**S.A.L.T. EREV PESACH 5778**

**By Rav David Silverberg**

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**En honor de mi señora madre María Ocotlán hija de Candelaria, que beezrat Hashem tennga pronta refuá shelemá.  
(In honor of my mother, María Ocotlán, daughter of Candelaria, who beezrat Hashem) will have a prompt refuá shelemá. - her daughter)**

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**Dedicated in memory of Zipora bat Dov z"l**

**whose yahrzeit is10 Nissan, by her family.**

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Motzaei Shabbat

The *Haggadah* famously teaches that the *mitzva* of eating *matza* on Pesach commemorates the fact that “the dough of our forefathers did not have a chance to ferment before the King of kings appeared to them and redeemed them.” Indeed, the Torah tells in Parashat Bo (12:33-34) that the Egyptians pressured *Benei Yisrael* to leave quickly, and thus *Benei Yisrael* were forced to carry their unfermented dough with them as they left Egypt. It seems that the people wanted to wait for the dough to rise so they could bake proper bread in preparation for their journey, but they were rushed out of Egypt before this could happen. Therefore, they left with dough that had not yet risen.

Interestingly, however, the *Haggadah* cites a different verse as the source of this reason for eating *matza*. Several verses later (12:37-39), we read that *Benei Yisrael* left Egypt, journeying from the city of Raamses – where they had apparently assembled for their departure – towards Sukkot. At that time, the Torah relates, “they baked the dough which they had brought from Egypt as unleavened cakes, rather than leaven, because they were rushed from Egypt and could not delay…” This verse tells *Benei Yisrael* baked the dough before it had an opportunity to rise, thus resulting in what we call *matza*, as opposed to proper bread. The earlier verse told us that *Benei Yisrael* were forced to leave Egypt before their dough had a chance to rise and be baked; this verse tells us that as they left, they baked it in its unleavened form. The *Haggadah* cites the latter verse as its source, seemingly because it maintained that the *mitzva* of *matza* commemorates not the unleavened condition of the dough brought out of Egypt, but rather the final product that the people ate after their departure when they baked their dough before it rose.

However, this later verse itself requires explanation. It is understandable that the people were forced to leave Egypt before the dough had an opportunity to ferment, such that bread could not be baked at that time. But why were they compelled to later bake this dough as *matza*? It is clear from the text that the dough was baked after the people’s departure from Egypt – “They baked the dough **which they had brought from Egypt**.” At that point, quite obviously, the Egyptians were not rushing them. Why, then, did the people bake the dough as *matza*, rather than wait and allow it to rise so they could bake proper bread?

This question led the Ramban to an entirely different reading of the verse. He explained that the reason why *Benei Yisrael* baked and ate *matzot* had nothing at all to do with their having been hastily driven from Egypt. Already before the night of the Exodus, *Benei Yisrael* were given the command to refrain from *chametz* on Pesach (Shemot 12:15). Different views exist as to whether this prohibition applied already in the year of the Exodus, and, if so, for how long. (See Pesachim 96a; Rav Menachem Kasher, in *Haggadah Sheleima*, pp. 195-201, cites five different opinions on this subject.) The Ramban writes explicitly that *Benei Yisrael* were forbidden from eating *chametz* on the day of the Exodus, and it is for this reason that they baked their dough before it rose. When the Torah attributes the baking of *matzot* to the fact that they were hastily chased from Egypt, the Ramban explains, it gives the reason why they needed to bake while journeying. The haste from Egypt is not what forced them to bake *matza* instead of bread, but what forced them to bake during travel, as they did not have time to prepare anything before they left.

The *Haggadah*, however, clearly did not follow this interpretation. As mentioned, the *Haggadah* cites this verse as the source for its comment that we eat *matza* on Pesach to recall that “the dough of our forefathers did not have a chance to ferment before the King of kings appeared to them and redeemed them.” For the authors of the *Haggadah*, this verse, which tells of *Benei Yisrael* baking *matzot* after departing Egypt, indicates that *matzot* were prepared because the people’s dough did not have a chance to rise. This seems very difficult to understand, for, as noted, the *matzot* were baked after *Benei Yisrael*’s departure from Egypt, when they were no longer being rushed.

We will *iy”H* discuss this verse further tomorrow.

Sunday

Yesterday, we noted the difficulty that arises from the verse that tells of *Benei Yisrael* baking *matzot* after departing Egypt. We read that after *Benei Yisrael* journeyed from Egypt at the time of the Exodus, “they baked the dough which they had brought from Egypt as unleavened cakes, rather than leaven, because they were rushed from Egypt and could not delay…” (Shemot 12:39). The *Haggadah* famously explains this verse to mean that “the dough of our forefathers did not have a chance to ferment before the King of kings appeared to them and redeemed them.” In other words, *Benei Yisrael* baked *matza* because the dough did not have a chance to rise before the redemption, as they were rushed out of Egypt. However, this interpretation seems untenable, as the Torah here speaks of *Benei Yisrael* baking the *matzot* after leaving Egypt, when, seemingly, they were no longer under any sort of pressure. Why, then, were they forced to bake *matzot*? Why did they not wait for the dough to rise, so they could prepare proper bread? (Yesterday, we saw the Ramban’s interpretation of this verse, which quite clearly differs from the *Haggadah*’s understanding. Our question is how to understand this verse according to the *Haggadah*’s reading.)

A novel explanation of this verse, and of the aforementioned passage from the *Haggadah*, is offered by Seforno. He boldly asserts that when the *Haggadah* speaks of the moment when “the King of kings appeared to them and redeemed them,” it refers not to the plague of the firstborn, which prompted the Egyptians to drive *Benei Yisrael* from their country, but to a later event. The Torah tells that *Benei Yisrael*’s first stop after leaving Egypt was a place called Sukkot: “The Israelites journeyed from Ramses to Sukkot” (12:37). Two verses later, the Torah tells of *Benei Yisrael* baking their dough, and it appears that this took place in Sukkot, where they encamped and thus for the first time had an opportunity to prepare food. Seforno contends that it was in Sukkot when God, in the *Haggadah*’s words, “appeared to them and redeemed them.” Later in Sefer Shemot (13:20-21), the Torah tells of *Benei Yisrael*’s departure from Sukkot, describing how they were led by God Himself, who had a pillar of cloud guide the nation by day and a pillar of fire by night. These miraculous phenomena, which constituted a sort of revelation of God, began at Sukkot. Seforno thus points to this event as the “revelation” spoke of by the *Haggadah*. He explains that, as *Chazal* relate in the *Mekhilta* (cited by Rashi to 12:37), *Benei Yisrael* miraculously journeyed from Egypt to Sukkot in a very brief period of time, such that the dough still hadn’t risen by their arrival in Sukkot. Then, at Sukkot, God revealed Himself in the form of a pillar of cloud, and *Benei Yisrael* were compelled at that moment to bake their dough. As the dough had not yet risen, they baked *matzot*. (This approach was also taken by Abarbanel, in his *Zevach Pesach* commentary to the *Haggadah*.)

Seforno does not explain why God’s “revelation” at Sukkot necessitated that the people immediately bake rather than wait for the dough to rise. We might speculate that the appearance of the cloud signified to the people that they needed to travel. The Torah tells in Sefer Bamidbar (9:15-23) that the rise of the cloud announced to *Benei Yisrael* that they needed to journey, and it is thus likely that when the cloud appeared for the first time, in Sukkot, it was understood as making this announcement. Seeing that it was time to leave, the people quickly baked their dough – despite its having not yet risen – so they would have food for the journey ahead.

The flaw in Seforno’s creative reading of this verse is that it does not account for the emphasis on the nation’s having been rushed out of Egypt. This factor resulted in the dough’s being unleavened, but it is not the reason why the people baked the dough in Sukkot as *matzot*. The need to bake without delay was due to an entirely different factor – God’s unexpected revelation in Sukkot – which the verse does not even mention. The verse instead stresses the point that the people were rushed out of Egypt, which does not explain the need to bake the dough later in its unleavened form. Hence, this interpretation seems somewhat difficult to accept.

Monday

Today we will continue our discussion about the difficult verse in Sefer Shemot that tells of *Benei Yisrael* baking their unleavened dough after leaving Egypt at the time of the Exodus: “They baked the dough which they had brought from Egypt as unleavened cakes, rather than leaven, because they were rushed from Egypt and could not delay…” (Shemot 12:39). The verse seems to say that *Benei Yisrael* were compelled to bake “*ugot matzot*” – unleavened products – because they were hastily driven from Egypt. Indeed, the *Haggadah* cites this verse as the source for its statement that we eat *matza* on Pesach because “the dough of our forefathers did not have a chance to ferment before the King of kings appeared to them and redeemed them.” The clear indication is that *Benei Yisrael* were compelled to bake *matzot* because the Egyptians frantically drove them from their land, such that their dough did not have time to rise to allow the baking of regular, leavened bread. As we noted, however, the verse clearly states that *Benei Yisrael* baked the dough only after their left Egypt, once they were no longer any under any sort of pressure. While we understand why the dough they brought from Egypt was unleavened, why did they then need to bake *matzot*, rather than waiting for the dough to rise before baking it?

The Ritva, in his commentary to the *Haggadah*, implicitly answers this question by offering a startling reading of this verse. He writes that *Benei Yisrael* did, in fact, bake leavened bread after leaving Egypt. In his view, the Torah in this verse means that the dough which *Benei Yisrael* had taken from Egypt in an unleavened condition was now baked as *chametz*. We eat *matza* to commemorate the unleavened state of the dough at the time of *Benei Yisrael*’s departure, not what they produced from that dough when they finally had an opportunity to bake it – because they in fact baked ordinary bread, and not *matza*, as the dough leavened by the time *Benei Yisrael* got around to baking. (It should be noted that the Ritva says that the dough became *chametz* by the time *Benei Yisrael* arrived in “Refidim.” This is certainly an error, as *Benei Yisrael* arrived in Refidim much later, after crossing the sea and journeying through the wilderness. Presumably, the Ritva meant Sukkot, the place where, as implied in the verse, the dough was baked.)

The obvious difficulty that arises is how to read the verse according to the Ritva’s theory. The verse states that the people “baked the dough which they had taken from Egypt, unleavened cakes [*ugot matzot*].” If the Torah tells that the people baked “*ugot matzot*,” how can the Ritva claim that they baked ordinary bread?

Apparently (as explained in Rav Mordechai Dermer’s *Mor Deror – Moadim*, p. 22), the Ritva understood the expression “*ugot matzot*” as referring not to baked *matzot*, but rather to unleavened dough. Although the term “*ugot*” is commonly used to refer to baked products (as in Bereishit 18:6), there is at least one source which suggests that it can also be used to refer to raw batter. The Gemara in Masekhet Yoma (75a) teaches that the manna that fell in the wilderness came in different forms for different groups of people. Whereas the especially righteous received manna in the form of readymade food, others received the manna in the form of “*ugot*,” as mentioned by the Torah in Sefer Bamidbar (11:8). Rashi explains that the word “*ugot*” means “dough,” and thus indicates that this group received manna in the form of dough that needed baking. It appears that the Ritva similarly understood the term “*ugot matzot*” in Sefer Shemot as referring to the unleavened state of the dough at the time of the Exodus, rather than the food prepared by *Benei Yisrael* with that dough.

The difficulty with the Ritva’s reading, however, is that it fails to account for the Torah’s elaborate emphasis in this verse on the fact that *Benei Yisrael*’s dough was unleavened at the time they left Egypt. This point was already made several verses earlier (12:34), where we read that because the Egyptians pressured the people to leave, they ended up carrying their dough before it rose. It seems unnecessary to repeat this point again several verses later when telling that *Benei Yisrael* baked this dough. If, as the Ritva suggests, the dough was baked normally, producing ordinary bread, why would the Torah emphasize that the dough was unleavened at the time the people left Egypt? This point does not seem worthy of such accentuation if in the end the dough was used to produce ordinary bread.

Tuesday

As we’ve discussed in our last several installments, the Torah in Sefer Shemot (12:33-39) tells how *Benei Yisrael* did not have time to prepare bread when they were driven from Egypt, and they thus journeyed out of the country with raw dough, which had not even risen. Later, after their departure, they baked the dough as *matza*.

*Targum Yonatan ben Uziel* (12:39) presents a surprising description of *Benei Yisrael*’s baking, stating that they placed the dough on their heads and had it bake in the sun. Earlier (12:34), the Torah writes that *Benei Yisrael* carried their dough, and then adds, “*misharotam tzerurot be-simlotam al shikhmam*,” which seems to mean that utensils with the dough were carried on the people’s shoulders. (As noted by Ibn Ezra, the word “*misharot*” refers to some sort of storage utensil, as in the verse, “*Barukh tan’akha u-mish’artekha*” – Devarim 28:5.)However, *Targum Yonatan* follows the Midrashic reading cited by Rashi (from the *Mekhilta*), explaining that in addition to their raw dough, *Benei Yisrael* also carried with them their leftover *matza* and *marror* from the previous night. They were commanded to eat the meat of their sacrifice the previous night together with *matza* and *marror* (12:8), and according to the Midrash, *Benei Yisrael* carried the leftover *matza* and *marror* with them when they left Egypt. (The Midrash interprets the word “*misharotam*” to mean “their leftovers.”) *Targum Yonatan* thus explains that *Benei Yisrael* carried their raw dough on their heads, and carried the leftover *matza* and *marror* on their shoulders.

This description is also found in one of the special *Yotzrot* hymns which some communities have the custom to recite on Shabbat Ha-gadol (the Shabbat immediately preceding Pesach). The hymn that begins, “*Yotze’ei Chipazon*” describes how the unleavened dough was placed on the people’s heads as they left Egypt, and then “*shemesh shezaftah ve-akhluha matza*” – “the sun baked it and they ate it as *matzot*.”

A variation of this theory appears in the commentary of Malbim, who suggests that *Benei Yisrael* placed the dough in open containers which were carried on their shoulders, thus exposing the dough to the searing desert sun so it would bake.

This notion, that the people baked *matzot* in the sun as they traveled, could perhaps provide an answer to the question we’ve addressed in our last several installments. The Torah appears to attribute the baking of unleavened *matza* at the time of the Exodus to the fact that the Egyptians rushed *Benei Yisrael* from Egypt, such that the people’s dough did not have the opportunity to rise: “They baked the dough which they had brought from Egypt as unleavened cakes, rather than leaven, because they were rushed from Egypt and could not delay…” (Shemot 12:39). The Ramban, as we saw, offers a much different interpretation of the verse, but the *Haggadah* clearly understood this verse to mean that *Benei Yisrael* baked *matzot* because of the pressure imposed by the Egyptians. This seems very difficult to understand, given the fact that, as the Torah clearly indicates, the dough was baked after *Benei Yisrael* left Egypt, at which point, presumably, they were no longer in any sort of rush.

According to *Tagum Yonatan*’s theory, however, we could perhaps explain that indeed, the baking of *matzot* resulted from the Egyptians’ rushing *Benei Yisrael* from the country. As *Benei Yisrael* did not have the opportunity to prepare provisions before they traveled, and they did know where, when or how they would be able to bake the dough they had kneaded before being driven from Egypt, they had no choice but to bake the dough in the sun during their journey. Since the dough never had a chance to rise, due to the haste with which *Benei Yisrael* were driven from Egypt, it ended up becoming unleavened *matza*, rather than ordinary bread. Thus, it was, in fact, a direct result of the Egyptians’ rushing *Benei Yisrael* that they ended up baking *matzot*.

Wednesday

Yesterday, we noted the description presented in *Targum Yonatan Ben Uziel* (Shemot 12:39) of *Benei Yisrael*’s baking of *matza* when they left Egypt, telling us that the dough was baked in the sun. Apparently, *Targum Yonatan* found it difficult to imagine *Benei Yisrael* having the materials needed to bake normally, and so he wrote that they simply placed the raw dough on their heads as they traveled so it would bake in the sun.

Several later writers noted the seeming irony that arises from this description, in light of the fact that, at least according to some opinions, one does not fulfill the *mitzva* of *matza* with *matza* that was baked in the sun. Several sources indicate an association between the properties of *matza* and those of bread with respect to the obligation of *challa* – the requirement to separate a piece of dough when baking and give it to a *kohen*. The Torah in Sefer Devarim (16:3) refers to *matza* as “*lechem*” (“bread”), a term that is also used in reference to the *challa* obligation (“*be-okhlekhem mi-lechem ha-aretz*” – Bamidbar 15:19). The Gemara in Masekhet Pesachim (37a) cites the view of Rabbi Yochanan that bread which is baked in the sun is not subject to the obligation of *challa*, as it does not formally qualify as “*lechem*,” and this is the view codified as *Halakha* by the *Shulchan Arukh* (Y.D. 329:6). Accordingly, the *Shiltei Gibborim* (Pesachim 11b in the Rif), as cited by *Chok Yaakov* (468:8), rules that *matza* which was baked in the sun is not suitable for fulfilling the obligation to eat *matza* on the night of Pesach. This ruling seems ironic in light of *Targum Yonatan*’s description of *Benei Yisrael* baking *matza* in the sun after leaving Egypt. It appears from the *Haggadah* that the obligation to eat *matza* specifically commemorates the *matza* eaten by *Benei Yisrael* at the time of the Exodus, as the *Haggadah* explains that we eat *matza* “because the dough of our forefathers did not have a chance to ferment before the King of kings appeared to them and redeemed them.” We might have thus naturally expected *Halakha* to allow fulfilling the *mitzva* with the same kind of *matza* that this *mitzva* commemorates.

A number of writers suggested that we may reconcile *Targum Yonatan*’s account with the disqualification of sun-baked *matza* on the basis of Rabbeinu Tam’s ruling cited by several *Rishonim* regarding *challa*. Rabbeinu Tam was of the opinion that if one prepared an ordinarily thick batter, the kind of batter normally made in the standard baking process, then it requires *challa* even if the dough is baked in the sun. The exemption stated by the Gemara, according to Rabbeinu Tam, applied only to loose batter which was baked in the sun, due to its unusual consistency, but not to regular dough which is precisely the same as the kind of dough used when baking in an oven. (This is also the view of Maharam Chalawa in his commentary to Pesachim.) Although *Halakha* does not accept this opinion (see *Shulchan Arukh*, Y.D. 329:3), it perhaps accounts for the tradition expressed by *Targum Yonatan*, that *Benei Yisrael* baked their dough in the sun at the time of the Exodus. (This theory is proposed by, among others, Rav Akiva Menachem Sofer, in his *Ikvei Sofer* annotation to his grandfather’s *Hitorerut Teshuva*, 236.)

Thursday

The *Shulchan Arukh* (O.C. 477:1) famously rules that one should ensure (“*yehei zahir*”) to eat the *afikoman* – the piece of *matza* eaten at the end of the *seder* in commemoration of the *pesach* sacrifice – before *chatzot* (halakhic midnight). The background to this ruling is the Gemara’s discussion in Masekhet Pesachim (120b) regarding the consumption of the *pesach* sacrifice. Rabbi Elazar ben Azarya maintained that the *mitzva* to eat the meat of the sacrifice may be fulfilled only until *chatzot*, based on the command, “*Ve-akhelu et ha-basar ba-layla ha-zeh*” – “They shall eat the meat on this night” (Shemot 12:8). The word “*ba-layla*” is also used several verses later (12:12) in reference to the plague of the firstborn, which took place at *chatzot* (“*Va-yehi ba-chatzi ha-layla*” – Shemot 12:29), leading Rabbi Elazar to conclude that the meat of the sacrifice must be eaten by *chatzot*. Rabbi Akiva disagreed, claiming that the command to eat the *pesach* sacrifice “on this night” is intended to teach that it may not be eaten the following day. According to Rabbi Akiva, then, the obligation to eat the *korban pesach* may be fulfilled throughout the night. The Gemara cites Rava as commenting that this debate affects the observance of Pesach even nowadays, when we eat *afikoman* in commemoration of the *korban pesach*. According to Rabbi Elazar ben Azarya, Rava states, one must ensure to eat the *afikoman* before *chatzot*.

The *Shulchan Arukh*’s ruling – “One should be careful to eat it before *chatzot*” – reflects the view of some *Rishonim* that Rabbi Elazar’s position is accepted as *Halakha*. Although we generally follow Rabbi Akiva’s rulings in his disputes with individual colleagues, several passages in the Mishna and Gemara appear to presume Rabbi Elazar’s view, suggesting that his is the accepted position. Others, however, followed Rabbi Akiva’s view. (See *Bei’ur Halakha* who summarizes the various opinions among the *Rishonim* on the matter.) In light of the different views that exist, the *Shulchan Arukh* rules that one should endeavor to eat the *afikoman* before *chatzot*.

Due to the length of most traditional *sedarim*, this requirement often poses a problem, as many people prolong the reading of *maggid* with extensive discussion, and then enjoy an elaborate, multicourse meal. Rav Avraham Borenstein of Sochatchov, in his *Avnei Neizer* (O.C. 381), offered a famous, controversial solution to this problem, one which resulted in an entire literature of debate and discussion. The *Avnei Neizer’*s proposal is based upon his novel approach to explain Rabbi Elazar ben Azarya’s position. As we noted, Rabbi Elazar understood that the Torah’s command to eat the *pesach* sacrifice “on this night” refers to midnight, the time when the plague of the firstborn struck the Egyptians. However, the *Avnei Neizer* asks, if this is true, then why does Rabbi Elazar ben Azarya not require eating the *pesach* sacrifice precisely at *chatzot*? Why does he consider *chatzot* – the moment of the plague of the firstborn – as the deadline for fulfilling the *mitzva*, rather than the time when the *mitzva* must be fulfilled?

The answer to this question, the *Avnei Neizer*’s contends, is found in the well-known rule of “*ein maftirin achar ha-pesach afikoman*,” which is established by the Mishna (Pesachim 119b) and forbids eating after eating the *korban pesach*. The Gemara indicates that the purpose of this prohibition is to ensure that the taste of the sacrifice remains in one’s mouth after the *seder*. The *Avnei Neizer* explains that according to Rabbi Elazar ben Azarya, the Torah could not require eating the *korban pesach* at the precise moment of *chatzot*, as this would be impractical, and so it instead required partaking of the sacrifice sometime before *chatzot* and then having the taste in one’s mouth until *chatzot*. The taste in the mouth in a sense marks the continuation of the act of eating, such that one can be considered as though he eats the sacrifice at the precise moment of *chatzot*.

This theory led the *Avnei Neizer* to the conclusion that according to Rabbi Elazar ben Azarya, the prohibition against eating after partaking of the *korban pesach* extends only until the moment of *chatzot*. After *chatzot*, it is entirely permissible to eat. This is relevant nowadays, as well, in light of the fact that *Halakha* forbids eating after eating the *afikoman*, just as it was forbidden to eat after partaking of the *korban pesach* (*Shulchan Arukh*, O.C. 478:1). According to the view requiring eating the *afikoman* before *chatzot*, it would be permissible to eat other food after *chatzot*.

On this basis, the *Avnei Neizer* proposed an ingenious solution for those who fear they will be unable to eat the *afikoman* before *chatzot*. Several minutes before *chatzot*, they should interrupt their meal, take a piece of *matza*, and stipulate that this piece should be considered the *afikoman* according to the view that the *afikoman* must be eaten before *chatzot*. After eating the *matza*, they should wait until after *chatzot* and then resume their meal. Then, after the meal, they should eat an additional piece of *matza*, stipulating that it should be considered the *afikoman* according to Rabbi Akiva’s position, allowing eating the *afikoman* even after *chatzot*. This way, the *mitzva* is certainly fulfilled. Since the deadline for eating the *afikoman* is also the final time when eating after the *afikoman* is forbidden, one can satisfy the stringent view of Rabbi Elazar by eating the *afikoman* just before *chatzot* and then resuming the meal after *chatzot*. Rabbi Akiva’s view is then satisfied by partaking of the *afikoman* after the meal.

Tomorrow we will *iy”H* explore this topic further.

Friday

Yesterday, we noted the famous comments of the *Avnei Neizer* (O.C. 381) proposing a solution for those who are still eating the *seder* meal as *chatzot* (halakhic midnight) approaches, and thus cannot eat the *afikoman* before the *chatzot* deadline. The *Avnei Neizer* suggested that right before *chatzot*, they can eat a piece of *matza* which will be considered the *afikoman* according to the view that it must be eaten by *chatzot*. They can then resume their meal after *chatzot*, and eat a second piece of *matza* after the meal in accordance with the view allowing eating the *afikoman* throughout the night.

Later authorities questioned the *Avnei Neizer*’s ruling, advancing several different arguments against it. Among the assumptions made by the *Avnei Neizer* is that the *Shulchan Arukh*’s ruling requiring one to try to eat the *afikoman* before *chatzot* is intended to satisfy the view of Rabbi Elazar ben Azarya, who requires eating the *korban pesach* (which is commemorated by the *afikoman*) before *chatzot*. However, as numerous writers noted, this is not necessarily the case. Already the Rosh (Pesachim 10:38) raised the possibility that even Rabbi Akiva, who allows eating the *korban pesach* even after *chatzot*, speaks only on the level of Torah obligation, but concedes that it must be eaten before *chatzot* by force of rabbinic enactment. Indeed, the Vilna Gaon, in his notes to the *Shulchan Arukh*, comments that the *Shulchan Arukh*’s ruling requiring eating the *afikoman* before *chatzot* does not necessarily follow Rabbi Elazar ben Azarya’s position, as even Rabbi Akiva might acknowledge a rabbinic requirement to eat the sacrifice before *chatzot*. This point is also made by the *Peri Chadash*, who notes that although the Rambam writes that the *afikoman* may be eaten throughout the night (Hilkhot Chametz U-matza 5:1), elsewhere (Hilkhot Korban Pesach 8:15) he writes that the Sages required eating the meat of the *pesach* sacrifice before *chatzot* as a safeguard against neglecting to eat it before morning. Conceivably, the *Peri Chadash* writes, this safeguard could be applied also to the *afikoman*, *i,h*

which commemorates the *pesach* sacrifice, and for this reason the *Shulchan Arukh* requires eating the *afikoman* before *chatzot*.

According to this theory, there is certainly no basis for the *Avnei Neizer*’s solution. If even Rabbi Akiva requires one – at least optimally – to eat the *afikoman* before *chatzot*, then one cannot eat one *afikoman* before *chatzot* to satisfy Rabbi Elazar’s view and then another after *chatzot* in accordance with Rabbi Akiva’s view.

Another objection to the *Avnei Neizer*’s theory relates to the premise that the *afikoman* may be eaten in the middle of one’s meal. The Rambam, in Hilkhot Chametz U-matza (8:9), formulates the *afikoman* requirement as follows: “One eats a *ke-zayit* of *matza* and does not eat anything after it, **so that it will be the end of his meal**…” The phrase “*kedei she-yiheyeh hefsek se’udato*” (“so that it will be the end of his meal”) implies that the *afikoman* must be eaten as the conclusion of one’s meal. Even if we accept the *Avnei Neizer*’s premise that Rabbi Elazar allows eating after *chatzot*, he might still require eating the *afikoman* as “dessert,” at the conclusion of the meal, as implied by the Rambam, who states that the *afikoman* must mark “*hefsek akhilato*.” Hence, if one plans on resuming his meal after *chatzot*, he does not fulfill the *afikoman* requirement by eating it moments before *chatzot*, as it does not come at the end of the meal. (This point is made by Rav Yosef Brandsdorfer in his *Ora Ve-simcha* commentary to the Rambam’s Hilkhot Chametz U-matza 8:9.)

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