the land’s economic difficulties are only an excuse that they give. Such a person cannot be called an “*onnes*.” (*Beis HaLevi: Parshas Shemos*; also, in *Haggadah Shel Pesach Mi’Beis HaLevi*, p. 153)

**ואת עמלנו אלו הבנים כמה שנאמר כל הבן הילוד היארה תשליכה וכל הבת תחיון**

**"And our toil" - this [refers to the killing of the] sons, as it is stated (*Shemos 1:22*);  
"Every boy that is born, throw him into the Nile and every girl you shall keep  
alive."**

### **Hashem Pulls the Strings**

Pharaoh conspired to enslave the Jewish People and prevent them from growing as a nation. At one point, he even commanded that every newborn baby be thrown into the Nile.

Rashi writes that this last decree was not against Bnei Yisroel alone, for the Torah says (1:22), “Pharaoh commanded his entire people, saying, ‘Every son that will be born - into the river shall you throw him!’” Rashi explains that Pharaoh’s astrologers told him that the saviour of Bnei Yisroel would be born on a certain day, and he might be Jewish, or he might be Egyptian. (They were confused because the saviour, Moshe, actually would be a Jew who would grow up in the palace of an Egyptian.)

R’ Yosef Chaim Sonnenfeld *zt”l* observes that this story illustrates how Hashem pulls all the strings behind the scenes and uses every person to bring about the result that His Will has ordained. The Gemara (*Chagigah 15a*) teaches that everything in the world has an opposite. In the physical world, for example, there are mountains and valleys, etc. In the spiritual world, there are *tzaddikim* and *reshoim*, *gan eden* and *gehinnom*, etc. In the same vein, we are taught that the opposing forces of good and evil must be balanced in the world in order to preserve man’s ability to exercise his free will. According to Hashem’s own design, if a soul enters the world that has the ability to become a great *tzaddik* like Moshe Rabbeinu, another soul must come into the world that has the potential to counter-balance that holiness by spreading unspeakable evil and impurity.

Whatever became of the impure soul that was destined to counterbalance the soul of Moshe Rabbeinu? We never hear of such a person! The answer, says R’ Sonnenfeld, is that “Pharaoh commanded his entire people, saying, ‘Every son that will be born - into the river shall you throw him!’” Unwittingly, Pharaoh killed the one person who could have prevented Moshe Rabbeinu’s future mission from succeeding. (*Chochmas Chaim*)

### **A Novel Insight from the Klausenberger Rebbe**

R’ Yekusiel Yehuda Halberstam *zt”l* (Klausenberger Rebbe) asks: Why does the Torah report the last part of Pharaoh’s decree, “And every daughter you shall keep alive”? Is the Torah coming to praise his humanitarianism?

R’ Halberstam answers: The Torah reports that Pharaoh planned to keep the girls alive because that was part of his evil plot. Pharaoh didn’t know that a child born of a Jewish mother and a non-Jewish

father is *halachically* Jewish. He thought that keeping the girls alive to marry Egyptians would increase the Egyptian population.

In the *Haggadah*, we quote this *pasuk* and exclaim, “This is our burden.” Understandably, the decree to kill Jewish boys was a burden, but why was the decree to keep alive the daughters a “burden”? In light of the above, R’ Halberstam notes, it is clear. The intent of the decree was to take away our daughters and marry them to Egyptians. The *Haggadah* is teaching that the searing pain that Bnei Yisroel felt at the prospect of this intermarriage served as a merit that hastened their redemption. (*Haggadah Shel Pesach Halichos Chaim* p.221)

**ביד חזקה זו הדבר כמה שנאמר הנה יד ה' הויה במקנך אשר בשדה בסוסים בחמרים בגמלים  
בבקר ובצאן דבר כבד מאד**

**“With a strong hand” - this [refers to] the pestilence, as it is stated (*Shemos* 9:3);  
“Behold the hand of Hashem is upon your herds that are in the field, upon the horses, upon the donkeys, upon the camels, upon the cattle and upon the flocks,  
[there will be] a very heavy pestilence.”**

### Understanding the Attribute of *Yad Chazakah*

The *pasuk* in *Parshas Beshalach* says: “I shall sing to Hashem for He is extremely exalted, having hurled horse with its rider into the sea.” (*Shemos* 15:1)

Rashi writes: Hashem did something that no human warrior can do. A human warrior knocks the rider off the horse and then vanquishes him. Only Hashem could hurl a horse and its rider into the sea together.

R’ Yitzchok Yerucham Borodiansky *shlita* (Yeshivas Kol Torah in Yerusholayim) writes: This is the attribute of Hashem which the Torah refers to as the “*yad chazakah*” [“strong hand”] and we eat *matzah* on Pesach to recognize this attribute. *Matzah* is a mixture of flour and water. Naturally, flour and water that are mixed rise to a make a bread dough, but the “strong hand” of the baker can overpower the natural tendency of the dough in order to make unleavened bread.

In the *Haggadah* we say, “The ‘*yad chazakah*’ is the plague of *dever* [an animal disease].” R’ Borodiansky asks: The general theme of the *Haggadah* is elaborating on the greatness of the miracles. Why does the author of the *Haggadah* here limit the definition of the “*yad chazakah*”?

He answers: The *Haggadah* is not referring here to the specific plague of *dever*. Rather, all of the plagues can be classified either as *dever* or *cherev* [a sword], as in the *pasuk* (*Shemos* 5:3), “Lest He strike us dead with the *dever* or with the *cherev*.” “*Dever*” refers to those plagues which involved a change to the nature of a physical object or phenomenon - e.g., blood, animal disease, and darkness - while “*cherev*” refers to the plagues that involved an attack from the outside - e.g., frogs, wild beasts, and hail. Based on this understanding, the *yad chazakah* and *dever* indeed are synonymous, for they both refer to Hashem’s mastery over nature, such as when He tossed horse and rider into the sea together. (*Siach Yitzchok: Geulas Mitzrayim* p.43)

ובמורא גדל זו גלוי שכינה כמה שנאמר או הנסה אלקים לבוא לקחת לו גוי מקרב גוי במסת  
באתת ובמופתים ובמלחמה וביד חזקה ובזרוע נטויה ובמוראים גדולים ככל אשר עשה לכם ה'  
אלקים במצרים לעיניך

**“And with great awe” - this [refers to the revelation of] the Divine Presence, as it is stated (*Devorim 4:34*), “Or did G-d try to take for Himself a nation from within a nation with enigmas, with signs and with wonders and with war and with a strong hand and with an outstretched forearm and with great and awesome acts, like all that Hashem, your G-d, did for you in Mitzrayim in front of your eyes?”**

### **A Nice Chap from Rav Belsky**

R' Yisroel Belsky *zt"l* writes: This *pasuk* is one of only two *pasukim* in the whole Torah that contains every letter of the *Aleph-Beis*. The message is that when Hashem reveals Himself, it touches every aspect of the universe which, say *Chazal*, was created using all the letters of the *Aleph-Beis*. Likewise, it teaches that Hashem “personally” supervises every aspect of the universe. (*Haggadah Shel Pesach B'tzeis Yisroel*)

**ובאתות זה המטה כמה שנאמר ואת המטה הזה תקח בידך אשר תעשה בו את האותות**

**“And with signs” - this [refers to] the staff, as it is stated (*Shemos 4:17*): “And this staff you shall take in your hand, that with it you will perform signs.”**

### **Why Moshe and Aharon Needed Staff's**

What was the staff's role in creating the wonders and plagues? asks R' Zalman Sorotzkin *zt"l*. Why couldn't Moshe and Aharon just wave their hands or utter commands to make the plagues happen? Having the staff gave Moshe credibility as the redeemer because it was a physical manifestation of his status as Hashem's messenger. The importance of physical evidence of reality is illustrated in the Gemara (*Yevamos 25a*), which states that a person who testified that a man had died is prohibited from marrying the man's widow lest he be lying, whereas a man who delivered a *get* [bill of divorce] is permitted in some cases to marry the divorcee. Why? Because the divorce document itself gives the messenger credibility [even though he might have forged it]. So, too, Moshe's staff gave him credibility. Likewise, writes R' Sorotzkin, this explains why Hashem gave part of the Torah to Moshe on stone tablets, as opposed to simply dictating the *Aseret Ha'dibros* to Moshe and having him write them, as Moshe recorded the rest of the Torah. The *Luchos* were physical objects that added credibility to Moshe's teaching of the Torah. (*Haggadah Shel Pesach Ha'shir Ve'ha'shevach* p.92)

### **Spiritual Failure Becomes Easier with Each Step**

*Chazal* say that when Moshe and Aharon first appeared before Pharaoh, they miraculously walked through a heavily guarded doorway into the midst of a large state dinner. Despite this obvious miracle, Pharaoh hardened his heart and ignored them.

The second time that they visited Pharaoh, they performed another miracle (turning Aharon's staff into a snake), and even though Pharaoh's magicians mimicked Aharon's act, he won the day when his staff swallowed theirs. Nevertheless, Pharaoh still ignored Moshe and Aharon.

The next time that the two brothers appeared before the king, they turned water into blood. Again the magicians did the same, and this time, Moshe and Aharon did not even score a victory over them.

R' Yechezkel Levenstein *zt"l* notes that each of these tests was easier for Pharaoh to fail than the preceding one had been. Each of Moshe and Aharon's miracles was smaller than the one before it. This is Hashem's way - he tests a person, and should the person ignore the challenge, Hashem leads him down the path which he has chosen. Spiritual failure becomes easier with each step. (Quoted in the Artscroll *Mussar Haggadah* p.82)

**אלו עשר מכות שהביא הקדוש ברוך הוא על המצרים במצרים ואלו הן:**

**These are [the] ten plagues that the Holy One, blessed be He, brought on the Egyptians in Egypt and they are:**

### **Why There Were Ten Plagues**

Why were the plagues ten in number? R' Yosef Moshe *zt"l* offers the following explanation:

On the *pasuk* (Yirmiyohu 31:19), "Is Ephraim My dear son," the Medrash comments (as if quoting Hashem): "How dear is he to Me? How many frogs did I pay? How many lice did I pay?" The Medrash refers to these plagues as if Hashem gave the frogs and lice as a ransom for Ephraim, a nickname for the Jewish people.

Was it *halachically* proper to pay a large ransom for Bnei Yisroel? Halachah in fact prohibits paying exorbitant ransoms in order not to encourage kidnaping. There is one case, however, where halachah not only permits, but demands, that a huge ransom be paid. Specifically, the Gemara states that if one sells his slave to a non-Jew, and the non-Jewish buyer prevents the slave from observing *mitzvos*, the seller is obligated to redeem the slave even for ten times the slave's value.

Such was the case in Mitzrayim. The *pasuk* (*Devorim* 26:6), "The Mitzriyim treated us badly," also can be translated, "The Mitzriyim made us bad." They lowered our spiritual stature by preventing us from performing the *mitzvos*. Hashem therefore had to ransom us even for a ten-fold ransom. This is why we introduce the plagues in the *Haggadah* with the statement: "These are the ten plagues that Hashem brought on the Mitzriyim in Mitzrayim." The last two words are seemingly redundant, but they emphasize why there were ten plagues: Bnei Yisroel were enslaved in Mitzrayim, where they could not perform *mitzvos*. (*Haggadah Shel Pesach Be'er Mayim* p.72)

### **There is Nothing Sweeter than Revenge**

All told, the plagues lasted twelve months. R' Leib Broida *zt"l* (brother of the Alter of Kelm) writes that one of the reasons that the plagues lasted so long (rather than merely 10 weeks or so) was so that Bnei Yisroel could enjoy the revenge which was being exacted from their enemies. As everyone knows, there is nothing sweeter than revenge.

What lesson is the Torah teaching us? That despite the prohibition on exacting revenge, there is a place for it. And where is that? Man should take "revenge" on his greatest enemy - the *yetzer horah* [evil inclination].

*Chazal* say that man should serve Hashem with both of his inclinations: the good and the bad. How can man serve Hashem through the *yetzer horah*? The Alter of Kelm explains that if a person asks himself why this great enemy was placed as an impediment to his service of Hashem, he will realize that Hashem demands hard work. When he then succeeds in serving Hashem completely, the *yetzer horah* will have aided him. (*Kisvei HaSaba MiKelm VeTalmidav*)

דם

## Blood

### All the Fish Will Die

When Moshe warned Pharaoh about the plague of blood he said: והדגה אשר ביאר תמות - "The fish that is in the water shall die" (*Shemos 7:18*). R' Eliezer Dovid Gruenwald *zt"l* asks: Why was this included in Moshe's warning to Pharaoh? Obviously, if the Nile turns to blood, all of the fish will die!

He explains: Pharaoh's magicians ostensibly mimicked the plague and turned water to blood. However, what they actually did was an illusion; the water did not turn to blood but just looked like blood. Anticipating that, Moshe warned Pharaoh, "When I turn the Nile to blood, it will be the real thing and the fish will die." (*Keren L'Dovid*)

צפרדע

## Frogs

### The Frogs Helped Settle Border Disputes

When Pharaoh was warned about the upcoming plague of the frogs he was told: הנה אנכי נגף את כל גבולך בצפרדעים - "Behold, I shall strike your entire boundary with frogs" (*Shemos 7:27*). Rabbeinu Bechaya writes: This plague settled border disputes between Mitzrayim and its neighbours. Wherever the frogs went was Mitzrayim, and where they didn't go was not Mitzrayim.

R' Moshe Leib Shachor *zt"l* asks: We read later (10:4), "If you refuse to send forth My people, behold, tomorrow I shall bring a locust-swarm into your border," on which the Medrash Rabbah comments that the plague of locust settled border disputes. Wherever the locust went was Mitzrayim, and where they didn't go was not Mitzrayim. What border disputes were there if the plague of frogs had already resolved them?

He explains: One way of marking boundaries is by planting trees. Perhaps, after the frogs settled Mitzrayim's border disputes, Mitzrayim planted trees to mark its borders. But, we read (9:25), "The hail struck in the entire land of Mitzrayim, everything that was in the field from man to animal; all the grass of the field the hail struck and every tree of the field it smashed." Thus, after the plague of hail, there again were boundary disputes, until the locust swarm settled them once again.

R' Shachor notes that establishing Mitzrayim's borders serves the needs of the Jewish People, for there is a mitzvah (*Devorim 17:16*), "[The king] shall not have too many horses for himself, so that he will not return the people to Mitzrayim in order to increase horses, for Hashem has said to you, 'You shall no longer return on this road again'." In order to know where not to go, we need to know the boundaries of Mitzrayim. (*Avnei Shoham*)



## What's The Screaming All About?

Moshe warns Pharaoh of the impending plague of Frogs. Moshe warned that the frogs would overwhelm the entire land of Mitzrayim: "The Nile shall swarm with frogs, and they shall ascend and come into your house and your bedroom and your bed, and into the house of your servants and of your people, and into your ovens and into your kneading bowls" (*Shemos* 7:28). Of course, Pharaoh ignored the warning. The frogs came and then Pharaoh called to Moshe, begging that he get rid of the frogs. The *pasuk* then states: "Moshe and Aharon went out from Pharaoh's presence; Moshe cried out to Hashem (*va'yitz'ak* Moshe *el* Hashem) concerning the frogs that he had inflicted upon Pharaoh" (*Shemos* 8:8). Moshe's prayer was answered "...and the frogs died – from the houses, from the courtyards, and from the fields."

The expression used to describe Moshe's here is noteworthy. *Chazal* say that there are ten distinct expressions used in *Tanach* to describe prayer. Among these expressions are *tefillah*, *techinah*, *bakasha*, and various other expressions used to express man's beseeching of the Almighty. (It is said that the Eskimos have ten different expressions for snow – because they are so cognizant of this meteorological phenomenon. To the rest of us, snow is snow, but there are in fact different types of snow. *L'havdill* [one should excuse the comparison] we have 10 different words describing prayer.)

Moshe Rabbeinu had many different occasions in which he had to *daven* for Klal Yisroel as leader of the Jewish nation. The Torah rarely uses the expression "*Va'yitz'ak* Moshe *el* Hashem". More common expressions include *vayispallel*, *vayechal*, *ve'eschanan*, *va'ya'ateeru* and so forth. What does the word "*va'yitz'ak*" mean? In plain and simple language, it means "he screamed". The connotation of scream connotes a certain urgency and pain. It would seem to us that the situation here did not warrant a scream, a "*va'yitz'ak*". Why is he screaming when he should have engaged in a more typical form of prayer? Moshe Rabbeinu was clearly in control here. Pharaoh was on the ropes, so to speak. He and his people were suffering – not a bad thing. It was not such an urgent matter that required a "*va'yitz'ak*"! Why, then, did Moshe specifically engage in this form of prayer at this moment?

In the *sefer Ner Uziel*, Rav Uziel Malevsky, *zt"l*, makes an interesting observation (based on a *Kli Yakar*). When Moshe warned of the impending plague of frogs, he prophesized that they would come "into your house and your bedroom and your bed, and into the house of your servants and your people, and into your ovens and kneading bowls". However, when the frogs departed, the Torah only testifies that they died "from the houses, from the courtyards, and from the fields". What happened to the frogs that jumped into the ovens? One would think that they certainly died. A frog that jumps into a hot barbecue is not going to live to tell the tale! Yet the *pasuk* does not mention that the frogs that went into the ovens in fact died.

The *Kli Yakar* suggests a novel interpretation: They did not die! Why did they not die? They did not die because the frogs here were a paradigm for the mitzvah of *kiddush* Hashem [sanctifying Hashem's name by fulfilling His command]. These frogs could have safely jumped into the houses or into the bedrooms. However, in order to fulfil the will of the Ribbono Shel Olam, they jumped into the ovens, *al kiddush* Hashem. This is not some mere story. The Gemara says (*Pesochim* 53b) "Tudos of Rome expounded: What did Chananya, Mishoel, and Azariah (who were given the option by the King of Bavel to bow down to his idol or be thrown into the fire) see that allowed themselves

to give themselves over to martyrdom and allow themselves to be thrown into the pit of fire? They applied a *kal v'chomer* reasoning upon themselves from the frogs (in Mitzrayim): If the frogs who were not commanded to sanctify Hashem's Name jumped into a fiery oven, we who are commanded to sanctify Hashem's Name should surely do so."

Thus, the *Kli Yakar* writes, the frogs are the paradigm for so many Jews throughout the generations who gave up their lives to sanctify Hashem's Name when the situation warranted it. The *Ner Uziel* uses this background idea to explain Moshe's use of the urgent "*va'yitz'ak*" mode of prayer regarding the end of the plague of frogs. The *pasuk* says, "He cried concerning the matter of the frogs". The *Ner Uziel* points out that the *pasuk* does not say he cried that the frogs should leave. No. He cried about the matter of the frogs (*al dvar ha'tzefardim*). Merely praying for their departure from Mitzrayim would not warrant a pained scream. Rather, he was "*tzo'ek*" for the frogs, because he was really crying for all the Jews who throughout the generations would be *moser nefesh* [sacrifice their lives] in order to sanctify Hashem's name. Moshe was praying that all those Jews should meet the same fate as Chananya, Mishoel, and Azaryah. This is something that is indeed worthy for a person to scream about. (R' Frand, in a *Chumash shiur* on *Parshas Vo'era*)

## כנים

### Lice

#### **Proof that Lice Were Present in Goshen**

Several *meforshim* (Rambam, Rabbeinu Yonah, Meiri, Vilna Gaon) write in their commentaries on *Pirkei Avos* (5:4) that although nine of the ten plagues in Mitzrayim did not affect the Jews in any way, the lice that afflicted Mitzrayim during the third plague also infested the land of Goshen where the Jews lived. Nevertheless, the lice did not cause the Jews any suffering as they did the Mitzriyim. Where is this astonishing fact alluded to, and what was the reason for it?

The *Mishmeres Ariel* brings a strikingly simple proof to this claim. Rashi writes (*Bereishis* 47:29) that one of Yaakov's reasons for asking Yosef not to bury him in Mitzrayim was to avoid the lice that would be swarming in the ground. However, if the lice were nowhere to be found in the land of Goshen, Ya'akov could have simply made Yosef swear to bury him there instead of burdening him to carry his body all the way to Eretz Yisroel. From the fact that Ya'akov made him do so, we can deduce that he knew that this option would not be sufficient to alleviate his concern because the lice would also be present in Goshen.

Rav Chaim Kanievsky *zt"l* suggests, the reason for this peculiarity was that in the first two plagues, Pharaoh's magicians were able to duplicate the actual plague. As such, the only proof that Moshe and Aharon's plagues were caused by Hashem and not through sorcery was the fact that they miraculously stopped at the borders of the Jewish land of Goshen. During the plague of lice, on the other hand, Pharaoh's magicians were unable to copy the plague. They freely admitted that it must have been performed by Hashem, and there was therefore no need for the additional miracle of preventing the lice from entering the land of Goshen.

#### **Why Did the Famous Rosh Yeshiva Water His Neighbour's Flowers?**

By the third plague, the plague of lice, the Torah relates, "Aaron stretched out his hand with his staff and struck the dust of the land, and the lice-infestations was on man and beast; all the dust of the

land became lice, throughout the land of Mitzrayim” (*Shemos* 8:13). *Chazal* explain why it was appropriate that Aharon rather than Moshe bring about the plague of Lice. As Rashi quotes, “The soil did not deserve to be stricken by Moshe because the soil protected Moshe when he killed the Egyptian and hid him in the sand.” Out of a sense of gratitude, Moshe Rabbeinu did not want to hit the ground and make the dirt turn into lice. Similarly, Moshe did not want to hit the Nile by the plagues of Blood and Frogs because the Nile saved his life when he was hidden there in a basket as an infant to escape the decree that male children be drowned. Moshe felt indebted to these objects – the Nile River and the dirt of Egypt.

This raises an obvious issue: Does it make a difference to the water of the Nile or to the dirt of Egypt - objects which cannot feel and cannot think – whether anyone strikes them or not or whether they are stricken by Aharon instead of by Moshe? How is it possible for inanimate objects to feel a sense of *hakoras hatov* [gratitude] expressed by a grateful human being? We learn from this that the exercise of expressing gratitude is not for the benefit of the person who gave the favour, but for the benefit of the person who received the favour. When a person is a recipient of any type of gift or favour, it creates an obligation on him to show his appreciation. Whether the “benefactor” of the favour can appreciate the gratitude being demonstrated or not is in fact secondary. A person must go through life realizing that people and things provide favours for him on many different occasions. The person is obligated to express that *hakoras hatov* because such expression makes him into a more decent human being.

There was a Rosh Yeshiva named Rav Yisroel Zev Gustman. He founded a Yeshiva in Brooklyn called Netzach Yisroel, which he moved to Eretz Yisroel, when he made *aliyah* in the 1960’s. As a young man in his twenties, Rav Gustman was appointed on the Beis Din of Rav Chaim Ozer. Given what Vilna was like at that time, considering all the great Rabbinic figures who lived there, the appointment of a person who was literally in his twenties as a member of the Beis Din of Rav Chaim Ozer speaks volumes about the person.

Rav Gustman took walks with Rav Chaim Ozer in the woods surrounding Vilna. Rav Chaim Ozer would from time to time stop and point out to him certain vegetation. Rav Chaim Ozer would say, “Pick up this plant. If you eat this plant, it can provide you sustenance for days.” They would walk further and Rav Chaim Ozer would say “See this leaf? I want you to pick up this leaf. If you put this leaf on your tongue, it can quench your thirst for a long time.” Rav Gustman had no idea why Rav Chaim Ozer, the *posek* of the Generation, the Leader of the entire Jewish world, would be spending his time giving botany lessons.

It turns out that the knowledge Rav Gustman acquired on these walks with Rav Chaim Ozer saved his life. During the war, to escape the Nazi holocaust, Rav Gustman fought alongside partisan soldiers in the forests. He lived in the woods for several years. The plants that Rav Chaim Ozer had shown to Rav Gustman kept Rav Gustman alive – at least for part of the time that he was hiding from the Nazis. This of course, says something about Rav Chaim Ozer as well. He clearly had *ruach hakodesh*.

Rav Chaim Ozer started telling Rav Gustman something that was so out of character and seemed so trivial at the time, yet it literally saved his life. When Rav Gustman moved to Eretz Yisroel, he apparently lived next to a person who had a nice garden. Rav Dovid Mishkovsky writes that he used to see Rav Gustman watering the plants in his neighbour’s garden. I don’t know many Rosh Yeshiva’s

who water plants. When he asked Rav Gustman why he was watering those plants, he replied "It was such plants that kept me alive during the Holocaust. Out of *hakoras hatov*, I feel an obligation to water these plants."

It did not make a difference to the plants. Even if it did, they were not the same plants. Those were plants in Lithuania and these are plants in Yerusholayim. However, it does not make a difference. The obligation to express gratitude is not for the benefit of the person (or object) that provides the favour. It is for the benefit of the person who receives the favour. It is to make a person aware of all the things that he has been provided with in life – all the things that people provide to him and all the things that the Ribbono Shel Olam provides to him. The more a person becomes hypersensitive to the concept of showing appreciation and paying back favours and recognizing past favours, the more the person will be receptive to appreciate present and future favours that are done for us by people – parents, friends, neighbours – and certainly for favours the Almighty does for all of us. (R' Frand, in a *Chumash shiur* on *Parshas Vo'era*)

### **A Powerful Lesson in Tefillah – If You Don't Ask You Don't Get**

After the Mitzriyim were punished with the plague of lice, the Torah (*Shemos* 8:15) informs us that Hashem hardened Pharaoh's heart and then continues to talk about the next plague, *Arov* [mixture of animals]. What happened to the lice? Did they leave? Nothing is mentioned of their disappearance.

Rav Sholom Schwadron suggests that quite possibly the lice became permanent residents of Mitzrayim. Why? Because Pharaoh did not beg for them to be removed - as he did earlier with the frogs. Indeed, as support for this, Rav Sholom cites the *pasuk* in *Tehillim* (105:31): אמר יבא ערב כנים – "He spoke and hordes of beasts arrived, and lice throughout their borders." This alludes that when the *arav* arrived, the lice were included among them. Without *tefillah* - one receives nothing! Thus, if Pharaoh does not beg, it does not happen on its own.

Likewise, we do not find that Pharaoh asked to have the *shechin* [boils], removed. Possibly, they walked around with boils. Indeed, this might be implied from the *pasuk* in the Torah (*Devorim* 28:27): אשר לא תוכל להרפא ... יככה ה' בשחין מצרים – "Hashem will smite you with the boils of Mitzrayim... from which you cannot be cured." Mitzrayim was not healed of their boils, because they refused to make the request.

*Tefillah* is the only ticket through which we receive Hashem's beneficence. When we obstinately refuse to entreat the Almighty - we receive as much as we asked for - nothing!

The *sefer L'hisadein B'ahavasecha* quotes a compelling story related by R' Dovid Soloveitchik *zt"l*, which underscores the amazing power of *Tefillah*:

Years past there was a *shiur* given by a Kabbalist delving into the esoteric secrets of the Torah. This *shiur* was attended by a number of Yerusholayim's elite who would come to the Churvah Shul to listen and imbibe the lessons of the Zohar HaKadosh and the Arizal. A number of the rabbonim who came to imbibe these holy secrets brought with them their young children who would spend the time quietly playing under the tables. Unbeknownst to their fathers, those children would pick up Torah thoughts, but because of their limited ability due to age and knowledge, could hardly digest them properly.

One Friday night, a young boy who had often accompanied his father to the *shiur*, heard his mother gagging in bed. Something had gotten stuck in her throat and she was choking. His mother gave a loud scream *Oy Tatte!* "Oh Father!" which was not an uncommon cry for a person in pain. At that moment, the young boy remembered that as a person is about to leave this mortal world, he sees his father and mother who greet him, prepared to accompany him on his journey to the next world. The child became overwhelmed with fear of his mother's sudden passing. The thought of being left alone was too much for this young child to bear. He ran from his bedroom to the nearest *shul*, opened up its *aron hakodesh* and cried out, "Ribbano Shel Olam. I do not want to end up in the Diskin Orphanage!" He said this over and over again, accompanying his entreaty with bitter weeping. Hashem listened and his mother was able to expurgate the bone on which she had been choking. His sincere *tefillah* begot a positive response.

If there is anything we need to learn from the Mitzriyim, it is that without *tefillah* - one receives nothing.

## דבר

### Pestilence

#### **Why So Much Emphasis on the Fact that the Plague Didn't Effect the Yidden?**

"For if you refuse to send out, and you continue to grip them – behold! The hand of Hashem is on your livestock that are in the field, on the horses, on the donkeys, on the camels, on the cattle, and on the flock - a very severe epidemic. Hashem shall distinguish between the livestock of Yisroel and the livestock of Mitzrayim, and not a thing that belongs to Bnei Yisroel will die.' ... Pharaoh sent and behold, of the livestock of Yisroel not even one had died - yet Pharaoh's heart became stubborn, and he did not send out the people." (*Shemos* 9:2-4, 7) R' Eliezer Dovid Gruenwald *zt"l* asks: Why is so much emphasis placed on the fact that the flocks of Bnei Yisroel were not struck by the plague? We already know that the plagues struck Mitzriyim, not Jews. Indeed, it appears from the last *pasuk* quoted above that the fact that the animals of the Jews were not struck was a compelling argument for releasing Bnei Yisroel from slavery, "yet Pharaoh's heart became stubborn and he did not send out the people." What was so compelling about the fact that the animals of Bnei Yisroel were not struck?

R' Gruenwald explains: Pharaoh argued that Moshe and Aharon could not be the emissaries of Hashem to save Bnei Yisroel because it was not yet time for the *yetzias* Mitzrayim. Hashem had told Avraham that his descendants would be in a foreign land for 400 years, and so far Bnei Yisroel had been in Mitzrayim only (just under) 210 years. Therefore, Pharaoh argued, he was legally entitled to hold Bnei Yisroel as his slaves.

Moshe responded to Pharaoh: If you are correct – "if you refuse to send out, and you continue to grip them," i.e., you claim that you are entitled to hold on to them – then the *halachic* principle that "Whatever a slave acquires belongs to his master" should be applicable. Slaves cannot own property, and any flocks in the possession of Bnei Yisroel would be yours. The test of ownership will be whether the flocks of Bnei Yisroel die in the plague as well.

When Pharaoh saw that not even one of the sheep of Bnei Yisroel died, his argument that he was legally entitled to hold Bnei Yisroel as his slaves was defeated. Nevertheless, the *pasuk* says,

“Pharaoh’s heart became stubborn, and he did not send out the people.” (*Haggadah Shel Pesach Chasdei Dovid*)

### **“I’ll Have My Steak from the Jews’ Cattle”**

Prior to the plague of *Dever* [Pestilence], Moshe Rabbeinu warns Pharaoh in the name of the Ribbono Shel Olam: “For if you refuse to send out, and you continue to hold them, behold the Hand of Hashem is on your livestock that are in the field, on the horses, on the donkeys, on the camels, on the cattle, and on the flock – a very severe epidemic. And Hashem shall distinguish between the livestock of Yisroel and the livestock of Mitzrayim, and not a thing that belongs to the Bnei Yisroel will die.” (*Shemos* 9:24)

The Jewish people were shepherds. They had large flocks. However, Hashem promises that the *Dever*-epidemic will not affect their sheep and cattle. In fact, it occurred exactly as Moshe warned: “Hashem carried out this word the next day, and all the livestock of Mitzrayim died, and of the livestock of the Bnei Yisroel not one died.” (*Shemos* 9:6)

The very next *pasuk* is noteworthy: “Pharaoh sent and behold, of the livestock of Yisroel not even one had died...” (*Shemos* 9:7). Lo and behold, Pharaoh discovered that Hashem was right! Not one Jewish animal died! What was his reaction? “...and Pharaoh’s heart became stubborn, and he did not send out the people.” On the face of it, this is totally counterintuitive and illogical. Everything happened exactly as Hashem had foretold; Pharaoh verified that this was the case; and so he decided “You know what? I am not going to send them out!” What sense is there to this? How do we understand this *pasuk*?

The answer is that Pharaoh is exhibiting the classic response of a wicked person, a person who consciously decides, “I am not going to recognize the Hand of Hashem.” Pharaoh says to himself: “Okay, my entire flock died out. There is nothing to eat! So where am I going to get supper tonight? What are we going to serve? No problem. The Jews still have meat. Aha! If the Jews still have meat, there is no problem. I have a way out!”

I do not know exactly what terminology to use to define this type of behaviour. It is either myopia, short-sightedness, live-for-the-here-and-now. No matter how we describe it, the idea is that I am just going to look at the here and now in front of me, and as long as I still have the ability to have my steak for supper, why should I give in?

This is an attitude that we find not only by Pharaoh – as we will demonstrate shortly – but it is an attitude that we find by all wicked people. It is akin to that which we noticed by Eisav. Eisav came in from the field and he was hungry and immediately took up Yaakov’s offer to trade his birth right for a bowl of lentil soup. Yaakov had said “...sell me like this day, your birth right as first-born” (*Bereishis* 25:31). What is the meaning of the word “like this day” (*ka’yom*)? The *Seforno* writes that a person whose whole purpose of living is just for “today” (i.e., the moment) is willing to sell a birth right for a bowl of soup. All he worries about is “I need to eat. I am hungry.” Instant gratification! The future? What is going to be? The long-term picture? Strategic thinking? None of that exists for such a person.

This is true by the wicked when it comes to their stomach or to their *kavod* [honour], or to their power. They do not think strategically. They think for the here and now.

The *Kli Yakar* points out that we see the same phenomenon by the plague of Frogs. Hashem promised that the frogs would descend upon Mitzrayim. They came. Life became miserable for the Mitzriyim. Following cessation of that plague, the *pasuk* states: וירא פרעה כי היתה הרוחה - "And Pharaoh saw that there was relief..." (*Shemos* 8:11). What does it mean that there was *revach*? The *Kli Yakar* notes that we do not find such an expression by any of the other plagues. The reason, he writes, is that by all other plagues, after the plague ended, it was gone. When the hail stopped, the hail stopped; when the wild animals went away, they were gone. However, by the frogs, even though the ascent of the frogs from the Nile ceased, the plague was not over because they all died in place and the dead frogs began to rot and decay and Mitzrayim stank from their stench.

So what was Pharaoh going to do? Where was he going to live? "I can't take this!" The *pasuk* says that he saw that there was *harvacha*. Mitzrayim was a big country. There was plenty of space in the Land of Mitzrayim. Parts of Mitzrayim were far away from the rivers and therefore did not have frogs. Therefore, it did not smell there. Pharaoh did not have a problem – he could escape to the "temporary White House." He went to places in Mitzrayim where there were no rotting frogs. Ay – the rest of your country is going down the tube? Ay – it is unbearable everywhere else? "It is not my problem! I have a way out. I have wiggle room."

This is the same phenomenon by the plague of *Dever*. He saw that the plague did not affect the Jewish cattle, so he had an escape by which to provide himself with tonight's steak for supper. With supper for that night covered, Pharaoh decided, "I have time. I am not going to give in."

Wicked people like Pharaoh have no foresight. They are not trained to look beyond the here and now. They are incapable of strategic thought and strategic planning. If they can last another week or even another day, then "Why do *teshuvah* now? I can always do *teshuvah* later!" This is the path of the wicked, not the path of the righteous. (R' Frand, in a *Chumash shiur* on *Parshas Vo'era*)

## שחין Boils

### The Mitzriyim Remained Stubborn Against Their Better Judgment

The plague of *Dever* [Pestilence] wiped out all the livestock of Mitzrayim. However, none of the cows belonging to Jews died. Nevertheless, Pharaoh's heart was hardened. The plague did not have the desired effect.

By the next plague, that of *Shechin* [Boils], the *pasuk* says, "It will become dust over the entire land of Mitzrayim, and it shall become a boil blossoming forth blisters upon man and upon animal throughout the land of Mitzrayim" (*Shemos* 9:9). Indeed, this is exactly what happened: "They took soot of the furnace, and stood before Pharaoh and Moshe threw it heavenward, and it became a boil and blisters erupting upon man and upon animal" (*Shemos* 9:10). The question is "What animals? What beasts?" Weren't all the animals killed during the previous plague of *Dever*?

Rashi addresses this question. Rashi says that the plague of *Dever* only affected the animals that were out in the field. Those people "who feared the word of Hashem" brought their animals inside and they were spared from the plague of *Dever*. Therefore, at this point in time, only the people "who feared Hashem" still had animals.

But in the very next plague of *Barad* [Hail], Moshe again gave fair warning to the people: “Behold at this time tomorrow I shall rain a very heavy hail, such as there has never been in Mitzrayim, from the day it was founded until now. And now send forth, gather in your livestock and everything you have in the field; all the people and animals that are found in the field and will not be gathered into the house – the hail shall descend upon them, and they shall die” (*Shemos* 9:18-19).

The Torah continues: “Whoever among the servants of Pharaoh feared the word of Hashem made his servants and his livestock flee to the houses. And whoever did not take the word of Hashem to heart – he left his servants and livestock in the field” (*Shemos* 9:20-21).

The question cries out to us: Anyone who still had animals at this stage of the cycle of plagues was already proven to be one who feared the word of Hashem. How then, can the *pasuk* teach that there were people who DID NOT fear the word of Hashem who kept their animals out in the field during the plague of *Barad*?

Rav Elya Meir Bloch offers a very interesting insight into the above. The Torah is revealing to us a basic truth in human nature. It is true that during the fifth plague of *Dever* there were Mitzriyim who “feared the word of Hashem” and brought their animals into the barns before the plague began. But by this seventh plague of *Barad* some of these same people stubbornly proclaimed “No! I refuse to take in my animals.” The difference is that in the warning before the plague of *Dever*, Moshe Rabbeinu did not challenge the Mitzriyim to bring the animals into their houses. He did not lay down the gauntlet and say (as he does by *Barad*) “You want your animals alive – bring them in; you want your animals dead, leave them out!”

During the earlier plague, people with brains in their head took appropriate precautionary action. They were not fighting the *yetzer horah* [evil inclination] of standing up to Moshe’s challenge. However, with *barad*, when they were threatened, as much as their logic and brains told them to take appropriate precautions, their emotions would not allow them to follow through. This is human nature. We resist orders and coercion even when deep down, we know that listening to these “orders” would be the wisest path to follow.

People are willing to lose life, limb, and property, just so they can avoid admitting “Hashem is the L-rd.” (Hashem *hu* haElokim). (R’ Frand, in a *Chumash shiur* on *Parshas Vo’era*)

## בַּרַד

### Hailstones

#### **A Deeper Understanding of the Plague of *Barad***

The plague of *Barad* [Hailstones], begs elucidation. HaRav Baruch Dov Povarsky, *shlita*, presents us with a number of questions concerning this plague. Moshe Rabbeinu pinpointed to Pharaoh the exact time when the plague would commence by making a mark on the wall. He explained that when the sun would reach this mark, it would begin to hail. Afterwards, he told Pharaoh to have all his servants and possessions remanded indoors or else they would die or be destroyed. Why did Hashem warn them? The purpose of the plague was to punish the Mitzriyim. Why give them an exit strategy to save themselves? Furthermore, why did he tell them to immediately take in their slaves, if, in fact, he had told them that the plague would not begin until a specific time on the next day? What was their rush to seek shelter? The language of the *pasukim* is redundant. “Any man or animal



who is in the field, who is not in the house.” Obviously, if they were in the field, they were not in the house. The Torah refers to the Mitzriyim who protected their slaves and possessions as being G-d-fearing. What does protection have to do with the fear of G-d? It is common sense to remain indoors during a storm.

In order to respond to these questions and present a new understanding of this plague, the Rosh Yeshivah quotes a *chiddush* [novel idea], from the Brisker Rav, *zt”l*. Every other plague (except the smiting of the firstborn) lasted for one week. *Makas barad*, contends the Brisker Rav, fell every moment of the seven (allotted) days. Thus, whoever left the protection of his home/shelter was immediately “downed” by a hailstorm. Hail did not fall on the houses, only on people, animals and the open fields. Any protected edifice remained protected.

Having quoted this, Rav Povarsky advances this idea further, positing that the plague of hail had two distinct aspects to it. One aspect was identical with all the other plagues: it devastated the Mitzriyim. This is what it was meant to do, and it achieved its purpose. A second aspect to the plague was exclusive to *makas barad*: Hashem had given a command to the Mitzriyim to remain in the shelter of their homes and to do likewise concerning their animals. The purpose of this component of the plague was to teach the Mitzriyim that whoever follows Hashem’s command will not experience harm: *עוֹשֵׂי צִוִּיּוֹת לֹא יִדְעוּ רָע* - “He who obeys the commandment will know no evil” (Koheles 8:5). *Makas barad* had an educational component. The command to stay home and protect oneself and his possessions went into effect immediately. Although the hail would not begin until the morrow, today they were to stay home to demonstrate that they were obeying Hashem’s command. The *yarei shomayim*, G-d-fearing, Mitzriyim who obeyed Hashem’s command were spared from harm, as were his home and his possessions. The one who (was): *לֹא שָׁמַע לְדִבְרֵי ה'* - “who did not take the word of Hashem to heart,” and did not immediately follow Hashem’s command paid dearly the next day when, even in the protection of his own home, he experienced the devastation that resulted from the hail, as the hail came crashing through his home. He did not follow instructions; he waited too long. Indeed, those who listened, and, by chance, their animal wandered out the next day, were not affected by the hail. They obeyed, and those who obey do not suffer harm.

The Torah’s use of *לֹא שָׁמַע לְדִבְרֵי ה'* as the opposite of *יָרֵא אֶת דְּבַר ה'* is interesting. One would think that the adverse of G-d-fearing is not G-d-fearing. Why does the Torah alter the description of the individual who disobeys? Rav Yeruchem Levovitz, *zt”l*, derives from here that *yiras Shomayim* [fear of Heaven], is a natural instinct that is part and parcel of the psyche of every human being. A human being fears G-d. The reason that his innate fear of G-d remains dormant is that he does not apply it to his heart. The average human being does not take the time to think that a Divine Supreme Being guides and maintains the world. He goes through life with nary a care in the world until something goes wrong, and then he suddenly realizes that he has been ignoring Hashem. Any deficiency in *yiras Shomayim* is self-imposed due to his lack of recognizing and acknowledging the *metzius* [reality/essence], of Hashem. (Peninim on the Torah)

## חושך Darkness

### Why Not Just Make the Mitzriyim Blind?

Mitzrayim was plunged into three days of overwhelming darkness, a blackness so heavy that the Mitzriyim were unable to move. If the purpose of the darkness was to impede the Mitzriyim' ability to see, Hashem could have struck them with blindness. It happened in Sodom, when the townspeople were about to attack the *malochim* who had come to save Lot. Hashem could simply have blinded the Mitzriyim without creating such a heavy darkness. The *Chasam Sofer*, explains that it is well-known that when a person loses the power of one of his senses, the other senses become more acute. This is due to the fact that the neurons that flow to the now impeded sense will flow instead to the other senses. Thus, if one's sight becomes impaired, his other senses will be more perceptive. On the other hand, if someone sits in a darkened room with his eyes open, his eyesight working at full strength, he continues to see, to employ the power of all of his senses – he is just unable to penetrate the darkness that envelops him. In such an instance, explains the *Chasam Sofer*, the individual who is unable to see due to the darkness does not benefit from his other senses to the same extent as one who suffers from blindness. Hashem was not about to benefit the Mitzriyim – even by default.

We might suggest that Hashem did not want simply to impair their sight; He wanted to impede their movement. A blind man has the ability to move; thus, he can sit with a friend, talk, commiserate, thereby maintaining a sense of kinship. When a person is enveloped by a heavy darkness in which his ability to move is impeded, however, he is all alone. He might be sitting a few feet from someone, but is unable to benefit from the nearness. Hashem wanted the Mitzriyim to feel the loneliness, the inability to reach out to his fellow for comfort, encouragement and hope. The plague of darkness was about helplessness, so that Mitzriyim would have some idea of the suffering and pain that they had impacted upon their Jewish slaves.

Horav Yitzchok Zilberstein, *shlita*, quotes Horav Shaul Brody, *zt"l*, primary *talmid* of the venerable *Maharam Shick*, *zt"l*, who related a frightening story about his Rebbe. In his later years, the *Maharam Shick's* eyesight waned, and he became blind. The sage lamented his blindness because he was not able to learn from *seforim*. Nonetheless, he did take solace in the fact that, in his youth, he constantly reviewed his studies to the point that they became committed to memory. He extolled the great benefit of constant *chazorah* [review], since, if one would ever reach such a dire predicament in which he could not see or *seforim* from which to learn were inaccessible, he would still be able to learn Torah.

Rav Zilberstein has an addendum to the story which indicates the incredible diligence and *hasmadah* that the *Maharam Shick* applied to his learning. Once, during the latter stages of his life, his *shamash* [aide], found his Rebbe crying. He asked, "Rebbe, what is it? Can I do anything to help?" The *Maharam Shick* replied, "Had I known that I would end up like this (unable to read), I would have learned much more." "But Rebbe," the *shamash* asked, "if the Rebbe would have known this, would he have studied 25 hours a day?" (In other words, the Rebbe was such an extraordinary *masmid* that he never wasted even a moment.)

The *Maharam Shick* was pleased with his *shamash's* response. It was evident that his *shamash's* response had put him at ease. The *Maharam Shick* continued, "From the time that I had some *seichal* [a modicum of intelligence], I never wasted a moment. Nonetheless, if I would have known what would happen with me later in life, I would have minimized the breadth of my learning and spent much more time reviewing what I had previously learned." (Peninim on the Torah)

## מכת בכורות

### The Slaying of the Firstborns

#### The Real Heretic Goes to Bed on The Night of the Tenth Plague

The Torah relates that when Moshe came to Pharaoh for the last time, they exchanged their final tense words with each other. Rav Elya Meir Bloch raises the following interesting question: Moshe Rabbeinu had harassed Pharaoh for a long period of time. Each time Moshe came into the palace, it must have been highly aggravating for Pharaoh, to say the least. Why, then, didn't Pharaoh kill Moshe Rabbeinu?

Pharaoh did not need to worry about CNN or about human rights groups. Consider any modern despot in Pharaoh's situation. Wouldn't the simple solution be to just put a quick end to his adversary, once and for all? Why did Pharaoh continue to tolerate Moshe?

Rav Elya Meir Bloch explains that this illustrates the distinction between Pharaoh and modern-day tyrants. Moshe Rabbeinu was not merely a nuisance to Pharaoh. This was a theological dispute regarding the *Ribbono Shel Olam*. Pharaoh was not merely a pragmatist who was simply interested in being rid of a nuisance — that would not have solved the problem. Pharaoh was not like one of today's two-bit despots, who can be bribed and are only interested in power. Pharaoh was the real heretic. "I'm G-d", he proclaimed. He could not just remove Moshe from the picture. That would be a pragmatic approach. Pharaoh needed to prevail over Moshe. Pharaoh was determined to fight to the bitter end to prove that he was in charge.

The Kotzker Rebbe provides an insight into Rashi in *Parshas Bo*. During the plague of the first born, the *pasuk* says: ויקם פרעה לילה - "Pharaoh got up at night..." (*Shemos* 12:30). Rashi on this phrase adds the words "from his bed". What is Rashi teaching us?

The Kotzker Rebbe inquires: Was Pharaoh out of his mind? Moshe predicted that every first born would die at midnight. He specifically predicted that Pharaoh's own first-born son would be smitten. Pharaoh was a first-born son himself. Should Pharaoh not have at least been sweating it out that evening? No. He went to bed! The only thing that woke him up were the screams of the *Mitzriyim* after the plague hit at midnight.

How can a person go to bed on a night like that after nine plagues came true exactly as Moshe predicted? The answer, the Kotzker Rebbe says, is that Pharaoh was a real heretic. There is an expression that there are no atheists in a foxhole. That might be true of 'modern atheists'. But the 'old time atheists' — they remained atheists even in when in a foxhole! Pharaoh was the real thing — a heretic down to the last minute.

"I am going to bed. What happened before were just freaks of nature. I have nothing to worry about." Pharaoh was not interested in ridding himself of the nuisance of Moshe Rabbeinu. "I am going to fight this thing to the bitter end." And so he did. (R' Frand, in a *Chumash shiur* on *Parshas Bo*)

## The Balance of *Kedusha* and *Tumah*

After Moshe notified Pharaoh of the impending death of the Egyptians firstborns, the Torah states that “Pharaoh rose up at midnight.” From where did he rise? Rashi responds, “From his bed.” Anyone who had been following the narrative knows that Pharaoh’s time was up. Everything that Moshe had said would occur had been realized. Nine devastating plagues had come and gone. What more did Pharaoh need to make him face the reality that Mitzrayim was doomed? He was being told about the tenth and most devastating plague – *makas bechoros* [death of the firstborn’s]. What did he do the night before he was likely to die? He went to sleep as if nothing had happened or was going to happen! What possessed a human being to have such insolence. Pharaoh’s incurable arrogance was absolutely mind-boggling!

Horav Yaakov Galinsky, *zt”l*, explains that it is necessary to maintain a balance between the forces of good and evil. Otherwise, the concept of *bechirah chofshis* [free-will], has no meaning. Consider an individual of exceptional *kedushah* [holiness], whose unstinting devotion to Hashem is his benchmark. When told he is to sacrifice his beloved son, for whom he has waited nearly a lifetime, he is prepared to do so without question. There must be an antithesis to him among the forces of *tumah* [impurity]. If, on the night before he is to leave to slaughter his son, Avraham Avinu went to bed, then there must be a representative of the forces of evil, who, when told he and the other firstborn of his kingdom will die, would likewise go to sleep, ignoring Hashem’s warning. If Avraham goes to sleep, then Pharaoh must also have been evil enough – or foolish enough – to go to bed.

Avraham Avinu’s power of *kedusha* was so great that he transcended human nature and emotion in order to fulfil the word of Hashem. As a counterpart to Avraham, there had to be a Pharaoh, whose evil and defiance of Hashem would likewise transcend human nature. Avraham went to sleep secure and trusting in Hashem’s command. Pharaoh went to sleep demonstrating his obstinacy and hostility to Hashem’s command.

Horav Chaim Kanievsky, *zt”l*, supplements this thought with another case in which one’s trust in Hashem overcame his natural tendency towards fear and anxiety. Yonah HaNavi was on a ship, being thrown around the sea in the midst of a dangerous storm. The waves were shaking the ship and its passengers. Everybody was screaming, frightened for their lives. Yet, Yonah descended to the ship’s hold and went to sleep. Is this a typical response to a life-threatening situation?

Klal Yisroel were not created today or yesterday. We have been around for a while and have endured the most formidable challenges to which human beings have been subjected. We are still here because Hashem protects us and wants us to be here. As He has protected us from our external enemies, He will also protect us from our enemies from within. Yonah goes to sleep trusting in Hashem, knowing that this storm is Hashem’s work. Whatever will be – will be.

Horav Yitzchok Zilberstein, *shlita*, attributes the rise in tension among Jews specifically to the above thesis. There has never been such a surge of Torah growth. Thousands upon thousands of young men and women are returning to *Yiddishkeit*. The Yeshivos and Kollelim are filled with *bnei Torah* studying *b’kedushah u’betaharah* [with holiness and purity]. Yet, in contrast, we find a world filled with moral decay unparalleled in history. There is a virulent animosity towards the observant Jew, regrettably, from some of our own brethren. That, however, is only a sign that the forces of *kedusha* are on the rise. To abate this elevation in holiness, there has to be a balanced rise in the forces of

*tumah* [impurity]. It is tragic that this has to be emanating from among our own people. We have to hope that one day they will come to their senses and realize that there is only one way for a Jew to live.

The situation seeks equilibrium. The Medrash relates that when the *maloch* struck Sancheriv the king of Ashur's camp, during his battle against Chizkiyohu HaMelech, all of his soldiers died. He was left alone with his two sons. When the wicked general saw this, he bowed down to his idol and said, "I am prepared to slaughter my remaining two sons to you, if you will help me." Before he had the opportunity to carry out his ill-fated plan, his two sons, who had overheard his prayer, killed him. The question is glaring – Sancheriv saw his own folly. He clearly saw that he was no match for Hashem. He had the strongest army, the most powerful weapons, and they were all transformed into nothing. Yet, he was prepared to slaughter his two children to an idol which had proven itself time and time again to be a worthless piece of stone. How irrational and senseless can one be? The answer is as mentioned. If Klal Yisroel possesses individuals whose level of *kedusha*, coupled with their overwhelming devotion to Hashem, is incredible – there has to be a balance. Sancheriv represented the balance.

In contrast, we offer the following story that demonstrates the *kedusha* of our People. In Russia, during the reign of the N.K.V.D., Russian secret police, who were notorious for their ruthlessness, it was forbidden to perform a *bris milah*, or to *shecht* [ritually slaughter] animals. Heaven-help he who was caught in such "defiance" of the state. Rav Aizik Roth, *zt"l*, was a *mohel* who shared an apartment with another *chosid* who happened to be a *shochet*. One night there was a loud knock on their apartment door. They knew that such a knock could only be a sign of trouble, since they were both "employed" in vocations that were strictly prohibited by the government. Rav Aizik told the *shochet* to gather his knives and leave through the back door. He would deal with the police.

He opened the door to be greeted by a major in the Secret Police. "Where is the *mohel*?" he asked somewhat forcefully. Rav Galinsky, who happened to be in the apartment, looked at the officer and innocently asked, "Do you think, Major, that we would circumcise our children knowing that it goes against the government? No, we would never do this."

The Major was relentless; he would not budge: "Where is the *mohel*?" He walked through the apartment and saw that no one was there but himself and the two rabbonim. He turned to them and said in Yiddish, "I am also Jewish. My wife has given birth to a little boy, and I need a *mohel* to circumcise him." Imagine what was occurring. There is no doubt that if it had been discovered that this Major was circumcising his son, there would not be a gallows high enough for him. The Russian Secret Police would make him their paradigm of one who commits treason. His death would be slow and torturous. Yet, his overwhelming devotion to fulfil a mitzvah for which Jews have died throughout the ages superseded all of his fears. There must be a balance. In contrast to the malevolent evil of a Sancheriv there has to be an individual whose devotion to *Yiddishkeit* transcends even their basic desire to live. We should note that this major was not observant. He knew, however, that *bris milah* is a defining mitzvah in *Yiddishkeit*. He was prepared to die for this mitzvah. Regrettably, today some of our co-religionists who have alienated themselves from the faith, refuse to live with this mitzvah. (Peninim on the Torah)

## The Significance of the Dogs Not Barking

In regards to *Makas Bechoros* [the plague of the firstborn] the Torah writes: "But among all of Bnei Yisroel, no dog will move its tongue, against neither man nor beast, so that you shall know that Hashem will have differentiated between Mitzrayim and Yisroel" (*Shemos* 11:7). Why was it significant that no dog would bark during *Makas Bechoros* and why tell Pharaoh about it in advance?

R' Shimshon Chaim Nachmani *zt"l*, better known as the *Zera Shimshon* answers: We read in *Parshas Shemos* (2:14), "Moshe was frightened and he said [to himself], 'Indeed, the matter is known!'" The *Medrash Rabbah* (cited by Rashi) explains that Moshe was wondering why Bnei Yisroel deserved to be enslaved. When he saw that there were informers among Bnei Yisroel, he understood that they were enslaved because of the sin of *lashon horah*. The *Medrash Rabbah* also teaches that our ancestors were redeemed from Mitzrayim only because they repented. The dogs' silence during *Makas Bechoros* was evidence of that repentance, explains R' Nachmani, for the *Gemara* (*Makkos* 23a) teaches that one who speaks *lashon horah* deserves to be thrown to dogs. Here, the dogs were silent because they had no role to play, so-to speak. Why was it important for Pharaoh to know this?

R' Nachmani answers: Hashem had foretold to Avraham Avinu that He would harshly judge the nation that enslaved Avraham's descendants. He also told Avraham that Jewish History would include four periods of subjugation to other nations. But, writes R' Nachmani, if Pharaoh could be made to recognize the power of *teshuvah* and to himself repent, the Attribute of Justice would be unable to demand further punishment of the Mitzriyim. In turn, the Attribute of Justice would be unable to demand the fulfilment of the rest of the prophecy received by Avraham - i.e., that Bnei Yisroel undergo additional periods of subjugation. (*Zera Shimshon*)

R' Chaim Zvi Senter *shlita* offers another explanation: The original cause of the Yidden being exiled in Mitzryaim was the sin of *lashon horah*, which is what caused Yosef's brothers to hate him (see *Bereishis* 37:2). This is why, when Moshe Rabbeinu realized that Dosan and Aviram were talebearers, he said (*Shemos* 2:14), "Indeed, the matter is known!" He meant: Now I understand why our exile persists. Measure-for-measure, Bnei Yisroel were enslaved by Pharaoh, whose name is an anagram (in Hebrew) of *peh-ra*, bad mouth.

The *Gemara* (*Pesochim* 118a) says that a person who speaks or believes *lashon horah* deserves to be thrown to dogs. At the time of the redemption, no dog barked, for the fact that the redemption was occurring indicates that the sin of *lashon horah* had been corrected. This also explains, said R' Senter, why, as long as Bnei Yisroel were in exile, Moshe had a speech impediment. After the redemption, a *Medrash* relates, Moshe's speech impediment was healed. (*Hamayaan Haggadah*)

**רבי יהודה היה נותן בהם סמנים דצ"ך עד"ש באח"ב**

**Rabbi Yehuda made a mnemonic for them: *Detzach adash be'achav*.**

**A Novel Interpretation into the Meaning of *Detzach Adash Be'achav***

These words are composed of the initial letters of the ten plagues, but what, if anything, do these words mean? Presumably it did not require the intellect of a sage of the Mishnah, Rabbi Yehuda, to think of abbreviating the names of the plagues. And, if all Rabbi Yehuda is teaching is that it is a good idea to use mnemonic devices to remember one's Torah lessons, what place does this lesson have in the *Haggadah*?

R' Yedidyah Tiah Weil *zt"l* (of Karlsruhe) explains: The Medrash says that when Yaakov purchased the birth right from Eisav, he told Eisav, "You don't want the birth right because the descendants of the firstborn will have to fulfill the promise that Hashem made to Avraham, 'They shall enslave them and oppress them for 400 years'." Thus, during the entire period that Bnei Yisroel were in Mitzrayim, they regretted the fact that their ancestor Yaakov had purchased the birth right. This is why the last plague attacked the firstborn Mitzriyim, as if to say to Bnei Yisroel (in the words of *Shemos* 4:22), "Yisroel is My firstborn." It was as if Hashem told them, "Do not regret being the firstborn, for you are Mine as a result."

The word *dizah* means happiness (as in the last of the *sheva berachos* recited at a wedding). The first of R' Yehuda's acronyms - pronounced "*deetzach*" (not "*detzach*") – means "your happiness." "*Adash*" refers to the "*nezeed adashim*" the lentil soup that Yaakov gave Eisav in exchange for the birth right. "*Be'achav*" should be read "*b'ach bet*" (the same letters in Hebrew) meaning "with the second brother." Or, it could be short for "with the brother who is the *b[echor]*." Taken together, the entire phrase indicates our happiness with the purchase of the birth right by the second brother in exchange for lentils is now complete. (*Haggadah Shel Pesach Marbeh Le'Sapper*)

**רבי יוסי הגלילי אומר מנין אתה אומר שלקו המצרים במצרים עשר מכות ועל הים לקו חמשים מכות...**

**Rabbi Yosi Hagelili says, "From where can you [derive] that the Egyptians were struck with ten plagues in Egypt and struck with fifty plagues at the Sea?"...**

### **True Vision Occurs Deep Within the Soul**

After Bnei Yisrael witnessed the splitting of the Yam Suf [Red Sea], "Yisroel saw the great hand that Hashem inflicted upon Mitzrayim ... and they believed in Hashem and in Moshe, His servant." R' Kalonymous Kalman Shapiro of Piaseczno *zt"l* asks (in the name of his father): If they saw, what room was there to believe? Moreover, why did they believe now more than after the ten plagues? He explains as follows:

True sight is not with the eyes alone, but is a combination of what the eyes take in and all of man's experiences (which give context and meaning to what the eye "sees"). For example, one person may look at a Yom Tov feast and see only a lavish banquet, while another person will look at it and see the service of Hashem in progress.

True vision occurs deep within the soul. Thus, *Chazal* sometimes use the expression, "Even though he did not see, his *mazal* [inner awareness] saw." In order to believe in Hashem, one must have a certain basic awareness; he must have "seen" certain things within his soul. This is what Bnei Yisroel "saw" at the Yam Suf that enabled them to believe.

Why didn't they believe after the plagues? When Moshe resisted being Hashem's emissary to the Jewish people, it was because any leader would have to transfer from his soul to the people's souls the basic foundation of belief. Moshe recognized that his own understanding, unparalleled by any later prophet, far exceeded what the people could attain, and he doubted that he could impart the necessary foundation to Bnei Yisroel. They, too, doubted, and when they felt themselves believing

in Hashem, when they saw the impossible transfer of belief from Moshe's lofty soul to their own, they were sure that it could not last. Because of that, it didn't, and only at the Yam Suf, when they "saw" again, were they able to believe. (*Derech Hamelech*)

### **Yisroel Saw the Mitzriyim Dying on the Seashore**

The *pasuk* (*Shemos* 14:30) says: וירא ישראל את מצרים מת אל שפת הים. This *pasuk* is commonly translated, "Yisroel saw the Mitzriyim dead on the seashore." However, R' Eliezer Nachman Foa *zt"l* translates it differently: "Yisroel saw the Mitzriyim dying on the seashore." As a precedent for this translation, he cites *Bereishis* (35:18): ויהי בצאת נפשה כי מתה ותקרא שמו בן אוני - "And it came to pass, as her [Rochel's] soul was departing—for she was dying—that she called his name Ben Oni." Although some translate, כי מתה, as "she died," this cannot be correct, for how could she give her son a name after she died?

What is the significance of the fact that "Yisroel saw the Mitzriyim dying on the sea shore"? R' Foa explains that just as the Jewish People saw the Mitzriyim dying, the Mitzriyim saw in their last moments that the Jewish People had survived. This increased even more the sanctification of Hashem's Name that resulted from the miracle. (*Haggadah Shel Pesach Medrash B'chiddush* p.110)

**כמה מעלות טובות למקום עלינו אלו הוציאנו ממצרים ולא עשה בהם שפטים דינו**

**How many degrees of good did Hashem bestow upon us! If He had taken us out of Egypt and not made judgements on them; [it would have been] enough for us.**

### **Why We Sing *Dayenu* in the Middle of *Maggid***

R' Aharon Yosef Auerbach *shlita* (Bnei Brak) asks: The text of the *Maggid* portion of the *Haggadah* is derived from Mishnah, Gemara, and Midrashim. In contrast, this poem - while more than 1,000 years old - does not date to the time of the Gemara or Midrashim. Why then is it recited or sung in the middle of *Maggid*?

He explains: Much of *Maggid* is an exposition of *pasukim* in *Parshas Ki Savo* - beginning with (*Devorim* 26:5), "An Aramean tried to destroy my forefather," and continuing with the three following *pasukim*. In fact, the Mishnah (*Pesochim* 116a) states that we are supposed to expound upon the entire section in which that *pasuk* appears, but we don't do that. Instead, we conclude with *pasuk* 8, and we do not expound upon *pasuk* 9, "He brought us to this place, and He gave us this Land, a Land flowing with milk and honey" (or the two *pasukim* that follow).

Apparently, writes R' Auerbach, when the *Beis HaMikdosh* stood and each of the Jewish People held his *seder* in Yerushalayim, he would expound on *pasuk* 9 as well. They could say, "He brought us to this place..." Even though entering Eretz Yisroel and building the *Beis HaMikdosh* did not happen until long after *yetzias* Mitzrayim, they were the purpose of *yetzias* Mitzrayim, and they therefore are discussed as part of the *seder*.

In later generations, when the Jewish People were dispersed throughout the Roman Empire, Europe, and other places of exile, it no longer made sense to say (and expound upon) the *pasuk*, "He brought us to this place..." Even so, the *Haggadah's* authors did not want to erase all memory



of that part of *Maggid*. Therefore, they introduced this poem that speaks of Hashem's kindness to us, concluding with, "He built for us the *Beis HaBechirah*," i.e., the *Beis HaMikdosh*.

R' Auerbach concludes: This explains as well why we begin the *seder* proclaiming, "This year we are here; next year in Eretz Yisroel!" We are telling our children: Know that the story that you are about to hear is incomplete. Next year, in Eretz Yisroel, we will tell the whole story.

(Parenthetically, R' Auerbach notes that there is a Medrash stating that Bnei Yisroel were transported miraculously to Yerusholayim on the night of *yetzias* Mitzrayim to offer their *korban* Pesach at the future site of the *Beis HaMikdosh*. According to that Medrash, the *pasuk*, "He brought us to this place..." is literally part of the story of *yetzias* Mitzrayim.) (*Haggadah Shel Pesach Pischei Avraham*)

**אלו שקע צרנו בתוכו ולא ספק צרכנו במדבר ארבעים שנה דינו**

**If He had drowned our oppressors in [the Sea] but had not provided for our needs in the wilderness for 40 years, it would have sufficed for us.**

### **Determining Hashem's True Interest Behind Redeeming Us**

We say in the *Haggadah*: "If He had drowned our oppressors in [the Sea] but had not provided for our needs in the wilderness for 40 years, it would have sufficed for us." Nevertheless, says R' Abdallah Somech *zt"l* (rebbe of the Ben Ish Chai), the fact that Hashem did provide for our needs in the wilderness for 40 years demonstrates His intentions in redeeming us from Mitzrayim. He explains:

Once a nobleman's son was kidnapped by a duke and held hostage in the dungeon of the latter's manor. The king sent the duke a warning to release the boy, but the duke refused. Moreover, the duke sent a belligerent message back to the king.

The king was incensed, and he sent a battalion of troops to destroy the duke's home and free the nobleman's son. And so, it was. People wondered, however, "Did the king do this because he was concerned about his friend's son or because he was angry at the duke?" How could they tell? If the king's troops destroyed the duke's house and left the former prisoner on his own, then it would be apparent that the king's primary concern was the duke's disrespect. On the other hand, if the king's soldiers carried the boy home triumphantly and also brought him to the king's palace, then all would know that the king was interested in the boy's welfare.

When Hashem first sent Moshe to Pharaoh, Pharaoh responded, "Who is Hashem that I should heed His voice?" As *Chazal* understand it, Pharaoh was asking, "Why hasn't Hashem sent me gifts like other foreign kings do?"

Later, when Hashem brought about the ten plagues, one could legitimately wonder whether Hashem's true motivation was Pharaoh's disrespect or the welfare of the Jewish people. However, the fact that Hashem did provide for our needs in the wilderness for 40 years demonstrates that His real interest was Bnei Yisroel. (Quoted in *Haggadah Shel Pesach Sha'arei Armon* p. 129)

אלו קרבנו לפני הר סיני ולא נתן לנו את התורה דינו

**If He had brought us before Har Sinai and not given the Torah to us, that would have been sufficient.**

**What Would be the Point of Coming to Har Sinai and Not Receiving the Torah**

“If He had brought us before Har Sinai and not given the Torah to us, that would have been sufficient.” What does this mean? What would have been the purpose of coming to Har Sinai if we were not to receive the Torah?

R’ Yechiel Michel Epstein *zt”l* (*Aruch HaShulchan*) explains as follows: There is a principle of *halachic* decision-making which says, “The Torah is not in the Heavens.” This means that *halachic* disputes must be resolved by men, applying Torah logic and majority vote, not by heavenly signs. If a sage were to say, as we read in the Gemara, “If I am correct, let the wall of the *beis hamedresh* lean to the side,” we would not listen.

This exclusive right to decide *halachic* matters is a gift separate from the gift of the Torah itself. Hashem might have decided to give us the laws but not to place the Torah in our exclusive dominion. Thus, we say, “If He had brought us before Har Sinai and not given the Torah to us,” that itself would have been a reason to be grateful to Hashem. (Quoted and elaborated upon in *Gift of Torah* by R’ Yitzchak Sender)

**על אחת כמה וכמה טובה כפולה ומכפלת למקום עלינו ... והכניסנו לארץ ישראל ובנה לנו את בית הבחירה לכפר על כל עונותינו**

**How much more so is the good that is doubled and quadrupled that the Hashem bestowed upon us ... and brought us into Eretz Yisroel and built us the 'Chosen House' [the *Beis HaMikdosh*] to atone upon all of our sins.**

**An Insight from the *Dubno Maggid***

“How much more so should we be grateful to the Omnipresent for all the numerous favors that He showered upon us: He brought us out of Mitzrayim ... and He built us the *Beis HaMikdosh*, to atone for our sins.”

R’ Yaakov Kranz *zt”l*, better known as the *Dubno Maggid* asks: Given the implication here that the building of the *Beis HaMikdosh* was the completion of *yetzias* Mitzrayim, why did the Jewish people agree to be redeemed when the *Beis HaMikdosh* would not yet be built until 480 years later? He answers with a parable:

If a father would say to his daughter, “Let us schedule your wedding now, and we will prepare a wedding gown, Shabbos clothes, Yom Tov clothes, an apartment, etc. as the need for each arises,” his daughter would likely refuse. She would say, “No! Let us first prepare a trousseau and then arrange the wedding.”

On the other hand, if a girl were a prisoner and someone rescued her and said, “Marry me, and I will provide everything you want as the need arises,” she would certainly agree. Bnei Yisroel in

Mitzrayim were like that second bride. They were more than happy to be rescued from their situation, even if their permanent marital home would not be completed for hundreds of years to come.

We read in *Shir HaShirim* (4:8), “With Me, from the Levanon, o’ bride; with Me, from the Levanon, you will come.” The Medrash comments on this *pasuk* that most brides are decorated and perfumed before they enter the *chupah*, but Hashem did not do this for His bride – the Jewish people. Rather, He took His bride directly from the Levanon – from the word *levainah* [brick] (i.e., from building Pharaoh’s cities). But He promised her, “You will come with Me to the Levanon – a reference to the *Beis HaMikdosh*, where the sins of the Jewish people became *lavan* [white]. (*Haggadah Shel Pesach Sha’arei Armon* p.132)

**פסח שהיו אבותינו אוכלים בזמן שבית המקדש היה קים על שום מה...**

**The Pesach sacrifice that our ancestors were accustomed to eating when the *Beis HaMikdosh* existed, for the sake of what [was it]? ...**

### **As For You, Serve Him for the Sake of Heaven**

Rashi (to *Shemos* 12:11) explains that the name “Pesach” derives from the word “skipping.” He writes: שהקב"ה מדלג בתי ישראל מבין בתי מצרים וקופץ ממצרי למצרי וישראל אמצאי נמלט ואתם עשו כל - “For Hashem skipped over the houses of the Jews which were among the houses of the Egyptians. He jumped from Egyptian to Egyptian, and the Jew was in the middle. As for you, serve Him for the sake of Heaven.”

What does Rashi’s last comment mean and how is it related to his explanation of the word “Pesach”? R’ Nosson David Rabinowitz zt”l (grandfather of the present Munkatcher Rebbe) explains as follows:

Sometimes a person witnesses a powerful event which inspires him to strengthen his service of Hashem. However, that is not the ideal. Rather, we should serve Hashem because, and only because, that is His will.

Moshe was concerned that the plague of the firstborn would have an undesirable effect on Bnei Yisroel. This is why, according to Rashi, Moshe instructed them: “As for you, do not serve Hashem because you will see Him skipping over your houses. Instead, serve Him for the sake of Heaven.”

In this light, we can understand why the *korban* Pesach is referred to (in *Shemos* 12:43) as a “*chok*” — a mitzvah whose reason is unknown. Although the *korban* Pesach (whose blood was placed on the doorposts to identify a Jewish house) recalls the great miracle that Hashem performed and our gratitude to Him, that should not be our reason for performing the mitzvah. Rather, we should observe the mitzvah of *korban* Pesach as if its reason is unknown to us.

The Torah tells us (*Shemos* 12:50), “All of Bnei Yisroel did as Hashem had commanded Moshe and Aharon, so did they do.” The Torah is informing us that Bnei Yisroel took Moshe’s message to heart and sacrificed the *korban* Pesach solely for the sake of the mitzvah. (*Ve’eileh Ha’devarim She’ne’emru L’Dovid* p.101)

## The Status of the *Korban Pesach*

על חלת לחם חמץ יקריב קרבנו ... על חלת לחם חמץ יקריב על זבח התודה חלות מצות - "If he shall offer it as a *todah* [thanksgiving-offering], he shall offer with the *todah* unleavened loaves ... With loaves of leavened bread shall he bring his offering." (*Vayikra* 7:12-13)

The above *pasukim* teach that a *korban todah* must be accompanied by loaves of both *chometz* and *matzah*. The *Abarbanel* asks: Since the *korban Pesach* seems to be, in essence, an offering brought in thanksgiving for *yetzias Mitzrayim*, why is it not accompanied by both *chometz* and *matzah*?

The *Kesav Sofer* answers that the *korban Pesach* is not a *todah*-offering. Rather, it is more like another set of sacrifices - the inaugural sacrifices brought at the dedication of the *mishkan*. Those sacrifices were accompanied by *matzah*, but not by *chometz*.

He explains further: *Chazal* instructed that when we relate the story of *yetzias Mitzrayim* at the *seeder*, we should begin with disgrace, with the fact that our ancestors were idolaters, and conclude with praise. Why? This may be understood through a parable:

When one gives a garment to a laundry in order to have a stain removed, the laundry applies soaps and chemicals which first make the garment dirtier than it was before. Of course, when the customer pays the laundry, he does not intend to pay for the labour that was expended in dirtying the garment; he intends to pay for the cleaning of the garment.

Similarly, we do not praise Hashem at the *seeder* for redeeming us from Mitzrayim. Who asked Him to take us to Mitzrayim in the first place? Rather, we praise Hashem because He cleansed the stain of idolatry from our souls. Just as the laundry cleanses the garment with vile chemicals, the process by which Hashem cleansed us was our enslavement in Mitzrayim. It follows, that we do not owe Hashem a debt of gratitude for *yetzias Mitzrayim*, and the *korban Pesach* is not a *todah* offering. Rather, the *korban Pesach* is a sacrifice brought upon our inauguration into Hashem's service. (*Haggadah Shel Pesach KeSav Sofer* p.18a)

## Sensitivity in Halachah

The halachah is that the *korban Pesach* needs to be eaten "*b'chaburah*" [in a group]. If two different *chaburah's* are eating in proximity—even in the same room—no individual is allowed to leave his *chaburah* and go to the other *chaburah*. They are certainly not allowed to leave the room and go to another room to join a different *chaburah*.

The Mishnah (*Pesochim* 86a) states that if two groups are eating in one room, one group sitting at one table and the other group sitting at another table, they may not even face one another. Each group must face only the people in their own group. The halachah is that if in fact they do turn around and face the other group, they are no longer allowed to eat the *korban Pesach*. That is considered "eating in two different groups," which is an *issur de'O'raisa*.

The Mishnah allows only one exception to this rule: A bride may turn away and eat. The Rambam in fact codifies this law (*Hilchos Korban Pesach* 9:3-4). The Gemara explains the reason for this leniency (which is also mentioned by the Rambam). It is because the *kallah* (during the first thirty days after her marriage) is embarrassed. During the first month after her marriage, she is particularly self-conscious, and she thinks people are staring at her.

Consider the following: On the night of the *seder, leil Pesach*, everyone is on a different level. We all know the importance of the *mitzvos*. Unfortunately, today we do not have the *korban Pesach*, but we still have a certain seriousness and focus regarding our *matzah, marror* and *daled kosos*. We focus on properly fulfilling these *mitzvos* of the evening. We can only imagine what an elevated state people were in during the time of the *Beis HaMikdosh* when everyone had a *korban Pesach* at their table as well.

Do we really think that at such a moment people would be staring at a *kallah* to see how she looks or how she eats? The answer is no! So why did the *kallah* think that? It was a figment of her imagination. She is embarrassed because she THINKS people are looking at her. Therefore, she is embarrassed. Nobody is staring at her while they are eating the *korban Pesach*!

Do we need to accommodate this figment of her imagination and let her transgress that which would otherwise be an *issur de'O'raisa*? Apparently, yes! Apparently, we acquiesce to her foolishness. Why is that so? What is the lesson?

The lesson is sensitivity. We need to account for a person's sensitivity, even though it may be based on a figment of their imagination. If we need to be so careful and sensitive when there is really nothing there, how much more so must we be careful and sensitive when people ARE justifiably sensitive about certain things.

This is an amazing insight. We let the *kallah* do something that under normal circumstances should disqualify her from eating the *korban Pesach*, simply because of her embarrassment regarding a non-existent phenomenon.

The Tolner Rebbe adds that we see the same principle in another halachah that is more familiar to us. There are five things prohibited on Yom Kippur, one of which is that a person is not allowed to wash any part of his body. There is a dispute among the early commentaries whether anything beyond the prohibition to eat and drink is an *issur de'O'raisa*, but there are those who hold that all five 'prohibitions' are *de'O'raisa*.

If that is the case, why does the Mishnah (*Yoma 8:1*) allow a *kallah* to wash her face on Yom Kippur? The allowance is made "so that she does not look unseemly to her (new) husband". Again, do we think a *kallah*, within thirty days of her *chuppah* is going to become 'unseemly to her husband' because she does not wash her face one day? Will this cause her husband to lose interest in her and think she is not beautiful anymore? Of course not! How do we permit an *issur de'O'raisa* for such a reason?

It is the same answer. Yes, it is a figment of her imagination, but that is the way she thinks and that is the way she is super sensitive. Since in her mind, she is afraid she might lose her husband's adoration, we again make an accommodation for that.

This again is a tremendous lesson in sensitivity. How sensitive must we be to a person's feelings, even when those feelings are not based on reality. How much more so is that the case when we know that people are hurting, for example widows, orphans, or divorced people. These are classic examples of people who are in pain. These are realities of life. People who are in pain or sick or beaten down are very sensitive. If we need to be sensitive to these two *kallahs*—by the *korban*

Pesach and on Yom Kippur—*al ahas kamah v'kamah* [how much more so], we must be sensitive to people whose embarrassment is based on fact and not just fiction. (Tolner Rebbe)

**מצה זו שאנו אוכלים על שום מה...**

**This *matzah* that we are eating, for the sake of what [is it]?...**

### **Understanding the Custom of Walking Around with *Matzos* on Our Back**

R' Shlomo Luria (*Maharshal*) writes that one should wrap the *matzah* in a sack, throw it over his shoulder, and walk around the room in this manner saying, "This is how our ancestors left Mitzrayim, their belongings tied to their clothes, on their shoulders." R' Shlomo Kluger explains this custom as follows:

Hashem told Moshe, "When Bnei Yisroel leave Mitzrayim, they should not leave empty-handed. Rather, each woman should borrow items of value from her neighbour, etc." Isn't this *pasuk* redundant? If each woman is borrowing things from her neighbour, of course they will not leave Mitzrayim empty-handed!

The Gemara says that after slaughtering the *korban* Pesach in the *Beis HaMikdash*, each Jew would carry it home, thrown over his shoulder the way an Arab carries his load. Why is it important for the Gemara to tell us that the *korban* was carried like an Arab's load? To remind us that the reason the Jews ended up in Mitzrayim in the first place was that Yosef's brothers sold him to a caravan of Arabs.

Did the Jews deserve to be paid for the work that they did in Mitzrayim? Only if they were subjugated unfairly. However, since we now know that this exile was a punishment for the sale of Yosef, apparently the Jews did not deserve to be paid. This is why the Jews could only borrow items from their Egyptian neighbours.

To remind Bnei Yisroel of this, Hashem told Moshe, "The Jews should not go empty-handed." They should carry these items in their own hands, and not place them on the animals or wagons. More explicitly, they should carry these items on their shoulders the way an Arab carries his load, so that they would be reminded of the reason that they went to Mitzrayim in the first place.

This is what *Maharshal* tells us to do: We too should know why our ancestors were enslaved in Mitzrayim. Carrying the *matzah* around the room on our shoulders reminds us of the reason. (*Yerios Shlomo*)

### **Why *Matzah* Must be Made From Something That Can Become *Chometz***

The Mishnah (*Pesochim* 35a) enumerates the types of grains that can be used for making *matzah* to fulfill the mitzvah of eating *matzah* on Pesach. The Gemara notes that the five grains listed in the Mishnah are an exhaustive list, implying that—for example—rice or millet, which are not mentioned in the Mishnah, cannot be used to make *matzah*. What is wrong with using rice or millet? The Gemara infers a connection between *chometz* and *matzah* from the *pasuk*: לא תאכל עליו חמץ שבעת ימים תאכל עליו מצות למם עני - "You shall not eat upon it *chometz*, seven days you shall eat upon it *matzah*, the bread of poverty..." (*Devorim* 16:3): That which can potentially become *chometz* [leavened] is the type of grain from which we can make *matzah*. Rice, millet, and other grains that

are not listed in the Mishnah can reach the state of *sirchon* [spoilage] but they cannot reach the state of *chimutz* [leavened].

This concept may seem counterintuitive. Since we are so particular about preventing *matzah* from becoming *chometz*, shouldn't we go out of our way, when baking our *matzah*, to specifically use grains which do not leaven? Why do we put ourselves in a situation where, if the dough is not baked quickly enough, it will become *chometz*? With all the difficult stringencies that are involved in baking *matzah*, why didn't the Torah sanction the use of a type of grain that will never become *chometz*? Why does the Torah insist that we use a type of grain which could become *chometz*, necessitating the baker to zealously guard that it does not so become?

The Tolner Rebbe teaches from the above halachah a great practical lesson.

*Chazal* teach that *chometz* is symbolic of the *yetzer horah* [evil inclination]. On the other hand, *matzah* is symbolic of the *yetzer hatov* [good inclination]. *Chometz* rises. It is puffy. It is blown up. This is symbolic of a person's haughtiness and passions. *Matzah*, which is plain and is flat, does not rise or get blown up. It is not haughty. It represents modesty, humility, and the ability to manage with the bare necessities of life. In other words, *chometz* and *matzah* are at the opposite ends of the spectrum. *Chometz* represents negative spiritual character traits, and *matzah* represents positive spiritual character traits.

The lesson, therefore, is that the Torah wants us to take that very thing that could potentially become *chometz* and make it into *matzah*. Extending the analogy of the *yetzer horah* and *yetzer hatov*, the Torah wants us to take that which is our *yetzer horah* (our problems, our temptations, and our foibles) and convert it to *yetzer hatov*. This means that man's spiritual mission is to try to work on those very personality traits and characteristics that in the past have proven to be his weak points. If a person is mute then he will not receive reward in the World to Come for not speaking *loshan horah* (gossip, slander, etc.). That is not his problem. The reason that it is not his problem is because of an unfortunate physical disability. But nevertheless, he will not receive reward for that because there is no challenge.

Likewise, for example, if a person is unfortunately blind, he has no challenge of "*shemiras aynayim*" [guarding his eyes] from viewing inappropriate matters. That is not his challenge. The *avodas ha'adam* [man's spiritual challenge] is to take those very things that are areas of spiritual weakness, where perhaps in the past he has fallen short of the Torah's ideals, and to conquer them and elevate them. In fact, perhaps he will even be able to take that very thing and turn it into a *dvar mitzvah*.

Let the person channel his passions—which have perhaps led him astray in the past—in a positive direction. This is the symbolism of the *chometz* and the *matzah*. Don't try making *matzah* out of something that cannot become *chometz* anyway. That is no great accomplishment! Take something that without careful watching and care can become *chometz*. That is the very item we turn into a "*cheftza d'mitzvah*" [an entity with which a positive command is fulfilled].

This halachah regarding the grains with which *matzah* may be baked is a metaphor for a person's spiritual mission. We must seek out that which has been our *yetzer horah* and turn it into our *yetzer hatov*.

R' Yissocher Frand adds, that we can perhaps relate this idea to a very peculiar Medrash (Yalkut 187). A certain *Tanna* fasted 85 times because he did not understand a particular matter: Dogs are creatures which are called *azei nefesh* [brazen, insolent] in Yeshaya 56:11. And yet, in *Perek Shira*, in which each of the animals recites *Shira* [Song of Praise] to the Ribbono Shel Olam, the dogs are recorded as saying "Come let us bow down before Hashem our G-d." This *Tanna*, Rav Yeshaya, the *talmid* of Rav Chanina ben Dosa, was very perturbed by this. How could it be that these dogs, which possess the attribute of *azus* [insolence], are the ones that recite the praise "Come let us bow down before Hashem our G-d?" Therefore, he fasted 85 times to beseech Divine Help in understanding this anomaly.

The Medrash relates that a *maloch* [heavenly angel] came down and revealed "the secret" to him. At the time of Yetzias Mitzrayim, the *pasuk* says: ולכל בני ישראל לא יחרץ בלב לשונו - "But against the Children of Yisroel a dog will not sharpen its tongue..." (*Shemos* 11:7). In the merit of this 'action,' the dogs merited to recite the *pasuk* attributed to them in *Perek Shira*.

The precise point of this Medrash is the idea mentioned above: Dogs are full of chutzpah by nature. It is a dog's innate nature to bark, especially when it senses that something unusual is transpiring. For the dogs not to bark at such a time demonstrates a tremendous conquest over their normal inclinations. The Ribbono Shel Olam appreciates that. Thus, the Medrash's point is the following: Despite the fact that dogs are *azei nefesh*, and in spite of the fact that they normally bark, they were greatly rewarded by virtue of the fact that they conquered this natural inclination and remained silent at the time of the *Makas Bechoros* [the Plague of the First Born]. We learn from dogs to people: People too should strive for *kvishas hayetzer* [conquering their evil inclination] in service of Hashem.

### **Why So Much Stress on Chipazon?**

The Torah tells us that *yetzias* Mitzrayim occurred *be'chipazon* [hurriedly]. But why, asks R' Shlomo Kluger *zt"l* do we place so much emphasis on this detail of *yetzias* Mitzrayim? He explains with a parable:

There were once two dear friends – call them Reuven and Shimon – who helped each other in every possible way. One day, Reuven was arrested and charged with a serious crime. As he was being led away, he cried bitterly, "Save me, my friend."

His friend, Shimon, called after him, "Don't worry! I will do everything I can, and I will not rest until I have rescued you."

Reuven was taken to a dark jail cell and was locked away. One day passed, then another, then a month and two months, but Reuven never gave up hope of being rescued. He knew Shimon would knock on every door until Reuven's innocence had been proven and he would be released.

A year passed, and then another, and doubt began to creep into Reuven's mind. Perhaps Shimon had forgotten him? "No! Shimon promised to save me, and he will." As Reuven sat there musing thus, he thought he heard a distant sound of metal banging on rock. For several days, this sound continued, until one day several bricks popped out of the wall and Shimon's head appeared through the hole.



“Hurry,” Shimon whispered. “Let’s get out of here.” Reuven was beside himself with joy, not only because he had been rescued, but also because the sudden manner in which Shimon had appeared showed Reuven that Shimon had never forgotten him. All of these years, Shimon had been planning and preparing Reuven’s rescue.

Similarly, explains R’ Kluger, Hashem’s sudden appearance in Mitzrayim and His hurried rescue of the Jewish people demonstrated that He had been planning their salvation for a long time and was merely waiting for all the pieces to fall into place.

The *Novi* tells us (Michah 7:15), “As in the days when you left Mitzrayim, I will show you wonders [at the time of the Final Redemption].” After two millennia in exile, we might think that Hashem has abandoned us. It’s not true, writes R’ Kluger. The Final Redemption will demonstrate also that Hashem never forgot us. This is why we take pains to remember the *chipazon* aspect of *yetzias* Mitzrayim. (Quoted in *Haggadah Shel Pesach Sha’arei Armon*)

### **They Could Not Delay**

*Chazal* say that, had Bnei Yisroel remained in Mitzrayim a moment longer, they would have sunk to the “50<sup>th</sup> gate of impurity” from which there is no return. R’ Zalman Sorotzkin *zt”l* observes that Bnei Yisroel reached that stage after only 210 years in exile. In contrast, the Jewish People apparently have not fallen that low after the nearly 2,000 years in the current exile. Why?

He answers: The key difference between us and our ancestors who were in Mitzrayim is that we have the Torah and they did not. True, *Chazal* say that they preserved their unique style of dress and they spoke the Hebrew language, but that wasn’t enough to preserve their identity. Only the Torah can accomplish that. (*Haggadah Shel Pesach Ha’shir Ve’hashevach* p.105)

R’ Gedalia Schorr *zt”l* asks: What does it mean that there is no escape from the “50<sup>th</sup> gate of impurity? *Chazal’s* statement implies that even Hashem could not have removed them from there, but surely there is nothing that is impossible for Hashem to do!

R’ Schorr explains: Hashem promised Avraham that his (Avraham’s) descendants would be enslaved in a foreign land for 400 years and then redeemed. But not all of Avraham’s descendants were enslaved in Mitzrayim, only those who carried Avraham’s physical DNA and were his spiritual heirs. Had Bnei Yisroel sunk down to the fiftieth level of ritual impurity, the spiritual link with the *Avos* would have been severed. Of course, Hashem still could have saved them, but He would not have been saving the spiritual descendants of Avraham. Rather, it would have been a new people that He was taking out of Mitzrayim. That could not be permitted to happen. (*Ohr Gedalyahu*)

### **Why We Eat Round Matzos**

R’ Yekusiel Yehuda Halberstam *zt”l* (Klausenberger Rebbe) writes: There is a longstanding custom to make the *matzos* for the *seder* round, not square. The reason is that square *matzos* can be placed next to each other so that they look like one; round *matzos* cannot be joined in this way. This reminds us that the cause of our long exile is our inability to get along. There is jealousy and hatred between us, and what one person considers to be a mitzvah, another considers to be a sin. Additional reminders of this sad situation are the custom to have a *matzah* cover with three separate compartments so that the *matzos* are kept separate, and the custom to name the *matzos*, “Kohen, Levi and Yisroel,” emphasizing their individuality. Appropriately, the Yom Tov of Pesach is known as

“Chag HaMatzos” – plural – not “Chag HaMatzah” – singular. (*Haggadah Shel Pesach Halichos Chaim* p.21)

(For more reasons why we eat round *matzos* see the halachah section pg. 98)

## מרור זה שאנו אוכלים על שום מה

**This *marror* that we are eating, for the sake of what [is it]?**

### **Why Do We Mention *Marror* Last?**

Why do we always say “Pesach, *matzah*, and *marror*” (mentioning *marror* last) when the *matzah* and the *korban* Pesach commemorate the redemption which came after the “bitterness” of the exile?

We know that the exile in Mitzrayim had a purpose. According to the *Chida*, it helped prepare Bnei Yisroel to receive the Torah. However, during the dark days of slavery, the Jews could undoubtedly not appreciate this. Only later, after the redemption, did they understand why the bitterness was necessary.

To truly appreciate *marror* we must discuss it after the *korban* Pesach and *matzah*. (*Bnei Yissachar*)

### **No Going Home Early**

The *pasuk* writes: וימררו את חייהם בעבודה קשה בחמר ובלבנים ובכל עבודה בשדה - “They embittered their lives with hard work, with mortar and with bricks, and with every labour of the field.” R’ Shlomo Zarka *zt”l* and R’ Yehuda Chermon *zt”l* ask: Why does the *pasuk* begin with construction work (“with mortar and with bricks”) and then switch to farm work (“every labour of the field”)?

They explain: Bnei Yisroel had a quota of bricks they had to produce each day. If they finished early, they could go home for the day. However, on their way home, Egyptians would grab them and force them to do farm work and perform other tasks, i.e., “every labour of the field.” (*Haggadah Shel Pesach Rinah V’yeshuah* p.102)

## בכל דור ודור חייב אדם לראות את עצמו כאלו הוא יצא ממצרים

**In each and every generation, a person is obligated to see himself as if he left Mitzrayim.**

### **Appreciating What Hashem Did for Us by Taking Us Out of Mitzrayim**

R’ Moshe Sternbuch *shlita* writes: If this were taken literally, it would undoubtedly be the most difficult of the *seder’s mitzvos* to perform. However, the Rambam does not understand it so. Rather, he writes, “In each generation, man is obligated to act as if he had participated in *yetzias* Mitzrayim.”

How is this accomplished? The *Chida* writes in his *Haggadah* that it’s not sufficient to recognize in your heart that you have benefited from Hashem’s taking our ancestors out of Mitzrayim. Each person at the *seder* must demonstrate to his relatives and guests that he truly and enthusiastically recognizes and appreciates the favour that Hashem did for us by taking us from Mitzrayim and giving us the Torah so that He may reward us. (*Haggadah Shel Pesach: Mo’adim U’Zmanim*)

R' Shimon Schwab zt"l explained this difficult mitzvah as follows: If a person breaks his left arm, he may still point to it decades later and say, "I broke this arm." In fact, with the passage of time, there is not a single molecule in that arm which was in the "arm" that broke.

Similarly, the physical content of the Jewish nation is different than it was thousands of years ago, but we must see ourselves as the continuing embodiment of those people. (*Ma'ayan Beis Hashoevah*)

### **Everlasting Freedom**

We say in *Maariv* every day: עולם ויוצא את עמו ישראל מתוכם לחרות עולם – "And He brought out His people, Yisroel, from their midst to everlasting freedom." The *Sefer Emes* asks, that after the exile of Mitzrayim we still experienced another four other exiles, so how can we say the above?

The *Sefes Emes* answers, "everlasting freedom" is not going on the bodies but on the *pinteleh yid* [holy spark of a Jew] which attained "everlasting freedom" with the redemption from Mitzrayim. That holy spark can never be defiled, contaminated, or imprisoned by outside forces. It constantly yearns that it could spread over the entire body igniting it with the love of Hashem.

Our task on *seder* night is, חייב אדם לראות כאילו הוא יצא ממצרים – "a person is obligated to see himself as if he left Mitzrayim". Although we are still exile amongst the *goyim* we have to realize that the *pinteleh yid* left Mitzrayim and do our bests to stay away from the *tumah*, and contamination from outside forces.

**לפיכך אנחנו חייבים להודות להלל לשבח לפאר לרומם להדר לברך לעלה ולקלס למי שעשה  
לאבותינו ולנו את כל הנסים האלו...**

**Therefore, we are obligated to thank, praise, laud, glorify, exalt, lavish, bless,  
raise high, and acclaim He who made all these miracles for our ancestors and for  
us...**

### **Why Are We So Grateful, Hashem Made Us Slaves in the First Place**

Why are we grateful to Hashem for redeeming us from slavery? asks R' Chaim Berlin zt"l. After all, He made us slaves in the first place! R' Berlin explains as follows:

Hashem told Avraham that his descendants would be caused to suffer for 400 years; in fact, the Jews were in Mitzrayim for only 210 years. In order to "find" the full 400 years, we must begin counting from the birth of Yitzchok. How did Yitzchok suffer? He was a very wealthy man! Yaakov was also a very honoured person in Mitzrayim!

For Yitzchok and Yaakov, living among the gentiles (Avimelech, Lavan, Pharaoh) constituted suffering. Only after Yaakov died did the Jews' senses become more dulled, and they forgot that they were in exile. In the words of the Medrash (on *Shemos* 1:7), "And the land filled with them' - the theatres and circuses filled with them."

Naturally, says R' Berlin, this could no longer be considered part of the promised 400-year suffering. Accordingly, the suffering had to intensify, even to the point of slavery. This is the meaning of the Medrash, "If you had merited, you would read (*Shemos* 3:7), 'I have seen the suffering of My nation in Mitzrayim.'" Had we merited, Hashem would have viewed our very presence in Mitzrayim as

suffering. As it was, we did not merit. We caused our slavery, and we thank Hashem for redeeming us.

*Shevet Levi* was not enslaved in *Mitzrayim* because they maintained its separateness from the *Mitzriyim* in *Mitzrayim*. Its members, for example, continued to perform *bris milah* on their sons after the others had stopped doing so. (*Kuntres Imrei Chaim Al Haggadah Shel Pesach*)

ברוך אתה ה' אלקינו מלך העולם אשר גאלנו וגאל את אבותינו ממצרים... שמחים בבנין עירך  
וששים בעבודתך ונאכל שם מן הזבחים ומן הפסחים...

**Blessed are You, Hashem our G-d, King of the universe, who redeemed us and redeemed our ancestors from *Mitzrayim*, .. joyful in the building of Your city and happy in Your worship; that we shall eat there from the offerings and from the Pesach sacrifices ...**

### **Is the *Beis HaMikdosh* All About Eating *Korbonos*?**

In the *berachah* which concludes the *Maggid* portion of the *seder*, we say, “We shall rejoice in the rebuilding of Your city and shall be joyful in Your Temple service; and there we shall eat of the sacrifices and the Pesach offerings...” What are we saying? Is it in order to eat of the sacrifices that we pray for the rebuilding of the *Beis HaMikdosh*?

R’ Yaakov Kranz *zt”l*, better known as the *Dubno Maggid* answered this question with a parable: A merchant once hired a wagon and wagon-driver to take him home from the market with the goods he had purchased. On the way, they stopped at an inn to eat.

When they came out, a shock awaited them, for the unattended wagon had been robbed of all of its contents. The merchant turned white, but said nothing. In contrast, the wagon-driver fell on the ground in bitter tears, screaming, “Woe is me! My raincoat is gone! My umbrella is gone! What will be with me?”

All the other visitors to the inn began to chastise the wagon-driver: “Your passenger, who has lost thousands of rubles in merchandise, is standing by silently, and you are crying hysterically for a raincoat and umbrella?!”

“Yes,” answered the wagon-driver. “You see, my passenger’s goods were insured. He has lost nothing. However, I depend on my raincoat and umbrella to help me earn my living. While my loss may be objectively small, to me it is a real loss.”

So, too, said the *Dubno Maggid*, eating the *korbonos* [sacrifices] may seem like a small, even insignificant, part of the *avodas Beis HaMikdosh* [Temple service], but it is the only part that is really lost. Are we not taught that when one who learns *Hilchos Korbonos*, it is as if he had brought those *korbonos* to the *Beis HaMikdosh*? If so, Hashem is receiving our *korbonos* even though there is no *Beis HaMikdosh*. We, however, are missing our share of the *korbonos* — the part that we would be eating if real *korbonos* could be brought in the *Beis HaMikdosh* — and it is for this that we pray. (Quoted in *Sha’arei Armon* p. 161)

## מוציא מצה

R' Moshe Sternbuch *shlita* writes: Feeling joy when performing *mitzvos* is always considered one of the highest forms of *avodas Hashem* [service of Hashem]. We should feel especially joyous when eating *matzah*, for *Chazal* teach that this mitzvah, properly fulfilled, can save one from judgment on Rosh Hashanah. (*Haggadah Shel Pesach Moadim U'Zmanim*)

### Seeing the Torah's Perfection

R' David Hakochavi *zt"l* writes: When one contemplates the mitzvah of eating *matzah*, one sees the Torah's perfection. How so?

Hashem wished to prohibit us from eating *chometz*. Had the prohibition been for only one or two days, it would not have made the necessary impression. Therefore, the prohibition on eating *chometz* lasts for a week [eight days in the *Chutz La'aretz*].

In contrast, we are not commanded to eat *matzah* for seven days. One's obligation to eat *matzah* is only on the first night [the first two nights in *Chutz La'aretz*], and only one *kezayis* [a very small volume]. Why is there this difference between the prohibition on eating *chometz* and the commandment to eat *matzah*? Because the Torah takes into account the fact that too much *matzah* can make a person ill. (*Migdal Dovid: mitzvah 151*)

### A Homiletical Lesson from the Lutzker Rav

In regard to the mitzvah of *matzah* the Torah writes: ושמרתם את המצות – “You must be vigilant regarding the *matzos*” (*Shemos 12:17*). Rashi comments: “So that they do not become leaven. From here *Chazal* say (*Pesochim 3:4*), ‘If the dough has begun to rise (if you see a part of the dough is about to become *chometz*), pat it with cold moisture.’ (The coolness prevents it from rising further and becoming *chometz*.)”

*HoRav Zalman Sorotzkin, zt"l*, explains the concept of *chimutz* [leavening], with regard to part of the dough beginning to rise. Leaven is a sign of separation, dissolution of a relationship, whereby a part of an entity splits from the rest to “do its own thing.” One spot/ part of the dough breaks from the rest and begins to rise. If it is not stopped, it will overflow the bowl and become *chometz*, lost forever.

This, the *Lutzker Rav* says, is an important (homiletic) lesson for us with regard to the Egyptian redemption (and, in fact, all redemption). Moshe *Rabbeinu* had his share of detractors who sought to undermine his authority, demean his mission and impede the Jews' from leaving *Mitzrayim*. With the *mitzvah* to safeguard the *matzos*, we are adjured to apply the lesson of the *matzos* to Jewish communal life in general. We must see to it that no Jew is left behind, and we must prevent fractionalization by those who seek to separate and become “leaven.” When Jews work together and live in harmony, we are acting as Jews are supposed to act. The key to meriting redemption is a unified nation working together with one common goal and objective: to serve Hashem on His terms, thereby glorifying His Name and establishing ourselves as a holy nation. This is effected when *ahavas chinam* [unwarranted love], prevails among the Jewish People.

In his *Oznayim LaTorah*, the *Lutzker Rav* explains that the theme of unity, which is critical to redemption, is underscored by the fact that the Jewish People became a nation after the pagan, gentile nations had all been established. We can only survive amid unity. Avraham *Avinu's* home

suffered from a disconnect (rightfully so) between brothers. Yitzchak Avinu's home, likewise, saw two brothers disassociate (once again, rightfully so). Yaakov Avinu's home saw the *shevotim* [tribes], in conflict with Yosef. Thus, the Jews were relegated to endure the bitter *galus Mitzrayim* [Egyptian exile], during which they were subjected to untold brutality and cruel labour, which broke them physically and emotionally. They had each other with whom to struggle against the harsh Egyptian people. They all united as one, thus meriting their redemption.

As a result, we emphasize national unity in our approach to celebrating *Pesach*, the Yom Tov commemorating *yetzias Mitzrayim*. The *korban Pesach* is a *korban tzibbur* [communal offering] in which large groups of Jews share together in love and friendship. A single person cannot slaughter a *korban Pesach* just for himself. It must be a group endeavour. It must be consumed in a family setting with friends and neighbours sharing as one. Hashem is One and, to become His nation, we must emulate Him. (Peninim on the Torah)

### מרור

The *Yerushalmi* states that the ideal *marror* is the vegetable known as *chazeres*. Just as the *chazeres* starts out sweet but becomes bitter as it grows, so it was for our ancestors in *Mitzrayim*. First it says (*Bereishis* 47:6), "In the best part of *Mitzrayim* settle your father and your brothers." Later it says (*Shemos* 1:14), "They embittered their lives . . ."

Why is it important to recall this aspect of our stay in *Mitzrayim*? asks R' Eliyohu Hakohen ז"ל (the *Shevet Mussar*). He answers that one's gratitude at being rescued from suffering is significantly greater if he once knew wealth and happiness than if he had suffered all his life. To remind ourselves of what we once had, we use *chazeres* for *marror*.

With this in mind, we can understand a perplexing *pasuk* in *Eichah* (1:11): ראה ה' והביטה כי הייתי זוללה - "Look, Hashem, and behold what a glutton I was." Is this a reason why Hashem should redeem us? Yes, answers R' Eliyohu, for it makes our suffering in exile that much more painful. (*Aggadas Eliyohu: Pesochim*)

### כורב

There is an opinion in the Gemara that two *mitzvos* may not be done at the same time because the concentration required for one may disturb the concentration required for the other. R' Yosef Shaul Nathanson notes that the sage, Hillel, was nevertheless able to eat *matzah* and *marror* at the same time because he was always concentrating on fulfilling Hashem's will, and nothing could distract him from this. As an example of Hillel's constant devotion, the Gemara tells us that he considered the weekday meals to be *mitzvos* equal to the Shabbos meal; all of them fulfilled the purpose of strengthening him to serve Hashem. (*Haggadah Shel Pesach Migdal Eder HaChadash*)

### שולחן עורב

This expression literally means "He is setting the table" (in the present tense), and it alludes to Hashem. The story is told of a beggar who "worked" the homes of his neighbourhood for only two hours a day, yet collected more than any of the beggars who struggled from door to door all afternoon long. When he was asked the secret of his success, the beggar said, "I knock on doors only at mealtimes. Since the table is already set, no one minds feeding me as well. You, however, arrive

at the houses when people are busy with other things, and they cannot be bothered to open the kitchen just for you.”

Hashem, says R' Yosef Chaim of Baghdad, is not like a human. He (G-d) is always “setting the table” for us and thus we find sustenance at all times. (*Sefer Orach Chaim: Peirush Al Haggadah Shel Pesach*)

### צפון

R' Eliyahu Ki Tov writes that in Aramaic, “*afikoman*” means “bring out (*afiku*) dessert (*man*).” It, therefore, symbolizes our freedom, for the poor and oppressed cannot afford the luxury of a leisurely conclusion to their meal. (*Haggadah Shel Pesach Yalkut Tov*)

### ברך

The Gemara says that after a person eats, he has only one heart. What does this mean? Before a person eats, he has a *yetzer hatov* [good inclination] and *yetzer horah* [evil inclination]. After he eats, however, he has only one. If he has eaten “for the sake of Heaven,” the *yetzer hatov* subjugates the bad, but if he ate merely to fulfil his own desires, then it is the *yetzer hatov* that is subjugated. Reciting *birchas ha'mazon* enables the *yetzer hatov* to prevail, for in it we acknowledge that all food is Hashem's. (*Haggadas R' Tzadok Hakohen*)

### הלל

The paragraphs of *Hallel* are divided at the *seder* into two groups, one of which is recited before the meal and the other after. The *Malbim* explains that the section recited before the meal contains two paragraphs: one describes Hashem's greatness in general terms, and the other deals specifically with *yetzias* Mitzrayim. These paragraphs are closely related to the story we tell tonight, and are therefore recited immediately upon concluding the mitzvah of *Maggid* and just before eating the *matzah*.

In contrast to these, the paragraphs of *Hallel* which are recited after the meal are interpreted by *Chazal* as referring to the future, not the past, redemption. As such, they are more appropriately placed after our performance of the major Pesach *mitzvos* (*matzah*, *marror*, etc.), for then we can look ahead to the future. (*Haggadah Shel Pesach Im Be'ur Midrash Haggadah*)

### Why Do We Say Hallel on Pesach, We Are Still Slaves?

The Gemara (*Megillah* 14a) asks why we recite *Hallel* on Pesach but not on Purim. After all, argues the Gemara, “If we recite *Hallel* on a holiday that commemorates the transition from slavery to freedom [i.e., Pesach], how much more so should we recite it on a holiday that commemorates the transition from death to life [i.e., Purim].” The Gemara answers that we do not say *Hallel* on Purim because, even after the Purim miracle, “We are still slaves to Achashveirosh,” i.e., we are still subjugated by, or subservient to, the nations of the world.

R' Yosef Shalom Elyashiv *zt"l* asks: Why then do we say *Hallel* on Pesach? Why don't we say, “We are still slaves to Pharaoh,” as long as we are still subjugated by, or subservient to, other nations? Moreover, we say in the *Haggadah*, “In every generation, one is obligated to see himself as if he had personally gone out of Mitzrayim.” Why do we view ourselves as having gone out of Mitzrayim if we are once again subservient to other nations?

R' Elyashiv explains: The Gemara (*Berachos* 9a-b) teaches that Hashem asked Bnei Yisroel to "please" ask the Mitzriyim for gold and silver (see *Shemos* 11:2) so that Avraham would not accuse Hashem of keeping His promise to enslave Avraham's descendants, but not keeping His promise to take them out of Mitzrayim with great wealth (see *Bereishis* 15:13-14). However, writes R' Elyashiv, this is difficult to understand. Is gold and silver what the Torah means when it refers to "great wealth"? Surely "great wealth" is the closeness to Hashem that one obtains by performing *mitzvos* and studying Torah!

He answers: When Hashem spoke of "great wealth," He was, indeed, referring to the Torah that Bnei Yisroel would receive after the *yetzias* Mitzrayim. However, not everyone appreciates the immense pleasure that can be obtained from studying Torah; not everyone considers that to be "great wealth." Because of such people, Hashem had to make sure that Bnei Yisroel left Mitzrayim with gold and silver also.

Nevertheless, concludes R' Elyashiv, true wealth is spiritual wealth, which is something that the other nations of the world can never take away from us, no matter how much they subjugate us. Once we left Mitzrayim and received the Torah, that wealth is ours to keep forever. That is why we recite *Hallel* on Pesach even though we are still subjugated by, or subservient to, other nations. And, that is why every person is obligated to see himself as if he had left Mitzrayim - so he can appreciate that which we gained and never lost. (*Mishnas Ha'Grish*: Pesach p.412)

### **How Does One Come to a State of Being Able to Praise Hashem?**

R' Avigdor Miller *zt"l* observed that the *pasuk* (Yeshayah 43:21), "I fashioned this people for Myself that it might declare My praise," teaches that the life's mission of the Jewish People is to praise Hashem. This is the primary reason that we ask for the redemption - to be able to praise Hashem, as we read (*Tehillim* 106:47), "Save us, Hashem, our G-d, and gather us from among the nations, to thank your Holy Name, and to be glorified through Your praise."

How does one come to a state of being able to praise Hashem? R' Miller answers that one is able to praise Hashem when one recognizes Hashem through one's senses, i.e., when one can see, hear and feel the presence of Hashem in his life. Praise is merely the result of careful study, the outward manifestation of true recognition of Hashem's presence.

How does one achieve this? The most basic tool is to carefully examine in detail the kindness that Hashem does for each of us.

On another occasion, R' Miller gave an example of the type of reflection to which he refers. A common pastime for many people is complaining about the weather. But how often do we stop to reflect on Hashem's kindness when we have good weather? The Torah (*Shemos* 13:4) expressly records that *yetzias* Mitzrayim occurred in the spring, when the best weather for traveling occurs. Why is this detail singled out? Does the fact that the weather was nice have any significance when compared to the Ten Plagues and the other awesome miracles of *yetzias* Mitzrayim, or compared to our ancestors' joy at being freed from slavery?

Yes, answers R' Miller in the name of R' Nosson Zvi Finkel *zt"l* (the Alter of Slobodka). The Torah is teaching us to appreciate even the "small" acts of kindness that Hashem does for us. Amidst your greatest joy - for example, when our ancestors were freed from slavery - take a moment to notice how beautiful the weather is. (*Sha'arei Orah* Vol. I, pages 101 & 132)



## Fourth Cup

The fourth cup of wine is drunk, corresponding to the fourth expression of redemption. The expression of: ולקחתי לי לעם - "I shall take you to Me for a people" (*Shemos* 6:7). *Chazal* tell us that this alludes to the giving of the Torah.

R' Yitzchok Arieli *zt"l* writes: We learn from here that our existence as a people depends on our acceptance of the Torah, and only through the Torah are we called "Hashem's nation." Rus recognized this when she converted to Judaism. Thus, the Gemara (*Yevamos* 47b) teaches that Rus's statement (Rus 1:16), "Your people are my people," was responding to Naomi's attempt to dissuade her from converting, saying, "We have 613 commandments." It is our Torah and *mitzvos* that define us as a people.

Yet, there is a fifth expression of redemption, one which is not represented by a cup of wine. This is (*Shemos* 6:8): "I shall bring you (והבאתי) to the land about which I raised My hand to give it to Avraham, Yitzchok, and Yaakov; and I shall give it to you as a heritage." Why is this expression not represented by a cup of wine? Because it is not simply another promise like the other four expressions; it is the ultimate goal of all of the others, and they are preparatory steps for it. (*Medrash Ariel*)

## נרצה

In the poems and songs of this section of the *Haggadah* we *daven* that all of the *tefillos* which we have recited at the seder be accepted by Hashem. If one has performed all of the seder according to halachah, he may feel confident that his service has indeed been accepted by Hashem. We should *daven* that we may see the fulfilments of the *pasuk*: "As in the days of *yetzias* Mitzrayim, I [G-d] will [again] show you great wonders." Then we can confidently proclaim: "Next year in Yerusholayim." (*Haggadah Shel Pesach MiBeis HaLevi* - Brisk)

## חסל סדור פסח

In the *Nirtzah* section of the *Haggadah*, we declare, חסל סדור פסח, which is normally translated as, "We have completed the Pesach *seder*." However, the verb חסל is normally associated with ending something in the sense of destroying it, as in (*Devorim* 28:38): כי יחסלנו הארבה – "for the locust will devour it". Similarly, in modern Hebrew, the word חסל means "to assassinate." Why do we use this unusual term that seems to imply the destruction of the Pesach *seder*?

Rav Yisroel Reisman explains that in addition to proclaiming that we have successfully finished the Pesach *seder*, we are also including a hidden *tefillah* that Hashem should destroy the *seder* that we have today. We allude to our hope that this will be the last time we have a *seder* in *golus* without the ability to eat the *korban* Pesach, as we beseech Hashem to rebuild the *Beis HaMikdosh* and return the *korban* Pesach that we are presently unable to offer, may it be speedily in our days.

## תשעה ירחי לידה – Nine Months of Birth

Pharaoh had instructed Shifrah and Puah, the Jewish midwives, to murder the male infants. They, of course, did not listen to the evil despot, claiming that by the time they arrived at the homes of the Jewish women, the children had been born. HoRav Shabsi Frankel, *zt"l*, quotes an original thought from his father-in-law, HoRav Yosef Nechemiah Kornitzer, *zt"l*, which presents us with a deeper meaning to the dialogue that ensued between Pharaoh and the midwives.

Understandably, these holy women were not prepared to commit the unthinkable. Their task was to bring on life, not to shorten it. They had a logical response to Pharaoh's accusation. He cites the *Echad Mi Yodea* song which is recited at the end of the *seder*. This song culminates (with *Chad*

*Gadya*, which follows it) the *seder* ritual. After spending hours intensely transmitting the story of *yetzias* Mitzrayim, we involve ourselves in a most important examination: Why were we, the Jewish people, privileged to experience the liberation from Mitzrayim? Furthermore, will we once again be worthy of experiencing redemption at the End of Days? The song intimates our singularity, our distinctiveness, for the past and for the future.

It begins, “Who knows one?” Of course, Hashem is our answer. Our belief in the Almighty elevates us above the rest of the world. The song continues with each number representing our uniqueness in ancestry, commitment to Torah study and *mitzvos*. One entry, however, begs elucidation: תשעה מי יודע - “Who knows nine?” תשעה ירחי לידה - “Nine months of birth” (*leidah* means birth, although, in this context, it is translated as pregnancy). The question is obvious: What is so special about our people that we specify that we have nine months of pregnancy? This is a period of time that applies to all women across the board. Furthermore, why does the author of the *Haggadah*, use the word *leidah*, which means birth, as opposed to *ibur*, which means pregnancy?

HaRav Yosef Nechemiah Kornitzer cites Ramban (*Shemos* 1:10) who explains that while Pharaoh personally had no problem with wholesale genocide of the male infants, he knew that it would engender a negative reaction from his populace. They would not buy into it. They were, after all, a cultured nation who would never resort to such violence and bigotry. He commenced his plan by conscripting the “immigrants” as workers. This was part of the acceptance policy levied against foreigners to a country. Obviously, in short time, the Jews discovered that Pharaoh was acting as a despot whose true intentions were to eliminate the Jewish people.

Pharaoh presented the midwives with a cunning rationale (according to Rav Yosef Nechemiah). He said, “The Jews do not really want more children. Why would they choose to bring them into a life of servitude? The women became pregnant as a result of passion. If a woman’s fetus were to be stillborn, she would not be distressed. In other words, Pharaoh alluded to the idea that these were unwanted pregnancies. They would actually be performing a service to the parents by “limiting” their families. (Pharaoh’s diabolical intention has, unfortunately, found purchase in today’s irreverent society.)

The midwives replied with a lesson concerning Jewish marriage and family life. In the Jewish tradition, marriage is a means to fulfil Hashem’s command that we propagate in order to establish the foundation for future generations. [This concept applies to any form of propagation, including programs such as spiritual outreach. By helping a Jew return to the fold, we participate in his spiritual rebirth.] Jewish women are unlike Egyptian women, whose desire is purely physical and selfishly motivated. The Jewish woman marries for a purpose, to give, to produce, to participate in structuring the Jewish nation. She lives for her children. The love Jewish women have for their children begins at conception, because they sense the seeds of the future Klal Yisroel implanted within them. They pine for the moment when they can devote themselves wholly to their children. Thus, every child is of unique significance, even if it means bringing him/her into a life of servitude. They are carrying out Hashem’s Will. That is all that matters.

This concept is alluded to with the words, תשעה ירחי לידה. For the Jewish people, the nine months of pregnancy are nine months of birth. The love they have for their child begins at conception, as if the baby had already been born. (Peninim on the Torah)

## A Novel Interpretation of Chad Gadya Sog

R' Mordechai Twersky, the Maggid of Chernobyl *zt"l* explained this song as follows:

The word "*gadya*" / "kid" is related to "*Haggadah*" / "statement." "*Chad gadya, chad gadya,*" refers to two statements, specifically, the first two of the Ten Commandments: "I am Hashem" and "You shall not have other gods." These two statements encompass all of the *mitzvos*; "I am Hashem" encapsulates all of the positive commandments, and "You shall not have other gods," all of the negative commandments.

"That father sold" alludes to the teaching of *Chazal* that the Torah is unlike any other acquisition. Ordinarily, when one sells an object, the seller's connection to the object ends. Not so, however, when Hashem "sold" us the Torah; He, our Father, sold Himself to us with the Torah. In other words, through the Torah, one connects himself to Hashem.

However, one who wants to come close to Hashem and His Torah must experience yearnings / *kissufim* for that goal. This is alluded to by the "*two zuz*," as those coins are made of silver / *kesef*.

Moreover, it is not enough to yearn for Hashem and His Torah. One must also hate evil, i.e., he must be a "*sonai ra*." This is alluded to by the cat (or weasel), referred to in the song as a "*shunra*." Of course, the *yetzer horah* will not stand by idly while a person attains these spiritual accomplishments. Rather, the *yetzer horah*, represented by the *kalba* / dog, will attack the *shunra*.

When the *yetzer horah* threatens to defeat a person, the surest way to prevail is to strengthen one's *emunah* / faith. This is the *chutra* / the staff on which one can lean and with which one can hit the dog, i.e., the *yetzer horah*. However, the *yetzer horah* is tenacious and does not give up easily. Thus, the *nura* / fire of the *yetzer horah* may burn the staff of *emunah*.

What should one do to protect himself? Study Torah, which is likened to *maya* / water.

*Chazal* teach that the Torah can be an elixir of life if one studies it with the proper motivation, but it can be poisonous if one approaches it with the wrong intentions, for example, if one studies Torah so that he can attack *talmiday chachomim* on their own ground. The *tora* / ox that drinks the water in the song represents the animal that one can become if he misuses the Torah.

The *shochet* who slaughters the ox represents one's slaughtering of the *yetzer horah* that caused him to act like an animal. However, the "angel of death" (who is one and the same with the *yetzer horah*) may slaughter the *shochet*, i.e., it may cause a person to act hypocritically. This is alluded to by the Gemara's teaching that one who slaughters an animal on Shabbos is liable for the act of painting (i.e., painting the skin of the animal with the animal's blood). The word "*tzavua*" / "painted" also means "hypocrite."

In the end, however, Hakodosh Boruch Hu will destroy the angel of death and the *yetzer horah*. (*Likkutei Torah*)

## Chad Gadya and the Stick

The following is a *vort* I saw written in a Torah Anytime Pamphlet by Rabbi Zecharia Wallerstein a few years ago:

I was once about to write out a check for a *tzedokah* collector who came to my office when he asked if I could wait a minute. "Before you give me a check, would you mind if I ask you a question on the *Haggadah*? It is the easiest question you have ever heard. If you can answer it, I don't want the check; but if you cannot answer it, please double the amount."

Presented with this challenge, I liked what I heard. "Are you sure it's an easy question?" I asked. "It's the simplest question you ever heard on the *Haggadah*!" "Okay," I said, "go ahead."

"In *Chad Gadya*, we read how a man purchased a goat for two *zuzim*. Along came a cat and ate the goat; along came a dog and ate the cat; along came a stick and hit the dog; fire then burnt up the stick; water then extinguished the fire; the cow then drank the water; the slaughterer then slaughtered the cow; the angel of death then killed the slaughterer; and then Hashem smote the angel of death.

"Everything naturally makes sense in the sequence of events. Cats eat goats, dogs eat cats, water extinguishes fire, cows drink water and so on. But I have one question. How did the stick hit the dog? Sticks don't walk. It should have said that a person came with a stick and hit the dog. But it doesn't say that."

Thinking to myself how I have been reading the *Haggadah* for decades and never even considered this question, I sat there silently. "Double the check please," he said. And I did.

"Let me tell you the answer," he continued. "The *Haggadah* was written in this way for a reason. When you read the story of *Chad Gadya*, everything appears to occur naturally. But there is something the author of the *Haggadah* put into the middle of the story that doesn't make sense at all. A stick appears on its own and hits the dog. When you read this, you immediately raise your eyebrows and say, 'Wait a second! How did the stick get there?' And then you realize that it must be Hashem holding the stick. And if that is so, the same is true of all the other 'natural' events. Even the cat eating the goat and the water extinguishing the fire is the hand of Hashem. Nothing is natural and happens by itself."

After the man finished explaining this, I said, "I will triple your check." I was taken aback by this answer.

Throughout all the hardships in our lives, we can never think it is natural. At the end of the *Haggadah* when we read about the events of *Chad Gadya*, we are meant to think of all the incidents in our own personal lives. And then we are to realize that even the stick that hits and the hardships that confront us are from Hashem. He is behind our lives every step of the way.

### **Staying Awake**

The Brisker Rav used to say: One must take care to nap on *erev* Pesach so that he can stay awake all night relating the story of *yetzias* Mitzrayim. He used to wonder aloud: "Why are so many people meticulous to stay awake on Shavuot night, which is merely a custom, while they neglect the halachah that one should try to stay awake all of Pesach night?" (*Haggadah Shel Pesach Mi'Beis HaLevi* p. 34)

The 19<sup>th</sup> century Chassidic Rebbe, R' Yechiel Meir of Gostynin *zt"l*, barely slept all of Pesach. His family was worried about his health and asked him why he would not sleep. He replied, "If I had won the lottery, would you ask me why I couldn't sleep? Believe me! Every minute of Pesach is like winning the lottery."

What did he mean by this? Why did he feel more fortunate on Pesach than on any other day? The Amshinover Rebbe explained: *Chazal* say that *chometz* represents the *yetzer horah*. Thus, Pesach is a time that is free of the *yetzer horah*. Every minute of such a time is priceless.

**לשנה הבאה בירושלים הבנויה**

## Insights for Shevii Shel Pesach

### There Is No Painter as Great as Hashem

At the end of *davening* we recite the famous *piyut Ein Keilokeinu*. We precede this with several *pasukim*, the middle one being a quote from *tefillas Chana* (Shmuel I 2:2):

אין קדוש כה' כי אין בלתך ואין צור כאלקיננו – “There is none as holy as the Lord, for there is none besides You; And there is no rock like our G-d”.

Normally the word צור is translated "rock." The Gemara (*Berachos* 10a) however, interprets it from the root צייר painter. Chana viewed Hashem as the great artisan who forms every living creature as a 3-dimensional work of art. She said, “There is no painter as great as Hashem.” A person can paint an image on the wall, but he has no ability to impart it with life and soul, innards and entrails. Hakodosh Boruch Hu paints an image inside of an image and imparts it with life and soul, innards and entrails.

The *Chasam Sofer* takes this as a *moshol* with which to understand Krias Yam Suf:

A king once commissioned the greatest sculptor in the kingdom to fashion a sculpture of a horse. Upon finishing his grand work of art the king was so impressed he placed the statue in the city's central square in order to impress all the townsfolk. However, to his consternation no one paid any attention to the magnificent work of art. They just walked right past it.

The king confided in his good wise friend. “I'll tell you the problem,” answered his friend. “You know why nobody pays any attention to that statue. Because it looks so real! It is such a marvelous replica of a real horse people passing by think that's all it is. No one pays any attention to a plain ordinary horse. If you want people to understand that it is a sculpture, cut it in half. Then everyone will appreciate that marvelous work of art and will be amazed how closely it resembles the real thing.”

This is exactly what the king did. And when everyone saw the “Cut Horse” they recognized it for what it really was and were so impressed by the expertise of the artisan who created such a masterpiece.

So too, concludes the *Chasam Sofer*, Hakodosh Boruch Hu crafted a world filled with wondrous and amazing creations: oceans, continents, the sun, the moon, stars, and everything that fills the universe. But Man takes no notice from all this because the Master Artisan has made everything look “so real” it looks more real than all other works of art. A flesh and blood artist can only fool one's sense of sight. But as soon as you touch it you recognize it is merely a painting. Hakodosh Boruch Hu, on the other hand, can fool all five senses. It looks real, it feels real, it smells real, etc. We sense everything in Creation, we see it, we feel it, we hear it. Everything operates according to set laws of nature functioning flawlessly. Thus the Master Craftsman has succeeded in hiding His hand in all this. What we don't realize is that without His constant input everything in Creation would vanish instantaneously. But when Hakodosh Boruch Hu split the sea in half, then everyone saw that it is only because Hashem wills it that there is a sea. And if He wills it the sea turns into dry land. Then everyone burst out in song as Moshe and the Bnei Yisroel said *shira*. (R' Eliezer Parkoff)

## Measure for Measure

ויסע מלאך האלקים ההלך לפני מנחה ישראל וילך מאחריהם ויסע עמוד הענן מפניהם ויעמד אחריהם. ויבא בין מחנה מצרים ובין מחנה ישראל ויהי הענן והחשך ויאר את הלילה ולא קרב זה אל זה כל הלילה.

**“And the angel of G-d, who travelled before the camp of Yisroel, moved and went behind them; and the pillar of the cloud travelled from before their face, and stood behind them. And it came between the camp of the Egyptians and the camp of Yisroel; and it was a cloud and darkness to them, but it gave light by night to these, so that the one did not approach the other all the night.” (Shemos 14:19–20)**

The Gemara (*Megillah* 10b) asks: “What is the meaning of the *pasuk*, ‘so that the one did not approach the other all the night’? The ministering angels wanted to sing praise, but HaKodosh Boruch Hu, said, ‘The work of My hands is drowning in the sea, and you shall sing praise?’”

This well-known Gemara seems to be describing how Hashem admonished the angels for wanting to sing praise during Krias Yam Suf. There are several problems with that understanding.

First, where is there any allusion in the *pasuk* to the angels singing praise? The *pasuk* merely says that neither side came near the other. In addition, the *pasuk* describes the night before the sea split, when the pillar of the cloud intervened between the attacking Egyptians and the Jews by the sea. How can the Gemara read into this *pasuk* how the angels acted during Krias Yam Suf? It had not yet occurred!

Rav Ovadiah Yosef, in *Chazon Ovadiah* on the *Haggadah*, quotes the *Eil HaMiluim*, who has a completely different take on the Gemara in *Megillah*. He says that the reference to the *malochim* saying *shirah* comes from the phrase of the *pasuk*, “*zeh el zeh — one to the other,*” which alludes to the same phrase that we say in *kedushah*, “*ve’kara zeh el zeh — And one angel will call another,*” speaking about the *malochim* saying *shirah*.

Then he brings the Gemara in *Sanhedrin* (95b), which discusses the destruction of Sancheirev’s army, just as his soldiers were poised to attack Yerusholayim. This came about when their ears were opened, and they heard the singing of the angels and died.

We see from this that hearing the *shirah* of the angels is deadly. The *kedushah* overwhelms a person, causing him to die.

According to the Gemara quoted above from *Megillah*, it was the ministering angels who wanted to sing praise — they wanted to kill the Egyptians the way Sancheirev’s army would be killed. To this, Hashem said, “The work of My hands is drowning in the sea, and you shall sing praise?”

As explained by Rav Ovadiah Yosef, this is what Hashem’s words meant: “My method of punishment is always *middah k’neged middah*. The Egyptians killed the Jewish boys — My handiwork — by drowning; it would only be fitting to kill them by drowning, as well. And now, you angels want to sing praise to kill them instantaneously?”

Hashem was not telling the angels to be silent on account of the drowning Egyptians, which would not occur until the next day. Instead, He asked them to hold back from killing with *shirah*, on account of the Jewish boys who had been drowned.

The concept of *middah k'neged middah* demanded that they not sing praise at this time, but that they let the greater glorification of Hashem's Name come from the Egyptians dying — in the manner in which they killed. (R' Avraham Bukspan)

### **Actions Speak Louder than Words**

ויאמר ה' אל משה מה תצעק אלי דבר אל בני ישראל ויסעו

**“Hashem said to Moshe, “Why do you cry out to Me? Speak to the Children of Yisroel and let them journey.” (Shemos 14:15)**

The *Ohr HaChaim* and other *meforshim* ask several questions on this *pasuk*. First: Why did Hashem say to Moshe, “Why do you cry out to Me?” To whom should Moshe cry out in prayer if not Hashem? Certainly in times of trouble crying out to Hashem is most appropriate, as we see from Yonah (2:3), “*Karasi mi'tzarah li — I called in my distress,*” and from *Tehillim* (118:5), “*Min hameitzar karasi Kah — From the straits I called upon Hashem.*”

In addition, as Rashi says, Hashem told Moshe that now is not the time for a prolonged *tefillah*. In this regard, as long as the trouble persists and one's prayers have not been answered, *tefillah* ought to remain the order of the day. In truth, it seems as if Moshe's *tefillah* actually did save the day. For in the next *pasuk* (16), Hashem told Moshe to raise his staff and split the sea. Why tell him to stop his *tefillos* when they seem to have elicited a favourable response from Hashem?

Finally, what did Hashem mean when He instructed Moshe to tell Bnei Yisroel to travel? Where were they supposed to go? Behind them were the Egyptians, before them was an uncross-able sea; if He meant after the sea had split, Hashem should have first told Moshe to raise his staff, split the sea, and only then tell Yisroel to travel through the now-dry land.

The *Ohr HaChaim HaKadosh* explains that at the time that Moshe was *davening* for Yisroel, there was a counterargument from the *middas hadin*, claiming that Bnei Yisroel were unworthy of having the water split for them. The *Ohr HaChaim* cites the *Zohar* (170b), which tells of how the *middas hadin* came with the claim that the Jews are no better than the Egyptians, and why do they deserve to be redeemed.

The *Ohr HaChaim* then tells us that at such times, where *middas hadin* is against us, *tefillos* alone will not work; rather, *maasim tovim*, good deeds, are required to evoke *middas harachamim*. Hashem thus said to Moshe, “Why do you cry out to Me? As much as I want to perform a miracle, the *middas haddin* does not allow it. Therefore, speak to Bnei Yisroel and let them travel.”

Only after Bnei Yisroel strengthened themselves with *emunah* and *bitachon* — by going into the sea before it was split — could the *middas harachamim* overpower the *middas hadin*, enabling Moshe to raise his staff and split the sea.

As the *Ohr HaChaim* concludes, this played itself out when Nachshon ben Aminadav entered the water until it reached his neck. Once the water was at the point of “*Ki va’u mayim ad nafesh* — For the waters have reached into the soul” (*Tehillim* 69:2), the sea finally split.

While it’s true that we need to call out to Hashem in times of need, and Moshe was correct in crying out to Hashem and *davening* for rescue, at that critical time Bnei Yisroel had to actively demonstrate their *bitachon*. For that was when they became worthy of miracles and wonders.

Perhaps this can be compared to two of the commandments found in *Parshas Bo: Korban Pesach* and *bris milah*. Rashi (*Shemos* 12:6) teaches us that only in the merit of the blood of the *korban Pesach* and the blood of the *bris milah* were Bnei Yisroel worthy of redemption. However, as we know, Bnei Yisroel had other *zechuyos* in whose merit they were redeemed: They did not change their names but maintained their Jewish ones; they did not change their language, but continued to speak *Lashon HaKodesh*; they did not speak *lashon hara*; and they did not sin in regard to *arayos*, forbidden relationships (*Vayikra Rabbah* 32:5). Then why were the two *mitzvos* of *korban Pesach* and *milah* necessary?

Perhaps here, too, at the time in which all the Egyptian firstborn died, *middas hadin* could have presented the same argument as was made prior to Krias Yam Suf: Why are these better than those? Why don’t the firstborn of the Jews die, too? To offset such an indictment, Hashem had to provide Yisroel with the type of *mitzvos* that would elicit *middas harachamim* on their behalf. For this reason, He gave them two *mitzvos* that have at their core an element of faith and self-sacrifice: *dam Pesach*, where they openly slaughtered and consumed the Egyptian deity, and *dam milah*, where they inflicted pain upon themselves for the sake of Hashem. In the *zechus* of these acts, they were worthy of being saved.

\* \* \*

Rav Meir Simchah of Dvinsk (*Meshech Chochmah*) has a different take on the specific action required on the part of Bnei Yisroel at the time of Krias Yam Suf. Up to this point, Moshe had stood at the front and Bnei Yisroel had followed him, like sheep following a shepherd. The time had come, though, for Moshe to take a backseat with Bnei Yisroel leading the way.

This is why *pasuk* 19 in this *perek* reads: ויסע מלאך אלקים ההלך לפני מחנה ישראל וילך מאחריהם — “The angel of G-d who had been going in front of the camp of Yisroel moved and went behind them.” According to our discussion, explains the *Meshech Chochmah*, the angel of G-d was none other than Moshe, for Hashem’s Prophets are called *malochim* (see Chagai 1:13; *Vayikra Rabbah* 1:1). And Moshe, the *maloch* of Hashem, moved from the front of the camp to the back. *Tefillah* was not called for, but initiative and an inner reserve of faith.

And it was this test that had to be passed to enable Bnei Yisroel to be worthy of Krias Yam Suf. Up to this point, they could not do it on their own and had to be assisted. However, their debut at the time of Krias Yam Suf marked their ascension into an independent and worthy people. They entered the water with little merit but great faith; they left the water a markedly changed people, now independently worthy of the greatest of miracles.



This connects to the words of the *Shem MiShmuel* (*Beshalach* 5672), who explains that this was evident at an earlier point in time, when they turned back to Egypt as directed by Hashem (*Shemos* 14:2). At the time, they were unworthy of redemption. As the *Shem MiShmuel* explains, their willingness to turn back toward Mitzrayim and listen without question to the command of Hashem was the action that elevated them, making them worthy of redemption and Krias Yam Suf.

\* \* \*

I would also like to share a Medrash (*Shemos Rabbah* 21:4) on the subject, with a message that flows straight from the Medrash itself. The Medrash draws a parallel between two *kapitlach* in *Tehillim* that begin with the word *tefillah*: תפלה למשה איש אלקים — “A prayer by Moshe, the man of G-d” (90:1), and תפלה לעני כי יעטף — “A prayer of the afflicted man when he swoons” (102:1). The same word, *tefillah*, is associated with the prayer of Moshe, the greatest person, and the prayer of an afflicted and impoverished man. The Medrash explains that to human beings, money talks. A wealthy person is usually listened to, his words heard and accepted. A pauper’s words, on the other hand, are often not even acknowledged but simply ignored. But Hashem is different. The *tefillah* of a giant in stature such as Moshe is not listened to any more than the *tefillah* of the simplest and poorest person. Before Him, all are equal.

This can be proven, says the Medrash, from the *pasuk* in *Beshalach*: When Moshe began to cry out and daven for Yisroel at the Yam Suf, Hashem put an end to his prayer. “Why do you stand and pray? My children have already prayed (*Shemos* 14:10), and their prayers were accepted.” One should never think that his *tefillah* will not be accepted because of his lowly spiritual state. Hashem hears the prayers of the greatest prophet, but He also hears the prayers of the humblest slave leaving Egypt. As long as we turn to Him, He will turn to us. (R’ Avraham Bukspan)

### **A Split for a Split: Connection of Avraham Splitting the Wood for the Akeida and Hashem Splitting the Sea**

וישכם אברהם בבקר ויחבש את חמרו ויקח את שני נעריו אתו ואת יצחק בנו ויבקע עצי עולה

**And Avraham rose up early in the morning, and saddled his donkey and took two of his young men with him, and Yitzchok his son, and split the wood for the burnt offering (*Bereishis* 22:3).**

It says in the Medrash (*Shemos Rabbah* 21:8) that years later, when the Jews were leaving Mitzrayim, Hashem said, “in the merit of Avraham that Hashem split the sea for the Jews. Before the *Akeidah*, it says that Avraham split the wood for the offering, and at Krias Yam Suf, the *pasuk* says that Hashem split the sea – both times with the *shoresh* of בקע.

What is the *middah keneged middah*? The magnitude of Avraham’s merit shouldn’t lie in his splitting the wood, but rather in the culmination of the *Akeidah*, where he tied down his son and brought the knife to bear. Chopping the wood seems incidental to the greatness of the act later on, where he showed his willingness to slaughter his own son at the request of Hashem. Is the Medrash merely using the play on the same word to reference the *Akeidah* of Yitzchok as a whole, or is there a correlation between splitting the wood and splitting the sea?

Rav Shmuel Vitzik of Baltimore relates the following thought, which he heard directly from Rav Yehoshua Leib Diskin. The Gemara writes that it is easier to carry ten *kav* (a dry measure) of gold than ten *kav* of straw. While both weigh the same amount, the gold – with its denser mass – is compact and manageable. That amount of straw, on the other hand, is very bulky; carrying it is both awkward and cumbersome.

If so, why did Avraham chop the wood before embarking on what was to be a three-day trip? The *pasuk* cited above finds Avraham preparing the wood the very morning he and his party left. Schleppling a bag of chopped wood is more unwieldy than taking an intact log. It would have been easier to take a whole log and do the chopping upon arriving at the as-of-yet unknown destination.

What's the problem with that scenario? Avraham would take out his trusty hatchet. As Yitzchok looked on, he would carefully chop up the log and then set up the wood on the altar that he built. As willing as Yitzchok may have been to give his life for Hashem, there would still be an element reminiscent of what is known as *inuy hadin* – not prolonging the mental anguish.

In order to be more compassionate toward his son, Avraham chopped the wood before leaving. He was willing to take on the extra hassle of carrying the cut wood, which was bulkier, in order to alleviate the distress his son would experience were Avraham to chop it on-site.

This same compassion was in play when Hashem split the Yam Suf. Rav Tzvi Pesach brings a Medrash that says that initially Hashem intended to have the water recede as the Yidden walked in. They would walk in the water for the distance of one foot, and the water would recede one foot. They'd take another step, and the water would again back up. Says the Medrash that the compassion of Hashem overcame and He split the water from beginning to end.

Were the water to back up as they progressed, the Yidden would have still been terrified. Although they were witnessing the ongoing miracle of the water receding, they would have faced a mountain of water, and they would always worry if the miracle will continue. There would have been an element of constant dread – *inuy hadin*. By splitting the sea all the way through, Hashem assured them that the path would stay open.

The Medrash says: In the merit of Avraham splitting the wood before his trip, making it more difficult on himself in order to alleviate the stress of another, Hashem split the water in a way that also alleviated the stress of others. Interestingly, although one Medrash says that Avraham made two cuts of wood, others say that there were 12 cuts. Therefore, the water split into 12 separate paths for the Yidden, as a reward for the 12 pieces that Avraham made.

We see that it wasn't just the splitting that Hashem did for Avraham's children in the merit of his splitting, but the compassion with which He did the action; this was the reward for Avraham's display of compassion toward his son. (R' Avraham Bukspan)

## **Emunah**

(The following is taken from Rav Sholam Schwadron's *Haggadah*)

וַיֵּאֱמִינוּ בֹהַ' וּבְמֹשֶׁה עַבְדּוֹ – “And they believed in Hashem and in His servant Moshe.” (*Shemos* 14:31)

The way to attain *emunah* is by using one's simple common sense and understanding things straight, without any philosophy. Everything is quite simple and makes good sense. Long before a philosopher understands something with his intellectual analysis, someone with good common sense understands it almost instantaneously. The philosopher must write tractates with reams of paper of analysis and mathematical and logical proofs that the universe couldn't have evolved by itself, while a simple young child can understand this with no effort whatsoever.

Even worse. The more a person gets into the habit of thinking using research and analysis, he loses his common sense. He has trained himself to ask regarding everything: who says it has to be this way? Maybe it's a different way? Eventually he can even convince himself that Man is descended from the monkeys! It's amazing how the whole world is going crazy from this nonsense.

There are those who believe that the world was created from a Big Bang! I've always wondered how such intelligent individuals could entertain such an idea. Everyone knows that when a glass falls on the floor and explodes you have to work very hard sweeping up all the tiny pieces. How can anything positive come out of an explosion?

Someone once asked me, “Reb Sholam. Maybe the world was created from a Big Bang?”

I answered him, “if you were 5 meters tall, and 10 meters wide, and one leg was long and fat while the other was short and skinny; and one of your eyes was planted on top of your bald head, and the other in the middle of your forehead; and your nose was on your stomach and your mouth was on your back; etc. Maybe then you could think about a big bang, because that's how you would expect yourself to look after an explosion. But when you are laid out so beautifully and organized, and standing normal in front of me, you most certainly did not evolve from any big bang or accident!

The same is true about Torah. Anyone who studies the holy Torah is convinced it is stupendously deep and logical. Even if he doubts that it is *min hashomayim*, but it most certainly didn't grow from the ground. And what kind of human had the ability to compose such a work like that? Common sense tells us it is *min hashomayim*.

They once brought a primus (kerosene burner) to the Mirrer Mashgiach, Reb Chatzkel. As soon as he saw it, he exclaimed, “Ah! Torah *min hashomayim*!”

His family questioned him about his remark - what does a primus have to do with Torah *min hashomayim*?

He pointed to the little paper that came with the primus. It was the sheet of instructions how to use it. “If such a simple thing as a kerosene burner needs an instruction manual, how much more so the complicated creation called Man! He definitely needs an instruction manual from his Maker.”

**To receive the *Haggadah* I put together last year (or the year before) which goes through different *halachic* topics to this year, for more *divrei* Torah on the *Haggadah* or to receive my weekly *Parsha* Booklet email me on: [limudaymoshe@gmail.com](mailto:limudaymoshe@gmail.com) and I will happily send it to you.**