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ילא תזבח על חמץ דם זבחי" הרב צבי קרקוער

The Mishna in מסי פסחים סג. states that one who *shechts* the Korban Pesach while still owning *chometz* has violated a *Lo Saseh*. The *posuk* for this *lav* is in our *parsha*, (שמות כג, יח). The *gemora* cites a *memra* from Reish Lakish who says that not only is the *aveira* transgressed when the *shochet* owns *chometz* when the korban is *shechted*, but even if any member of that *chabura* owns *chometz* the *lav* will be violated.

Tosafos explains that the *lav* only goes on the *shochet*. This means that he and any member of the *chabura* can trigger his violation of this *issur* if any of them own *chometz*. However, the Rambam in *Sefer Hamitzvos* (לא תעשה קטו) clearly disagrees with Tosafos' *peshat*. Rambam writes that no member of the *chabura* is allowed to have *chometz* at the time of *shechitas haPesach*, but adds that anyone who does indeed have *chometz* at that time- receives *malkus*. We can see quite well that Rambam holds it is not the *shochet* who is responsible for any and all *chometz*, rather each individual member of the *chabura* has their own personal *issur* of *issur* of.

Perhaps we can explain the *machlokes* Tosafos-Rambam as follows: Tosafos understands the *posuk* literally. If anyone in the *chabura* owns *chometz*, then it is the *shochet* who violates the *issur* of *shechting* while having *chometz*. The Torah does not allow *shechitas haPesach* while someone in the *chabura* has *chometz* still in their possession. The whole *issur* is on the *shochet*.

However, Rambam understands that the Torah's *hakpoda* is in owning *chometz bishas hashechitah*. It isn't specifically on the *shochet*, rather no one in the *chabura* should own *chometz*. We can illustrate this with the following case: If one was performing a *melacha* on Friday and then was *mekabel Shabbos* in middle of the *melacha*, the *issur* is not in being *mekabel Shabbos* rather it is in continuing to perform a *melacha* once Shabbos started. So too by Korban Pesach, the *issur* is not in the *shechitah* of the korban, rather it is still being in possession of *chometz* at that time. This is how Rambam learns the *issur* of *isur isner is*.

I believe we can bring a *rayuh* to this *peshat* in the Rambam from what he writes in *Mishnah Torah, יה*לכות חמץ ומצה פרק בי הלכה אי. He brings down the mitzvah of *Tashbisu* as one completely ridding himself of *chometz* before the time that Pesach begins. Later, however, he says that a *rayuh* to the mitzvah of *Tashbisu* is our *posuk, יי*לא תזבח על חמץ דם זבחיי. Clearly, Rambam understands that just as there is a mitzvah of *Tashbisu* to dispose of all *chometz* before Pesach, so too there is a requirement of *Tashbisu* to dispose of all *chometz* before Pesach becomes *shechted*.

He is equating both "disposals of *chometz*". Again, we come out that Rambam holds the *issur* to be in owning the *chometz*, not in *shechting* the Korban Pesach.

On the other side, we have a Tosafos in : מסי תמורה I believe is *l'shetaso* to our Tosafos in מסי פסחים. The *gemora* cites a famous *memra* from Rava who says that anything which the Torah instructed one not to do does not affect anything if so done- יכל מילתא דאמר רחמנא לא מחניי. Violating a precept of the Torah causes that action not to count towards anything. For example, there is an is an *issur* to give *terumah* from lower quality produce to cover higher quality produce. If one was *toreim* in that fashion it would not work and no *terumah* was actually taken.

Tosafos asks a question on this statement from Rava. In our case, of *shechting* the Korban Pesach while still in possession of *chometz*, the Korban Pesach is still *kosher*. In light of Rava's statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 לא תובח על חמץ דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement, how could one be *yotzeh* the mitzvah if he violated this *lav* of one be *yotzeh* the mitzvah if he violated this *lav* of one be *yotzeh* the mitzvah if he violated this *lav* of סוגר דם ובחי 10 statement is in owning the *chometz*. Rambam, however, would need not deal with this question because he learns that the *issur* is in owing *chometz* during *shechitas haPesach*, and the Korban Pesach itself is fine.

Perhaps we can understand this *lav* of לא תזבח על חמץ דם זבחי as the Torah addressing the two challenges we have in our *avodas Hashem*. There is a well-known *gemora* in מסי ברכות יז. that relates the *tefila* of R. Alexandri:

ייתבון העולמים גלוי וידוע לפניך שרצוננו לעשות רצונך ומי מעכב שאור שבעיסה ושעבוד מלכיות..." Really, it is our desire to fulfill Your will [, Hakadosh Boruch Hu], but what holds us back is the yeast in the dough- the *yetzer horo* within us, as well as the pressing weight of the *galus* amongst the nations of the world- an external obstacle.

Lichora, these two items are *merumoz* in our *posuk.* לא תזבח על חמץ דם זבחי represents ridding ourselves of the external שעבוד מלכיות which surrounds us. The *Midrash* relates that the entire *inyan* of Korban Pesach was "משכו ידיכם" from *avoda zoro,* that Klal Yisroel took the surrounding culture of Mitzrayim and *shechted* the *elohus* of the Mitzriyim- a lamb.

Of course, the mitzvah of *Tashbisu* represents getting rid of the *chometz* within ourselvesthe שאור שבעיסה, our *yetzer horo*.

Together, these two make up the mitzvah of לא תובח על חמץ דם ובחי. We must destroy both the שאור שבעיסה and the שעבוד מלכיות, our internal and external impediments in order to be able to fulfill Hakadosh Boruch Hu's will. *B'Ezras Hashem Yisborach*, we will be successful in this pursuit and be *zoche* to the ending of R. Alexandri's *tefila*:

יי...יהי רצון מלפניך שתצילנו מידם ונשוב לעשות חוקי רצונך בלבב שלםיי