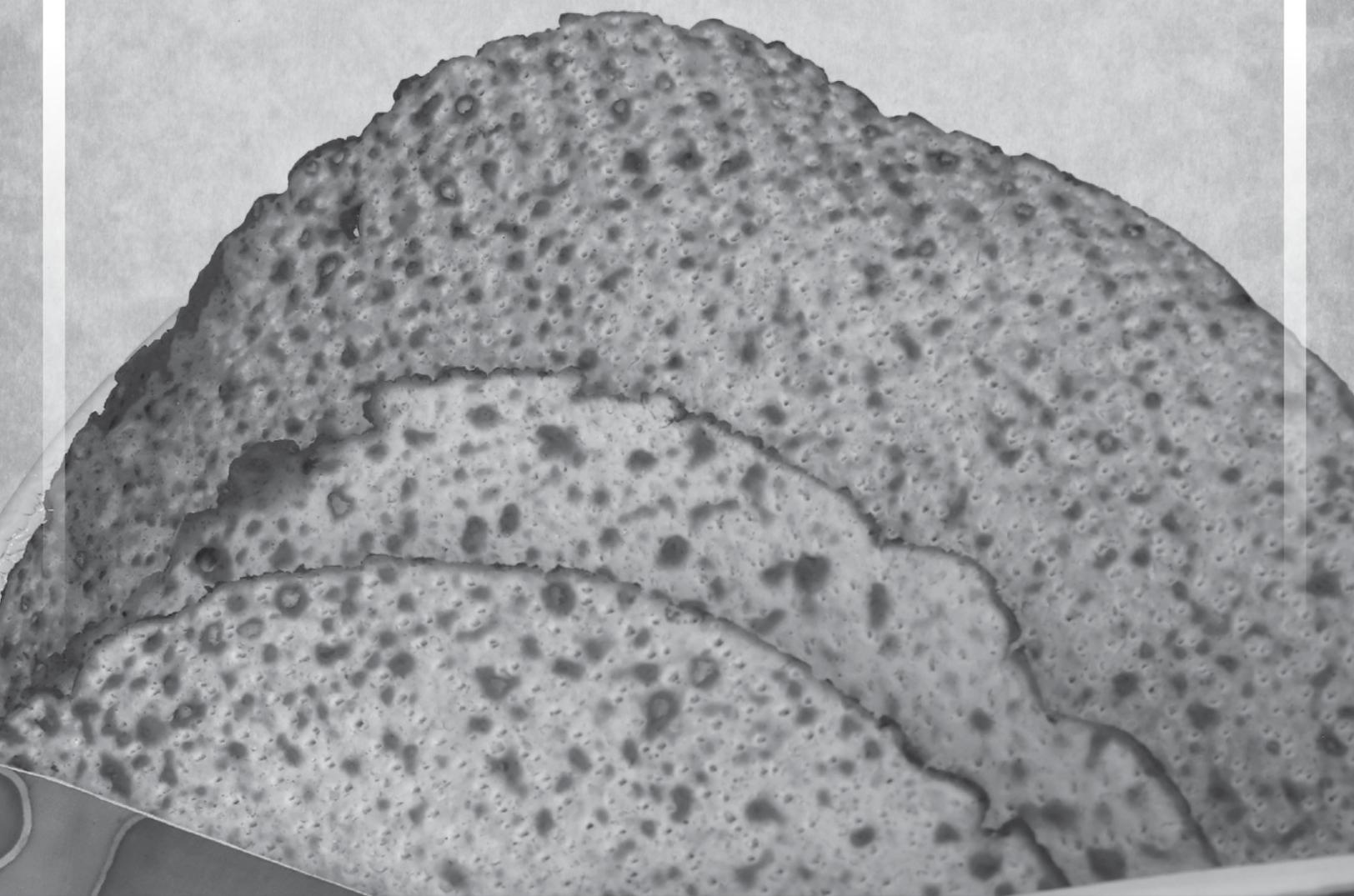


**BULLETIN OF THE VAAD HARABANIM
OF GREATER WASHINGTON**

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*Inquiries into
Selected Halachos of Pesach*



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The Rabbinical Council of Greater Washington is pleased to present its *halachic* bulletin which is published, *im yirtzeh Hashem*, semi-annually, before *Pesach* and before the *Yamim Noraim*.

The articles herein are primarily *halachic* in nature and address contemporary issues and questions revolving around *Yom Tov* observance. Their purpose is not only to increase general knowledge about the topics at hand but also to provide a portal for in-depth *Torah* study and analysis. As such, references to original sources are provided and readers are strongly encouraged to explore them on their own. The reader will note that final *halachic* positions – *psakim* – on particular issues are based on the author’s analysis of the topic. The bulletin does not seek to present itself as the final *halachic* authority on any question. For that please consult with the author or with your local Rav.

Questions, comments, and suggestions are most welcome and may be sent to vaadbulletin@gmail.com.

Wishing you all a *Chag Kasher v'Sameach*,
Rabbi Moshe Walter

Pesach Mitzrayim and Pesach Today

Rabbi Eliezer Kreiser
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The Ramban in Parshas Bo explains why there are many Mitzvos that serve to remind us of the Exodus of Egypt. The Ramban explains that the reason is because the miracles that we experienced by the Exodus from Egypt silenced all forms of skepticism and questions regarding belief in the existence of G-d. These miracles proved not only that G-d created the world, but they proved beyond a doubt the existence of Divine Providence. Only One who had created and sustains creation has the power to change the forces of nature. The Ramban explains that G-d will not perform miracles in every nation to silence its skeptics. Rather, Yetzias Mitzrayim is a point of reference to prove Divine Providence for all generations. This, continues the Ramban, explains why we have so many Mitzvos associated with Yetzias Mitzrayim. We have the Mitzvah to recite Krias Shema which mentions Yetzias Mitzrayim in the morning and in the evening. We have the Mitzvah of Mezuzah, and Tefillin, which contain verses referring to Krias Shema. This is an integral part of the Yom Tov of Pesach. All of these Mitzvos are to serve as constant reminders of the miracles that Hashem performed; to inculcate this message of Hashgacha Pratis, of Divine Providence.

The Kuzari points out that in the Asees Hadibros, in the first commandment of “אנכי ה' אלקיך” it says “אשר בראתני שמים וארץ,” who took us out of Egypt, not “אשר הוצאתיך מארץ מצרים” who created the heaven and the earth. This is because the miracles of Mitzrayim were something that we experienced with our own eyes, it is something that Hashem did personally for us, the Jewish Nation. So although it would seem to be more fitting to declare as a reason for belief in G-d's existence that He created Heaven and Earth, the Possuk says to believe in Hashem because of the Exodus. Any event has a greater impact upon one who experienced it firsthand, and we, the Jewish People, experienced Yetzias Mitzrayim firsthand. That is why Yetzias Mitzrayim is referenced by the First Commandment.

Reb Eliezer Ashkenazi, in his commentary on the Haggada (Maase Hashem) conveys a very important message related to this theme. We know that there is an obligation during the night of the Seder for us to act and feel not only that we were freed from Egypt, but that we ascended to royalty. Furthermore, an important component in our retelling of the story of the Exodus is the understanding that we were chosen then to be the vehicle through which the Almighty showed the world of His existence and Divine Providence. That exalted status is one that is ours to this day. The Yom Tov of Pesach not only commemorates the Jewish People going from slavery to freedom, but should awaken within us the realization that we are the Ones that were chosen to show the entire world that Hashem is the G-d. This distinction is not only an honor, but brings with it a great responsibility. This realization of who we are should inspire within us a greater and deeper commitment to Torah and Mitzvos.

In the Tefillos of YomTov, we say “והשאנו ה' אלקינו- את ברכת מועדיך” that Hakadosh Baruch Hu should bestow upon us the blessing of the Moed. The blessing of the Moed is that we should emerge from the Yom Tov with a stronger belief in Hashem, along with a stronger connection to Torah and Mitzvos. Rav Yitzchok Hutner, Zatzal, at the conclusion of a Chag, would never say that another Yom Tov has passed. Rather, he would say, we have “gained” another Yom Tov. If we can emerge from Pesach with this stronger commitment, we will have “gained” another Yom Tov.

Why is This Night Different From All Other Nights?

Exploring differences between “Telling the Story” of Seder night and “Remembering Yetzias Mitzrayim” every day of the year

By Rabbi Mordechai Rhine
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A primary mitzvah of the seder night is *Sippur Yetzias Mitzrayim*, to tell the story of the Exodus. The mitzvah is stated in Parshas Bo at the time of the redemption, “And Moshe told the people, ‘Remember this day upon which Hashem took you out of Mitzrayim.’”¹ The Rambam explains that, at a bare minimum, the requirement of seder night is like that of Kiddush of Shabbos about which the Torah states, “Remember the day of Shabbos.”² This requires us, at least, to declare the significance of the day.

The Torah, however, gives us further guidance regarding the nature of the mitzvah of the seder night. “You shall tell your child on this night, ‘Through this Hashem did for me, when He took me out of Mitzrayim.’”³ And, “When your child will ask you, ‘What’s this?’ You shall tell him...”⁴ Additionally, as the time for redemption neared, Hashem specifically told Moshe that the reason that Hashem was displaying His mastery and subjecting the Mitzriyim to the plagues was “So that you will relate to your son, and your son’s son, that which I made a mockery of Mitzrayim.”⁵ These Pisukim, and the traditions associated with them, produce the Hagadah of seder night in which we endeavor to employ a question/answer format to transmit and to remember Yitzias Mitzrayim. We do this by making the effort to truly relive the redemption, as the Hagadah states at the conclusion of Maggid, “One is obligated to view himself as if he personally was redeemed from Mitzrayim.”

The Mitzvah of Zechira/ To Remember Daily

In addition to the mitzvah of *Sippur Yetzias Mitzrayim* of seder night, there is a mitzvah of *Zechiras Yetzias Mitzrayim* every single day and night of the year. The Mishnah in Brachos tells us, “One must mention *Yetzias Mitzrayim* even at night.”⁶ This is based on the possuk, “So that you should remember the day that you left Mitzrayim all the days of your life.”⁷ The Mishna infers that, “days of your life,” refers to the daytime, while “all” comes to require such remembering at night as well.⁸

1 Shemos 13:3.

2 In Mishneh Torah, Chometz Umatza 7:1, the Rambam bases the initial obligation on this possuk, and views the possuk of Vihigadito as an explanation of how to do the mitzvah. In Sefer Hamitzvos Asin 157, the Rambam quotes the Mechilta which states that Ki Yisholcha Bincha, which represents the question/ answer format, is ideal. If the child doesn’t ask, then there is an obligation of Vihigadito. If one is alone, one still has an obligation of Zachor, which the Rambam in Mishneh Torah compares to Kiddush. Interestingly the Talmud in Pesachim 116a and codified by Rambam 7:3 and Shulchan Aruch 473:7 maintain that even when a person fulfills this mitzvah alone he should do so in the question/answer format.

3 Shemos 13:8.

4 Shemos 13:14.

5 Shemos 10:2.

6 Talmud, Brachos 12b.

7 Devorim 16:3.

8 Torah Temimah note 22 learns that this is not a Ribuy/inclusion to include night, but rather a clarification. The word “All” tells us that in this case “days” does not come to exclude nights as it sometimes does. As such the mitzvah would be relevant to both daytime and nighttime. The Torah Temimah does not explain how we infer two separate mitzvos per calendar day if (as he learns) it is not a Ribuy/ inclusion. According to the Torah Temimah’s approach, we should consider the question: How do we know that the Torah isn’t simply saying that the mitzvah of zechira/remembrance can be done either by day or by night, as is the case with Tefillin Midiorayso.

The Rambam maintains that the reason that the third paragraph of shema was codified as part of shema both day and night is because it contains mention of the Exodus.⁹ By reciting it we fulfill our obligation of daily zechira. Noteworthy is that the Mishnah Berurah rules that even if a person totally missed the time for the morning Kriyas Shema, he is still obligated to recite the final statement of Kriyas Shema to fulfill the daily mitzvah of *Zechiras Yetzias Mitzrayim*.¹⁰

Overview

In this article we will explore the mitzvah of daily remembrance of *Yetzias Mitzrayim*¹¹ and contrast it with the mitzvah of *Sippur Yetzias Mitzrayim* of seder night. In particular we will discuss (a) the differences regarding how elaborate one must be in discussing *Yetzias Mitzrayim*, (b) whether articulating is required or contemplation is sufficient, (c) is there a difference in the strength of these two mitzvos, and (d) whether women are obligated or not.

How Much and What To Say

The most noticeable difference between the daily zechira /remembering, and the sippur of seder night is that the sippur of seder night is preferably to be done at great length, and through dialogue and communication, in contrast to the daily mention which can be fulfilled by simply saying, “Hashem took us out of *Mitzrayim*.”¹² Some say that this is implied by the very usage of the word “*Vihigadito-* and you should tell” which is used when one is speaking about something at length.¹³

From the Haggadah’s response to the wise son¹⁴ it is apparent that one can fulfill the mitzvah of sippur on seder night even by discussing the relevant halachos.¹⁵ While this is intriguing, it is not a difference between the annual sippur and the daily zechira as one can fulfill the daily mitzvah of zechira as well with the recital of a relevant halacha.¹⁶

Must One Articulate?

Another area of significant debate is whether the mitzvah of daily zechira requires that a person articulate the statement. Perhaps, unlike *sippur* of seder night which is the result of “*Vihigadito-*” to tell your child,

9 Rambam Kriyas Shema 1:3. See Talmud Brachos 14b that one could have fulfilled this obligation by reciting a different passage relevant to *Yetzias Mitzrayim*.

10 58:27.

11 It is noteworthy that although there are “*Sheish Zechiros*” six statements which we must remember, it is only the mitzvah of *Zechiras Yetzias Mitzrayim* which is accepted definitively as a daily obligation, and incorporated into the daily davening. This is presumably because the possuk explicitly states by this mitzvah, “All the days of your life.”

12 P’ri Migadim in Pesicha Koleles- Kiriyas Shema, paragraph 4. Although the P’ri Megadim disagrees and maintains that both seder night sippur and daily zechira can be fulfilled with this formula, his presentation of this view is insightful and is used here to explain the more popular view that there is a difference between these mitzvos. See, for example, *Sefer HaChinich* 21 where he defines the mitzvah as “to give thanks to Hashem” and “to discuss the miracles.” Even according to the P’ri Megadim’s approach that the mitzvah of sippur on seder night can be fulfilled with a simple statement, we may still regard this as a distinction between the two mitzvos. Even if our lengthy Haggadah is not Biblically required, it is certainly Biblically-proper to expound and share with the children based on the possuk “*V’Higadito*”. This dimension does not exist by the daily zechira.

13 Piri Migadim *ibid*.

14 “Tell him the laws of the Pesach: One may not eat dessert after the Korban Pesach”

15 This is presumably learned from the Torah in Devorim 6:20-24 where the child asks, “What is the significance of these laws that Hashem commanded.” And the Torah proceeds to describe the response which includes, “We were slaves... and Hashem took us out... He places great signs and retribution upon the *Mitzriyim* as we witnessed... and He commanded us to observe all of these laws.” See Haggadah of Brisk p. 116-7 where he cites Tosefta 10:8 that the obligation of seder night includes the halachos. This may explain why in the opening paragraph responding to Ma Nishtana we declare, “Even if we are very knowledgeable, we still have a mitzvah to tell the story of *Yetzias Mitzrayim*.” Many point out, that, of course, even a scholar has an obligation to do mitzvos. Perhaps the Haggadah means to say that even though the scholar could easily fulfill his mitzvah on seder night by simply learning the relevant halachos, it is a mitzvah even for him to use much of the night to tell the story.

16 Mishnah Berurah 67:3 rules that one can fulfill the daily zechira as well by reciting such a halacha. This is based on the Talmud Brachos 13b that says that during his morning lecture Rabbi Yehudah Hanassi would include a halacha on the topic of *Yetzias Mitzrayim* so as to fulfill the daily mitzvah of zechira without interrupting the lecture.

and “Ki Yisholcho Bincha-” to respond to the child’s questions, *zechira* might not have to be verbalized.¹⁷ Basis for this distinction can be found in a Gemora in Megilah¹⁸ regarding the mitzvah to remember what Amaleik did to us. The Talmud states, “*Zachor- Remember*, might mean in one’s heart. But when it says *Lo Sishkach- Don’t forget*, it becomes clear that Zachor- Remember is to be done verbally.” It follows that the simple understanding of “Zachor- Remember” means in one’s heart without a requirement to verbalize. Indeed, the Be’er Heiteiv¹⁹ cites a ruling that hirhur (thinking) about Yetzias Mitzrayim is sufficient for this daily mitzvah.

The basic understanding of this mitzvah, however, is that it does require dibbur (articulation).²⁰ The reasoning for this approach appears to be that daily *zechira* is understood to be an extension of the mitzvah of V’Higadito- Telling the story of seder night. Although *zechira* is an abridged form of sippur, it too, requires articulation.²¹

In a fascinating ruling, the Chasam Sofer suggests that although a person cannot fulfill the daily *zechira* by thinking alone, he would be able to fulfill this mitzvah by listening to another person’s recital, even if that person is not obligated in the mitzvah.²² Normally we only say Shomeah K’Oneh (one who hears is as if he said) when one hears from a person who is included in the mitzvah. Thus, for example, one can fulfill the obligation of Kiddush on Shabbos by listening to an adult reciting Kiddush, but not through the recital of a child. By the daily *zechira*, however, the Chasam Sofer suggests that although thinking is not sufficient, hearing a non-obligated person’s recital would be sufficient²³ because, at its essence, the mitzvah is to remember and not to recite.

Part of 613 ?

The Minchas Chinuch suggests another sophisticated distinction in the strength of these two mitzvos, based on the fact that sippur is counted as one of the 613 mitzvos, while *zechira* is not. Although *zechira* is a mitzvah of the Torah, the fact is that it was not stated in the Torah as a command (as was “Vihigadito- You shall tell...”) but rather as proper behavior, “In order that you should remember...”. The Minchas Chinuch maintains that the rule that “if one makes an oath to violate a mitzvah it does not take effect,” only applies to mitzvos of the 613. Since daily *zechira* is not a mitzvah of the 613, the oath would take effect and would require annulment.²⁴

Are Women Obligated ?

Another area of debate is whether women are obligated in the mitzvah of daily *zechira*. All agree that women are obligated in the mitzvos of the seder.²⁵ When it comes to the daily *zechira*, however, there is discussion whether the mitzvah of *zechira* that comes each night and day should be viewed as a Mitzvas

¹⁷ Bisomim Rosh 173 and Teshuvos HoRosh, cited in Sedei Chemed 2 pg. 352 suggest that this *zechira* is unlike the mitzvah to remember what Amaleik did to us where the possuk states both “don’t forget,” and “remember,” indicating that the requirement to remember is more than just in one’s mind.

¹⁸ 18a.

¹⁹ End of Chapter 67. Sdei Chemed also cites Teshuvos Horosh 24-2 who writes that since the mitzvah can be done in one’s mind we do not recite a bracha upon it.

²⁰ Shaagas Aryeh 13. See Minchas Chinuch who considers that the difference between sippur of seder night and *zechira* of all year is that *zechira* can be done by merely thinking about yetzias mitzrayim. The Minchas Chinuch summarily rejects this possibility by citing the view of the Shaagas Aryeh.

²¹ Torah Temimah, Devorim 16:3, note 22.

²² Teshuvos Orach Chayim 15.

²³ Although in most cases a person would recite the passage for themselves, in the case of a patient who has trouble talking, an adult can recite the passage by virtue of the rule Shemeyah K’Oneh. If, however, an adult was unavailable, according to the approach of the Chasam Sofer, the patient might be able to listen to a child’s recital of the daily *zechira* and thus fulfill at least this particular mitzvah.

²⁴ Mitzvah 21.

²⁵ Shulchan Aruch 472:14, based on Talmud Pesachim 108. The reason cited is that “they too were part of the miracle.”

Asey Shehaziman Giromah (a positive mitzvah which is time oriented), in which case women would not be obligated.²⁶ Nonetheless, the Mishnah Berurah does obligate women in this mitzvah.²⁷

In Summation

In summation, we have discussed four significant differences between *sippur* and *zechira*.

- The daily zechira is observed with a brief statement, while sippur of seder night is supposed to be more lengthy.
- Zechira may possibly not require articulation, while sippur most definitely does.
- Zechira is a mitzvah which is not necessarily one of the 613.
- Zechira might not be obligatory for women, while participating in the sippur of seder night most certainly is.

On a practical level, both men and women should observe the mitzvah of zechira both day and night of every day, by articulating a brief statement. As they fulfill the mitzvah, they should be aware of the mitzvah and have intent to fulfill it.²⁸ The daily zechira is a mitzvah which ensures that we remain in touch with this inaugural experience of our history. It ensures that we do not arrive at the annual Pesach seder out of touch.²⁹ Ultimately, it is the lively annual Pesach seder that ensures that the details of that experience will remain with us forever.

²⁶ Shaagas Aryeh 12 cited in Mishnah Berurah 70:2.

²⁷ 70:1.

²⁸ See Mishnah Berurah 46:31.

²⁹ If one were to arrive at the Pesach seder without “remembering” throughout the year, it would be similar to one who is out of touch with Judaism except for the annual tribute of the High Holidays. Daily reminders and experiences help ensure that the annual grand experience will be meaningful.

A Halachik Analysis of the Mah Nishtanah and the Role of Questions and Answers on Seder Evening

Rabbi Moshe Walter

Woodside Synagogue Ahavas Torah

One of the many highlights of Seder evening is the *Magid* section of the *Hagadah*, in which the Exodus of the Jewish people from Egypt is described, retold, and transmitted from parent to child. This process is the fulfillment of the biblical commandment of *Sippur Yetzias Mitzrayim*¹. Three *pesukim* in the Torah explicitly articulate the way a parent should describe and explain God's hand in taking the Jewish people out of Egypt:

1. "And it shall be when your children say to you, what is this service to you? You shall say, it is a Pesach feast offering to Hashem who passed over the houses of the children of Israel in Egypt when he smote the Egyptians, but he saved our households"².
2. "And it shall be when your son will ask you at some future time, what is this? You shall say to him, with a strong hand Hashem removed us from Egypt from the house of bondage"³.
3. "If your child asks tomorrow saying, what are the testimonies and the decrees and the ordinances that Hashem, our G-d commanded you? You shall say to your child, we were slaves to Pharaoh in Egypt and Hashem took us out of Egypt with a strong hand"⁴.

These *pesukim* are cited in the *Hagadah* as the appropriate responses to the questions asked by the wicked son, the simple son, and the wise son, respectively.⁵ Clearly, the Torah demands and desires that the formulation of the story of the Exodus be transmitted through a dialogue of questions and answers, and this kind of dialogue is accepted in *halachah* as a required element of satisfying the *mitzvah* of *Sippur Yetzias Mitzrayim* at the *Seder*. Not only is this question and answer formula found in the language of the Torah as well as being quoted in the *magid* section of the *Hagadah*, but many of the *mitzvos* we fulfill and tactics we employ on *Seder* evening are intended to encourage the child to participate in the *Seder* and ask questions about the Exodus.⁶

1 *Rambam Hilchos Chametz U'Matzah* Chapter 7 *Halacha* 1, *Rambam Sefer HaMitzvos*, *Asin* #157, and *Sefer HaChinuch mitzvah* #21 all list this *mitzvah* among the six hundred and thirteen *mitzvos*.

2 *Shemos* Chapter 12 *Pesukim* 26-27.

3 *Shemos* Chapter 13 *Pasuk* 14.

4 *Devarim* Chapter 6 *Pesukim* 20-21.

5 Regarding the son who doesn't know how to ask a question, the *Hagadah* teaches that one must help him and teach him to ask as the *Pasuk* in *Shemos* Chapter 13 *Pasuk* 8 teaches "and you shall tell your son on that day saying it is because of this that Hashem acted on my behalf when I left Egypt."

6 A few examples include:

1. Coming home immediately following shul so as to begin without the children going to sleep. (*Shulchan Aruch Siman* 472 *Seif* 1)
2. Giving the children treats in order to entice them to ask questions. (*ibid Siman* 472 #16)
3. Wash a first time without making a *berachah* to catch the children by surprise. (*Chok Yaakov Siman* 473 #28)
4. Eat *Karpas* in order to encourage the children to ask why? (*Pesachim* 114 B)
5. Cut the middle matzah in half before beginning to recite *magid*. (*Pesachim* 114 B)
6. Move the table or *matzos* during *magid*. (*Mechaber Siman* 473 #6)

One of the *Hagadah's* prominent presentations of questions is the *Mah Nishtanah*, the four questions which introduce the telling of the Exodus story. The intention of this article is two-fold: One, to analyze if these four questions, specifically, must be asked, or if these questions are optional and serve merely as a back-up for the child who is unable to generate an independent question.⁷ Two, to suggest a reason why the Torah and the *Hagadah* stress that the story of the Exodus be transmitted through a question and answer dialogue.

The source of the four questions of the *Mah Nishtanah* is a *Mishnah* in *Maseches Pesachim*. The *Mishnah* reads: "They mixed and poured for him the second cup of wine [of the four requisite cups] and here the son asks of his father [the questions prescribed below]. And if the son should not have sufficient understanding, his father teaches him to ask. [The prescribed questions are:] Why is this night different from all other nights – for on all other nights... [The *Mishnah* continues with the text of the four questions of the *Mah Nishtanah*]. And according to the son's level of intelligence, his father teaches him."⁸

The explanation of the *Mishnah* is subject to a dispute between the *Rashbam*, *Tosfos*, and the *Rambam*:

Rashbam:

The *Rashbam* understands the *Mishnah* as follows: If the son is wise enough to ask why we are now pouring a second cup of wine before eating, the son is no longer required to ask the *Mah Nishtanah*, because he has initiated the question-and-answer dialogue with his independently-conceived query. That is, the paragraph of *Mah Nishtanah* is needed only if the son does not independently generate a question relating to the evening's proceedings.⁹

Tosfos:

Tosfos disagrees with the *Rashbam*, and maintains that even if the child does ask an independently-inspired question, the exact text of the *Mah Nishtanah* must still be recited. *Tosfos* understands the *Mishnah* to mean that, once the second cup of wine has been poured, if the child can ask the *Mah Nishtanah* on his own, then he does so. If, however, the child is unable to recite the *Mah Nishtanah* on his own, the father teaches him to ask those four questions.¹⁰

Rambam:

Rambam writes "the second cup of wine is mixed. Here is where the son asks. The one reciting the *Hagadah* says, why is this night different from all other nights."¹¹ Two difficulties emerge from reading the ruling of the *Rambam*. One, what exactly is the nature of the child's question? Two, why is the *Seder* leader articulating the four questions after the child has already done so?¹²

Two Talmudic anecdotes shed light on the opinions of the *Rashbam*, *Tosfos* and *Rambam*. The *Gemara* relates that, during a *seeder*, "Rav Nachman said to Daru his slave, in the case of a slave whose master set him free and gave him gold and silver, what should the slave say to his master? (Daru) said to (Rav Nachman) he should thank him and praise him. Rav Nachman said to (Daru) you have exempted us from reciting the *Mah Nishtanah* [questions], whereupon Rav Nachman immediately [continued the *seeder* and] recited *Avadim Hayinu*."¹³

⁷ See *Shaar Hatzion* #2 to *Mishnah Berurah Siman 472 Seif 1 #3* who seems to be bothered by this question.

⁸ *Mishnah, Pesachim 116A*.

⁹ *Rashbam* *ibid d"h v'kaan*.

¹⁰ *Tosfos* *ibid 115B d"h K'dei*, and *Tosfos* *ibid 114A d"h Heviyu Lefanav Matzah*.

¹¹ *Rambam. Hilchos Chametz V'Matzah Chapter 8 Halachah 2*.

¹² *Chasam Sofer, Hagos to Shulchan Aruch Orach Chaim Siman 572 Seif 6* raises this question on the *Rambam*.

¹³ *Pesachim 116 A*. Daru's response, although not a question, exempted Rav Nachman and Daru from reciting the *Mah Nishtanah*. This is troubling according to the position of the *Rashbam* in light of the fact that the transmission of the Exodus is to be recounted via a question and answer dialogue, and Daru never asked a question, but simply responded to Rav Nachman's question. See *Sefer Dvar Shmuel, Pesachim* *ibid* who raise this question and suggests a resolution. The episode with Rav Nachman and Daru does not present a difficulty for *Tosfos*, who understand that the text of the four questions must be recited regardless of an independently generated question.

The *Gemara* tells another story:

“Abaya was sitting at the Seder before Rabbah, and Abaya saw that they were lifting the table and removing it from Rabbah. (Abaya) said to them, we have not yet eaten and they come and remove the tray from before us? Rabbah said to him, you have exempted us from saying *Mah Nishtanah*.”¹⁴

A simple reading of the two stories would seem to indicate that Daru’s response to Rav Nachman and Abaya’s question regarding the removal of the table obviated the recital of the standardized four questions of the *Mah Nishtanah*. This is exactly the way *Rashbam* explains the *Gemara*, following his interpretation of the *Mishnah* that the four questions are asked only if the question-and-answer dialogue is not initiated in some other way.¹⁵ *Tosfos*, following their interpretation of the *Mishnah* that the four questions of the *Mah Nishtanah* must be recited, interprets differently the conclusions of the two episodes. *Tosfos* explains that when Rav Nachman and Rabbah responded to Daru and Abaya “you have exempted us from saying *Mah Nishtanah*,” the *Gemara* was articulating only the beginning of each of their questions, but certainly Daru and Abaya would have been obligated to ask the formalized four-question *Mah Nishtanah* following their independent questions.¹⁶

The position of the *Rambam*, in light of the *Mishnah* and the two Talmudic anecdotes, remains to be explained. The *Rambam*’s position that “the one reciting the Haggadah says, why is this night different from all other nights” is difficult to understand given that the *Mishnah* and the cited do not mention or imply a requirement of the *seder* leader to repeat the four questions. Also, both Rabbah and Rav Nachman exclaimed that they were exempted from reciting the *Mah Nishtanah* as a result of Abaya and Daru’s questions; how does the *Rambam* interpret those assertions of exemption? It seems the *Rambam* understood there are two requirements: One, the child must ask questions as the means toward the fulfillment of the mitzvah of describing the Exodus from Egypt. Two, the *seder* leader is additionally required to recite the four questions as they are a central part of the *magid* section of the *Haggadah*. As such, the Seder leader should recite the four questions to stress their importance as part of the question and answer dialogue of the evening.¹⁷

Maharil:

Sefer Maharil (Minhagim) of Rav Yaakov Molin *zt”l* states clearly that if a child asks an independent question (e.g. why do we now fill a second cup of wine, or why are we now removing the table), the *Mah Nishtanah* no longer needs to be recited, and the answer of “*Avadim Hayinu*” can be recited without further introduction. The *Maharil* is quoted as saying that such an incident occurred in the house of his father-in-law Rav Moshe Katz *zt”l* when Rav Katz’s daughter asked such a question. Rav Katz immediately responded to her question, skipping the formal text of *Mah Nishtanah*.¹⁸ The *Maharil* clearly posits like the *Rashbam* and not like *Tosfos* or *Rambam*.¹⁹

Tur, Shulchan Aruch, and Rama:

The *Tur* and *Shulchan Aruch* cite the *Mishnah*’s statement that the child begins to ask the questions after pouring the second cup of wine.²⁰ It is unclear whether the *Tur* and *Shulchan Aruch* rule like the *Rashbam* or *Tosfos* regarding the requirement to recite the *Mah Nishtanah* specifically. The *Tur* and *Shulchan Aruch*

14 *Pesachim* 115 B.

15 *Rashbam* *ibid* 115 B *d”h Patrasan*, *Rashbam* *ibid* 116 A *d”h Pesach v’amar*.

16 *Tosfos* *ibid* 115 B *d”h K’dei*.

17 See for example *Sefer Harerei kedem* volume 2 *siman* 86 who makes this very suggestion.

18 *Sefer Maharil-Minhagim Seder HaHaggadah* #24.

19 See commentary of *Mekor Chaim* to *Rama siman* 473 *seif* 7 who states this explicitly. See *Pri-Chadash* *ibid* as well.

20 *Tur* and *Shulchan Aruch siman* 473 #7.

do not posit like the position of the *Rambam* as they do not write that the head of the *Seder* must repeat the *Mah Nishtanah*. The *Rama* adds “if a son or wife asks [an independent question], the *Mah Nishtanah* need not be recited, and one may begin *Avadim [Hayinu]*”.²¹

Two points can be gleaned from the *Rama*:

1. The *Rama* posits like the *Maharil* that once a child asks an independent question, the four questions of the *Mah Nishtanah* need not be recited.²²
2. The *Rama* does not posit like the position of the *Rambam* that the leader of the *Hagadah* must also recite the four questions of the *Mah Nishtanah*. Once the child has asked the questions, the *Avadim Hayinu* passage should be immediately said.

The *Mishnah Berurah*, however, rules like *Tosfos* that even if a child does ask an independent question, the full text of the four questions of the *Mah Nishtanah* should still be recited.²³ The prevalent custom today seems to follow the position of the *Mishnah Berurah* that all children recite the text of the *Mah Nishtanah* even if an independently generated question was already asked. Different customs exist as to whether or not the leader of the *Seder* repeats the *Mah Nishtanah* after a child (or someone else) has recited it.

Although *Rashbam*, *Tosfos*, and *Rambam* disagree as to how exactly the *Mah Nishtanah* requirement can be accomplished, a common element in their opinions is that the *Seder* should revolve around a dialogue of questions and answers. In the spirit of the holiday, let us ask why did the Torah and *Chazal* stress that the Exodus be transmitted through such a dialogue? We may answer that when one’s interest has been raised to ask a question, the desire to secure an answer is that much greater. A skilled teacher knows how to arrange a lesson whereby the student will be led to ask a question or a series of questions. When the student asks the question, the teacher has then seized the student’s interest and attention, and can guarantee the student will follow the lesson until its conclusion.

Because of the importance of the Exodus as the foundation of our nation and of our belief system in *Hashem* it is crucial to transmit this message clearly, articulately, and thoroughly. The Torah and *Chazal* understood that setting up the *Seder* through a question and answer dialogue is the best system. The Torah specifically cites three distinct and different questions that a child may ask, because each child has his or her own way and style to formulate a query. The three distinct responses that the Torah articulates teach us that a parent should respond to a child in a way that best promotes the child understanding what the parent wishes to communicate. If a child is challenged to ask questions, the parent will then be able to recount the drama of *Hashem*’s role in *Yetzias Mitzrayim*. In this way, our children will be captivated and interested in hearing the story which is the response to their questions. While the child’s challenge on *Seder* evening is to ask questions, the parent’s challenge is to create a *Seder* atmosphere where questions are valued, encouraged, and rewarded, and answers are engaging, energetic, and passionate.

21 *Rama* *ibid*.

22 *Pri Chadash*, *Mekor Chaim*, *Biur Hagra*, *Damesek Eliezer* to *Rama* *ibid*.

23 *Mishnah Berurah* *siman* 472 #50. This is also the position of *Shulchan Aruch Harav* *siman* 472 #70. See however *Mishnah Berurah* *siman* 473 #70 and *Shaar Hatzion* *siman* 472 #2 which seems to contradict his assertion from *siman* 472 # 50.

Chametz after Pesach 2014

It is prohibited *Rabbinically* to purchase *Chametz* after *Pesach* from a Jew who maintained *Chametz* in his possession over the course of the holiday of *Pesach*. This is referred to in *Rabbinic* literature as *Chametz Sheh Avar Alav HaPesach*. The definition of *Chametz* is any product that consists of the five major grains including wheat, barley, oat, rye, or spelt in a significant concentration. There is no prohibition to purchase *Chametz* from a non-Jew who was in the possession of *Chametz* over *Pesach*.

The list below consists of establishments where one may and may not purchase *Chametz* from after *Pesach*. The stores listed which one may purchase from immediately following *Pesach* are either because there is no Jewish ownership, or because a valid sale of *Chametz* by the Jewish owner to a non-Jew under the auspices of a Rabbi was executed.

The stores listed where one may not purchase *Chametz* immediately after *Pesach* are either Jewish owned or supplied.

The list below is the most current as we go to print. Please understand that new information may become available as *Pesach* approaches. We suggest that you please contact your *Rav* for any further clarification or understanding relating to the issue of *Chametz* after *Pesach*

Chametz MAY be purchased from the following stores immediately after Pesach 2014

All Capitol K establishments and caterers.

National stores

B.J.'s, Costco, C.V.S., Food Lion, K-Mart, Mars, Petco, Petsmart, Royal Farms, Rite-Aid, Sam's Discount Warehouse, Save A' Lot, Shopper's food, Trader Joe's, Walmart, Wegmans, Walgreens, Win Dixie

Stores in our community

Brookville Market, H-Mart, Harris Teeter, Mom's, Potomac Wine and Spirit's, Shop Rite of White Oak, Whole Foods.

Chametz MAY NOT be purchased from the following stores immediately after Pesach 2014

Giant, Safeway, Sniders, Target

Chametz may be purchased from these establishments beginning four weeks after *Pesach*, Wednesday May 21.



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The Vaad Harabanim of Greater Washington is an organization of Orthodox rabbis in the metropolitan Washington area responsible for *kashrut* supervision. We maintain a *Beth Din* which deals with matters affecting divorce and financial disputes. We additionally strive to support vital community religious interests and projects. Members of the Vaad HaRabbanim are dedicated to serving the broader Jewish community in whatever way possible and appreciate the opportunities to do so.