

אור לאַרבעה עשר, בודקין את החמץ לאור הנר. כל מקום שאין מכניסין בו חמץ אין צריך בדיקה. ולמה אמרו שתי שורות במרתף, מקום שמכניסין בו חמץ. בית שמאי אומרים, שתי שורות על פני כל המרתף. ובית הלל אומרים, שתי שורות החיצונות שהן העליונות:

On the evening [or] of the fourteenth of the month of Nisan, **one searches for leavened bread** in his home **by candlelight**. **Any place into which one does not typically take leavened bread does not require a search**, as it is unlikely that there is any leavened bread there. **And with regard to what** the Sages of previous generations meant when they **said** that one must search **two rows** of wine barrels **in a cellar**, i.e., **a place into which one typically takes some leavened bread**, the early *tanna'im* are in dispute. **Beit Shammai say** that this is referring to searching the first **two rows across the entire cellar**, and **Beit Hillel say**: There is no need to search that extensively, as it is sufficient to search **the two external rows, which are the upper ones**. This dispute will be explained and illustrated in the Gemara.

* **Bartenura (commentary) on Mishnah Pesachim** translation Rabbi Robert Alpert, 2020

בודקין את החמץ. אית דמפרשי טעמא דבדיקה כדי שלא יעבר על בל יראה ובל ימצא אם יהיה חמץ בביתו בפסח. ואף על גב דבבטול בעלמא סגי, חישבין שמא ימצא גלוסקא יפהפיה וימלך על בטולו ויחשב עליה לאכלה, ויעבר עליו על בל יראה ובל ימצא, הלכך בודקים את החמץ כדי לבערו מן העולם. ואית דאמרי טעמא דבדיקה גזרה שמא ימצא חמץ בביתו בפסח ויאכלנו, כיון שאין רגיל להיות בדל ממנו כל שאר ימות השנה:

בודקין את החמץ – there are those who explain the reason of searching [for the Hametz/leavened products] in order that he not transgress “lest any [leaven] be found” (see Exodus 13:7: “[Throughout the seven days unleavened bread shall be eaten; no leavened bread shall be found with you,] and no leaven shall be [seen, literally] found/לך ולא יראה [in all your territory,] and “lest it (i.e., leaven) be seen” (see Exodus 12:19 – “שבעת ימים שאר לא ימצא בבתיכם”/“No leaven shall be found in your houses for seven days...”) if there would be leavened products in his home during Passover. And even though mere nullification is sufficient, we are suspicious lest he find a white and delicate bread (i.e., a roll) and he will reconsider his nullification and think about it to eat it and violate [the Biblical injunction of] “lest it be seen with you, lest it be found with you” (see Exodus 13:7 and Exodus 12:19 above). Therefore, we search for the leavened products in order that he may remove it from the world. And there are those who say that the reason for searching [for Hametz] is a decree lest he find leavened products in his house during Passover and would eat them, since he is not accustomed to abstain from them all the rest of the days of the year.

Shulhan Arukh, 433: 3 (16th century, Yosef Karo)

בודק כל המקומות שיש לחוש שמא הכניסו בהם חמץ ולכן **כל חדרי הבית** והעליות צריכים בדיקי שפעמים אדם נכנס בהם ופתו בידו אבל אוצרות יין שאין מסתפק בהם וכן מתבן וכיוצא בו אינם צריכים בדיקה

One must examine all the places with respect to which there are grounds for fear that chametz may have been brought into them. Therefore, **all the rooms of the house** and the lofts require examination, since occasionally someone goes into them with bread in his hand. On the other hand, storerooms for wine, when one does not avail himself of the /wine/, and, likewise, rooms where straw is kept and similar places do not require examination.

Mishneh Berurah on Shulhan Arukh, 433: 3 (late 19th / early 20th century, Rabbi Israel Meir Kagan, ak.a Chofetz Chaim)

כל חדרי הבית - היינו אפילו חדרים שמחזיקים בהם משכנות שלפעמים נכנס לתוכו באמצע הסעודה להחזיר המשכון לבעליו ויש לחוש שמא שכח שם פתו והי"ה כל כיוצא בו כגון מרתפות שמונחים שם פירות וכבושים וגבינות וכיו"ב שדרך ליכנס שם בתוך הסעודה ליטלם וכן בית העצים ונרות ג"כ דרך השמש ליכנס בתוך הסעודה ליקח נרות להאיר ועצים לצורך התבשילין

All the rooms of the house. I.e. even a room where pledges are held. For occasionally, one goes into such a room in the middle of a meal in order to return a pledge to its owner. There are therefore grounds for fear that he may have forgotten his bread there.

The same ruling applies to all similar rooms. For example, it applies to cellars where fruit, pickled food or cheese, etc. is lying, since it is common to go into such cellars during the meal in order to take the food from them.

A room where wood or candles are kept is likewise required to be examined for chametz. It is also common for the attendant to enter such a room during the meal in order to take out candles for light or wood that is needed for the dishes being cooked.

Shulhan Arukh, 433: 4

חורי הבית וזיזין הבולטים מהכתלים שאינם גבוהים הרבה ולא נמוכים הרבה צריכים בדיקה אבל הגבוהים שאין יד האדם מגעת שם והנמוכים פחות משלשה טפחים אינם צריכים בדיקה

House holes and protruding beams from the walls that are not too high or low require checking. But **very high ones beyond a person's reach**, and low ones **less than three handbreadths**, do not require checking.

Mishneh Berurah on Shulhan Arukh, 433: 4

פחות משלשה טפחים - שמן הסתם לא (יט) נשתמשו בו אבל אם ידוע לו שנשתמש בהן חמץ באותה שנה אפילו פ"א הרי הן צריכין בדיקה. ובבית שהתינוקות מצויין בו בכ"ג צריכין בדיקה שמא הניחו שם התינוקות מעט

Less than three handbreadths. The reason is that generally it may be assumed that such holes were not used. However, if one knows that they were used for chametz that year, even if only once, they are required to be examined. In a house where children are to be found, such holes are required to be examined in all cases, in case the children placed a little chametz there.

חמץ

"Any place into which hametz has come, there is an obligation for inspection"

(per Shulkhan Arukh, Code 433 : subsection 3)

This means to say that it is necessary for everyone to conduct an inspection in the place where the evil inclination resides, for that is the hametz which resides therein. Such hametz is particular to

כָּל מְקוֹם שֶׁמִּכְנִיסוֹן בּוֹ חֵמֵץ צָרִיף בְּדִיקָה
(שם סי' תלג ס"ג). רְצָה לֹאמַר שֶׁצָּרִיף כָּל
אֶחָד לְבַדֵּק בְּמִקוֹם שֶׁדָּרָף הֵיצָר הָרַע הוּא
הַחֵמֵץ לְשֹׁכֵן שָׁם כָּל אֶחָד לְפִי עֲרֻכּוֹ, מִי
שֶׁדָּרָכוּ לְפָגֵם בְּבְרִיתוֹ חֵס וְשָׁלוֹם, אוּ בְעֵינָיו
חֵס וְשָׁלוֹם לְרְאוֹת בְּמִקוֹם שֶׁאֵין רֵשָׁאֵין
לְרְאוֹת, צָרִיף לְבַדֵּק וּלְבַעַר וּלְשׁוּב
בְּתִשׁוּבָה וּבְחֻרְטָה גְמוּרָה שֶׁאֵל יַעֲשֶׂה עוֹד
עֲבָרָה, וְעַל מֵה שֶׁעָשָׂה יִחְזוֹר בְּתִשׁוּבָה
שְׁלֵמָה, וּבְיָדָאֵי יִמְחַל לוֹ הַקְּדוֹשׁ בְּרוּךְ הוּא:

חֻרְיֵן הַגְּבוּהֵינן שֶׁאֵין יָד אָדָם מִגֵּעַת שָׁם
וְחֻרְיֵן הַנְּמוּכִים פְּחוֹת מִשְׁלֵשָׁה
מַפְחִים אֵינָם צָרִיכִין בְּדִיקָה (שו"ע שם ס"ד).
נִרְאֶה הַרְמָזוֹ, שֶׁאֵל יֹאמַר הָאָדָם אֵיךְ אוֹכֵל
לְבַדֵּק כָּל הַחֻטָּאִים וְעוֹנוֹת, שֶׁאֵין אֲנִי זוֹכֵר
אֶת כָּלָם. לְזֶה אָמַר, 'חֻרְיֵן הַגְּבוּהֵינן שֶׁאֵין
יָד אָדָם מִגֵּעַת שָׁם', רְצָה לֹאמַר שֶׁאֵין זוֹכֵר
אוֹתָם, 'אֵין צָרִיף בְּדִיקָה', אֶלָּא הָאָדָם צָרִיף
לְבַדֵּק וּלְשׁוּב בְּתִשׁוּבָה עַל אוֹתָן עוֹנוֹת
שֶׁהוּא זוֹכֵר, וְאוֹתָם שֶׁאֵינוֹ זוֹכֵר מִמִּילָא יִהְיוּ
בְּטָלִים, כִּי הַקְּדוֹשׁ בְּרוּךְ הוּא אוֹמֵר אֵלָיו הֲיָה
זוֹכֵר עוֹנוֹת הָרְאוּשׁוֹנִים בְּיָדָאֵי הֲיָה מִתְחַרְט
עֲלֵיהֶם וְשָׁב בְּתִשׁוּבָה כְּמוֹ שֶׁהוּא מִתְחַרְט
וְשָׁב עַל אוֹתָן שֶׁהוּא זוֹכֵר:

each person's individual measure. For one whose path is ruinous of the covenant [with God] (heaven forbid) or if [that evil] is visible to his eyes (heaven forbid) in a place forbidden due to its wickedness, it is therefore necessary to inspect and to eradicate that [forbidden thing], and then to repent and regret [upon that thing] completely so as to avoid repeating the sin again. And upon the specific act of transgression, one must do complete repentance, and then certainly God will forgive him.

In high places where one's hand has difficulty touching because they are not easy to reach, and in lower places—that by measure are less than 3 handbreadths in width—such places do not require inspection [for hametz]

(per Shulkhan Arukh, Code 433 : subsection 4)

It appears that what is hinted herein is that a person should not ask rhetorically "how possibly shall I inspect all of my sinful behaviors and transgressions, for how can I even remember all of them?!" It is for this precise reason the text states: high places where the hand cannot reach. This means to say that if you do not remember a particular deed, it is not necessary to

inspect [or ruminate over it]. A person only need inspect and make repentance and amends upon those sins that he can recall. And anyhow, any such [deed] that a person cannot recall becomes null and void. This is because God says if early [bygone] sins were still memorable, one would naturally [have] regret[ted] them, and would [have] repent[ed] upon them, in the same way that one does repentance and amends for the things which he outright recalls.

What do you think Rabbi Haupstein is trying to say about hametz?

Do you agree with Rabbi Haupstein's understanding of the rule from The Shulkhan Arukh?

Why or why not?

Places for which there is an obligation to check (for hametz)

All the places within the domain of a Jewish person—where there is some concern that within those places it is possible to find a *k'zayit of hametz—there is an obligation for checking.

ד - מקומות החייבים בבדיקה

כל המקומות שנמצאים ברשותו של יהודי ויש חשש שנמצא בהם כזית חמץ חייבים בבדיקה. לפיכך המטבח והסלון שאוכלים בהם - חייבים בבדיקה. וכן כל חדר, מחסן ומרפסת שנכנסים לתוכם לפעמים עם חמץ - חייבים בבדיקה (שו"ע תלג, ג-ד).
ארונות בגדים שאין רגילים להשתמש בהם בשעת הסעודה, אינם טעונים בדיקה. אבל אם יש בבית ילדים קטנים, אזי גם ארונות הבגדים צריכים בבדיקה, משום שיש חשש שמא פתחו את הארונות כשחמץ בידם, ואולי אף החביאו בהם מאכלי חמץ. וארונות גבוהים שאין יד הילדים הקטנים מגיעה אליהם - אינם צריכים בבדיקה.

“In those places, there is an obligation for checking.” And thus, (this refers to) every room, storage space, porch/balcony into which one enters, (even) occasionally with hametz, there is an obligation to check.

(per Shulkhan Arukh, Code 433 : subsection 3)

As to closets where there are garments not usually worn at meals,

there are no grounds for an obligation to check. However if there are small children in one's home, then these very closets also fall into the obligation for checking. This is because there is a concern lest (the children) opened the closets when hametz was in their hands, and possibly hid edible hametz in those places.

As to tall closets / furniture, where the hand of a child does not reach, these places do not require checking.

*k'zayit - A volumetric measure equivalent to an olive.

For reference:

“You shall eat Matzot (unleavened) for these seven days. No hametz of yours shall be visible to you, and no leavening agent shall be visible in all your boundaries.”

-Shemot (Exodus) 13:7,

For these seven days, no leavening agent shall be found within your homes. Because anyone who consumes leavened (items) shall be cut off from the assembly of Israel. This applies to the resident alien and to the citizen of the land.” - (ibid. 12:19).

Peninei Halakha, authored by Rabbi Eliezer Melamed

Born to the Beit El rosh yeshiva, Zalman Baruch Melamed, Rabbi Eliezer Melamed followed in his father's footsteps to study for several years with his father's teacher, Rabbi Tzvi Yehudah Kook. After teaching for many years in Beit El, he eventually established his own yeshiva in Har Berakhah. A noted educator, his Peninei Halakha series on Jewish law is widely used throughout the Jewish world.

Avodat Yisrael, authored by Rabbi Israel Hopstein of Kozhnitz (1734-1814)

Composed: Kozienice, Poland, c.1750 – c.1810 CE

One of the most complex and penetrating of the chasidic classics. Authored by the Maggid of Kozhnitz, Avodat Yisrael draws heavily on his kabbalistic knowledge.

Chassidic leader in 18-19th century Poland, founder of the Kozhnitz dynasty. Born to his father Shabbetai at an advanced age, after having received a blessing from the Baal Shem Tov. Studied under R' Shmelke of Nikolsberg, and later under the Mezeritcher Maggid and R' Elimelech of Lizhensk. Known as the "Kozhnitzer Maggid (preacher)" for the sermons he frequently delivered in Kozhnitz. He authored many works, including: Avodat Yisrael and Yakar MiPaz on Torah, Chidushei Maggid Mishna on Mishnayot, Beit Yisrael on Talmud, Nezer Yisrael on Zohar, She'erit Yisrael on Midrash, Geulat Yisrael on Maharal's works, and others.



Title page "Sefer Avodat Yisrael" ca 1875, Warsaw



Rabbi Israel Hauptstein, ca 1880, National Library of Israel

The Mishnah

The Mishnah is the first major work of rabbinic literature, consisting of teachings transmitted over hundreds of years and compiled by Rabbi Yehuda HaNasi around 200 CE. It preserves centuries of Jewish legal opinions and debates, organized into 63 tractates (masekhtot), which are organized into six orders (sedarim) covering agriculture, holidays, personal status, damages, sacrifices, and matters of purity. It is a foundation of the Jewish oral tradition, which continues with the Talmud, a work that is structured as commentary on the Mishnah.

***Commentary Author: Ovadiah Bartenura**, Composed: Italy, Jerusalem, Hebron (1482 CE),

R' Ovadiah ben Abraham of Bartenura (c. 1445-c.1515) wrote a commentary of the Mishnah that has been printed in almost every edition of the Mishnah since it was first published in Venice in 1548. The commentary, popularly called "The Bartenura" is mainly based on discussions in the Gemara and the Rambam's Mishnah commentary. The Bartenura is particularly valuable to Mishnah learners due to the inclusion of a summary of the Talmudic discussions along with the accepted opinions.



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