



פסחים ב' ע"א
רש"י: "שלא יעבור עליו בבל יראה ובל ימצא"

רש"י writes that בדיקת חמץ is in order "שלא יעבור עליו בבל יראה ובל ימצא". How does בדיקת חמץ accomplish this?

What is the proof that בדיקת חמץ is התורה?

Nowhere does the גמרא explicitly state that בדיקת חמץ is required מן התורה. Nevertheless, רש"י – and many other ראשונים – hold that in the absence of ביטול חמץ, there is a requirement מן התורה to perform בדיקת חמץ.¹ According to them, this can be inferred from several places in the גמרא:

- a) On דף ד' ע"ב and דף ד' ע"א, the גמ' states: "בדיקת חמץ מדרבנן הוא דמדאורייתא בביטול בעלמא סגי ליה" – "מדאורייתא ביטול alone suffices because בדיקת חמץ is מדרבנן"; implying that בדיקת חמץ is מדאורייתא when ביטול was not performed. In other words, מן התורה one has the choice of performing either ביטול or בדיקת חמץ.²
- b) The גמרא on דף ז' ע"ב seeks a source for the requirement to perform בדיקת חמץ specifically by candlelight. רב חסדא derives this דין from a series of פסוקים which link the concept of בל ימצא to the idea of searching, and the idea of searching to candlelight. רש"י there explains that this לימוד is only an אסמכתא,³ because this לימוד links פסוקים to תורה, which contravenes the rule of "דברי תורה מדברי קבלה לא ילפינן" ("we do not derive words of תורה from the words received by the נביאים").

It is noteworthy that this לימוד contravenes the rule of "דברי תורה מדברי קבלה לא ילפינן" only when linking the idea of searching to candlelight. However, the פסוקים linking בל ימצא to the

¹ כ"כ המהר"ם חלאווה, רבנו דוד, הריטב"א והפנ"י בדעת רש"י, וכן דעת הר"ן. אולם, תלמיד הרשב"א והב"ח (סי' תל"א ד"ה מדאורייתא) מבארים בדעת רש"י שאינו אלא מדרבנן, ע' בדבריהם.

² What about the ראשונים who hold that there is no concept of התורה מן בדיקת חמץ (e.g. see footnote 10); how will they explain that גמרא? One possibility is that they will interpret it as saying that "בדיקת חמץ is **always** מדרבנן, for the **only** thing that the תורה mandated is ביטול". However, upon learning that סוגיא in entirety, it is clear that such an explanation is untenable. For other explanations, see the פני יהושע and פני יהושע (א"א תלוח) and פרי מגדים (א"א תלוח).

³ An אסמכתא refers to a דין דרבנן that is "supported" by a פסוק. There are many opinions as to what exactly this means:

מהרי"ל – The חכמים supported their דין with a פסוק that they "re-explained". Thereby, the masses would think that the דין is מדאורייתא, which would lead them to treat it with the proper respect.

ריטב"א – In an אסמכתא, the פסוק actually means what the חכמים say it means. However, the תורה only stated the דין as a suggestion, not as an obligation. Later on, the חכמים decreed that this דין should be adhered to as an obligation, and this תקנת חכמים thus has support from the פסוק.

קריית ספר – When the חכמים instituted new תקנות, they were sometimes open to various ways of instituting them. For example, when the חכמים instituted that one should not travel 2000 אמות on שבת, they could have prohibited 1000 אמות or 3000 אמות instead. Ultimately, they instituted 2000 אמות, because there is a פסוק that can be interpreted as teaching that 2000 אמות is forbidden.

idea of searching all appear in the תורה and not in ג"ך, which indicates that בדיקת חמץ has its origins מן התורה.⁴

[This insight also helps address the order of רש"י on the משנה, which states:
 "לאור הנר. בגמרא (ז, ב) מפרש טעמא: בודקין. שלא יעבור עליו בבל יראה ובל ימצא"

The problem is that these two דיבורים appear in the reverse order of the משנה. Why does רש"י explain the משנה in the opposite order?

The חמדת שלמה explains that רש"י wanted to draw our attention to the לימוד in the upcoming גמרא for two reasons – not only because it explains the need for a candle, but also, to demonstrate that בדיקת חמץ in general is derived from the תורה (in the manner described above). Therefore, רש"י positioned the reference to the upcoming גמרא first, because it also serves as an introduction to the following דיבור which states that the בדיקת חמץ is מן התורה.

The חמדת שלמה goes on to explain that this is why the chosen⁵ reference was דף ז' ע"ב and not דף ד' ע"א: On דף ז' ע"ב, the גמרא presents the source for using a candle in a פסוק, whereas on דף ד' ע"א, the גמרא explains the practical advantage of using a candle – אור הנר יפה לבדיקה – "the light of a candle is efficient for searching." While either citation explains the need for a candle, only the one from דף ז' ע"ב sheds insight on the next רש"י as well, by demonstrating that בדיקת חמץ is derived from the תורה.]

⌘ How does בדיקת חמץ address the איסור of בל יראה ובל ימצא?

The concept of בדיקה is found in many areas of הלכה. For example, if one wishes to eat a fruit which is prone to worm-infestation, he has a חיוב מן התורה to check the fruit prior to eating it, in order to ensure that there are no worms. The מקור חיים explains that this is also the reason that there is a חיוב מן התורה to perform בדיקת חמץ in any place which is prone to חמץ.

This analogy does not appear to sufficiently explain the position of רש"י.⁶ The פוסקים debate whether one transgresses בל יראה ובל ימצא for חמץ that was not found during בדיקה. The words of רש"י (especially as further expanded by the ר"ן and מהר"ם חלאווה) indicate⁷ that after performing a proper בדיקה, one no longer transgresses בל יראה ובל ימצא – even for remaining חמץ that was not found during the בדיקה! [Thus, in a general sense, בדיקת חמץ is as effective as ביטול.] This is also supported by the words of רש"י on דף ז' ע"ב ד"ה מ"ט. This is very different than checking for worms, where the איסור remains even when the worms were not located after a thorough search, and one who eats them is deemed a שוגג or an אונס. Why does בדיקת חמץ completely bypass the איסור?

⁴ The ראשונים who hold that בדיקת חמץ is never מן התורה will explain that the לימוד is an אסמכתא, not for the reason of רש"י ("דברי תורה מדברי קבלה לא ילפינן"), but rather, for some other reason which applies equally to the entire לימוד.

⁵ Since the current pagination system of דף and עמוד did not exist in the times of רש"י – it was introduced only once the גמרא was printed in the early 1500's – רש"י himself will only refer to a מסכתא and פרק on the rare occasions where he provides a reference. In our texts, רש"י's commentary contains references in parentheses, using דף and עמוד, but these references were authored by the printers of the גמרא, and not by רש"י himself. Accordingly, the חמדת שלמה does not mean that רש"י himself made the reference to דף ז'. Rather, he is explaining why the printers made a reference to דף ז', for they assumed that רש"י meant that גמרא, and not the one on דף ז'.

⁶ Furthermore, as we saw earlier, רש"י holds there is a specific לימוד which teaches the דין of בדיקת חמץ – the linking פסוקים connecting בדיקת חמץ to the idea of searching. If רש"י held like the מקור חיים, why would a special לימוד be necessary? (See footnote 9.)

⁷ The inference is from the fact that רש"י states that בדיקת חמץ is "שלא יעבור בבל יראה ובל ימצא" ("that one should not transgress בל יראה ובל ימצא"), and not "שלא ישאר חמץ ברשותו ויעבור בבל יראה ובל ימצא", or similar.

The רא"ש (in many places) and טור hold that, even after performing a proper בדיקה, one will transgress בל יראה ובל ימצא for any remaining חמץ not found during the בדיקה, albeit as a שוגג. According to them, בדיקת חמץ does not entirely remove the איסור for any remaining חמץ. Similarly, but somewhat differently, ספר השלמה and ספר המכתם (דף ו' ע"א) maintain that one is classified as an אונס. These positions are compatible with the analogy of the מקור חיים.

A possible explanation (see פני יהושע): The פסוק of "לא יראה לך" and "לא ימצא" is not directed at the **situation**, but rather, at **the person**⁸. In other words, the point of the פסוק is that **the person** must take the necessary **actions** to ensure that no חמץ is seen or found in his possession. One way of ensuring this is by performing ביטול, and another method is by seeking out the חמץ in any place where it is likely to be found. Thus, בדיקת חמץ is the actual fulfilment (and not just a prerequisite) of the תורה's command of "לא יראה לך חמץ" and "לא ימצא", and the בודק completely discharges himself of the חיוב of ימצא ובל יראה, even if there remains חמץ that he did not find.⁹

Another possible explanation: תוספות (דף כ"א ע"א on) makes the point that "לא ימצא", which literally means that no חמץ shall be **found** in your possession, also means that no חמץ shall be "מצוי" – **available** in your possession. Applying the point of תוספות here, it may be argued that if חמץ is hidden to the extent that it was not located during the בדיקה, it is considered "unavailable"¹⁰, and therefore, one does not transgress ימצא ובל יראה.¹¹

⁸ To elaborate further: It is told that ר' פנחס מקאריץ had a disciple who was so מחמיר on פסח that he would not even attend the סעודה of his רבי. During the סעודה של פסח, שביעי של פסח, upon learning of the reason for his disciple's absence, ר' פנחס said, "Some חמץ lies in the barrel of water that he has prepared for!" When the disciple was notified, he rushed to ר' פנחס and asked how such a calamity could have possibly befallen him, despite all his intense supervision. ר' פנחס explained, "Although we are all careful with חמץ, we are not מלאכים, and we require assistance from Above. You, however, rely on your efforts alone; hence, you were shown from Above that such an approach does not bear the proper results..."

In similar vein, it could be argued that the פסוק of "לא יראה לך" and "לא ימצא" cannot possibly be directed at the **situation**, for it is not completely within human capacity to create a totally חמץ-free situation! With all of one's best efforts, it is quite possible for some overlooked חמץ to remain somewhere in one's domain! It is unreasonable to think that the תורה would hold a person responsible for a situation that he **typically** cannot control properly! In making this point, חידושי דוד sums it up: "לא ניתנה תורה למלאכי השרת!"

Perhaps, this is also what the Alter Rebbe means in שו"ע"ר סי' תל"ג ק"א ג', where he writes that one does not transgress בל ימצא for any חמץ that was not found during בדיקה, because "אנוס הוא דשגיאות מי יבין". Seemingly, the Alter Rebbe does not merely mean that one is **not responsible** for the transgression since the situation was beyond his control, but rather, that there was no transgression **whatsoever** since the situation was beyond his control! [See חקרי הלכות for a more likely explanation of the Alter Rebbe's words.]

⁹ As we saw earlier, רש"י holds there is a specific לימוד which teaches the דין of חמץ – the פסוקים linking בל ימצא to the idea of searching. We can now understand why a special לימוד is necessary; since רש"י holds that בל יראה ובל ימצא is fulfilled by בדיקת חמץ, he holds that we need a special פסוק to teach that this is indeed the case.

¹⁰ In similar fashion, פני יהושע explains that דף כ"א on תוספות was referring to חמץ that was not found during בדיקת חמץ, and one does not transgress ימצא ובל יראה for unfound חמץ because it is "unavailable". However, many other מפרשים and (פרי חדש סי' תל"א) go a step further and hold that תוספות is referring even to a situation where one did not perform בדיקת חמץ at all, and merely does not know where the חמץ is. According to this approach, תוספות would hold that בדיקת חמץ is not required at all. [The various ways of interpreting תוספות are explained in Shiur 4 of פרק ב'.]

By now, it has emerged that there are four opinions regarding the role that בדיקת חמץ serves מן התורה:

- ❖ One will thereby no longer transgress at all for any remaining חמץ (the way we have explained רש"י; the ר"ן; the (רמב"ם חמץ ומצה ג"ח; דף כ"א on תוספות פני יהושע); this is also implied in the words of the (ספר השלמה and ספר המכתם) – see footnote 7).
- ❖ One will thereby be regarded only as an אנוס for any remaining חמץ (רא"ש and the טור – see footnote 7).
- ❖ One will thereby be regarded only as a שוגג for any remaining חמץ (פרי חדש סי' תל"א) – see footnote 7).
- ❖ בדיקת חמץ is entirely unnecessary (the פרי חדש's interpretation of תוספות דף כ"א on תוספות).

This מחלוקת will be revisited on דף ו' עמוד ב' as well as דף כ"א ע"א (see Shiur 4 of פרק ב'). See also שו"ע"ר סי' תל"ג ק"א ג'.

¹¹ Question: Since the concept of "מצוי" is derived from "לא ימצא", it would seemingly exclude "unavailable" חמץ just from the prohibition of ימצא, but not from the prohibition of יראה. If so, granted that בדיקת חמץ absolves one from the איסור of ימצא, how does it absolve one from the איסור of יראה? Two possible answers:

1. If בדיקת חמץ absolves one from the איסור of ימצא because it is not "available", then how much more so it absolves him from the איסור of יראה, for such חמץ certainly cannot be "seen".
2. Many ראשונים hold that the two איסורים of יראה and ימצא are completely synonymous with each other, and that all the definitions, details and exceptions of one will automatically apply to the other. [Not all ראשונים agree; this מחלוקת will be expanded upon in Shiur 18.] Thus, just as one does not transgress the איסור of ימצא when the חמץ is not "available", so too, by extension, he will not transgress the איסור of יראה either.