



## Yeshivat Har Etzion – Israel Koschitzky VBM Parsha Digest Year II, #29

### Parashat Tzav - Shabbat HaGadol 5780

Selected and Adapted by Rabbi Dov Karoll

#### Quote from the Rosh Yeshiva

The haftara [for Shabbat HaGadol] opens with the renewal of the relationship between God and man by way of sacrifices and a restoration of the situation that had existed in the past, following a long period of sin. Thus, it parallels what happened in Egypt, for there too God remained faithful to His people and accepted their sacrifices, and thus the primal love that had existed between the patriarchs and God was restored. And the haftara closes with a reference to a prophet-messenger who will come and return the people to God, in the wake of which they will be redeemed. Moshe's role in the exodus from Egypt is passed on to Eliyahu, and just as Moshe parted from Israel to the wilderness of Chorev and returned to redeem them, so too Eliyahu who also reached an encounter with God at Chorev will return in the future and bring to the redemption of Israel.

-Harav Mosheh Lichtenstein



#### Shabbat HaGadol “What is This Service to You?”

Based on a Sicha by Harav Aharon Lichtenstein zt”l

Based on: <https://www.etzion.org.il/en/what-service-you>

At the end of Parashat Bo, the Torah tells us about the obligation to bring the Pesach sacrifice, adding: “You shall tell your son, on that day, saying: Because of this God acted for me, when I came out of Egypt” (Shemot 13:8). The Torah makes no mention of the question that prompts this response. However, we do learn that part of the mitzva of the Pesach sacrifice is to convey its message onward, telling the accompanying story to one’s children and future generations. The reason for this is clear: the Torah must continue to be passed down beyond the generation of those who left Egypt, and hence the story must be retold. It is for this reason that the Torah omits any particular situation in which this response is elicited; rather, it is “on that day” – any day that may arise in the future.

Earlier, however, the Torah presents a different scenario, where the telling is prompted by a specific question: “It shall be, when your children say to you, ‘What is this service to you?’ You shall say, ‘It is a Pesach offering to God...’” (12:26-27). The Torah describes this question as arising at a specific time: “It shall be, when you come to the land that the Lord will give you as He promised...” (12:25). From this perspective, the situation that the Torah is describing is familiar to us – not only from the time of Bnei Yisrael’s first entry into the land, but also from the beginnings of modern Jewish settlement in Eretz Yisrael. The following question is posed here: in exile, the mitzvot were necessary in order to foster a national identity and uniqueness to protect us from assimilation, but why must they still be observed now that we are in Eretz Yisrael? The question is essentially a demand to abandon the mitzvot, because – as the questioners see it – these are necessary only for an external reason, to create a nation that is consolidated around some purpose. Therefore, now that we have returned to our homeland, the mitzvot are no longer necessary. This approach is expressed in the famous saying of Achad Ha’am: “More than the Jews have kept the Shabbat, Shabbat has kept the Jews.”

However, the question may also be interpreted not as a casting off and abandonment, but rather in a less extreme – and hence, perhaps, more dangerous – sense. The question here does not mean to annul Divine service, but rather to question its particular form: “What is this service to you?” This demand is not for uprooting and rejecting, but rather for change and adaptation to reality. In this sense, we must understand exactly how the Torah responds to such a demand and how we are to contend with it.

On the surface, the Torah's reply seems unintelligible, unrelated to the question: "You shall say: It is a Pesach offering to God, Who passed over the houses of the children of Israel in Egypt, when He struck the Egyptians and saved our children, and the nation kneeled and prostrated themselves." Upon closer examination, though, we find here a fundamental lesson.

The parents' answer relates to the commandment of "Pesach dorot," the Pesach sacrifice brought in future generations. The original Pesach sacrifice that the Jews brought in Egypt was quite different: they took a bunch of hyssop, spread the blood on their doorposts, took the sheep on the tenth day of the month, etc. All of these obligations are absent from the celebration of Pesach in later generations.

Thus, in this statement we are effectively telling our children that there is room for innovation and change where necessary, in accordance with a changing reality; the commandment of the Pesach sacrifice in fact symbolizes this change. However, we must also bear in mind the final words of the verse: "And the people kneeled and prostrated themselves." Change is essential, and the great Torah sages throughout history have applied Halakha to the situation of each generation. But all of this can take place only on condition that it is undertaken with complete commitment to Halakha and its obligations, rather than out of a desire to cast away or to submit oneself to fashionable philosophies.

There is a tendency among parents, when questioned by their children, to dismiss the question and to remain frozen and inflexible in their position. Yet sometimes there is an opposite tendency to submit altogether to the spirit of the times and to youthful impatience, leading to a shift in the very fundamentals for the sake of making life easier. The Torah, in its answer here to the children, attempts to indicate a middle path that we should observe in every generation. On the one hand, we must preserve the Torah from any attempt at uprooting commandments or fundamental principles; on the other hand, we must be open to change in certain points if it is truly necessary. The basis for any such decision must be the understanding that the Torah was given to us in order for us to observe it, not for our convenience, and any change must come from an appreciation and internalization of the greatness and depth of the Torah, as well as an absolute commitment to Torah and its values: "And the people kneeled and they prostrated themselves." (This sicha was delivered at seuda shelishit, Shabbat Parashat Bo 5765 [2005]. Adapted by Shaul Barth, Translated by Kaeren Fish)



## Parashat Tzav

### The Law of Piggul: The Peshat and the Halakhic Midrash

By Rav Amnon Bazak

Based on: <https://www.etzion.org.il/en/law-piggul-plain-meaning-and-halakhic-midrash>

#### I. Introduction

Our parasha records the law of piggul – which Chazal understood as an offering disqualified by improper intention - as follows: And the flesh of the sacrifice of his peace offering for thanksgiving shall be eaten the same day that it is offered; he shall not leave any of it until the morning. But if the sacrifice of his offering be a vow, or a voluntary offering, it shall be eaten on the same day that he offers his sacrifice; and on the morrow also the remainder of it shall be eaten. But that which remains of the flesh of the sacrifice on the third day, shall be burnt with fire. And if any of the flesh of the sacrifice of his peace offering be eaten at all on the third day, it shall not be accepted, neither shall it be imputed to him who offers it; it shall be an abomination [piggul], and the person that eats of it shall bear his iniquity. (Vayikra 7:15-18)

According to the plain sense of the scriptural text (peshat), the Torah's command here is that the sacrifices should be eaten within their designated times – 1 or 2 days, while any meat that remains after the designated time on the third day must be burnt. If one eats of the meat of a peace offering on the third day, the sacrifice becomes retroactively disqualified, and he who eats of it is liable, for the meat has become "piggul." This is also the peshat of the parallel passage later in Sefer Vayikra (see 19:5-8).

As opposed to the apparent peshat of the Biblical passages, Chazal understood the law of piggul entirely differently. This approach is explained by the Rambam (Hilkhot Pesulei Ha-mukdashin 13:2-3), who says, based on tradition, that piggul refers to where there was intention at the time of the offering that some of it will be eaten on the third day. On the other hand, if the intention was proper when the sacrifice was offered, but part of the meat remained after the proper time for eating it – that remain meat is called "leftover" (notar), and it was forbidden to eat it, but the offering itself had already been accepted and effected atonement.

According to Chazal, the law of piggul is not what follows from the peshat of the verses. The critical factor is not the time at which the sacrifice is eaten, but rather the intention of the offerer at the time of the sacrifice. This deviates from the peshat in both

directions. On the one hand, it results in stringency: intent at the time of the offering to consume after the designated time, makes the meat piggul, even if it is eaten within its designated time. On the other hand – and this is truly novel – it is more lenient than the peshat, for if the intent at the time of the offering was to consume during the designated time, then it is accepted even if he eats it after its designated time. According to the peshat, such consumption would be considered piggul!

The question therefore begs to be asked: Why did Chazal interpret the verses in a manner that deviates from the peshat, particularly one which results in leniency, against a peshat that seems to demand stringency?!

The Rashbam notes this gap between the peshat and the midrash halakha, referring to the rabbinic explanation as “uprooting the verse from its peshat,” explaining that it refers instead to one who, while offering the sacrifice, thought of eating the meat on the third day. However, the Rashbam does not explain the nature of this phenomenon. Why did the Sages uproot the text from its peshat?

The Vilna Gaon also noted the gap between the plain sense of the verses and the midrash, in his commentary *Aderet Eliyahu* (beginning of Parashat Mishpatim), but he takes this “uprooting of the peshat” in the case of piggul to attest to the greatness of the Oral Law, “that it changes like the material of a (wax) seal.” However, he, too, did not explain this phenomenon. We shall try to propose an explanation in what follows.

## II. “By Tradition” or “What It Deems Right”

We must first consider the dispute between the Rambam and the Rashbam regarding piggul. For our purposes, the Rambam (*Hilkhot Mamrim* 1:2) divides the Torah’s laws into two categories:

- 1) Matters learned by tradition, which form the contents of the Oral Law.
- 2) Rulings deduced by the hermeneutical rules by which the Torah is interpreted.

Whereas the first category relates to matters passed down by tradition which are not subject to change or controversy, the Rambam rules regarding the second category (*ibid.* 2:5), that if the Sanhedrin rendered a decision, and a later Sanhedrin finds a reason for setting aside the ruling, it has the authority to do so.

In other words, laws that are deduced through hermeneutical principles, that were not received through tradition, are liable to change through the generations, based on the discretion of the later court. The Rambam does not explain the considerations that may bring the court to interpret Scripture differently, merely writing that the “later great court finds a reason for setting aside the ruling.” It is, however, reasonable to assume that these are not solely exegetical considerations, but with additional factors as well, as the Rambam notes there (*halakha 4*), that the court may issue an emergency ruling (not limited to any specific time framework) to change even a law falling into the first category, for educational reasons.

Let us return now to the law of piggul. It seems that the Rambam and the Rashbam disagree as to which of the aforementioned categories piggul falls into. According to the Rambam, the law of piggul is known “by tradition,” and thus it falls into the first category, the matters learned by tradition going back to Moshe. According to the Rashbam, however, that the Sages uprooted the peshat, it seems that piggul falls into the second category. Interpreting the verses in the way that the Sages did stems from the court’s authority to decide “in accordance with what it deems right.”

We can now examine the question of what considerations brought the court, according to the Rashbam, to interpret the law of piggul as it did.

## III. “An Ordinance Enacted In Accordance with the Needs of the Generation”

Shadal (Rabbi Shmuel David Luzzato) directly answers our question in his commentary to the Torah on our parasha. After interpreting the verse according to peshat, Shadal points out that it would be “a great stringency” that one who ate the meat of a sacrifice during its designated time would be liable, just because what remained was not burned afterwards such that one could eat of it on the third day. He then suggests that this led the Sages “to remove the text from its peshat,” and explain that the disqualification is not from being eaten on the third day, but rather from the intention to eat it on the third day at the time of its offering.

Thus, according to Shadal, the Sages interpreted against the peshat because of a difficulty understanding the law of piggul based on the peshat. For Shadal understands that according to the peshat, one who eats of the meat of the offering even during its designated time, is liable if the offering turns into piggul by being eaten beyond its designated time. Shadal is aware of the complexity of his interpretation, so he adds that he believes that the Sages “enacted an ordinance based on the needs of the generations.”

Shadal's basic idea fits in well with the approach cited above, according to which, regarding matters that do not involve interpretations that were passed down by tradition, each court can interpret Scripture in accordance with its best judgment. In my humble opinion, however, the argument put forward by Shadal seems rather forced, for the Torah does not state that one who eats of his offering during its designated time is liable if in the end the offering will also be eaten after its designated time. All that the Torah says is that if the offering is eaten after its designated time, it will not be imputed to him who offers it, and that he who eats from it from that point forward will be liable. We must, therefore, continue to search for the reason that Chazal uprooted the law of piggul from its peshat.

#### IV. The Difference Between Action and Thought

The difference between the description of the sacrificial offerings in our parasha and the structure of the mishnayot in Massekhet Zevachim may help explain the phenomenon. Parashat Tzav describes the ways in which the sacrifices were offered – where they were slaughtered, how they were eaten, and various other details relating to the sacrifices. Chazal expand upon these laws, though they appear in Massekhet Zevachim beginning only in the fifth chapter, the chapter that addresses the location of the sacrifices, which is included in the recitation of sacrifices in the morning prayer service (see, for example, Sefer ha-Eshkol, who explains that this chapter: "which contains the order of all the sacrifices, they enacted in order that one should every day bring the sacrificial order to mind, as we say: '[for] Torah scholars who study the laws of the [Temple] service, we regard as if the Temple was built in their days.'") The uniqueness and centrality of this chapter gives rise to the question: Why doesn't Massekhet Zevachim open with this chapter?

Examining the first 4 chapters of the tractate intensifies the question. The mishnayot in these chapters deal with one general topic – the intentions of the one who offers a sacrifice. Thus, for example, the first chapter deals with the intention "for the sake of the offering."

Chapters 2-4 deal at length with the intention of eating the offering outside of its designated place or its designated time. The Mishna that closes the first four chapters of the tractate address the "Six matters" that "must be born in mind when a sacrifice is slaughtered."

Note that the discussion of the intentions of the offerer does not appear at all in Scripture, according to peshat. What then is the nature of this difference? This seems to reflect a significant transition regarding sacrifices, from action to thought. Whereas the Torah emphasizes the practical aspects of the offering of a sacrifice, Chazal emphasize the question of the intentions of the one offering the sacrifice.

It stands to reason that this difference stems from the well-known problem that accompanies the sacrificial service, the one that many of the prophets warned about, i.e., focusing on the sacrificial order without the requisite spiritual accouterment. Let us note, for example, the well-known words of the prophet Mikha (6:6-8) on this topic:

With what shall I come before the Lord, and bow myself before the high God? Shall I come before him with burnt offerings, with calves of a year old? Will the Lord be pleased with thousands of rams, or with ten thousands of rivers of oil? Shall I give my firstborn for my transgression, the fruit of my body for the sin of my soul? He has told you, O man, what is good; and what does the Lord require of you, but to do justly and to love true loyalty, and to walk humbly with your God.

Chazal's inclination in interpreting the verses regarding piggul seems to fit in well with this idea. Chazal emphasized the value of the intentions of the one offering the sacrifices, which are more important than his actual actions. What turns an offering into piggul is not what a person does, but what he thinks about at the time of the offering. The Rambam, referenced above, justifies the High Court's authority to change a law even in the case of explicit regulations that are not based on interpretations of the verses, "in order to bring back the multitudes to religion and save them from general religious laxity." It appears that here too a consideration of this sort stood before Chazal and brought them to interpret the verses as they did, in order to internalize the importance of the intentions that accompany sacrifices. This message is reinforced by a study of Massekhet Zevachim: such study quickly brings home the idea that greater emphasis should be placed on a person's intentions than on his actions.

(Translated by David Strauss)



## “Like Children or Like Slaves”

The Significance of the Parallel Between the Haggada and Parashat Ha-Bikkurim  
By Rav Yehuda Shaviv zt”

Based on: <https://www.etzion.org.il/en/haggada-and-bikkurim>

A. Recounting from "A Wandering Aramean was My Father..."

The crux of the Haggada which we read on the Seder night revolves around "mikra bikkurim" (the recitation made when bringing first fruits

to the Temple, as prescribed in Parashat Ki Tavo) and commentary to it (Mishna Pesachim 10:4). Rambam understands the mishna as praising one who devotes extensive time to this parasha (Hilkhot Chametz U-Matza 7:4).

At first glance, this seems surprising. In the time that it takes to explain this rich text fully, would it not be preferable to read other passages – those directly connected with the exodus from Egypt, describing the miraculous events surrounding our liberation? Would not the parashiot of Shemot, Va'era, Bo and Beshalach serve as more suitable subjects of discussion for the Seder night?

#### B. Beginning with Shame

The answer may lie in the dual nature of the story which is recounted in the Haggada. The mishna (10:4) teaches, "We begin with shame and end with praise, expounding from 'A wandering Aramean' until concluding the entire parasha." What is the "shame" with which we open our account? The Amora'im were divided on this issue (Pesachim 117a): "Rav said: [The shameful account begins] 'In the beginning our forefathers were idol-worshippers.' Shmuel said: [The shameful account begins] 'We were slaves to Pharaoh in Egypt.'"

In other words, Shmuel understands that we should discuss the narrower sphere of the story: the slavery in Egypt and the exodus to freedom. Rav maintains that we address a broader discussion of our history, from the very start of our existence: how our forefathers originally worshipped idols, etc. Rav seems to base his opinion on the fact that the requirement to expound upon the 'wandering Aramean' appears in the Mishna immediately after the instruction to "begin with shame." The opening verse of this account, "A wandering Aramean was my father," deals with events which took place long before the descent to Egypt. The parashot from Shemot to Beshalach, on the other hand, deal directly with the shame and praise involved in our sojourn in Egypt and our liberation from it.

#### C. One Must See Himself as Though He Had Left Egypt

Every Jew is required not only to recount the story of what happened in the past, but also to relive the experience, as if the exodus from slavery to freedom were taking place in the present. "In each generation the individual is obligated to see himself (lir'ot et atzmo) as though he [himself] left Egypt, as it is written: 'And you shall tell your son on that day, saying, For this God did for ME, when I left Egypt'" (Mishna 9:5).

The Rambam reads it slightly differently: "In every generation the individual is obligated to show himself (le-hera'ot et atzmo) as though he himself had just now come out of Egyptian slavery, as it is written, 'And He took US out from there.' And based on this, God commanded, 'And you shall remember that YOU were a slave' - in other words, it is as though you yourself were a slave and came out to freedom and were redeemed" (Hilkhot Chametz U'Matza 7:6).

The authors of the Haggada seem to have specifically sought verses which are recited by a person who was not present at the time of the exodus from slavery to freedom, but who nevertheless feels these events alive within him and who relives them in his account. What they found were the verses recited by the bearer of the bikkurim. And this is what the farmer, laden with his basket of first fruits, declares: I declare TODAY to the Lord your God that I HAVE COME to the land which God promised to our forefathers that He would give us... A wandering Aramean was my father, and he descended to Egypt... and the Egyptians were evil towards US and they afflicted us and put hard labor upon us, and WE cried out to the Lord, God of our fathers, and God heard OUR voices and He saw OUR affliction and OUR labor and OUR pressure and He took US out of Egypt with a strong hand... and He brought US to this place....

He recounts the entire story in the first-person plural. The Egyptians made his life a misery, they afflicted him, and he cried out. God heard his voice, took him out of Egypt, and brought him to the land flowing with milk and honey. And now, holding his first fruits at the entrance to the Beit HaMikdash, he recognizes and declares, "I have come to the land."

This is the declaration of one who has been firmly established in the land for generations, both expressing and fulfilling the reliving of the experience, "as though he himself came out of Egypt." The verses in this parasha, starting with "I declare today..." are indeed most suitable to serve as the skeleton around which the Haggada is built and upon which the leader of the Seder will expound and explain at length.

#### D. A Double Exodus

There are 2 facets to Israel's redemption Israel from Egypt. This duality finds expression in the first of the ten commandments conveyed in God's revelation on Har Sinai: "I am the Lord your God who took you out of the land of Egypt, from the house of slavery." There is a dual exodus: from the land of Egypt, and from the house of slavery. The first represents a move from exile to redemption (as happened again in the second redemption: the nation left exile in Babylon and went to the land of redemption, Eretz Yisrael). The second represents the move from slavery to freedom. This aspect is mentioned second at Sinai, but on the Seder night it is the principal one. What is its significance?

## E. The Essential Nature of Slavery

We can achieve a better understanding of what slavery really means by examining the first time this concept is mentioned in the Torah: in Noah's curse to his grandson (Bereishit 9:25). "And he said, Cursed is Kena'an; a servant of servants shall he be to his brothers." For what reason was Kena'an given this extreme curse of slavery? Because he lacked respect for his grandfather and exposed his nakedness.

What is the connection between the sin and the curse? This may hold the key to our understanding of the story. If we try to define the essence of a slave's halakhic status, the essence seems to lie in his lack of lineage. "All agree that a slave has no lineage" (Yevamot 62a). Rashi explains, "Lineage - i.e. that one's genealogy is traced back to one's father." Note that this lack of lineage is not only in tracing back to his fathers but also in the opposite direction – to his children: "A slave has no lineage; neither backwards (i.e. the previous generation) nor forwards (i.e. the next generation)" (Bava Kama 88a).

Each generation of slaves stands alone. There is no chain of generations, there is no family development. Children are not called by the name of their fathers, and so they do not represent their continuation. One who lacks respect for his progenitors, who blocks the possibility of a next generation, cuts the dynastic chain. He has no lineage or link to his roots, his background, his family; he tears apart the fabric of his tribe. He stands as an isolated unit with neither past nor future, having no purpose but to serve someone else. He is forever defined as "the servant of so-and-so."

## F. Redemption - Continuous Chain of Fathers and Sons

The ten commandments address the negative pole – that of slavery – in the first commandment. Where do we find the positive pole, that of redemption? Where is there any mention or hint of the promised land?

In the fifth commandment (20:12): "Honor your father and your mother, in order that your days be lengthened on the land which the Lord your God gives to you." This concludes the first tablet, and if we read the whole tablet at once, we find the continuum presented clearly: "I am the Lord your God who took you out of the land of Egypt, from the house of slavery... in order that your days may be lengthened on the land which the Lord your God gives you."

Long life on the land, which is an expression of liberation and freedom, is the result of honoring parents. If slavery means the severance from one's family roots, then the establishment of such roots is the essence of freedom. This is the prelude and key to permanence in the land and possession of it.

The individual who brings his bikkurim and announces, "I declare this day that I have come to the land..." sees himself as a link in the chain of the generations. His roots go back to his earliest forebears – those nearly destroyed by the Aramean, tortured in Egypt, who cried out and were redeemed. One who perceives himself thus is truly to be called a son. One who lives only in the present, cut off from the roots of the past is a slave, and he has no future.

## G. "You are Sons, For You Belong to the Lord Your God"

Let us turn to the family aspect of the Pesach sacrifice: "A sheep for each household, a sheep for each house" (Shemot 13:3), and the emphasis on the children on the Seder night: "The Torah addresses itself to four sons...." They are the center of attention; the father turns to them and recounts the story of the Exodus. In this way he establishes a new link in the chain of the generations; through which all the children are related and belong to one another, and none have any master other than God.

## H. Recounting from the Beginning to the End

There is another lesson to be learned from the introduction of the recitation over the bikkurim at the seder table.

Like the successive levels of "dayenu" recited at the seder, the bikkurim recitation mentions first the Exodus and eventually reaches the ultimate level of the building of the Beit HaMikdash. In the parasha of the bikkurim, the beginning and end of the circle meet. The individual, bringing his bikkurim to the Beit HaMikdash, has himself realized the final purpose of the whole story, with his recitation reaching back and reliving the tale from the beginning. We, sitting at the seder and experiencing the Exodus for ourselves, recount the story forwards. And, together with the verses, we construct step by step the successive levels, aiming eventually to reach the ultimate goal: the ascent to the Beit HaMikdash, bringing with us the first fruits of the land which God has given us. (Translated by Kaeren Fish.)

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