

Yeshiva University Center for the Jewish Future  
Rabbi Isaac Elchanan Theological Seminary

## Pesach To-Go

# 5771

Dedicated by Drs. Roz Feder Lipsky and Marvin Lipsky, and Family,  
Lilui nishmat Reb Zev ben Shalom Feder - Dr. Walter Feder z"l



### Featuring Divrei Torah from

Rabbi Norman Lamm

Rabbi Daniel Z Feldman • Dr. Steven Fine

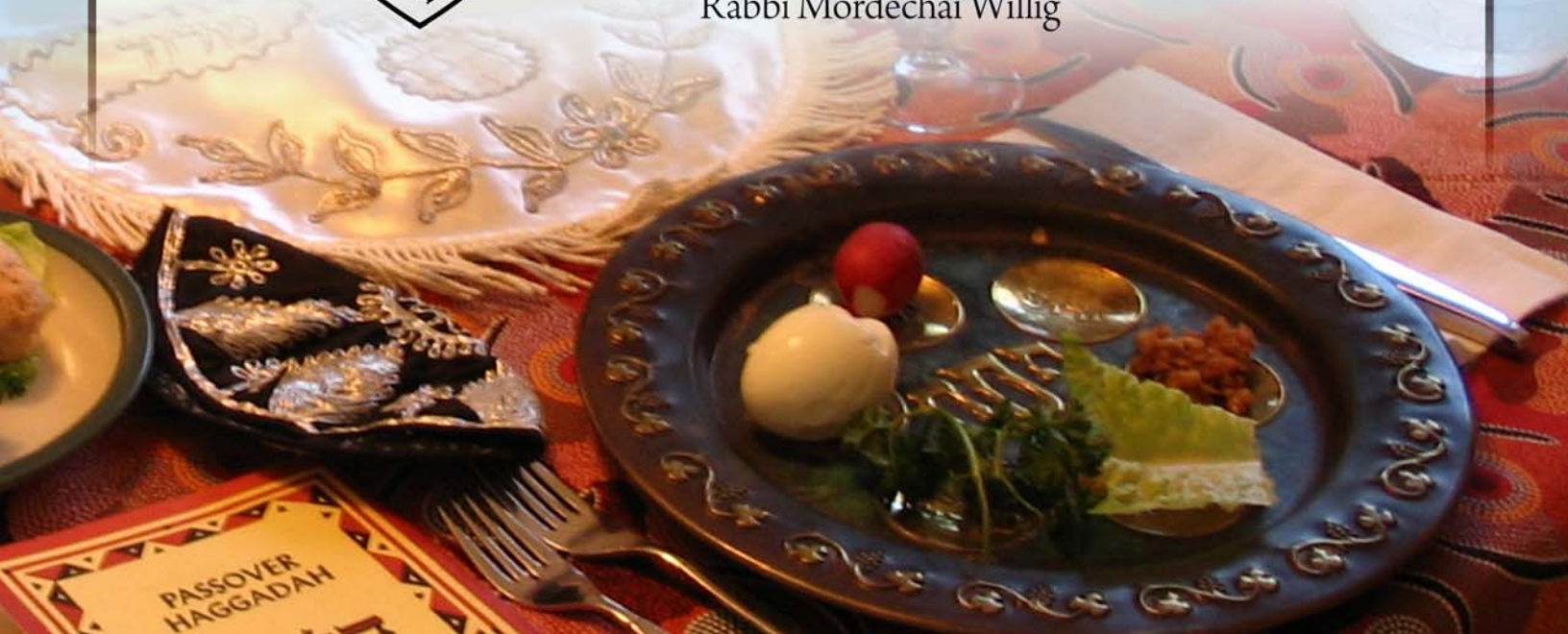
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Rabbi Ezra Schwartz • Rabbi Reuven Taragin

Rabbi Mordechai Torczyner

Rabbi Mordechai Willig



# Reflections in memory of those who were lost in Japan and for the speedy recovery of those who are ill and homeless

Composed by Dr. Moshe Sokolow

He who stirs the sea and makes the waves roar,  
spare us from quake and trembling  
On the deaths of thousands and perhaps tens of thousands  
In the earthquake in Japan  
And the Tsunami that ensued

רָגַע הַיָּם וַיִּהְמוּ גָלוֹ, מְרַעֵשׂ וּמְרוֹגֵז הַצֵּילָנוּ  
עַל מוֹתָם שֶׁל אֲלָפִים, וְאוּלֵי רַבּוּבוֹת בְּנֵי-אָדָם  
בְּרַעֲיֵדַת הָאֲדָמָה בִּיפָאן,  
וּבְסוּפוֹת שֶׁהִתְחוּלְלוּ בְּעַקְבוֹתֶיהָ

God of all mankind  
Aid the survivors of the storm  
Who were flooded out of their houses and fields,  
their dwellings and cities and everything they own  
When the mighty seas suddenly overwhelmed them,  
And when radioactivity showered down  
like fiery hail.

אֵל אֱלֹהֵי הַרוּחוֹת לְכֹל בָּשָׂר  
עֲזֹר-נָא לְנִיצוּלֵי הַסַּעֲרָה  
אֲשֶׁר נִשְׁטְפוּ בְתֵיחֵם וְשָׂדוֹתֵיהֶם  
מִגְרָשֵׁיהֶם וְעִרְיָהֶם וְכֹל אֲשֶׁר לָהֶם  
בְּפְרוּץ עֲלֵיהֶם פְּתָאוֹם מִי תְהוֹם-רַבָּה,  
וּבַהֲתַקְלַח מוֹקְדֵי תִבְעָרָה גְרַעֲיֵנִית  
כְּמוֹ אֵשׁ בְּתוֹךְ בָּרָד.

"The earth shook and the skies poured down ...  
The mountains flowed before God." (Judges 5:4-5)

"אֶרֶץ רָעָשָׂה, גַּם-שָׁמַיִם נָטְפוּ...  
הַרִים נָזְלוּ מִפְּנֵי ה'." (שופטים ה:ד-ה)

May it be Your will, He Who rests upon high  
That the radioactivity will subside and its embers will be extinguished  
And the land will be pacified from storms and earthquakes  
And You will bring comfort to Your desolate children.

יְהִי רְצוֹן מִלְּפָנֶיךָ שׁוֹכֵן שְׁחָקִים  
שְׁתִּישְׁקַע הָאֵשׁ וְנִכְבּוּ הַגְּחָלִים,  
וְתִשְׁקוּט הָאֶרֶץ מִסַּעֲרוֹת וּרְעָשִׁים  
וְתֵבִיא נַחֲמָה לְבְנֵיךָ הָאוֹמְלָלִים.

Richard M Joel, President, Yeshiva University  
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*Center for the Jewish Future presents this article in memory of the Fogel family of Itamar, Udi, Ruth, Yoav, Elad, and Hadas, who died al kiddush Hashem on 6 Adar 5771*

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Dear Friends,

On this Chag of *v'hegadata l'bincha*, of telling the story of our people, we take special pride in sharing with you our "Pesach-To-Go." Through sharing the Torah of various Yeshiva personalities, we hope to add vivid color to your Torah thoughts around the seder and holiday table. With over 75,000 monthly unique visitors to our YU Torah website, 16,000 copies of every YU Holiday To-Go printed and disseminated, and an additional 6,000 copies downloaded we are excited about our capacity to make the walls of our batei midrash porous, allowing you and thousands more around the globe share the Torah of our Yeshiva.

In discussing the crossing of the Yam Suf, the Rambam (Maimonides), as well as other commentators (*Tosafot (Archin 15a s.v. kashem)*, Ibn Ezra (*Shemot 14:17*), Radak (*Shoftim 11:16*)) suggest that the Jewish people did not actually cross from one side to the other. Contrary to the proverbial joke - the children of Israel did not actually cross the sea to reach the other side. They instead entered and exited on the same coast, entering the sea and returning to the same beach front, just further down the coast from their origin.

*"And the fifth miracle [of the ten at Kriyat Yam Suf] included multiple crossing paths [for the Jewish people] equivalent to the amount of tribes. The [paths were designed] as rainbows, one within the other [with the Jewish people entering and exiting on the same side of the sea]."*

**Rambam, Commentary on the Mishna, Avot 5:4**

וההמישי - שהוא  
נבקע לדרכים רבות  
כמספר השבטים,  
קשת עגולה בתוך  
קשת עגולה

In fact found in the commentary of the Rambam is the following diagram accentuating the point:



Underlying this approach is the understanding that the purpose of Kriyat Yam Suf was not an expeditious get away from Egypt, offering a means to separate an enslaved people from their country of bondage by crossing a body of water. The critical achievement was found in the **journey**, not the **destination**. For during the journey they experienced the hand of God on their frail shoulders.

If we are truly to enjoy this holiday of freedom, we too must find a way to feel God in our lives. We all cross tumultuous waters; we navigate the currents of professional challenges, financial setbacks or the suffering of loved ones. Yet without the dramatic miracle of parting waters, we must find a way to remove the barriers which often inhibit us from creating a rendezvous with God. Our Rabbis remind us that the true *chametz*, the kind which is most difficult to remove is found in our hearts and souls. This is a form of "spiritual leavening" that creates obstacles deterring us from living truly free lives. Perhaps if we look closer and take a few minutes each day to focus on the important and not just the urgent, we will discover the wondrous role God continues to play in parting the turbulent waters that often challenge our lives.

I hope that the Torah found in this series enables all of us to use this holiday to reconnect, making this a true season of personal and communal redemption.

Thank you to our generous donors Drs. Roz Feder Lipsky and Marvin Lipsky, and family. The Torah that we all learn in this Pesach To-Go should be *lilui nishmat*, in memory of, Reb Zev ben Shalom Feder - Dr. Walter Feder z"l.

Chag Sameiakh,

**Rabbi Kenneth Brander**

The David Mitzner Dean

Yeshiva University Center for the Jewish Future

# Novelty and Renewal

Rabbi Norman Lamm

Rosh HaYeshiva, RIETS and Chancellor, Yeshiva University

*Originally given at the Jewish Center in NYC as a derasha for Parashat ha-Chodesh 5725 (1965). Excerpted with permission from "Festivals of Faith" (OU Press and YU/RIETS Press, 2011)*

Ours is an age characterized by an insatiable appetite for the new; we literally live by the news. We jump with glee at the latest headlines, the newest models, the most recent designs, and the most up-to-date fashions. We abhor the old and the tried, and we treat with studied contempt the set and the stable. We speak derisively of "the same old thing"—it is so uninteresting!—and we greet the words "brand new" with the eager delight of a five-year-old embracing a new toy. No wonder that our childish penchant for novelty is exploited by industry for profit, so that, no matter what the true facts are, the word of the manufacturer cometh forth from Detroit every year blaring "new, new, new!" No wonder that our cities are becoming progressively uglier, and as those immense boxes with the shiny tinsel-like facades go up, they displace old historic landmarks which are wrecked indiscriminately, thus destroying whatever charm and character our cities have. Even in religion we are given to the kind of spiritual adolescence which condemns all that is old to obsolescence, so that Jewish modernist deviationism, for instance, has substituted vacuous new ceremonies and empty and artificial rituals for the landmarks of kashrut and Shabbat and family purity which have been thoughtlessly destroyed.

We who are Orthodox Jews, however, take exception to this fawning worship of the new. We are committed to tradition, to a sense of reverence for the glories and the sancta of the past. We do not believe that truth, values and holiness should be treated in as fickle a manner as the style of hats.

Yet it would be wrong to let the matter rest there. For, after all, does not our tradition too speak lovingly of the new? The psalmist proclaims: *Shiru la-Shem shir hadash*, "sing ye to the Lord a new song" (Ps. 96:1, 98:1, 149:1). In the Haggadah we say, *ve-nomar lefanav shirah hadashah*, "and may we recite before Him a new song." And every day we pray: *Or hadash al Tziyyon ta'ir*, "may You cause a new light to shine on Zion." Obviously, Judaism is not against the new as such. It does not subscribe to a reactionary conservatism. To be traditional does not mean to submit to a spiritual hardening of the arteries. New problems demand new solutions. Some of the new solutions we have arrived at in the past several years have proved to be among the most constructive in Jewish history: the State of Israel, the Hebrew day schools with their dual programs, Yeshiva University, organized community kashrut, the United Jewish Appeal. These are all new, and they are all good for the future of our people and our faith!

The problem, therefore, is how to accommodate the new within a religion which reveres the old. It is not a question of halakhah and the degree of change, if any, which is permissible or

advisable. Rather, the issue is: how does a religion which reveres tradition deal with the all-too-human desire for newness?

Three insights commend themselves to us. First, the yearning for newness ought be applied to one's own life and spirit rather than to the outside world. Thus, the prophet Ezekiel quite properly pleads for *lev hadash ve-ruah hadashah* (Ez. 36:26), "a new heart and a new spirit," not merely for new techniques and new objects. The halakhah declares that *ger she-nitgayyer ke-katan she-nolad dami*, "a proselyte has the status of a newborn child" (Yevamot 22a). And, in the same spirit, Maimonides declares that the repentant person must experience the feeling of spiritual rebirth; religiously he is a new individual (Mishneh Torah, Hilkhot Teshuvah 7:7).

Perhaps it is best to distinguish between these two elements of newness by using two different terms: "novelty" and "renewal." Novelty is the misuse of the inclination for newness for things, for gadgets, for "kicks." Renewal comes about when we apply the desire for newness to man himself, to achieve new insights which result in the transformation of his soul and his spirit. Novelty is extrinsic; it is a question of packaging. Renewal is intrinsic; it is a matter of content. Novelty is the seeking of thrills; renewal is the thrill of seeking. The desire for novelty is what leads a young man from a Jewish home to date non-Jews and ultimately to intermarry. The search for renewal leads a young person from a background of little or no Jewish education to seek out Torah and mitzvot. If we are concerned only with novelty, then we change Judaism in order to make it palatable for most Jews. But if we seek renewal, then we try to change Jews to make them more worthy of Judaism.

The great Hasidic teacher, the Gerer Rebbe, author of the Sefat Emet, discovered this teaching of renewal in the great law which we read this morning and from which derives the name of this special Sabbath. The Torah commands us: *Ha-hodesh ha-zeh lakhem*, "this month is unto you" (Ex. 12:2). We are instructed to base the Jewish calendar on the moon, which revolves about the earth once in twenty-nine or thirty days, rather than on the sun, as do other people. What is the significance of this sanctification of the month as a special mitzvah? The answer he offers is the doctrine of renewal. According to the halakhah, thirty days of usage establishes the entity of habit. Thus, for instance, if we see a friend whom we have not seen or heard from for more than thirty days, we are required to pronounce the blessing of *She-heyehanu*. It is an occasion of joy. Not having seen him for thirty days, we have become habituated to his absence, and therefore the encounter with him is something new which should prompt a blessing. Similarly, there are many blessings we must make upon witnessing marvelous natural scenes or phenomena, or chancing upon spots where miracles were performed for our ancestors or ourselves. In all these cases, if we have been there, or seen them, within thirty days, we are not required to pronounce the blessing, whereas if we have not been there for more than thirty days, we are obligated to make the berakhah. In all these cases (and many more instances may be cited from Jewish law), whatever we have done or have not done persistently for thirty days becomes customary for us.

That is why, the author of Sefat Emet tells us, we must sanctify the moon, and, as it were, renew ourselves before thirty days have passed and we have become encrusted in the routine and the regular. *Ha-hodesh ha-zeh lakhem* is a commandment to experience renewal, the relief from stultifying and crippling conventionality; it is the mitzvah to redeem ourselves from wearying

and fossilizing habit and paralyzing patterns. It means that we must make a conscious effort to do things differently. We must challenge ourselves, for instance, not always to sing the same songs, to extend the same greetings, to pockmark our speech with the same clichés, to respond with the same stereotyped reactions, to affect the same study habits, the same grudges and affections, the same likes and dislikes. Above all, it means not always to adhere to the same level of observance of Judaism, but always to try to reach new heights and new enthusiasm. We must never be satisfied with *mitzvat anashim melummadah*, doing things in a mechanical, heartless, soulless way. Rather, we must experience renewal, with its consequent blessings of growth and development. How much different is this from the craze for novelty! This, indeed, is the creation of what the prophet commanded, the *lev hadash ve-ruah hadashah*, the new heart and the new spirit in accordance with the will of God, rather than the search for *elohim hadashim* (Judg. 5:8), for new gods in accordance with the whim of man.

The second insight follows upon the first. Just as the object of our desire for newness must be renewal, directed inwards, to within ourselves, so the source for this renewal must come from within. It means that we have within ourselves the hidden talents and capacities to renew ourselves.

Perhaps it is best to explain the relation of newness to talents already available by referring to the prayer mentioned previously, *Or hadash al Tziyyon ta'ir*, "May You cause a new light to shine upon Zion." The Sephardic sages, following R. Sa'adyah Gaon, deleted this phrase from our prayerbook. It appears, you recall, in the first blessing before the Shema, in which we praise God for having created the luminaries, the heavenly bodies. This phrase, the Sephardic sages maintained, is out of place in this blessing, for the blessing speaks of the creation of the luminaries during the six days of creation, and this particular passage appeals for a new light in the end of days; past and future, old and new, are incommensurate and cannot be included in one blessing. Nevertheless, we follow the Ashkenazic decision, formulated by R. Asher, who justifies our practice on the basis of the well-known and beautiful aggadah that when God created the sun and the moon and the stars, they originally were endowed with much more light than they have at present; but God set aside a great part of the light that he originally created and is keeping it for the end of days, when this light will be used to illuminate the lives of the righteous who live in accordance with the will of God. This is the *or hadash al Tziyyon* for which we pray: the release of light, in the future, from that which was already created at the beginning but has remained unused. The prayer, then, is not out of place in this blessing: the new comes from the old, the future issues from the past. Hence, the word *hadash*, "new," may properly be used in the sense of the first expression of that which was long in existence but hitherto unexpressed.

So it is with man: the great act of renewal issues from within, it is the transformation of luminous potentiality into brilliant reality. It means that we have within ourselves, unconsciously, immense reservoirs of ability and courage and untapped potentials far beyond our fondest hopes and greatest dreams. When we apply our penchant for newness not to superficial novelty, but to the renewal of our personality and spirit and character; when we break out of our old habits and molds and endeavor to reach new spiritual heights, then we will have made use of these vast resources, of which we may never have been aware, for creative and constructive ends.

Finally, the concept of renewal means not only to discover within ourselves unused treasures of personality and character, but also it bids us to undertake a new orientation, whereby we look differently at the old. In the second paragraph of the Shema, we are promised the rewards of heaven if we will obey the commandments “which I command you this day” (Deut. 11:13). What does “this day” mean to those generations that were not present at Sinai? Rashi, based upon the Sifrei (Re’eh, 58), answers: *she-yihyu aleikhem hadashim ke-illu shematem bo ba-yom*, that whenever you perform the commandments of the Torah, they should appear to you as fresh and as new as if you had heard them from the mouth of God, as it were, on that very day! What is old so often bores us, it elicits no response from us; whereas what is new is always more urgent and more stimulating. We are charmed by the newly-wed and saddened by the newly-dead. Whatever is new is always more invigorating, and attention-capturing.

But whether a thing is old and dilapidated and uninteresting, or new and fascinating and challenging, depends primarily on your point of view! It is so with all of life: whether it is our study of Torah or our daily prayers, our daily associations, from school friends to business associates to our marriage partners -every Jewish and human obligation must be such that *she-yihyu aleikhem hadashim ke-illu shematem bo ba-yom*, we must treat them as if they have just occurred, as if they are newly developed, newly emerged, newly reborn. Then we shall be able to experience the gift and the blessing of renewal. This indeed is what the Pesikta Rabbati (15) meant when, in commenting upon the key phrase of our maftir reading, *Ha-hodesh ha-zeh lakhem* (Ex. 12:2), it links the Hebrew word for “month” with the Hebrew word for “new” (*hadash*) and says: *haddeshu ma’aseikhem*, “renew your deeds”: From within your own heart and soul, find the untapped resources with which to transform your own character and personality, and look with a new light upon all the ancient blessings and hoary gifts which God has given you.

This month of Nissan, which we initiate today, is one which we hope and pray will be for us a month of renewal, in which we will sing a new song of redemption not only for all the people of Israel but for each of us individually. Our dream and our prayer is not for novelty but for renewal, for the kind of inner transformation whereby all that is precious in the past will come to life in us once again.

Such is our prayer: *haddesh yameinu ke-kedem*, “make our days new – as of old!” Amen.



# Bringing the Geulah Through Mekhirat Chametz

Rabbi Daniel Z. Feldman

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*Mekhirat chametz* sometimes gets a bad rap. The widespread practice of observant Jews selling their *chametz* to a non-Jew prior to Pesach, and thus avoiding the prohibitions of *bal yeraeh* and *bal yematze* while preserving the *chametz* for repossession after Pesach, is sometimes seen as a way of (not) having one's cake and eating it too; an evasion that perhaps fulfills the technical imperative of the Torah directive (and perhaps not), yet seems to be artificial and contrived in nature. The ambivalence toward this practice (as well as other "sale" approaches, which are subject to varying degrees of controversy) is reflected in the joke that is told about a rabbinic ban on smoking: the orthodox Jews aren't worried, as they will simply sell their lungs to a non-Jew.

This conflicted attitude is played out in the halakhic literature. True, the *Tosefta*<sup>2</sup> does speak of a situation in which a Jew, finding himself stuck at sea as Pesach approaches, transfers ownership of his *chametz* to a non-Jewish fellow traveler, and reclaims it after the holiday. However, the impression is one of an unplanned, non-ideal, and isolated incident; the current reality, where entire communities plan in advance to preserve their stocks of *chametz* through annually scheduled arrangements with their local rabbi, appears to be a significant expansion of the depicted scenario.

A more commonly heard complaint is that the sale seems like a joke: the *chametz* does not leave the original owner's residence (something some *poskim* insisted should happen<sup>3</sup>); the purchaser does not appear interested in actually taking possession of the *chametz*;<sup>4</sup> rarely if ever does the seller have to open his doors and cabinets to the new owner of his food; and the *chametz* invariably reverts to its original ownership immediately after *Pesach*.

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<sup>1</sup> Adapted from a post on the RCA Text and Texture blog

<sup>2</sup> *Pesachim* 2:6-7

<sup>3</sup> See *Terumat HaDeshen* 119 and *Bach*, OC 448, s.v. *katav*.

<sup>4</sup> See *Machatzit HaShekel*, O.C. 448:4; *Responsa Chatam Sofer*, YD 310; *Responsa Li-Horot Natan*, II, 27

Rabbenu Yerucham,<sup>5</sup> commenting on the *Tosefta*'s ruling, asserts that one who utilizes this option should not engage in *ha'aramah* (evasion of the *halakhah*). The *Beit Yosef*<sup>6</sup> questions this requirement as the entire plan appears to be a *ha'aramah*, and yet, it is permitted!

## Persistent Controversy

Controversy over the sale has persisted over the generations, despite its increasing usage, and while some of the objections focused on the more problem-fraught method of a rabbi purchasing his congregants' *chametz* in order to sell it to a non-Jew,<sup>7</sup> it is clear that some great rabbinic authorities<sup>8</sup> objected even to the more prevalent current practice, where the rabbi does not purchase the *chametz* but rather acts as an agent to sell it to the purchaser.<sup>9</sup>

The *Bekhor Shor*<sup>10</sup> asserts that *mekhirat chametz* is indeed a *ha'aramah*, and for that reason is ineffective against a biblical prohibition of owning *chametz*. He assumes, however, that the *chametz* at hand is only subject to a rabbinical prohibition, because, as the Talmud<sup>11</sup> states in the context of *bedikat chametz*, the *bitul* of *chametz* is effective to negate the Torah prohibition.<sup>12</sup> Thus, while the practice, as a *ha'aramah*, is improper for addressing a biblical prohibition, it is nevertheless appropriate, as the ownership of *chametz*, following *bitul*, is only a rabbinic prohibition.<sup>13</sup>

However, many *achronim*<sup>14</sup> challenged that premise, noting that the *chametz* that is negated is not the same *chametz* as that which is sold, and thus a biblical prohibition would still apply; as such, one who would utilize *mekhirat chametz* must be comfortable that it is effective on a Torah level.<sup>15</sup>

R. Moshe Shternbuch, in his responsa<sup>16</sup>, suggests an alternate reason to deem the situation a rabbinical prohibition, noting that the area in which the *chametz* is located is leased out to the purchaser (presumably with full intent) and that the view of many *rishonim* is that one is not in violation of *bal yirae* on a Torah level for owning *chametz* that is physically in the possession of another (“*eino b'rshuto*”).<sup>17</sup> Thus, the *Bekhor Shor*'s premise can be upheld for other reasons.

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<sup>5</sup> *Netiv V*, part V, 46a

<sup>6</sup> *Orach Chaim* 448:5

<sup>7</sup> See, for example, R. Uri Shraga Feivush Toubish, *Reponsa Uri Vi-Yish'i*, 121.

<sup>8</sup> See, for example, *Responsa Shoel U'Meishiv*, II, 2:77.

<sup>9</sup> On this distinction, see also R. Ya'akov Ariel, *Resp. Bi-Ohalah Shel Torah*, I, 59.

<sup>10</sup> *Pesachim* 21a

<sup>11</sup> *Pesachim* 10a.

<sup>12</sup> Others who accepted this premise include *Ketzot HaChoshen*, 194:4; *R. Meshulam Igra*, *Responsa* 39:1, and R. Natan Note Kahane, *Resp. Divrei Rinanah*, 30 (and see the extensive references in the footnotes, # 11, by R. Yitzchak Hershkowitz). See also R. Yitzchak Shmuel Shechter, *Responsa Yashiv Yitzchak X*, OC 9.

<sup>13</sup> Further, it would certainly be effective in addressing the question of eating the *chametz* after Pesach, as that is generally understood to involve only a rabbinic prohibition (when owned over the course of Pesach). See *Responsa Shevet HaKehati*. IV, 127.

<sup>14</sup> See for example *Mekor Chaim* 448:9; see the lengthy analysis of *Responsa Minchat Yitzchak*, VIII:41.

<sup>15</sup> The Kogalglorver Rav offers a creative explanation of the *Bekhor Shor*'s view in his *Responsa Eretz Tzvi*, I, 84.

<sup>16</sup> *Teshuvot Vi-Hanhagot*, V, 112

<sup>17</sup> As R. Shternbuch notes, this presumption is also found in *Responsa Chatam Sofer* O.C. 119.

However, R. Shternbuch then proceeds to express reservations of the *mekhirah* on other grounds, such as a debate among *poskim* as to whether the area of the *chametz* should be sold or leased, and questions as to whether any of the many forms of “*kinyan*” used are effective between Jews and non-Jews. In a different responsum, R. Shternbuch expresses concern about the methodology of repurchasing the *chametz* after Pesach, and whether or not the process is carried out appropriately. (Among other considerations, it is vitally important that the *chametz* is sold back in a new transaction, rather than in a nullification of the original sale; otherwise, it will be determined retroactively that the *chametz* was never sold, and was in Jewish possession during Pesach.)

Indeed, there are many who have adopted a policy not to sell *chametz gamur*, presumably reflecting a lack of confidence in the sale’s efficacy together with the assumption that the *chametz* in question is not *batel*.<sup>18</sup>

Nonetheless, the acceptance of *mekhirat chametz* in all forms is widespread, with Jews purchasing *chametz* knowing in advance it will be sold, and some *poskim* even considering the question of whether it should be an obligation to sell one’s *chametz* as part of the appropriate safeguards for Pesach.<sup>19</sup> There is also a view expressed in some of the halakhic literature that even a sale of questionable validity will at least accomplish permitting the *chametz* after Pesach, because the desire and attempt to sell reflect a mental disconnection from the *chametz* (along the lines of *bitul*) that mitigates the transgression.<sup>20</sup>

## In Defense of *Mekhirat Chametz*

Perhaps an explanation can be offered for the embrace by so much of observant Jewry of the embattled *mekhirat chametz*. It would begin by considering the prohibitions of *bal yeraeh* and *bal yematze* that the sale is meant to address. The Ran<sup>21</sup> asserts that these prohibitions serve as a kind of “*syag min haTorah*.”<sup>22</sup> In essence, the Torah is really primarily concerned that we should not eat *chametz*. However, if *chametz* is kept in one’s possession, there is a great risk that in a distracted moment, or in the course of a semi-awake midnight snack, one might prepare himself a meal of the normally-permitted *chametz*. To avoid this eventuality, all *chametz* must be removed from one’s possession.

By embracing *mekhirat chametz*, *Klal Yisrael* is declaring that there are two things that can prevent them from eating *chametz*: not having any, and the transgression of *gezel*. If the *chametz* is in one’s house, but is off-limits because of the prohibition of stealing, that is enough to keep the Jews away from its consumption. Therefore, it doesn’t matter whether or not the *chametz* will ever be picked up by its purchaser, or whether or not the sale will be reversed after Pesach. All that does matter is that during Pesach, the *chametz* legally belongs to another; that is enough

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<sup>18</sup> See R. Asher Weiss, *Haggadat Minchat Asher* p. 280.

<sup>19</sup> See *Responsa Li-Horot Natan* VI, 25

<sup>20</sup> See *Responsa Mas’et Binyamin*, 59, and *Responsa Chatam Sofer*, YD, 310.

<sup>21</sup> *Pesachim* 1a, s.v. *u-mah*. See *Peri Megadim*, *Petichah to Pesach* 1:9.

<sup>22</sup> See R. Yosef Engel, *Lekach Tov*, 8:1

to make sure it will be untouched. In other words, *Klal Yisrael* is willing to stake its “*kareit*” on its commitment to avoiding theft.

In this context, it is worth noting the words of the *Semag*<sup>23</sup> who states that the exile has gone on too long because of deficiencies in honesty and integrity in dealing with the nations of the world. When that problem is present, redemption can not take place; it would be a *chilul Hashem* for G-d to redeem a nation that is perceived as immoral. As such, perhaps the practice of *mekhirat chametz* is a conscious decision, at a time when we focus on *geulah*, to enter into a monetary relationship with a non-Jewish person, and to honor the integrity of that relationship with one’s spiritual life. Such an attitude, taken with proper seriousness, might just bring the *geulah*, one step at a time.

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<sup>23</sup> *Mitzvot Aseh* #73

# Dining with Rabban Gamliel and Rabbi Yehoshua: Two Early *Pesach Sedarim* in Context

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*Chazal*, the rabbis of the *Mishnah*, *Midrashim* and *Talmudim*, preserve two stories of *sedarim* said to have taken place during the decades immediately after the destruction of the Jerusalem Temple in 70 CE. While one is well known from the Passover *Haggadah*, its parallel in the *Tosefta* (a third century collection of *baraitot*), is less known. Read together, these *sedarim* provide an exciting window into the ways that *Pesach* was celebrated and defined in the late first century CE, as *Chazal* struggled to revive our community during the depressing days after the *Churban*, the destruction of the Temple. Their responses have significant implications for our own *sedarim*.

In the *Haggadah* we read:

*It happened that Rabbi Eliezer, Rabbi Yehoshua, Rabbi Eleazar son of Azariah, Rabbi Akiva and Rabbi Tarfon were reclining [at the Pesach seder] in Bnei Brak. They spoke of the exodus from Egypt all that night, until their students came and said to them: Our masters, the time to recite the morning Shema has arrived.*

מעשה ברבי אליעזר ורבי יהושע  
ורבי אלעזר בן עזריה ורבי עקיבא  
ורבי טרפון שהיו מסובין בבני ברק.  
והיו מספרים ביציאת מצרים כל  
אותו הלילה עד שבאו תלמידיהם  
ואמרו להם רבותינו – הגיע זמן  
קריאת שמע של שהרית.

The *Tosefta*, *Pesachim* 10:12 tells of another *seder*, this time in the city of Lod.

*It happened that Rabban Gamliel and the elders were reclining [at the Pesach seder] in the house of Beitos son of Zunin in Lod. They discussed the laws of Pesach all that night, until the crowing of the rooster. They [the servants] took away [the tables] that were before them and they shook themselves off and went to the study house.*

מעשה ברבן גמליאל  
וזקנים שהיו מסובין בבית  
ביתוס בן זונין בלוד והיו  
עסוקין בהלכות הפסח כל  
הלילה עד קרות הגבר  
הגביהו מלפניהן ונועדו  
והלכו להן לבית המדרש

What do these stories have in common? First off, they portray our Sages coming together in groups to “recline,” celebrate and talk about the meaning of *Pesach*. That these *sedarim* are set in the coastal plain of Judaea, what we today call *Gush Dan*, is significant. With the destruction of the Temple, few Jews continued to reside in the holy city of Jerusalem. Those that did were called the *Kehillah Kadisha she-be-Yerushalayim*, “The Holy Community that is in Jerusalem,” and they surely needed real tenacity to live in a small and impoverished community among the ruins of the once great city. The Jews of Judaea, rabbis included, mainly settled in the towns, villages and cities of the coast—in Lod (Diospolis in Greek), in Yavneh (Jamnia in Greek), in Emmaus (Nicapolis, near today’s Latrun), and in Bnai Brak.

Ancient Bnai Brak was located between today’s *Mesubin* (literally, “reclining”) Junction - named for the *Haggadah*’s Bnei Brak - and Bar Ilan University, and not to the north where modern Bnai Brak is situated. *Chazal* tell many stories of rabbis walking with their students from town to town, and of course, to the assemblies of sages that periodically met in a vineyard in Yavneh.

Rabban Gamliel and his entourage came together in the house of one of the leading families of Lod, Beitos son of Zunin. Lod had long been a large and prosperous Jewish community, and one can imagine that the presence of the *Nasi*, the Patriarch, descendant of Hillel and eventual leader of the Sages in the decades after the *Churban*, was a great honor for Beitos son of Zunin - whose name, significantly, was Greek, as was his father’s. The Patriarch and those surrounding him are apparently reinforcing relations with a member of the patrician class of post-*Churban* Judaea. The meal was conducted in a “reclining” position - the customary mode of seating in wealthy Roman feasts. As was standard to such meals, each person had his own small tray that was placed before him by servants. The focus on conversation at the meal was derived from Roman *symposia* of this age, the assembly in Lod having engaged in lively conversation, focusing on halachic themes. This is no wonder. Rabban Gamliel was deeply involved in standardizing Jewish practice in the aftermath of the Temple’s destruction - everything from the calendar to liturgy to a myriad other areas of Jewish life. He apparently thought that standardization would ultimately unify the community of sages and their followers. Indeed it did, though not without creating anger and hurt egos among the rabbinic leadership in the process. Rabban Gamliel feasted with Beitos son of Zunin, a member of the Jewish communal leadership of Lod, at this moment of tension and reconstruction.

The rabbis assembled in Bnei Brak were nothing less than a “who’s who” of post-*Churban* sages. This group appears together often in rabbinic literature, and in the same hierarchical order. Rabbi Eliezer son of Hyrkanos was the senior member of this *chaburah*, this group of colleagues. A student of Rabban Yochanan son of Zakkai, it is said that he “never lost a single drop [of his learning]” (*Pirkei Avot* 2:8). Feisty to the end, Rabbi Eliezer asserted the authority of his positions even against the will of Rabban Gamliel. The same can be said of Rabbi Yehoshua son of Hananyah, Rabbi Eliezer’s peer and fellow student of Rabbi Yochanan ben Zakkai. A needle maker by profession, coming from the lowest of classes, Rabbi Yehoshua rose to the heights of Torah scholarship, having been trained for his life’s task from birth, *Chazal* suggest, by his mother, who brought him as a baby to acculturate to the world of the study house (*Pirkei Avot* 2:8, *Yerushalmi Horayot* 1:6). He too found himself in dispute with Rabban Gamliel, most

significantly over the calendar. One of the marks of sectarianism during the Second Temple period had been the calendar, and in fact, some sects, such as those who wrote the Dead Sea Scrolls, lived by a solar calendar rather than the lunar-solar calendar of *Chazal*. *Mishnah Rosh Hashanah* 2:8-9 relates that Rabbi Yehoshua and Rabban Gamliel disagreed vehemently over the calendar, and a schism was averted only when Rabbi Yehoshua accepted Rabban Gamliel's authority.

Next in the group was Rabbi Eleazar son of Azariah. He had both wealth and *yichus*— a descendant of Ezra, the “priest and the scribe,” this rabbi was both a great sage and a *kohen*. In the great disputes between Rabbi Eliezer son of Hyrkanos and Rabbi Yehoshua on the one side and Rabban Gamliel on the other, Rabbi Eleazar son of Azariah is described as something of a conciliator. According to *Bavli Berachot* 27b-28a, his beard grew white overnight—as a miraculous sign of Divine support, though the Yerushalmi has it that he was around seventy (*ke-ben shivim shanah*) at the time (*Berachot* 1:6). Rabbi Tarfon was another wealthy sage, a *kohen* and landholder in Lod. This leaves Rabbi Akiva, who lived in Bnei Brak, the place of our *seeder*. Student of Eliezer son of Hyrkanos and Rabbi Yehoshua, Rabbi Akiva is said to have begun learning at age forty, and attained Torah, fame and wealth only late in life. This rabbinic “Mt. Rushmore” is said to have assembled in Bnei Brak, and in the *Haggadah* illustrate the notion that “even if we were all sages (wise), all understanding, all of us were elders, and all of us knew the entire Torah, it is incumbent upon us to speak of the Exodus from Egypt, and all who increase their discussion are praised.”

What did the rabbis in Bnei Brak discuss? Were these political discussions, perhaps a kind of rabbinic faction meeting of those who were in dispute with Rabban Gamliel? Some have suggested that the content of the discussion was the Bar Kochba revolt, which Rabbi Akiva seems to have supported, though this reads more into the text than is there. What we do know is that Sages are discussing the narrative of the Exodus, the big ideas related to God's redemption of *Klal Yisrael*. This feature is what drew the editors of the *Haggadah* to this particular story. The “students of the sages,” are not included in the deliberations. This was to be a mature conversation among the Torah giants of the age.

*Chazal* preserve the memory of two very different *sedarim*. The first took place in the house of a Judaeen patrician in the city of Lod, where Rabban Gamliel held court and discussed the laws of *Pesach*, an essential step in formation of our *Haggadah* as we know it. It is not for naught that the high point of our *Pesach Haggadah* is our enactment of Rabban Gamliel's declaration that “whoever has not said these three things has not fulfilled the *mizvah* of *Pesach*.” In the second story, five Torah greats, most if not all of whom deeply questioned Rabban Gamliel's attempts at standardization and the imposition of his authority, came together in the town of Bnei Brak to discuss the great narrative of the redemption of Israel. This latter story is the most familiar to all of us, as we invite Rabbi Eliezer, Rabbi Yehoshua, Rabbi Eleazar son of Azariah, Rabbi Akiva and Rabbi Tarfon to our own *sedarim* each year.

The Rabbis at Yavneh, Lod, Bnei Brak, Emmaus and in other towns and villages of post-*Churban* Judaea were faced with the nearly impossible task of preserving and enhancing Torah so that Judaism could live and prosper for generations to come. At that moment, the Sages gathered,

discussed and argued their unique visions, creating for us a tapestry of texts that preserve the flavor of those often heated deliberations. These two *sedarim* exemplify a decisive moment in that process, in which the giants of Torah toiled and forged *Pesach* for all generations. Rabban Gamliel's focus upon the *halachot* of *Pesach*, and the big ideas of redemption that were discussed in Bnei Brak, are inseparable. They represent the unity of *halacha* and *aggadah*, of law and meaning. While some of our own *sedarim* may focus, with Rabban Gamliel, more on the *halachot*, and others perhaps more on the "big ideas," the ideal of our Sages was the happy intermingling of the two, with "the story" firmly grounded in our life of *halacha*; the legal enmeshed in the deepest search for meaning. This is the legacy of Rabban Gamalel and the Sages as they celebrated their *sedarim*, one in Lod, another in Bnai Brak, nearly 2000 years ago. I wish each of you, and all of *Klal Yisrael*, a kosher and deeply meaningful *Pesach*.

For Further Reading:

**On the rabbis discussed, see:**

M. Margalioth, ed., אנציקלופדיה לחכמי התלמוד והגאונים (Tel Aviv, 2006), and the relevant articles available at [Jewishencyclopedia.org](http://Jewishencyclopedia.org)

**On the early history of the seder:**

D. Goldschmidt, הגדה של פסח, מקורותיה ותולדותיה במשך הדורות (Jerusalem, 1969).

S. Safrai and Z. Safrai, הגדת חז"ל: הגדה של פסח (Israel, 1998).

**On the world of the ancient Rabbis:**

S. Fine, ed., *The Jews in the Greco-Roman Period*, a module of the *Jewish History 101* project of the Center for Online Judaic Studies, [COJS.org](http://COJS.org).



# Yetziat Mitzrayim and its role in Shabbat and Yom Tov

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The words "*zecher l'yetziat Mitzrayim*" (in remembrance of the Exodus from Egypt) appear in the text of Kiddush for Shabbat and all holidays. The role of *yetziat Mitzrayim* in Pesach, Shavuot and Sukkot is obvious as all three holidays commemorate either the Exodus itself or the events that transpired as a result of the Exodus. What is less obvious is the role of the Exodus in a holiday such as Rosh HaShanah or its role in Shabbat. In this article, we will explain how *yetziat Mitzrayim* impacts Shabbat and the holidays.

There is an important difference between the presentations of Shabbat in the Ten Commandments of Shemot and Devarim:<sup>24</sup>

*Because for six days G-d made the heavens and the earth, the sea and all that is in them and He rested on the seventh day. For this reason, G-d blessed the day of Shabbat and sanctified it.*

**Shemot 20:10**

*On the seventh day, it is Shabbat for G-d, don't perform all labor, (not) you or your son or your daughter or your servant or your maidservant or your ox or your donkey or any other animal or the convert that is in your midst, in order that your servant and maidservant can rest like you. And you shall remember that you were a servant in the Land of Egypt and G-d took you out with a strong hand and an extended arm. For this reason, G-d commanded you to observe the day of Shabbat.*

**Devarim 5:13-14**

כי ששת ימים עשה ה' את השמים  
ואת הארץ את הים ואת כל אשר בהם  
וינח ביום השביעי על כן ברך ה' את  
יום השבת ויקדשהו:  
**שמות כ:י**

ויום השביעי שבת לה' אלהיך לא  
תעשה כל מלאכה אתה ובנך ובתך  
ועבדך ואמתך ושורך וחמרך וכל  
בהמתך וגרך אשר בשעריך למען ינוח  
עבדך ואמתך כמוך: וזכרת כי עבד  
היית בארץ מצרים ויצאך ה' אלהיך  
משם ביד חזקה ובזרע נטויה על כן  
צוך ה' אלהיך לעשות את יום השבת:  
**דברים ה:יג-יד**

In Shemot, the observance of Shabbat is a function of G-d's refrain from further creativity on the seventh day of creation. In Devarim, observance of Shabbat seems to be a function of the

<sup>24</sup> There is a more general discussion about why the two presentations of the Ten Commandments have different texts. See, for example, Ramban, Devarim 5:12 and Ibn Ezra, Devarim 5:5.

Exodus. There are two basic questions that must be addressed. First, what aspect of the Exodus are we commemorating through the observance of Shabbat? Second, why is there such a blatant discrepancy in the two presentations of the reason for Shabbat?

## The Three Approaches to the Issue

R. Avraham Ibn Ezra (1092-1167) is sensitive to these questions and writes:

*[The Torah] provides additional explanation why your servants [must refrain from labor on Shabbat] to remember that you were servants and were released from servitude, therefore, G-d commanded that you do the same on Shabbat and this is the reason for giving the servant rest.*

**Ibn Ezra, Devarim 5:14**

הוסיף לבאר טעם עבדך  
ואמתך וזכרת כי עבד היית  
והניח עבדך על כן צורך ה'  
אלקיך לעשות כן ביום  
השבת והטעם למנוח' העבד.  
אבן עזרא דברים ה:יד

According to Ibn Ezra, Shabbat as a whole does not commemorate the Exodus. The only aspect of Shabbat that commemorates the Exodus is the prohibition against allowing one's servant to work on Shabbat.<sup>25</sup> We must be sensitive to the fact that we were servants in Egypt and therefore, we must provide them with a day of rest on Shabbat.

Rambam takes a different approach and assumes that there are two aspects of Shabbat:

*This difference can easily be explained. In the former, the cause of the honor and distinction of the day is given: "Therefore the Lord blessed the day of the Sabbath and sanctified it", and the cause for this is, "For in six days," etc. But the fact that G-d has given us the law of the Sabbath and commanded us to keep it, as the consequence of our having been slaves; for then our work did not depend on our will, nor could we choose the time for it; and we could not rest. Thus God commanded us to abstain from work on the Sabbath, and to rest, for two purposes; namely, (1) That we might confirm the true theory, that of the Creation, which at once and clearly leads to the theory of the existence of God. (2) That we might remember how kind God has been in freeing us from the burden of the Egyptians.*

**Guide for the Perplexed 2:31** (adapted from Friedlander Translation)

וזה אמת, כי העלול במאמר הראשון  
הוא כבוד היום והגדילו כמ"ש, על כן  
ברך ה' את יום השבת ויקדשהו, זהו  
העלול הנמשך לעלת כי ששת ימים וגו'.  
אמנם תתו לנו תורת השבת וצוותו  
אותנו לשומרו הוא עלול נמשך לעלת  
היותנו עבדים במצרים, אשר לא היינו  
עובדים ברצוננו ובעת שחפצנו ולא  
היינו יכולים לשבות, וצונו בתורת  
השביתה והמנוחה לקבץ ב' הענינים,  
האמנת דעת אמת, והוא חדוש העולם  
המורה על מציאות השם בתחלת  
המחשבה ובעיון הקל, וזכור חסדי השם  
עלינו, בהניחנו מתחת סבלות מצרים.  
מורה נבוכים ב:לא

According to Rambam, in addition to commemorating the creation of the world, Shabbat also commemorates our freedom. While we were enslaved in Egypt we didn't have the liberty to have a day of rest, and our observance of Shabbat demonstrates the kindness of G-d in taking us out of Egypt.

Ramban presents the approaches of Ibn Ezra and Rambam and offers a third approach:

*It is most preferred to explain that since the Exodus from Egypt*

והראוי יותר לומר כי בעבור היות

<sup>25</sup> See Keritut 9a, Yevamot 48b, Rashba and Ritva ad loc., Rambam, *Hilchot Shabbat* 20:14 and *Shulchan Aruch, Orach Chaim* no. 304, regarding the parameters of this prohibition.



remembrance of the creation of the world and therefore, all forms of creative labor are prohibited. Yom Tov only serves as a remembrance of the Exodus from Egypt and therefore, only labor that was relegated to servants is prohibited. It is permissible to perform *melachot* involving food preparation because masters and servants were involved in food preparation and those types of labors do not commemorate the slavery of Egypt.

R. Yosef D. Soloveitchik (1903-1993, in *Shiurim L'Zecher Abba Mari* Vol. II pp. 138-151), following Rambam's approach,<sup>27</sup> suggests that the two sources for observance of Shabbat represent two different components of Shabbat. The Gemara notes that there is a fundamental difference between the sanctity of Shabbat and the sanctity of Yom Tov:

*A Beraita was taught before Ravina: "[One should recite on Shabbat that coincides with Yom Tov] He who sanctifies the Jewish People, the Shabbat and the Holidays." Ravina responded "Do the Jewish People sanctify Shabbat? Isn't the sanctity of Shabbat established? Rather one should recite He who sanctifies the Shabbat, the Jewish People and the Holidays."*

**Beitzah 17a**

תני תנא קמיה דרבינא מקדש  
 ישראל והשבת והזמנים אמר  
 ליה אטו שבת ישראל מקדשי  
 ליה והא שבת מקדשא וקיימא  
 אלא אימא מקדש השבת  
 ישראל והזמנים.  
**ביצה יז.**

Shabbat is automatically sanctified. Every seventh day is Shabbat and no human intervention is required to sanctify it. However, the holidays are only sanctified when the Jewish court establishes the new month. The Jewish people play an integral role in imbuing the holidays with sanctity. R. Soloveitchik posits that the automatic sanctification of Shabbat is a function of Shabbat as a remembrance of the creation of the world. The requirement for the active sanctification of Yom Tov is a function of Yom Tov serving as a remembrance of the Exodus from Egypt (and subsequently receiving the Torah). As such, Shabbat also has a component that requires active sanctification.<sup>28</sup> R. Soloveitchik suggests that this is the role of Kiddush.

## Mentioning *Yetziat Mitzrayim* in Kiddush

How fundamental is "*zecher l'yetziat Mitzrayim*" to Kiddush on Shabbat? The Gemara states:

*R. Acha bar Ya'akov stated: One must mention the Exodus from Egypt in the Kiddush of the day. It states here (Devarim 16:3) "In order that you remember the day [you left Egypt]" and it states there (Shemot 20:7) "Remember the day of Shabbat in order to sanctify it."*

**Pesachim 117b**

אמר רב אחא בר יעקב וצריך  
 שיוכיר יציאת מצרים בקידוש  
 היום כתיב הכא למען תזכור  
 את יום וכתוב התם זכור את  
 יום השבת לקדשו.  
**פסחים קיז:**

<sup>27</sup> Rambam's opinion is not referenced, but it is clear from the entire discussion that *yetziat Mitzrayim* is a separate component of Shabbat.

<sup>28</sup> R. Soloveitchik notes that Ravina's assertion that the Jewish people do not provide the Shabbat with its sanctity was not meant to exclude any human involvement in the sanctity of Shabbat. Rather, Ravina was concerned for a formulation that creates the impression that the sanctity of Shabbat is provided exclusively by the Jewish People.

R. Yosef Babad (1801-1874), *Minchat Chinuch* no. 31, concludes from this statement that part of the biblical requirement of sanctifying Shabbat includes mentioning the Exodus from Egypt.<sup>29</sup>

R. Yisrael M. Kagan (1838-1933), *Mishna Berurah, Bei'ur Halacha* 271:1, notes that R. Avraham Gombiner (c. 1633-1683) seems to disagree. R. Gombiner, *Magen Avraham* 271:1, rules that one can fulfill the biblical requirement to sanctify Shabbat by reciting the Ma'ariv prayer. The *Amidah* for Ma'ariv on Shabbat contains no mention of the Exodus and therefore, *Magen Avraham* seems to be of the opinion that there is no biblical requirement to mention *yetziat Mitzrayim*. R. Kagan suggests that *Magen Avraham* is of the opinion that the Gemara's requirement to mention the Exodus from Egypt is only rabbinic in nature.

R. Kagan also suggests that perhaps *Magen Avraham* also requires one to mention the Exodus from Egypt on a biblical level. However, that requirement can be fulfilled during Ma'ariv because one mentions *yetziat Mitzrayim* in the *berachot* prior to the *Amidah*. R. Moshe Schick (1807-1879), *Taryag Mitzvot* no. 31, suggests that Ma'ariv is the preferred method of sanctifying Shabbat because the *berachot* prior to the *Amidah* discuss the Ten Plagues as well as the splitting of the sea. Kiddush at the Shabbat meal only discusses the actual Exodus from Egypt.

R. Eliyahu Bakshi Doron (b. 1941), *Binyan Av* 2:23, suggests that the dispute regarding the nature of the obligation to mention the Exodus from Egypt on Shabbat is contingent on the dispute between Rambam and Ramban. According to Rambam, the Exodus from Egypt is an integral component of Shabbat and therefore, it is logical that there is a biblical requirement to mention it on Shabbat. According to Ramban, the Exodus from Egypt is not integral to Shabbat and only serves a reminder of the reason for Shabbat. As such, it is arguable that there is no biblical requirement to mention the Exodus on Shabbat.

## Conclusion

Ramban's objection to Rambam's explanation is that the refrain from labor on Shabbat cannot commemorate the Exodus from Egypt when the refrain from labor already commemorates the creation of the world. There is nothing unique in the refrain from labor that distinguishes it as a commemoration of the Exodus from Egypt and therefore, any refrain will be attributed to the commemoration of the creation of the world. In defense of Rambam's position, Ritva (1250-1330), *Sefer HaZikaron*, no. 12, suggests that at the time the Torah was given, the Jewish people had a greater appreciation for their freedom, and for them, the refrain from labor on Shabbat as a function of *yetziat Mitzrayim* had greater significance.

Perhaps one can add to Ritva's comments and suggest that the annual requirement to discuss the Exodus from Egypt on Pesach should give us a greater appreciation of what freedom means.<sup>30</sup> By seeing ourselves as if we personally left Egypt, we can better appreciate having one day each week and numerous holidays when we are not enslaved to our work and we can truly appreciate our freedom.

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<sup>29</sup> See *Torah Temimah*, *Shemot* 20:54, who suggests that the Gemara's discussion about mentioning the Exodus from Egypt in Kiddush only applies to the Kiddush of Pesach. This approach would fit with Ibn Ezra's opinion that the Exodus from Egypt does not play a general role in the sanctity of Shabbat.

<sup>30</sup> There is a daily requirement to mention the Exodus from Egypt. However, on Pesach, there is a specific requirement to appreciate the entire experience and see oneself as if one personally left Egypt.

# Maror: Finding Meaning in Life

Rabbi Eric Goldman

S'gan Mashgiach, RIETS

*Center for the Jewish Future presents this article in memory of the Fogel family of Itamar, Udi, Ruth, Yoav, Elad, and Hadas, who died al kiddush Hashem on 6 Adar 5771*

Beyond telling the story Yetzias Mitzrayim and drinking the wine, one of the highlights of every seder table has to be when the maror is passed around the table and everyone takes that first breath of that biting aroma. Faces turn red, eyes water up, and a good laugh is had by all. But when we stop to think about it for a moment, it becomes puzzling. What is this halacha all about? Obviously there is something much deeper going on here than simply competing to see who can eat the most maror without drinking any water.

## The Chiyuv of Maror

In three different places in Meseches Pesachim, the gemara tells us that in order to fulfill the obligation of maror, one must taste the actual bitterness. It is for this reason that the gemara says one cannot soak the maror,<sup>31</sup> eat it with too much charoses,<sup>32</sup> or even swallow it without chewing it first as is permitted with matza.<sup>33</sup>

On the surface, this seems to be a very confusing halacha. Why would the Torah require of us to taste the bitterness? Of all the mitzvos we have that involve eating and drinking, this one seems to stand alone. In fact, mitzvos that require eating and drinking are generally enhanced by using better quality and tastier foods and wine. Why, then, is maror enhanced by bitterness?

On a basic level, the reason for this strange requirement is to remind us of the bitter slavery we were subjected to while we were slaves in Egypt. However, that doesn't fully answer the question, since the general focus of the seder, and the entire Yom Tov, is on the redemption, not the slavery. Pesach is a time to celebrate and thank Hashem for our freedom. While celebrating

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<sup>31</sup> Pesachim 38b

<sup>32</sup> Pesachim 115b

<sup>33</sup> Pesachim 115b. This last halacha is codified in the Shulchan Aruch (OC 475:3) where R' Yosef Karo writes that one is permitted to swallow matza without tasting it, but if one swallows maror without tasting it one doesn't fulfill the mitzvah. This is also related to the dispute as to whether or not romaine lettuce can be used as maror. Although the Chazon Ish (O'Ch- 124:39) writes that one should not use romaine lettuce because it only turns bitter later on, other poskim disagree and maintain that romaine lettuce can, and in fact should be used because it resembles Bnei Yisroel's stay in Egypt, which started off sweet and turned bitter. (Sefer Kol Dodi, 15:19)

our freedom does create the need to remember that we were enslaved, why does it have to be to the extent that we have to physically taste the bitterness?

## In Contrast to *Magid*

In stark contrast to maror is the gemara's principle<sup>34</sup> that is the basis for the nusach of *Magid*, namely to be *maschil b'gnus umisayeim bishevach*, to begin with derogatory statements about our past and to finish *Magid* with praise of Hashem. The Abudraham<sup>35</sup> and the Maharsha<sup>36</sup> both explain this structure as a way to keep in mind that the sole purpose of recalling the depths to which we had sunk is in order to fully appreciate what Hashem had done for us. As we realize how dire our situation was, the greater becomes our praise. According to this understanding, remembering our dark beginnings has no intrinsic value in and of itself. Rather, it allows us to more fully appreciate where we stand now.

Does this same concept of remembering the bad to appreciate the good relate to maror, or are we simply recalling the bitterness purely for the bitterness itself?

Perhaps we can shed some light on the issue based on the following gemara:

*In the time to come the Holy One, blessed be He, will bring the Evil Inclination and slay it in the presence of the righteous and the wicked. To the righteous it will have the appearance of a towering hill, and to the wicked it will have the appearance of a hair thread. Both the former and the latter will weep; the righteous will weep saying, 'How were we able to overcome such a towering hill!' The wicked also will weep saying, 'How is it that we were unable to conquer this hair thread!'*

**Sukkah 52a**

לעתיד לבא מביאו הקדוש ברוך הוא  
ליצר הרע ושוהטו בפני הצדיקים ובפני  
הרשעים. צדיקים נדמה להם כהר גבוה,  
ורשעים נדמה להם כחוט השערה. הללו  
בוכין, והללו בוכין. צדיקים בוכין  
ואומרים: היאך יכולנו לכבוש הר גבוה  
כזה! ורשעים בוכין ואומרים: היאך לא  
יכולנו לכבוש את חוט השערה הזה!  
מסכת סוכה דף נב.

Why should the righteous cry over the death of the Yetzer Hara when they should rejoice? The Maharsha adds that we should not attempt to explain that the righteous were crying tears of joy because the gemara seems to equate the crying of the righteous with the crying of the wicked. What then could possibly be the reason for mourning over the death of the Yetzer Hara?

Chazal use this gemara to explain a crucial principle of life: to not lose sight of the importance of the struggle itself. It has become an expectation of society that life should be easy. Any challenges or suffering that may come our way are divergences from the normal way of life and will automatically pass us by shortly, allowing us to return to our relaxed and peaceful existence. We all expect a happy ending and to live happily ever after.

However, the righteous had the opposite perspective on life. They understood that without the Yetzer Hara, their lives would now become stress-free. Problems will be solved automatically and challenges will be easily overcome. Life will be easy. In the eyes of the righteous, that is

<sup>34</sup> Pesachim, 116a

<sup>35</sup> Hagadah, s.v. Avadim Hayinu

<sup>36</sup> Chiddushei Agadita, Pesachim, 116a

indeed reason for mourning. Because they understood that without the struggles and without the challenges, we lose out on the opportunity to add real meaning to our lives. To not just simply sit back and expect the world, both the spiritual and the physical, to be handed to us on a silver platter, but rather to feel the meaning within the struggle.

*Don't say "when I become free, I will learn", for perhaps you will not become free.*

**Avos 2:4**

ואל תאמר לכשאפנה  
אשנה שמא לא תפנה:  
אבות ב:ד

We generally assume that when we are faced with a challenge or we are struggling, we need to pause our Avodas Hashem and deal with the challenge. However, the mishna in Avos instructs us otherwise. Perhaps we are not *supposed* to be “free.” Perhaps what Hashem really wants from us is to study Torah and come closer to Him while in our troubled state. While we hope not to have hardships in our life, real life includes hardships. A crucial test of our commitment to Torah and Hashem happens when we are faced with tests and we are able to succeed and overcome them.

## A Deeper Understanding of Maschil B’gnus

Oftentimes the challenges we deal with in our lives simply disappear or resolve themselves. It is in those situations that we are able to appreciate what we have by realizing how difficult the situation was. The greater the stress, the greater the relief and appreciation. On Pesach we relive those difficult experiences so that we can fully praise Hashem and recognize how much He helped us.

Therefore, during Magid, we focus on two low points in Jewish history:<sup>37</sup> that our forefathers were idol worshippers and the terrible enslavement of Egypt. These two examples of trying experiences represent two very different situations. Being an idol worshipper is an internal experience, something within our own selves. In contrast, being enslaved in Egypt was an external experience, brought upon us by the Egyptians. These two episodes were chosen to be recalled on the seder night because they capture the essence of troubles that we face in our daily lives which, when overcome, help us appreciate our lives more.

Unfortunately, there are trying times and episodes in our lives that never get resolved. These circumstances can drain our energy and leave us feeling helpless and hopeless. What is the purpose of these bitter experiences?

## Finding Meaning in Life

Through his own horrific experience surviving the atrocities of the Holocaust, Dr. Viktor Frankl taught us an invaluable lesson on how to view the challenges and the suffering in our lives. In his book, Man’s Search for Meaning, Frankl explains that in order to live a fulfilling life, one must find meaning in that life. However, he cautions us not to expect that meaning to be automatic or even to come easily. Granted, there are times that we are fortunate to see meaning in our daily lives through our avodas Hashem, our personal relationships, or our profession. However, very

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<sup>37</sup> See Pesachim, 116a for a discussion of which event is considered the “gnus” that we focus on.



often, life presents us with experiences that seem to be pure suffering with no purpose and no end in sight, challenges and stressors that seem to have no solutions. It is at those times, writes Dr. Frankl, that we must find meaning within the suffering, because we cannot expect life to work out the way we want it to, and we need to experience the challenge in a way that we find most meaningful. Of course, he continues, a person must be strong enough to fix whatever problems can be fixed. However, once something is beyond that point, when a situation in our lives seems to have no solution, it is up to us to maintain our happiness and to find the meaning in the suffering.

The reality is that our lives are filled with challenges and situations that can only be resolved with tremendous exertion, if at all. Whether it is struggling to earn a livelihood, finding a spouse, or having and raising children, challenging situations permeate every aspect of our lives. The trick to being happy in life is not to hope to be able to avoid these situations, because that is just not realistic. Rather we must embrace the challenge, and yes, even the suffering, and somehow find the inner strength to see meaning within them.

One of the most common (and even the most important) applications of this is within our marriages. Drs. Julie and John Gottman, world renowned marital therapists, through their research of thousands of married couples, estimate that nearly 70% of all marital conflict is never resolved. One of the most common mistakes a couple can make is to assume that whatever issues they will face will be resolved, and to expect that, with minimal effort, things will just work out exactly how they want them to. However, true love in marriage can only be found with the opposite perspective. Whether it is in our attempt to rise above the friction with our spouse as our differences arise, or to overcome whatever challenge life happens to throw our way, the key to a happy marriage is not to avoid friction or challenges, but rather to embrace and find meaning and simcha within them.

## Maror: The Key to Real Meaning in Life

This is the true meaning of the maror: a purely bitter taste with no sweetness allowed. Sometimes in life, we have to taste the bitterness. We cannot avoid it and we cannot find a solution for it. Rather we must experience it and be able to find the meaning within it. Whether it leads us to strengthening our prayer, commitment to Torah, or working on our middos to become more patient and accepting, there is always a light at the end of the tunnel, it is just that we have to bring that light into our lives and not expect it to come to us.

May Hashem grant us all the inner wisdom and strength to embrace all of the challenges we are faced with in life. To fix that which can be fixed, but to accept that which cannot; and realize that therein lies the potential for finding true meaning in our lives.

# The Hatan Damim Episode: A Preamble to Yetziat Mitzrayim

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The episode of the hatan damim, told in three pesukim in the fourth perek of Sefer Shemot, is among the most enigmatic narrative sections of Humash. There are several technical as well as philosophical questions that arise from a preliminary reading of the story. In this article, my focus is on the latter: on understanding why Hashem acts as He does in these pesukim, and why this short narrative is placed as a prelude to the story of geulat Mitzrayim.<sup>38</sup>

The chief philosophical question that arises from the story of the hatan damim is why Hashem would seek to kill Moshe or his son<sup>39</sup> for the delay in performing a brit milah. This poses a problem not only because the punishment seems excessively severe, but also because the hatan damim episode immediately follows Hashem's protracted efforts to convince Moshe to accept the mission of redeeming Bnei Yisrael. It is therefore especially difficult to understand why Hashem would threaten to kill Moshe or his son just after Moshe has acceded, and has set out to Mitzrayim as Hashem's shliach mitzvah.

R. Yaakov Tzvi Mecklenburg, in his sefer Haketav Vehakabbalah, is so troubled by the difficulty of understanding why Hashem would mete out the death penalty in this context that he proposes a radical reinterpretation of the pesukim. He suggests that Hashem, in fact, did not seek to kill anyone in the story of the hatan damim. He suggests that "*vayifgeshehu Hashem*" (Shemot 4:24) means that Hashem punished Moshe in some way for delaying to perform a brit milah on his son,<sup>40</sup> but that the subject of "*vayevakesh hamito*" is not Hashem, but Moshe:

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<sup>38</sup> In their commentaries on Shemot 4:24-26, Rashi and Ibn Ezra offer interpretations that address the basic textual questions that arise from peshat in these pesukim, such as: whom does Hashem seek to kill, which of Moshe's sons is the child described in these pesukim, how does Tziporah know that she should perform a brit milah on her son, why does Moshe not perform the milah, and what is the meaning of the phrases "hatan damim" and "hatan damim lamulot."

<sup>39</sup> Nedarim 31b-32a records a mahloket between R. Yehoshua ben Karha and R. Shimon ben Gamliel as to whether Hashem sought to kill Moshe or his son.

<sup>40</sup> Note that "p-g-sh" is not a term generally used to denote divine revelation. The only other pasuk in Tanakh in which Hashem is the subject of the verb "p-g-sh" is in Hoshea 13:8: "אפגשם כדב שכול ואקרע סגור לבם ואכלם שם"

*And if not for the opinion of our predecessors, I would have said that 'Vayevakesh hamito' does not refer to Hashem, but rather to Moshe, and its meaning is that through his encounter [pegisha] with Hashem, Moshe realized that his sin was visited upon him, and that he had not done well by delaying the performance of his Creator's will, and so much did his sin become great in his own eyes that this encounter was mild and not sufficient to remove his sin, and he said in his heart, 'If I am evil before God, why should I live? It would be better for me to cease to exist, and to choose death over life,' and this is the meaning of 'vayevakesh hamito,' that Moshe wanted Hashem to kill him.*

ולולי דעת קדמונינו הייתי אומר שאין ויבקש המיתו מוסב על ה' רק על משה, וטעמו ע"י פגישת הדבר הרע נתעורר משה כי נפקד עליו עונו, ולא טוב עשה בהתאחרו בעשיית רצון קונו, וכל כך הגדיל עון זה בעיניו עד שפגישה זו היתה קלה ואינה מספקת לנשוא בו עונו, ואמר בלבו אם אהיה רשע לפני האלקים למה לי חיים, טוב לי להתבטל מן המציאות, ולבחור במותי מבחיי, וזהו ויבקש המיתו, חפץ משה שימיתו ה'.

In other words, Haketav Vehakabbalah considers it entirely inexplicable that Hashem would seek to mete out the death penalty for Moshe's delay in performing a brit milah. Rather, he suggests, it was Moshe who sought death for himself, in his shame at having sinned in the eyes of God. Haketav Vehakabbalah goes on to compare Moshe to Yonah, who preferred death to witnessing Bnei Yisrael's failure to do teshuva. By reinterpreting the pesukim in this novel way, Haketav Vehakabbalah dispenses with the philosophical difficulty of understanding Hashem's actions in the story of the hatan damim.

Along similar lines, Abarbanel offers a creative rereading of the pesukim that suggests that Hashem did not seek to mete out the death penalty in the story of the hatan damim. He writes:

*Prophecy descended upon Moshe always, and he always needed to meditate and think about his mission. Therefore, when he came to the inn and occupied himself all that night with making provisions for lodging, and he did not meditate on the matters of his mission and his prophecy first, when the prophetic flow came upon him, it found him unprepared for prophecy. When it says "vayifgeshehu Hashem," it means that prophecy came upon him while his heart and his thoughts were burdened with the matters of his lodging and his wife and sons, and since he was found unprepared for the acceptance of prophecy, he experienced pain and danger and his spirit was rattled. And the meaning of "vayevakesh hamito" is not that Hashem wanted to kill him, for He desires kindness, but rather that the divine flow came upon him when he was unprepared, and therefore he was endangered and reached the gates of death.*

הנבואה היתה יורדת על משה תמיד והיה צריך לעמוד תמיד בהתבודדותו ומחשבתו בשליחותו. ולכן כשבא במלון ונתעסק בעסקי לינה כל אותו הלילה ולא התבודד בעניני שליחותו ונבואתו תחילה הגה כשחל עליו שמה השפע מצאו בלתי מוכן לנבואה וז"א ויפגשוהו ה' רוצה לומר שבא הנבואה עליו ולבו ומחשבותיו היו טרודים בעסקי לינתו ואשתו ובניו ומפני שנמצא בלתי מוכן לקבול השפע ההוא היה עליו הצער והסכנה ההיא ותפעם רוחו. וה"א ויבקש המיתו לא שהיה רוצה הש"י להמיתו כי חפץ חסד הוא אלא שפגש אותו השפע העליון בהיותו בלתי מוכן ולכן נסתכן והגיע לשערי מות.

"כלביא חית השדה תבקעם". The Koren Tanakh translates this as: "I will meet them like a bear that is bereaved of her whelps, and I will rend their closed-up heart, and there will I devour them like a lion: the wild beast shall tear them." "P-g-sh" in this pasuk connotes a divine attack, supporting Haketav Vehakabbalah's premise that "vayifgeshehu" implies that Hashem did not just meet Moshe, but punished him.

Like Haketav Vehakabbalah, Abarbanel proposes that Hashem did not actively seek to kill Moshe or his son. Rather, because Moshe occupied himself with arranging lodging for his family rather than meditating and concentrating on his divine mission, he was unprepared to receive prophecy when it came to him. In this state, his powerful encounter with the Divine nearly killed him—not intentionally, but as a matter of course.

The interpretations of Haketav Vehakabbalah and Abarbanel, in addition to addressing the moral justification for Hashem’s actions, solve a linguistic difficulty as well. The usage of the word “*vayevakesh*” is perplexing when used to describe an action of God; if Hashem “seeks” to do something, then it is done. In the interpretation of Haketav Vehakabbalah, the subject of “*vayevakesh*” is Moshe. According to Abarbanel, the meaning of “*vayevakesh hamito*” is not that Hashem sought or wanted the death of Moshe, but rather that He almost killed Moshe as a result of bestowing prophecy upon him. In other words, according to Abarbanel, the meaning of “*vayevakesh*” is that Hashem came close to killing Moshe, not that He desired to.

Shadal offers a third, differing explanation of Hashem’s actions in the hatan damim episode, one which will help us explore the related question of why this story is placed as a prelude to the story of geulat Mitzrayim. Shadal begins his commentary on Shemot 4:23 with the question of why Hashem’s speech to Moshe at this point includes a mention of makkat bechorot, given that Moshe does not warn Pharaoh of makkat bechorot until much later:

*You shall say to Pharaoh, ‘So said Hashem, My firstborn son is Israel. So I say to you, Send out My son that he may serve Me—but you have refused to send him out; behold, I shall kill your firstborn son.’*

**Shemot 4:22-23 (ArtScroll translation)**

ואמרת אל-פרעה כה אמר ה' בני בכרי  
 ישראל. ואמר אליך שלח את-בני ויעבדני  
 ותמאן לשלחו הנה אנכי הרג את-בנך בכרך  
 שמות ד: כב-כג

Shadal suggests that, in fact, Shemot 4:23 includes a veiled warning from Hashem to Moshe that if he does anything to delay the geulah, his own bechor will be in danger. Given Moshe’s reluctance to accept the mission of returning to Mitzrayim to redeem Bnei Yisrael, the necessity of such a warning is perhaps self-evident.

When Moshe tells Yitro of his plan to return to Mitzrayim, he presents his purpose as a reunion with his kinsmen, not as a mission to redeem Bnei Yisrael from slavery:

*So Moshe went and returned to Yeter, his father-in-law, and said to him, ‘Let me now go back to my brethren who are in Egypt, and see if they are still alive.’*

**Shemot 4:18 (Artscroll translation)**

וילך משה וישב אל יתר חתנו ויאמר לו  
 אלכה-נא ואשובה אל-אחי אשר-במצרים  
 ואראה העודם חיים ויאמר יתרו למשה לך  
 לשלום.  
 שמות ד: יח

Shadal suggests that, given the backdrop that Yitro (and, presumably, Tziporah) does not know Moshe’s true intentions in returning to Mitzrayim, Moshe’s decision to bring Tziporah and his children with him is problematic. In all probability, Tziporah will prevail upon Moshe not to

antagonize Pharaoh, out of concern for their family's safety.<sup>41</sup> Furthermore, Shadal thinks that the text indicates that Tziporah has already influenced Moshe to circumcise their sons at the age of thirteen in keeping with the customs of her family's culture, rather than at eight days.<sup>42</sup> He considers it inconceivable that Moshe and Tziporah would bring a newborn baby on a perilous trek across the desert, so he suggests that neither Gershom nor Eliezer were newborn infants. Rather, Gershom was a teenager who had already been circumcised, and Eliezer was a child who was not yet thirteen. When Moshe chose to bring his family to Mitzrayim, indicating a lack of serious commitment to his mission as the goel Yisrael, Hashem caused Gershom to fall ill. Gershom was singled out for punishment not because he was uncircumcised but because he held the privileged, symbolic status of the bechor. Tziporah responded by circumcising Eliezer, the younger son, as a show of commitment to the brit. She then returned to Midyan with her children and Moshe proceeded to Mitzrayim alone, as Hashem desired.

Shadal's approach has the advantage of remaining faithful to the simple peshat that Hashem sought to kill Moshe or his son, while also providing an explanation of why such a forceful divine response was warranted. Hashem meted out punishment not based solely on the delay in performing brit milah, but out of concern that Moshe did not demonstrate sufficient devotion to his all-important mission of bringing the geulah as expeditiously as possible.

I believe that we can build upon Shadal's approach to better understand the significance of the hatan damim story in the broader narrative of geulat Mitzrayim. Nahum Sarna, in the JPS Torah Commentary on Sefer Shemot, points out that the Tanakh explicitly links the hatan damim episode to the surrounding narrative through a number of *munahim mekashrim* (connecting terms). For example, "*vayevakesh hamito*" (4:24) echoes the phrase "*ha-anashim hamevakshim et nafshekha*" (Shemot 4:19). Similarly, the word "*vayifgeshu*" appears in Shemot 4:24 and then again in Shemot 4:27 (in fact, these are the only two times in Tanakh that this precise form appears). These and other textual connections serve to underscore the relevance of the hatan damim story to the pesukim before and after, and thereby to the story of geulat Mitzrayim as a whole.

Yetziat Mitzrayim is the fulfillment of two britot between Hashem and Avraham Avinu: brit bein habetarim (Breishit perek 15) and brit milah (Breishit perek 17). In both, Hashem promises Avraham that his descendants will inherit Eretz Yisrael. While they share a common theme, there are also differences between the two britot: for example, brit bein habetarim foretells Bnei Yisrael's enslavement while brit milah does not, and brit milah mentions the mitzvah of milah

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<sup>41</sup> Note that there is a mahloket between Ibn Ezra and Ramban as to whether it was advisable for Moshe to bring Tziporah and their children with him to Mitzrayim (Ibn Ezra Shemot 4:20, Ramban Shemot 4:19). Ibn Ezra posits that it was not appropriate for Moshe to bring his family to Mitzrayim because it would give the impression that he intended to settle in Mitzrayim for a long period of time. Ramban, by contrast, says that it was a praiseworthy decision because Bnei Yisrael's morale would be raised when they saw that Moshe chose to bring his family with him in his belief that redemption was imminent.

<sup>42</sup> Analogously, the Mekhilta DeRabbi Yishmael, Parshat Yitro Parsha Alef, suggests that Yitro persuaded Moshe to swear that his first child would be devoted to avodah zarah and his subsequent children to Hashem. According to this midrash, the child that Tziporah circumcised was Gershom, who had been uncircumcised because of Moshe's oath. This was the cause of Hashem's wrath in Shemot 4:24.

while brit bein habetarim does not. In fact, the two britot complement each other; to put it succinctly, brit bein habetarim promises the miraculous, supernatural involvement of Hashem in history, while brit milah presents redemption as dependent on Bnei Yisrael's responsibility to keep the mitzvot. Brit bein habetarim tells that Hashem will redeem Bnei Yisrael from bondage and give them the land of the seven nations. Brit milah presents a more natural vision of redemption, with no mention of liberation from slavery and no mention of the seven nations who must be defeated for Bnei Yisrael to take possession of Eretz Kenaan. Rather, the emphasis is on Bnei Yisrael's responsibility to keep the mitzvah of milah as a "*brit olam*." The two britot describe the destiny of Bnei Yisrael, but brit bein habetarim focuses on God's side in ensuring that destiny, while brit milah emphasizes man's responsibility in his relationship with the divine.

Because of the centrality of brit bein habetarim and brit milah to the story of yetziat Mitzrayim, the mitzvot of brit milah and korban Pesach are closely connected from a halakhic perspective; an uncircumcised man may not eat of the korban Pesach<sup>43</sup>. For this reason, Yehoshua perek 5 tells of a mass brit milah in preparation for the offering of the first communal korban Pesach that was brought after Bnei Yisrael's entry into Eretz Yisrael, and Hazal connect dam Pesach to dam milah in numerous derashot.<sup>44</sup>

Just as the mitzvah of korban Pesach is linked halakhically to the mitzvah of brit milah, the story of geulat Mitzrayim is linked thematically to the concept of bekhora. "*Beni bekhori Yisrael*" serves as the thesis statement of yetziat Mitzrayim, because yetziat Mitzrayim demonstrates the unique, intense love relationship between Hashem and Bnei Yisrael. Midrashim abound with the idea that Hashem redeemed us - *hu velo saraf* - because of His great love for the Jewish people.<sup>45</sup> The reading of Shir Hashirim on Pesach further accentuates this theme. The reason that makkat bechorot is the culmination of the makkot is not only because it is the most horrific, but also because it most vividly demonstrates the truth of "*beni bekhori Yisrael*": because Pharaoh did not free Hashem's bechor, Hashem shows no mercy to Pharaoh's bechor.

Thus, geulat Mitzrayim is tied to the concept of bekhora, and korban Pesach is tied to brit milah. Nahum Sarna points out a chiastic structure in Sefer Shemot that emphasizes the interrelationship of these themes.<sup>46</sup> Part A of the chiasm is the bekhora, which is mentioned in Shemot 4:22-23, immediately preceding the story of the hatan damim. Part B is the mitzvah of milah as described in the hatan damim story in Shemot 4:24-26. The second B of the chiasm is the mitzvah of korban Pesach (Shemot 12:3-13), which is related to the hatan damim story because of the connection between brit milah and korban Pesach. Finally, the concluding A of the chiasm is makkat bechorot (Shemot 12:29-30), which revisits the theme of bekhora. This

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<sup>43</sup> Shemot 12:48.

<sup>44</sup> For example, see Shemot Rabbah 17:3.

<sup>45</sup> For example, see Shemot Rabbah 15:1.

<sup>46</sup> Chiastic structure is a literary structure in which elements of a story appear in a symmetrical order. The unit begins with one topic (labeled A) and then goes on to B, C, and so on. The first topic (A) also appears at the end of the unit, the second topic (B) appears as the second to last topic in the unit, and so forth, so that the structure of the unit appears as ABCCBA, in the case of a unit that has three topics or elements. The purpose of a chiastic structure is to demarcate a literary unit, often in order to highlight the particular themes of that unit. Furthermore, the center of the chiasm often represents the climax or turning-point of the unit.

chiasm illustrates that the concept of bekhora and the mitzvah of brit milah are the central themes of yetziat Mitzrayim. Moreover, the center of the chiasm is formed by the mitzvah of brit milah and the related mitzvah of korban Pesach; the whole story of geulah hinges on the dam brit and dam Pesach. The hatan damim story thus serves two literary purposes: it presents the mitzvah of brit milah as the crux of the geulah, and it also incorporates the themes of bekhora, parenthood, and brit milah into one short episode, thereby creating a prelude that introduces all of the primary themes of the story of geulah.

Several years ago, I had a student named Nikki Press, who made a fascinating suggestion about the literary purpose of the hatan damim story. She observed that the story of Kriyat Yam Suf can be read as a visual reminder of brit bein habetarim; Hashem splits the water into sections, just as Avraham divided the animals into pieces. Therefore, the story of geulah is bookended on both sides by references to the two britot: the hatan damim story of brit milah appears at the beginning of the narrative of geulah, and Kriyat Yam Suf, with its reminder of brit bein habetarim, appears at the end. This structure emphasizes that the geulah transpired entirely within the context of the britot.

We have seen that the story of the hatan damim serves two basic purposes in the broader narrative of the national redemption. It forms a chiasmic structure which emphasizes the centrality of brit milah to the geulah and it introduces the story of yetziat Mitzrayim by incorporating all of the major themes of geulah. I believe that it also represents an important development in Moshe's ascendance to leadership.

Earlier, we saw Shadal's suggestion that the reason for Hashem's severe response of "*vayevakesh hamito*" was that Moshe did not demonstrate sufficient dedication in his role as the redeemer of Bnei Yisrael. Whether or not one fully accepts Shadal's interpretation of this story, it seems straightforward that the hatan damim episode represents Moshe's statement of personal commitment to the totality of the brit. Before entering the stage of Jewish history as the redeemer of Bnei Yisrael, it was necessary for Moshe to demonstrate his commitment to Jewish destiny by fulfilling the mitzvah of brit milah.

In Pirkei Moadot, R. Mordechai Breuer notes that geulah is always contingent upon the commitment of the individual. The great nes nistar of Purim came to pass once Esther was willing to take the personal risk of approaching Achashverosh without being summoned. At the other end of the spectrum, the prototypical nes nigleh of Kriyat Yam Suf began when Nachson ben Aminadav declared his faith by stepping into the sea. The story of the hatan damim represents Moshe Rabbenu's statement of personal commitment to the brit, which was a prerequisite for national redemption.

Through an analysis of the hatan damim narrative, we have seen that this short episode is intrinsic to the broader story of geulat Mitzrayim, from both national and individual perspectives. As we approach Zeman Herutenu, may the messages of the hatan damim story—the centrality of the brit and the necessity of the individual's commitment to the brit—be an inspiration and a catalyst for redemption both national and personal.

# “Pesach to Hashem:” Separate Mitzvos for Separate Moadim

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YC '04 • RIETS '06

The *Korban Pesach* is different from all other *korbanos*. Unlike other *korbanos*, which may be eaten with or without other foods (Rambam, *Hilchos Ma'aseh ha-Korbanos*, 10:10), the *Korban Pesach* must be eaten with specific foods, as the verse states, “... [with] *matzos* and with bitter herbs shall they eat it” (*Shemos* 12:8).

Another uniqueness of the *Korban Pesach* is that its eating is not permitted during the day it is slaughtered. The slaughtering is mandated for the afternoon of the 14<sup>th</sup> of Nissan, as the verse commands, “It shall be yours for safekeeping until the fourteenth of the month, the entire congregation of the assembly of Israel shall slaughter it in the afternoon.” (*Shemos* 12:6) Yet, its eating is prohibited until the night of the 15<sup>th</sup>, as the verse states, “They shall eat the meat on that night...” (*Shemos* 12:8). This separation of slaughtering and eating is not found with other *korbanos*, where slaughtering and eating are permitted on the same day (Rambam, *Hilchos Ma'aseh ha-Korbanos*, 10:6-7).

Lastly, we find that one must eat at least a *kezayis* of the *Korban Pesach* (*Hilchos Korban Pesach* 8:3). We do not find a similar minimum requirement for eating with other *korbanos*.<sup>47 48</sup>

## Two Independent *Mitzvos*

The fact that a specific amount of the *Korban Pesach* must be eaten indicates that the eating component of the *Korban Pesach* is a primary requirement, whereas the eating component of other *korbanos* is only of a secondary nature. Consistent with this suggestion, we find that the Rambam actually counts the slaughtering and eating of the *Korban Pesach* as two independent

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<sup>47</sup> See *Pesachim* 3b regarding a *kohen* who ate less than a *kezayis* of *Lechem ha-Panim*, and Rambam, *Hilchos Temidim u-Musafim*, 5:14, on the status of *Lechem ha-Panim*. See also *Beis ha-Levi* 1:2:7.

<sup>48</sup> There are a number of other unique *halachos* connected with *Korban Pesach* that we will not discuss at this time, such as the requirement that a *chaburah* be appointed, or that the *Korban* must only be roasted, or that the animal's bones may not be broken during the eating process.



*mitzvos* (*Sefer ha-Mitzvos*, *Aseh* 55 and 56). This enumeration is different than other sacrifices, where the Rambam counts only the slaughtering as a *mitzvah*.<sup>49</sup>

Apparently, in regards to other *korbanos*, the consumption of the *korban* is merely a detail of the *korban* process. To illustrate: The fats and limbs of *korbanos* must be burned on the altar. However, this requirement to burn the fats and limbs does not constitute an independent *mitzvah*; rather it is one detail of the *korban* process. So too, the actual eating of other *korbanos* is a detail in the *korban* process and does not constitute an independent commandment.<sup>50</sup> However, with *Korban Pesach*, the eating of the *korban* is not merely detail in the *korban* process, but rather it constitutes an independent *mitzvah*.

## To Eat or To Be Eaten

In addressing the presence of a required amount of consumption found only by *Korban Pesach*, the *Beis ha-Levi* (1:2) suggests the following classification: By all other *korbanos* the *halacha* is that the *korban* must “be eaten (נאכל).” In other words, the eating requirement is specifically related to the *korban* itself. It must be eaten, but *who* eats it, and *how much* is eaten is not mandated by *halacha*. However, *Korban Pesach* has an additional requirement.<sup>51</sup> Besides the requirement **to be eaten**, *halacha* dictates a formal obligation on the slaughterer (and the members of the *chaburah* for whom this *Korban Pesach* was slaughtered) **to eat** the *korban*. This requirement obligates the individual to consume a specific amount, a *kezayis*, which is the standard amount of consumption necessary whenever the Torah mandates a formal eating requirement.<sup>52</sup>

## Two Moadim

It is fascinating to note that the Torah never actually refers to the 15<sup>th</sup> day of Nissan, the holiday of Passover, as “*Pesach*.” Throughout the Torah, the festival of the 15<sup>th</sup> is called “*Chag ha-*

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<sup>49</sup> Examples include: The *mitzvah* to slaughter the *Chatas* in *Sefer ha-Mitzvos*, *Aseh* 64, the *Asham* in *Aseh* 65, the *Shelamim*, *Aseh* 66, and the *Minchah*, *Aseh* 67. This distinction is noted by *Beis ha-Levi* 1:2:7 in the name of the *Sefer Ma'ayan Chochmah*. However, the *Sefer Mitzvas ha-Melech*, *Aseh* 55-56 *s.v. ve-henai*, questions this distinction noting that we do find an independent commandment, *Sefer ha-Mitzvos*, *Aseh* 89, to eat the meat of the *Chatas* and *Asham*. In light of this, we must limit this distinction to *kodashim kalim*. *Kodshei kodashim*, such as *Chatas* and *Asham*, do contain an independent *mitzvah* to eat the meat of the *korban*. However, *Korban Pesach* is the only one of the *kodashim kalim* that has a separate *mitzvah* to eat the *korban* meat.

<sup>50</sup> Indeed, the *Or Sameach* (*Hilchos Chametz u-Matzah* 6:1) suggests that the requirement to eat the *korban* may simply be a function of avoiding the prohibition of *nosar*.

<sup>51</sup> The primary requirement to be eaten certainly applies to *Korban Pesach* as well, see *Sefer Mitzvas ha-Melech*, *Aseh* 55-56 *s.v. u-lechora* and *s.v. al kol panim*.

<sup>52</sup> In another location, the *Beis ha-Levi* suggests an additional *halacha* that might hinge on this fundamental difference between the need to be eaten and the requirement to eat. The *Mishna la-Melech* (*Hilchos Yesodei ha-Torah*, 5:8) questions if one can fulfill an eating obligation by eating raw food. The *Beis ha-Levi* (3:51:4) quotes the *Gemara* in *Menachos* 99b that implies that *korbanos* may be eaten raw, even though eating raw food is not normally considered eating (for example, one would not transgress the prohibition of *neveilah* by eating raw *neveilah* meat). The *Beis ha-Levi* explains that this allowance to eat a *korban* raw applies only because a *korban* merely needs to “be eaten.” However, regarding eating obligations, where there is a formal *chiyuv achilah* on the individual, the allowance to eat the meat raw may not be applicable (and certainly not by *Korban Pesach* where the verse itself prohibits eating the *korban* raw).

Matzos.” Even more amazing is that the Torah seemingly refers to the afternoon of the 14<sup>th</sup> day of Nissan, the eve of Passover, as the “moed” of Pesach.

*These are the appointed seasons of the Lord, holy convocations, which you shall proclaim in their appointed season. In the first month, on the fourteenth day of the month at dusk, is Passover for the Lord. And on the fifteenth day of the same month is the feast of unleavened bread for the Lord; seven days you shall eat unleavened bread.*

**Vayikra 23:4-6**

אלה מועדי ה' מקראי קדש אשר  
תקראו אתם במועדם: בחדש  
הראשון בארבעה עשר לחדש בין  
הערבים פסח לה': ובחמשה עשר  
יום לחדש הזה חג המצות לה'  
שבעת ימים מצות תאכל  
ויקרא כג:ד-ו

It emerges from a simple reading of the Torah that Nissan contains two *moadim*. The “moed” of Pesach occurs on the 14<sup>th</sup> of the month, and is quite novel in that only the afternoon is singled out as a “moed.”<sup>53</sup> The moed of Chag ha-Matzos occurs on the 15<sup>th</sup> of the month.<sup>54</sup>

The possibility that the eve of Passover, contains a “moed,” or at least a “quasi-moed” status would explain a unique *halacha* found in regards to the afternoon of the 14<sup>th</sup> of Nissan. The *Shulchan Aruch* (O”C 468) rules that there is an *issur melachah*, a prohibition against work, on the eve of Passover. A similar prohibition is not found in regards to the eve of the other festivals. On a simple level, one might assume this prohibition is of a technical nature, intended to allow proper attention to the many preparations needed for the *seder* night.<sup>55</sup> However, the *Pnei Yehoshua* (Pesachim 50a s.v. *ba-mishna*) refers to the aforementioned verse from Vayikra 23:5 as the “source” for this *issur melachah*. If so, this *issur melachah* is not of a technical nature but is a function of the verse that refers to the afternoon of the 14<sup>th</sup> as Pesach. It is the formal “moed” status of Passover eve that demands the cessation of work.<sup>56</sup>

## Separate Mitzvos for Separate Moadim

In light of our newfound perspective of Pesach and Chag ha-Matzos, we can perhaps gain greater insight into the two *mitzvos* of the *Korban Pesach*, and explain the unique characteristics of the *Korban Pesach* outlined in the beginning of our discussion. Perhaps there are two independent *mitzvos*, to be fulfilled at separate time periods, because the *Korban Pesach* relates to two different, albeit related, *moadim*. The *mitzvah* of **slaughtering** the *Korban Pesach* is associated with the moed of Pesach, the afternoon of the 14<sup>th</sup> of Nissan. On that day we slaughter the *Korban Pesach* to commemorate the brave act of our ancestors in Egypt who slaughtered the

<sup>53</sup> The Netziv in *Ha’amek Davar* makes this observation in his commentary on Vayikra 23:5.

<sup>54</sup> Ostensibly the Chag ha-Matzos status continues for the rest of the seven days, but see *Ha’amek Davar Shemos* 12:14.

<sup>55</sup> A similar explanation is suggested by the *Beis Yosef* in another context. The *Gemara* in Pesachim 6a records a need to begin studying the laws of Passover thirty days before Passover. The *Beis Yosef* (O”C 429:1) suggests that this need may only apply to Passover due to the myriad *halachos* that pertain to Passover, and that a thirty day period would not be needed for the other festivals that have far fewer *halachos*.

<sup>56</sup> Similarly, the Vilna Gaon, in his commentary on *Shulchan Aruch* (Y”D 399:9) notes the Torah’s reference to the afternoon of the 14<sup>th</sup> as a moed in *parshas ha-moadim* to explain a lenient ruling of the Rema regarding the afternoon of the 14<sup>th</sup> that is not found by the eve of the other festivals.

Egyptian god in broad daylight of the 14<sup>th</sup> and adorned their doorposts with the blood of their sacrifice (*Shemos* 12:6-7). However we do not eat the *Korban Pesach* on that day, rather we wait till the evening, as the *mitzvah* of **eating** the *Korban Pesach* is associated with the *Chag ha-Matzos*, the 15<sup>th</sup> day of Nissan. On that day we are commanded, as an independent *mitzvah*, to eat a *kezayis* of the *Korban Pesach*. This eating must be done “on that night” specifically, and with *matzah* and *marror*, to commemorate how our ancestors ate the original *Korban Pesach* on the night of the 15<sup>th</sup> during the Exodus from Egypt, as the verse states, “They shall eat the meat on that night ... with *matzos* and bitter herbs ... it is a *Pesach* to Hashem” (*Shemos* 12:8-11).

# Splitting the Sea: Take Two

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The Jewish people's freedom from Pharaoh reaches near finality at the moment of the splitting of the Yam Suf. The image is a familiar one to us - the people escape through the opening of the river while Pharaoh's men drown in the water. Through this miracle, the Jewish people are finally free from Egypt's rule over them. The Jews recognize God's power and they fear and believe in Him and in Moshe, thus reaffirming this event to be a pivotal one in Jewish history (שמות יד:לא).

Given the importance of this event, it is not surprising that we find other strikingly similar episodes in our history. Referencing imagery or actions with powerful associations is a common technique in Tanach. However, it's surprising to note just how soon after the initial splitting of the sea that this episode reappears. Just one generation later, when Yehoshua leads the Jewish people over the Yarden into Israel for the first time, the waters of the Yarden split.

*Moshe extended his hand over the sea and God drove back the sea with a strong east wind for the entire night, which turned the sea into dry land and the water divided.*

**Shemot 14:21**

*The waters which came down from above stood and rose up in a heap very far from the city Adam, that is beside Zaretan; and those that came down toward the sea of Arava, the salt sea, failed, and were cut off, and the people passed over opposite Jericho*

**Yehoshua 3:16**

ויט משה את ידו על הים ויולך ה' את הים  
ברוח קדים עזה כל הלילה וישם את הים  
לחרבה ויבקעו המים:  
**שמות פרק יד פסוק כא**

ויעמדו המים הירדים מלמעלה קמו נד אחד  
הרחק מאד [באדם] מאדם העיר אשר מצד  
צרתן והירדים על ים הערבה ים המלח תמו  
נכרתו והעם עברו נגד יריחו:  
**יהושע פרק ג פסוק טז**

Why did this miracle happen at that time to Yehoshua? Further, it doesn't even seem that it was necessary this time, as they were not running away from an enemy with no place else to go but into the water. In fact, they were not being pressured in any way! Why did they not just cross the sea in a location that was on dry land? Why did God need to split a sea for them in order to enter Israel? There are so many times in Tanach where armies cross back and forth over the border of Israel, in that similar location, but there is no splitting of the sea required. Why is this miracle, that is so fundamental to our escape from and victory over Egypt, used again so soon, at a time when it is seemingly unnecessary?

To begin to formulate a response to this question, recall that this is not the only story of Sefer Yehoshua that is reminiscent of the experiences of Moshe and that first generation.

In the second perek of Sefer Yehoshua, Yehoshua sends meraglim into Israel to spy before entering the land - *this* is actually our first introduction to a series of episodes and images that occur to both Moshe and Yehoshua (במדבר יג:ג, יהושע ב:א). Soon after, in the third and fourth perekim of Sefer Yehoshua, Yehoshua imitates the travel configuration of the camp that Moshe initiated, leading with the kohanim and the Aron in front of the people (יהושע ג:ו). Next is our episode of the splitting of the Yarden. After that, Yehoshua builds a monument of stones on the dry land of the Yarden and then another in Gilgal, just like the monument of stones built by Moshe on the other side of the Yarden in the land of Moav.<sup>57</sup> Immediately after entering Israel, Yehoshua instigates a mass brit mila for the Jewish people, just like Moshe did after leaving Mitzrayim (יהושע ה:ג-ה). Similarly, Yehoshua leads a public celebration of the holiday of Pesach, an obvious reminder of the original Pesach celebration that took place under Moshe's leadership.

The next episode for Yehoshua is a revelation from God, where he is visited by an angel. This meeting appears to have striking parallels to the meeting of Moshe and Hashem at the burning bush. Both Moshe and Yehoshua are told to remove their shoes because the ground that they are standing upon is holy and then given instruction of what to do (יהושע ה:טו, שמות ג:ה).

Later in the sefer, in the second battle against the people of Ai, we are once again reminded of Moshe and his tactics. In Moshe's famous battle against Amalek, Moshe stands on a mountain holding up his hands in the air. As long as his hands are raised, the Jewish people are successful (שמות יז:יא-יב). In the second battle against Ai, Yehoshua's strategy also involves raising his hands to effect change (in this case, it was a call for the Jewish soldiers waiting in ambush to enter the battle). Just like Moshe did not put his hands down until the war was won, so too, Yehoshua was told to keep his hand up in the air (יהושע ח:יח, כו). Finally, in Yehoshua's battle against those attacking Givon, Hashem sends hail on the enemy, clearly drawing on our recollection of the plague of hail in Egypt (יהושע י:יא, שמות ט:כג).

With these episodes as backdrop, we should revisit our original question. Now the question is not specifically why the splitting of the sea occurs again, but rather why do so many events that first happened during Moshe's leadership recur again one generation later with Yehoshua?

To begin to answer this question, it's important to understand Yehoshua's role; it is not simply to lead the Jewish people, but to continue the mantle of leadership and further the agenda established by his mentor, Moshe. Moshe died prior to the Jews entering Israel; therefore, this becomes the main responsibility of Yehoshua. We see this continuity of leadership highlighted in the language of the pesukim. Prior to the Jews' mistakes of the middle of Sefer Bemidbar, the pesukim culminate with the following:

*And it came to pass, when the ark set forward, that Moshe* | **ויהי בנסע הארץ ויאמר משה קומה ה'**

<sup>57</sup> This parallel is highlighted in the Gemara: גמרא סוטה לה: שלשה מיני אבנים היו; אחד שהקים משה בארץ מואב, שנאמר: (דברים א) בעבר הירדן בארץ מואב הואיל משה באר וגו', ולהלן הוא אומר: (דברים כז) וכתבת עליהן את כל דברי התורה הזאת וגו', ואתיא באר באר; ואחד שהקים יהושע בתוך הירדן, שנאמר: (יהושע ד) ושתים עשרה אבנים הקים יהושע בתוך הירדן; ואחד שהקים בגלגל, שנאמר: (יהושע ד) ואת שתים עשרה האבנים האלה אשר לקחו וגו'.

*said, rise up, Hashem, and let our enemies be scattered, and let those who hate you flee before you.*

**Bemidbar 10:35**

ויפצו איביך וינסו משנאיך מפניך:  
במדבר פרק י פסוק לה

However, immediately after this pasuk, the Jewish people do and say things that prevent that generation from being worthy of entering the land of Israel.<sup>58</sup> Amazingly, one generation later, when the time finally arrives for the people to enter the land and Yehoshua is ready to lead them in, similar words are used to describe the travel:

*And it came to pass, when the people removed from the tents, to pass over the Yarden, and the priests bearing the ark of the covenant before the people.*

**Yehoshua 3:14**

ויהי בנסע העם מאהליהם לעבר את הירדן  
והכהנים נשאי הארון הברית לפני העם:  
יהושע פרק ג פסוק יד

This highlights the continuity of nationalistic agendas that began with Moshe and continued with Yehoshua. Further, once bringing the Jews into Israel, Yehoshua performs all the same tasks that God has originally commanded Moshe.

*As God commanded Moshe his servant, so did Moshe command Yehoshua, and so did Yehoshua; he left nothing undone of all that God had commanded Moshe.*

**Yehoshua 11:15**

כאשר צוה ה' את משה עבדו כן צוה משה  
את יהושע וכן עשה יהושע לא הסיר דבר  
מכל אשר צוה ה' את משה:  
יהושע פרק יא פסוק טו

This refers to his political leadership, which included giving out the nachalot and dealing with the tribes of Reuven, Gad and Menashe to ensure they comply with the deal that Moshe made with them (במדבר לב:כ-כב, יהושע א:יג-יח, יג:ח). Similarly, Yehoshua was to continue Moshe's role as chief teacher/educator, teaching the Torah and brachot and klalot in Israel, information already taught by Moshe to the Jewish people (יהושע ח:לד-לה). Yehoshua establishes a new covenant between Hashem and the Jewish people in Israel, even though one was already formed between Hashem and Bnei Yisrael by Moshe (יהושע כד:כד-כו) (שמות יט:כ, כד:ד-ה).

With this as backdrop, and understanding Yehoshua's role as Moshe's successor, it's likely that Yehoshua was frightful of the challenge of the responsibilities that lay ahead of him. In fact, the Chumash and the Navi bespeak this fear by highlighting each time somebody tries to calm him with a blessing of strength - "חזק ואמץ".

Moshe tells him to calm down in Devarim (דברים לא:ז). Hashem tells Moshe in Devarim to remind Yehoshua to be strong (דברים לא:כג). In fact, there are three distinct points near the very beginning of Sefer Yehoshua where Hashem tells him to calm down and be strong (יהושע א:ו-ז). Further, in Devarim, Moshe tells the Jews to say חזק to Yehoshua (דברים א:לה) and then again in

<sup>58</sup> Bemidbar perek 11 tells the stories of the מתאוננים (complainers) and the אספסופי (complainers for meat). Bemidbar perek 13-14 tells the story of the Meraglim. Bemidbar perek 16-17 tells the story of the Korach rebellion. Bemidbar perek 20 tells the story of מריבה מי where the Jews complain for water. In Bemidbar perek 21, the Jews complain for food and water again. Bemidbar perek 25 tells the story of the sin of בעל פעור when the Jews commit adultery with the women of Moav.

the first perek of Sefer Yehoshua, Reuven, Gad and half of the tribe of Menashe tell Yehoshua (יהושע א:יח) הזק ואמץ. In sum, Yehoshua is told to be strong seven times! Only a new leader suffering from the fear of his new role could be so apprehensive as to require the message of strength from so many others.

It is not solely Yehoshua's fears and insecurities, though, that manifest themselves, but the same is true for the Jewish people. Simply, they are afraid of not having a leader as able as Moshe. How can anybody aptly serve in Moshe's role!? When Yehoshua speaks to Reuven, Gad and half of shevet Menashe to remind them of their promise to lead the Jewish people in battle, they answer him that they will listen to him **on condition** that he proves to them that God is with him like God was with Moshe.<sup>59</sup>

*And they answered Yehoshua, saying, All that you commanded us we will do, and wherever you send us, we will go. As we listened to Moshe in all things, so we will listen to you, only if Hashem is with you as He was with Moshe.*

**Yehoshua 1:16-17**

ויענו את יהושע לאמר כל אשר צויתנו נעשה ואל כל אשר תשלחנו נלך: ככל אשר שמענו אל משה כן נשמע אליך רק יהיה ה' אלהיך עמך כאשר היה עם משה:  
יהושע א:טז-יז

Of course, this creates a spiral effect, adding even more pressure on Yehoshua to prove himself worthy to follow in Moshe's footsteps as the leader with God's support. With this backdrop, we can appreciate specifically why God gives Yehoshua similar miracles to those that are given to Moshe - to affirm Yehoshua's leadership in the eyes of the Jewish people and Yehoshua himself. For that matter, from this perspective, we can clearly understand why Yehoshua mimics the miracles and actions of Moshe (to add to the authority of his leadership).

It is true that Yehoshua didn't need the sea to split - no one was chasing them and there were dry sections they could have crossed. But this, as with the other miracles, serves a completely different role: to validate Yehoshua as the successor of Moshe in the eyes of God and the people. Just as God split the sea for Moshe, reaffirming God to be the savior of the Jewish people and revalidating Moshe as their leader, so too, here it confirms God's continued providence over His people and validates Yehoshua as their leader. This is evident in the pesukim, as before the sea splits Hashem tells Yehoshua:

*And God said to Yehoshua, This day I will begin to magnify you in the eyes of the Jewish people, that they may know that, as I was with Moshe, so I will be with you.*

**Yehoshua 3:7**

ויאמר ה' אל יהושע היום הזה אחל גדלך בעיני כל ישראל אשר ידעון כי כאשר הייתי עם משה אהיה עמך:  
יהושע פרק ג פסוק ז

And then, after the sea is split, this proves true:

*On that day, God magnified Yehoshua in the eyes* | ביום ההוא גדל ה' את יהושע בעיני כל ישראל ויראו

<sup>59</sup> Mesudat David reads this pasuk as a conditional statement. Only if G-d is with you, will we listen to you; if not, we will not listen to you. מצודת דוד שם א:יז רק וכו' - ר"ל לא נשמע אליך רק כשיהיה ה' עמך וכו' אבל לא בזולת זה.

of all the Jewish people, and they feared him, as they feared Moshe, all the days of his life.

**Yehoshua 4:14**

אתו כאשר יראו את משה כל ימי חייו:  
יהושע פרק ד פסוק יד

On this first pasuk, Radak observes that by specifically copying the miracle first performed by Moshe, the Jewish people realize that God was with Yehoshua just as He was with Moshe:

*Just like I split the sea before Moshe, so too I will split the sea before you, because with this they will know that just like I was with Moshe, so too I am with you.*

**Radak 3:7**

כי כאשר הייתי עם משה - כמו שבקעתי הים לפני משה כן אבקע הירדן לפניך ובזה ידעו כי כאשר הייתי עם משה אהיה עמך.  
רד"ק ג:ז

This episode highlights the growth of Yehoshua's leadership, both from the people's perspective (of Yehoshua) and also in his belief in himself as the new leader. As noted earlier, Yehoshua needs an extraordinary amount of chizuk and is told "חזק ואמץ" seven times. However, years later, after some successes in conquering much of the land and acquiring confidence, Yehoshua is the one to give chizuk to others about their continued success in conquering the land.

*And Yehoshua said to them, Fear not, nor be dismayed, be strong and of good courage; for God will do this to all your enemies against whom you fight.*

**Yehoshua 10:25**

ויאמר אליהם יהושע אל תיראו ואל תחתו חזקו ואמצו כי ככה יעשה ה' לכל איביכם אשר אתם נלחמים אותם:  
יהושע פרק י פסוק כה

Yehoshua doesn't just continue in Moshe's mission, but grows into his "title". He begins his tenure as the משרת משה, helper of Moshe (in fact, the sefer's opening pasuk uses this term), while Moshe is called עבד ה' twelve times in Sefer Yehoshua. However by the end of the Sefer, Yehoshua has earned the title עבד ה' as well.

*And it was after these things, and Yehoshua the son of Nun died, servant of Hashem, at the age of 110.*

**Yehoshua 24:29**

ויהי אחרי הדברים האלה וימת יהושע בן נון עבד ה' בן מאה ועשר שנים:  
יהושע פרק כד פסוק כט

*And Yehoshua the son of Nun died, servant of Hashem at the age of 110.*

**Shoftim 2:8**

וימת יהושע בן נון עבד ה' בן מאה ועשר שנים:  
שופטים פרק ב פסוק ח

Yehoshua's reign as the leader of the Jewish people ends up being one of the most successful in Jewish History and is remembered as such:

*And Yisrael served God all the days of Yehoshua and all the days of the elders that outlived Yehoshua and who had known all the deeds of God, which He had done for Yisrael.*

**Yehoshua 24:31**

ויעבד ישראל את ה' כל ימי יהושע וכל ימי הזקנים אשר האריכו ימים אחרי יהושע ואשר ידעו את כל מעשה ה' אשר עשה לישראל:  
יהושע פרק כד פסוק לא



Establishing this leadership entailed extending Moshe's leadership beyond his own lifetime - something Yehoshua succeeded at by establishing himself as the leader to fit that role. Interestingly, the concluding episodes of Yehoshua's life also mimic Moshe's experiences. Before his death, Yehoshua gathers the Jewish people to give them a long farewell address packed with stories about the past and forebodings for the future (ספר דברים, יהושע פרקים כג-כד). After he dies, he is also buried and mourned by the entire Jewish people. So, at the end, Yehoshua is given the same respect given to Moshe. Yehoshua is proven to be the successful leader to succeed Moshe. In fact, his leadership successes validate those initial miracles. Clearly, the miracles performed at the beginning of Yehoshua's leadership to establish his validity, both to the people and to himself, were effective in helping to transform him into this great leader.

# Eating Matza all Seven Days of Pesach

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The gemara teaches that unlike the first night of Pesach where there is a mitzvah to eat matza, during the rest of the holiday, consuming matza is an option rather than an obligation.

*A beraisa supports [the opinion of] Rava: "Six days you shall eat matza and on the seventh day it shall be a resting for Hashem your God" just as on the seventh day [eating matza] is not obligatory, so too the first six days [eating matza] is not obligatory ... Can it be that even the first night [eating matza] is not obligatory? It was learned from "on matzos and maror it shall be eaten"*

**Pesachim 120a**

תניא כוותיה דרבא: (דברים טז)  
ששת ימים תאכל מצות וביום  
השביעי עצרת לה' אלהיך, מה  
שביעי רשות - אף ששת ימים  
רשות ... יכול אף לילה הראשון  
רשות - תלמוד לומר על מצת  
ומררים יאכלהו.  
פסחים דף קכ.

This conventional understanding is challenged by the GRA of Vilna.

*Eating matza all seven days is considered a mitzvah, and is only referred to as not obligatory in relation to the first night [of Pesach] on which there is an obligation [to eat matza]. This mitzvah [to eat matza all seven days] is from the Torah.*

**Maaseh Rav 185**

כל שבעה מצוה ואינו קורא לה רשות  
אלא לגבי לילה ראשונה שהיא חובה  
ומצוה לגבי חובה רשות קרי ליה  
אעפ"כ מצוה מדאורייתא הוא.  
מעשה רב קפה

The GRA teaches that there is a Biblical mitzvah to eat matza all seven days of Pesach. Even though the gemara limits the obligation to eat matza to the first night of Yom Tov, one who chooses to eat matza all seven days fulfills a mitzvah and will be duly rewarded.<sup>60</sup> We will endeavor to properly understand this famous comment of the GRA.

## Fulfilling Peshuto Shel Mikra

The simplest understanding of the GRA is that the mitzva to eat matza all seven days is simply a restatement of the simple meaning of the passuk.<sup>61</sup> Although Chazal understand the Torah's

<sup>60</sup> The position of the GRA is cited by the Mishna Berura 475:25 and 639:24 in the context of Sukkot. Interestingly, Aruch HaShulchan 475:18 cites a tradition that one fulfill a mitzvah by eating matza all seven days of Pesach, but does not attribute this tradition to the GRA.

<sup>61</sup> There are many Rishonim who understand the simple meaning of the Pasuk as teaching that one who eats matza all seven days of Yom Tov fulfills a mitzvah. See Ibn Ezra Shmos 12:15. Chizkuni Shmos 12:18 clearly writes that

directive to consume matza for seven days in the passive sense, namely, one should not consume food that is chametz, nevertheless the GRA contends that the pasuk is instructing us that one who eats matza all seven days of Pesach has fulfilled a mitzvah.<sup>62</sup> If so, the GRA is arguing that the simple meaning of a pasuk, even when that verse is understood differently by Chazal, conveys a mitzvah d'oraisa.

There seem to be a number of other instances where there is a mitzvah d'oraisa to follow the simple reading of the pasuk although Chazal understand the pasuk differently. A case in point is the mitzvah to wear a talis katan on top of one's garments so that he can always see the tzitzis and remember all the mitzvos of Hashem.<sup>63</sup> It seems that this is a fulfillment on the level of d'oraisa akin to the GRA's comment regarding matza. Similarly, the Tur (647) cites opinions that one should obtain aravot that grew on the side of a river. This seems to be a fulfillment of the simple meaning of the pasuk.

## *Mitzvos Hareshus*

In effect, the GRA is teaching that there is an optional mitzvah to eat matza for all seven days of Yom Tov. This notion of an optional mitzvah seems to be puzzling at first glance. Mitzvos are commandments; we are obligated to do them and our reward comes from the fact that we listen to G-d's directive. Earning reward for something that is not required seems to run afoul of some of the fundamental beliefs of Judaism.<sup>64</sup> Even so, there are a number of instances where we see precisely this idea. Rabbi Schachter in his introduction to the *Sefer Mipnenei HaRav* lists a number of these cases. This list includes the mitzvah to live in the Land of Israel, the mitzvah to give maser beheima to Kohanim and the mitzvah to separate terumos and maasros from fruits.<sup>65</sup> In all of these cases there is no Torah obligation yet one who performs these acts will merit the reward for performing a mitzvah d'oraisa.

## Source

What remains unclear however is the source for this novel insight of the GRA. The GRA proves his position from the discussion in Rishonim regarding wearing tefillin on Chol haMoed. We know that tefillin are not worn on Shabbos because Shabbos is an "os" and there is, hence, no need for the additional "os" of tefillin. The question of wearing tefillin on Chol haMoed hinges on what the precise definition of the "os" is. If the "os" of Shabbos refers to the prohibition of melacha, it would then seem that on Chol haMoed, when certain melachos are permitted, and

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the simple meaning of the pasuk is that one should eat matza all seven days of Yom Tov. However, in his formulation, there is no reward granted to someone who eats matza all of Pesach in accordance with the pasuk. Although many assume that Chizkuni is saying the same as the GRA, it seems to me that they disagree as to whether one who fulfills *peshuto shel mikra* merits a reward. This point requires more clarification.

<sup>62</sup> The conventional understanding of the pasuk is expressed most clearly by Ritva in his commentary to Pesachim 36a - ואע"ג דכי כתיב לחם עוני בשבעת ימים כתיב כתב הר"י ז"ל דשבעת ימים אלא תאכל עליו חמץ כתיב.

<sup>63</sup> See Shulchan Aruch 8:11 and the acharonim there.

<sup>64</sup> See Rabbi Avraham Shapiro, *Minchas Avraham* vol. 1 no.44 who raises this objection.

<sup>65</sup> To this list may be added the mitzvah for non-kohanim to be blessed by the kohanim as explained by *Sefer Chareidim* and amplified by the *Teshuvos Dvar Avraham* Vol 1 no. 31 and the cases of tzitzis and arava mentioned earlier.

even those which are forbidden may only be forbidden by rabbinic rather than Torah decree, then tefillin should be worn. However, if the “os” of Shabbos and Yom Tov is the mitzvos that one performs, one should be exempt from tefillin on Chol haMoed since the mitzvah to sit in Sukka and to eat matza extends throughout Chol haMoed as well. GRA assumes that the “os” referred to is the mitzvah of eating matza all seven days of Pesach. Consequently, tefillin are not worn on Chol haMoed.<sup>66</sup>

## Bracha

It is interesting to note that the GRA does not cite proof to his position from the extensive literature in the Rishonim as to whether one who eats matza all seven days of Pesach should recite a bracha. Virtually all poskim write that a bracha should not be recited. The primary source cited in this context is the statement of Baal HaMaor at the end of Pesachim.

*Some ask why we don't make a bracha on eating matza during the seven days of Pesach just as we make a bracha on sitting in the Sukkah all seven days of Sukkos, since we do 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 holiday? The answer is that a person can go through the rest of the days of Pesach without eating matza, and be sustained on other food, whereas it's impossible to not sleep all seven days of Sukkos and one is required to sleep in the Sukkah and spend time in the Sukkah.*

**Baal HaMaor Pesachim 26b**

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 בסוכה כדאיתא בפרק הישן ויש להשיב לפי שאדם יכול בשאר ימים לעמוד בלא אכילת מצה ויהיה ניזון באורז ודוחן וכל מיני פירות משא"כ בסוכה שאין יכול לעמוד בלא שינה ג' ימים והוא חייב לישן בסוכה ולטייל בה ... זהו טעם שמברכין על הסוכה כל ז' ואין מברכין על מצה כל שבעה וטעם נכון הוא.

**המאור הקטן מסכת פסחים דף כו:**

Baal HaMaor asks why we do not recite a bracha on matza all seven days while we do recite a bracha on Sukka throughout the Yom Tov. He answers that whereas it is possible to go through the entire Yom Tov of Pesach without eating matza and subsist on other foods, it is impossible to go without sleeping during Sukkos. Avnei Nezer 377 understands Baal HaMaor to mean that eating matza all seven days of Pesach constitutes a mitzvah, albeit not an obligatory one.<sup>67</sup>

Many other Rishonim, however, offer different answers to the question of why no bracha is recited on matza all seven days of Pesach. R' Yitzchak ben Abba Mari of Marsailles explains that in fact there is no mitzvah to eat matza all seven days of Pesach. The entire mitzvah on the last days of Pesach amounts to refraining from chametz. Consequently a bracha is not recited.

*It's logical to say that when one needs to eat in the Sukkah one fulfills the positive mitzvah of the Torah "in sukkos you shall dwell" whereas when one eats matza there is no positive mitzvah one fulfills, rather just the fulfilling of not violating the prohibition of eating Chametz, and there is no bracha on [avoiding]*

ומסתברא בסוכה כי בעי למיכל בסוכה איכא עליו מ"ע דבסוכות תשבו אבל גבי מצה כי בא למיכל ליכא עליו מ"ע דמצה אלא לאו דבל תאכל חמץ ואין מברכין אלאו:

<sup>66</sup> See Biur HaGra O"H 31:3.

<sup>67</sup> Rav Yosef Engel (Gilyonei Hashas Pesachim 38) also infers this from Baal HaMaor

prohibitions.

**Sefer HaItur Aseres Hadibros Hilchos Matza U'Maror  
135a**

ספר העיטור עשרת הדיברות -  
הלכות מצה ומרור דף קלה.

Similar ideas are expressed in the Teshuvos HaRashba (vol 3 no. 287) and in the Orchos Chaim (Hilchos Leil Pesach no. 29). This same idea, that no bracha is recited on matza throughout Pesach, since there is no true mitzvah to consume matza all Yom Tov, finds its way to the page of the Shulchan Aruch.

*The reason there is no bracha on eating matza all seven days is because there is no mitzvah to eat it but rather one is not violating the prohibition of eating chametz, which is not the case with Sukkah.*

**Magen Avraham 639**

מה שאין מברכין על מצה כל ז' היינו  
משום שאין מצוה באכילתו אלא שאין  
אוכל חמץ משא"כ בסוכה (מהרי"ל):  
מגן אברהם סימן תרל"ט

It is clear from the presentation of the Magen Avraham that the reason no bracha is recited on matza after the first nights of Yom Tov is that there is no mitzvah to eat matza throughout the holiday.<sup>68</sup>

Many entertain the notion that according to the GRA perhaps a bracha should be recited whenever one eats matza during the Pesach holiday. In fact, Teshuvos Maharsham (vol 1 no. 209) refers to a "tzadik" who recited a bracha on matza all seven days of Pesach. He notes however that this "tzadik" was actually acting against the halacha and should desist from his practice. Sdei Chemed (vol. 8 chametz umatza no. 14, 10) cites much discussion of this question. The consensus opinion seems to be that a bracha is not recited even according to the GRA.<sup>69</sup> However the Netziv in his Teshuvos Meishiv Davar (Vol. 2 no. 77) writes that perhaps one who recites a bracha on an optional mitzvah has not violated the prohibition of *bracha levatala*. 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 bracha when immersing in the mikva on erev Yom Kippur. According to the Netziv the practice of immersing in a mikva before Yom Tov is an optional mitzvah and one may recite a bracha when performing such a mitzvah. This position has not been accepted by the poskim.<sup>70</sup>

## Proofs From the Gemara

The GRA himself does not bring any proofs from the gemara that one who eats matza all seven days of Pesach performs a mitzvah. However, later seforim locate a number of gemaros that seem to prove the GRA's thesis. The gemara in Pesachim 28b discusses the prohibition to derive benefit from chametz after Pesach. Rabbi Yehuda is of the opinion that this is a Biblical prohibition. However, Rabbi Shimon assumes that the prohibition is only rabbinic in nature.

<sup>68</sup> See also Teshuvos Binyan Tziyon haChadashos no. 46.

<sup>69</sup> See Chasam Sofer Yore Deah 191 that no bracha is recited when one eats matza all Pesach even according to the Chizkuni that there is a kiyum hamitzva involved.

<sup>70</sup> See note 77 for some who maintain that a bracha is recited in some form.

*Rabbi Shimon said [to Rabbi Yehuda]: Can you say this? Does it not already say in the Torah “do not eat chametz, for seven days eat matza”, and if so, what is the meaning of “do not eat chametz” – when there is a mitzvah to eat matza there is a prohibition to eat chametz, and when there is no mitzvah to eat matza there is no prohibition of eating chametz.*

**Pesachim 28b**

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.

**פסחים דף כח:**

Effectively, Rabbi Shimon is arguing that the prohibition of chametz cannot exist after Pesach since at that time there is no mitzvah to eat matza.

*What does it mean to say “when there is no mitzvah to eat matza there is no prohibition to eat chametz” for there is no mitzvah to eat matza all seven days? Rather one must assume that even though there is no requirement to eat matza all seven days it’s still appropriate to use the terminology of having a mitzvah all seven days to eat matza, since the Torah explicitly writes “you shall eat matza all seven days”*

**Pnei Yehoshua on Pesachim 28b**

מאי קאמר ובשעה שאינו בקום אכול מצה אינו בבל תאכל חמץ דהא ודאי ליתא דהא בכל שבעת ימים אינו בקום אכול מצה לבר מלילה ראשונה דהוי חובה ובאינך רשות, וע"כ צריך לומר דאע"ג דאינן מצוה אלא רשות אפ"ה שייך לישנא דישנו בקום אכול מצה בכל שבעת ימים כיון דכתיב להדיא שבעת ימים תאכל עליו מצות.

**פני יהושע מסכת פסחים דף כח:**

Pnei Yehoshua asks how Rabbi Shimon can link the prohibition to eat chametz with the mitzvah to eat matza when the mitzvah to consume matza applies only the first night of Pesach, and not throughout the Yom Tov. It would seem from this gemara that Rabbi Shimon maintains, like the GRA, that one who consumes matza all seven days of pesach fulfills a mitzvah.<sup>71</sup>

Rabbi Yechezkel Abramsky, in his Chazon Yechezkel, cites another gemara that indicates that one fulfills a mitzvah by consuming matza all seven days of Pesach. The gemara in Pesachim 38b teaches that one does not fulfill the mitzvah of matza with the matza that was baked for the korban todah. The reason offered is only matza that can be eaten for seven days may be used to fulfill the mitzvah.

If eating matza for the duration of Pesach is an act devoid of spiritual merit, why would the gemara insist on matza that can be eaten for all seven days? Apparently, the gemara is teaching that the status of matza is relevant for all seven days of Yom Tov. This accords nicely with the position of GRA.

Rav Yosef Engel, in his Gilyonei HaShas, (Pesachim 38a) has a beautiful essay where he accumulates sources that eating matza all seven days of Pesach is a mitzvah.

*Matzos made from maser sheni, according to Rabbi Meir, cannot be used to fulfill the mitzvah on Pesach, and according*

מצות של מעשר שני, לדברי רבי מאיר - אין אדם יוצא בה ידי חובתו בפסח,

<sup>71</sup> Rabbi Shlomo Wahrman (Oros haPesach page 112) suggests that Rabbi Shimon in fact assumes that there is a mitzvah to eat matza all seven days of Pesach. This would go well with the position of the Zohar that tefillin are not worn on Chol HaMoed. As we know, the author of the Zohar was Rabbi Shimon.

to the rabbis can be used to fulfill the mitzvah on Pesach. An esrog of maser sheni, according to Rabbi Meir, can be used to fulfill the mitzvah on Yom Tov, and according to the rabbis, can't be used to fulfill the mitzvah on Yom Tov.

### **Pesachim 38a**

לדברי חכמים - יוצא בה ידי חובתו  
בפסח. אתרוג של מעשר שני, לדברי  
רבי מאיר - אין יוצא בו ידי חובתו ביום  
טוב, לדברי חכמים - אדם יוצא בו ידי  
חובתו ביום טוב.  
**פסחים דף לה.**

The gemara teaches that one does not fulfill the mitzvah of matza or esrog with an item of maser sheni. The reason as the gemara explains is both matza and esrog must belong to you, and Rabbi Meir maintains that maser sheni, with its heightened status of kedusha is *mammon gavoh*, the property of the Divine, 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 matza the expression Pesach is used. R' Yosef Engel explains that this is because one who eats matza all the days of Pesach fulfills a Biblical mitzvah. However, the Biblical mitzvah of lulav applies only the first day of Yom Tov. Consequently the broader term Pesach is used with respect to matza and the more limited term Yom Tov is used with respect to esrog.<sup>72</sup>

The Netziv in his Teshuvos Meishiv Davar (vol. 2 #77) cites a fourth gemara that seems to indicate that one who eats matza all seven days of Pesach has fulfilled a mitzvah. The gemara in Pesachim 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 matza since the mitzvah to eat matza is not limited to the first night of Yom Tov alone. Rather, any matza consumed for seven days of Pesach fulfills this important mitzvah.<sup>73</sup>

## **Extension or Creation**

Upon further reflection, the proof text Netziv adduces for the GRA's position sheds much light on this mitzvah. According to Netziv, not only is there a mitzvah to eat matza all seven days of Pesach, but that matza must be shmura matza as well. Effectively, this means that the mitzvah to consume matza all seven days of Pesach is an extension of the mitzvah to eat matza on the Seder night.<sup>74</sup> As such, the same type of matza, shmura matza, which is required on the Seder night, is needed to fulfill this mitzvah of eating matza all seven days.<sup>75</sup>

<sup>72</sup> Tzitz Eliezer vol. 10 no 27 cites the commentary of Melech Shlomo on Pesachim chapter 2 mishna 5 who in one of his interpretations explains that the term "Pesach" refers to the matza that was eaten with the Pesach sacrifice, rather than to the entire Yom Tov. He offers another explanation that the Mishna is teaching that the Seder night one must eat matza made only of the five grains; however the rest of the holiday when consuming matza is not obligatory, one may eat matza made of other substances as well.

<sup>73</sup> See there, however, where Netziv argues why this proof is not compelling.

<sup>74</sup> GRA himself was careful to eat only shmura matza all seven days of Pesach. See maaseh Rav 186. However the reason mentioned there is not to be able to fulfill the mitzvah of eating matza all seven days but because of the concern for chametz.

<sup>75</sup> The proof cited by Rav Yosef Engel would also indicate that the same type of matza that is required the first night is required the entire Yom Tov. This is because the mitzvah to eat matza the entire Yom Tov is not a new commandment but an extension of the mitzvah to eat the first night.

This same point was also made by one of the great, though not popular gedolim of the past generation. Rav Michael Forshlager was a student of the Avnei Nezer who settled in Baltimore.<sup>76</sup> Rav Forshlager in his Sefer Toras Michael chapter 14 addresses a question posed by the Chelkas Yoav. Chelkas Yoav (Vol 1 #21) asks why we need a pasuk to obligate women in the eating of matza. If the GRA is correct that there is a mitzvas hareshus to eat matza all seven days of Pesach, then women should be obligated to eat matza 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 matza 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 matza 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 matza the first night, they fulfill a mitzvah with the matza they consume the rest of Pesach.

The argument continues that this can serve to explain, as well, why according to the GRA a bracha is not recited every time one eats matza throughout Pesach. After all, if eating matza is the fulfillment of a mitzvah, shouldn't a bracha be recited? Rav Forshlager explains that the bracha one recites at the Seder pertains to and serves to exempt all the matza consumed during Pesach. This logic has led some modern day poskim to posit that when one recites the bracha on matza at the Seder he should have in mind to exempt all the matza that he will eat throughout the Yom Tov.<sup>77</sup>

However, Rav Forshlager's assumption that the mitzvah to eat matza all Pesach is an extension of the Seder night is not entirely clear. In an article in the journal Torah She'Be'al Peh (vol 39, 1988), Rav Yosef Eliyahu Movshawitz shows that Pesachim 36a indicates that there is no mitzvah to eat the type of matza one eats at the Seder all seven days of Pesach.<sup>78</sup>

*The first day don't knead [matza] with honey,  
from then on, knead [matza] with honey.*

**Pesachim 36a**

יומא קמא לא תלושו לי בדובשא, מכאן ואילך - לושו  
לי בדובשא  
פסחים דף לו.

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 statement of the GRA and assumes that there is no mitzvah whatsoever to consume matza all seven days of Pesach. Alternatively, the gemara assumes that there is a mitzvah to consume matza for all seven days of Pesach, but the substance of the matza that is consumed throughout Pesach need not be lechem oni- poor man's bread, and matza ashira would suffice. Rav Movshawitz believes that the second

<sup>76</sup> Information about Rav Forshlager can be found at [http://www.wherewhatwhen.com/read\\_articles.asp?id=753](http://www.wherewhatwhen.com/read_articles.asp?id=753). My father shlit" a tells me that Rav Forshlager was the one person whom the Rosh Yeshiva, Rav Y"Y Ruderman was scared to engage in a Torah conversation with. This was because of Rav Forshlager's unusual erudition and classical Polisher sharpness.

<sup>77</sup> See Rav Moshe Sternbuch, Teshuvos V'hanhagos vol. 2 no. 233.

<sup>78</sup> This same point was made by Rabbi Yaakov Luban in his April 2003 essay on this topic, Ohr HaMizrach vol 48, no. 3-4 page 81.



possibility is more correct. There is a mitzvah to consume matza all seven days of Yom Tov; however the matza one consumes the rest of Yom Tov need not be *lechem oni*.

The rationale for this position is the statement of Maharal of Prague cited in Magen Avraham (471:5) that one may not consume matza made with a combination of water and fruit juice on erev Pesach. Although such matza may not be used for the mitzvah of matza at the seder, as it does not constitute *lechem oni*, nevertheless it is considered matza and may not be eaten on Erev Pesach. Apparently, the term matza applies to *matza ashira* as well as to ordinary *lechem oni*. Consequently, Rav Movshawitz argues the GRA may hold that one fulfills the mitzvah of eating matza throughout Pesach with *matza ashira*. Others explain that matza represents two opposite notions- freedom and slavery. 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 *matza ashira* may be eaten.<sup>79</sup>

This position, as intriguing as it sounds, is actually quite difficult. The Torah writes:

*For seven days you should eat not eat chametz;  
rather you should consume matza, lechem oni.*

**Devarim 16:3**

ל' א ת' אכל ע'ליו חמץ שב'עת ימים ת' אכל ע'ליו מצות  
ל'חם ע'ני  
דברים טז:ג

It seems clear that one does not fulfill his mitzvah with matza ashira.<sup>80</sup>

The question of whether the mitzvah to eat matza all seven days of Pesach is an extension of the mitzvah from the first night or a new mitzvah has a number of applications. Does one need to consume a *kzais* of matza each day of Pesach to get the mitzvah? Does one merit more reward for each additional drop of matza that he eats?<sup>81</sup> These questions and others are worth pondering as we perform the mitzvah of eating matza all seven days of Pesach.

<sup>79</sup> See Rabbi David Falk, *Inyano Shel Yom*, Jerusalem 1989

<sup>80</sup> See Rabbi Luban's article pages 85-88 for an approach to answer this question.

<sup>81</sup> The fact that the GRA 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 indicates that he believed that each additional *kzayis* of matza that was eaten would constitute another mitzvah. He therefore went out of his way to eat an additional meal and thereby fulfill an additional mitzvah.

# The Pesach Haggada: Developing an Experiential Commemoration

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Commentaries highlight the numerous distinctions between the daily obligation to recall the exodus termed "*z'chira*"<sup>82</sup> and the unique Pesach one called "*sippur*,"<sup>83</sup> including both the form and content of the seder night commemoration. The Torah describes *sippur* as verbal, utilizing questions and answers, and involving children.<sup>84</sup> The mishna outlines its content as including: *g'nut* and *shevach*, *Arami oveid avi*, and references to pesach, matza, and maror.<sup>85</sup>

One wonders what goal the various distinctions aim to accomplish. Close study of the makeup of our haggada, carefully composed in line with the aforementioned criteria, will show how the various distinctions create a unique form of experiential commemoration.

Recognizing the diverse etymology of the haggada's various segments, scholars traditionally assumed the presence of some all-inclusive structure impossible.<sup>86</sup> Recently, though, some have begun to point out significant relationships between various segments.<sup>87</sup>

## The Framework

One need not search further than the haggada's introduction and conclusion to appreciate its careful construction. Notwithstanding its exclusive focus on the Exodus, the haggada opens and

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<sup>82</sup> The basis for this terminology is Sh'mot 13:3 and D'varim 16:3.

<sup>83</sup> See Minchat Chinuch 21, Chiddushei HaGrach (on Shas) 40.

<sup>84</sup> Sh'mot 13:8,14. See also Sefer D'varim.

<sup>85</sup> P'sachim 116a.

<sup>86</sup> See Introduction to Goldschmidt's Haggada Shel Pesach.

<sup>87</sup> See "Haseder Shebeseder", Shimon Gezunteit, Alon Shvut 101:55-9.

closes with similar references to our hope to celebrate next year in different circumstances, *L'shana haba'a b'ar'a d'yisrael* and *L'shana haba'a b'yerushalayim*

Despite the obvious cultural gap between the opening piece of *Ha lachma anya* (written in aramaic) and the closing one- *Chasal sidur pesach* (written in Hebrew), they create a consistent framework for the story told within.

## Matchil B'g'nut U'm'sayem Bashevach

We begin with the first components mandated by the Mishna, the Ma Nishtana and the answer described by the mishna as *matchil b'g'nut u'm'sayem bashevach*. The gemara quotes a debate between Rav and Shmuel regarding what Biblical portion best accomplishes the *g'nut* and *shevach*. Shmuel recommends *Avadim hayinu*, while Rav prefers *Mit'chila ovdei avoda zara*. Shmuel chooses a simplistic recapitulation of the physical slavery, while Rav mandates a broader view of the story, one that by beginning with our idolatrous ancestors and concluding with our discovery of G-d, relates to the exodus's spiritual significance.

Our answer includes the suggestions of both Rav and Shmuel. Their respective answers are set within independent frameworks of questions and shevach:

Part/Opinion	Shmuel	Rav
Questions	Ma Nishtana	Four Sons
Answers (G'nut)	Avadim Hayinu <sup>88</sup>	Mit'chila O'vdei ...
Shevach	Baruch Hamakom ... <sup>89</sup>	Baruch Shomeir ...

We begin with simple questions which relate to the obvious uniqueness of the night. These questions are universal, as any child takes notice of these differences. The answer is just as basic; *Avadim hayinu* presents the basic theme of the night- our emancipation from servitude to Pharaoh. The unit's *shevach*, likewise, reflects its simplicity- "*Baruch hamakom baruch hu*" is said by one who does not yet appreciate the deeper significance of y'tziat Mitzrayim.

The second unit also opens with four questions, but these are presented by four distinct children stereotypes and, thus, reflect their unique characters. The response also provides greater depth for it presents y'tziat Mizraim in its broader context as the culmination of a purification process that began with G-d's prophecy of Jewish servitude and promise to emancipate. The *shevach* reflects this realization by recognizing G-d's fulfillment of His promise- "*Baruch shomeir havtachato l'Yisrael.*"

Having completed the second *g'nut/shevach* section, we reach the "*V'hi she'amda*" paragraph in which we recognize the promise's timelessness. The second *g'nut/shevach* section allows for a

<sup>88</sup> The pieces beginning "*Ma'aseh*" and "*Amar*" are tangentially related to the end of *Avadim hayinu*.

<sup>89</sup> Even if one assumes "*Baruch hamakom*" and the four sons to be of similar origin, its two distinct parts serve as a transition from the first to second *g'nut/shevach* sections.

more relevant portrayal of y'tziat Mizraim. As opposed to *Avadim hayinu* which bases its relevance on the fact that non-redemption of our forefathers would have left us too as subject to Pharaoh, after having presented y'tziat Mizraim as the process of G-d's fulfillment of his promise to the avot, we can see parallels "*b'chol dor vador*." Although absolute slavery was a one time event, dangerous threats are unfortunately all too repetitive. The presentation of y'tziat Mizraim not merely as emancipation, but as G-d's fulfillment of his commitment to protect the Jewish people, allows us to realize its perpetual relevance.

## Arami Oveid Avi

The next section of the haggada implements the mishna's next dictate- "*V'doreish mei'arami oveid avi ad sheyigmor kol haparasha kula*." The usage of the term "*v'doreish*", translated by the haggada as "*tzei u'l'mad*", signifies the goal of this next unit- to depict in detail the story's various aspects. The mishna utilizes *Arami oveid avi*- the Torah's most detailed description of the exodus- as the context for *d'rashot* that further delineate the story's nuances. Here we relate to the circumstances of Ya'akov's descent to Mitzrayim, our miraculous propagation, the nature of our enslavement and persecution, the basis for G-d's heeding of our cries, and finally G-d's mode of action, first in Mitzrayim, and then at Yam Suf.

The detailed description leads naturally into the detailed praise- "*Dayeinu*." *Dayeinu*, composed to stress the abundance of favor showered upon the Jewish people, can only be sung once we have studied the story's details.

## Rabban Gamliel

Having discussed the events in such detail, we are shocked by Rabban Gamliel's insistence concerning our efforts' insufficiency. Rabban Gamliel's claim can be understood in light of the piece juxtaposed by both the mishna and haggada to his description of pesach, matza, and maror- "*B'chol dor vador chayav adam lir'ot et atzmo k'ilu yatza miMitzrayim...*". As opposed to the yearly commandment to commemorate the Exodus, the seder night aims to recreate it. Absolute commitment to G-d can be based only on personal appreciation of G-d as emancipator. Rabban Gamliel's linkage of the story to the ceremonial objects allows the detailed historical anecdote to become "imax" reality. Like one who dons the garb of an earlier period in order to feel part of it, we discuss and eventually eat the objects central to the redemption narrative in order to imagine ourselves thrown back in time to it .

The "*B'chol dor vador*" segment culminates our attempts throughout the haggada to make the ancient exodus contemporary and relevant by sharpening the formulations of our two earlier attempts - *Avadim hayinu* and *V'hi she'amda*.

Earlier Attempts:	B'chol dor vador:
Ela she'b'chol dor vador om'dim aleinu l'chaloteinu v'hakadosh baruch hu matzileinu miyadam. (V'hei she'amda)	B'chol dor vador chayav adam l'r'ot et atzmo k'ilu yatza miMizraim
V'eilu lo hotzi Hakadosh Baruch Hu et Avoteinu Misham,	Lo et avoteinu bilvad ga'al

Harei ani u'vaneinu u'vanei vaneinu m'shubadim hayinu l'far'h b'Mizraim. (Avadim hayinu)	Hakadosh Baruch Hu, ela af otanu ga'al imahem...
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In *Avadim hayinu* we strain ourselves to consider the implications of an ancient Exodus on contemporary society, in *V'hi she'amda* we parallel current events to that exodus, but in *B'chol dor vador* we present the Exodus as a current event.

## Hallel

The unique experiential commemoration inspires an equally unique hallel. Rav Hai Gaon described the hallel Pesach night as one of *shira*, as opposed to the regular form of *k'ria*. Like the Jews at Yam Suf, we recite *shira* in response to having personally experienced G-d's miracles. We read "*B'tzeit Yisrael*" not as ancient history, but as a description of our own encounter.<sup>90</sup>

Personal experience as basis for the seder hallel is born out both by the hallel's introduction and conclusion. The paragraph "*l'fichach*" (therefore) introduces the hallel as one linked to the preceding declaration of personal experience and defines it as one meant to thank for miracles performed- "*la'avoteinu v'lanu*"- not only on behalf of our forefathers, but on our behalf as well.<sup>91</sup>

The concluding b'racha, recited over the second cup, blesses G-d- "*asher ga'alanu v'ga'al et avoteinu*"- as the one who redeemed us and our forefathers. The b'racha repeats the redemption verb (*ga'al*) in order to distinguish between the ancient and contemporary redemptions. Interestingly, the conclusion mentions our redemption before that of our ancestors. In the course of the seder, y'tziat Mitzrayim becomes so vividly contemporary that it eventually eclipses its historical antecedent.

## Celebration and Reflection

The second cup completes our experiential commemoration and ushers in shulchan aruch- the celebratory feast. The celebration is obviously enhanced by our feeling of personal emancipation. After the meal we reflect on the night's events and return to contemporary reality with a new appreciation of G-d's role within it.

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<sup>90</sup> See Tosefta (P'sachim 10:6) where Beit Shammai and Beit Hillel debate when best to read "*B'tzeit Yisrael*." Both assume the need to say it while personally experiencing the exodus.

<sup>91</sup> Note, also, the continued stress on the chiyuv by Rabbi Gamliel- '*lo yatza y'dei chovato*', *Bechol dor vador chayav..*, and the transition to Hallel- '*l'fichach anachnu chayavim...*'

# What if I Don't Like Roast?

Rabbi Mordechai Torczyner

Rosh Beit Midrash, Zichron Dov  
Yeshiva University Torah Mitzion Beit Midrash of Toronto

"ואכלו את הבשר בלילה הזה עלי אש ומצות על מרורים יאכלהו"  
"And they shall eat the meat on this night;  
fire-roasted, with matzot, upon maror they shall eat it."  
(Shemot 12:8)

Korban is one of the most tangible expressions of the relationship between human and Creator, an incarnation of thanksgiving or apology or loyalty or joy, celebrated in the sanctum of the Jewish nation. Such a powerful religious experience, so rich in possibility but so vulnerable to abuse and misunderstanding, must be governed by regulations regarding its substance, time and place, its attendants and its ritual.

## Must Korbanot be Roasted?

Even in the regimented world of the korban, though, the korban pesach stands out for its unique Divine prescriptions. In particular, only the korban pesach must be roasted over an open fire. Witness the texts regarding the preparation of other korbanot, and the preparation of the korban pesach:

*The pesach is consumed only at night, only until midnight, only by its members and only roasted.*

**Mishnah Zevachim 5:8**

הפסח אינו נאכל אלא בלילה ואינו נאכל אלא עד  
חצות ואינו נאכל אלא למנויו ואינו נאכל אלא עלי:  
משנה מסכת זבחים פרק ה משנה ח

*For all [korbanot], the kohanim may vary their consumption, to eat them roasted, stewed or boiled.*

**Mishnah Zevachim 10:7**

ובכולם הכהנים רשאים לשנות באכילתן לאכלן  
צלויים שלוקים ומבושלים  
משנה מסכת זבחים פרק י משנה ז

The variation for the korban pesach is, itself, surprising. What is still more intriguing is a separate talmudic passage in which Rav Chisda seems to oppose these mishnaic rulings, imposing the guidelines of the korban pesach upon other korbanot as well:

*Rav Chisda said: The gifts of the kohanim may only be consumed roasted, and only with mustard. Why? The Torah says (Bamidbar 18), 'I have given these for anointing,' meaning for greatness, as [anointed] royalty consumes.*

**Chullin 132b**

אמר רב חסדא מתנות כהונה אין  
נאכלות אלא עלי ואין נאכלות אלא  
בחדל מאי טעמא אמר קרא למשחה  
לגדולה כדרך שהמלכים אוכלים  
חולין דף קלב:

By what right did Rav Chisda reverse the mishnah's dictum permitting consumption of korbanot in any manner?

Tosafot offers one approach, arguing that Rav Chisda did not intend to contradict the mishnah, but only to apply the roasting requirement as a first-step, *lechatchilah* option. Despite his use of the term “only”, Rav Chisda meant that korbanot *should* be roasted, in the manner of kings, unless the consuming kohen would prefer to eat them in some other manner:

*It appears, certainly, that one may eat them in the way that is good for him, causing him greater benefit. However, if roast is as good to him as stewed or boiled [meat], he should eat them as roast, which is more fitting for royalty.*

**Tosafot Chullin 132b**

ונראה דודאי כמו שטוב לו ונהנה יותר מצי  
אכיל להו אבל אדם שטוב לו צלי כשלוק  
ומבושל יאכל צלי שהוא דרך גדולה יותר.  
**תוספות חולין דף קלב:**

The Rambam, though, offers a different reconciliation of the sources, ruling that the mishnah and Rav Chisda dealt with separate cases. Rav Chisda addressed the *zroa*, *lechayyayim* and *keivah* gifts given to kohanim from non-korban animals, and the mishnah dealt with korbanot.

Regarding the *zroa*, *lechayyayim* and *keivah*:

*The kohanim may only eat these gifts roasted, with mustard,<sup>92</sup> as it is written, ‘for anointing,’ as royalty consumes.*

**Rambam Hilchot Bikurim 9:22**

ואין הכהנים אוכלין המתנות אלא צלי בחרדל  
שנ' למשחה כדרך שאוכלים המלכים.  
**רמב"ם הלכות ביכורים ט:כב**

Regarding korbanot:

*And one may eat these sacred items in any fashion. Even the kohanim may eat their portions – whether of lower level or higher level korbanot – in any fashion, varying their consumption, eating them roasted, stewed or boiled.*

**Rambam Hilchot Maaseh HaKorbanot 10:10**

ומותר לאכול את הקדשים בכל מאכל,  
אפילו הכהנים מותרין לאכול חלקם בין  
מקדשים קלים בין מקדשי קדשים בכל  
מאכל, ולשנות באכילתן ולאוכלם צלויים  
שלוקים ומבושלים  
**רמב"ם הלכות מעשה הקרבנות י:י**

Rambam’s approach has the advantage of satisfying Rav Chisda’s exclusive language (“may only be consumed roasted”) where Tosafot’s approach does not, but it begs explanation. Why would we distinguish between the culinary preparation of food gifts given to the kohanim [which must be roasted], the culinary preparation of korbanot consumed by the kohanim [which should be roasted, but may be prepared otherwise], and the culinary preparation of the korban pesach [which must be roasted]?

## Roasting: Royal Volition and Royal Ceremony

The words of the Klausenberger Rebbe z”l, in his *Divrei Yatziv* (OC 204), lead us to an enlightening explanation of all three categories. He defines two different aspects of royalty, Volition and Ceremony, which are present when a korban or gift is roasted.

A king is empowered to do as he chooses; as the gemara<sup>93</sup> says, the king may be פורץ גדר, breaking through the boundaries of property in order to ease his path. This is Volition. Roasting

<sup>92</sup> On the subject of royalty and mustard, see Bava Metzia 86b, and Rashi there לשינוי בחרדל

over an open fire is a demonstration of Volition; subjects and citizens are need-bound to prepare their food in a manner which will preserve every filling drop, but kings may eat as they wish, even at the cost of losing the fat.

Separately, a king is surrounded by the rituals and pomp which accompany him as closely as his royal robes, declaring for all his wealth and power; this is Ceremony. Roasting is a demonstration of Ceremony, an extravagant act which demonstrates the wealth of the throne.

As the Sefer haChinuch presents the practice of roasting the korban pesach:

*This is why we are instructed to eat it roasted, specifically, because princes and officers eat their meat roasted, as this is good and tasty. The rest of the nation cannot eat but small amounts of meat, as they can afford, in boiled form so as to fill their bellies. We eat the Pesach to remember that we departed to freedom, to be a kingdom of kohanim and a holy nation, and so it certainly suits us to conduct ourselves in the manner of freedom and royalty in eating it. This is aside from the fact that eating it roasted demonstrates haste, for they left Egypt and could not delay until the food would be boiled in a pot.<sup>94</sup>*

**Sefer haChinuch Mitzvah 7**

וזהו שנצטוינו לאכול צלי דוקא, לפי שכך דרך בני מלכים ושרים לאכול בשר צלי, לפי שהוא מאכל טוב ומוטעם, אבל שאר העם אינם יכולים לאכול מעט בשר שתשיג ידם כי אם מבושל, כדי למלא בטנם. ואנו שאוכלים הפסח לזכרון שיצאנו לחירות להיות ממלכת כהנים ועם קדוש ודאי ראוי לנו להתנהג באכילתו דרך חירות ושרות. מלבד שאכילת הצלי יורה על החפזון שיצאו ממצרים ולא יכלו לשהות עד שיתבשל בקדרה.

**ספר החינוך מצוה ז**

## Resolving a Conflict of Volition and Ceremony

When a kohen wishes to roast his korban, the traits of Volition and Ceremony coincide and are satisfied. But what happens when the kohen's will is not in accord with his prescribed rite of roasting? Is Volition or Ceremony the greater display of royalty?

For the *zroa*, *lechayyayim* and *keivah* gifts, the kohen has a ready solution: He is permitted to transfer the gifts to another kohen, who will roast and eat them. Therefore, these gifts must be transferred, and then consumed in roasted form, satisfying both royal Volition and royal Ceremony. This is the case Rav Chisda described.

For the generic korban, the kohen does not have the option of transferring the korban; he is specifically instructed<sup>95</sup> to eat the korban himself. If so, the kohen faces an irresolvable conflict between Volition and Ceremony, and the mishnah instructs the kohen to prioritize Volition over Ceremony, eating them in whatever form he chooses.<sup>96</sup>

<sup>93</sup> Bava Kama 60b, for example

<sup>94</sup> It is worth noting that the Rama, in Torat haOlah 53, presents an additional explanation: Roasting takes longer than the gluttony of eating food raw, but is quicker than boiling, and so it demonstrates an appropriate patience without an inappropriate delay. Cf. Pesachim 86b on different drinking paces.

<sup>95</sup> Rambam, Sefer haMitzvot, Aseh 89

<sup>96</sup> There is support for this reading in the Mishneh l'Melech to Mishneh Torah, Hilchot Maaseh haKorbanot 10:10, in his explanation of why the Rambam said, "even the kohanim." The Kesef Mishneh, on the other hand, would not be consistent with this explanation.



For the korban pesach, the conflict is similarly irresolvable; there is no option of transferring the korban pesach to another, since every Jew is obligated to eat from the korban. In this case, though, Ceremony overrides Volition, and the owner is required to roast the korban and eat it.

Why is the resolution for the korban pesach different from the resolution for other korbanot? Perhaps because the korban pesach commemorates our unwilling transformation into ממלכת כהנים, a royal nation, and this demands Ceremony.

## The Message of the Seder

We cried out for relief from our Egyptian suffering, but we were selected for national exceptionalism without our agreement; no Jewish slave in Egypt requested a covenant or a land. Our pain was our only concern; indeed, when the enslaved Hebrews witnessed Moshe's initial failure to deliver them from their agony, they protested his very presence, calling upon HaShem to judge and punish Moshe for catalyzing Pharaoh's increased cruelty.

Pesach is not about the realization of a national dream; rather, Pesach is about the *My Fair Lady* extraction of slaves from their milieu and their forced metamorphosis into the royalty that is Yisrael. In this context, Ceremony is of far greater importance than Volition. Giving a slave free rein does not convert him into aristocracy; an unfettered slave remains a slave in his thoughts and deeds, and his liberty is wasted. Ceremony is necessary in order to transform his worldview, his input and therefore his output, to suit the palace. As the Sefer haChinuch is wont to comment, "אחרי הפעולות נמשכים הלבבות," "After deeds are the hearts drawn."

Seen in that light, the Seder's emphasis on ceremony is most sensible. The ritual of the Seder is the story of a slave learning his freedom and adjusting to the world of imbibing and reclining, to a sense of himself as someone who serves no man. And in this context, the korban pesach, too, must emphasize Ceremony over Volition. If the slave wishes not to roast the korban pesach but to boil it, he is told: Now you must become a king.

## The Continuing Royal Struggle

The Jew is surrounded by the royal ritual which reinforces her special status; we are privileged to experience daily audiences with our Creator, to clothe ourselves in the special garb of tzniut and tzitzit, to sanctify time with kiddush and havdalah and the rites of numerous holidays. Each of these is a ceremony of sorts, and each of these adds to our sense of ourselves as exceptional.

This is Ceremony, regardless of Volition. True, certain elements of our religion are left to custom and discretion, much as the kohen may eat certain korbanot in the manner of his preference. But the great majority of our ceremonies and mitzvot are modeled on the korban pesach, requirements established to aid in our daily transformation into Yisrael. The King of Kings has stated His expectation; ours is to meet it.

# How Much Matza Do You Need to Eat?

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The mitzvah of eating matza at the Seder is greatly cherished. Much effort and significant cost is expended to acquire proper matza shemura.<sup>97</sup> We limit our food intake on erev Pesach to assure that the matza is eaten with an appetite, in order to beautify the mitzvah.<sup>98</sup> We place the matzos carefully and lovingly on the seder table, and recite over them the immortal story of Yetzias Mitzrayim.<sup>99</sup>

Finally, the long-anticipated moment arrives. Every man, woman and child eats the matza with physical relish and spiritual excitement. Yet, even after having finished eating, the gnawing question remains: did I eat enough matza to fulfill the mitzvah? The answer seems simple. One must simply judge whether one has eaten an amount equivalent to an average olive: a “k’zayis”.

Exactly how large is a k’zayis? Today’s olives are quite small. Estimates range from 3 cubic centimeters (slightly more than one tenth of one fluid ounce) to 7.5 cubic centimeters.<sup>100</sup> This is equivalent to less than one fifteenth of the average hand-baked matza, which is the kind that is typically used at the Seder.<sup>101</sup> If one is using machine-baked matza, which contains about half the volume and weight of a hand-baked one, the quantity (shiur) is still less than two fifteenths of the matza.<sup>102</sup> Why, then, do many people insist on eating a much larger amount?

The answer lies in a ruling cited in the Shulchan Aruch,<sup>103</sup> which states that a k’zayis is about half the size of an egg. This startling position emerges from an analysis of several Talmudic passages.<sup>104</sup> The Mishna Brurah<sup>105</sup> recommends complying with this opinion since the requirement to eat matza on the first night of Pesach is a Torah commandment. He concludes, however, that a sick person may rely on the words of the Rambam,<sup>106</sup> from which it is evident

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<sup>97</sup> Shulchan Aruch Orach Chaim 453-461

<sup>98</sup> Pesachim 99b and Rashi there, Shulchan Aruch Orach Chaim 471

<sup>99</sup> Pesachim 36a, Shulchan Aruch Orach Chaim 473

<sup>100</sup> Rav C.P. Beinish, *Midos V’Shiurei Torah [MVT]* (2000 ed.) p. 532; *Techumin* 10 p. 432

<sup>101</sup> To ensure compliance with the requirement that the matzah be baked with the express intent that it be used for the mitzvah (“lishmah”).

<sup>102</sup> Based on the measurements in MVT (p. 277-8) cited in fn 118

<sup>103</sup> Orach Chaim 486:1

<sup>104</sup> See Magen Avraham (OC 486), Ri in Tosafos Yoma 80a-b

<sup>105</sup> 486:1

<sup>106</sup> Eruvin 1:9

that a k'zayis is less than one third of an egg. Other authorities reduce the shiur to about three tenths of an egg.<sup>107</sup>

Now we must determine how large an egg is. The size of today's average egg (with the shell) is about 50 cubic centimeters.<sup>108</sup> Rav A. C. Naeh measured the size as 57.6 cubic centimeters.<sup>109</sup> This would then yield a k'zayis measuring 25-29 cubic centimeters, nearly one fluid ounce, which is much larger than today's olives.

The Tzlach (Pesachim 116) presents a remarkable view that would further increase the size of a k'zayis. He cites the view that today's eggs are half the size of those at the time of the Gemara. This is based upon seemingly conflicting statements in the Gemara about measuring the size of a mikva by units of thumbs and units of eggs.<sup>110</sup>

The Mishna Brurah adopts the Tzlach's view when it comes to Torah mitzvos, such as eating matza. If so, one must eat the size of half a contemporary egg doubled, i.e., a whole egg—at least 50 cubic centimeters. This is the equivalent of almost half a hand matza and almost an entire machine-made matza .

Furthermore, the Shulchan Aruch<sup>111</sup> requires one to eat a k'zayis from each of the top two matzos together. This would result in a shiur of 100 cubic centimeters! However, since this requirement is only rabbinic, we need not double the shiur out of a concern that the eggs today have shrunk from those at the time of the Gemara.

The Mishna Brurah<sup>112</sup> rules that one must swallow a k'zayis at once. This, too, is a rabbinic requirement and can be discharged without doubling the k'zayis. However, the entire larger k'zayis must be eaten within the amount of time it takes to eat three eggs. This is about 4 minutes, although estimates vary from 2 until 9 minutes.<sup>113</sup>

The language the Shulchan Aruch (486:1), “some say that a k'zayis is about half an egg” indicates that another view exists—a view which may in fact be more authoritative. This implied other view may be the shiur based on the Rambam—one third of an egg.<sup>114</sup> The Shulchan Aruch, as usual, follows the opinion of the Rambam, and quotes the shiur of half an egg as “some say”— i.e., a stringency for Torah law only.

This may generate a “s'feik s'feika” (double doubt) necessitating the doubling only of the smaller shiur. This would require eating two thirds of the size of an egg, rather than the size of an entire egg as the Mishna Brurah rules.

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<sup>107</sup> R. Tam in Tosafos Yoma 80a-b, GR”A in his commentary on Mishlei 22:9

<sup>108</sup> MVT p. 246

<sup>109</sup> *ibid.*

<sup>110</sup> It should be noted, however, that archaeological evidence shows that contemporary eggs and olives are the same size as they were in Talmudic times. Also, the measurements for the *revi*'s given by the Rambam and Geonim correspond to the smaller eggs. See MVT and *Midos Umishkalos shel Torah* (R. Y.G.Weiss).

<sup>111</sup> 475:1

<sup>112</sup> 475:9

<sup>113</sup> Shmiras Shabbos Kehilchasa 48:10 and fn 62

<sup>114</sup> Eruvin 1:9, OC 368:3

Moreover, it is possible that the more accepted view alluded to in the Shulchan Aruch is the simple one, which is that we only need to eat the size of a contemporary olive, independent of the size of an egg. This would require a reevaluation of the Gemara that seems to establish a relationship between the size of eggs and olives. This would also justify what used to be the common custom of eating a much smaller shiur of k'zayis.<sup>115</sup>

Nonetheless, the accepted stringency of the Shulchan Aruch to eat half the size of an egg must be practiced whenever possible. As mentioned, our eggs are about 50 cubic centimeters in volume. The Chazon Ish rules<sup>116</sup> that a k'zayis is half an egg without its shell. According to the precise measurement of Rav C.P. Beinisch,<sup>117</sup> a liquid raw egg is about 45 cubic centimeters in volume. Therefore, a k'zayis would equal 22.5 cubic centimeters.

A cubic centimeter of matza, both hand- and machine-made, weighs about half as much as a cubic centimeter of water. A pound of matza contains about 15 machine-made matzos and about 7.5 hand-baked matzos. The volume of 22.5 cubic centimeters, which weighs about 11.25 grams, is less than two fifths of a machine-made matza, and less than one fifth of a hand-baked matza.<sup>118</sup> In cases of illness, one may consider eating only a smaller shiur, either one third of an egg in its

<sup>115</sup> See, e.g. the opinion of R. Chaim Volozhiner in the new (Weinreb) edition of *Maaseh Rav* (p. 218, 337-8, citing Kehillos Yaakov Pesachim 43). Particularly intriguing is the view of the Chazon Ish. A staunch advocate of the Tzlach's doubling of the eggs, he apparently ruled that half a machine matza is more than a k'zayis, coming to this conclusion by grinding up the matza and measuring the volume of the crumbs.

HaRav C.P. Beinisch (*Middos V'Shiurei HaTorah* p. 278) notes that this method of measuring the k'zayis can include more air space between the crumbs and produce a lenient result. He suggests that the Chazon Ish relied on the fact that the 50 cubic centimeter shiur is based on three stringencies in the measuring of a k'zayis that the Mishna Brurah combined: 1) half an egg; 2) with its shell; 3) doubling the k'zayis. The Chazon Ish held that, strictly speaking, the more correct view is that a k'zayis is: 1) one third of an egg; 2) without the shell; 3) without doubling it. Doubling only applies to eggs and its strict derivations, such as the shiur *revi'is* (1½ eggs) for kiddush, but not the k'zayis, which is never formally linked to the size of an egg. Or, perhaps, only to the *revi'is*, which may be measured intrinsically by thumbs and only indexed to the size of eggs.

Removing the shell reduces the size of an egg by about 10 percent (MVT p. 239-40). However, this leniency cannot be combined with the opinion of the Rambam whose shiur is less than a third of an egg with its shell. Therefore, one third of an egg, about 17 cubic centimeters, is required.

<sup>116</sup> OC 39:17 s.v. b'Mishna Brurah

<sup>117</sup> *Midos V'Shiurei HaTorah* p. 246

<sup>118</sup> MVT p. 277 measured the volume of hand and machine-made matzos precisely; they both weigh about half the equivalent volume of water. A machine-made matza weighed 32.2 grams (about 1 1/7 ounces, as an ounce is 28.3 grams) and measured 62 cubic centimeters. Our matzos may be slightly smaller (15 in a 1lb or 453 gram box yields 30 grams per matza). Nonetheless, 2/5 is 12 grams, more than the 22.5 cubic centimeters (11.25 grams) of half an egg without the shell. For the average hand-baked matza, which is twice the weight (about 7.5 matzos per pound) and volume (since both weigh half the equivalent volume of water), 1/5 of a matza is more than 22.5 cubic centimeters, a k'zayis. More usefully, the approximate measurement of the required matzah can be expressed in the following table:

Matzos per Pound	Kezayis (22.5 cc)
6	2/13 matzah
7	1/6 matzah
8	1/5 matzah
9	2/9 matzah
10	1/4 matzah

shell (about 17 cubic centimeters) or the size of today's olives (no more than 7.5 cubic centimeters).

Preferably, one should double the shiur to less than four fifths of a machine-made matza or less than two fifths of a hand-baked matza. This accounts for the Mishna Brurah's stringency to double the size of the eggs for a mitzvah mid'oraysa, while simultaneously complying with the rabbinic requirement quoted in the Shulchan Aruch to eat two k'zaysim.

The Rambam<sup>119</sup> records the mitzvah to eat matza at the Seder and concludes "when one has eaten a k'zayis of matza one has discharged one's obligation." Rav Soloveitchik z"l, echoing the Netziv<sup>120</sup>, interprets that although the k'zayis is the minimum to discharge the obligation, all the matza that one eats on Seder night counts as a fulfillment of a Torah mitzvah.<sup>121</sup> Thus, even if one eats more than is required, he continues to fulfill the cherished and sublime mitzvah m'deoraysa of eating matza. Therefore, a healthy person should eat much more matzah than the minimum shiur, and consequently should not need to be so exacting about the shiurim.

In Nissan we were redeemed and in Nissan we will be redeemed.<sup>122</sup> When the Sanhedrin reconvenes, the precise shiur of k'zayis will become known. More importantly, when the Beis Hamikdash will be rebuilt, we will fulfill the mitzvah of bringing and eating a k'zayis of the Korban Pesach as well.

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<sup>119</sup> Hilchos Chametz UMatza 6:1

<sup>120</sup> Ha'emek Sheila 53:4

<sup>121</sup> See Kehillas Yaacov Brachos 5

<sup>122</sup> Rosh Hashana 11a

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