

FUCHSBERG JERUSALEM CENTER CONSERVATIVE YESHIVA

TORAH SPARKS

Parshat Metzora—Shabbat HaGadol

April 20, 2024 | 12 Nissan 5784

Torah: Leviticus 14:1–15:33 **Triennial:** Leviticus 14:1–32

Haftorah: Malachi 3:4–24

We believe that in times of great strife, words of Torah can provide stability and comfort in our lives.

We know that you join us in praying for the safety of our soldiers and citizens, and that together we mourn the terrible losses already suffered.

We stand together for a strong and secure Israel.

Freedom

Bex Stern-Rosenblatt

Parashah

The ritual by which a person with skin disease is permitted to return home involves wild birds. One is slaughtered outside of the camp and the other is dipped in its blood before being sent away, flying far far away. The text does not specify what type of birds these were. In a description overflowing with detail, the lack of naming for these birds is noteworthy. Usually, when we talk about sacrifices in Leviticus, the birds being sacrificed are doves or pigeons. But these birds are not being sacrificed. This ritual happens outside of camp, far from the realms of holiness and purity.

Scholar Jacob Milgrom argues that these birds are sparrows. They are wild and undomesticated. They come from outside of camp and have no desire to get into the camp. In being sent away, they are being sent home, because their home is the wild, the face of the field, the horizon. The word for sparrow is דרור, a word that also means freedom. In the Talmud, b. Beitzah 24a and b. Shabbat 106b, we find an explanation of this double meaning: “We are dealing with a free bird, a sparrow, because it does not accept authority... Why is it called a free bird [tzippor dror]? Because it dwells [dara] in a house as it does in a field.” The sparrow is free because it is wild, because it is not bound by home, by community, by tradition.

Meanwhile, the person with skin disease just had a taste of this sort of freedom. They too were sent out of the camp. They were removed from home, from community, from tradition. Their very bodies became foreign to them, something from which they needed to be liberated. It was as if their souls were trying to escape the forms that held them, to burst out.

Until the skin disease subsides, that person remains in this sort of freedom, outside of the community. They could choose to fly away, to leave, to refuse to accept authority and find their home in the wild, open field. But they don't. Rather than looking out at the horizon, the person with skin disease looks back at the camp from which they have been removed. They submit gratefully to the authority of the *kohen*

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who comes to check if they are ready to return to camp. Living in freedom, the person with skin disease wants to return to order.

Milgrom writes: “The entire purification process is nothing but a ritual, a rite of passage, marking the transition from death to life. As the celebrant moves from the realm of impurity outside the camp, restored first to his community, then to his home, and finally to his sanctuary, he has passed from impurity to holiness, from death to life, is reinstated with his family, and is reconciled with his God.”

There is in each of us the potential to have skin disease. There is something that wants wild freedom. To wander, restless, over the next horizon while drenched in the blood of our fellow. But, push comes to shove, we do not want wild freedom. It terrifies us.

On the holiday we call *hag haHeirut*, the holiday of freedom, we impose on ourselves order. We turn to the rules and the rules about the rules so that we do not lose ourselves. We step into freedom just as the person with skin disease steps outside of camp - bringing the roadmap with us to a return to community, counting the days to Shavuot.

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Speech: Pleasure or Plague

Rabbi Daniel Raphael Silverstein

Insights from Hassidut

Rabbi Daniel Silverstein teaches Hassidut at the CY and directs Applied Jewish Spirituality (www.appliedjewishspirituality.org). In these weekly videos, he shares Hassidic insights on the parashah or calendar.

Click below to watch the [video](#):



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Pesach is Never Really Over

Rabbi Joshua Kulp

Halakhic Essays on Pesah

The Torah is extraordinarily stringent when it comes to the prohibition of hametz (leavened bread) and *se'or* (the leavening agent) on Pesah. Any Jew who eats hametz on Pesah is liable for the penalty of “being cut off (*karet*)” from Israel (Exodus 12:15). But it is not just eating hametz that is prohibited. Leaven may not be found in one’s home throughout the festival (v. 19). Exodus 13:7 prohibits one from even seeing hametz or *se'or* “in all of your territory.” The Torah forbids the consumption of many substances, some of which—such as blood and forbidden fat—are punishable by *karet*. But hametz is the only food that a Jew must remove from her home. It is so forbidden that it may not even be seen or found in one’s possession.

And yet, the day after Pesah, hametz returns to being completely permitted. Just as no other food is treated as stringently as hametz, no other prohibited food has a time limit to its prohibition. Obviously hametz can be eaten during the rest of the year; it is prohibited only on Pesah itself. But does hametz automatically change its status from prohibited to permitted once Pesah is over? Is there a difference if the hametz was owned by a Jew or a non-Jew during the holiday? If it was owned by a Jew who did not observe the biblical commandment to remove the hametz from her home, does such hametz go from being

prohibited on Pesah to being fully permitted after? Or, once prohibited, does it remain prohibited forever?

The earliest mention of this is found in Mishnah Pesahim 2:2:

Hametz which belongs to a non-Jew over which Pesach has passed is permitted for benefit; But that of an Israelite is forbidden for benefit, as it is said, “No leavened bread shall be found with you.”

If the hametz was owned by a non-Jew, then it may be consumed after Pesah. However, if it was owned by a Jew, then it is prohibited to derive any benefit from it even after Pesah is over. The midrash at the end of this mishnah is likely a search for some notion in the Torah that the prohibition remains. The easiest way to understand it is as follows. The Torah prohibits possession of leaven over Pesah. If a Jew transgressed this prohibition, and maintained ownership of the hametz, then she is penalized, and may not consume this hametz even after Pesah (for more on this see my book, [Reconstructing the Talmud, v. 2](#)).

In the [Babylonian Talmud Pesahim 28](#), Rabbi Shimon argues that hametz owned by a Jew on Pesah is not prohibited by the Torah after Pesah. And on page [30a](#), Rava rules in accordance with this position—hametz after Pesah is permitted, in accordance with Rabbi Shimon. However, the Talmud immediately notes that Rava also explained that Rabbi Shimon penalized one who transgressed the

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biblical prohibition of owning hametz on Pesah. To square these two seemingly contradictory views, the Talmud resolves that pure hametz owned by a Jew on Pesah is prohibited by the rabbis after Pesah, but hametz in a mixture that was owned by a Jew on Pesah may be eaten after Pesah. The **Shulkan Arukh, Orach Hayyim 448:3** rules that this is so even if the Jew maintained possession of the hametz on Pesah unwittingly. The prohibition relates to the object—it was owned by a Jew on Pesah and therefore cannot become permitted after Pesah. It is not just a penalty for the Jew who possessed it. Indeed, the hametz is prohibited to all Jews, not just to the Jew who owned it.

For much of Jewish history, this halakhah was not that hard to observe. The Jew would get rid of her hametz before Pesah and even if a little hametz was found after Pesah, such hametz was not valuable and could just be thrown away. However, in the 17th century Jews in Eastern Europe became heavily involved in the business of production and sale of liquor, particularly **hard alcohol**. It would have been impossible for such a business owner to physically remove all of his hametz before Pesah, and if he did not do so, he would not be able to sell it after. The earliest sage to design a solution for this was R. Joel Sirkis, known as the Bach. The Bach was the inventor of “selling hametz” without actually removing it from one’s house. The practice has changed a lot since then (for a helpful summary see [here](#)) but the essentials are the same. By selling the hametz, the Jew avoids transgressing owning hametz during Pesah and avoids the consequences of that hametz being prohibited after Pesah.

Where does this leave us today practically speaking? A Jew who sells her hametz before Pesah is completely permitted to derive benefit from that hametz after she buys it back after Pesah, a process that today occurs automatically when Pesah is over. This is not a difficult problem. The problem is that a Jew cannot derive benefit from any hametz owned by any Jew over Pesah. This creates a problem for an observant Jew, one who wishes to avoid eating hametz that was owned by a Jew on Pesah, who lives in a community of mixed levels of religious observance. What about a vegan restaurant (where a kosher Jew might eat) owned by a Jew? What about a grocery store? Indeed, in some ways this might be the most difficult of rules for a Jew in our day, living in the type of community that is reading this column, to follow. I do not have easy ways around this rule beyond hoping that more Jews will practice selling hametz before Pesah and my encouragement to rabbis in the field to make sure that the Jews in their communities practice selling hametz. But the laws of Pesah are, as we know, not easy.

This is my last column writing about the laws of removing hametz before Pesah. There’s a lot more halakhah to be learned. So I look forward to going through this journey with you all again in about a year. Until then, enjoy your cleaning, your *bittul*, your *bedikah*, your *biur*, your *mekhirah* and most of all, I hope you celebrate Pesah with the people you love, your family and friends, and that next year we all celebrate together in true freedom.