

YESHIVAT HAR ETZION VIRTUAL BEIT MIDRASH PROJECT(VBM)

**TALMUDIC METHODOLOGY
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Arba Kosot

Note: This article is based largely upon the chiddush of the Brisker Rov which can be found in his sefer of chiddushim on the Rambam.

One of the central components of the seder are the four cups of wine which are drunk throughout the night. To a certain degree they appear unique, a new, non-conventional mitzva which has little precedent in, or relationship with, other mitzvot. If any resemblance exists it is between these kosot and Kiddush in general, and possibly birkat ha-mazon (which sometimes is recited over a cup of wine as is the custom Pesach night) . This article will attempt to explore this central question : To what extent is arba kosot not an exceedingly new or novel mitzva but merely the reworking of a general mitzva of berakha on kos yayin (multiplied four times for each berakha this evening), or do we discern within arba kosot a unique, non-conventional mitzva partaking of the special nature of the night?

The first mishna in the tenth perek of Pesachim discusses the prohibition of starting a meal in the late afternoon of Erev Pesach. This prohibition is geared toward increasing a person's appetite for the matza. Though one should avoid a late meal on Erev Shabbat, on Erev Pesach, in preparation for the matza, the issur becomes more severe. The mishna adds that even a poor person must refrain from eating on Erev Pesach (even though one might have assumed that he would have an appetite even after his pre-yom tov meal). Having addressed the case of poor people the mishna informs us that arba

kosot is such an important mitzva that it warrants the transfer of funds dedicated to 'tamchui' (the equivalent of soup kitchens) to purchase wine for poor people. The mishna announces "afilu oni she-beyisrael lo yafchitu lo me-arba kosot (even the poor person should not be denied four cups of wine).

Tosafot questions why we only purchase four cups of wine for the indigent person - what about the other members of his family? From this 'language' of the mishna Tosafot infer that only ONE person must drink the four cups of wine. Others can be yotzei their mitzva by listening to the berakha and answering amen. After all, Tosafot reason, why should arba kosot be different from kiddush the entire year in which listeners can be yotzey without actually drinking some of the wine. Evidently, Tosafot viewed the arba kosot as nothing more than FOUR KOSOT OF BERAKHA. On this evening we make four berakhot (kiddush, maggid - asher ge'alanu, birkat Ha-mazon, and Hallel) and each is designated a kos yayin (see afterward for possible reasons). If these four cups are merely meant to animate and enrich the berakha there is no requirement that each person drink.

Intuitively, we recognize arba kosot as much more. The abundance of wine is meant to contribute to the overall atmosphere of cherut (freedom and aristocracy) which underlies the evening's experience. As the wine is meant to facilitate this experience the DRINKING OF WINE on behalf of EACH PERSON is mandatory. In the standard case of kiddush throughout the year, the 'recital' of kiddush is crucial, and its recitation over a chalice of wine merely lends distinction (chashivut) to the recital. As the yayin is merely incidental it isn't necessary for each person to drink. In the case of arba kosot, however, the principal aspect is creating an environment of cherut - to accomplish this, DRINKING of the wine is absolutely necessary.

This position seems to be supported by the Rambam who in Hilkhos Chametz U-matza (7:7) requires that each person drink the four cups. Indeed, the Rambam appears to catalogue arba kosot within the list of seder elements meant to reinforce cherut (like hasava), further confirming the notion that arba kosot are not merely four cups of berakha but instead /in addition establish cherut.

SUMMARY:

We have isolated two possible dimensions of arba kosot. They might serve only to animate the four berakhot recited this evening or they might contribute to the general theme of cherut. We have studied one nafka mina - who has to drink the wine.

A second manifestation of this question would be how many cups are imbibed and why. Traditionally, the four cups are associated with the four leshonot of ge'ula which appear in parashat Va'era. The source for this is the Yerushalmi in Pesachim which also lists the four kosot Ha'tareila (a 'poisonous cup of wine' which is employed in Tanakh as a metaphor for Divine retribution from Gentile Nations) appearing in Tanakh, as another possible source. Each of these sources assumes that, in theory, there is no natural limit to the amount of cups. Indeed, if wine were necessary for cherut there should be no inherent limit. The number should be determined by the taste and tolerance of the drinker. The Ran, however, (19a in the pages of the RIF) suggests a different reason. Since this evening we recite four berakhot, Chazal instituted four kosot of wine. This approach suggests that a dominant aspect of the kosot is not just the cherut but the kos berakha dimension. The number of berakhot then dictates the amount of kosot. (see afterword for a gemara which seems to crystallize these two viewpoints). Oftentimes, a useful tool for analyzing the essence of a halakha is the analysis of its poles or extreme cases. By judging the standard, conventional form of the halakha little insight can be gained. Only by investigating the extreme, non-standard cases can the true essence emerge. What about unusual cases of arba kosot? The gemara (108b) provides two such instances. The gemara lists the case of one who drank raw wine concentrate and determines that he has fulfilled the mitzva. In the days of Chazal the practice was to manufacture wine concentrate which then was diluted with water at meal time. Taken alone this syrup concentrate (an ancient form of petel) was quite sharp and bitter. It was, however, wine. After providing the initial pesak the gemara updates the pesak by informing us that he has only fulfilled part of the mitzva. As the gemara says "yedei yayin yatza, yedei cherut lo yatza". A simple understanding of this division is that he has only fulfilled one aspect of the above stated duality of arba kosot. Being that he drank something which is formally considered wine he has performed four 'kosot shel berakha'.

However, since he hasn't actually enjoyed the wine he has not experienced cherut. By drinking in this abnormal method he has fulfilled one aspect but neglected the second.

The gemara poses a second case of non-standard arba kosot. What is the halakha if, instead of drinking the four cups in the proper schedule, throughout the seder, he drinks them successively - one right after the other- bevat achat. The gemara concludes that in this case he also fulfills the mitzva - but again only partially. In this instance there is a sharp difference between the girsa we have in our gemarot and the one the Rambam and the RIF had. We will study the latter one. According to that reading "yedei cherut yatza yedei yayin lo yatza". This case would represent the inverse to the one who drank raw wine. Since he has imbibed a large quantity of wine he certainly undergoes an experience of cherut. Since, however, he didn't associate the kosot yayin with the respective berakhot he hasn't accomplished the mitzva of kos berakha. He, too, has only fulfilled one of the twin aspects of the mitzva of arba kosot.

SUMMARY:

In attempting to define arba kosot we have studied three manifestations of the mitzva: Who drinks, how many cups, and non-standard modes of drinking. The latter cases illustrated that in a standard case the mitzva contains two components. By altering the type of wine or schedule of drinking, one aspect might be forfeited.

One final issue will be considered: What is the shiur of yayin which must be drunk? The gemara (108b) suggests that most of the kos must be drunk. This lies in contrast to kiddush in which we pasken (based partially upon the gemara Pesachim (107a) that only most of the revi'it has to be drunk. Evidently, the difference in shiurim reflects the fact that arba kosot is not merely kos shel berakha. If so, only a revi'it would be necessary. In cases of kos shel berakha the central dimension is not the drinking but the berakha and only a minimal shiur has to be drunk. In the case of arba kosot, however, to demonstrate cherut, possibly most of the cup has to be drunk, even if it contains more than a revi'it. Tosafot, however, (107a Dibbur Hamatchil Im) equates the shiur of Pesach to that of the entire year, explaining that since most cups (but not all) contain a revi'it, the gemara by, demanding that most of the cup be drunk, is merely restating the shiur of

revi'it. Again, Tosafot refuse to highlight arba kosot and distinguish between them and regular kiddush. Just like in the latter case only a revi'it has to be drunk and only one person must drink, similarly in the case of arba kosot. Evidently they suppress the cherut aspect within arba kosot.

METHODOLOGICAL POINTS:

1. Upon beginning to analyze a halakha, an initial question which often proves helpful is: Is this an old/conventional halakha (possibly with some slight variations) or is this an entirely new halakha? Of course, each position has different degrees of variation but this question helps focus upon the method and type of proofs which should be searched for.
2. As always the nature of a halakha determines, and can be proven by, its particulars (who, what, where, when, how, etc.)
3. Studying extreme cases can shed light upon the essential halakha. By migrating toward poles we are 'testing' the halakha, attempting to discern its inner nature.

AFTERWORD:

The article touched upon many Pesach topics. I will relate briefly to some of them. I will happily provide further clarification upon request.

1. When discussing kos shel berakha the obvious question emerges: Why are the berakhot on this evening attached to yayin as opposed to their counterparts throughout the year? Kiddush understandably receives wine and possibly birkat Ha-mazon. In the case of Hallel, possibly its unique nature, in contrast to standard Hallel might warrant wine. The Ran in Pesachim quotes the Geonim who discriminate this Hallel as being 'shira' rather than Hallel. While annual Hallel COMMEMORATES a historical miracle, this one is uttered 'spontaneously' during the experience of the miracle itself (in the spirit of AZ (THEN) yashir - during the moment of the actual miracle they said shira). Since on this night we have to envision ourselves leaving Egypt, our Hallel is shira, not merely commemorative. This difference accounts for the fact that we stop in the middle of Hallel

unlike other Hallel's which are recited without a break. Possibly, this unique nature requires that it be said over a cup of wine.

2. The gemara in Pesachim (117b) attempts to prove from the seder that all birkat Ha-mazon requires a kos. In this attempt the gemara is assuming that the PURPOSE of the kosot is to facilitate and animate the berakha. If so, the proof is reasonable - why add a kos for birkat Ha-mazon if it generally doesn't require a kos? The gemara concludes that no proof is possible since "the Rabanan instituted four kosot FOR CHERUT - once we have them we affix each to a berakha". During the rest of the year when there is no independent reason for kosot none is required for birkat Ha-mazon. In its conclusion the gemara seems to change its position about arba kosot. Their principal purpose is to enable cherut. Once they are obligatory they are fastened to berakhot. These two stances represent the two positions echoed in the Rishonim.

3. Our girsa to the gemara (108b) (regarding the case of one who drinks the four cups in quick succession) reads "yedei yayin yatza yedei arba kosot lo yatza" - making no mention of cherut. The Rashbam explains that drinking in this fashion, while not a fulfillment of arba kosot (because they don't follow the schedule of the seder) is at the very least an experience of simcha - which is standard to every yom tov and is amplified by wine. For some reason this girsa refused to see within this form of drinking a fulfillment of cherut. Is it because cherut is not a viable aspect of arba kosot or that this boorish style of drinking doesn't reflect true cherut?

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