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From: crshulman@aol.com

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haggadah1  
**SHIUR HARAV SOLOVEICHIK ZTL  
ON HAGGADAH SHEL PESACH**

The mitzvah of Sippur Yetzias Mitzrayim includes the re-telling of the story of the exodus as well as the obligation to learn the Halachos of Pesach. The Hagaos Maymaniys (end of Hilchos Chametz and Matzah) says there is an obligation to learn the laws of Pesach all night based on the Tosefta (Pesachim 10:8) that states that Rabban Gamliel and the Chachamim that were in the house of Bytis Ben Zunin and discussed the Halachos of Pesach all night. (this is a variation of the story of Rabbi Eleazr and the other Tanaim that spent the entire night discussing Sippur Yetzias Mitzrayim.) The Vilna Gaon derives this obligation to learn the Halachos of Pesach from the answer given to the Ben Chacham, (which according to the Gaon was) we must teach him all the Halachos of Pesach, UNTIL (Ad) Ayn Maftirin Achar Hapesach Afikomen.

The Parsha in Vaeschanan describes the answer given to the Ben Chacham who asks what are the Aydos Chukim and Mishpatim that Hashem has commanded us: that we were slaves to Paroh in Egypt (the Sippur aspect) and then that Hashem commanded us to perform all the Mitzvos (learning the Halachos) of Pesach. The Rav noted that the Baal Haggadah only mentions the second part of the answer given to the Chacham, that of learning the Halachos of Pesach. Why don't we tell him the complete response to his question as described in Vaeschanan? The Rav explained that in Vaeschanan, there is only one child being discussed, the Ben Chacham. The Torah gives him the complete answer to his question, that of the story of the exodus and the obligation to teach him all the laws we were given. However at the Seder, all 4 sons are represented and must be told the story of the exodus. The Baal Haggadah, in the response given to the Ben Chacham, wants to single out the uniqueness of the Ben Chacham by noting that in addition to the Mitzvas Sippur, he is the one who is taught the Halachos of Pesach.

In reality there are 3 Mitzvos involved in Sippur Yetzias Mitzrayim: 1) telling the story (Sippur); 2) Singing praise to Hashem for taking us out of bondage (Hallel V'Shevach) based on Hashir Hazeh Yihyeh Lachem Klayl Hiskadesh Chag; 3) learning the Halachos of Pesach.

The third is the most important as the concept of Vayetzavainu Hashem Laasos Es Kal Hachukim Hayleh, the receipt of the Torah on Har Sinai, was the ultimate goal of the exodus. (The Chinuch says that Sephira is

intended to connect Pesach and Shavuos, as the exodus was the medium for Kabbalas Hatorah which was the desired end. Shavuos is called Atzeres because it is the conclusion of the holiday of Pesach.)

As mentioned above, Avadim Hayinu, the story of the exodus, is how the Torah begins the answer to the Ben Chacham. It immediately follows the Mah Nishtanah. Who asks the Mah Nishtanah at the seder? The 4 questions are complex and beyond the capabilities of either the simple son (Tam) or the son who is incapable of asking intelligent questions. The Rasha scorns the entire process. It must be the Ben Chacham who asks these questions at the seder. We answer him initially with the Avadim Hayinu as mentioned in the Torah, we quickly tell him that we will complete the rest of the story of the exodus when we involve the other 3 sons. We immediately involve the Ben Chacham by giving him a halachic answer, and discussing some of the Halachos of Pesach that apply to this night. "Had not Hashem taken our forefathers out of Egypt we and succeeding generations would have remained as slaves to Paroh in Egypt": this is the Halacha of Bchal Dor Vdor Chayav Adam Liros Es Atzmo K'ilu Hu Yatza Mi'Mitzrayim, in each generation we must see ourselves as if we personally were redeemed from Egypt. We then say that as far as the Mitzvah of Sippur Yetzias Mitzrayim is concerned, the more the merrier: this is the Halacha of no upper limit for Divrei Torah. Next we read the Berysa that shows that all are obligated in the Mitzvah of Sippur Yetzias Mitzrayim no matter how learned one might be. Next, we talk about the Halacha of Zechiras Yetzias Mitzrayim and discuss when it applies.

The section of the 4 sons describes the Halacha that we must relate and teach the Sippur Yetzias Mitzrayim according to the sophistication of each child. The Chacham is to be taught differently than the Tam and so on. The "4 sons" also instructs us that we can not dismiss any of these children from the Mitzvah of Sippur Yetzias Mitzrayim. We can't say that the child is either not interested or not smart enough to appreciate and therefore neglect that child. The Torah charged us with teaching 4 types of children, each according to his capabilities, even if it takes all night to get it across. We then continue with the laws of Vhigadta Lvincha, when is the appropriate time to perform all these Mitzvos and to teach the children.

The Rav considered Pesach as the most "Lomdish" (requiring the highest level of Torah learning acumen) of the festivals. One must be fluent in the various parts of the Shulchan Aruch to prepare for Pesach. One must understand the intricacies of Choshen Mishpat to know how to write a proper document for the sale of the Chametz. (Shtar Mechiras Chometz is among the more difficult documents to understand and prepare.)

Choshen Mishpat is also needed to understand the rules of Bal Yaraeh and Bal Yimatay and how they relate to the definitions of possession and financial responsibility and obligations regarding personal Chametz.

One must be fluent in Yoreh Deah to handle questions of Issur V'heter regarding Chametz B'Mashehu, Taaruvus Chametz, Hagalas Kaylim (Chametz/non-Chametz mixtures, purification of vessels that were used with Chametz for use on Pesach). And of course Orach Chayim describes the general laws of Pesach. Yet when we discuss the Halachos of pesach with the Ben Chacham at the seder, we concentrate on telling him the Halachos of Sippur Yetzias Mitzrayim.

The answer to the Ben Chacham given in Vaeschanan says that Hashem took us out of Egypt B'Yad Chazakah. The Haggadah at the outset in Avadim Hayinu, essentially quotes the answer as given in Vaeschanan, and mentions B'Yad Chazakah, simply described as the mighty hand of Hashem, k'vayachol, that punished Paroh (Note: the Baal Haggadah interprets Yad Chazakah as the plague of Dever). However it also includes the words Zeroah Netuyah which are not found in Vaeschanan. These words come from the text of Arami Ovayd Avi at the beginning of Parshas Ki Tavo. The Rav asked why is this phrase from Arami Ovayd added to the Yad Chazakah that was mentioned in Vaeschanan as part of the answer to the Ben Chacham presented in Avadim Hayinu?

The Rav explained Zeroah Netuyah as the promise that Hashem will repeat the miracles of the exodus for Bnai Yisrael. It represents the promise that Hashem is prepared and ready to protect us from assimilation and annihilation throughout the generations and is constantly watching over Bnai Yisrael. Yad Chazakah alone, which connotes the recognition of the miracles Hashem brought in Egypt and to Paroh and our resultant obligation to perform the Mitzvos of Pesach, would have been a sufficient answer to the question of the Ben Chacham. The miracles done for us during the exodus from Egypt alone would have been sufficient for us to celebrate Pesach and thank Hashem for that redemption. The Chinuch describes the section of Arami Ovyad, the Mitzvah of Bikurim (which contains the term Yad Chazakah), as an obligation to show Hakaras Hatov, to recognize and thank Hashem, for all the miracles and acts of Chesed He has done for us throughout the ages. We also tell the Chacham at the seder, as implied by the term Zeroah Netuyah, that we are obligated to give Hakaras Hatov to Hashem for all these miracles, past and future.

The Rav mentioned that according to the Chachmei Hakabbalah the fourth cup of wine at the seder is symbolic of the ultimate redemption of Klal Yisrael, the Zeroah Netuyah.

V'ilu Lo Hotzi Hashem Osanu Haray Anu Uvaneinu etc. We have a second statement later in the Haggadah of Bechah Dor Vador Chayav Adam Liros Es Atzmo Kilu Hu Yatza M'mitzrayim. Why do we need both apparently redundant statements? There are 2 aspects which we recognize, the historical aspect that Hashem took our forefathers out of Egypt which is relevant to us. There also is an obligation to make the exodus personal, as the Rambam says that a person must view the seder night as if he himself, right now, has gone out of Egypt. For the former, relating the story would have been sufficient. However for our personal obligation, we must say Shirah Chadasha, we recite a specific Bircas Hashevach for taking us out as well. This is consistent with the Gemara (Berachos) which notes different Berachos to be recited when one passes a place where a miracle happened to his forefathers and when he passes a place where he himself was saved by a miracle. At first we thank Hashem for saving our forefathers and must fulfill the obligation to offer a blessing when passing the place where one's forefathers were saved. The second aspect is for personal salvation. We associate Hallel with the aspect of personal salvation, as we emulate the redemption as if it was happening to us right now.

The Baal Haggadah mentions Afilu Kulanu Chachamim Kulanu Nevonim Kulanu Zekaynim Kulanu Yodim es Hatorah. Why were Zekaynim included here (according to some texts it is omitted)? Zekaynim implies a Baal Horaah, for example Zakayn Mamreh, a member of the Sanhedrin who rebels against the majority opinion of Beis Din. The members of the Sanhedrin were called Zekaynim. The original Beis Din chosen by Moshe in the desert was selected by a lottery where the tickets stated Zakayn or were left blank. So there is a close association between Zakayn and Sanhedrin, who were the most knowledgeable in Torah.

The Baal Haggadah is telling us that even those that are far superior in their Torah knowledge are obligated to participate in an exchange of views about Sippur Yetzias Mitzrayim. The Haggadah tells us who was gathered around the table in Bnei Brak. It included students like Rabbi Akiva and their master teachers like Rabbi Yehoshua. The Rambam juxtaposes the Halachos of one who has no child to ask him the questions and the obligation of scholars to participate in Sippur Yetzias Mitzrayim, saying that he who extends himself in this Mitzvah is Meshubach. What is the connection between these disparate individuals as to their obligation of Sippur Yetzias Mitzrayim?

The Rav explained that the fundamental Mitzvah underlying Sippur Yetzias Mitzrayim is Talmud Torah, which has no upper limit. The more one discusses the more he knows about Yetzias Mitzrayim, the more different viewpoints he has about it, the more nuances he sees in it. Even

the greatest scholars should learn one from the other in order to increase their knowledge base, which makes them Meshubach, improved in their knowledge of Torah.

The Rav explained the other intellectual personalities described by the Haggadah. The three mentioned are Chachmah Binah and Daas. The Rav based this on the verse where Hashem selected Betzalel to build the Mishkan. "V'amalay Oso Ruach Elokim B'chachma U'betvunah Uvdaas", Betzalel was gifted with these various qualities that were all needed to build the Mishkan. This notion is said every day in the bracha of Ata Chonen, we pray for Chachmah Binah and Daas. (The alternate text of Deah Binah Vehaskel is essentially the same, in the reverse order.) The Rav described Chachmah as the ability to be Mechadesh things in Torah, someone who has an almost mystical gift for feeling their way through a difficult topic in Torah, where they will all of a sudden be hit with an idea that will unravel a major question or discrepancy. The Rav mentioned that Reb Chaim Brisker was such an individual. He had the "Nefesh Hatorah" which would express itself by illuminating the intellectual darkness with a bolt of lightning, a chiddush, that solved the problem.

The second quality is that of Binah. This describes someone who is capable of analyzing and organizing different opinions and concepts and make them readily understandable. He possesses a wealth of knowledge that he can draw on to resolve questions and present his viewpoint in a discourse.

The third quality is that of Daas. This the Rav described as those that are capable of being undisputed and recognized Baaly Horaah. Such gedolim like Reb Yitzchak Elchanan, who lived in the time when there were many great Gedolei Torah, are still sought out in areas of Horaah, even by other Gedolim.

Each of these three personalities will view the Mitzvas Sippur Yetzias Mitzrayim differently, yet in a completely valid way. The Rav compared this to the Gemara (Gittin 67a) where Isi Ben Yehuda was enumerating the various Tanaim and their strengths. Each Tana had a different quality that made him special and that made his learning and teaching unique. For such gedolim there is also an obligation to participate in Sippur Yetzias Mitzrayim to improve their own knowledge and add to the knowledge of others.

The Rav noted that in general when the Haggadah refers to Hashem it is as HKB'H. There are 2 places where Hashem is referred to as Hamakom: prior to the 4 sons and when Yehohua is quoted (Vachshav Kervanu Hamakom). Why are these 2 places singled out? Also, what is the connection between the discussion of the various Tanaim in Bnei Brak and the 4 sons and the Parsha from Yehoshua?

The Rav explained this by noting the Gemara regarding the difference between the prophecy of Yeshayahu and Yechezkel. Yeshayahu describes Hashem as Kadosh while Yechezkel uses the term Makom. In explaining the differences between a city dweller who sees the king all the time and the village dweller who describes the king in full detail to those who have never seen him, the Rav explained that the prophecies of Yeshayahu and Yechezkel derived from their different perspectives.

Yeshayahu was given prophecy during a time prior to the exile of Bnai Yisrael where there was no hint yet of Galus and Churban. It was an Ays Ratzon for the people before Hashem to repent. Hashem was Kivayachol readily visible through the Bays Hamikdash where the Avodah was K'tekunan and Kohanim B'avodasam and Leviim B'duchanam. It was apparent that Hashem was there and Kadosh.

Yechezkel on the other hand was given prophecy after the first stages of Churban had occurred. It was a time of Hester Panim, Bnai Yisrael were no longer close to Hashem. Under exile conditions it was very hard to see the immediacy of Hashem. In such a case the term Mimkamo, wherever Hashem may be found, is used.

The Rav noted that as an example that in times of Avaylus when we console the mourners we use the term Hamakom Ynachem Eschem.

There is no greater Hester Panim than in time of tragedy. It is difficult to see and feel Hashem under such circumstances where one feels so distant from HKB'H. We therefore use the word Hamakom, as Yechezkel did. When Avraham entered the Bris Bayn Habesarim he was promised the Torah and Eretz Yisrael through the difficult process of a 400 year exile in a foreign land. Under optimal circumstances we could have expected that these things would have been given to Avraham in an easy to achieve way, without pain, suffering and tribulations. Yet Avraham entered the covenant through a dark fear. Hashem was showing that there will be a distance, a Hester Panim, which was to begin at that time and would not be broken till Yetzias Mitzrayim. That is why we refer to Hashem as Hamakom when we describe our forefathers and their selection. For from the time of Bris Bayn Habesarim, there was an element of distance, therefore Hashem is referred to as Hamakom. However at the time of the redemption from Egypt, it says that HKB'H Chishav es Hakaytz, not in terms of Hamakom, because in this situation the closeness of Hashem and B'nei Yisrael was revealed. The first reference to Hamakom is regarding the giving of the Torah to B'nei Yisrael, Baruch Hamakom Baruch Hu. The Torah was given to us through suffering, and great difficulties that were associated with keeping the various Mitzvos throughout the ages. If the name "HKB'H" would have been associated with the granting of the Torah, we would have enjoyed a more sanguine and protected life as a nation. However our destiny is that we have to search for Hashem, as Hamakom, wherever we may be, both in our daily lives as well as in our search for Torah knowledge.

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From: Shema Yisrael Torah Network [shemalist@shemayisrael.com]

#### PENINIM ON THE TORAH

BY RABBI A. LEIB SCHEINBAUM - Parshas Tzav

PARSHAS TZAV The fire on the Altar shall be kept burning on it. (6:5)

What is the meaning of the word, bo, on it? It should simply have said, "The fire should be kept burning." It is obvious that this is a reference to the Altar. This question was asked by the Gerer Rebbe, zl, the Imrei Emes, as a young boy, of his grandfather, the Sefas Emes. The Sefas Emes' response was a challenge to his brilliant grandson to answer the question himself. The Imrei Emes replied that, quite possibly, the Torah was telling us that the Kohen himself has to be filled with a fiery passion. The fire representing the korban should burn fiercely within him to the point that, as the flame rises, so should the flame burn concurrently bo, within him.

Horav Yitzchak Zilberstein, Shlita, relates that a Yerushalmi Jew, Reb Shimon Kohen, was such a person. In fact, as he lay mortally wounded, a victim of an Arab suicide bomber in the Machane Yehudah market, he recounted with a fiery passion how Hashem brought him to the fire that consumed his life.

He explained that, typically, he had no reason whatsoever to frequent the Machane Yehuda Shuk. For a number of years he had owned a fruit stand in the Shuk. Five years earlier, he had closed down the stand and decided to spend his newly-found time studying Torah in a nearby Kollel. He maintained a ritual to visit the market every Erev Shabbos to wish Gut Shabbos to the other vendors. On that fateful Thursday - not Friday - he said to his wife, "I want to go to the market today to wish my friends Gut Shabbos."

"Why are you going to the market today?" asked his wife. "It is only Thursday. You never go on Thursday."

He had no answer for her. He just went because he felt compelled to go that day. Under normal circumstances, he would have to wait between twenty and thirty minutes for the bus to arrive. This had gone on for thirty years! The bus had never come on time. For some "strange" reason, today, the bus arrived moments after he came to the bus stop. For thirty years, it had taken forty-five minutes for the bus to travel the distance from Reb Shimon's apartment to the market. Today, it took only seventeen minutes. For thirty years, whenever Reb Shimon came to the market, he had gone to his right, because that was where all the fruit vendors were situated. Today, he was thirsty, and he went to the left, so that he could first quench his thirst. Moments after he purchased his drink, the bomb exploded right near the place he should never have visited - under usual circumstances.

Apparently, today was not a typical day. Reb Shimon lay there in the emergency room, mere moments before he was to take leave of this world, recounting to his wife how everything that had transpired that day was for one purpose - so that he should become a sacrifice to Hashem. He lay there in bed and accepted Hashem's decree, realizing that His reasoning was beyond his ability to grasp. This was a person in whom Hashem's fire burnt brightly.

A repeatedly baked meal offering, broken into pieces, you shall offer it as a satisfying aroma to Hashem. (6:14)

A Korban Minchah is a simple sacrifice which, due to the simplicity of its contents - flour, oil and frankincense - is usually brought by people that are on the lowest rung of the financial ladder. The Korban Minchah is broken into pieces, so that the pieces will be small enough for the Kohen to perform the Kemitzah. Horav Aharon Bakst, zl, adds that the pittim, small pieces, were to create an image of more than was really there, so that the pan appears to be fuller than it is. The purpose: to show compassion for the poor man. The same idea applies with a korban ha'of, fowl-offering. The Kohen is instructed to split the bird with his bare hands. One does not remove the feathers prior to burning the entire bird. Why are the feathers left on the bird? Rashi explains that if the feathers were removed, the poor man, who is usually the individual bringing a fowl-offering, would be humiliated by its puny size. After all, once the feathers are removed, very little bird is left. It is better to endure the foul smell of burning feathers than to hurt the feelings of a poor Jew.

A powerful lesson can be derived from here. The mitzvah of chesed demands that one not only perform kindly to others, but also sees to it that he finds a way to do so in such a manner that he retains the individual's self-esteem. Even if the benefactor is subject to humiliation and adversity, it is better that he suffers than hurts the feelings of another Jew - even if it is during an act of chesed. If we do not perform the act correctly, it is not chesed. To help someone in such a manner that he consequently experiences a humiliating incident is to distort the entire concept of chesed. Unquestionably, while the poor man's fowl is burning on the Altar, the stench that permeates the entire area is overpowering - but that is what chesed is all about. No one ever asserted that an act of loving-kindness has to be tailor-made to fit the mood and personality of the benefactor. It is supposed to help the beneficiary. He is the only one for whom we are obligated to show concern.

There is a powerful story that occurred concerning a gabbai tzedakah, charity collector, and the Sanzer Rav, Horav Chaim Halberstam, zl, that should be related. Rav Chaim once came to a small town. As he was walking through the community, he felt himself gravitating to one of the homes. "The scent of Gan Eden emanates from this house," Rav Chaim declared. "I must enter to discover what is producing this unique fragrance."

This happened to be the home of Reb Pesach, the town's tzedakah collector. Rav Chaim knocked. He was welcomed in with the greatest look of shock and reverence. "I must find the source of the unique aroma that permeates your home," Rav Chaim said, as he walked around the small home. "I have found it," he exclaimed, as he pointed to a large box.

They immediately opened the box to discover nothing but some old clothes, most of them unusable. On the bottom of the box, beneath the rags, they discovered a priest's garb.

"What is this?" Rav Chaim queried. "What did you do with this priest's vestments that earned it the aroma of Gan Eden?"

Reb Pesach sighed and related the following story: "As a tzedakah collector, my day never ends. As soon as I finish raising funds for one person in need, another situation arises that needs my attention. Awhile ago, I came home after an unusually difficult day to find a poor man at my door, crying bitterly that he had no money for food. He was deeply in debt, and his lenders had lost patience with him. I told him that I commiserated with his pain, but what could I do? I had already made my rounds for the day. I could not return to the same people again.

"Woe is to me," the poor man cried. "I have no good fortune at all. Is it my lot to see my wife and children starve to death before my eyes? Please help me!" What could I do? I went out again and begged the local community to open up their hearts to this destitute Jew. No sooner had I returned, then another man came to my house with a similar request. How could I turn a deaf ear on his pleas? On the other hand, how could I return a third time to my supporters? That would be the height of chutzpah. These people had been kind and benevolent, but I could not take advantage of them. Then I thought of an idea, a strange idea. If it were to work, it would be worth everything.

"I went to the town bar to which I usually went to ask its owner for a contribution. I had already been there twice that day. Now, I returned for a different purpose. I was going to solicit the patrons, people who were far from caring, people who were frivolous and had no respect for anyone. They did, however, have money, and I would ask them for it. With the help of Hashem, I would succeed. It was my last hope."

"I went inside with feelings of trepidation. The spokesman for the rowdy group was a spoiled, young, rich boy. He called me over and began ridiculing me, "You're back again, old man? Why waste your time?" "I do not think it is a waste of time. I have come to solicit you on behalf of a man who is poverty-stricken and has no way of extricating himself from his overwhelming debts. In order to ease his life and give him some piece of mind, I am asking you to contribute to this most worthy cause. I am prepared to do almost anything to obtain your donation."

"I have an idea," the man replied. "We used to have a priest in town, who recently passed away. I have his vestments. I want you to put them on and walk through town dressed like the priest. If you do that, I will give you the necessary funds that you seek."

"I said to myself," Reb Pesach continued, "'The worst that people will say is that Reb Pesach has lost his mind. It is worth it, if it will generate the funds that I seek for this poor man.' I did it. I donned the priest's vestments and walked all over town, hounded by laughter and shame. When I returned, the man took out his wallet and gave me the money I needed.

"When I removed the vestments, I thought to myself, 'These garments were used to perform a mitzvah; I am going to save them.' That is why they have been laying at the bottom of this box."

Tears began to streak down Rav Chaim's face as he heard the end of the story, "Take these vestments and put them away in place of your tachrichim, burial shrouds. They will accompany you to Gan Eden. No prosecuting angel will be able to harm you while you are wearing these vestments. They exemplify the zenith of loving-kindness."

So it came to pass, many years later, when the Polish government sought to make a road through the Jewish cemetery, they disinterred a number of graves. Reb Pesach's was one of them. The Chevra Kadisha, Jewish sacred burial society, noticed that when they moved his remains from his grave, his entire body - with the exception of one leg - was completely whole. Nothing had decomposed, except for part of one leg - which was not covered by the priest's vestments, because it had been torn.

Chesed means a willingness to suffer abuse and humiliation to help another Jew. Reb Pesach did, and he was rewarded in kind.

In loving memory of FRANK ALTMAN by his family  
Peninim mailing list Peninim@shemayisrael.com  
[http://mail.shemayisrael.com/mailman/listinfo/peninim\\_shemayisrael.com](http://mail.shemayisrael.com/mailman/listinfo/peninim_shemayisrael.com)

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<http://israelvisits.co.il/top/Clean.htm>

#### CLEAN FOR PESACH AND ENJOY THE SEDER

Edited by RABBI MOSHE FINKELSTEIN Kiryat Matterdorf, Jerusalem  
These notes are based on the responsa of Moreinu v'Rabbeinu HaGaon HARAV CHAIM PINCHAS SCHEINBERG, Shlita, Rosh Yeshiva Torah Ore, to questions posed by women attending his regular chizuk talks. They have been compiled by a group of his Talmidim.

#### PREFACE

In former times, wealthy people who had large houses also had many servants who did their every bidding, while poor people, who could not afford servants, lived in small homes with one or two rooms. Understandably, the pre-Pessach chores of the rich were performed by the servants, while the poor, who had only their one or two rooms to clean, a few pieces of furniture, a minimum of utensils, and some clothing, took care of their needs themselves. In those days, the cleaning was hard. Tables were made of raw wood, requiring them to be scrubbed or even to be shaven to ensure that no pieces of food were hidden in the cracks. Earthen or wooden floors also needed to be thoroughly cleaned and scrubbed.

Today, we seem to be caught in a trap. The average modern home is larger than formerly. Furniture, utensils and clothing are much more plentiful. The average home today could compare with the more affluent homes of previous generations. However, we do not have the servants that they had, so that, today, all the chores fall on the housewife. At the same time, she feels obligated to clean and scrub as they did formerly, even though she has laminated furniture and tiled floors, making this type of cleaning unnecessary. As a result of this, the pressure of pre-Pessach cleaning has reached unnecessary and overwhelming levels. The housewife often becomes overly nervous, unable to enjoy the Simchas Yom Tov of Pessach and unable to perform the mitzvahs and obligations of the Seder night.

#### INTRODUCTION

Pessach, like every other Yom Tov, must be enjoyed by every member of the family, including women. This is an obligation clearly defined in the Torah as explained by Chazal zt"l. We can understand a person dreading Tisha B'Av but Pessach is to be looked forward to and anticipated with joy. Every woman should be well rested, relaxed, and alert at the Seder table so that she can fulfill all the Torah and Rabbinical obligations and follow the Hagadah with the rest of the family. Clearly, the performance of her pre-Pessach duties must be balanced against her Pessach obligations. Pre-Pessach cleaning is required to avoid the danger of transgressing any Torah or Rabbinical prohibition of having chometz in the house on Pessach. It is evident from the responsa of the Rosh HaYeshiva, shlita, that this need not be excessive. It is not the intention here to abolish Minhagim which have been passed down by Klal Yisroel from generation to generation. Nevertheless, some practices adopted by women in the Pessach cleaning today, are not an actual continuation of the old Minhagim. For example, if a person does not sell his chometz, of course it is necessary to check his utensils and to wash off any chometz left on them, or render the chometz inedible. But, if the chometz is sold, then washing the pots and pans and dishes which are going to be locked away is not necessary. One might be tempted to insist on doing the extra work anyway-to be "machmir" (stringent). However, in these stringency's lies the grave danger of causing many laxities and brushing aside many mitzvahs completely, Torah and Rabbinical obligations which women are required to do on Pessach and particularly during the Seder.

Many women like to do more "cleaning" than the bare minimum, to such an extent, that some even incorporate their general "spring cleaning" into the required Pre-Pessach chores. These extra exertions should not prevent them from fulfilling their obligations on Pessach, and particularly, on the Seder night.

#### GENERAL NOTES

All property and possessions must be cleaned and checked to make sure that they are free of all chometz, except in the following cases: If, during the year, chometz is not brought into a place, that place does not have to be cleaned out or checked for chometz. Any article which is not used on Pessach does not need to be checked for chometz provided it is put away properly and the chometz is sold. Crumbs which have been rendered completely inedible to the extent that they are not fit to be eaten by a dog are not considered chometz. The general obligation to check for and

destroy crumbs does not apply if the crumbs are less than the size of an olive (kezayis) and are dirty or spoiled enough to prevent a person from eating them. The household cleaner mentioned below must spoil the crumbs slightly to the extent that people would refrain from eating them.

#### PRACTICAL APPLICATIONS

1. **CLOTHING CLOSETS:** If there is some significant possibility that chometz went into them, they should be checked for fully edible crumbs of chometz, besides large pieces of chometz foods. If the probability that chometz entered these places is remote, a Rav can be consulted to clarify the conditions under which they do not have to be checked. This includes chests, dressers, basements, and all other similar cases (See General Note E).

2. **FLOORS:** In our times we don't have earthen floors with deep cracks in them. It is sufficient for tiled or covered floors to be swept and washed with a household floor cleaner. The small cracks do not have to be checked if the cleaning solution reaches into them.

3. **FOOD CABINETS:** If the cabinet is not going to be used on Pessach see General Notes C & E above. If the cabinet is going to be used on Pessach, take out all of the food, and wash it with a rag soaked in a household cleaner. Be sure the cleansing agent reaches into all the cracks and soaks into any crumbs that might be left there. The usual practice is to line the cabinets.

4. **REFRIGERATOR:** Take the food out, and wash it with a rag soaked in a household cleaner. The racks are usually covered. (It is advisable to leave holes for air circulation.)

5. **KASHERING SINKS:** Clean the sinks, and pour a kettle of boiling water into them and on their sides. Some people pour hot water mixed with bleach down the drain. The usual practice today is to line the sinks (e.g. aluminum foil, contact paper) or to use an insert—if not difficult, this practice should be followed.

6. **FAUCETS (TAPS):** Cleaning, without any other kashering procedure, is sufficient.

7. **MARBLE AND STAINLESS STEEL COUNTERS:** If they were used for hot chometz they should first be cleaned well. Then either boiling hot water should be poured on them, or they should be completely covered so that nothing Pesach'dik touches them. Some people do both.

8. **TABLETOPS:** Wash them with a household cleaner. The usual practice is to cover the tables.

9. **KASHERING RANGE/OVEN/STOVE-TOP:** Wash the top and side surface areas with a rag soaked in a household cleaner. Some people cover it with aluminum foil. Old grates can be kashered by first cleaning them and then lighting all the burners, raising them to their maximum heat, and preferably putting on a "blech" while the burners are on. This spreads the heat over the whole top and intensifies the heat on the grates. Let it burn for 5-10 minutes.

**OVEN:** If the oven is going to be used:

Wash out any edible chometz with a rag soaked in a household cleaner. If you suspect that there are any inaccessible crumbs or particles of chometz, then clean the oven with any of the regular oven-cleaners (e.g. Easy-Off). (After using the oven-cleaner, there is no need for further cleaning). Then heat the inside of the oven by turning the oven on the highest temperature for about one hour. (On electric ovens it should be determined whether the highest temperature is on "roasting" or "broil" ("Grill"). However, if a closed oven insert for baking and roasting is available, this would be preferable. In this case, only washing and cleaning are necessary. Do not use the chometz-dik oven racks for Pessach. If this is too difficult, then one can kasher the racks with the same procedure as for the oven. Chometz-dik baking and roasting pans should not be used for Pessach. In a case of extreme difficulty, where one can not obtain Pessach-dik pans, the procedure for kashering an oven (see (A) above) may be used on the pans if they have not been used for 24 hours. However, care must be taken to clean any chometz which may be embedded under the lip or rim, etc. If the oven is not going to be used: None of the above is necessary. Just make certain that there is no edible chometz inside, tape it closed well and see below #10.

10. **POTS, PANS, DISHES, & SILVERWARE (CUTLERY):** Whatever is not going to be used for Pessach should either be locked up, or put away and sealed in a manner which will remind you not to use them on Pessach. If there is a possibility of actual chometz in them, the chometz should be sold (See Gen. Note C.). If you do not sell chometz, then they should either be washed or soaked in a household cleaner; it is not necessary to scrub them. (Concerning Kashering utensils for Pessach consult a Rav.)

11. **FOOD PROCESSOR/MIXER:** A Rav should be consulted.

12. **DISH TOWELS:** If one does not have a Pesach'dik set of dish towels, then one's regular dish towels may be used if they are washed with detergent and no food remains attached to them. (It is customary to have a set of Pesach'dik dish towels).

13. **PESACH TABLECLOTHS:** These can be ironed with the same iron as is used during the rest of the year.

14. **CLOTHES, BLANKETS, POCKETS, ETC.:** If they have been washed in detergent or dry cleaned, then there is no need for them to be checked (see General Note E). Otherwise, they need to be cleaned and checked thoroughly by brushing or shaking them out well. However, if there is a possibility of crumbs between the stitches or in a hidden crevice which cannot be shaken out, then they must be wiped with a rag which has been soaked in a detergent. Clothes which will not be worn on Pessach do not have to be checked, but they should be put away and the chometz in them sold ( see General Note C. And Sec. 10 on Pots and Pans).

15. **SIDDURIM, BENCHERS, SEFORIM, & BOOKS:** If there is a chance that they contain chometz crumbs, then they should either be put away and sold with the other chometz utensils (See General Notes C.), or cleaned and checked well.

16. **TOYS:** If there is edible chometz, then it should either be removed, or rendered inedible (See General Notes E). There is no need to scrub them.

17. **TECHINA AND OTHER KITNIYUS:** May be used after the house has been cleaned for Pessach. They should not be cooked in utensils that will be used on Pessach, and certainly not on Pessach itself ( according to the Askenaz Minhag).

18. **CHECKING THE ROOMS:** If it is too difficult to check all the rooms on one night, then the work may be divided and done on other nights (according to all the Laws of Bedikas Chometz). No chometz should be left in any room that has been cleaned and checked properly. Since the brocha is not recited before the night of the 14th, therefore, at least one place that has chometz should be left unchecked. Then, the mitzvah of Bedikas Chometz can be performed with a brocha on the night of the 14th on that area. If the whole house has already been completely cleaned before the 14th, then the 10 pieces of chometz (according to the Minhag) should be hidden by somebody else so that proper bedikah can be made.

19. **FOOD THAT FALLS** onto a chair or onto the floor on Pessach should be washed off for hygienic reasons. The food does not become chometz even if the food is hot.

20. **LAST MINUTE PREPARATIONS:** For example, setting the table, etc., should be completed early enough in the day, so that you will be able to rest a little bit. Be ready to start the Seder immediately after Maariv, to ensure that the children won't fall asleep at the Seder.

21. **ENJOY PESACH!** Try to make the Pessach chores easy for yourself. Don't do unnecessary hard work. Don't do unnecessary cleaning. YOU can be like a Queen and you must enjoy Pessach.

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#### BASIC LAWS OF THE SEDER

##### INTRODUCTION

Some women have a habit of taking a bite of matzo, then running back and forth to the kitchen taking a few more bites in between. In this way, it takes them too long to eat the matzo, and they do not fulfill the mitzvah properly. The same is true about the wine, maror, korech, and afikomen. Therefore, do not leave the table until you have finished eating the required amount. Sit like a Queen! Relax and be calm while eating and drinking the matzo and wine within the time limit. The cooking can be checked after completing the mitzvahs. Remember..these are mitzvahs that can be done only once a year, so enjoy them and enjoy the whole Seder.

There are many laws about which there exist numerous opinions. It is beyond the scope of this pamphlet to encompass all of the opinions. Many people choose to be more stringent on various issues. Much can be written about each and every detail. The laws contained herein are the basic requirements to fulfill the Halachic obligations. If this is difficult, a Halachic authority should be consulted.

##### MATZOH AND MAROR

**SIZE:** The size of a kezayis is a measurement in volume equal to the volume of half an egg. There is a difference of opinion if our eggs are smaller than those at the time of the Talmud. According to the Chazon Ish zt'l the size of kezayis d'oraisa is 45-50 cc. And according to the Hagaon Harav A. Chaim No'eh zt'l it is 25.6-28.8 cc. According to the Mishna Brura for a Mitzvah d'Oraisa we should measure according to the larger shiur (size) and for a Mitzvah d'Rabbonon it is permissible to rely on the smaller shiur. It is very hard to give an exact standard shiur for the amount of hand matzo that one has to eat for a kezayis d'Oraisa and a kezayis d'Rabbonon; therefore a Rav should be consulted. However, one can rely on the fact that by breaking the matzo into small pieces and then filling up one's mouth with as much as possible (remaining relaxed) leaving minimal room for chewing afterwards, one will have eaten enough to fulfill one's obligation of the Mitzvah of eating Motzei Matzo.

It should be noted that:

Hand matzo should be used for Motzei Matzo, Korech, and afikomen. If this is impossible then a Rav should be consulted. Korech is a Mitzvah d'Rabbonon and

requires a kezayis of matzo and a kezayis of maror. Elderly people or those unable to meet these requirements should consult a Rav. Afikomen is a Mitzvah d'Rabbonon and requires a kezayis of matzo. It would be preferable to eat 2 kezaysim. TIME LIMIT:

If possible it is preferable to try and swallow one kezayis at one time. Otherwise, it is preferable that the kezayis for the Mitzvah d'Oraisa of Matzo should be eaten within two minutes, or at least four minutes. 5-6 minutes is acceptable by some Rabbinical authorities. Relax, chew well and then begin swallowing. The time limit starts from when you begin swallowing. Under very exceptional circumstances, 9 minutes is also acceptable. If one encounters difficulty, a small amount of water may be sipped while chewing. THE FOUR CUPS: WHAT TO DRINK:

Red wine is preferable. If one cannot drink wine he may use grape juice. Those allergic to wine and to grape juice may use a "Chamer Medina", for example tea and coffee. SIZE:

The cup used must contain at least a revi'is. To avoid drowsiness: use a cup that does not exceed a minimum shiur (size). (When the Seder falls out on Friday night, a larger shiur or revi'is should be used for the First Cup. One may drink a glass of water immediately after swallowing the wine. (The water should be on the table at the time that one says the brocha of Borei Pri Hagafenso that the water is included in the brocha on the wine. Preferably, one should drink the entire cup. If this is very difficult, then drinking most of the cup is sufficient. Under exceptional conditions, drinking most of the revi'is is acceptable, even if the cup is much larger than a revi'is. TIME LIMIT: Preferably, two swallows. If this is difficult then up to 4 minutes is acceptable. If necessary 5 or 6 minutes is also acceptable by some Poskim. HAGADAH: The proper time for starting the Seder is right after tzeis hakochovim. Upon arriving home from Maariv one should start the Seder promptly in order that the children should not fall asleep before eating the Matzo and Maror and the meal. Therefore, one should say the Hagadah as quickly as possible, and save the commentaries for later on.

LEANING: The mitzvah of "Hasaivah," is to give one a feeling of freedom; one must lean on the left side, however, one should not lean in an uncomfortable manner. The Minhag is that women do not lean.



From: RABBI YISSOCHER FRAND  
[ryfrand@torah.org] Subject: Rabbi Frand on  
Parshas Tzav  
"RavFrand" List - Rabbi Frand on Parshas Tzav  
Note: The next class will be Parshas Sh'mini --  
after Pesach.

The Torah Is Concerned With the Pride of the Poor

Just as the Torah is concerned lest Aharon the Kohen Gadol become haughty, so too the Torah is very meticulous regarding the pride of the Ani -- the less fortunate "poor" person. The Torah is worried that the impoverished individual should not become despondent and emotionally broken.

There is an interesting Gemara [Talmudic passage] in Bava Kama. The Gemara says that when the Jews would bring the bikkurim [first fruits] to Jerusalem to give to the Kohanim, the rich would bring their bikkurim in gold and silver baskets. The poor people, however, could not afford gold baskets. They would bring the first fruits of their meager crops in baskets of reeds.

The Gemara says that the Kohanim returned the gold and silver baskets to the wealthy people, but kept the reed baskets from the poor people.

The gemara says this is an application of the old rule (loosely translated from the Aramaic) that the rich get richer and the poor get poorer. It's ironic: the rich fellow gets his basket back, but the poor person loses his basket to the Kohanim!

Rav Aharon Backs explains that the reason for this paradox is as follows. The rich person has orchards full of fruit and brings large quantities of fruit to give to the Kohen. The poor person has a meager crop and probably has a very small quantity of bikkurim to offer. By keeping the fruit in the basket, at least the bikkurim look a little more substantial. The Torah says that we should have the Kohen keep the basket and let the Ani suffer further financial loss, in order to keep his pride intact.

This is an example of how far the Torah is willing to go to avoid shaming a person!

One time, a person asked me the following question. He wanted to raise money for Hachnasas Kallah [bridal expenses], for someone in the recipient's own home town. His question was as follows: If he told people for whom he was soliciting, there is no doubt he could raise a lot of money, because that person was a known and well-respected individual. If he would make an anonymous appeal for Hachnasas Kallah, however, then he could not expect to make much -- because such appeals occur several times each week. The question was, should he mention the name and raise more money or keep it anonymous and raise less money.

At that time, I asked the Rosh Yeshiva, Rav Yaakov Ruderman z"tl. The Rosh Yeshiva, without thinking a minute or batting an eyelash, said, "It should be anonymous, because a person's honor is worth a great deal." That is the lesson of the baskets. A person's self-respect is worth a lot. It is even worth losing money over. Money can always be replaced, but a person's honor and pride are much harder to replace.

Transcribed by David Twersky; Seattle, WA DavidATwersky@aol.com  
Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org  
This dvar Torah was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape #92, Selling Non-Kosher Foods. This dvar Torah was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape #92, Selling Non-Kosher Foods. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2004 by Rabbi Yissocher Frand and Torah.org. Join the Jewish Learning Revolution! Torah.org: The Judaism Site brings this and a host of other classes to you every week. Visit <http://torah.org> or email [learn@torah.org](mailto:learn@torah.org) to get your own free copy of this mailing Project Genesis - Torah.org is a recognized charity and depends upon your support. Please help us by visiting <http://torah.org/support/> for information on class dedications, memorials, annual giving and more. Need to change or stop your subscription? Please visit our subscription center, <http://torah.org/subscribe/> -- see the links on that page. Permission is granted to redistribute, but please give proper attribution and copyright to the author and Torah.org. Both the author and Torah.org reserve certain rights. Email [copyrights@torah.org](mailto:copyrights@torah.org) for full information. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. [learn@torah.org](mailto:learn@torah.org) 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

From: Shlomo Katz [skatz@torah.org] Sent: Wednesday, March 24, 2004 11:06 PM To: hamaayan@torah.org Subject: HaMaayan / The Torah Spring -Hagada 1

Edited by SHLOMO KATZ

Sponsored by Martin and Michelle Swartz on the 40th yearzeit of Martin's great-grandfather Alexander Kemeny a"h Abe and Shirley Sperling & William and Ruth Konick on the yearzeits of Tzvi Dov ben Avraham a"h (Harry Sperling) and Mindel bat Tzvi Dov a"h (Mildred Klessmer) The Katz Family in memory of Pinchas ben Laibish Deutscher a"h The Siragher family on the yearzeit of mother Shiena Rachel bat Yisroel a"h

From the Pesach Haggadah

"Originally our ancestors were idol worshipers, but now the Omnipresent has brought us near to His service . . ."

Many commentaries observe that this sentence fulfills our Sages' direction: "We begin with disgrace and conclude with praise." But whose praise? R' David Hanaggid z"l (1224-1300; grandson of Rambam) explains:

We begin with our own disgrace - "Originally our ancestors were idol worshipers" - and we conclude with praise of Hashem - that despite our lowly standing, He performed miracles for us and, in His kindness, took us out of Egypt.

R' David adds: There also is praise of Bnei Yisrael implied here - that despite their tribulations, they did not lose faith and did not assimilate among the Egyptians. Rather, they clung to that which their father Avraham had taught.

However, concludes R' David, this leads back to Hashem's praise, for it was He who chose Avraham from among all the other people of his generation, gave him Yitzchak, etc. (as the remainder of this paragraph in the Haggadah relates). (Midrash R' David Hanaggid: Haggadah Shel Pesach p.55)

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"Go and learn what Lavan the Aramean attempted to do to our father Yaakov! For Pharaoh decreed only against the males, while Lavan attempted to uproot everything." R' Shlomo Zalman Auerbach z"l (1910-1995) comments: Although the Torah never mentions explicitly that Lavan wanted to kill Yaakov, our Sages testify that such was his intention. And, just as the details of Lavan's plot against Yaakov remain hidden, so it has been throughout his story. We read in Hallel: "Praise Hashem, all nations . . . For His kindness has overwhelmed us . . ." Commentaries ask: Should the nations praise Hashem because His kindness has overwhelmed us? The answer that is commonly given is that only the nations can truly appreciate Hashem's kindness to us, because only they know how many times they have plotted against us and failed. (Haggadah Shel Pesach R' Shlomo Zalman Auerbach)

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"This is what stood by our fathers and us."

What is "This"? R' Yitzchak Yaakov Weiss z"l (1902-1989; "Dayan Weiss" of Manchester and Yerushalayim) explains that this statement refers to Hashem's words to Avraham quoted in the previous paragraph of the Haggadah: "Know that your offspring will be aliens in a land not their own . . ." It is the fact that we have always been aliens, keeping some distance from our host nations, that has maintained us in all of our exiles. (Haggadah Shel Pesach Minchat Yitzchak)

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"Dayenu"

Perhaps one of the most perplexing parts of the Haggadah is the song known as "Dayenu," in which we say that if G-d had taken us out of Egypt but had not judged the Egyptians, that would have been enough for us. Or, if He had judged the Egyptians, but had not destroyed their idols, that, too, would have been enough for us. Or, if He had destroyed their idols, but had not killed their firstborns, that, too, would have been enough. Or . . . What does this song mean?

R' Eliyahu Hakohen Ha'itamari z"l of Izmir explains that for each of the Divine gifts or miracles listed in this song, one could make an argument that G-d should have acted otherwise. Our praise of G-d is that He considered all these arguments and acted in the way that was best for us and for the glory of His Name.

For example, one could argue that if G-d had taken us out of Egypt but had not judged the Egyptians so harshly as to practically destroy them, His name would have been magnified even more because the Egyptians would live to remember, and to tell others, how He had humbled them. On the other hand, one could argue that they would not feel humbled in that event. Rather, they would say, "He won this battle, and we will win the next battle."

That is why G-d judged the Egyptians harshly. However, one could argue that if G-d had judged the Egyptians harshly but had not destroyed their idols, those idols would have served as constant reminders of G-d's power to anyone who saw them. On the other hand, some people would say that G-d was not strong enough to destroy the Egyptians' idols.

That is why G-d destroyed the Egyptians' idols. However, one could argue that if G-d had destroyed their idols, but had not killed their firstborns, then those firstborns would have had a special reason to tell others of G-d's greatness. It was customary at that time to devote one's firstborn to the service of the idol; with all the idols destroyed, the

Egyptian firstborn, who were no longer performing that service, would be a testament to G-d's power. On the other hand, Pharaoh was a firstborn; if the firstborns had not been smitten, people would say that it was Pharaoh's merit or power which saved him and those like him.

That is why G-d killed the firstborn. . . Minchat Eliyahu ch.32)

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Subject: HaMaayan / The Torah Spring - Parashat Tzav Hamaayan / The Torah Spring Edited by Shlomo Katz

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From the Pesach Haggadah

"This year, we are here; next year may we be in Eretz Yisrael! This year, we are slaves, next year may we be free men!"

R' Yehoshua Heschel of Cracow z"l (known as "the rebbe, Reb Heschel"; died 1663) notes that the above statements appear to be redundant. He explains:

We have a tradition that the enslavement in Egypt ceased six months before the actual Exodus. Presumably, says Reb Heschel, the same will be true when the Complete Redemption arrives. Six months before mashiach arrives we will notice a marked improvement in the Jewish People's condition. [In the discussion below, we will refer to the Complete Redemption as "Step 2" and the lightening of the burden of exile that will take place six months beforehand as "Step 1."]

There is a dispute in the Gemara whether the Complete Redemption will take place in the month of Nisan (the opinion of the sage Rabbi Yehoshua) or the month of Tishrei (the opinion of the sage Rabbi Eliezer). Our passage from Haggadah refers to both of those views. [For greater clarity, we will explain the second sentence first.] According to Rabbi Eliezer, it is not likely that we will be in Eretz Yisrael next year, for if the Complete Redemption (Step 2) were destined to occur in this coming Tishrei, we would already have seen signs of Step 1 now, six months before. If we have not seen those signs, then the most we can hope for is that Step 1 will occur by next Pesach, and Step 2 will occur six months afterward, in the second Tishrei from now. Hence, "This year, we are slaves, next year may we be free men [i.e., by next Pesach, Step 1 will occur]."

According to Rabbi Yehoshua, the Complete Redemption (Step 2) could indeed happen by next Pesach. Perhaps Step 1 will indeed occur by next Tishrei, six months before Pesach. Therefore, "This year, we are here; next year may we be in Eretz Yisrael [i.e., even Step 2 may occur by next Pesach]." (Chanukat Ha'Torah)

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In many homes, the Seder begins with the poem "Kadaish U'rechatz." Numerous commentators have found homiletical meaning in this poem, aside from its obvious purpose of reminding us how to conduct the Seder. R' Yehoshua Segal Deutsch z"l (mid-20th century rabbi of Yerushalayim's Katamon neighborhood) offers the following:

King David asks (Tehilim 24:3): "Who will climb Hashem's mountain, and who can stand in His holy place?" This poem tells us how one can stand before Hashem and not worry about falling: "Kadaish u'rechatz" / "Sanctify yourself and be confident!" ("Rechatz" in Aramaic means "be confident.")

How does one accomplish this? "Karpas yachatzt" / Man's material nature (which, like karpas, comes from the earth) cannot be reined in overnight. Indeed, according to one commentator, Bnei Yisrael's defense for the sin of the Golden Calf was that Matan Torah / the giving of the Torah had been too sudden for them, and left them confused and disoriented. Rather, divide ("Yachatzt") and conquer.

Another tactic is "Maggid rochtzah" / Tell others to cleanse themselves. This will inspire you to do the same.

One might ask, however, "Who am I to rebuke others?" The answer to this is "Motzi matzah" / Get rid of that humility, that view of oneself as being lowly as matzah. As important as humility is, there is no place for it when one sees others violating the Torah. But do not become arrogant

or haughty. Rather, "Maror koraich" / - Wrap yourself in a cloak of authority (= "marah") which you can use when rebuking others, but can shed at other times.

In order to be an effective teacher, "Shulchan oraich" / Make sure your Torah knowledge is like a set table before you so that it will always be at your fingertips. Also, make sure that your rebuke does not become a weapon of the Heavenly prosecutor. Make sure that "Tzafun baraich" / Hidden ("Tzafun") within your heart should be blessings for your fellow Jews. You should also "Hallel" / Praise your brethren before Hashem.

If you do this, your deeds will be "Nirtzah" / Accepted by Hashem. (Haggadah Shel Pesach Kol Yeshuah)

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Pesach Toafos Harim - Mesores Avos Lechag Hapesach

RABBI DR. YECHIEL MICHAEL KOSSOWSKY

Selections translated from the Pesach chapter of Sefer Toafos Harim

Vehaya ki yomru alechem beneychem, ma haavodah hazos lachem - The Mechilta states: "Evil tidings were given to the people of Israel at that moment, and some say good tidings were given to them, that they were destined to give birth to children and children's children".

People ask: If the children and children's children are wicked, how can this be good news? The answer is: One of the main reasons for the wicked son's rebellion is the notion entertained by each and every generation's rebels that they know more than their parents. In their opinion the deeds of the parents are not good or right. They "know better". That is why he forsakes the way and the teachings of his parents and seeks a new path in life. That is the bad news. However, when his son after him asks his own father the same question, and decides that his father's wicked ways are wrong, and he rebels against them, saying, Ma haavoda hazos lachem, then he is often actually returning to the ways of grandparents, and that is good news. So both are true; the question can bring us bad news and good news at the same time...

Vayehi bihiyos Yehoshua Biyericho.... ata basi: Haftorah; See Rashi and Malbim who explain that Joshua knew that this was a prophetic vision, and his question was, "What is the meaning of this vision?" Halanu, "Did you come to help us or Letzarenu, did you come to help our enemies?" And the angel answered, Ata basi, I have come about the issue of "Now" (Tal. Megila 3). I am not speaking of the future, of the outcome of the struggle, but about your own conduct at this very moment. "Last night you overlooked the regular daily evening offering and today you have overlooked the study of Torah". The importance of the prophecy was that at a time of war and siege it might seem there are more important concerns that the study of Torah and the daily service. So the angel appeared to warn Joshua that Torah and Tefila are the primary concern of every Jew no matter what the circumstances and time. So important to the Jewish people and its survival are the Beth Midrash and the Synagogue.

Atzamos yeveshos: In the prophecy of Yehezkel's "dry bones" we perceive three categories: first, bones sere and dry with no moisture

whatsoever; then bodies with flesh and sinews, but not living; and finally a living camp. Those who say avda tikvasenu... reflect those Jews who have lost all hope of Jewish survival and have despaired about the future of the people and the land of Israel. Higher than them are those who have made aliya to Israel, who build and defend it. Yet they lack a spiritual essence; they are bodies, flesh and sinews, but they do not have the spirit of life - of eternal life. The House of Israel cannot look to them for its survival into the far future. The house of Israel will ultimately be built from the great and vital living camp that has the spirit of G-d calling from its voice, and glories in the name of G-d....

Shechora ani venava... shehora ani bemaasay venava bemaase avosay (Midrash Rabbah). The song of Songs, a dialogue between Israel and their beloved in Heaven, here speaks of a generation which has strayed and which regrets its transgressions, remembering with longing the deeds of their parents who taught and trained them to walk in the way of truth. Despite their sins, the teaching of their parents struck deep roots and many beautiful flowers still blossom because of it. Keahaley Kedar... which are ugly and dark outside, but inside are full of treasures, so that previous generation which had a traditional upbringing in a warm Jewish atmosphere still retain some fine Jewish traits because of it. The generation that is missing and is intermarrying at such a catastrophic rate did not have such an influence. Restoring that missing inner spirit in the hearts of the next generation will only happen through chinuch, not only in the school, but through the creation of a spiritually rich, warm Jewish environment....

(Transcribed in the Pesach section) Velo yeraeh es peney HaShem reykam, ish kemas yado ... (Torah reading for the last day of Pesach). The Mechilta comments on the passage, velo yerau es panay reykam Ma simcha haamura leadam berauy lo, af reiyah haamura lagavoha barauy lo (according to the version of the text as amended by the Gaon of Vilna). A man comes before G-d on this holiday in the wrong mood. We come with our hands open to receive. We want G-d to bless us with all manner of blessing, joy, success, health, etc. We want a great deal. What are we ready to give in return? Lo yaraeh es panay reykam! Do not come with empty hands! What kind of gifts can we give the Almighty? A thought about Teshuva... a resolve to live a life where there is more Torah and sincerity in fulfilling mitzvos.... If you want G-d to grant you gifts barauy lecha, suitable for you, then you must give Him barauy lo, as far as you are able to do so. There are no free gifts here! The Almighty doesn't require a complete personality revolution, but a movement, a new step in His direction, Shuva eylav vaashuvaaleychem (Malachi 3). Ish kemas yado, and according to the value of your gift shall the blessing come from the Almighty, Kebirchas hashem elokecha asher nasan lach. As we leave the presence of the holy forbears we have joined at Yizkor, we must see that we are worthy of taking something with us, and not to go out of G-d's presence Reykam.

The Author: Rabbi Dr. Yechiel Michael Kossowsky of blessed memory was Rav of the Beth Midrash Hagadol in Johannesburg until his death in 1965. His daughter, Mrs. Rywka Shulman teaches Tanach in Stern College and his son-in law, Rabbi Dr. Nisson Shulman, is Director of the Gertrude and Morris Bienenfeld Department of Rabbinic Services of MSDCS, RIETS. His son is Rabbi Zalman Kossowsky (AA) of Zurich. The above Passover thought capsules are translated from his book, Toafos Harim, published posthumously by his widow, Rebbetzin Chiena Kossowsky, Aleha HaShalom.

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From: Rabbi Yehudah Prero [prero@torah.org] Sent: Apr. 01, 2004 To: yomtov@torah.org Subject: Yom Tov - The Questioning Defense YomTov, vol. X, #2 Week of Parshas Tzav Topic: The Questioning Defense In Sefer Yechezkel (46:9), we find the following instructions on how the nation of Israel was to approach the Bais HaMikdash, the Holy Temple: "But when the people of the land shall come before Hashem on the holidays, he who enters in by the way of the north gate to bow down shall go out by the way of the south gate;

and he who enters by the way of the south gate shall go out by the way of the north gate; he shall not return by the way of the gate by which he came in, but shall go out straight ahead."

Rav Yaakov Emden explains why these instructions were needed. Hashem did not want the people to see any given gate twice on a visit to the Bais HaMikdash. If a person would enter and exit from the same place, that person might become too familiar with his surroundings. He might start acting in the Bais HaMikdash like he does in his own home. Clearly, the Bais HaMikdash, as the holiest location known to us on earth, deserves a level of reverence and respect far above and beyond that displayed when one is in his own home. Yet, if the person became too accustomed to the Bais HaMikdash, too comfortable in those environs, he may come to disrespect the Holy Temple. To ensure that this would not happen, Hashem desired that people exit and enter the Bais Hamikdash from different places, so that the people would be constantly reminded of where they were, and act accordingly.

Rav Chaim Shmuelevitz writes that greatest enemy to feelings of holiness is familiarity. The dangers of familiarity manifest themselves in different ways. On one hand, at a time when a person strives to accomplish more, when a person is close to reaching new heights, familiarity comes along and extinguishes that burning fire. A person becomes accustomed to a certain situation, to a certain status. He is comfortable with that status. He feels good in that position. Change is perceived as something that can cause discomfort, and discomfort is to be avoided. On the other hand, people may recognize the inherent holiness of a certain situation. They may recognize the value of acting in a certain way. However, because they spend so much time in that situation, or they act that way with great frequency, the uniqueness fades and the entire value diminishes, leading to a backsliding in spiritual stature. Familiarity causes people to not only be complacent, but to regress as well.

On Pesach, we have a mitzvah to tell over the chain of events culminating with our exodus from Mitzrayim. We tell over this story using questions and answers, to the degree that even if a person has no children who can ask questions, that individual should do both the asking and the answering himself. Why is there such a stress on using this method? Rav Shmuelevitz writes that the commandment to tell the story is to tell the story as if it was the first time we were telling it. We should be relating all the events as if the one listening had never heard the story before. Obviously, this is extremely difficult - We are all familiar with the storyline, the listeners usually are as well, and this is especially true if the same person is doing all the talking!

The reason why we do not merely tell over the story, but we do so using questions and answers, is to make the story a little different each time. Yes, we all know the story. We are familiar with it. It may not appear to be so special to us any more. That dangerous state of familiarity has crept in and made what could be a tremendously uplifting experience into just another lengthy holiday meal. In order to counteract that familiarity, we ask questions and provide answers. We provoke conversation and thought. We stimulate our audience and ourselves by engaging in a string of questions that should inspire us to delve deeply into this story that we all know so well. By inviting this spirit of freshness and originality into the narrative of the Seder evening, we eliminate the dangers posed by familiarity and we enable ourselves to properly fulfill our obligation to tell over the story of our departure from Egypt.

The holiday of Pesach is indeed special. The Seder is akin to a birthday party of sorts, when we celebrate the birth of our nation, the nation of Israel. We have the ability to infuse this party with a degree of holiness. However, this holiness can only be achieved if we appreciate what the party is all about. Our Sages gave us a mechanism to enable us to reach this degree of appreciation. It's called a question. And it's up to us to provide the answers.

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From: Kol Torah [[koltorah@koltorah.org](mailto:koltorah@koltorah.org)] Subject: Kol Torah Parshat Vayikra Mechirat Chametz: The Art of the Deal:

Celebrating Thirteen Years of Kol Torah KOL TORAH A Student Publication of the Torah Academy of Bergen County Parshat Vayikra 5 Nissan 5764

[Part I MECHIRAT CHAMETZ: The Source of the Deal is at <http://www.teaneckshuls.org/parsha/Shmos/VayakhelePekudei64.doc> But the second paragraph didn't come out. So I'm reproducing it here.]

MECHIRAT CHAMETZ: THE SOURCE OF THE DEAL  
BY RABBI CHAIM JACHTER

A standard component of our Pesach preparation is the sale of Chametz to a non-Jew. We appoint our Rabbi as our agent to sell the Chametz year after year, and it would seem to a casual observer that this procedure is as ancient as the eating of Matzah and Maror. The manner in which we currently perform Mechirat Chametz, though, is a relatively recent phenomenon. In the time of the Mishna, if a Jew could not finish consuming his Chametz before Pesach, one of his options was to sell his remaining Chametz to a non-Jew (see Pesachim 21a). This Mishna, however, refers to a permanent sale of the Chametz to a non-Jew.

The Tosefta The Tosefta (Pesachim 2:6), though, speaks of a different type of arrangement between a Jew and non-Jew regarding a sale of Chametz. The Tosefta records, "if a Jew and a non-Jew are traveling together on a ship, and the Jew owns Chametz (and Pesach is approaching, and he must dispose of the Chametz), the Jew may sell his Chametz to a non-Jew, and the Jew can accept the Chametz back from the non-Jew as a gift after Pesach." The Aruch Hashulchan (Orach Chaim 448:16), concludes from this Tosefta, "accordingly our practice to sell Chametz to a non-Jew [every year and repurchase it after Pesach] has a sound Talmudic basis."

However, not all the Rishonim would agree with the Aruch Hashulchan's conclusion. Some Rishonim believe that the correct text to this passage from the Tosefta includes the following appendage, "this procedure is permissible provided that it is a genuine sale and not a mere legal fiction." The Ritva (Pesachim 21a) explains this to mean "that if every year a Jew sells his Chametz to a non-Jew and repurchases it after Pesach, we penalize the Jew by declaring the Chametz that was "sold" to be Assur B'Hana'ah, forbidden for any Jew to derive benefit from." See the Tosefta Kifshuta, for a citation of a number of Geonim and Rishonim who agree with this assertion.

The Shulchan Aruch Nevertheless, many Rishonim disagree with this assertion of the Ritva and the Ritva's explanation is not accepted as normative. The Shulchan Aruch (Orach Chaim 448:3) cites this Tosefta, does not record the words that appears in the Ritva's version of the Tosefta and does not quote the Ritva's assertion that it is forbidden to routinely sell Chametz to a non-Jew every year. The Shulchan Aruch does, however, write that "the Jew must give the Chametz to the non-Jew with full intention to transfer title of the Chametz to the non-Jew". Accordingly, we must regard the sale of Chametz as a legitimate sale and not a Halachic trick. The Kitzur Shulchan Aruch (114:1) writes, "the matter of Mechirat Chametz should not be merely a routine habit, rather one should seriously intend to sell the Chametz to a non-Jew in a fully valid sale. The matter should not be regarded as a mere joke, but rather as a conventional business deal".

Rav Kenneth Auman's (of the Young Israel of Flatbush) practice of selling his community's Chametz to a non-Jewish accountant, and Rav Mordechai Willig's (of Riverdale) practice of selling Chametz to a non-Jewish real estate agent serve to develop a proper attitude to Mechirat Chametz. These two Rabbis make sure that the non-Jews to whom they choose to sell the Chametz are people who have a sophisticated understanding of how business and sales are conducted, so that the Jewish sellers understand that a legitimate sale is being conducted (we should note that this is not the common practice and the sale is valid even if the purchaser is the janitor of the Shul, based on the Gilyon Maharsha that we shall cite later). Rav Yosef Eliyahu Henkin (Kitvei HaRav Henkin 2:41) writes that placing the Chametz in a specially designated area that one does not enter at all during Pesach serves to strengthen the seriousness of the sale in the eyes of the seller. Rav Henkin adds (ibid p. 39) that it is best for the Mechirat Chametz to be conducted in a manner that is valid by civil law standards. We should note, though, that the question of the necessity of Mechirat Chametz being valid by civil law standards is a matter that is discussed at length, see Teshuvot Chatam Sofer O.C. 113, Teshuvot Divrei Chaim 2:37, Teshuvot Shaarei Dei'ah 1:5, and Rav Shlomo Yosef Zevin, L'or HaHalacha pp.120-122. We need not be concerned that the non-Jew is not serious about the sale, see the Gilyon Maharsha Yoreh Deah 320:6 s.v. M'shicha, that when the seller is serious about the sale, we are not concerned that the purchaser does not take the sale seriously.

The Development of the Current Practice

Although the Tosefta serves as a source for our sale of Chametz, there are two significant differences between the sale of Chametz described in the Tosefta and our practice today. The first difference is that in the Tosefta's case the

Chametz is removed from the Jew's home and given to the non-Jew. Today, of course, the non-Jew is given title to the Chametz, but the actual Chametz remains on the premises of the Jewish seller. Second, the Tosefta involved an individual Jew selling to a non-Jew. Today, the community Rabbi sells the Chametz on behalf of everyone in the community. These two practices have developed over the past for five centuries.

The great sixteenth century authority Rav Yoel Sirkes, known as the Bach (O.C. 448), records that in his time it was necessary that the Chametz remain in the Jew's home even after the sale of that Chametz to the non-Jew. He writes, "in this country, since the main business is selling liquor (mostly because it was one of the few businesses the Polish authorities permitted Jews to engage in) and it is impossible to remove all the liquor and equipment from the premises of the Jew; it is permitted for the non-Jew to acquire the Chametz, and the Chametz may remain on the premises of the Jew." He describes the manner in which a non-Jew takes title to the Chametz without actually bringing the Chametz into his premises. The Bach also emphasizes that the sale should be conducted seriously and not merely as a trick to avoid violating the prohibition of owning Chametz. He stresses that the non-Jewish purchasers should also understand that it is genuine sale, and not "Halachic fiction".

Rav Shlomo Yosef Zevin (see his essay on this topic in HaMoadim B'Halacha along with the writings of Rav Gedalia Felder on this topic, Yesodei Yeshurun 6:241-331) estimates that this practice continued for about 250 years. The sales were conducted by individuals and not by the community Rabbis. The great Rabbis of these generations such as the Noda BiYehuda and the Baal HaTanya composed documents to be used for these individual sales. Copies of these documents are printed at the end of the contemporary work Mechirat Chametz K'Hilchata.

However, problems arose with these sales since many of these transactions were executed by individuals who were not experts in halacha. The mistakes that were commonly made were the seller's forgetting to sign the Shtar Mechira (bill of sale), selling Chametz on Erev Pesach after the time it is forbidden to benefit from Chametz, and forgetting to sell the places upon which the Chametz was placed. Therefore, starting from the early 19th century, the sale of the Chametz by the Rabbi, on behalf of everyone in the community, gradually became the standard practice. Having the sale conducted by a Halachic expert greatly reduced the occurrence of errors, and thus our practice emerged in which everyone in the community appoints his Rabbi as his agent to sell the Chametz on his behalf. Some Rabbis today use a power of attorney form printed in English to emphasize the seriousness of both the appointment of the rabbi as an agent and the actual sale of the Chametz.

The change to a communal sale did not escape criticism from some of the great authorities of the nineteenth century. The great Rav Yosef Shaul Natanson (Teshuvot Sho'eil U'Meishiv 2:2:77) objected to this communal method of the sale of Chametz. It appeared to him not to be genuine sale, rather a clear subterfuge of the Halacha (Ha'arama). Nevertheless, Rav Zevin notes that by the end of the nineteenth century the communal sale had become the norm (Rav Zevin outlines the locations and times of the epicenters of this controversy and the places where this change was received without dispute). Indeed, the Aruch HaShulchan (O.C. 448:27), writing at the turn of the twentieth century, notes that the practice has been for quite a number of generations for communities to appoint their rabbi to sell Chametz. In fact, the Chatam Sofer (Teshuvot O.C. 113) writes that "the sale is effective and one who casts doubts on its validity should be castigated". Moreover, Rav Yosef Adler relates that he heard Rav Yosef Dov Soloveitchik tell about his visit to Brisk before Pesach one year when he attended the Mechirat Chametz that was conducted by the famed Dayan of Brisk, Rav Simcha Zelig Riegeur. One individual, recalls the Rav, began to ridicule the sale of Chametz, whereupon Rav Simcha Zelig threw the individual out the room. When the Rav related the incident to his grandfather Rav Chaim Soloveitchik (who served as the Rav of the town), Rav Chaim applauded Rav Simcha Zelig's actions. Rav Chaim asserted that just as Rabbeinu Tam issued a ban on anyone who casts frivolous doubts on the validity of an executed Get (see Shulchan Aruch Even Haezer 154:22), so too it is forbidden to ridicule the accepted practices of Am Yisrael. Selling Actual Chametz

However, some authorities continue to maintain that it is preferable not to sell actual Chametz and to include only mixtures of Chametz (in which Chametz is not a majority of the contents of the particular item). The Vilna Gaon (cited in Maaseh Rav 180) felt that one should sell actual Chametz, unless he does not intend to repurchase it from the non-Jew. Rav Aharon Kotler (cited by Rav Shimon Eider, Halachos of Pesach p. 123) followed this view.

Rav Hershel Schachter (Nefesh HaRav p.177) writes that Rav Yosef Dov Soloveitchik essentially agreed with the opinion that actual Chametz should

not be included in the sale. If less than half of the food consists of Chametz (Ta'aroret Chametz) then the Rav agreed that it might be sold to a non-Jew. In this case, the Rav felt that it would be appropriate to rely on the opinion of Rabbeinu Tam (cited in Tosafot Pesachim 42a s.v. V'eilu) that it is only Rabbinically forbidden to possess Ta'aroret Chametz on Pesach. Hence, since Ta'aroret Chametz is only Rabbinically forbidden, it would be permitted to engage in a Ha'arama (a "Halachic trick"), based on the Gemara in Shabbat (139b), which teaches that we tolerate a Ha'arama when dealing with matters that are only rabbinic law. However, since we are forbidden by the Torah to own actual Chametz, it would be forbidden to employ a Ha'aramah such as the sale of actual Chametz to a non-Jew, to avoid a Torah prohibition. Rav Schachter writes that the Rav stated this point repeatedly to both his students at Yeshiva University and in the Shiurim he delivered to the general public. The Rav did not feel that this was a stringency that should be limited to the very learned and the very pious.

Rav Yosef Eliyahu Henkin ( ), takes a somewhat similar approach. He writes that it is appropriate for a pious Jew to try not to include "actual Chametz" in the sale of Chametz. However, in case of significant monetary loss, Rav Henkin writes, one may rely on the accepted practice to sell even actual Chametz to a non-Jew. Rav Moshe Feinstein (cited by Rav Shimon Eider, Halachos of Pesach page 123) believes that even actual Chametz may be included in the sale. This also appears to be the opinion of the Mishna Brura and Aruch Hashulchan, as they do not discourage the inclusion of actual Chametz in the sale to the non-Jew. Rav Eider notes that the commonly accepted practice reflects the view of Rav Moshe.

Since the prevalent practice is to follow this opinion of Rav Moshe Feinstein, it is appropriate to point out a possible basis for the common practice. It is possible that the sale of Chametz should not be regarded as a Halachic trick or "Ha'aramah". Rather, it is a fully legitimate way of avoiding violating the prohibition to own Chametz. In fact, Rav Hershel Schachter once argued that according to Tosafot (Pesachim 4b s. v. Mi'd'oraita), Bittul Chametz (nullification of Chametz) functions with essentially the same Halachic mechanism as the sale of Chametz. Unlike Rashi (ad. loc. s.v. B'vital), who believes that Bittul Chametz constitutes a fulfillment of the mitzvah to destroy Chametz ("Tashbitu"), Tosafot believe that Bittul Chametz merely sidesteps the prohibition of owning Chametz by declaring the Chametz ownerless. One could argue that the sale of Chametz similarly avoids the prohibition to own Chametz by selling the Chametz to a non-Jew.

Furthermore, the fact that the Tosefta and Shulchan Aruch sanction the sale of Chametz without stating that it should be limited only to mixtures of Chametz seems to strongly support the view of Rav Feinstein and the common practice. Moreover, the original practice of Mechirat Chametz that was initiated by the Bach was intended for the sale of alcohol, which is Chametz B'ein (actual Chametz) according to the ruling of the Mishna Brura (442:4). We should note, though, that there is some controversy about this point, as some Acharonim (cited in the Shaarei Teshuva 442:3, Bi'ur Halacha 489:10 s.v. Af, and Aruch Hashulchan Yoreh Deah 293:18) argue that alcohol is "mere sweat" (Zei'ah B'alma", see Brachot 38a and Tosafot ad. loc. s.v. Hai) and thus does not constitute Chametz B'ein (also see Shaarei Teshuva 448:8 for another possible lenient approach to justify the sale of liquor). Nevertheless, since the issue of what items are permitted to be included in the sale is debated by the great contemporary Halachic authorities, one should consult his Rav for Halachic guidelines regarding what opinion to adopt in practice.

We should note that there are quite a number of areas in Halacha where Chazal tolerate (and sometimes encourage) a sale to avoid certain prohibitions (see the list in Rav Zevin's L' or HaHalacha p.112). Indeed the sale of Chametz is modeled to a great extent on the sale to a non-Jew of a portion of an animal that is about to give birth for the first time, in order to avoid the restrictions of B'chor B'heima. See Shulchan Aruch Y.D. 320:6 and its commentaries for a full discussion of this sale and see Techumin (20:88) for a copy of the document that Israeli farmers currently employ in this context today. Next week we shall continue in our discussion of the details regarding Mechirat Chametz.

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[sorry for the Hebrew that didn't come out.]

Mechirat Chametz - The Art of the Deal Part II  
by Rabbi Chaim Jachter

Last week we discussed the Halachic basis for the sale of Chametz and what can be sold. This week we will discuss how the appointment of the Rabbi to sell the Chametz and the sale of Chametz to a non-Jew is conducted.

Appointing the Rabbi As An Agent. We mentioned last week that the accepted practice for at least the past hundred years has been to appoint the Rabbi

as an agent to sell the Chametz on one's behalf. Although simply telling the Rabbi "I appoint you as my agent to sell my Chametz to a non-Jew" is sufficient, the practice is to demonstrate our seriousness of intent of our appointment of the rabbi as our agent by two acts. Firstly, we fill out a form (a Shtar Harshaah), which states that we are appointing the rabbi as our agent to sell the Chametz. Second, we engage in what is called a "kinyan sudar" (literally, an acquisition done by a cloth) with the Rabbi. This involves the Rabbi giving a garment or "utensil" (usually a handkerchief or pen) to the individual appointing the Rabbi and that individual lifting the garment or utensil. This procedure is not halachically necessary (or effective, since it is a Kinyan D'varim, an intangible agreement), but, as the Rambam (Hilchot M'chira 5:14) notes, it is accepted practice to conduct a "kinyan sudar" to express seriousness of intent, when appointing an agent. However, since simply stating "I appoint you as my agent" is essentially sufficient, Rav Moshe Feinstein rules (cited by Rav Shimon Eider, Halachos of Pesach, p.122) that an appointment by telephone can be done in a situation of great need. If one has access to a fax machine, one can fax the Rabbi the authorization form in this case. When appointing the Rabbi as agent on the phone, one can say "B'lav Shalem Amarti V'gamarti La'asot Davar Zeh", "I have wholeheartedly resolved to carry out this matter" as an alternative to the Kinyan Sudar (see Shulchan Aruch, Even HaEzer 141:26 - this is the practice in Rabbinic courts when appointing an agent to deliver a Get).

Some Rabbis require that each individual who wishes to sell Chametz to fill out a separate authorization form. Others simply request that each individual add his name and address to the list of people in the community who are authorizing the Rabbi to make the sale. The advantage of filling out individual forms is that each individual can list the types of Chametz they wish to sell, the location of the Chametz in the home, and the approximate value of the Chametz. This fulfills the requirement of the Aruch Hashulchan (Orach Chaim 448:27) that each seller should specify the types of Chametz he is selling. By describing the Chametz and its value the seller demonstrates his seriousness of intent (G'mirut Da'at). Rav Moshe Feinstein (Teshuvot Igrot Moshe O.C. 1:150) defends those who do not list the types of Chametz that is being sold. He writes that if only an individual or a few people are selling Chametz, then the seller must specify what they are including in the sale. Otherwise, the non-Jew does not know what he is buying, and it is difficult to regard this as a legitimate sale. However, if a community is selling Chametz to a non-Jew, then he understands that he is purchasing all types of Chametz. Hence it is implicitly understood that he is purchasing a wide range of products and does not require a specified list of what he is acquiring.

**The Sale of Chametz to the Non-Jew** Both the Mishna Berura (448:19) and Aruch Hashulchan (O.C. 448:28) describes our practice of performing many Kinyanim (acts which are Halachic demonstrations of the transfer of the title from one individual to another) to effect the sale of Chametz to the non-Jew. These include Kinyan Kesef (money), Kinyan Shtar (contract), Kinyan Agav (acquiring movable property as an adjunct to acquiring real estate), Kinyan Chatzeir (acquiring any movable property that is found in one's real property), and Kinyan Suddar. We perform all of these Kinyanim, because halachic authorities disagree regarding which of these Kinyanim are effective with a non-Jew. In addition Mechirat Chametz must be valid on a (biblical) level according to many authorities (see the Shulchan Aruch HaRav's Seder Mechirat Chametz; but see B'chor Shor to Pesachim 21a and the M'kor Chaim who disagree though) who argue that since the Jew intends to repurchase the Chametz after Pesach, the Chametz he sells to a non-Jew is not included in the Bittul Chametz (Nullification of Chametz procedure). Therefore, the Kinyan that is used to effect the sale must be effective on a Torah level. Halachic authorities disagree about various Kinyanim whether they are effective on a Torah level or only a Rabbinic level. Because of the disagreements regarding these two issues, we perform many Kinyanim in order to accommodate as many opinions as possible.

**Kinyan Kesef = (Money)** When M'talt'lin (moveable items) are purchased in a conventional situation, money is given by the purchaser to the seller and the purchaser takes the object from the seller. The Mishna in Kiddushin 26a states that one takes title to M'talt'lin by taking the object (M'shichah). Rav Yochanan and Reish Lakish (Bava Metzia 46b) disagree whether this rule is of biblical or rabbinic origin. Rav Yochanan argues that Biblically, giving money is what establishes title, but the Rabbis instituted that one does not acquire the item until M'shichah is performed. Reish Lakish asserts that Meshicha is sufficient both on a Biblical and Rabbinic Level. The Gemara in B'chorot. points out that whatever Kinyan is effective on a Biblical level between two Jews, the opposite Kinyan is effective for a transaction between a Jew and a non-Jew. Thus according to Rav Yochanan since on a Torah level, (giving money) is the Kinyan for a sale between a Jew and another Jew, M'shichah is the Kinyan for a sale between a Jew and a non-Jew. According to Reish Lakish since M'shichah is the Kinyan on a Torah level for a

sale between a Jew and another Jew, then money is the Kinyan for a sale between a Jew and a non-Jew. Rabbeinu Tam and most Rishonim rule in accordance with Rav Yochanan that M'shichah is the Kinyan when purchasing M'tat'lin from a non-Jew. This ruling is in harmony with the general principle that the Halacha follows Rav Yochanan in a dispute between Rav Yochanan and Reish Lakish. Rashi is the most prominent of the minority of Rishonim who rule in accordance with Reish Lakish. They believe that money is the Kinyan for a sale between a Jew and a non-Jew (see Rashi and Tosafot to B'chorot 3b). If the actual Chametz would be transferred to the non-Jew, then we require both M'shichah and money to accommodate the opinion of both Rashi and Tosafot (see Rosh to Bechorot 1:2 and Rama Yorah Deah 320:6 and Shach Y.D. 320:8). However, since the non-Jew does not take physical possession of the Chametz he purchases, he does not perform M'shichah. We perform the Kinyan of money but this only satisfies the minority opinion led by Rashi (also see 39+ %:-0 (&:0 /:5) 87\$:\*). Therefore, we must perform a Kinyan besides money.

**2. Kinyan Agav** Another 81\*0 that is performed during the sale of Chametz is Kinyan Agav. The Mishna in Kiddushin (&.) articulates how !#" works -1,2\* :!#0 -%. !(9\*&; 181\*0 3. 1,2\* .:~. -%. !(9\*&; ",24 &":)9 &"(8%, "Movable property (/)-)\*0, such as Chametz) can be acquired 'along with' (!#) real estate (8983)." 81\*0 !#" can be accomplished by the same means as acquiring land - money (24), a document (:):9, which spells out that the sale of land), or (8% (making physical improvement to the land). Rashi on the Mishna explains how 81\*0 !#" works "if /)-)\*0 are sold with 8983, once the purchaser makes a 81\*0 on the 8983 he acquires the /)-)\*0 along with the 8983. In our case, that non-Jew would give money to rent the shelves on which the Chametz is located (shelves are 8983, because they are attached to the house) and would acquire the Chametz !#" the shelves.

The Shulchan Aruch (\*&9% \$3% :.;&) and the Taz (\*&9% \$3% :.;) rule that the 81\*\*1\*. of ,24 and !#" can accomplish a transfer of title from a Jew to a non-Jew. However, not all authorities agree. The Ketzot ((&:0 /:5) 87\$:#) cites Tosafot (!!" /:5) !!" who assert that 81\*0 !#" is merely of Rabbinic origin and is not effective on a Biblical level. As mentioned previously, many authorities believe that the sale of Chametz must be valid on a Biblical level. In addition, the ;&/\* (8,":\*) believes that 81\*0 !#" works only in a transaction between Jews and not between a Jew and non-Jew. Although there are authorities who defend the use of 81\*0 !#" for Mechirat Chametz (see :\$\* (/ \$/39.; (/6 &/7% ):~) we do not rely on 81\*0 !#" alone and even when it is coupled with 81\*0 ,24. Kinyan Sudar - 81\*0 (-\*5\*0 Some authorities suggest the use of 81\*0 2&\$9 (as explained previously) as a 81\*0 to transfer title to the non-Jew. In fact, the great Rav Yechezkel Landau writes in the \$&~- /9""% (:~0 39&+ :/(:#) that he believes that the best option of all the of all the 81\*\*1\*. to use for the sale of Chametz is 81\*0 2&\$9. Tosafot (8\*\$&:\*0 #. \$% &!%) rule that 81\*0 2&\$9 is effective between a Jew and a non-Jew. In fact, Tosafot record that Rabbeinu Tam used 81\*0 2&\$9 to effect a transaction with a non-Jew (Rabbeinu Tam was also a highly successful businessman who had extensive business interactions with non-Jews).

However, there is no consensus regarding this issue. Rav Landau concludes his remarks regarding the use of 81\*0 2&\$9 for Mechirat Chametz, "what can I do, since the Shach ((&:0 /:5) 2\*0 8,# 23\*4 -) soured the idea." The Shach questions the proof of Rabbeinu Tam that 81\*0 2&\$9 can transfer title from a Jew to a non-Jew. The Shach also is troubled by the fact that the Gemara and other Rishonim do not mention 81\*0 2&\$9 as a 81\*0 between a Jew and a non-Jew. Once again, our practice is to perform ,24, !#" , and (-\*5\*0; but these 81\*1\*. by themselves are insufficient. Next week, G-d willing and Bli Neder, we will conclude our discussions of Mechirat Chametz as we will discuss other options to use as 81\*1\* - (79, :):9, 2\*)&/:!, !&\$\*:, and %589 \*\*; \$\*0 %589.

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**Mechirat Chametz: The Art of the Deal: Part III** by Rabbi Chaim Jachter  
**Introduction** Last week, we began to describe the procedure for selling Chametz to a non-Jew. We discussed the Halachic means of conveying title to the Chametz to a non-Jewish purchaser, Kinyan. We discussed three of the Kinyanim used for selling Chametz: Kesef, Agav, and Sudar. We will complete this discussion by describing the other Kinyanim used: Situmta, Shtar, and Chatzer. We will also discuss two other suggested Kinyanim - Kinyan Odita and Hefker Beit Din Hefker.

**Kinyan Situmta - A Kinyan Established by Society** The Gemara (Bava Metzia 74a) explains that not only do the Torah and Chazal determine what actions are considered to constitute a Kinyan, but every society can determine what is considered to be a Kinyan. They can determine that by performing a certain action, that title is transferred from one party to another. Situmta is an example of a Kinyan that is established by society. The word Situmta refers to a stamp placed on a wine barrel. If placing the stamp on a wine barrel in a particular society is considered to signify that a deal is finalized, the Halacha considers this action to be

a Kinyan. The logical foundation of this rule is the fundamental character of a Kinyan. A Kinyan is a concrete expression of intention (Gemirut Daat) to transfer title from one individual to another. The Torah and Chazal have presented us with actions that express intention to transfer title. However, if an action is recognized in a society as an expression of intention to transfer title, then that action also constitutes a Kinyan. This idea is especially cogent according to Tosafot (Ketubot 102a s.v. Aliba) who state that when there is unambiguous Gemirut Daat, then a concrete Kinyan is essentially unnecessary. Accordingly, since one has established his Gemirut Daat by engaging in a Kinyan established by society, then there is no need to engage in a Torah mandated Kinyan. The act of Situmta that is commonly employed by Rabbis today is a handshake. Both the Mishnah Berurah and Aruch Hashulchan mention a handshake as part of the protocol of Mechirat Chametz. They view a handshake as a contemporary application of the idea of Situmta. Indeed, even today a handshake is a Situmta in certain business circles and Rabbis continue to use it as part of the sale of Chametz. There are a number of reasons, however why a "handshake" agreement is insufficient by itself. First, it is not universally recognized as a means to transfer title. Second, the Netivot (201:1) rules that Situmta is effective only on a Rabbinic level, (the Pitchei Teshuva there cites the Chatam Sofer who asserts that Situmta is effective on a Torah level and suitable for Mechirat Chametz [and see Mishnah Berurah 448:19]). Third, some opinions believe that Situmta is effective only for conventional commercial transactions and not transactions conducted for ritual purposes. The reasoning behind these opinions is that the Situmta reflects a society's business practice, namely, transfers that take place in a business setting and not in a ritual setting. The other opinions point out that Mechirat Chametz is a business transaction and not a ritual transfer. For a summary of the debate on this issue, see Biur Halacha (448:3 s.v. Bidavar) and Mechirat Chametz Kehilchato pp. 266-271.

**Kinyan Shtar -- Contract** One may ask why a contract is used, if, according to Halacha, a contract can be used as a Kinyan to acquire real estate (Karka) but not movable items (Metaltein) as explained in Kiddushin 26a. The Aruch Hashulchan (O.C. 448:21) writes that since written contracts are what society recognizes means as of transferring title, a written contract constitutes a Situmta. Rav Yosef Eliyahu Henkin (one of the premier Halachic authorities of the twentieth century) writes, accordingly, that Kinyan Shtar is of primary importance in the sale of Chametz today. The second purpose of the Shtar is to bolster the effectiveness of Kinyan Kesef. This is based on the Gemara (Kiddushin 26a), which explains that Kinyan Kesef does not take effect without a written contract accompanying the transfer of money.

**Kinyan Chatzer -- Property** The Mishnah Berurah makes no mention of using Kinyan Chatzer for Mechirat Chametz, but the Aruch Hashulchan (448:21) does. The Kinyan of Chatzer differs subtly from Kinyan Agav. Kinyan Chatzer means that any item located in one's real property (Karka) is automatically transacted along with the property. In Mechirat Chametz the non-Jew acquires the shelves upon which the Chametz is stored by Kinyan Kesef, and since the shelves belong to the non-Jew, the Chametz items on those shelves become his automatically. One of the advantages of Kinyan Chatzer for Mechirat Chametz is that it is undoubtedly from the Torah (see Bava Metzia 10b and Gittin 78a). The problem of using Kinyan Chatzer for Mechirat Chametz is that most authorities believe it is not effective for transfers between a non-Jew and a Jew (see Ketzot 194:3 and Mechirat Chametz Kehilchato pp. 88-93). The reason for this is that the Gemara (Bava Metzia 10b) explains that Chatzer acts as one's agent and the concept of agency does not apply to a non-Jew (Ein Shlichut Liakum, Bava Metzia 71b). Others reply that a Jew may not serve as an agent for a non-Jew or vice versa, but a non-Jew may serve as an agent on behalf of another non-Jew. Therefore, some argue that since a Chatzer is of course not Jewish, it can serve as an agent to acquire items resting upon it, one behalf of a non-Jew.

**Hefker Beit Din Hefker - Transfer by the Rabbinic Court** The Mishnah Berurah (at the conclusion to the Biur Halacha (s.v. Bidavar Miut) writes that the Jewish seller should declare in front of a Beit Din (rabbinic court) that if all of the Kinyanim to the non-Jew have not effected a transfer of the Chametz to him, then the Chametz should be considered ownerless. Rabbi S. Siff of the Young Israel of Manhattan reports (in the Pesach 5753 issue of Chavruta, published by the Rabbinic Alumni of Yeshiva University) that Rav Moshe Feinstein had a variation of this practice. He writes that Rav Moshe would put in effect the rule that "Hefker Beit Din Hefker" to transfer title from the Jewish seller to the non-Jewish purchaser. "Hefker Beit Din Hefker" means that a rabbinic court is empowered by Halacha to declare an object owned by anyone within their jurisdiction to be ownerless (see Gittin 36b). This rule is considered to be effective on a Torah level (see Ramban in Hasagot Lisefer Mitzvot Shores Bet) and Encyclopedia Talmudit 10:96). Moreover, the Rashba (Chidushim to Gittin 36b) in a celebrated comment, asserts that Hefker Beit Din Hefker also means that Beit Din

can transfer title from one individual to another and not just that they can strip someone of title to an object. In light of this rule Rav Moshe Feinstein along with two other Rabbanim, besides performing the standard Kinyanim, would transfer title of the Chametz from the Jew to the non-Jew by means of Hefker Beit Din Hefker. Rav Moshe apparently believed that the people who appointed him to sell Chametz have recognized his judicial jurisdiction and thereby gave him the right of Hefker Beit Din Hefker regarding their Chametz. There are two problems with this approach. First, some Rishonim believe that Hefker Beit Din Hefker rule only empowers Beit Din to declare something ownerless, but not to actually transfer ownership (see Encyclopedia Talmudit 10:99 note 49). Second there is a major question of whether the rabbi who is appointed to sell Chametz is empowered by those who appoint him to convene a Beit Din to transfer title of the Chametz being sold. Rav Zalman Nechemia Goldberg told this author that because of this consideration, he did not consider it to be worthwhile to introduce an innovation to follow this practice of Rav Moshe Feinstein. Indeed, this author is unaware of any record of Rav Moshe encouraging others to follow this practice. Kinyan Odita - Acknowledgment The Gemara in Baba Batra 149a discusses a problem of how to transfer title in a particular circumstance. After the Gemara exhausted a number of possibilities, the Gemara finally suggests "Odita." This means, let the items (money in the Gemara's case) be transferred by "Odita," acknowledging that the object belongs to the party one wishes to transfer title to.

The Ketzot (194:3) asserts that Odita is a legitimate and full-fledged Kinyan, which is effective even for a transfer that must be valid by standards of ritual law (Issurin) such as Mechirat Chametz. The Mechirat Chametz Kehilchato (p. 395) adopts the use of Kinyan Odita in the sale of Chametz. However, the Mishnah Berurah and Aruch Hashulchan do not mention Odita as a Kinyan to be used as part of Mechirat Chametz. There appears to be a number of reasons for this. First, the Aruch Hashulchan (Choshen Mishpat 194:12) rules that "Odita" is not a Kinyan but is an assertion which is up to the discretion of the Rabbinic judges to determine if the acknowledgement is true and whether to act on the acknowledgement. Furthermore, some authorities believe that Odita can transfer title only in a case of a present (such as in the case recorded in Bava Batra 149a) and not a case of a sale. Finally, many authorities believe that Odita is only effective on a rabbinic level (see Mechirat Chametz Kehilchata pp. 100-102). Rav Mordechai Willig suggested (in a Shiur delivered at Yeshiva University) that the reason Odita is not commonly employed as a Kinyan is because Odita can be accomplished by an individual on his property. However, he suggests that Odita cannot be accomplished by a Shaliach (agent). Odita is an intensely personal Kinyan that is inconceivable for someone else to perform on his behalf. Hence, the Ketzot advocates Odita as a viable option for Mechirat Chametz because he was speaking of a sale performed by individuals. However, we do not employ this because rabbis sell the Chametz as the agents for their communities and cannot perform Odita on their behalf, unlike all of the other Kinyanim that he performs.

One may wonder why the Rabbis are so strict in utilizing many or all of these different Kinyanim. It seems that there are two basic reasons for this. First, to strengthen and emphasize the seriousness of the sale, that it is not a mere religious ritual or legal fiction, but a true transfer of title. Second, because (as we know full well) we are extraordinarily strict when it comes to the Halachot regarding Pesach. This attitude is referred to in the Halachic literature as Chumra Dichametz (see, for example, Tosafot Pesachim 30a s.v. Amar). Since Pesach represents the acceptance and acknowledgement of many fundamentals of Torah such as G-d's existence and G-d's ongoing involvement with the world, we take extraordinary precautions in our observance of Pesach. This is because the ideas and messages that Pesach is teaching are of extraordinary importance and have monumental implications regarding how we live and who we are (see the Ramban's comments to the end of Parshat Bo).

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From: Midei [rachrysl@netvision.net.il] To: Midei Parsha Subject: Midei Shabbos by RABBI ELIEZER CHRYSLER - Parshas

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Pesach Pearls Thoughts For the Seder (Adapted from the Da'as Zekeinim mi'Ba'alei Tosfos)

The reason for the three Matzos at the Seder is as a reminder of the three Sa'ah of flour that Avraham instructed Sarah to prepare, to serve their guests. That episode after all, did take place on Pesach. According to others, it is to remind us of our forefathers, Avraham, Yitzchak and Ya'akov.

The breaking of the middle Matzah is to commemorate the splitting of both the Yam-Suf, which took place on the seventh day of Pesach, and the River Yarden, which took place forty years after they left Egypt, just before Pesach.

We recite the B'rachah of 'al achilas Matzah' (over the broken Matzah), because 'it is the way of a poor man to eat broken pieces of bread', since, among the other symbolisms that we perform at the Seder, the Matzah reminds us of the transition from an era of poverty under the jurisdiction of Paroh, to one of wealth under that of Hashem.

The two dippings-in that we perform during the Seder (the Karpas in the salt-water and the Maror in the Charoses), are reminiscent of the two Tevilos that were necessary before one could eat the Korban Pesach, namely, the Tevilah of a "yelid bayis" and that of a "miknas kesef" (a slave who was born to a shifchah, and one whom one had purchased). Alternatively, they remind us of the two sprinklings of blood in Egypt (when they sprinkled the blood of the Korban Pesach on the two door-posts and on the lintel), or of the two bloods (that of the Korban Pesach and that of B'ris Milah which Yisrael performed in Egypt prior to bringing the Korban Pesach).

The Gemara in Arvei Pesachim explains that the purpose of the first dipping-in is to arouse the children's curiosity, to make them ask, why it is that whereas one usually eats vegetables after the meal, on this night, we are eating them before the meal - a fine introduction to the 'Mah Nishtanah'. And another incentive for them to ask lies in the second cup of wine, which one already pours into the cup at that stage, even though one has not yet eaten, whereas it is customary to drink one's second cup only after having eaten.

The Charoses is meant to serve as a reminder of the cement, and one adds apples, to remind us of the apple-trees in Egypt, under which the righteous women enticed their tormented husbands, and under which their babies were subsequently born. The various spices (such as cinnamon) that one adds to the Charoses are reminiscent of the straw, which together with the cement, comprised a major element of the slavery in Egypt. And by the same token, the nuts and almonds that go into the Charoses, like the Charoses itself, remind us of the colour of cement that is made out of lime, which is white.

The two cooked dishes correspond to Moshe and Aharon (the two leaders of Yisrael). According to others (who maintain that the two dishes comprise fish and eggs) they correspond to the Livyasan and to the glory of the Shechinah, respectively. Whereas the Gemara in Arvei Pesachim explains that the one dish corresponds to the Pesach, the other, to the Chagigah.

\* And finally, says the Da'as Zekeinim M.T., the four cups of wine correspond to the four expressions of redemption used by the Pasuk in Va'eira (6:6/7) "ve'Hotzeisi, ve'Hitzalti ...", and the fifth cup (according to those who hold that one is obliged to drink it) to "ve'Heveisi eschem el ha'Aretz", which is part of the redemption, as the old saying goes 'If someone sets free his slave and even hands him everything that he owns, unless he provides him with a place to reside, what has he given him'? Alternatively, the four cups correspond to the four expressions of salvation in T'nach in which the word 'cup' is used - "Hashem is the portion of my cup" (Tehilim 16:5); "My cup is satiated" (ibid. 23:5); and

"I will raise the cup of salvation" (ibid. 116:13), incorporating two cups, since the word salvation ("yeshu'os") is written in the plural, one referring to the era of Mashi'ach, the other, to Olam ha'Ba.

Yet a third explanation connects the four cups to the four cups that the chief butler mentioned when relating his dream to Yosef (bearing in mind that the dream referred to the redemption of Yisrael from Egypt, as Targum Yonasan explains). And finally, the four cups pertain to the four bitter cups of punishment which G-d is going to give the nations of the world to drink, as the Pesukim in Tehilim and Yirmiyah indicate. May this come to pass soon.

\*

The Three Stages The redemption from Egypt took place in three stages. First Yisrael left Egypt, then they experienced a transition period which culminated in the splitting of the Reed Sea, where they were rid of the Egyptians once and for all, and finally, G-d brought them close to Him, culminating with the entry into Eretz Yisrael.

These three stages will explain the subdivision of 'Dayeinu' into these three groupings, each consisting of five items. Perhaps these three stages, which progressed spiritually, correspond to the three parts of the Soul - Nefesh, Ru'ach and Neshamah ...

\*

The Four Stages A similar sub-division explains the twenty-six Pesukim of Hallel ha'Gadol (the twenty-six 'Ki le'olam chasdos' that we say every Shabbos morning, and that also appears in the Hagadah, based on the four letters of Hashem's Holy Name that some Sidurim insert there - a 'Yud' after the tenth Pasuk ("le'Makeh Mitzrayim bi'Vechoreihem ..."), a 'Hey' after the fifteenth ("ve'Ni'er Par'oh ve'cheilo be'Yam-Suf"), a 'Vav' after the twenty-first Pasuk ("ve'Nosan Artzam le'Nachaloh ..."), and another 'Hey' after the last Pasuk ("Hodu le'Keil Hashomoyim ..."). Here too, we can explain this sub-division in the following way. The first ten Pesukim speak about the creation, the next five, about Yisrael's Exodus from Egypt (including K'riyas Yam-Suf), the following six, about their conquests in the Desert, whilst the last five are general praises of Hashem, who did all this on our behalf.

It is also easy to understand why, based on Kabbalistic sources, each particular letter of G-d's Name was appropriate for the task to which it was allotted. The Exodus was, in effect, synonymous with the creation of Yisrael, and the 'Yud' is the letter of creation. The first 'Hey' represents G-d's strong Midas ha'Din, and that is why G-d used it to punish the Egyptians. The 'Vav' is the letter of life, so G-d designated it to sustain Yisrael in the desert. And the second 'Hey' represents Midas Malchus, and we therefore sing the King's praises.

\*

Moshe's Name in the Hagadah It is said that Moshe's name does not appear in the Hagadah. The reason for this is because the whole purpose of the Hagadah is to stress G-d's oneness. The Seder after all, is an object-lesson that is meant to reinforce the concept that G-d alone took us out of Egypt. This concept appears over and over again during the course of the Hagadah, particularly when the Ba'al Hagadah stresses 'I, and not a Malach, I, and not a Saraf ...'. And he says it so eloquently during the songs that we sing at the end of the Hagadah, where as the Seder reaches its climax, after recounting the powerful miracles that G-d wrought on this night, we declare first that He, and He alone, is worthy of praise, then that He is mighty ... unique and great ... . Until finally, we announce that 'One is our G-d in Heaven and on earth', and conclude that G-d is the ultimate judge, who will slaughter the Angel of Death ... until even the little kid will be avenged.

Yet strictly speaking, our opening comment is not quite correct. Moshe's name does appear in the Hagadah, just once, immediately after 'D'tzach, Adash, Be'achav'. There, we cite Rebbi Yossi Hagelili, who, to prove that at the Yam-Suf, the Egyptians were smitten with G-d's Hand, cites the Pasuk "And Yisrael saw the great Hand with which Hashem acted

against Egypt, and the people feared G-d, and they believed in Him and in Moshe His servant".

However, this in no way clashes with the idea that we have been discussing. After all, we are not speaking here of anything that Moshe did. Quite the contrary, the episode to which we are referring was performed by G-d and by G-d alone, as is evident from the beginning of the current Pasuk ("and the people saw the great Hand ..."). And what's more, Moshe himself informed the people there that G-d would fight for them and instructed them to stand still and watch. This was G-d's battle, and it called for no human participation. They believed in Moshe too, not for what he had done now, for he had just told them to desist and to watch. And they believed in him because he was an Eved Hashem, who nullified himself to G-d totally (for that is the definition of an 'Eved').

\*

Thoughts for the Seventh Day If He had Just Given us Their Money 'If He had given us their money and not split the Sea for us, it would have sufficed'.

The Hagadah 'Birchas ha'Shir'

connects this with the argument of Uza, the Angel of Egypt, who claimed that Yisrael had already taken the Egyptians' money before they left (as the Torah testifies "and they emptied Egypt"). So why, he asked, was it necessary to punish the Egyptians further?

The truth of the matter was that the main booty of Egypt was what they took at the Yam-Suf (as Chazal have taught). What they took out of Egypt was never meant to compensate them for their work, but rather to lure the Egyptians down to the Yam-Suf. That being the case, Uza's argument was futile. Nevertheless, we say, if G-d had just given us the Egyptians' money and taken us out of Egypt, we would have had plenty to be grateful for (even if He had left the Egyptians in Egypt, and not split the Sea and drowned them, and given us the bulk of the booty). Or perhaps it means if He had led the Egyptians down to the Yam-Suf and treated us to the vast treasure that we took from them at the Yam-Suf in the form of war spoils, without actually splitting the Sea and taking us across.

\*

If He had Just Split the Yam-Suf ... 'If He had split the Yam-Suf for us, and not taken us across on dry land, it would have sufficed. If He had taken us across on dry land and had not drowned our adversaries in it, it would have sufficed'.

The implication here is that G-d split the Yam-Suf for our benefit, whilst drowning the Egyptians in the returning water was only of secondary importance (as we explained in the Main Pesach Article, vol. 9).

This also explains why by the plague of blood, what turned into blood for the Egyptians remained water for Yisrael; whereas by K'riya's Yam-Suf, the sea remained water for the Egyptians, and became dry land for Yisrael. Regarding the former, the miracle was primarily to punish the Egyptians, so it was for them that G-d changed the blood into water, whilst regarding the latter, it was first and foremost, to save Yisrael, so it was for them that He transformed the Sea into dry land.

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From: RABBI JONATHAN SCHWARTZ [jschwartz@ymail.yu.edu] To: internetchaburah@yahoo.com Subject: [internetchaburah] internet chaburah -- Pesach 5764

Prologue: They wanted to sing a Shirah, why was that so bad?

The Talmud notes that at the time of the splitting of the sea, the angels requested permission from Hashem to sing Shirah. G-d refused their request. He told them Maaseh Yodai Toveim BaYam VAtem Omrim Shirah?my creations are drowning in the sea and you want to sing Shirah? Clearly, the loss of human life is a reason to diminish ones joy in

front of Hashem and therefore, Shirah, especially on the shores of Yam Suf was inappropriate.

And yet, it WAS appropriate for the Jewish nation, who had become free as a result of the miracle at the sea, to sing Shirah to Hashem! How are we to understand how Hashem allowed Moshe and the Jews to sing Shirah while rebuking the angels for even making the request?

Rav Aharon Kotler (cited in Arzei HaLevanon I) offered an interesting insight into the difference between the Jewish Shirah and that of the angels. You see Shirah is appropriate for two basic reasons: On the one hand it serves as a means to offer Hakarat HaTov, a means of thanking Hashem for saving us in a particular situation. On the other hand, Shirah serves as a means of spiritual betterment. When a person sings Shirah he becomes aware of the rules of nature and that Hashem is in charge of those rules of nature. In that sense, Hashem can transcend nature in that he is, well, supernatural. When man accepts this understanding, he desires to become closer to Hashem and to raise himself up to developing a better relationship with him. Rav Aharon explained that while angels, like man, can offer thanks to Hashem, they cannot spiritually improve in that they are already perfect creations. Offering Hakarat Hatov is incomplete when people have to perish. In such an instance, Hashem does not desire the thanks and the praise. However, when the praise serves as a vehicle for spiritual advancement, Hashem notes that for this he created the world. Therefore, although the angels were denied the opportunity to sing Shirah, the Jews, who through the miracle recognized the hand of Hashem and became bigger Maaminim (believers) were permitted and encouraged to sing Az Yashir at that moment Az of recognizing and seeking closeness to G-d.

Hallel: Part of Midnight Madness?

One of the interesting tradeoffs of the Seder night is the challenge of telling the entire story of Yetziat Mitzrayim and still having time to finish the Afikomen by midnight. So important is the issue, that many luminaries of previous generations have worked hard in order to devise schemes to help one whose Seder is running behind schedule, meet the midnight hour (See Avnei Nezer and others). However, most assume that if one gets past the Afikomen, he can allow the Seder to extend until the daylight hours. This notion is challenged by the Rema (Orach Chaim 477:1) who notes that a person should finish the Hallel by midnight as well. The Mishna Berurah (477:7 see also Biur HaGra) comments that one should even finish the Beracha after Hallel by the time the midnight hour rolls around. The Aruch Hashulchan (ibid) does not understand why one should try to finish by Chatzos. Why does the Rema insist on trying to make Hallel meet the midnight hour?

The truth is that when the Talmud (Berachos 9a) discusses the issue of the recitation of Hallel on the night of the Seder, it becomes clear that the Talmud assumes that the Mitzva may be completed all night until Amud HaShachar (dawn). Why does the Rema scale back the time to the midnight slot together with the Afikomen?

The Rashba (Berachos 9a) and the Ran (Megilla 7a in Rif pages) both note that it is the opinion of Tosafos to be strict and finish Hallel of the Seder by midnight. However, the Tosafos (Megillah 21a) comments to the contrary. In fact, Tosafos notes that the Afikomen must be completed by midnight but the Hallel of after the Afikomen, may be recited all night long as it is only a Mitzva DRabbonon. Now, an argument between 2 positions of the Baalei Tosafos is not a cause for alarm but what are these Rishonim arguing about? Why do some allow the Hallel to be recited all night while others insist on finishing it before Chatzot?

The answer becomes more apparent when we understand the nature of Hallel. Indeed many different Hallel types exist. 2 of the most prominent are Hallel at the time of a miracle (BShaas HaNes) and Hallel of Yom Tov. The former seems to be Biblically ordained and appears to

be part of the concept of thanksgiving. The latter is a matter of debate among the Poskim. The Rambam did not include the recitation of Hallel as a Biblical Mitzva while the Ramban (Hasagos to Sefer HaMitzvot) notes that Hallel of Yom Tov is either Biblically ordained as part of the concept of Simchas Yom Tov or is at least a Halacha L'Moshe MiSinai. Tosafos (Moed Kattan 12b) notes that the recitation of Hallel on Yom Tov is only Rabbinically required as Simchas Yom Tov can only be fulfilled biblically by offering the Shalmei Simcha.

In addition, there is another piece of information unique to the Seder night that we need to be aware of. For the Mishna states (Pesachim 116b) and we recite in the Hagadda that we have an obligation to recite Hallel to Hashem because he did all of this for us. The Rambam (Sefer Hamitzvot Aseh 177) explains that the recitation of the Hallel is part of the Mitzva of Sippur Yetziat Mitzrayim. That being the case, the Rambam must also hold that Hallel must be completed by midnight as that is the time when the Biblical Mitzva of Sippur Yetziat Mitzrayim ends according to Rav Elazar Ben Azariah. This concept is similar to the obligation to finish eating Matzo and Marror by this time as well. If this is so, then the Rashba and the Ran too, can assume that the Hallel of the Seder night is Hallel on the miracle and is included in the obligation of Sippur Yetziat Mitzrayim. If that is so, it must be completed in its entirety by midnight. This might explain the stringency of the ruling of the Rema. (Indeed Harerei Kedem II points out that Rashi [Pesachim 36a] would support this position in as far as he sees the obligation of Hallel as LGmor to finish the Hallel in its entirety while the Matzo is on the Table).

Tosafos will disagree. They might concede on the first half of Hallel, in so far as it praises Hashem directly for the Yetzias Mitzrayim, that it be completed by midnight together with the other Biblically ordained Mitzvos of Seder Eve. However, the second half of the Hallel is not recited on the miracle. Rather, according to Tosafos, this is the regular Yom Tov Hallel whose recitation is only Rabbinic in nature. The Rabbinic Hallel can be recited past midnight, in that the rest of Pesach night is still Yom Tov.

Many interesting Nafka Minot come out of this differentiation in scope. Aside from the obvious one about when one must conclude Hallel, there are two others that are worthy of immediate mention. The first concerns whether there is any obligation to explain the Hallel. For if we assume as the Rambam does, then the obligation to explain the Hagadda (VChol HaMarbeh Harei Zeh Mishubach) applies equally to the Hallel as it does to the other segments of the Maggid and the story. However, if we assume that the obligation is as Tosafos states it, the explanation is no more required than it is when recited in Shul the next day (see further Mishnas Yaavetz O.C., 17 on this point). Additionally, if one assumes as the Rambam does, then there is an obligation to keep Matzo on the table during the recitation of the Hallel based on the verse BaAvor Zeh which we interpret to mean that the story is to be told when Matzo and Marror are in front of you (This is the position of Shulchan Aruch Harav). However, according to Tosafos, there is no connection between the Hallel after Afikomen and the Sippur Yetziat Mitzrayim and therefore keeping Matzo on the table is unnecessary.

VSheNizkeh LBirkas HaGeula Simachim BBinyan Ireicha VSasim BAvodaseicha Vnochal Shom Min HaZevachim UMin HaPesachim BKarov Mamash.

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The original EZRAS TORAH Wall and Pocket CALENDARS that are edited by Rav Henkin's, zfl, hand-picked successor, the current Director of Ezras Torah, Rav Moshe Margolin, shlitfa have become an extremely popular and almost

indispensable tool for thousands of Rabbonim and Gabbaim, for whom the work was intended. Each entry to this now classic work was produced with painstaking care and devotion. The original Luach was intended as an on-the-spot aid, not as a replacement for a thorough familiarity with the Halachic sources. In truth, this is a translation of a work that was never intended for the general public. However, because we are living in a time of an incredible thirst and desire for Torah knowledge on the part of thousands of people who are unable to read the original sources, the decision was made to translate the pocket calendar with the inclusion of some explanatory remarks. Any errors in the Luach should be considered as errors in translation. The Translators Candle lighting listings for Shabbos and Yom Tov are 20 minutes before sunset and all time listings at the end of the Luach are Standard Time.

EREV PESACH SUNDAY NIGHT, APR. 4, 14 NISAN

Sunday night after the appearance of three stars, (the time that the Mishna in Pesachim refers to as the "Light of the Fourteenth"), we search for chometz in all places to which we bring it during the year. According to custom, we have someone who is not participating in the search place ten pieces of chometz in random locations in rooms to which we bring chometz during the year (failure to do so does not invalidate the search, however one must be very careful to find all ten pieces). Before beginning the search we recite the Bracha Asher Kidshanu Bemitzvosav Vezivano Al Beur Chometz - on the removal of chometz (for the search is the beginning of the process of removal). After the search, one says the declaration Kal Chamira (preferably in a language that he understands) nullifying all chometz and sourdough of which he is unaware. One should take care to place the chometz, which will be eaten in the morning until the end of the fourth hour (see below) and the crumbs from the search in a secured place. Whatever is left over from breakfast, along with the crumbs from the search, must be destroyed or removed by the end of the fifth hour. The chometz that he authorized his Rav to sell must be placed in a reserved area. The sale to the non-Jew is also considered part of the removal (beur) process.

MONDAY MORNING APR. 5, 14 NISAN

SHACHRIS We rise early to go to Shul. Regular weekday Shachris we omit Mizmor Lesodeh; Shemonah Esrei; Half-Kaddish; (no Kel Erech Apaim before Torah Reading in Parshas Shemini); Ashrei; Uva Letzion; (we omit Lamnazeach); Kaddish Tiskabel; Aleinu; Psalm of the Day; Mourner's Kaddish. The first born have a custom to fast, or to redeem themselves with money for Tzedakah, or to participate in a Seudas Mitzvah such as the completion of a Tractate of Talmud.

One may eat chometz until the end of four proportionate hours (see Chanukah for definition of proportionate hour) after Amud Hashachar - seventy-two minutes before sunrise (in extenuating circumstances one may calculate the four hours from sunrise itself). One may sell chometz, give it away to a non-Jewish acquaintance, or feed it to an animal until the end of the fifth proportionate hour after dawn. We burn the chometz before the end of the fifth hour and say the formula of Kal Chamira now nullifying and making free for all, all chometz of which we are both unaware and aware. We do not make any Bracha at this time (one should also have the intention, that if, for some reason, the sale to the non-Jew is invalid, that all of that chometz, too, is nullified and rendered free for all). [Rav Henkin noted that the Matzah, with which we fulfill our obligation at the Seder and over which we make the Bracha Al Achilas Matzah must be under the strict supervision of a devout Jew, from the time of the harvesting (in extenuating circumstances from the time of the grinding into flour) of the wheat of which it is made up. There are those who make the effort to bake Matzah on Erev Pesach, after noon, in commemoration of the Pesach sacrifice that was offered at this time in the Beis HaMikdash. However, those who do so must take great care to nullify all crumbs before they become chometz, since after the fifth hour ends, we have no ability to nullify chometz. The herb of which we can be most confident that it is indeed one of the five bitter herbs mentioned in the Mishna is (grated) horseradish (chrein). For there are doubts in the minds of certain of the Halachic authorities concerning the status of the various types of lettuce that are available to us today, if they are, indeed, in the category of "lettuce" mentioned in the Mishna and the various Halachic Codes. If one must soak the horseradish in water (so as to soften its pungency) before grating it, he may do so, since many authorities maintain that the problem of (the soaking of a food that renders it as cooked) applies only to the leaves of vegetables and not to the stalks.] It is forbidden to eat Matzah on Erev Pesach. One washes, (some immerse themselves in a Mikveh) and makes all necessary preparations in honor of Yom Tov. One must complete all of the preparations for the Seder while it is still daytime. The Romaine lettuce must be thoroughly cleansed and then, carefully inspected for bugs. The horseradish must be grated. The Seder table must be completely set and arranged. All this must be done before Yom Tov. We light candles, as usual, 20 minutes before sunset. The Brachos are: Lehadlik Ner Shel Yom Tov and Shehecheyanu.

FIRST DAY PESACH MONDAY NIGHT, APR. 5, 15 NISAN

MAARIV Borchu...; Ufros...; Vayedaber...; Half-Kaddish; Shemonah Esrei of Yom Tov (Nusach Sefard calls for the recitation of the complete Hallel with its Brachos in Shul after Shemonah Esrei); Kaddish Tiskabel; Aleinu; Mourner's Kaddish; Adon Olam. (We do not make Kiddush in Shul the first two nights of Pesach.)

THE ORDER OF THE NIGHT After the appearance of the stars, with everything in readiness for the Seder, the head of the household dons a Kittel, and we take our places at the table we have others pour each of the Four Cups of wine (in the manner of a wealthy man) and we begin the Kiddush of Yom Tov, with Shehecheyanu. We follow all the rituals of the Seder in the order presented in the Haggados; Kadesh; Urechatz; the dipping of the vegetable into salt water, the pouring of the Second Cup; the son asks Mah Nishtanah; the reply to the son: the "telling" of the slavery in and exodus from Egypt, etc.; the eating of one olive's size of Matzah (20-24 grams) and an olive's size of Maror; Korech - the sandwich of Maror and Matzah; the meal; the eating of the Afikomen - the final olive's size of Matzah after the meal; the pouring of the Third Cup; Blessings after the meal; completion of Hallel recited over the Fourth Cup (all done following the detailed instructions found in the Haggada). All four cups must be full, containing at least a Reviis of (preferably red) wine (a Reviis is a little more than 3 ounces or 86.5 grams, there is a stricter opinion that maintains that a Reviis is 4 ounces or 113.40 grams; one ounce being equal to 28.35 grams). One should try to drink the entire cup, but at the very least the majority of a Reviis. The Four Cups, as well as the eating of the Matzah, Hillel's sandwich, and Afikomen, (women are not obligated to recline) must be done in a position of reclining to one's left side. Women and children are obligated to drink the Four Cups, although children can be given small cups from which to drink, relative to their age and size. (If one is unable to drink wine he must ask a Rav what to do).

During the Recitation of the Shema, before retiring for the night, only the Bracha Hamapil and Shema are said, with all of the Psalms and prayers for protection being omitted, for tonight is a Leil Shemirim - a night of special Divine Protection.

TUESDAY MORNING, APR. 6

SHACHRIS Service for Yom Tov: Psukei Dazimra; Nishmas; Birchah Yotzer; Hameir Laaretz; Ahava Rabba; Shema; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; complete Hallel; Kaddish Tiskabel; open Aron; 13 Middos with Ribono Shel Olam of Yom Tov; we take out two Sifrei Torah; in the first we have five Aliyahs in Parshas Bo (Exodus 12:21-51) from Vayikra Moshe Mishcu until Al Zivozam; Half-Kaddish; Maftir reads in the second Sefer Torah from Parshas Pinchas: (Numbers 28:16-25) UvaChodesh Harishon; the Haftorah is read from Joshua 3:5-7, 5:2-15, 6:1, and 6:27; Brachos after the Haftorah of Yom Tov, (we omit Kah Keili); Ashrei; Yehalelu; etc.

MUSSAF For Yom Tov (the Chazzan dons a Kittel); Half-Kaddish in the special melody for the Prayer for Dew; Shemonah Esrei of Mussaf for Yom Tov; we still say Mashiv Haruach Umorid Hagashem. (Those congregations whose custom is to say Morid Hatal throughout the summer, should announce Morid Hatal before Mussaf, and then the congregation should begin to say Morid Hatal during this silent Mussaf.)

THE CHAZZAN'S REPETITION Tfilas Hatal (Prayer for Dew); Kedusha; (in his Repetition the Chazzan stops saying Morid Hagshem...; The congregation no longer says Morid Hagshem...; at Mincha). Retzai; Veseariv Priestly Blessing Ribono Shel Olam and Yehi Ratzon; (see above, Priestly Blessing; for the Second Day of Rosh HaShanah); Kaddish Tiskabel; Ein Keilokainu; Aleinu; Anim Zmiros; Shir Shel Yom (Psalm of the Day); Mourner's Kaddish; Adon Olam.

MINCHA Ashrei; Uva Letzion; Half-Kaddish; we no longer say Mashiv Haruach Umorid Hagashem. (It is advisable to repeat 101 (or at least 90) times the phrase Rav Lehoshia Mechalkel Chaim; so that it becomes fluent and habitual, thereby avoiding any future doubt as to whether one failed to omit Mashiv Haruach Umorid Hagashem or not). The Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Mourner's Kaddish.

SECOND DAY PESACH TUESDAY NIGHT APR. 6, 16 NISAN

We wait seventy-two minutes (under extenuating circumstances, 60 minutes will suffice) before lighting candles or before doing any preparations for the Second Day of Pesach.

MAARIV Among the reasons for which we delay the beginning of Maariv is to insure that Sefira will take place only after the appearance of the stars. Usual Maariv for Yom Tov. Borchu...; Ufros...; Vayedaber...; Half-Kaddish; Shemonah Esrei of Yom Tov. (Nusach Sefard calls for the recitation of complete Hallel with its Brachos after Shemonah Esrei, just as last night.) Kaddish Tiskabel; we begin to count the Omer (Sefiras HaOmer - tonight is the first night of the Omer); Aleinu; Mourner's Kaddish; Adon Olam (we do not make Kiddush in Shul).

(Each night, before counting the Omer, we first recite the Bracha Asher Kidshanu Bamitzvosav Vetzivano Al Sefiras Haomer and then we proclaim the current day of the Omer. Both the Bracha and the count itself must be done while standing. It is best to count the Omer after the appearance of the stars. If one counted before that time, it is proper for him to count again, after the appearance of the stars, without a Bracha. If one counted earlier than Plag HaMincha - one and one-quarter proportionate hours before nightfall (a proportionate hour is one-twelfth of the daytime period), he must count again with a Bracha when the stars appear. If one forgot to count at night, he must count during the day without a Bracha. He may then continue to count again on all of the successive nights with a Bracha. If one failed to count an entire day, he must continue to count the following nights through Shavuot without a Bracha. In such a case one should intend to fulfill his obligation to make a Bracha by hearing the Bracha from the person making it for the congregation. (Some have the custom that every morning the Shammash announces, as a reminder, the current count of the Omer without making any Bracha.) (On Shabbos and Yom Tov during the Sefira period, we first make Kiddush in Shul before counting the Omer. At the departure of Shabbos or Yom Tov we count the Omer before making Havdalah.) At home, the women light Yom Tov lights and make the Brachos Lehadlik Ner Shel Yom Tov and Shehecheyanu. The same procedures are followed at the Seder as last night.

WEDNESDAY MORNING, APR. 7

SHACHRIS The usual service for Yom Tov: Psukei Dazimra; Nishmas; Birchah Yotzer; Hameir Laaretz; Ahava Rabba; Shema; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; complete Hallel; Kaddish Tiskabel; open Aron; 13 Middos (with Ribono Shel Olam of Yom Tov); we take out two Sifrei Torah in the first we have five Aliyahs in Parshas Emor (Levit. 22:26-23:44) Shor Oh kesev until Moadei Hashem El Bnai Yisroel; Half-Kaddish; Maftir reads in the second Sefer Torah from Parshas Pinchas: (Numbers 28:16-25) UvaChodesh Harishon (the same as yesterday); the Haftorah is read from Kings II 23:1-9 and 23:21-25; Brachos after the Haftorah of Yom Tov; Kah Keili; Ashrei; Yehalelu; Half-Kaddish.

MUSSAF For Yom Tov: Shemonah Esrei of Yom Tov Mussaf; the Chazzan's Repetition; Priestly Blessing with Ribono Shel Olam and Yehi Ratzon; Kaddish Tiskabel; Ein Keilokainu; Aleinu; Anim Zmiros; Shir Shel Yom (Psalm of the Day); Mourner's Kaddish; Adon Olam.

MINCHA Ashrei; Uva Letzion; Half-Kaddish; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Mourner's Kaddish.

FIRST DAY CHOL HAMOED WED. NIGHT APR. 7, 17 NISAN 2nd DAY OF THE OMER

We wait the usual 72 minutes (under extenuating circumstances, 60 minutes will suffice) before performing any activities that are prohibited on Yom Tov.

MAARIV The Departure of Yom Tov in the customary fashion: weekday Shemonah Esrei with Ata Chonantanu. We no longer say Vesain Tal Umator. We now say Vesain Brachah. Yaale Veyavo after Retzei; Kaddish Tiskabel; Counting of the Omer (2nd Day of the Omer); Havdalah (Borei Pri Hagafen and Hamavdil); Mourner's Kaddish. Havdalah at home as in Shul.

THURSDAY MORNING, APR. 8

SHACHRIS Those who wear Tefillin on Chol HaMoed do not make the Brachos over them (some have the custom to make the Brachos in an inaudible voice). The Tefillin are removed by the congregants before Hallel and by the Chazzan after Hallel (so as not to delay the service). (There is a custom on the First Day of Chol HaMoed Pesach for those who are wearing Tefillin to keep them on until after the Torah Reading, because today's Torah Reading discusses the Mitzvah of Tefillin. Customary weekday morning service: (we omit Mizmor Lesodeh throughout Chol HaMoed Pesach); Shemonah Esrei with Yaale Veyavo; Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel; we take out two Sifrei Torah; in the first we have three Aliyahs from Parshas Bo (Exodus 13:1-16); the fourth Aliyah is read in the second Sefer Torah in Parshas Pinchas (Numbers 28:19-25) from Vehikravtem until Kol M'leches Avodah Lo Saasu; Half-Kaddish is recited after the second Sefer Torah is read; Ashrei; Yehalelu; Uva Letzion; Half-Kaddish.

MUSSAF For Yom Tov; Shemonah Esrei of Yom Tov Mussaf (the Additional Offering mentioned is Vehikravtem) the Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Psalm of the Day; Mourner's Kaddish.

MINCHA For weekdays: Ashrei; Half-Kaddish; weekday Shemonah Esrei with Yaale Veyavo; the Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Mourner's Kaddish.

SECOND DAY CHOL HAMOED FRI. MORNING, APR. 9, 18 NISAN 3rd DAY OF THE OMER

SHACHRIS For weekday mornings: weekday Shemonah Esrei with Yaale Veyavo; the Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel; we take out two Sifrei Torah; in the first we have three Aliyahs from Parshas Mishpatim (Exodus 22:24-

23:19); the fourth Aliyah is read in the second Sefer Torah in Parshas Pinchas (Numbers 28:19-25) from Vehikravtem until Kol M'leches Avodah Lo Saasu; Half-Kaddish is made after the second Sefer Torah is read; Yehalelu; Ashrei; Uva Letzion; Half-Kaddish.

MUSSAF The same as yesterday.

THE HOLY SHABBOS We make all preparations for Shabbos before sunset. We light candles at their proper time 20 minutes before sunset and we make the Bracha Lehadlik Ner Shel Shabbos.

THIRD DAY CHOL HAMOED FRIDAY NIGHT, APR. 9, 19 NISAN 4th DAY OF THE OMER

WELCOMING THE SHABBOS

MAARIV We say Mizmor Shir Leyom HaShabbos; iHashem Malach@; followed by Mourner's Kaddish. (We do not say Lechu Neranana or Bameh Madlikin).

Borchu...; Ufros...; V'Shamru...; Half-Kaddish; Yaale Veyavo in the Shemonah Esrei of Shabbos after Shemonah Esrei we say Vayechulu and Magen Avot followed by Kaddish Tiskabel; Kiddush of Shabbos; Sefiras HaOmer; Aleinu; Mourner's Kaddish; Adon Olam

SHABBOS MORNING, APR. 10

SHACHRIS Usual service for Shabbos: Psukei Dazimra; Nishmas; Birchas Yotzer; Hakol Yoducha; Kel Adon; Ahava Rabba; Shema; Shemonah Esrei of Shabbos with Yaale Veyavo; the Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel. We read Shir HaShirim (The Song of Songs), followed by Mourner's Kaddish. We take out two Sifrei Torah in the first we have seven Aliyahs in Parshas Ki Sisah (Exodus 33:12-34:26); Half-Kaddish; Maftir reads in the second Sefer Torah from Parshas Pinchas: (Numbers 28:19-25); Vehikravtem; the Haftorah is from Ezekiel 37:1-14; Brachos after the Haftorah of Shabbos, concluding with only "Mekadesh Hashabbos Yekum Purkan; (no Kah Keili); Ashrei; Yehalelu; we return the Sifrei Torah to the Aron HaKodesh.

MUSSAF Half-Kaddish; Shemonah Esrei of Mussaf for Yom Tov and Shabbos; the additional offerings are Uvayom HaShabbos and Vehikravtem; Chazzan's Repetition; Kaddish Tiskabel; Ein Keilakainu; Aleinu; Anim Zmiros; Shir Shel Yom (Psalm of the Day); Mourner's Kaddish; Adon Olam.

MINCHA Ashrei; Uva Letzion; Half-Kaddish; Va'ani Sfilasi; Torah Reading: three Aliyahs in Parshas Shemini; (no Half-Kaddish after Mincha Torah Reading); we lift up, rewind the Sefer Torah and return it to the Aron HaKodesh (with Yehalelu); Half-Kaddish; Shemonah Esrei of Shabbos with Yaale Veyavo; the Chazzan's Repetition; (we omit Tzidkascha Tzedek); Kaddish Tiskabel; Aleinu; Mourner's Kaddish.

FOURTH DAY CHOL HAMOED SATURDAY NIGHT, APR. 10, 20 NISAN 5th DAY OF THE OMER

DEPARTURE OF SHABBOS MAARIV The usual weekday Shemonah Esrei with Ata Chonantanu and Yaale Veyavo; Kaddish Tiskabel; (we do not say Vihhi Noam and Va-ata Kadosh); Sephiras HaOmer; Vayiten Lecha; Havdalah; Aleinu; Mourner's Kaddish. Havdalah at home as in Shul.

SUNDAY MORNING, APR. 11

SHACHRIS For weekday mornings: weekday Shemonah Esrei with Yaale Veyavo; the Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel; we take out two Sifrei Torah; in the first we have three Aliyahs from Parshas B'haalosecha (Numbers 9:1-14) regarding Pesach Sheini; the fourth Aliyah is read in the second Sefer Torah in Parshas Pinchas (Numbers 28:19-25) from Vehikravtem; until Kol M'leches Avodah Lo Saasu; Half-Kaddish is made after the second Sefer Torah is read; Yehalelu; Ashrei; Uva Letzion; Half-Kaddish.

MUSSAF The same as every weekday Chol Hamoed Pesach Mussaf. All necessary preparations are made for Yom Tov. The Yom Tov lights are kindled with the Bracha Lehadlik Ner Shel Yom Tov; (No Shehecheyanu is made on the last two days of Pesach.)

SEVENTH DAY PESACH SUNDAY NIGHT, APR. 11, 21 NISAN 6TH DAY OF THE OMER

MAARIV Borchu...; Ufros...; Vayedaber...; Half-Kaddish; Shemonah Esrei of Yom Tov; Kaddish Tiskabel; Yom Tov Kiddush (No Shehecheyanu is made on the last two days of Pesach.); Counting of the Omer (6th Day of the Omer); Aleinu; Mourner's Kaddish; Adon Olam. Kiddush at home as above.

MONDAY MORNING, APR. 12

SHACHRIS As is customary for Yom Tov: Psukei Dazimra; Nishmas; Birchas Yotzer; Hameir Laaretz; Ahava Rabba; Shema; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel; open Aron; 13 Middos (with Ribono Shel Olam of Yom Tov); we take out two Sifrei Torah; in the first we have five Aliyahs in Parshas Beshalach (Exodus 13:17-15:26); Half-Kaddish; Maftir reads in the second Sefer Torah from Parshas Pinchas (Numbers 28:19-25); Vehikravtem. The Haftorah is read from Samuel II 22:1-51; usual Brachos for

Yom Tov are recited after the Haftorah; Kah Keili; Ashrei; Yehalelu; Half-Kaddish.

MUSSAF For Yom Tov: Shemonah Esrei of Yom Tov; Mussaf (the Additional Offering mentioned is Vehikravtem); the Chazzan's Repetition; Priestly Blessing with Ribono Shel Olam and Yehi Ratzon; Kaddish Tiskabel; Ein Keilakainu; Aleinu; Anim Zmiros; Shir Shel Yom (Psalm of the Day); Mourner's Kaddish; Adon Olam.

MINCHA Ashrei; Uva Letzion; Half-Kaddish; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Mourner's Kaddish. We wait seventy-two minutes (under extenuating circumstances, 60 minutes will suffice) before lighting candles or before doing any preparations for the Last Day of Pesach. The Bracha over the candles is: Lehadlik Ner Shel Yom Tov (no Shehecheyanu).

LAST DAY PESACH 7TH DAY OF THE OMER MONDAY NIGHT, APR. 12, 22 NISAN

MAARIV Borchu...; Ufros...; Vayedaber...; Half-Kaddish; Shemonah Esrei of Yom Tov Kaddish Tiskabel; Kiddush for Yom Tov (no Shehecheyanu); Counting of the Omer (7th Day of the Omer); Aleinu; Mourner's Kaddish; Adon Olam. Kiddush at home as above.

TUESDAY MORNING, APR. 13

SHACHRIS The customary service for Yom Tov: Psukei Dazimra; Nishmas; Birchas Yotzer; Hameir Laaretz; Ahava Rabba; Shema; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; Half-Hallel; Kaddish Tiskabel. Open Aron; 13 Middos with Ribono Shel Olam for Yom Tov. We take out two Sifrei Torah. In the first Sefer Torah we have five Aliyahs in Parshas Re'i (Deut. 15:19-16:17) from Kol Habchor until the end of the Parsha; Half-Kaddish; Maftir reads in the second Sefer Torah from Parshas Pinchas: (Numbers 28:19-25) Vehikravtem; the Haftorah is read from Isaiah 10:32-12:6; Brachos after the Haftorah, of Yom Tov.

YIZKOR We make pledges to Tzedakah as a means of elevating the souls of the departed (particularly beneficial as a source of merit for both the living and the dead are donations to Ezras Torah, which aids thousands of needy families of Bnei Torah in Israel and throughout the world). Av Harachmim (no Kah Keili [Shar Efraim]); Ashrei; Yehalelu; we return the Sifrei Torah to the Aron HaKodesh.

MUSSAF Half-Kaddish; Shemonah Esrei of Mussaf for Yom Tov; Chazzan's Repetition; Priestly Blessing with Ribono Shel Olam and Yehi Ratzon; Kaddish Tiskabel; Ein Keilakainu; Aleinu; Anim Zmiros; Psalm of the Day; Mourner's Kaddish; Adon Olam.

MINCHA Ashrei; Uva Letzion; Half-Kaddish; Shemonah Esrei of Yom Tov; the Chazzan's Repetition; Kaddish Tiskabel; Aleinu; Mourner's Kaddish.

ISRU CHAG TUESDAY NIGHT, APR. 13, 23 NISAN 8TH DAY OF THE OMER

AT THE CONCLUSION OF YOM TOV (It is proper to wait 72 minutes after sunset before making Havdalah or doing activities prohibited on Yom Tov.)

MAARIV As is customary for the departure of Yom Tov: Ata Chonantanu in Shemonah Esrei; Kaddish Tiskabel; Counting of the Omer (8th Day of the Omer); Havdalah (with the Brachos Borei Pri Hagafen; and Hamavdil - no candle or spices) Aleinu; Mourner's Kaddish.

Havdalah at home as above.

WEDNESDAY MORNING, APR. 14 SHACHRIS

As is customary for a weekday morning: Shemonah Esrei; Chazzan's Repetition; Half-Kaddish (We do not say Tachanun until after Rosh Chodesh Iyar); Ashrei; Lamnazeach; Uva Letzion; Kaddish Tiskabel; Aleinu; Psalm of the Day; Mourner's Kaddish.

(We do not make weddings or take haircuts during the period of Sefiras HaOmer on all days on which Tachanun is recited. Those who are very meticulous also refrain from the above on Rosh Chodesh Iyar and on the first two days of Sivan (with the exception of Lag BiOmer, when haircuts and weddings are permitted). There are those who, besides on the above-mentioned days, also refrain from making weddings and taking haircuts before Rosh Chodesh Iyar.)



[http://www.torahweb.org/torah/2003/moadim/rros\\_pesach.html](http://www.torahweb.org/torah/2003/moadim/rros_pesach.html)  
TorahWeb.org from last year

RABBI MICHAEL ROSENSWEIG

THE SPECIAL CONNECTION BETWEEN PESACH AND SHABBAT

The Rambam (Hilchos Chametz u-Matzah 7:1) begins his discussion of the mitzvah of sippur yetziat mitzrayim on the night of Pesach by invoking a parallel obligation to remember and recognize the sanctity of Shabbat ("kemo she-neemar zachor et yom hashabbat"), that is the basis for reciting kiddush on Shabbat. Why does the Rambam feel the need to link sippur yetziat mitzrayim with kiddush on shabbat, and how does this

intriguing link enhance our appreciation and understanding of the mitzvah of sippur yetziat mitzrayim?

The gemara in Pesachim (117b) does connect the "zakhor"s of shabbat and Pesach, albeit in the opposite direction. It establishes the need to refer to the exodus in shabbat kiddush on this basis. It is possible that the Rambam viewed the very fact that yetziat mitzrayim is incorporated into the kiddush of shabbat as indicative of its wide scope and great prominence, which in turn adds greater urgency and accentuates its centrality on Pesach itself. Perhaps, absent its defining role on Pesach, this theme would not have impacted on Shabbat either. Moreover, it is conceivable that the Rambam perceived the bond between Shabbat and Pesach, reflected in the concept of "zakhor" that ties them together, as necessarily reciprocal. Thus, the gemara in Pesachim, establishing the incorporation of yetziat mitzrayim on Shabbat, dictates the relevance of kedushat Shabbat as a theme that enhances sippur yetziat mitzrayim, as well. In order to better comprehend these ideas, it is necessary to further explore the bond between Shabbat and Pesach. The Torah itself links Shabbat and avdut mitzrayim in the second rendition of the asseret ha-dibrot (Devarim 5:14)-" ve-zakharta ki eved hayitah be-eretz mitzrayim va-yotziachah Hashem Elokeinu mi-sham be-yad hazakah u-be-zeroa netuyah, al kein tzivchah Hashem Elokechah la-asot et yom ha-shabbat". Indeed, the Maharsha (Pesachim 117b) questions why the insertion of the exodus into shabbat kiddush isn't simply rooted in this pasuk. While Ibn Ezra limits the role of yetziat mitzrayim to the inclusion of shevitat eved and Rashi explains that it serves only to underscore why we are obligated to adhere to any Divine obligation, the Rambam and Ramban do assign greater prominence to this link, which further exacerbates the Maharsha's question. The Ramban (ad.loc.) argues that yetziat mitzrayim strongly reinforces the primary theme of zekher le-maaseh bereishit that conveys our recognition of Hashem's unique role and status as the Omnipotent Creator who also intervenes and exercises hashgachah (Divine Providence) in the real world. [See, also, his comments on Shemot 20:2, and the end of parshat Bo etc.] The Rambam (Moreh Nevuchim 2:31) attaches even greater significance to yetziat mitzrayim's contribution to Shabbat. He argues that while the significance and stature of the day is due to the theological and philosophical affirmation of Hashem's role as Creator, the reason that we observe it is an expression of our recognition and appreciation of His overwhelming kindness reflected in the redemption from Egypt. An analysis of the gemara in Pesachim, reveals other difficulties. The Rashbam asserts that the reference to "zekher le-yetziat mitzrayim" in the kiddush and tefillah of other holidays is derived directly (binyan av) from Pesach. The Maharsha wonders why a similar mechanism could not have sufficed for Shabbat. Is there some greater resistance to this theme on Shabbat, which would also help explain why the pasuk in the asseret ha-dibrot was not a sufficient reason to accent this theme on Pesach. It is also, noteworthy, that, notwithstanding Rashbam's comment to the contrary, we do not refer to yetziat mitzrayim in tefilat Shabbat (See Rashash, Pesachim 117b). Other rishonim (Behag, Ran) assume that other holidays refer to the exodus because of their link with Shabbat! It seems that Shabbat, rather than Pesach, is the gateway for this theme in the broader scheme of the moadim, as only its role in Shabbat demonstrates its broader significance beyond Pesach. Tosafot Rid (Pesachim, ad. loc., mahdurah telitah) is disturbed by the irony that Shabbat, which is the foundation for zechirat yetziat mitzrayim of other festivals in tefillah as well as kiddush, limits its own reference to the exodus to the kiddush. Apparently, while the impact of the exodus on Shabbat is a model for other moadim, its own singular focus on zecher le-maaseh bereishit limits a fuller expression. Apparently, the themes of Shabbat and Pesach, reflected by their motifs- the exodus and the creation- are both competing and complimentary. It is unsurprising that these two pivotal episodes compete for prominence in several contexts. Chazal and the mefarshim question why the Torah didn't begin with a discussion of Jewish history and Pesach - "ha-hodesh ha-zeh lahem rosh hadashim", instead of the account of creation. While Rashi (Bereishit 1:1) needs to justify this reality, the Ramban asserts that creation is the most appropriate foundation for the Torah. When Hashem introduces Himself in Revelation of mattan Torah by referring to His role in the exodus, meforshim debate whether ideally it would have been more appropriate to make reference to the apparently more impressive and universally significant act of creation. Again, different perspectives emerge in the assessment of the Torah's choice (see Ibn Ezra, Ramban Shemot 20:2 etc.). When the Torah delineates the festivals, it formulates two different beginnings, one associated with Shabbat (Vayikra 23:2- "moadei Hashem asher tikrau otam mikraei kodesh eileh hem moadai"), the other with Pesach (Vayikra 23:4- "eileh moadei Hashem mikraei kodesh asher tikrau otam be-moadam."). [For a different perspective on this point, see the Torahweb.org parshat Emor, 5760.] Shabbat provides the model of issur melachah for all of the moadim, though that theme is primary and intrinsic to Shabbat. At the same time, the characteristic heter ochel nefesh that applies to all moadim (excluding Yom

Kippur), has its origin in the model of Pesach, which is first formulated in the image of Shabbat - "kol melachah lo yeaseh ba-hem" (as opposed to the "melechot avodah" formulations of Emor- see Ramban, Shemot 23:7), and only then qualified- "ach asher yeachel le-chol nefesh hu levado yeaseh la-chem." The rishonim (see Ramach, Hil. Yom Tov 1:1) question why Pesach should serve as the model for this halachah. The parallel influence of yetziat mitzrayim and Creation, of Pesach and Shabbat, are striking. Chazal indicate that the entire week revolves around Shabbat (Bezah 16a) and the cycle of festivals and months takes its cue from Pesach -Nissan, the time of past and future redemption. Ramban develops the idea that numbers, rather than names are used to designate days and months because Shabbat and Pesach are the double foci of Jewish life. The use of numbers is a mechanism to maintain constant awareness of the centrality and inspirational quality of these episodes.

While the integrity of each event and theme requires a predominant focus in its own context, perhaps reflected in the omission of "zecher le-yitziat mitzrayim" in the tefillah of Shabbat, the relationship of these values is mutually enhancing and complimentary. An expansion of the Rambam's perspective, cited previously, which accentuates the differences between the two themes within the context of Shabbat, can be used to illustrate how each theme can enhance the other. Creation can be perceived predominantly as conveying a theological axiom that reflects Hashem's Existence and Omnipotence, even as it underscores that seemingly insuperable gap between Infinite Creator and impotent creation. Man did not even exist until the final stages of the creation process. On the surface, the truth of Creation is relevant not only to the covenantal community of Kelal Yisrael, but to universal mankind, as well. At first glance, it is puzzling that Halachah views Shabbat as the special of Kelal Yisrael, like milah etc., and even prohibits non-Jews from partaking in this day- "goy she-shavat chayav mitah". On the other hand, yetziat mitzrayim constitutes an acknowledgement of the close, personal bond between Hashem and Kelal Yisrael, attesting to a special hashgahah. It was a concrete experience, affecting and transforming a desperate people. Hashem's protection and intimate involvement seems almost inconsistent with His transcendence.

The fusion of Shabbat and Pesach, of Creation and the exodus projects a more ambitious and nuanced perspective. In light of the exodus, Hashem's personal involvement- "ani ve-lo malach..." and Kelal Yisrael's special status and destiny as "am segulah", one needs to reassess the nature and purpose of "Bereishit"-Creation. The apparent objective is, indeed, to create an environment conducive to the ideals of Torah and mitzvot- "bishvil Torah (ve-yisrael) shenikra reishit" (Rashi, Midrash Bereishit 1:1). Man surfaces only at the end of the process, not as an afterthought, but as the telos. The implication of insuperable distance is to be replaced by the quite different emphasis of imatatio dei- "lehidamot la-Hashem"-, which demands that man, bezelem Hashem, refrain from melachah. Observing Shabbat by means of issur melachah conveys both man's greatness and approximation to Hashem, as well as his recognition of absolute distance and obvious inadequacy in His presence. Shabbat, when viewed properly, is a singular and exclusive of between Kelal Yisrael and Hashem because it is crucial to the multifaceted, ambitious agenda of the am segulah. At the same time, our assessment of yetziat mitzrayim undergoes serious revision when we contemplate Hashem's transcendence. The intimate participation and the mutuality-reciprocity of the relationship to Kelal Yisrael built on Hashem's chesed, but also Kelal Yisrael's emunah (faith)and mesirut nefesh (dedication-commitment) [ reflected in "mishchu u-kechu lahem"(Shemot )- sheyischatu eloheichem le-eineichim"] is more surprising and therefore more impressive, certainly more fully appreciated, and also assumes greater religious significance in light of the awesome omnipotence implicit in Creation. If yetziat mitzrayim projects greater sensitivity to the personal, experiential aspects of religion and to the role of human destiny and potential, maaseh bereishit insures that man more fully appreciate and be humbled by that greater religious scope and opportunity inherent in serving Hashem both in his immanence and in his transcendence.

The integration of the two themes is expressed through the insertion of zecher le-yetziat mitzrayim in the kiddush of Shabbat, although primarily as a way of enhancing zecher le-maaseh bereishit. Its impact on Shabbat, notwithstanding a different primary emphasis, demonstrates its centrality to all of the moadim, where it is conveyed even in the tefillah. Perhaps the gemara in its presentation of the source of this conclusion seeks to underscore that the insertion of zecher le-yetziat mitzrayim into Shabbat kiddush draws not upon the second rendition of the dibrot where the link is internal to Shabbat, disentangled from Pesach, and in a context that de-emphasizes zecher le-maaseh bereishit, but upon the full concrete experience of the actual exodus in the Pesachcontext designed to be most memorable (Devarim 16:3)- "leman tikzor et yom tzeitach mi-mitzrayim kol yemei hayecha". Thus, it is intentionally derived specifically from the first rendition

of aseret ha-dibrot, in which the commemoration of Creation is the exclusive focus (20:7-11) in order to demonstrate that its contribution is not a dilution, but an enhancement of that theme.

The Rambam (Hilchot Chametz 7:1) stresses this reciprocal link in the other direction, as well. In addressing the central theme of sippur yetziat mitzrayim, he finds it meaningful to invoke the kiddush of Shabbat. By doing so, he reminds us of the overwhelming impact of this experience, and perhaps also hints at the reciprocal impact of zecher le-maaseh bereishit on our precise evaluation of sippur yetziat mitzrayim. The reciprocal link intentionally focuses not on the more abstract and generally didactic mitzvah of zechirat yetziat mitzrayim (which according to the Rambam is a dimension of the kabalat ol malchut shamayim of keriat shema, as the Rav zt"l noted), but the more concrete, vivid, detailed and even visceral experience of the sippur.

The tie between Shabbat and Pesach may be reflected in other issues, as well. In one pasuk, Pesach itself is designated as "Shabbat" (Vayikra 23:11- regarding the korban omer). [Conceivably, only Pesach (and Yom Kippur, by virtue of its special bond with Shabbat) might qualify for this designation.] The poskim are perplexed about the origins and status of Shabbat ha-Gadol. Many argue that this special Shabbat commemorates the extraordinary standard of emunah exhibited by Kelal Yisrael in responding on Shabbat, the 10th of Nissan, to the challenge to ready "seh le-beit avot seh la-bayit" (Shemot 12:3), publicizing their intent to sacrifice the Egyptian deity. The poskim note that rarely, do we commemorate events by the day of the week, rather than the calendar day of the month. Why, then, do we always observe this important step in the process of yetziat mitzrayim on the Shabbat before Pesach? R. Levi ibn Haviv (Chidushei Hagahot, Tur, 430) suggests that the process began on Shabbat because yetziat mitzrayim was destined to play a crucial role in Shabbat! One might add that the reciprocal relationship of Shabbat and Pesach, and the mutually enhancing themes that are so strongly identified with them, made this truly a Shabbat ha-Gadol.

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From: Yeshivat Har Etzion Office [office@etzion.org.il] Sent: Tuesday, March 30, 2004 5:32 AM To: yhe-holiday@etzion.org.il

Please say tehillim for 5-month-old Shmuel Ori ben Leviya, recovering from heart surgery. He is in need of our prayers.

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) Yhe-Holiday: Special Pesach Package

#### THE FOUR CUPS OF WINE AND THE MITZVA OF PUBLICIZING THE MIRACLE

BY RAV BINYAMIN TABORY

The Yerushalmi (Pesachim 10:1) inquires as to the source of the obligation of drinking four cups of wine (arba kosot) at the Pesach seder, and it cites a number of possible sources. The prevalent opinion, however, is that the four cups correspond to the four expressions of redemption stated towards the beginning of Parashat Vaera: "I shall take you out ... I shall rescue you ... I shall redeem you ... I shall take you to me" (Shemot 6:6-7). Interestingly, the Keli Chemdah maintains that drinking the arba kosot constitutes a biblical requirement, as it is extracted from biblical sources. We may draw further support for this thesis from a variant text of the Yerushalmi, as it appears in the She'iltot of Rav Achai Gaon: "What is the source of the arba kosot from the Torah?" Nevertheless, it is generally assumed that this mitzva was instituted by our Sages, who based it upon the language of the Torah. The gemara (Pesachim 117b) clearly states, "Our Sages instituted that the arba kosot be drunk in a manner expressing freedom."

Despite the presumed rabbinic origin of arba kosot, we nevertheless find a number of stringent laws associated with this mitzva. First, even if wine affects a person's physical condition, he must force himself to drink arba kosot (Shulchan Arukh, O.C. 372:1). Rav Ovadya Yosef (cited in Yalkut Yosef, vol. 5, p. 387) qualified this ruling and claimed that it refers only to a person who may develop a headache or experience some discomfort in his stomach; such a person should still drink arba kosot. If, however, drinking will cause one to be bedridden or trigger an internal illness, he is exempt from this obligation.

Another stringency is stated in the mishna (Pesachim 10:1). A poor person who depends on the public dole for his livelihood must be provided with wine for the arba kosot. The Shulchan Arukh (O.C. 372:13) rules that an indigent person should sell his clothes, borrow money, or hire himself out as a laborer in order to obtain funds to purchase the wine. The Rambam (Hilchot Chanuka 4:12) extended this ruling, requiring a poor person to resort to such measures to obtain Chanuka candles as well. The Maggid Mishneh explains that both Chanuka and

Pesach have an element of "pirsumei nisa" (the requirement to publicize the miracle), and thus share this stringency.

The gemara (Pesachim 112a), commenting on the aforementioned mishna, notes that the mishna does not mean to inform us that the supervisors of the charity funds should supply wine as part of the Pesach provisions. This point is obvious and does not require an explicit clause to this effect in the mishna. Rather, the mishna refers to a case where the person has enough money to buy all his needs except wine. In such a situation, the mishna establishes that one should resort to charity, and suffer the resulting shame and debasement, rather than avoid purchasing wine and thus forfeit the mitzva of arba kosot. Rabbi Akiva maintains that if a person receives charity, he should be given three meals for Shabbat. If, however, he can independently afford two meals, he should treat Shabbat as a weekday (and eat only two meals) rather than begin taking charity to pay for the third meal. Yet, the Gemara notes, even Rabbi Akiva agrees that when it comes to arba kosot, an otherwise self-sufficient person should accept charity to purchase wine, because this obligation involves "pirsumei nisa."

The Avnei Nezer (O.C. 501) explains that generally, a poor person who sincerely desires to fulfill a mitzva but whose financial difficulties do not allow him to do so, is nevertheless considered as having fulfilled the given mitzva. However, this rule applies only to ritual obligations, such as putting on tzitzit. "Pirsumei nisa," by contrast, cannot be achieved through good intentions alone. After all, when all is said and done, in such a case the desired publicity has not occurred. Therefore, he reasons, being poor does not excuse one from fulfilling this mitzva, and one must therefore beg for, borrow or somehow obtain the money needed for the performance of this mitzva.

The gemara (Megilla 18a) ascribes the quality of "pirsumei nisa" to the obligation of Megilla reading as well. It would seem that these three mitzvot represent three different forms of "pirsumei nisa." On Chanuka, the basic idea is to light the candles outdoors and proclaim the miracle to the entire world. Megilla reading, on the other hand, is required only within the framework of the Jewish community. Finally, the "pirsumei nisa" of arba kosot pertains only to one's family or the chavura (group) that attends your particular seder.

The Rambam rules (ibid., 13) that if a person does not have enough money to buy both wine for kiddush and Chanuka candles, he should buy the candles instead of the wine. The Kesef Mishneh bases this ruling on the fact that the element of "pirsumei nisa" exists with regard to the obligation of Chanuka candles, whereas it does not apply to kiddush.

The Avnei Nezer (op. cit.) questioned the assumption that we do not consider the Friday night kiddush "pirsumei nisa." After all, Shabbat commemorates both the creation of the world and the redemption from Egypt. These events, both of which we refer to in the text of kiddush, certainly qualify as "miracles," and reciting kiddush indeed publicizes these miraculous events. Why, then, is kiddush not an expression of "pirsumei nisa"? He answered that "pirsumei nisa" means that the miracle should be publicized to others, whether it be the entire world, the Jewish community or the immediate family. However, kiddush is inherently a purely personal obligation; no one else need be present for a person to fulfill the mitzva of kiddush. Therefore, kiddush cannot be considered a mitzva of "pirsumei nisa."

Although, as we have seen, the gemara explicitly connects the arba kosot with the concept of "pirsumei nisa," this should strike us as somewhat surprising. The miracles of Chanuka and Purim - which are obviously not recorded in the Torah - understandably require publicity to ensure their place within the collective memory of Am Yisrael. Furthermore, needless to say, we have no biblical requirements to fulfill on Chanuka and Purim which would facilitate the continuous memory of these miracles. However, Pesach, its history and its laws, comprise such an integral part of the Torah that it hardly needs any additional means of publicity. The Ten Commandments begin with a reference to the exodus from Egypt. We also have the biblical requirements of the Pesach sacrifice, eating matza and, above all, the biblical obligation of relating the story to our children and grandchildren. Do we really require more "pirsumei nisa"?

Rav Moshe Shternbuch (Moadim U-zemanim, vol. 7, p. 97) raises another point relevant to this issue. The gemara (Pesachim 108b) says that the arba kosot contain an element of "cherut" (freedom) and "simcha" (joy). If the gemara there establishes the primary reason(s) for the arba kosot, then why did the gemara cited earlier feel that "pirsumei nisa" is also a factor? Despite the lack of a response to this question, Rav Shternbuch suggests that all the obligations of the seder constitute "pirsumei nisa." This radical approach implies that a person should beg for or borrow money even to buy marror (bitter herbs) for the seder, despite the fact that today, in the absence of the Pesach sacrifice, eating marror constitutes merely a rabbinic obligation.

Several Rishonim have raised the question of why we do not recite a blessing before we drink the arba kosot. Among the answers given is that this mitzva is not performed all at once. Indeed, a hefsek (interruption) between the cups necessarily occurs, given that each of the cups has a specific text to be recited before it is drunk (kiddush, the main section of the Haggada, birkat ha-mazon, and hallel). The Or Zarua (1:140) compares this to the three meals of Shabbat: since they, too, are to be eaten at intervals, one does not recite a blessing over the mitzva of eating Shabbat meals. Rabbeinu David (Pesachim 109b) assumes that the arba kosot are four components of one mitzva, and goes so far as to say that if one should drink only one or two cups, he fulfills nothing at all until he drinks all four. (The editor of Rabbeinu David's novellae, Rabbi A. Shoshana, cites other opinions in footnote 9.) Since this one mitzva is divided into four parts and must be fulfilled at intervals, it follows that there is no blessing recited.

In light of our discussion, another question arises. Two of the mitzvot involving "pirsumei nisa" - Chanuka candles and Megilla reading - feature the special blessing "She-asa nisim" ("who has performed miracles"). Given that the entire Pesach seder also involves "pirsumei nisa," and the mitzva of the arba kosot certainly constitutes "pirsumei nisa," why is no such blessing recited at the seder? Some Rishonim (Sefer Ha-Ora, 90; also see Orchot Chayim, Avudraham and other commentators on the Haggada) explain that, in truth, such a blessing indeed exists. Just before we drink the second cup, we recite the blessing, "Asher ge'alanu ve-ga'al et avoteinu" ("Who has redeemed us and our fathers"), which is akin to the blessing of "she-asa nisim." The question, however, could still be raised: even if this is true, why is it recited before the second cup and not the first?

The night of Pesach has a special requirement: one should experience the redemption as if he himself left Egypt. As we begin the seder, we attempt to experience the meaning and feeling of slavery to Pharaoh. While reciting the Haggada, we relive the redemption process. As we realize the full meaning of the redemption and say hallel, we fully appreciate the miracle; therefore, it is now appropriate to say the blessing "she-asa nisim," which is now transformed into the blessing "asher ge'alanu."

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Etzion 90433 E-Mail: Yhe@Etzion.Org.II Or Office@Etzion.Org.II Copyright (C)  
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