

לעילוי נשמת

הר"ר חשה הגר ז"ל
ב"ר יוסף דוד ז"ל
ת.נ.צ.ב.ה.

Dedicated by our friends
DAVID & JUDY HAGER



מאורות

הדף היומי

Meorot HaDaf Ha Yomi

A Weekly Letter for Learners of the Daf Ha Yomi

לעילוי נשמת

הר"ר יוסף וולף ז"ל
ב"ר ברוך מנדל הי"ד
ת.נ.צ.ב.ה.

י"ל ע"י ביהמ"ד למגידי שיעור "דף היומי" בראשות הגר"ד קובלסקי שליט"א וע"י קרן ברכה ומוטי זיסר

Vol.352 **מסכת פסחים ל"ג-ל"ט** **בס"ד, כ"א שבט תשס"ו**

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The Mice that Resolved the Controversy

The five species of grain are wheat, barley, oats, spelt and rye. Mitzvos that involve bread and flour products, such as birkas hamazon, matza and challa, can be fulfilled only with these five species. Similarly, only these five grains can become chametz.

The Tanna Rebbe Yochanan ben Nuri holds that rice is also included in this category. However, the halacha does not follow his opinion. We consider rice to be a legume, not a grain (see Rambam, Hilchos Chametz U'Matza 5:1). Nevertheless rice does have certain halachos similar to those of grains. For example, borei minei mezonos is recited over it, since it is filling, just like grains (Shulchan Aruch O.C. 208:7). Furthermore, when mixed with wheat flour, rice flour can ferment and rise. Under certain conditions, one fulfills his obligation of eating matza on Seder night with matzos made from a mixture of flour and rice (see Mishna Berura 453, s.k. 14; Kesef Mishna, Bikurim 6:1; Be'er Yitzchak, O.C. 8).

What is rice and what is millet? In Maseches Berachos (37a), the Gemara discusses which berachos should be recited over the legumes *orez* and *dochan*. According to Rashi (s.v. *Orez*, see loc. cit. Tosefos s.v. *Rashi*) *orez* is not rice, but millet. Therefore, the above discussion of rice should be applied to millet instead.

The commonly accepted custom (based on Tosefos) and the ruling of the Mishna Berurah is to assume that we are correct in translating *orez* as rice, and therefore mezonos is recited over rice, and shehakol over millet (208, s.k. 25). However, since the matter is subject to debate, some have the custom to recite shehakol over rice, rather than mezonos. In cases of doubt, where it is impossible to ascertain the correct beracha, shehakol satisfies all opinions, since it is the most general, all-encompassing beracha. Therefore, they recite shehakol over rice, in order satisfy both Rashi's and Tosefos' opinion.

The Aruch Hashulchan writes that there was once an uncertainty as to the correct beracha for rice, but the uncertainty has since been resolved (ibid, 21). He does not explain how it was resolved, but tradition has it the Vilna Gaon conducted a fascinating test to identify the species of *orez* and *dochan*.

The mouse experiment: The Gemara states that if a person is entrusted to guard a certain amount of *dochan* for one year, he need only return 19/20 of what he received. We can assume that 1/20 was eaten by mice. However, if he is entrusted to guard *orez*, he must return 39/40; we can only assume that 1/40 was eaten (Bava Metzia 40a).

דף לה/א אורז ודוחן

דבר העורר

Big Rocks

At the start of class one day, a teacher placed an empty glass jar on her desk. She filled it to the top with large rocks, and then asked her class, "Is this jar full?" "Yes," answered the children in unison. "Really?" she asked. She then proceeded to pour gravel into the jar, filling the space between the rocks. "Is it full now?" she asked again. "Yes," answered the children. She then poured sand in, which filled the space between the gravel. "What is the lesson in this?" she asked the class. One student offered a suggestion. "No matter how full your life seems, there's always room for more," he said. "Good, but not quite," said the teacher. She then poured the jar's contents out onto her desk and invited the student to come up. She asked the student to return the contents into the jar, but this time to start with the sand, then the gravel, and then the rocks. As hard as he tried, he could not get them in. "Children, if you don't put the big rocks first, you'll never get them in," she said. The big rocks represent the truly important things in life, such as Torah, mitzvos and family. When we put what is important first, we can find time to fit in the smaller things around it. When we fill up our lives with trivial things, we'll never find time for

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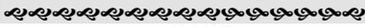
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פנינים

דף לג / א בגזרת עירן פתגמא

Like Angels

Once the Chasam Sofer discussed the greatness of his rebbe, R' Nosson Adler zt"l. Someone commented, "Yes, R' Nosson Adler was like a *malach*." When the Chasam Sofer heard this he took great offense. "A *malach*? You have no idea what a *malach* is and you have no idea who R' Nosson Adler was. My rebbe was far greater than the *malachim*."

לה/א אלו דברים שאדם יוצא בהן ידי חובתו בפסח בחטים

Food of Healing

The Zohar refers to matza as the Food of Healing. However, it does not offer any explanation as to what sickness matza is meant to heal. In fact, matza is the cure for the corruption of the world that was caused by Adam's sin. This is well understood according to the opinion that the Tree of Knowledge was a wheat plant (Berachos 40a). When we eat matzos made from wheat in order to fulfill Hashem's will, we rectify the sin of eating forbidden wheat.

For this reason *techiyas hameisim* will occur on Pesach, as our Sages foretold (Tur O.C. 490:9). By eating matza each year on Pesach, the sin of Adam is slowly being rectified until the world will be completely cured. Then his punishment will be rescinded and death will be abolished forever (Reb Tzadok HaKohen of Lublin, *Amalah shel Torah*, 3).

לט/א מאי מסא דחס רחמנא עילון

Hashem's Hidden Mercy

One of the purposes of *Golus Mitzrayim* was that it taught the Jewish people to accept mastery, and bend our backs to our labors. Although our labor under the cruel hands of the Egyptians was terrible and oppressive, we thereby learned to labor for Hashem in Torah and mitzvos, and accept His mastery. This was for our ultimate benefit.

With this we can understand why the Gemara calls maror "*chasa*" from the root word of *chas*, which means mercy. The Gemara explains that this comes to symbolize how Hashem had mercy on our forefathers. One would think that this name would be more appropriate for matza, which symbolizes our redemption. Where do we find Hashem's mercy in the maror, which symbolizes the bitterness of our labors? Furthermore, we might ask why matza is eaten before maror on Seder night. Maror symbolizes our slavery, and should be

In order to verify which species of legume is *orez* and which is *dochan*, the Vilna Gaon once stored a certain amount of rice and millet for a year, and discovered at the end of the year that mice had eaten 1/20 of the millet but only 1/40 of the rice. It was then clarified that rice is *orez* and millet is *dochan* (Teshuvos V'Hanhagos I, 186; see V'zos HaBeracha p. 241).

Corn matzos: Many years ago, the terrible poverty that prevailed throughout Europe forced the Jewish communities to consider baking matzos from corn, a relatively inexpensive food. Corn was then known as "Turkish wheat", which gave rise to the question that it might be considered a species of grain. However, the Chasam Sofer (Responsa, O.C. 121) ruled that since the poskim throughout the generations had considered corn a legume and not a grain, it should not be used for matzos.

It is interesting to note that in the midst of his discussion of corn matzos, the Chasam Sofer (ibid, 50) questions whether shehakol should be recited over cornbread and other corn products, as is the commonly accepted practice, or perhaps mezonos like rice. He points out many comparisons between the two species. Unable to come to a clear conclusion, he rules that cornbread should only be eaten during a meal, so that it can be exempted by the HaMotzi recited over wheat bread. The Mishna Berurah (208, s.k. 33) rules that it is best to follow this practice, but if it is impossible to do so, shehakol should be recited (Shaar HaTzion, 36).

דף לח/א אף כאן משלכם

Maror from an Abandoned Arab Village

The circumstances of the War of Independence created a lack of many basic necessities in Israel. During the days preceding Pesach of the year 5709, there was a severe lack of maror in Yerushalayim. Some Yerushalmi Jews saw that the neighboring Arab village of Dir Yasin had been abandoned. The area was conquered by the Israeli army, and the Arab residents had fled. The Yerushalmis decided to descend into the fields and pick the lettuce that had been abandoned by its owners. They then brought back lettuce in abundance to be used for maror. However, the contemporary Poskim, R' Ezra Ataya, Rosh Yeshiva of Porat Yosef, and R' Tzvi Pesach Frank, Chief Rabbi of Yerushalayim, questioned that the lettuce might be considered stolen, and therefore unfit for use (Mikraei Kodesh II, 14).

Lulav, matza and maror: In order to fulfill the mitzva of lulav and esrog on the first day of Sukkos, we must use our own lulav and esrog, as the possuk says, "Take for yourselves on the first day..." (Vayikra 23:40). This excludes both borrowed and stolen lulavim. However, there is no such ruling explicit in the Chumash in regard to matza. Therefore we might ask whether stolen matza may be used on Seder night.

In our sugya, we learn that according to R' Meir, one does not fulfill his obligation with matza baked from *maaser sheni* flour. R' Meir views *maaser sheni* as Hashem's property, which He allows us to eat in Yerushalayim. Matza must be eaten from our own grain, and not from Hashem's. The Rosh (18) learns from here that stolen grain also cannot be used for matza, since it is not our own. This is similar to the ruling stated above in regard to lulav. The Levush (ibid) and Shaagas Aryeh (92) offer a different reason why stolen matza may not be used. Stolen matza is a "*mitzva haba b'aveira* – mitzva that comes as a result of an aveira." In practice, the Shulchan Aruch (O.C. 454:4) rules that one does not fulfill his obligation with stolen matza

The question must then be asked whether either of these two issues apply to maror. The Pri Chadash explains that the Gemara often compares the halachos of matza to those of maror. Therefore, the Rosh's understanding that one must eat his own matza should also apply to maror. However, the Knesses HaGedola cites Rabbeinu Yerucham that one need only use his own matza, but not his own maror. According to



this opinion, one fulfills his obligation with stolen maror (Biar Halacha, ibid).

In regard to the principle of *mitzva haba b'aveira*, we find a machlokes between the Shulchan Aruch and Rema (O.C. 649:5). The Shulchan Aruch holds that this principle applies only to mitzvos from the Torah. One can fulfill a Rabbinic mitzva with a stolen object. Therefore, since maror is only a Torah obligation when eaten together with the Korban Pesach, and today it is eaten only as a Rabbinic mitzva, *mitzva haba b'aveira* does not apply. The Rema, however, holds that *mitzva haba b'aveira* applies even to Rabbinic mitzvos such as maror.

Abandoned maror: Another point for consideration is that the maror from Dir Yasin might not even be considered stolen. Perhaps the conquest of the Israeli army is considered a legal acquisition of the property. Furthermore, even if the military presence does not conflict with the Arab farmers' private ownership of their land, the Arabs fled they abandoned their property and despaired of ever reclaiming it. When a person despairs of reclaiming a lost object, he loses his legal ownership. However, this does not apply to land. Even though he despairs of reclaiming stolen land, it is still legally his. Since the lettuce in question was fully grown, it is no longer considered part of the land, but rather an independent object. Therefore the farmers' despair of ever reclaiming their lettuce renders it ownerless.

דף לח/ב מצה המשתמרת לשם מצה

Baking Matzos L'Shma

We learn in our sugya that matzos must be guarded against rising with the intention that one is doing so for the sake of matza. There are many subtle nuances in this halacha that are difficult to grasp. However, we can illustrate by means of the following incident, which occurred years ago in Yerushalayim.

Once there was a Jew who personally baked his own matzos for Pesach. He baked matzos twice each year. The first time was in the weeks preceding Pesach, when he baked the matzos that were to be eaten over the course of the week. The second time was on erev Pesach in the afternoon, when he baked matzos to be eaten on Seder night. There is an important *hiddur mitzva* to bake specifically then, at the time when the Korban Pesach was once offered (Shulchan Aruch O.C. 558). These matzos are called "*matzos mitzva*" since one fulfills with them the mitzva of "You shall eat matzos at night" (Shemos 12:18). There is no obligation to eat matza the rest of Pesach. As long as one refrains from eating chametz, he may eat any other type of food.

When he baked matza the first time, he would proclaim that he baked, "For the sake of matza." The Mishna Berura (460 s.k. 2) rules that the matza eaten during the rest of the week need not be baked specifically for the sake of matza. Strictly speaking, even if gentiles were to bake unleavened bread, they would be kosher for Pesach provided that they did not rise to become chametz. However, the Jewish people have accepted a praiseworthy custom to bake all the matzos eaten during Pesach specifically for the sake of matza. When he baked matza the second time for Seder night, he would say a slightly different proclamation: "For the sake of *matzos mitzva*." In order to fulfill the mitzva of eating matza on Seder night, one must use matzos that were baked and guarded from rising with specific intent. This is not just an admirable practice, but a halacha which is learned from pesukim in our sugya.

One year, the person in our story baked matzos as usual the first time, but was unable to bake again on erev Pesach. Matzos baked before erev Pesach are also kosher for Seder night according to the accepted practice. However, in this case there was an added problem that they were not baked *l'shma* – for the sake of the mitzva. They were baked to be eaten during the week of Pesach, when there is no mitzva to eat matza.

This question is the basis of an extensive *machlokes Rishonim*, which revolves around our sugya. The Gemara clearly states that that the matzos eaten on Seder night must be baked *l'shma*. The Rishonim debate the precise definition of *l'shma*. What is the minimum intention that must be

eaten before the matza, which symbolizes redemption.

After Hashem redeemed us and we accepted upon ourselves the yoke of Torah and mitzvos, we realized retroactively how much we had gained from our Egyptian bondage. We saw that it was a necessary preparation in order to become loyal servants of Hashem. The bitterness of our slavery was an expression of Hashem's hidden kindness, therefore maror is most appropriately called *chasa*. Only after we eat the matza of redemption, can we recognize the hidden kindness of the exile (Shem M'Shmu'el, Parshas Tzav).

מאורות ההלכה

Searching by sunlight:

1. If a person did not check for chametz on the night of the 14th, he should check on the following day. He must not rely on the sunlight, but must use a candle to check in holes and crevices, as he would at night.

2. However, in a roofed porch, where an entire side is open to the air and a large amount of sunlight enters, one may rely on sunlight to check, and need not use a candle. The same is true directly in front of an open window or door, where there is a direct stream of sunlight. However, in the areas to the sides of the window or door where there is no direct sunlight, one must use a candle, even though some indirect sunlight does reach there.

3. Rooms that have many windows through which a lot of sunlight enters, have the halachic status of a roofed porch, and may be checked by sunlight.

4. Poskim of earlier generations wrote that windows with glass panes must be opened in order to check by sunlight, since the light is dimmed by the glass. However, later Poskim (Daas Torah 433) write that our glass is clearer, and therefore one may check for chametz by sunlight in front of a closed window (if he forgot to check by candlelight at night).

Thirty days before Pesach:

1. From thirty days before Pesach, one must be careful not to use chametz in such a manner that it may become stuck to something and difficult to remove.

2. Although bedikas chametz should ideally be performed on the night of the 14th, the obligation to search one's house for chametz essentially begins one month before the 14th. Therefore, if one leaves his home within this month, even if he does not intend to return before Pesach, he must check for chametz by candlelight on the night before he leaves. However, no beracha should be recited over this bedika. If one forgot to check by night, he should check by day before he leaves.

3. Alternatively, he may appoint a *shaliach* (messenger) to perform bedika and bitul on the night of the 14th. In this case, the homeowner need not check his house before he leaves, since the *shaliach* will



perform bedika in his place.

4. Similarly, if one leaves behind male family members over bar-mitzva age, they should perform bedika and bitul on the night of the 14th, and he need not check before he leaves. Even if a person does appoint a *shaliach*, he should also personally disown his chametz, from wherever he may be.

Before thirty days:

1. If a person leaves his home more than thirty days before Pesach without intention to return for Pesach, he need not check for chametz, since the Rabbinic enactment to search for chametz has not yet begun. Before Pesach begins, he should disown the chametz in his property, from wherever he may be. If one knows for certain that he has chametz in his house, the Poskim debate whether or not one must destroy it before he leaves. The Mishna Berura (436 s.k. 5) cites both opinions, but does not decide between them.

2. If a person leaves his home more than thirty days before Pesach and does intend to return for Pesach, he must check for chametz before he leaves. Even if he leaves at the beginning of the year, he must check before he leaves, since he might be postponed in his return and arrive home on erev Pesach in the late afternoon, and be unable to rid his house of chametz before Pesach. If he intends to return in the middle of Pesach, he must certainly search for chametz before he leaves.

The Mishna Berura (436 s.k. 9) adds that the concern that one may return too late to check depends upon the practical circumstances of one's situation. If he is traveling by boat or by caravan to a distant land, it is more likely that he may return late. If he travels to a nearby city from which it is easy to return, this concern does not apply, and one need not check before he leaves. Therefore, each situation must be judged according to the distance and relative ease of return, and the amount of time he has allotted for himself, in case a mishap should occur.

3. When one checks before the night of the 14th, he should not recite a beracha.

contemplated when baking matzos, in order that they may be used to fulfill the mitzva on Seder night?

Some Rishonim hold that one must have very specific intent, and say, "I intend to bake matzos with which I will perform the mitzva of eating matza on Seder night." Others hold that it is sufficient to bake matzos with the intent that they will be eaten on Pesach. One need not intend to fulfill with them the mitzva of Seder night.

The Shulchan Aruch HaRav (O.C. 453:14) accepts the second opinion (see Mikraei Kodesh: Matza Baking, 1). Therefore the Jew in our story may use his matzos for Seder night.

The question addressed in this article is only relevant in cases similar to this, when one bakes matzos with intention to eat them during the week, and not on Seder night. If a person bakes all the matzos he will need for Seder night and for the week of Pesach at once, they are all kosher for Seder night even according to the first opinion. His intention for *matzos mitzva* extends to all the matzos baked (Chazon Ish, O.C. 124).

דף לט/א ואלו ירקות שאדם יוצא בהם ידי חובתו בפסח בחזרת בתמכא...

Sweet Lettuce for Maror

Among the species kosher for use as maror, the Mishna lists *chazeres*, which the Gemara identifies as *chasa* - lettuce. The Gemara then proceeds to explain that lettuce is the most preferable choice. *Chasa* resembles the word *chas*, which means mercy, symbolizing that Hashem had mercy on us and rescued us from Egypt. Furthermore, lettuce represents our bondage in Egypt. It is soft when it starts to grow, and then hardens. So too, our service in Egypt began "softly" when they paid us for our labors (Rashi), and then turned terribly difficult. The Shulchan Aruch HaRav (473:30) writes that the advantage of using lettuce is so great, that one should even pay a large amount of money for it, as one would pay dearly for a beautiful esrog. The Mishna Berura writes that one should buy lettuce even if it is slightly more expensive than other kinds of maror.

Need maror be bitter? Many have raised the question that the lettuce we use for maror is not bitter at all. The Talmud Yerushalmi (2:5) also asks this question, and answers that lettuce is sweet at first and then turns bitter. So too was the sojourn of our forefathers in Egypt. At first it was sweet, when the Egyptians welcomed us and said, "In the best areas of our land, let your father and brothers dwell" (Bereishis 47:6). Later it turned bitter, "And they embittered their lives with difficult labors in mortar and bricks" (Shemos 1:14). When lettuce is picked ripe, it is sweet. If it is allowed to stay in the ground for too long after it is ripe, it turns bitter (Chachom Tzvi 109).

Some Poskim (Shulchan Aruch HaRav, *ibid*; Chaye Adam 130:3) understood this Yerushalmi to mean that maror need not actually be bitter. The fact that the plant could turn bitter is enough to make it acceptable. That is to say, one need not taste the bitterness in his mouth to fulfill the mitzva of maror.

Bitter lettuce: Other Poskim question this conclusion. The Ridvaz (Yerushalmi Berachos, ch. 6, s.v. *In teimar*) writes that some species of lettuce are more bitter than others. Perhaps the *chasa* mentioned in the Gemara is a species of lettuce that is slightly bitter to begin with, and then turns even more bitter.

The Chazon Ish (O.C. 124) also writes that one should use bitter lettuce. He explains the Yerushalmi to mean that lettuce turns bitter after time, and one should use specifically the overripe bitter lettuce. However, it should not be so bitter as to be inedible. Maror must be bitter but edible food.

The Pri Megadim (473, E.A. s.k. 12) rules that although all other mitzvos regarding food must be fulfilled with edible food, this is not the case with maror. Even things that are so bitter that they are inedible may be used. However, the poskim refute this opinion, and cite proofs from the Rishonim to the contrary (Biur Halacha 473:5, s.v. *Yikach*).

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