

YESHIVAT HAR ETZION
ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

TALMUDIC METHODOLOGY
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Shiur #11: The Schedule of *Bedikat Chametz*

The first mishna in *Masekhet Pesachim* delineates the obligation to search for and destroy *chametz* the night before Pesach. As Tosafot immediately comment, the entire obligation of *bedikat chametz* is Rabbinic in origin. On the level of Torah obligation, '*bitul chametz*' – verbally renouncing one's interest in, and/or ownership of, *chametz* – would suffice to circumvent the concern of *bal yeira'eh* (the prohibition against possessing *chametz*). However, the *Chakhamim* decreed that actual *bedika* and *bi'ur* be performed, rather than relying on purely verbal solutions.

The gemara in *Pesachim* (4a) inspects the timing of the *bedika*. After all, since the prohibition only begins sometime on the morning of the 14th (*Erev Pesach*), why was *bedika* scheduled for the night before? The gemara concludes that evening time was chosen because that is when people are home and have the opportunity to perform *bedika*. Had *Chazal* allowed *bedika* to wait until the morning of the 14th, it may have been neglected in the flurry of pre-Pesach preparations and work responsibilities. As the gemara asserts, "[in the evening] people are home and the candlelight is effective for the process of *bedika*."

Some read this gemara as a recommendation: since most individuals may be too busy on the morning of the 14th, the evening before was selected. However, an unemployed person, for example, who has no professional responsibilities to attend to on the morning of *Erev Pesach*, may delay *bedika* until the morning, since there is no danger of neglect. Similarly, if one were to preempt the 14th and perform *bedika* on the DAY of the 13th, he would have fulfilled the mitzva nonetheless, since in not delaying until the last possible minute, he does not face the danger of neglect. Some claim that in such situations, when one conducts the search on the DAY of 13th OR the DAY of 14th, he should still utilize a candle – following the gemara's assertion that candlelight allows for more effective searching. Other positions, however, claim that when the *bedika* is performed during daylight hours, a candle is unnecessary and sunlight may be used.

The Ramban rejects the possibility of searching for *chametz* during the day, based upon a comment in the *Talmud Yerushalmi* that candlelight is radiant only at night. Even though scheduling *bedika* during the daytime of the 13th or the 14th (for the unemployed) may effectively skirt concerns of neglect, it does not allow for the use of a candle in its most effective manner. In fact, the gemara (7b) derived the use of a candle from a series of *pesukim*, suggesting that its use is mandatory, and not merely recommended. Since

the *Yerushalmi* limits the effectiveness of a candle to the nighttime, the *bedika*, which requires candlelight, must take place specifically at night.

The Ramban's position invites the question of whether the *bedika* may be performed by candlelight on the NIGHT preceding the 13th. Theoretically, a *bedika* conducted at this time should satisfy all the requirements: it is performed by candlelight, and does not pose the danger of neglect. Indeed, some opinions sanction this option (see *Chidushei Anshei Shem* on the Ri"f, *Pesachim* 1b). And even those who reject this option point to purely technical reasons for demanding *bedika* specifically on the night of the 14th. For example, Maharam Chalava contends that an early *bedika* may not be as thorough as a search conducted imminent to the time when the prohibition sets in. Fundamentally, though, the night of the 13th is just as suitable as the night of the 14th.

The Mordekhai cites a passage from the *Yerushalmi* which may yield a different approach to this issue. During the time of the Mikdash, courtyards in the city of Yerushalayim would occasionally be searched for leftover loaves of bread brought together with a *korban toda* (thanksgiving offering). Halakha required eating these breads within a given time frame, after which they become "*notar*" and must be burned. The *Yerushalmi* suggests that although the courtyards in Jerusalem were searched for loaves to avoid the problem of "*notar*," and thus presumably had been ridded of *chametz*, they must nevertheless be searched a second time on the night of the 14th of Nissan. One might claim, then, that *Chazal* instituted an obligation of *bedika* on the night of the 14th independent of the presence of *chametz*. *Chazal* did not merely demand a search for *chametz* and recommend a schedule which would best effect the search. Instead, they formalized the obligation by demanding a searching "ceremony" on the night of the 14th. Even if the courtyards were just checked a few hours earlier for *chametz*, they must be re-inspected on the night of the 14th. As opposed to the approaches mentioned earlier, which hinge the timing of the *bedika* on peripheral, pragmatic concerns, or on the requirement of candlelight, the *Yerushalmi* perhaps viewed the timing – the 14th of Nissan – as a fundamental component of the essential obligation of *bedika*.

This question may underlie an interesting debate regarding the prospect of reciting the *berakha* of *she-hechyanu* when conducting the search, a *berakha* which we normally recite when performing an annual or otherwise infrequent mitzva. The Tur (O.C. 432) debates the issue and cites the position of the Ba'al Ha-ittur, that *she-hechyanu* is indeed recited over *bedikat chametz*. In rejecting this view, the Tur argues that since *bedika* has no fixed schedule, *she-hechyanu* is not recited. He notes that those who travel during Nissan are allowed to pre-schedule their *bedika* even as early as the beginning of the month, and the mitzva therefore has no universal, specifically designated time, a prerequisite for warranting the *she-hechyanu* recitation. Interestingly enough, the Tur did not base his theory of the *bedika*'s variable schedule on the fact that it was not fundamentally legislated for the evening of the 14th. Might he have agreed that *Chazal* did, in fact, assign it specifically to the evening of the 14th, and it thus would have deserved a *she-hechyanu* were it not for the special dispensation for travelers? Or, did he point to this "travelers dispensation" as proof to the absence of any formal timeframe for

this obligation? Conversely, the Ba'al Ha-ittur may have felt that *bedika* was assigned a fixed timeframe - the evening of the 14th – and therefore required reciting *she-hechyanu*.

Quite possibly, then, the Tur and the Ba'al Ha-ittur disagree as to the nature of the *bedikat chametz* schedule. Whereas the Tur perhaps denied any formal, "ceremonial" *bedika* obligation on the night of the 14th, and thus denied the possibility of a *she-hechyanu* requirement, the Ba'al Ha-ittur likely accepted this "ceremonial" approach to *bedikat chametz*, rendering it a candidate for *she-hechyanu*.