

HALOCHOSCOPE

This week's question:

It is customary to restrict eating matzo for a period before *Pesach*. May one eat schnitzel coated with matzo meal during this period?

The issues:

A) *Matzo* before *Pesach*

B) What counts as *matzo shel mitzvah*, fit for the *mitzvah*

C) *Adaata dehachi lo kibluha*, limitations on a self-imposed restriction

A) *Matzo* on *Erev Pesach* – and before

The Talmud forbids eating a meal on *Erev Pesach* close to *mincha*. This would be the time that the afternoon offering is made. 'Close to' means about a half-hour before this time. There are two times known as *mincha*: *mincha gedolah*, the earliest time that the offering was made, a half hour after midday, and *mincha ketana*, the optimum time for the offering, three hours later. Hours are seasonal, a twelfth of the daylight hours. The afternoon offering should be made after midday. At least a half-hour is allowed to lapse, so that no mistake can be made. However, *bain haarbaim*, between the eves, implies that the optimum time is later. Furthermore, after this offering, no further offering may be made. Therefore, to both fulfill the full sense of the verse and to allow other offerings to be made, the optimum time for offering is three and a half seasonal hours after midday, or nine and a half hours into the day. The Talmud debates what is meant by the restriction on eating close to *mincha*. The conclusion is that for most ordinary people it refers to *mincha ketana*. Therefore, one may not begin a meal after *taisha shaos*, nine hours into the day. There is further debate on what one should do if he had already begun a meal before this time, and what to do if he wrongly began the meal after this time.

There is actually a debate on this very same restriction every *Erev Shabbos* as well. When the evening comes, one might not be ready to start a new meal, with the required *kiddush*. The varying views include saying *kiddush* in the middle of the meal begun earlier, ending the meal immediately, and resuming later with *kiddush* and a new meal, and various in-between suggestions. Here the restriction is based on the requirement to say *kiddush* at the beginning of *Shabbos*. In addition, one should not begin an activity that could get drawn out at a time when one anticipates performing a *mitzvah*. The issue is that one might be caught up in the activity and forget to do the *mitzvah*. This restriction applies to everyday *mitzvos*, such as the various *tefilos*.

In regard to *Erev Pesach*, the restriction is more universally agreed on. The main reason for this restriction is that one should not be full when the time comes for the meal, which includes a *mitzvah* to eat matzo. One should be eager and hungry to fulfill the *mitzvah* of matzo. Fruits may be eaten, and the Talmud discusses whether wine may be

drunk, or whether it might even be advantageous to drink wine during *Erev Pesach*. The restriction on a meal refers to a bread based meal.

The poskim raise a question regarding the entire restriction. What kind of meal does the Talmud mean? It could not be referring to a regular meal with bread, which is *chametz*, this late on *Erev Pesach*. It must refer to matzo as the staple food in the meal. Matzo is anyhow restricted all day on *Erev Pesach* by the Yerushalmi. The comparison is made to one who lives with his wife right before she would be permitted to him anyhow. In the same way, one should not perform this *mitzvah* before its time. Accordingly, one could not even eat a meal of matzo from morning. Therefore, the poskim suggest that the Talmud forbids even eating matzo that would not qualify for the *mitzvah* after *taisha shaos*. This would be permitted before this time. The most obvious example is matzo *ashira*, 'rich' matzo. Matzo is called *lechem oni*, poor bread. Its only ingredients are flour and water, besides it being stopped from leavening. Matzo *ashira* would be matzo that is made with a richer ingredient, such as fruit juice. This is disqualified for use for the *mitzvah*. Since the main reason for the restriction on *Erev Pesach* is to keep an excitement for the matzo of the *mitzvah*, one may eat matzo that does not qualify for the *mitzvah*.

Thus, we have two sides to restricting matzo on *Erev Pesach*. One should keep an appetite, and one should maintain the excitement. To keep an appetite it is sufficient to restrict beginning a meal from *taisha shaos*. To keep excitement, one should restrict it from the morning. The poskim debate when this restriction begins. Some say that it begins at daybreak. Others maintain that it applies at the same time that *chametz* is forbidden. Some also connect it to the time that one may slaughter the *korban Pesach*, the afternoon. A minority suggests that the restriction includes the evening before.

The poskim discuss why matzo is so restricted on *Erev Pesach*. The comparison to living with one's wife before she is fully permissible is complicated. In that case, she is actually forbidden. The reason one might violate this could be impatience or temptation. There is no concept there of keeping one excited about a specific *mitzvah* whose time has not yet arrived. Furthermore, the betrothed woman is already his wife, but not yet permitted to him until he finishes the wedding process. There is no part of the matzo *mitzvah* that has already begun on *Erev Pesach*.

The simplest explanations revolve around an idea that one should always control himself so that his eagerness is applied at the right moment. This way, he will be able to enjoy that moment appropriately, rather than feel a measure of boredom. There actually is a *mitzvah* to fulfill when one the marriage process is completed, along with various *brochos*. By giving in to earlier temptation or impatience, one reduces the significance of the later moment. In the same way, one who eats matzo on *Erev Pesach* reduces the significance of this *mitzvah* later on. For matzo, in particular, the moment of eating it is very meaningful. The Torah indicates that the *Hagadah* must be recited while the matzo is before the person who is about to eat it. Accordingly, one eating it early would miss this important aspect of preparedness and the build-up. There could also be a connection to offering the *korban Pesach*, which is also connected to matzo when it is eaten. The *korban Pesach* is offered on *Erev Pesach*, and is also connected to the time that one may no longer own *chametz*. In addition, the Torah does use specific terminology here: "*ba'erev*,

in the evening, shall you eat the matzos.” Just as one may not eat an offering after its time, under severe penalties, so too, one may not eat this too early. Nonetheless, the consensus is that this restriction is a Rabbinical decree.

Some poskim maintain that one may not extend this restriction to forbid eating matzo earlier than *Erev Pesach*. They say that doing so would demonstrate that one does not agree with the Rabbis who instituted it only for *Erev Pesach*. Furthermore, it demonstrates *yohara*, showing off. The person thinks he is better or more pious than others. However, if an entire community has undertaken this practice, the latter concern does not apply. As for the former concern, as long as one makes it clear that he follows a personal undertaking, or a *chumra*, he cannot be considered arguing with the Rabbis.

Accordingly, there are two customs to extend this period. One forbids matzo as of *Rosh Chodesh Nissan*. The other forbids it thirty days before *Pesach*, or from *Purim* on. The same basic reason is suggested for both customs. We mentioned that the poskim debate whether the restriction applies all day or only from when the *chametz* is forbidden. Those who forbid it all day connect it to the concept of preparing oneself for the *mitzvah*. It is reasonable to suggest that the Rabbis would have restricted it from the time one usually starts preparing for *Pesach*. The Rabbis felt that this would be too burdensome for the multitudes, but those who feel they can manage should try to do this. The Talmud debates when one must begin studying and preparing for *Pesach*. In one view it is two weeks, or from *Rosh Chodesh*. We follow the majority view, that one begins thirty days prior to the holiday. Thus, those who wish to adopt a stringency can try to follow the view of two weeks, or even thirty days. [See *Psachim* 99b, *Poskim*. *Tur Sh Ar OC* 471:2, commentaries. *Maadanei Shmuel* 113:11-16. *Igros Moshe OC*:I:155.]

B) Matzo shel mitzvah

As we mentioned, the restriction applies to matzo used for the *mitzvah*. Matzo *ashira* is permitted, until *taisha shaos*. In practical terms, Ashkenazic Jews do not consume matzo *ashira* during *Pesach*. The fruit juices can cause leavening more quickly, and one cannot be as sure that it is not *chametz*. It is only permitted for the infirm. It may be eaten in the morning before the latest time for *chametz*. Ideally, one should use matzo *shemura*, specially produced for the *mitzvah*, but regular matzo may be used if *shemura* is unavailable. The matzo should have no other flavors mixed in with it. It is important that one can taste the matzo. The Talmud debates whether one can fulfill his obligation with *korech*, where the *maror* flavor is mixed with the matzo flavor. The Talmud also says that one does not fulfill his obligation if he swallows the matzo without tasting it.

If one cannot chew it, the matzo may be soaked in plain water. [The modern-day *chumra* to avoid wetting matzo (*gebrochtz*) is not related to the qualifications for fulfillment of the *mitzvah*. It is a concern for unbaked pockets of flour in some matzos baked nowadays.] However, if it was soaked in hot water, or cooked, the Talmud debates whether it is good enough. In one view, as long as it does not disintegrate, it is valid for the *mitzvah*. We follow the view that cooking it removes its label as “bread.” In fact, the *brocha* on this matzo would be *mezonos*, even though it started out as *hamotzie*.

This raises a question with regard to *Erev Pesach*. May one eat matzo balls. They are not fit for the *mitzvah*. Firstly, they are cooked. Second, they have added ingredients.

One still detects the matzo-type flavor. If it was so drowned out by the majority of other ingredients, its *brocha* might even change. *Mezonos* is recited on flour based foods as long as the flour is indeed the base, even if it is a minority ingredient. This is because it was added for its flavor, and flour is considered the major component. If its flavor is not detected, it could become totally subverted to the other ingredients. The poskim say that one may eat matzo balls on *Erev Pesach*. However, many poskim maintain that this only applies to matzo cooked in a liquid medium. Even deep fried matzo is debated by the poskim. If it was baked into cookies or cakes, it cannot be considered having lost its status of bread. While there could be issues with using it for the *mitzvah*, based on the additional flavors, it is still matzo. The spirit of the institution might not apply. The cookies might taste the same as *chametz* cookies. The person might not feel any reduction in his anticipation of the *mitzvah*. However, it still violates the letter of the law.

In our case, the batter used to coat the chicken for the schnitzel is matzo meal based. There is some debate on the *brocha* on this schnitzel. If the batter is really thick, many poskim would require a *mezonos* to be said, either on the coating, or on a separate *mezonos* food. The coating is mixed with other ingredients, and the schnitzel can be baked or deep fried. Assuming that deep fried matzo is invalid for the *seder*, what about the baked schnitzel coating? [See Section A. Nitei Gavriel Pesach II:44.]

C) *Adaata dehachi lo kibluha*

The entire issue might not apply in our case. The questioner is not asking about *Erev Pesach*, but about the earlier period, such as the thirty days prior to *Pesach*. Since this is not part of the period restricted by the Rabbis, its status is more lenient. It is really dependent on the mindset of those who undertake this *chumra*. A *chumra* is like a *neder*, a ban undertaken voluntarily. A self-imposed ban is binding based on the mentality of the person making the ban. If he had in mind certain things, but not others, the others are excluded from his ban. The Talmud says that in many instances, his actual language is the main determining factor. This, in turn, is governed by the societal norms in terms of usage. A word might be used by the Torah. Yet society uses it for a different application. If an individual maintains that he used the word to mean something different, we might not pay heed to his claim. He would be bound by the norm.

Similarly, if an undertaking is made as part of a group, the extent of the ban or *chumra* is governed by the common practice, unless specified otherwise. What if a circumstance arises wherein there is no clarity on the original mindset? Often, if the situation can be shown to be burdensome, we make the presumption that *adaata dehachi lo kibluha*, this was not what they had in mind. It would seem that this can be applied to our case. While people add to the restriction, they do not mean to add all types of matzo food. [See Psachim 50b -52a, Poskim. Tur Sh Ar YD 214: Shach 2.]

In conclusion, the schnitzel may be eaten until *Erev Pesach* morning.

משנכנס אדר מרבין בשמחה!

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