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INTERNET PARSHA SHEET ON METZORA – Shabbos Hagadol - 5776

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Observing Shabbos HaGadol

Halachic Musings

By Rabbi Yair Hoffman

“Dad, we know this already.”

“Ta, you said that vort last year.”

“Uncle Ira asks the same questions every year.”

“Another Haggadah? Last year you bought two and you didn’t use the second one.”

Many of us have heard these words before. And it seems that these quotes are not a recent innovation, but have been with us for numerous centuries. Indeed, Rav Elazar Fleckeles, the premier student of Rav Yechezkel Landau, addresses this very issue in his *Olas Chodesh* (Sapir Vol. I, Nissan Derashah 6). But first, let’s get to the custom of reading the Haggadah on Shabbos HaGadol.

Reading The Haggadah On Shabbos HaGadol

The Rema (Siman 430) writes that it is the custom after Minchah time on Shabbos HaGadol to start reading a portion of the Haggadah—from “Avadim Hayinu” to “I’chaper al kol avonoseinu.” In his *Darhei Moshe* he identifies the source of the custom as from the *Sefer HaMinhagim* (Minhagei Rosh Chodesh Nissan). The Raavyah explains that it started with children so that they could do the mitzvah better on Pesach. It is clear, however, that the custom has spread to adults.

The question is why do we read it then?

The Maharshal (responsum #85) writes that it is in order to make sure that they have the Haggadah down-pat before the Seder. Many meforshim explain that since there is a mitzvah of relating the information to the next generation, it is important to know it well and completely review it previously.

The Vilna Gaon

And Yaavetz Criticize

The Vilna Gaon and the Yaavetz both attack the custom of the Rema. They both derive from the derashah on the verse, “Yachol mei’Rosh Chodesh”—“I would have thought that it could be performed from Rosh Chodesh

Nissan”; the verse therefore comes to teach us ba’yom ha’hu, only on that day when you have matzah and marror in front of you.

The Vilna Gaon derives from here that there is no mitzvah to recite the Haggadah previously. Rav Aharon Leib Shteinman, in the new Haggadah just published by Rav Lipa Israelson, grandson of Rav Elyashiv, zt”l, states that the Vilna Gaon understands this derashah to mean that saying the Haggadah beforehand is tantamount to saying it in the middle of the year—like on Chanukah. He learns that this derashah is teaching us that there is no basis for it.

Response Of Rav Fleckeles

Rav Fleckeles, however, gives us an entirely different answer as to why we recite the Haggadah on Shabbos HaGadol. His answer will also answer the Vilna Gaon’s point.

He explains that the purpose of going over the Haggadah on Shabbos is precisely so that the Haggadah will not be boring. He states that if no new information is conveyed from the father to the children, it will be the matter of ridicule. The minhag of reviewing the Haggadah on Shabbos HaGadol is to explore new explanations and ideas that were unknown to his family members beforehand.

This is not only an answer for why there is a custom to read the Haggadah on Shabbos before Pesach, but is a blueprint for making Torah and mitzvos exciting and relevant for the next generation.

Rav Fleckeles was one of the rabbanim who stood at the forefront battling the assimilationist movement that copied the enlightenment of a century earlier. His ideas as explained here were a wonderful antidote that kept Torah vibrant in the face of the challenge of the Haskallah.

With this approach in mind, we can now go on to a different aspect of Shabbos HaGadol. Why is it celebrated on Shabbos in the first place, instead of on the date of the month like all other holidays?

To get some context, July 4, 1776, was on a Thursday. Imagine, l’havdil, if the founding fathers of the United States were to declare Independence Day as the first Thursday of every July rather than on the fourth. Everyone would ask the question as to why it was done this way—why on the day of the week rather than the day of the month? But, l’havdil, this is what we do on the forthcoming Shabbos.

Why No Date?

A great miracle happened on Shabbos HaGadol. Yetzias Mitzrayim, the Gemara tells us, happened on a Thursday (Shabbos 87b). Therefore, the miracle that occurred on Shabbos happened on the tenth of Nissan. Most of the commentaries (Tur 430) tell us that Shabbos HaGadol is celebrated and called with this name on account of that great miracle that transpired on that day. If so, why was it established on the Shabbos before Pesach rather than on the tenth of Nissan?

To understand the answer to this question we must first go back and understand what exactly the miracle was in the first place. The Tur explains that there was a great miracle in that sheep were worshipped as a deity in Egypt. The very fact that all of Israel took thousands of sheep and tied them to their beds in preparation for a shechitah and the Mitzrim said nothing to them is a remarkable miracle. This is Rashi’s understanding cited in *Sefer HaPardes* (page 343) and is also cited in *Shibolei HaLeket* (305).

Tosfos (Shabbos 87b “v’osos ha’yom”), however, bring down a different miracle. The firstborn of Mitzrayim asked the Bnei Yisrael while they were taking the paschal lambs why they were doing so. They responded that it was an offering in appreciation for the fact that the firstborn of Mitzrayim were to be destroyed. Frightened, the firstborn of Mitzrayim returned to their fathers and to Pharaoh to let the Jews go. When they did not, a civil war in Mitzrayim erupted, decimating Mitzrayim.

Why Shabbos?

Both the Levush and the Prisha (Siman 430) explain that the miracle happened on account of Shabbos observance. How so? The Mitzrim only asked the Jews about the paschal lambs because of their observance of

Shabbos. The Prisha explains that the Mitzrim did not know that Jews are allowed to tie a temporary knot on Shabbos and thus posed their question.

The Maharal explains that it was Shabbos itself which had caused the miracle. Shabbos is a testament to the Oneness of Hashem and that He created the world. Shabbos is the great antidote to avodah zarah, and in her z'chus, the Mitzrim were unable to do anything to the Jewish people.

The Magen Avraham writes that the day that Miriam was to pass away was on the tenth of Nissan (see SA OC 580:2); therefore, that date was not chosen.

A Blueprint

Rav Fleckeles's approach should be the blueprint and prototype for how we present Torah and mitzvos to each new generation. We should look to make it new, relevant, and exciting. At the same time, we must be careful to strictly adhere to the great mesorah of our parents and grandparents.

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Tzora'as, Chodesh Nisan and the Importance of Preparation

Rabbi Eliakim Koenigsberg

Tzora'as, Chodesh Nisan and the Importance of Preparation

In Parshas Metzora the Torah concludes its discussion of the rules of tzora'as by talking about nigei batim - tzora'as that is found on the walls of a house. The initial procedure for dealing with all types of tzora'as is the same. If a nega is found - whether on a person's body or a garment or a house - and it does not have any clear signs of tumah, the Kohen quarantines the person, the garment or the house for one week. At the end of the week, the Kohen looks at the nega again to see if any signs of tumah have developed.

What is interesting is that even if in the middle of the week the nega has gotten lighter in appearance, which is a sign of taharah, the person still has to wait until the end of the week before he can show his nega to the Kohen and be declared tahor. Why is that? If the nega has become tahor, why does the metzora have to wait until the end of the week before he can be declared tahor? Why does the owner of the garment or the house have to wait before he can show his nega to the Kohen?

The Sefer HaChinuch (169) explains that the purpose of hesger - having the metzora quarantined for a week - is to cause the metzora to do teshuva. Chazal say that tzora'as comes as a punishment for improper behavior. The Gemara (Arachin 16a) identifies seven different aveiros which are associated with tzora'as. A metzora has to be quarantined for a full week to give him the opportunity to think about what he has done wrong and to analyze his actions carefully so that he can figure out what needs to be corrected. He can't become tahor as soon as his nega looks tahor, rather he must undergo a complete process of teshuva which requires a complete week because thoughts of teshuva do not come instantaneously. The metzora needs ample time to work on himself and prepare himself for real change. Only then will his teshuva be lasting.

This halacha teaches a profound lesson: if we want a spiritual experience like teshuva to make a lasting impression on us, we have to invest time and effort in it and prepare ourselves properly. Only then will we be transformed by the experience.

In Parshas HaChodesh (Shemos 12:2) the Torah says, "HaChodesh Hazeh Lachem Rosh Chodoshim" - the month of Nisan is the first of the months of the year. At first glance, this statement seems puzzling. After all, we assume that the world was created in Tishrei, not Nisan, and that is why we say in the tefillos of Rosh Hashana "hayom haras olam - today is the birthday of the world" and, "zeh hayom techilas ma'asecha - this is the first day of creation." What's more, Nisan is not the month of kabbolas haTorah either; that privilege is reserved for Sivan. So why is Nisan considered the "rishon"? What special significance does Nisan have over the other months of the year?

Rav Moshe Feinstein (Darash Moshe, Parshas Bo) answers that the importance of Nisan stems from the fact that it is the beginning of the process of preparation for kabbolas haTorah, and without preparation there can be no kabbolas haTorah. Since the existence of the world is dependent on Torah, as Chazal say that the world was created bishvil haTorah shenikreis reishis, and kabbolas haTorah is dependent on a person preparing himself to receive the Torah, then the rishon, the first and most important month of the year, must be Nisan because that is the month when we begin the process of preparation for kabbolas haTorah.

Preparation is a crucial prerequisite for kabbolas haTorah, teshuva, and every mitzvah. In fact, the idea of preparation is central to the Torah's outlook on life in general. Chazal say, "This world is compared to an antechamber before the world to come; prepare yourself in this world so that you may enter the banquet hall of the world to come (Avos 4:16)." This world is the place to prepare oneself spiritually for the world to come by engaging in mitzvos and ma'asim tovim. "One who toils on erev Shabbos will eat on Shabbos (Avodah Zara 3a)." Only by preparing oneself properly in this world will a person be able to enjoy the fruits of his labor in the next world - the yom shekulo Shabbos.

If we internalize the lesson of Nisan and the metzora and invest time and effort in perfecting our character and serving Hashem, we will lead ourselves on a path to a more meaningful life and reap the benefits for all eternity.

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From: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Apr 14, 2016 at 10:22 PM

Some Things Are Better Left Alone

Rabbi Avrohom Gordimer

April 11, 2016 The Torah's treatment of a house that is contaminated by Tzora'as is quite unusual. Aside from the remarkable and exceptional notion of a house being afflicted with Tzora'as, Halacha states that a house cannot be declared as contaminated by Tzora'as unless the Tzora'as spots are visible in the house's interior by natural sunlight. A house that has no windows cannot be classified as afflicted with Tzora'as; in such a case, there is no need to illuminate the house to check for Tzora'as - rather, the spots that appear to be Tzora'as should simply be ignored.

Although all spots that appear to be Tzora'as, be they on humans, fabrics or houses, are not deemed to be Tzora'as until formally declared as such by a Kohen, and inspection by a Kohen and his declaration of Tzora'as may be delayed temporarily under certain circumstances, the "natural sunlight" exception for a house that is contaminated by Tzora'as is permanent and totally unique.

Targum Yonasan ben Uziel (on Vayikra 14:34) explains that Tzora'as could befall a house for reason that a member of the household was a thief. As apparent punishment for this individual's sinful ways, the house had to be emptied of all people and furnishings and declared tamei (impure), and it faced partial or total demolition, depending on the course taken by the Tzora'as. Although one would expect Tzora'as to only befall one who directly sins, it is clear from this case that all occupants of a house with Tzora'as would be affected by the house's tamei status and potential demolition.

What is the message here? Why are all inhabitants of the house punished for the actions of one person?

Tzora'as of a house presents us with a case of family responsibility, such that the entire household is subject to punishment due to its harboring an active thief. (Chazal tell us that Tzora'as persists only when the sinner continues in his evil ways.) Members of the household who do not steal, yet who do nothing to curb the ways of its resident thief, are also held accountable.

Perhaps this sheds light (please pardon the pun J) on the "natural sunlight" rule discussed above. The notion of Tzora'as of a house, which comes about

in part due to the occupants' failure to rein in the family thief, represents on a broader scale the concept of social responsibility: When are people liable to step in and address the ill-advised ways of family members or others in their sphere of influence? The Torah's "natural sunlight" rule may symbolize these delicate dynamics, by indicating that intervention is warranted and in fact mandatory when those in our midst are clearly doing that which is forbidden or harmful, or when there is good basis to believe such. However, there are other matters that are best left alone. (We do not speak here of situations of potential harm to individuals or the like.) In some instances, taking action may only make things worse, or may magnify issues that will resolve on their own or that are unsolvable but pose no threat. In such cases, we help no one by shining bright lights in order to expose an otherwise unnoticeable issue; it should instead be left alone and dealt with minimally, or perhaps even ignored. This is reflected by the "natural sunlight" rule and the lack of any need to summon a Kohen, or to call in experts, for evaluation and handling of the case.

This idea is further evidenced by another unusual halachic application of Tzora'as of houses. Unlike Tzora'as of people and of fabrics, in which the initial stage of the affliction (called Hesger) does not entail any lasting physical impact on the affected area, in the case of a house, even should it be declared tahir (pure) during Hesger, the area affected by Tzora'as must be carved off the house's interior and permanently removed. The symbolism may be that when addressing the issues of people within our sphere of influence, we must realize that any intervention will impact in some way, and unless the intervention is truly warranted (and is of course conducted with extreme care), the person whom we seek to help can instead be harmed. Bringing to light the issues or flaws of a person or his errant ways, irrespective of the best of intentions by the intervening party, can at times be detrimental to the person we are trying to help. Unless intervention is clearly or at least likely necessary, or there is a possibility of danger to people, it may be best to leave matters alone and not shed light on them, lest the negative risks of intervention exceed the potential scope or magnitude of the problem and inevitably end up harming the person we seek to assist, just as a house with Tzora'as must inevitably be damaged as part of its treatment regimen once it enters the initial stage of Tzora'as.

Obviously, and as stated above, all risks of harm must be addressed with full attention, seriousness and force. However, when the issues are of a nonthreatening nature, our sense of responsibility to take action in relation to those in our sphere of influence must be based on a considered, balanced and realistic approach. Rather than engage in potentially damaging redress in quest of pristine purification, we are sometimes advised to put away the flashlights and allow the situation to remain somewhat less than perfect, but nevertheless acceptable and pure, even on a mere technical level.

We live in an age in which nearly every unpleasant behavior is labeled as a serious problem and every bizarre opinion that appears on the internet is given a platform and elevated to the status of a new school of thought. The Torah instructs us to be discerning and realistic, and only to bring to light concerns that truly warrant such. And, when action must be taken, it has to be done with forethought and, as the case may necessitate, with comprehensiveness and vigor, so that, similar to Tzora'as, the problem can be effectively contained or eliminated as need be.

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The Power of Shame

Britain's Former Chief **Rabbi Lord Jonathan Sacks**

On 20 December 2013, a young woman, Justine Sacco, was waiting in Heathrow airport before boarding a flight to Africa. To while away the time

she sent a Tweet in questionable taste about the hazards of catching AIDS. There was no immediate response, and she boarded the plane unaware of the storm that was about to break. Eleven hours later, on landing, she discovered that she had become an international cause célèbre. Her Tweet and responses to it had gone viral. Over the next 11 days she would be googled more than a million times. She was branded a racist and dismissed from her job.

Overnight she had become a pariah.1

The new social media have brought about a return to an ancient phenomenon, public shaming. Two recent books, Jon Ronson's *So You've Been Publicly Shamed*, and Jennifer Jacquet's *Is Shame Necessary?*,2 have discussed it. Jacquet believes it is a good thing. It can be a way of getting public corporations to behave more responsibly, for example. Ronson highlights the dangers. It is one thing to be shamed by the community of which you are a part, quite another by a global network of strangers who know nothing about you or the context in which your act took place. That is more like a lynch mob than the pursuit of justice.

Either way, this gives us a way of understanding the otherwise bewildering phenomenon of tsara'at, the condition dealt with at length in last week's parsha and this. It has been variously translated as leprosy, skin disease, or scaly infection. Yet there are formidable problems in identifying it with any known disease. First, its symptoms do not correspond to Hansen's disease, otherwise known as leprosy. Second, as described in the Torah it affects not only human beings but also the walls of houses, furniture and clothes. There is no known medical condition that has this property.

Besides, the Torah is a book about holiness and right conduct. It is not a medical text. Even if it were, as David Zvi Hoffman points out in his commentary, the procedures to be carried out do not correspond to those that would be done if tsara'at were a contagious disease. Finally, tsara'at as described in the Torah is a condition that brings not sickness, but rather impurity, tumah. Health and purity are different things altogether.

The sages decoded the mystery by relating our parsha to the instances in the Torah where someone was actually afflicted by tsara'at. One happened when Miriam spoke against her brother Moses (Num. 12:1-15). Another occurred when Moses at the burning bush said to G-d that the Israelites would not believe in him. His hand briefly turned "as leprous as snow" (Ex. 4:7). The sages regarded tsara'at as a punishment for lashon hara, evil speech, speaking negatively about or denigrating another person.

This helped them explain why the symptoms of tsara'at – mould, discolouration – could affect walls, furniture, clothes and human skin. These were a sequence of warnings or punishments. First G-d warned the offender by sending a sign of decay to the walls of his house. If the offender repented the condition stopped there. If he failed to do so, his furniture was affected, then his clothes and finally his skin.

How are we to understand this? Why was "evil speech" regarded as so serious an offence that it took these strange phenomena to point to its existence? And why was it punished this way and not another?

It was the anthropologist Ruth Benedict and her book about Japanese culture, *The Chrysanthemum and the Sword*, that popularised a distinction between two kinds of society: guilt cultures and shame cultures. Ancient Greece, like Japan, was a shame culture. Judaism and the religions influenced by it (most obviously, Calvinism) were guilt cultures. The differences between them are substantial.

In shame cultures, what matters is the judgment of others. Acting morally means conforming to public roles, rules and expectations. You do what other people expect you to do. You follow society's conventions. If you fail to do so, society punishes you by subjecting you to shame, ridicule, disapproval, humiliation and ostracism. In guilt cultures what matters is not what other people think but what the voice of conscience tells you. Living morally means acting in accordance with internalised moral imperatives: "You shall" and "You shall not." What matters is what you know to be right and wrong.

People in shame cultures are other-directed. They care about how they appear in the eyes of others, or as we would say today, about their "image."

People in guilt cultures are inner-directed. They care about what they know about themselves in moments of absolute honesty. Even if your public image is undamaged, if you know you have done wrong, it will make you feel uneasy. You will wake up at night, troubled. "O coward conscience, how dost thou afflict me!" says Shakespeare's Richard III. "My conscience hath a thousand several tongues / And every tongue brings in a several tale / And every tale condemns me for a villain." Shame is public humiliation. Guilt is inner torment.

The emergence of a guilt culture in Judaism flowed from its understanding of the relationship between G-d and humankind. In Judaism we are not actors on a stage with society as the audience and the judge. We can fool society; we cannot fool G-d. All pretence and pride, every mask and persona, the cosmetic cultivation of public image are irrelevant: "The Lord does not look at the things people look at. People look at the outward appearance, but the Lord looks at the heart" (1 Sam. 16: 7). Shame cultures are collective and conformist. By contrast, Judaism, the archetypal guilt culture, emphasises the individual and his or her relationship with G-d. What matters is not whether we conform to the culture of the age but whether we do what is good, just and right.

This makes the law of tsara'at fascinating, because according to the sages' interpretation, it constitutes one of the rare instances in the Torah of punishment by shame rather than guilt. The appearance of mould or discoloration on the walls of a house was a public signal of private wrongdoing. It was a way of saying to everyone who lived or visited there, "Bad things have been said in this place." Little by little the signals came ever closer to the culprit, appearing next on his bed or chair, then on his clothes, then on his skin until eventually he found himself diagnosed as defiled:

When a person has the mark of the defiling disease, his clothing must have a tear in it, he must go without a haircut, and he must cover his head down to his lips. 'Unclean! Unclean!' he must call out. As long as he has the mark, he shall remain unclean. Since he is unclean, he must remain alone, and his place shall be outside the camp. (Lev. 13: 45-46)

These are quintessential expressions of shame. First is the stigma: the public marks of disgrace or dishonour (the torn clothes, unkempt hair, etc.). Then comes the ostracism: temporary exclusion from the normal affairs of society. These have nothing to do with illness and everything to do with social disapproval. This is what makes the law of tsara'at so hard to understand at first: it is one of the rare appearances of public shame in a non-shame, guilt-based culture.³ It happened, though, not because society had expressed its disapproval but because G-d was signalling that it should do so.

Why specifically in the case of lashon hara, "evil speech"? Because speech is what holds society together. Anthropologists have argued that language evolved among humans precisely in order to strengthen the bonds between them so that they could co-operate in larger groupings than any other animal. What sustains co-operation is trust. This allows and encourages me to make sacrifices for the group, knowing that others can be relied on to do likewise. This is precisely why lashon hara is so destructive. It undermines trust. It makes people suspicious about one another. It weakens the bonds that hold the group together. If unchecked, lashon hara will destroy any group it attacks: a family, a team, a community, even a nation. Hence its uniquely malicious character: It uses the power of language to weaken the very thing language was brought into being to create, namely, the trust that sustains the social bond.

That is why the punishment for lashon hara was to be temporarily excluded from society by public exposure (the signs that appear on walls, furniture, clothes and skin), stigmatisation and shame (the torn clothes etc.) and ostracism (being forced to live outside the camp). It is difficult, perhaps impossible, to punish the malicious gossip using the normal conventions of law, courts and the establishment of guilt. This can be done in the case of motsi shem ra, libel or slander, because these are all cases of making a false statement. Lashon hara is more subtle. It is done not by falsehood but by

insinuation. There are many ways of harming a person's reputation without actually telling a lie. Someone accused of lashon hara can easily say, "I didn't say it, I didn't mean it, and even if I did, I did not say anything that was untrue." The best way of dealing with people who poison relationships without actually uttering falsehoods is by naming, shaming and shunning them.

That, according to the sages, is what tsara'at miraculously did in ancient times. It no longer exists in the form described in the Torah. But the use of the Internet and social media as instruments of public shaming illustrates both the power and the danger of a culture of shame. Only rarely does the Torah invoke it, and in the case of the metsora only by an act of G-d, not society. Yet the moral of the metsora remains. Malicious gossip, lashon hara, undermines relationships, erodes the social bond, and damages trust. It deserves to be exposed and shamed.

Never speak ill of others, and stay far from those who do.

1. Jon Ronson, *So You've Been Publicly Shamed*, London, Picador, 2015, 63-86. 2. Jennifer Jacquet, *Is Shame Necessary? New uses for an old tool*, London, Allen Lane, 2015. 3. Another according to Rabban Yohanan ben Zakkai was the ceremony in which a slave who did not wish to go free after the completion of six years of service, had his ear pierced against a doorpost (Ex. 20: 6). See Rashi ad loc., and Kiddushin 22b.

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by Rabbi Ozer Alport
Parsha Potpourri
Treasure House

Metzora (Leviticus 14-15)

"When you come to the Land of Canaan which I am giving to you for an inheritance, and I will put a plague of tzara'as in the houses of the land of your inheritance." (Lev. 14:34) "It informs that plagues come upon them because the Emorites hid gold in the walls of their houses all the 40 years that the Jews were in the desert, and through the plague they break the houses and find them." (Rashi) Parshas Tazria introduced us to the laws governing the different types of tzara'as which can afflict a person's body. Parshas Metzora begins by teaching the elaborate procedure which a stricken person must go through to purify himself. Afterward, we are introduced to a new type of tzara'as, one which afflicts a person's home. Curiously, Rashi comments that in warning the people about the possibility of tzara'as striking their homes, G-d was actually conveying good news. Because the previous Canaanite inhabitants hid their treasures in the walls of their houses, the process of scraping a house with tzara'as would actually reveal to them valuable items. This concept seems difficult to understand. Although discovering the hidden treasures would certainly lessen their pain, why did G-d choose to give them reward in this peculiar manner? Rabbi Mordechai Kamenetzky offers an inspiring answer to our question based on the following story. After the conclusion of World War II, Rabbi Eliezer Silver was active in visiting DP camps to give physical and emotional support to the survivors of the Holocaust. One day Rabbi Silver was organizing a minyan for Mincha, but one man refused to join. The man explained that when he was in a concentration camp, there was a religious Jew who managed to smuggle in a siddur. He "rented out" his siddur in exchange for a person's food rations. When this man saw how a religious Jew could take advantage of his siddur at such a time, he resolved that he would never pray again. Rabbi Silver gently suggested that instead of focusing on the actions of the man with the siddur, perhaps it would be more appropriate to recognize how many Jews were willing to give up their precious food rations in order to be able to pour out their hearts to G-d in prayer. Rabbi Kamenetzky notes that one of the primary causes of tzara'as is lashon hara (negative speech), which comes from focusing on the shortcomings of others. To the gossip whose house is afflicted with tzara'as, the Torah hints

to the importance of digging beneath the surface and not focusing on superficial deficiencies. Although the house may appear at first glance to be stricken with tzara'as, a deeper look will uncover the presence of valuable gems waiting to be discovered just beneath the surface. Upon contemplating this, he will come to understand that his fellow Jews are just the same. If he only takes the time to adjust his perspective, he will be able to dig deeper and discover the beauty which lies beneath the surface. Rashi writes (Exodus 1:1) that the Jewish people are compared to stars. The Baal Shem Tov explains that to a person looking up into the night sky, each star appears very small. However, if a person could approach a star, he would find that the closer he gets to it, the larger it appears. Similarly, when viewed from a distance, it is easy to dismiss another Jew as invaluable and worthless. At times when we are tempted to do so, we should remember the lesson of Parshas Metzora and the stars: if we allow ourselves to get a little closer and look under the surface, there are valuable treasures waiting to be discovered.

***** ENVIRONMENTAL INFLUENCE** Although a person's body may be stricken with tzara'as to punish him for his actions, why is a house afflicted with tzara'as and destroyed if it is an inanimate object which lacks free will and which never sinned? The Beis HaLevi explains that a person's actions influence his physical surroundings. If a person does mitzvot and kind deeds, his environs are uplifted, and if he sins, his surroundings are negatively affected. Conversely, a person is also influenced by his environment. Noach's generation became so wicked that they corrupted the entire world, leaving G-d with no choice but to obliterate it and begin again anew. In the case of the house, its owner spoke so much lashon hara (see Rashi - Leviticus 14:34) that it permeated the very walls and foundation of the home, rendering it impure to its core. As if that weren't bad enough, the house has become transformed into a place with the potential to corrupt even pure and innocent people who enter its doors. As a result, just as in the times of Noach, there is no choice but to seal it off and destroy to prevent any further damage from occurring.

***** THE MIDDLE PATH** The Torah mentions that part of the process of purifying the metzora involves cedar wood, crimson thread, and hyssop (Leviticus 14:4). Rashi explains that because one of the causes of tzara'as is a haughty spirit, the Torah is hinting that the cure for a person who has made himself arrogant like the mighty cedar is to lower himself and become humble like the small hyssop bush. As the hyssop bush is taller than the animal from which the wool thread is dyed crimson (Niddah 26a), wouldn't it have been more appropriate to list them in order from tallest to shortest, which is indeed the order in which they are listed in reference to their use in preparing the ashes of the red heifer (Bamidbar 19:6)? Citing Maimonides (Deyos chapters 1-2), Rabbi Chaim Kanievsky (Taima D'Kra) explains that with respect to each character trait, a person should ideally strive to avoid either extreme and should conduct himself according to the middle path. However, if a person finds that in regard to a certain attribute he is drawn toward one extreme, it isn't sufficient to merely veer back to the middle, as his natural inclination will slowly draw him back toward the extreme. In such a case, a person must first go all the way to the opposite extreme for a period of time in order to completely eradicate his innate predilection toward the other extreme. Only at that point can he safely return to the middle ground, to which he will then be able to adhere on a lasting basis. In light of this, Rav Chaim suggests that it is insufficient for the arrogant person to lower himself to the level of the hyssop bush, as he would be unable to sustain this approach. Rather, he must first lower himself all the way to the other extreme, as symbolized by the wool thread, after which he can safely return to the middle path represented by the hyssop. He adds that although Maimonides writes that humility is a trait in which one should in fact aim for the extreme and not the middle path, the Lechem Mishneh explains that this doesn't literally mean that one should go all the way to the extreme, just that he should be closer to the extreme of humility than to the extreme of arrogance. Published: April 15, 2012

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Tevilah in a Mikvah
Rabbi Michael Taubes
 5 Nisan 5774

This Parsha describes the purification process for various individuals who have become Tomei, ritually impure; included in this process is the necessity for such a person to immerse himself or herself in a Mikvah. The Torah says specifically that the person must immerse his entire body in the water (Vayikra 15:16); the Gemara in Eiruvim (4b) derives from this that the minimum amount of water in the Mikvah must therefore be enough for a person to be able to immerse his entire body at once. The Gemara figures out that his minimum volume is one Amah by one Amah by a height of three Amos of water. Translated into terms used for measuring liquid, this equals forty Sa'ah of water, which the Gemara says is the minimum amount of water needed for the Mikvah to be Halachically usable, as codified by the Shulchan Aruch (Yoreh Deah 201:1). Since there are disputes as to the definition of an Amah, there are also disputes as to how much water forty Sa'ah really is; most assume it to be the equivalent of approximately two hundred gallons. Practically speaking, of course, most Mikvaos today contain considerably more water than that so that people can immerse themselves comfortably and have room to spare.

The Gemara there also derives from the above Posuk that the water must come into direct contact with the person's entire body; there can be no separation in between the water and the body. Any such separation is called a "Chatzizah," the presence of which can invalidate the Tevilah. The Gemara indicates that there are two major considerations to examine in order to determine whether or not a particular Chatzizah invalidates the Tevilah. The first is whether or not the Chatzizah covers most of the person's body (Rov), and the second is whether or not one is generally careful (Makpid) to remove such a Chatzizah from one's body. The Gemara explains that on a Torah level, which Rashi says (s.v. dvar torah) means based on a Halacha LeMoshe MiSinai, only something which indeed has both these qualities, that is, one is generally Makpid to remove it and it covers most of one's body, is considered a Chatzizah. It should be noted that this explanation of the Gemara follows the simple reading, as alluded to in Tosafos (s.v. rubo) and expressed by the Rambam (Hilchot Mikvaos 1:12). Rashi, however appears to learn differently.

The Gemara goes on to say that the Rabbanan then made a decree classifying something as a Chatzizah even if one is generally not Makpid to remove it, as long as it covers most of the body. They likewise classified as a Chatzizah something which does not cover most of the body as long as one is generally Makpid to remove it. This latter statement explains the rule presented by the Mishnah in Mikvaos (9:3) that anything which a person is generally to remove constitutes a Chatzizah. The Rambam thus concludes that if one had on his skin an item which can be classified as a Chatzizah, even if it covers only a tiny part of his body, if he is generally Makpid about the removal of this item, any Tevilah he does would be invalid. But if he's generally not Makpid about the removal of this item, the Tevilah would be valid unless the item covers most of the body. The Shulchan Aruch (Yoreh Deah 198:1) concurs with this ruling. This would mean that a Chatzizah which covers only a small part of the body and which one is not generally Makpid to remove would not invalidate one's Tevilah. The Ramo adds, however, that Lechatchilah, one should not do the Tevilah even with such a Chatzizah, meaning that it is preferable to remove even a small Chatzizah, even if one would not generally be Makpid to remove such a thing. The Vilna Gaon (Be'ur HaGra s.k. Daled) refers to a comment of Tosafos in Bava Kamma (63a) which indicates that the custom is to wash off one's entire body before entering the Mikvah; this may be the source for the position of the Ramo.

Many of these same rules apply to Tevilas Keilim, the immersion of utensils, also; the Shulchan Aruch makes it clear that the same requirement

to have forty Sa'ah of water applies to a Mikvah for Keilim as well. The Chochmas Adam adds that the entire utensil must be immersed at once so that all parts of it are touching the water at the same time. Likewise regarding Chatzizah, the Mishnah in Mikvaos posits the same rule for Keilim as we find for people. The Shulchan Aruch thus writes that with Keilim too, anything which one is generally Makpid to remove is considered a Chatzizah; if one is not Makpid to remove it, it is not a Chatzizah unless it covers most of the utensil. The Shulchan Aruch rules, therefore, that one must remove all rust and dirt from the utensil prior to the Tevilah. The same would obviously be true for any tags, labels, or stickers which may be on the utensil. If one failed to remove such a Chatzizah, the Tevilah would be invalid unless the foreign material covers only a small part of the utensil and people would not necessarily be Makpid to remove it before using the item, in which case the Tevilah would not need to be repeated.

As a postscript, it is worth noting that the Shulchan Aruch states that anything which constitutes a Chatzizah for Tevilah also constitutes a Chatzizah for Netilas Yodayim and must be removed. These same rules about Rov and Makpid thus apply as well to the Mitzvah of Netilas Yodayim. The Mishnah Berurah gives a clear, concise summary of many of the above laws.

From: Insights Into Halacha <yspitz@ohr.edu> Date: Wed, Apr 13, 2016 at 11:43 AM
Subject: **The Quinoa - Kitniyos Conundrum**
by Rabbi Yehuda Spitz

Generally, this time of year is the busiest for Rabbonim the world over; fielding questions on every aspect of the myriad and complex halachos of Pesach observance. This year is no different. Yet, interestingly, the question that seems to be utmost on people's minds is not about chametz or even cleaning properly. No, in 2015, the biggest issue still seems to be whether quinoa (pronounced Keen-Waah) is considered Kitniyos and whether Ashkenazim can eat it on Pesach. Perhaps it has something to do with the fact that the U.N. (Oom Shmoom in the Israeli vernacular) declared 2013 as the 'International Year of the Quinoa'. Whatever the reason, after receiving this question numerous times in one day, this author decided to address the issue.

Quinoa Questions

While not (yet) too common here in Israel, quinoa has developed an international following. Packed with protein (essential amino acids) and fiber, as well as magnesium, phosphorus, calcium and iron (and naturally cholesterol free!), quinoa packs quite a dietary punch. Although billed as the 'Mother of All Grains' and 'the Super Grain', this native of the Andes Mountains (think Bolivia and Peru) is actually a grain that isn't; it does not even contain gluten. It turns out that quinoa is really a member of the 'goose-foot' family (Chenopodium), related to beets and spinach. But while its health benefits sound terrific, it may still be problematic on Pesach.

Kitniyos Clash

It is well known that the actual prohibition of Chametz on Pesach pertains exclusively to leavened products made from the five major grains: wheat, barley, oats, spelt or rye[1]. Yet, already in place from the times of the Rishonim[2], there was an Ashkenazic prohibition against eating Kitniyos (legumes; literally 'little things') on Pesach, except in times of famine or grave need[3]. Although several authorities opposed this prohibition[4], nonetheless it is binding on Ashkenazic Jewry in full force, even today[5]. Although the Kitzur Shulchan Aruch refers to the Kitniyos prohibition as an 'issur', the Mishna Berura as a 'chumra', the Aruch Hashulchan as a 'geder', Rav Tzvi Pesach Frank zt"l as a 'gezeira', Rav Moshe Feinstein zt"l as a 'minhag', and the Klausenberger Rebbe zt"l as a 'takana', nonetheless they all maintain that it is compulsory on all Ashkenazic Jewry. In fact, the Aruch Hashulchan writes that "once our forefathers have accepted this prohibition upon themselves, it is considered a 'geder m'din Torah' and one who is lenient is testifying about himself that he has no fear of Heaven". He adds that one who breaks this prohibition deserves to be bitten by a snake.

Several reasons are given for the actual prohibition[6] including that Kitniyos often grow in close proximity to grain; are commonly stored together with grain and actual chametz might actually end up mixed inside the Kitniyos container; cooked dishes made from grain and Kitniyos look similar; and that Kitniyos can likewise be ground up into flour. (A "bread" of sorts can actually be made from them.) Since there are many who will not be able to differentiate between them and their biblically forbidden chametz counterparts, Kitniyos was likewise prohibited.

Potatoes, Peanuts, and Corn... Oh My!

So how does our quinoa measure up? Although it has been used in the Andes for millennia, it has only recently, in the last score or so, gained popularity around the world. Does quinoa fit the Kitniyos criteria or not?

Perhaps we can glean some insight to quinoa's Kitniyos status from halachic precedents of other now-common food staples that were introduced long after the Kitniyos prohibition started, such as potatoes, peanuts and corn.

It would seemingly be quite difficult for anyone to mix up potatoes with chametz grain, so that rationale to regard potatoes as Kitniyos is out[7]. But potatoes can be and are made into potato flour and potato starch, and there are those who do bake potato 'bread'! Yet, even so, we find that potatoes are not considered Kitniyos[8].

One of the main reasons for this is that at the time when the Ashkenazic Rishonim established the decree prohibiting Kitniyos, potatoes were completely unknown! It is possible that had they been readily available they might have found themselves on the "forbidden list" as well! Yet, since they were never included, as well as not fitting most of the criteria, contemporary authorities could not add "new types" to the list[9]. As Rav Shlomo Zalman Auerbach zt"l noted[10], Klal Yisrael never accepted the Kitniyos prohibition to include potatoes.

Similar logic was used by several poskim, including Rav Moshe Feinstein zt"l, to permit peanuts for Pesach for those who did not have an opposing minhag[11]. Yet, this was not as widely accepted[12] since peanuts, a true legume, as opposed to potatoes, can get mixed up with grain. In fact, the minhag in Yerushalayim (dating back at least several centuries[13]) is to consider both the peanut and its oil Kitniyos.

On the other hand, we find that another New World crop, corn, was seemingly unanimously included as part of the Kitniyos prohibition[14]. Aside for the fact that the words 'corn' and 'grain' both stem from the same root, 'corn' is actually only the name for the grain 'maize' that is used in the United States, Canada, and Australia. In other parts of the English-speaking world and much of Europe, the term 'corn' is a generic term for cereal crops, such as real chametz - wheat, barley, oats, or rye. In fact, the infamous British Corn Laws (1815 - 1846) were concerning wheat and other grains, not corn![15]

Additionally, corn exhibits many characteristics of real deal Kitniyos: it grows near other grains, has small kernels, is made into flour (that can be easily confused with grain flour), and corn bread is made from it. Therefore, since corn fits much of the criteria of Kitniyos, it was included in the prohibition.

Quinoa Controversy

So, which category should quinoa be a part of? Like the potato and be excluded from the prohibition? Or like corn and be considered Kitniyos? Actually, contemporary authorities and Kashrus agencies have been debating just this very question. It turns out that quinoa is halachically similar to the peanut, meaning that its status is debated.

Several Kashrus agencies, including the Star-K[16], who follow the psak of Rav Moshe Heinemann, and the cRc (Chicago)[17], following the psak of Rav Gedalia Schwartz, as well as the Kof-K[18], maintain that quinoa is essentially Kosher for Pesach. Since it is not even remotely related to the five grains (in fact, it is also not a legume and not botanically related to peas and beans which are of the original species of Kitniyos included in the decree), and was not around at the time of the Kitniyos prohibition, it is not considered Kitniyos. Additionally, the Star-K tested quinoa to see if it would rise, yet instead, it decayed, a sure sign that it is not a true grain. The only issue, according to them, is the fact that quinoa is processed in facilities that other grains are processed in. Therefore, they maintain, that if quinoa is processed in facilities under special reliable Pesach supervision, there is no Pesach problem. In fact, this year as well, the Star-K gives special kosher for Passover hashgacha on certain types of quinoa[19].

However, Rav Yisroel Belsky[20], Rosh Yeshiva of Torah V'Daas and Posek for the OU disagreed. He argued that since quinoa fits every criterion for Kitniyos, it should be included in its prohibition. Quinoa is the staple grain in its country of origin. It is grown in proximity of and can be mixed up with the five grains. It is collected and processed the same (and in the same facilities) as the five grains, and is cooked into porridge and breads the same as the five grains. He maintained that it should be compared to corn, which was, for similar reasons, included in the Kitniyos prohibition. Although quinoa is a New World food item and was not included in the original prohibition, nevertheless, he explained that that line of reasoning applies exclusively to items that are not clearly Kitniyos, to foods that may share only several characteristics with Kitniyos. However, since quinoa and corn would certainly have been included in the gezeira had they been discovered, as they share every criterion of Kitniyos, they are consequently by definition considered Kitniyos.

On the other hand, the OU's other main posek, Rav Herschel Schachter, Rosh Yeshivas Rabbeinu Yitzchak Elchanan, permits quinoa, concluding that if it is processed in a special facility with no other grains, it should be essentially permitted for Passover use. Due to the difference of opinions of their top Poskim, in the past, the OU did not certify quinoa as Kosher for Pesach[21]. However, in 2014, the OU made a decision allowing quinoa for Pesach, provided that it is processed with special Passover supervision. In fact, the OU is recommending quinoa for Pesach 2014 and actually

[13] See the Chida's Birkei Yosef (O.C. 447, 14 & 453, 5) who writes that in Eretz Yisrael, already in his time (late 1700s) they were machmir not to use sesame oil on Pesach. This is also cited by the Melamed L'Hoyel (Shu"t vol. 1, 87 & 88 – late 1800's, that the minhag in Yerushalayim (Takkanas Yerushalayim) dating back to at least 5602 / 1842 (!) was not to use sesame oil, nor various nuts for Pesach. See also the recently published Aderes Shmuel (Piskei Rav Shmuel Salant zt"l; Hilchos Pesach 113, pg. 117 - 118) that cites an article from Rav Yechiel Michel Tukachinsky published in the 'Chavatzels' in 5655 / 1885 that the Gedolei Yerushalayim of the time, Rav Shmuel Salant, the Mahari"l Diskin, and the Lubliner Gaon (author of the Shu"t Toras Chesed), Rav Shlomo Zalman Ladir, all took a stand and publicized not to use sesame oil on Pesach (and not as erroneously publicized earlier in different periodicals that the Mahari"l Diskin permitted it). In fact, in 5669 / 1909 there was a huge machlokes between Rav Avrohom Yitzchok HaKohen Kook (at the time Chief Rabbi of Yaffo) and members of the Badatz HaChasidim of Yerushalayim. Rav Dovid Lipman Shuvkes, Rav Yosef Yehuda HaLevi Strassborg, and Rav Avraham HaKohen, about the permissibility of using sesame oil for Pesach (as fascinatingly detailed at length, with the teshuvos of both sides printed in the plainly titled "Kuntress"). Although under his personal hashgacha for Pesach, Rav Kook was nevertheless informed not to let the manufacturers bring the sesame oil to Yerushalayim, as there it was always considered Kitniyos. This is further attested to by Rav Yisrael Nisan Kuperstock in his Shu"t Ani Ben Pachma (26) in 5688 / 1928, that the leniency for sesame oil on Pesach was not accepted in Yerushalayim. An enlightening teshuva from that time, by Rav Akiva Yosef Schlesinger, author of 'Lev Halvri', detailing the above machlokes, as well as Rav Schlesinger's lenient ruling and logic, was recently printed in Kovetz Moriah (388 - 390, Nisan 5774). Some opine that this minhag Yerushalayim dates back to the Talmidei HaGra"a, as it is well known (see Maaseh Rav 184) that the Vilna Gaon was extremely makpid, even considering seeds, as well as their oils, as Kitniyos. See Shu"t Yissa Yosef (O.C. vol. 2, 111, 4) who writes that Rav Elyashiv's being machmir for cottonseed oil ['Minhag Yerushalayim Shemen Kutna Kitniyos B'Pesach' – see Orchos Rabbeinu (vol. 4, pg. 166, 49)], is based on the Ma'aseh Rav. The Badatz Eida Chareidim of Yerushalayim trace their minhagim regarding Kitniyos back to the Ma'aseh Rav as well (see their Madrich HaKashrus for Pesach, 5773 pg. 163 and 5774 pg. 172 - 173). It is known that Rav Moshe Feinstein was personally machmir for the Vilna Gaon's shitta as well, and did not use cottonseed oil on Pesach. [See Shma'atseh D'Moshe (Pesach, Shemos Moshe 453, 2, pg. 368), Mesores Moshe (301, pg. 149), and Kuntress Yad Dodi (pg. 119, Hilchos Pesach Question 53)].

[14] Chok Yaakov (O.C. 453, 1), Elya Rabba (ad loc. end 2), Pri Megadim (Esh Avraham ad loc. 1), Ba'er Heitiv (ad loc. 1), Machatzis HaShekel (ad loc. 1), Aruch Hashulchan (ad loc. 3), Mishna Berura (ad loc. 4), and Shemiras Shabbos K'Hilchasa (new print - Ch. 40, 92). The Chasam Sofer (Shu"t O.C. 121) even feels that we should treat corn as a 'chashash dagan'!

[15] Thanks are due to Rabbi Arnie Wittenstein for pointing this out to me.

[16] See Kashrus Kurrents article titled "Quinoa: The Grain That's Not" by Rabbi Tzvi Rosen of the Star-K, originally published in 1997, and the Star-K 2013 Passover Directory pg. 52.

[17] See cRc alert dated February 23, 2012: "In 2007 HaRav Gedalia Dov Schwartz, Shlit"u, the Av Beis Din of the Chicago Rabbinical Council, issued a p'sak that quinoa is not considered kitniyos and therefore may be used on Pesach. Most of the quinoa comes from Peru and Bolivia and has been grown in areas where other (problematic for Pesach) grains were generally not grown. However, as the popularity of quinoa has risen, this is no longer the absolute case. This was confirmed this year by a Star-K mashgiach who visited Bolivia and found that barley does indeed grow in those areas. It was also recently discovered that some farmers cover their quinoa with barley and/or oats to keep the birds from eating the quinoa while it dries. Finally, there is a concern that the sacks used to transfer the quinoa may have been previously used to hold barley or oats. We have, therefore, determined that the only way to allow quinoa for use on Pesach is to track the quinoa from certain farms that are free from the above concern. The Star-K spearheaded this endeavor and sent a mashgiach to find such a farm. While they were successful in their search, it proved to be challenging from a practical point of view, as the company visited generally sells their products in large quantities. The Star-K has now worked with other companies to pack the usable quinoa into smaller packages, and several options have been approved for Pesach quinoa consumption".

[18] As per personal communication received from a Rabbinic Coordinator at the Kof-K.

[19] As per the cRc and Kof-K, it is important to note that even the quinoa that is under Pesach supervision should be carefully checked before Pesach for any foreign matter before use. This can be done by spreading the quinoa out on a plate and carefully checking there are no other grains or foreign matter mixed in. However, this author has been informed by Rabbi Zvi Goldberg of the Star-K that if one purchases the quinoa for Pesach that is under their hashgacha, checking is unnecessary.

[20] Ve'Kasher HaDavar (July 2012, pg. 9).

[21] Although the OU's other main posek, Rav Herschel Schachter, permits quinoa, until recently the OU did not grant it Pesach approval out of deference to Rav Belsky's ruling. This is what the OU released about quinoa in the past: <http://oukasher.org/passover/guidelines/food-items/quinoa/>. "There is a difference of opinion among Rabbinic decisors (machloket ha-poskim) as to whether quinoa is considered kitniyot. Ask your Rabbi for his guidance. Additionally, while quinoa is not one of the five grains that can create chametz (wheat, oat, barley, spelt and rye), and quinoa is not grown in the same vicinity as the grains mentioned above, the processing of quinoa is sometimes done at the same location where they process wheat and wheat flour. It is highly doubtful that the mills are effectively cleaned between grains. The concern of wheat flour or particles finding their way into the quinoa flour would be a serious one".

[22] This is what the OU released regarding quinoa on December 20, 2013: Quinoa is Now Kosher for Passover with OU-P Certification. Rabbi Menachem Genack, CEO of OU Kosher, announced today that quinoa, the grain-like seed grown in South America, is Kosher for Passover when processed with special OU Passover supervision and bearing the OU-P symbol. His statement is as follows: "It is only recently that quinoa has become popular outside of its high-altitude growing area in the Andean mountain region of South America. Known for its nutritional qualities, it has been referred to as a "superfood." In recognition of its unique properties and growing popularity with consumers, 2013 has been proclaimed by the UN "The International Year of Quinoa." Due to conflicting reports regarding growing conditions and final usage of this new world, gluten-free pseudo-cereal plant, OU Kosher was hesitant to conclusively declare it Kosher for Passover and non-kitniyot. (Kitniyot is a category of foods that were forbidden by Ashkenazic custom during Passover because 1) they bear similarities to and might become confused with forbidden grains and 2) can become intermingled with those grains. Included in this group are: beans (all), buckwheat/kasha, caraway, cardamom, chickpeas, corn, fennel, fenugreek, grains-of-paradise, lentils, millet, mustard, peas, poppy seeds, rapeseed/canola, rice, sesame seeds, snow peas, sorghum, sugar-snap peas, soybeans, sunflower seeds and — according to some — include even cottonseed.) Following extensive research and on-site investigation of cross-contamination issues by OU Kosher personnel at all quinoa growing areas including: Puno, Cuzco, Arequipa, Ayacucho, Junin and Chiclayo in Peru; and Alto la Paz and Chayapata in Bolivia; as well as the collection, washing and milling stations of quinoa, OU Kosher is pleased to announce that, for the first time, it is recommending quinoa for Passover, when processed with special OU Passover supervision and bearing the OU-P symbol. In addition to quinoa, OU Kosher has concluded that related canihua, kiwicha and maca seeds processed under supervised conditions may also be approved for Passover (OU-P)." This author has also communicated with Rabbi Shoshan Ghoori of Aish HaTorah Chile, who had the unique experiences of performing the quinoa investigation in the Andes Mountains for the OU. He presented the following information and findings after studying various growing and processing regions of the Andes: Since quinoa is a prized product both for export and for local consumption it is generally grown in large fields that are focused on just quinoa. He added that as quinoa popularity and prices rise this point is even stronger. He has found that the traditional use of quinoa is not the same as the use of grains. It is not generally made into breads or other similar grain type foods by the Andean communities, but rather is an all around 'super food' used for soups, and teas etc., just like maca, canihua and kiwicha. After visiting approximately fifteen quinoa processing plants he has yet to have found one (not a gathering nor a washing station) that produces or mixes problematic grains (that could be an issue for chometz or Kitniyos) in the same plant as quinoa.

[23] This does not mean that Rav Belsky has actually changed his position. In fact, this author has heard from several of his talmidim, as well as my father, renowned kashrus expert Rabbi Manish Spitz, who spoke with Rav Belsky directly, that he still personally does not recommend quinoa for Pesach use.

[24] This author was not entirely surprised by the OU's eventually permitting quinoa for Pesach use, as a contact at a Kashrus agency wrote to me several years ago that "As far as U.S. psak, the Star-K, Kof-K, cRc Chicago, and half the OU (Rav Schachter) hold its not kitniyos, so its very strong and not likely to go away or become the minhag to assure. I think the OU will probably be mattir in future years based on Rav Schachter's psak, but I am only guessing".

[25] See article on the OU's website here: <https://oukasher.org/passover/articles/ou-p-2015/>. "The OU continues to give certification to Passover Quinoa. Pereg and Goldbaum will be selling OU-P quinoa as well as Setton Farms. The OU-P quinoa is from a factory in South America which does not deal in Chametz or Kitniyot and was packed with a Mashgiach Temidi. Pereg will be introducing quinoa flour as a new OU-P item this year."

[26] As per personal communication received from a consumer liaison at the OK.

[27] See article on the COR website titled "Is Quinoa Qaitniyos"; and in personal communication with Rabbi Tzvi Heber, Director of the COR. He wrote that while the COR will not change its shitta vis-à-vis its own certified establishments, it has decided to advise the tzibbur to consult with their own Rav regarding the status of quinoa.

[28] Badatz Eida Chareidim of Yerushalayim's annual Madrich HaKashrus (Ch. 15, 4; 5772, pg. 47; 5773, pg. 163; 5774, pg. 173). This can also be seen on pg. 38 of the 5773 Pesach Madrich HaKashrus by the listing of baby cereals which are permitted for Pesach use even though they contain Kitniyos, such as rice, quinoa, and corn flour; and on pg. 133, quinoa is outright classified as Kitniyos (pg. 143 in the 5774 edition). Thanks are due to Rabbi Tzvi Price for pointing this out to me. Although this author has heard differing accounts from various North American kashrus agencies on as to what mv"r Rav Yaakov Blau zt"l, head of the Badatz's hashgacha, held regarding quinoa, yet, when I asked his son, Rav Chaim Yosef Blau (an expert in his father's shittos) about his father's position, he replied that he never heard his father discuss it, implying that it would not be different than the Badatz's official position. See also Rav Dovid Lau's Shu"t Maskil L'Dovid (end 15, s.v. quinoa) who reports that after hearing differing accounts as to Rav Blau's shitta regarding quinoa, he asked him directly and Rav Blau zt"l replied that he never checked into the matter sufficiently to permit it for Pesach and when he was asked previously (over 15 years ago) he simply replied that "he did not know (anything about the topic)". Thanks are due to Rabbi Naftali Tzvi Frankel for providing this author with this important source.

[29] See footnote 13.

[30] As heard from Rav Elyashiv's talmid, Rav Nochum Eisenstein, Mara D'Asra of Maalot Dafna, Yerushalayim, and in personal communication with Rabbi Sholem Fishbane, Kashrus Administrator of the cRc. Rav Elyashiv's position and his meeting with members of American kashrus agencies regarding quinoa's status first appeared in the English Israeli Yated Ne'eman in 2006. See also <http://www.ohelyonah.com/shutim/%D7%A7%D7%99%D7%A0%D7%95%D7%90%D7%94.%D7%91%D7%A4%D7%A1%D7%97.pdf>.

[31] Shiur delivered on March 6th 2013- <https://www.box.com/shared/a1y5cl7vio1x34zivh6>. Rav Weiss also has an unpublished teshuva on topic – see <http://ent.tvnah.org/2014/03/23/quinoa-on-pesach/>.

[32] As mentioned in this article by Rav Dovid Avraham Spector of Bet Shemesh: <http://www.ohelyonah.com/shutim/%D7%A7%D7%99%D7%A0%D7%95%D7%90%D7%94.%D7%91%D7%A4%D7%A1%D7%97.pdf>.

[33] Shu"t Maskil L'Dovid (end 15, s.v. quinoa). He concludes that although quinoa is commonly referred to as "The Mother of All Grains", nonetheless, since it is not an actual grain, it is still permitted for Sefardim to eat on Pesach. See here: <http://hebrewbooks.org/pdfpager.aspx?req=41222&st=&pgnum=223&hlite=>.

[34] Rav Lau's teshuva Kitniyos and quinoa is reprinted in the Rabbanut's Madrich HaKashrus (Pesach 5774 pg. 47) as their official position on quinoa.

[35] Kovetz Hilchos Pesach (2006, ppg. 141 - 143). This is also the position taken by Rabbi Dovid Ribiat, author of The Thirty-Nine Melachos, in his recent Kuntress Hilchos Pesach - Halachos of Pesach (pg. 153, 3 par. Halachic conclusion) "In practice, persons with limited diets, or who are otherwise sensitive to gluten and ordinary grain products may rely on the lenient opinions regarding quinoa. This applies even to those whom grain products are not dangerous, but merely a cause of significant discomfort".

[36] In this author's estimation, the point Rav Tendler was making is that there seems to be a common misconception that Rav Moshe Feinstein zt"l, in his oft-cited teshuva defining peanuts' Kitniyos status (Shu"t Igros Moshe O.C. vol. 3, 63), gave a blanket letter for any "New World" food item. In this author's opinion, this is not entirely correct, as was mentioned previously that everyone considers corn as Kitniyos, even though it was introduced long after the Kitniyos restriction. Rather, Rav Moshe used that as a sevarah (and he was neither the first nor the only posek to do so) to explain why potatoes were not included in the restriction, as well as peanuts for those who did not have an existing minhag. Meaning, Rav Moshe held that minhag and similarity to all Kitniyos factors also play an important role in classifying Kitniyos; ergo, he did not intend to give a carte blanche letter for every 'new food'. As such, Rav Tendler was relating, it would seem tenuous at best to apply that teshuva as the exclusive basis to a letter permitting quinoa for Pesach. This is also the understanding of his uncle, Rav Moshe's son, Rav Dovid Feinstein (see Kuntress Yad Dodi pg. 119: Hilchos Pesach, Question 51) as well as Rav Moshe Dovid Tendler, Rav Moshe's son-in-law; both whom do not recommend Ashkeza'im eating quinoa on Pesach. Rav Asher Weiss (the Minchas Asher) has recently written a yet-unpublished teshuva as well, questioning a blanket letter for every "New World" food item. See <http://ent.tvnah.org/2014/03/23/quinoa-on-pesach/>. Other well-known Rabbanim who have gone on record as considering quinoa Kitniyos include Rav Osher Yaakov Westheim of Manchester, Rav Yaakov Ariel of Ramat Gan, and Rav Yaakov Reisman of Far Rockaway.