

## The מצה of a כותי is permitted

## מצת כותי<sup>1</sup> מותרת –

### OVERVIEW

The פסח states that one is permitted to eat the מצה of a כותי (we are not concerned that it is חמץ) and furthermore one fulfills his obligation to eat מצה (on the first night of פסח) with the מצת כותי. Our תוספות discusses why indeed this is so.

תוספות asks:

ואם תאמר הלא גזרו על פתן כדאמרין בפירקי דרבי אליעזר<sup>2</sup> (פרק לח) –

And if you will say; but the חכמים decreed on the bread of כותים, that it is forbidden to eat it as is stated in פירקי דרבי אליעזר; the reason for this גזירה is -

לפי שהיו מבטלין בנין בית המקדש בימי עזרא –

Because they were disrupting the building of the בית המקדש in the days of עזרא -

וקתני התם<sup>3</sup> מכאן אמר רבי אליעזר כל האוכל פת כותי כאילו אוכל בשר חזיר –

And it is written there (in פרקי דר"א), 'from this ר"א ruled that whoever eats bread from a כותי is considered as if he eats the flesh of swine' -

ותניא נמי בפרק קמא דחולין (דף יג,א.) גבי מין<sup>4</sup> פתו פת כותי –

And we also learnt in a ברייתא in the first פרק of מסכת חולין of פרק regarding a מין that his bread is forbidden just like the bread of a כותי; indicating that the bread of a כותי is forbidden. How can the מצה of the כותי be permitted to be eaten?!

תוספות answers:

ואומר רבינו תם דמיירי בעיסת ישראל שעשה כותי מצה ממנה<sup>5</sup> –

And the ר"ת says that the ברייתא is discussing a case where the כותי made מצה from the dough of a Jew; this is not considered פת כותי.

<sup>1</sup> The כותים were a nation which (עשרת השבטים) brought from כותא and settled them in (מלכים ב, יז, כד-כח). It is questionable whether the כותים were גרי אמת (and are considered as Jews), or whether they were גרי אריות (they converted only because the lions were killing them and are considered גוים).

<sup>2</sup> This is a חבור from the הורקנוס בן הורקנוס (ר"ע of רבי), known as הגדול.

<sup>3</sup> This is found in פרקי דר"א דפוס ויניציה ש"ד (reprinted in ירושלים תשל"ב) it is not found however in דפוס וורשא. See also ר"א בן הורקנוס פ"ה מ"י תרי"ב, where this is quoted in the name of ר"א בן הורקנוס.

<sup>4</sup> The ברייתא there states 'מין לעכו"ם', meaning that he worships idols.

<sup>5</sup> The prohibition against פת כותי is only when the כותי mixed and kneaded the dough. Alternately if the flour belongs to a ישראל there is no איסור even if the כותי kneaded it (see בל"י אות רכה). [Here we may be discussing where the כותי baked the מצה in the house of the ישראל (after the ישראל kneaded the dough).]

asks: תוספות

**ואם תאמר<sup>6</sup> אמאי יוצא בה ידי חובה<sup>7</sup> דילמא לא שמרה לשם מצה –**

**And if you will say; why does the ישראל fulfill his obligation of eating מצה (on the first night of פסח), perhaps the כותי did not 'guard' it for the sake of מצה<sup>8</sup> –**

**דחשידי אלפני עור וגומר<sup>9</sup> –**

**For the כותים are suspect of transgressing the לא of לפני עור, etc.**

answers: תוספות

**ויש לומר כגון דקים לן דאין לכותי מצה אחרת שיוכל לצאת בה ידי חובתו –**

**And one can say that a ישראל is יוצא with מצת כותי in a case where for instance we have established that the כותי has no other מצה for himself with which he can fulfill his obligation to eat מצה, except for this מצה (which the ישראל is also eating), therefore we are sure that it was 'guarded' מצה לשם, since the כותי ate it to be יוצא מצות מצוה which they observe properly.**

proves his point: תוספות

**כדמשמע בריש חולין (דף ד,א) קוטע ראשו של אחד מהן ונותנו לו<sup>10</sup> –**

**As is indicated in the beginning of חולין; he chops the head of one of the birds and gives it to the כותי –**

**אכלו מותר לאכול משחיטתו:**

**If the כותי eats it, it is permitted to eat from his שחיטה.** This proves that we can rely on the כותי that if he eats it, it means that it meets all the qualifications; the same applies for מצת מצוה.

## **SUMMARY**

is פת כותי if the dough was made by a ישראל; otherwise מצת כותי

<sup>6</sup> See 'Thinking it over' # 3.

<sup>7</sup> See [הארוך] מהרש"א that תוספות was not concerned that perhaps it may be חמץ, since it was an ישראל, because the ישראל saw that it was baked before it could become חמץ. The מהר"ם שי"ף explains that it is מותר because the כותי ate it (his question on the מהרש"א עיי"ש). See also הקשה (בא' יב,יז) of פסוק that there is a requirement that the מצות be guarded (from becoming חמץ) for the sake of מצה (מצות). See אות רכז.

<sup>8</sup> The גמרא in פסחים derives from the פסוק (בא' יב,יז) of פסוק that there is a requirement that the מצות be guarded (from becoming חמץ) for the sake of מצה (מצות). See אות רכז.

<sup>9</sup> The כותים followed only שבכתב; they did not follow the דרשות of the רבנן. The כותים interpreted לפני to mean literally, not to place a stumbling block before a blind person, however there is no prohibition (according to the כותים) to mislead a person regarding איסורים (which is how the רבנן interpret לפני עור). Therefore even though the כותים may be scrupulous in keeping the מצוה of eating מצה and 'guarding' it, nevertheless they do not mind misleading others regarding the מצה. See 'Thinking it over' # 1.

<sup>10</sup> The case there is where a כותי brought a basket of slaughtered birds, but we are not certain whether there was a proper שחיטה. See 'Thinking it over' # 2.

אסור. One can trust a כותי (for כשרות) if the כותי himself partakes of it.

### **THINKING IT OVER**

1. תוספות asks that perhaps the כותי did not guard it לשם מצה.<sup>11</sup> Why does not תוספות ask that perhaps it is חמץ?<sup>12</sup>

2. תוספות states that when a כותי eats, it is proof that it is permissible to eat it. תוספות proves it from the ברייתא of קוטע ראשו של אחד מהן.<sup>13</sup> In the same ברייתא immediately preceding the rule of קוטע ראשו it mentions another case, that if a כותי was שוחט an animal, and he eats it you are permitted to eat from it. Why did not תוספות bring his proof from the first case of the ברייתא?<sup>14</sup>

3. What is the connection between the answer on תוספות first question (that we are discussing עיסת ישראל) and the following question<sup>15</sup> (that perhaps it was not guarded לשם מצה)?<sup>16</sup>

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<sup>11</sup> See footnote # 9.

<sup>12</sup> See נח"מ and מהרש"א (הארוך), מהרש"ל, מהר"ם שי"ף.

<sup>13</sup> See footnote # 10.

<sup>14</sup> See תפארת יעקב (בד"ה אמנם).

<sup>15</sup> See footnote # 6.

<sup>16</sup> See סוכ"ד אות טז.