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The Inner of Work of Removing Ashes

Chassidus on the Parsha

צַו אֶת־אַהֲרֹן וְאֶת־בָּנָיו לֵאמֹר זֹאת תּוֹרַת הָעֹלָה הִוא הָעֹלָה

"This is the law of the Olah"

When bringing a Korban Olah, the entire animal was offered on the Mizbeach. This is in contrast to a Chatas or Shelamim offering, where only parts of the Korban were burned on the Mizbeach and rest would be eaten by the Kohanim and in the case of Shelamim, also the owners.

The Korbanos, which ascended through the fires of the Mizbeach, represent the yearning of our souls to be elevated and united with Hashem. They also represent the elevation of our inner "animal".

The offerings which were not completely burned represent a yearning for G-dliness that is tinged with a sense of self, such as the desire for the spiritual rewards of Gan Eden.

Since one does not completely transcend their sense of self, any devotion will be limited and a degree of separation will remain. Like the Chatas which is not completely burned, this Avodah will not be able to completely burn away the negative desires and thoughts of our animalistic self, which can re-emerge at a later time.

The Olah which is completely consumed, represents a complete surrender to Hashem and His will. This is a total and selfless surrender (Bittul) to Hashem, where one does not seek spiritual reward or fulfilment, delight or understanding. The self does not matter. All that matters is Hashem.

The daily Korban Tamid was a Korban Olah.

Olah means to rise up and Tamid means constantly. When we retain a sense of self in our service of Hashem, we may have our ups of spiritual successes. But we are still liable to fall. But with absolute surrender to Hashem that comes from the essence of the soul, we will be an Olas Tamid, in a state of constant elevation.

The first Avodah that was done each day in the Beis Hamikdash was Terumas Hadeshen. One of the Kohanim would be selected by a lottery to go up onto the Mizbeach and take a panful of ashes. He would bring the ashes down the ramp and place them on the side of the Mizbeach, where it would become absorbed on the floor of the Temple courtyard.

In addition to the Terumas Hadeshen, the Kohanim would remove the excess ashes from on top of the Mizbeach. These ashes would be taken to a designated place outside of the camp.

The Avodah in the Beis Hamikdash is representative of and serves as a paradigm, for our own service of Hashem. This is specifically so with regards to Davening, which was established by the sages in place of the Korbanos when they could not be offered.

Our sages teach that a person should only start to pray after having experienced "Koved Rosh". This refers to a sense of contrition and humility that comes from personal introspection. This preparation for Davening is like the Terumas Hadeshen which was a preface to the offering of the Korbanos.

Ashes represent "Pesoles" - negativity and decay. In our own lives, this refers to our inner negativity, our negative emotions and "baggage". These create a barrier to being able to raise ourselves spiritually to engage in a meaningful service of Hashem and must be confronted and addressed.

The two types of ashes - the ashes that were placed on the floor of the Azarah and the ashes that were completely removed, represent two types of negative emotions. One type cannot be elevated. We must distance it completely and remove it from our camp. The other type is a negative emotion that has some good quality in it. It can be utilised in a positive manner and incorporated as a part of our Divine service.

Chassidus explains that these two types of "Pesoles" are Merirus and Atzvus; bitterness and depression.

We are supposed to serve Hashem with joy. Therefore, both Merirus and Atzvus, being negative emotions, are considered as "Pesoles"; undesirable states of mind. But there is a difference between them.

Merirus is feeling bad about our spiritual standing, but in a way that leads us to resolve to change and to take active steps to grow. There is a positive element within Merirus that ultimately leads a person back to Simcha. Atzvus on the other hand, is an overwhelming feeling of lowliness that leads us to despondency, and a sense of inadequacy and giving up.

Merirus is like the ashes that were placed by the side of the Mizbeach that remain within the Azarah. It can be elevated and used as a tool in our service of Hashem. But Atzvus, which has no redeeming quality must be pushed away and removed entirely from our experience, like the ashes that were removed from the camp.

Alternatively, the lesson of the two types of ashes is that we don't need to address all of our negativity before we feel worthy to approach Hashem. Only a small shovel of ashes was removed in the Avodah of Terumas Hadeshen. Rather than being overwhelmed or becoming stuck in our negativity, each day, we should focus on one area of improvement and one shortcoming to address. The rest should be taken outside the sanctuary of our minds, to be dealt with at later time.

Before removing the ashes from the Mizbeach and taking them outside of the camp, the Torah teaches "he shall remove his garments and put on other garments". The Kohen would have to change his clothing, to prevent his Priestly robes becoming soiled.

Even though the removal of the ashes was also a necessary part of the Temple service, it could not be compared to the actual Avodah that was performed inside the Beis Hamikdash. To highlight this, a more inferior set of clothing was worn for removing the ashes.

Rashi illustrates this with a parable, that the clothing worn by a servant when cooking for their master, should not be worn when pouring the master's drink.

Cooking is a necessary preparation to be able to serve the meal, but the cooking is merely a means to reach the ultimate objective, to serve the meal and honour one's master with it. Likewise the removal of the ashes was a necessary preparation, to create space to serve Hashem with the new offerings.

The same is true with the spiritual service of "removing the ashes", which represents our inner work to confront and remove our negative emotions and baggage.

Whilst an important pre-requisite for a meaningful service of Hashem, this should only be a preparation to make space for a deeper emotional experience. Once we start our Avodah of davening itself, we must push away any sense of contrition, so that we can Daven from a place of positivity, true joy and love.

Like the Kohen removing the ashes, we don't want our dealing with negative baggage to sully us, so we must 'put on other garments'. But after we've removed our ashes, we divest ourselves of these 'garments', pushing away all association with the negative, so that we can honour our Master with the fresh, clean garments of joy and positivity.

The Weekly Halacha Analysis

Alcoholic Spirits on Pesach

Rabbi Yonason Johnson

Drinking Spirits on Pesach

It is customary in Jewish homes to say Lechaim on alcoholic spirits on Shabbos and Yomtov. However, on Pesach, many Chassidic families will not serve spirits, even though there are many spirits that are certified as Kosher for Pesach. This is particularly common in some Chassidic groups, including Chabad and Belz.

What is the basis for this practise?

Spirits made from Grain

Spirits like whisky and vodka, are traditionally made by using grain or malt as a fermentation source. This is achieved by mashing the grain with boiling water to release their sugars. When the sugar reacts with yeast, it ferments to create alcohol. The mixture is then distilled to extract the alcohol.

In Halacha, the Zeiah (moisture) that comes from Chametz, has the status of Chametz itself. Therefore, the fermentation alcohol that comes from grain or malt, will be absolute Chametz[1]. Any spirits or beer made from the extract from grain, will certainly be forbidden on Pesach[2]. Even though the alcohol is mixed with water, it is not considered as a mixture of Chametz that has a lesser-degree of severity, but as actual Chametz. One would be liable for Kareis (spiritual excision) for drinking it[3].

The Poskim[4] discuss the status of mead, an alcoholic beverage made from fermenting honey rather than actual grain. If the fermenting agent used to start the mead production was taken from the sediment from beer production, the mead will be forbidden as Chametz as well.

Even if the sediment from the first batch of mead is then collected and used to ferment a new batch of mead, the new batch too will be forbidden. This is because the original fermentation sediment, that gave the first batch its fermentation property, came from beer that was made with grain.

Even if this process was repeated multiple times to make subsequent batches (i.e. the sediment from the second batch is used to make a third batch and the sediment from the third batch is used to make a fourth etc.) they will all be forbidden on account of the original grain-based agent[5].

There is a minority opinion[6] that rules that in the above scenario, the fourth batch and onwards will be permissible and one may drink it on Pesach. This is because the original beer-sediment no longer has the power of fermentation and the fermentation is now considered to come from the mead sediment alone[7].

Normally, in the laws of Kashrus, non-Kosher substances become Batel (nullified) in the ratio of one to sixty if they become mixed with Kosher ingredients. This rule of Bittul would also apply to liquid Chametz that became mixed into non-Chametz ingredients before Pesach comes in[8].

Since the Chametz-based fermenting agent or sediment is far-less than this ratio when mixed with the water and honey in the mead production, why don't we apply the law of Bittul?

Bittul does not apply to a fermentation agent, even though it may be a very small amount compared to the overall volume of beverage being produced. This is because a fermentation ingredient is a Davar Hamaamid - something that 'creates' the entire nature of the product being made, in this case, the alcohol. A Davar Hamaamid does not become Batel "even one in a thousand"[9]. Because its affect will always be recognisable in the product, it is as though we see the actual Chametz present and so we cannot say that it is Battel.

As per the laws of Chametz, in all of the cases discussed above, in addition to the prohibition on consumption, one would not be able to benefit from these types of spirits either. One may not keep them in their possession over Pesach and if they did, they would be in violation of the Biblical prohibition of owning Chametz on Pesach[10]. If one did not sell their Chametz before Pesach, it would be considered like all Chametz that was owned by a Jew over Pesach and it would remain forbidden to benefit from the Chametz spirits, even after Pesach has ended.

For Ashkenazim, alcoholic spirits produced from Kitniyos, such as corn[11], will be subject to the restriction of Kitniyos, which applies to liquid extracts as well[12]. Whilst one is not allowed to consume Kitniyos on Pesach, one is allowed to own Kitniyos and benefit from Kitniyos over Pesach.

Non-grain Spirits and the Ruling of Rabbi Akiva Eiger

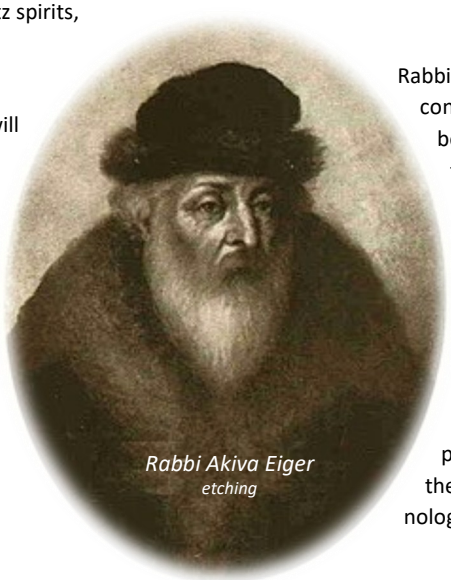
All of this applies to spirits that were made with grain (or Kitniyos) at some stage in their production. But what about spirits that are made without any grain, such as vodka fermented from potatoes, slivovitz that is produced from plums or rum produced from sugarcane?

Whilst rum has been made from sugar cane in the Carribean since the 1600s, non-grain spirits were only developed in Europe from the mid-18th Century. Vodka, which was traditionally made from grain, was starting to be made from potatoes, becoming common in Poland and Russia.

The most famous source on this issue is a letter written by Rabbi Akiva Eiger, dated Kislev 5596 (1835)[13]. As the author writes, this letter was written when he was already old and weak (he passed away a year later). In the letter, addressed to his disciples, he writes;

"I carry a heavy burden… I can no longer contain it. A new thing is happening in our land that our ancestors never imagined… brewers are extracting spirits to make alcohol for Pesach from potatoes. Even though there were Batei Din who attested that the spirits were made strictly kosher for Pesach… after a year or two, it was revealed that the whole thing was a scam. Without anyone's knowledge, the brewers had been putting malt into the wells from which they took the water to make the spirits".

He continues "It is almost impossible for a brewer to make spirits entirely from potatoes… without using a (grain-based) fermenting agent… Even if there may be one or two expert brewers… they are a minority of a minority…"



Rabbi Akiva Eiger
etching

Rabbi Akiva Eiger's concern appears to be the trustworthiness of the producers and the likelihood of there being Chametz in the spirits. In those times, due to the newness of the phenomenon and the inferior technology, it was consid-

ered highly improbable that alcohol could be made without using some grain to cause fermentation. Based on this, were it certain that no grain was used in the alcohol production, it should be permissible.

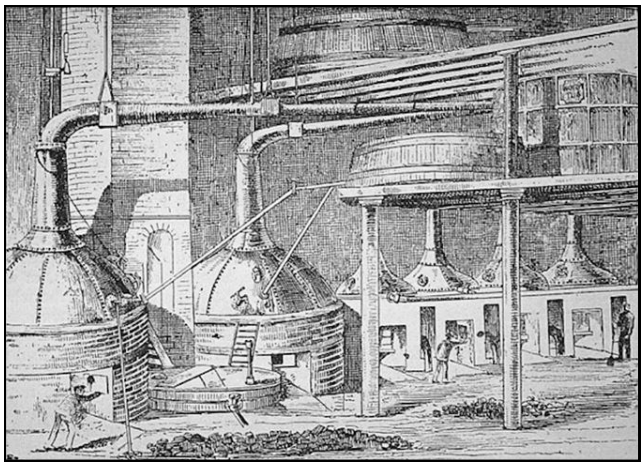
But then Rabbi Akiva Eiger adds: "Even if it were to be certain that the spirits were produced with no Chametz at all, it is still 'distant from my eyes' and 'completely foreign' to drink it during Pesach, because of a hidden reason (טעם כמוס)that I keep within me and now is not the time to reveal it".

He issued a prohibition on drinking spirits made from potatoes during Pesach, writing that those who transgress this and those who facilitate it, bear a great sin, like one who drinks or gives absolute Chametz to a Jew to drink. This applies even if there is a Hechsher that it was made properly. He concludes by placing a Gezeira against those who violate his decree.

The Gezeira of Rabbi Akiva Eiger was reissued by the Rabbonim of Warsaw a few months later. Amongst the signators was Rabbi Shlomo Zalman of Posen, author of the Chemdas Shlomo. They reference the proclamation of "the outstanding sage of Israel, the Tzaddik and Chassid Rabbi Akiva Eiger." The declarations stated "from now and on, it is forbidden to produce spirits for Pesach from potatoes. It is also forbidden to drink or even keep in one's house over Pesach, like Chametz Gamur. No Hechsher will suffice…"

He called on all of the former Talmidim of his Yeshivah to publicise his decree in the cities where they served as leaders and Rabbis and to support his efforts to "remove the stumbling block".

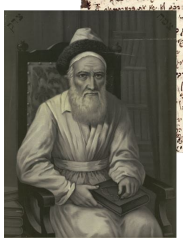
Rabbi Akiva Eiger's Gezeira against drinking spirits on Pesach was not widely accepted. Many Rabbonim gave Hechshers to, or supported the manufacture and consumption of Pesach spirits, where it was absolutely certain that there were no Chametz ingredients. Most of the Teshuvos of the Acharonim on this issue focused only on the issue of being able to Kasher the factories and equipment properly and how this should be done[14].



On this basis, many reputable Hechshers will certify Pesachdig spirits and most orthodox Jewish communities will consume them over Pesach. The Sdeh Chemed[15] writes that even though there are those who are stringent, he has spoken with the Geonim of his time and no one raised any issue of concern. Therefore "drink, enjoy and rejoice in Hashem"[16].

The Tzemach Tzedek of Lubavitch

One of the Acharonim who did adopt and bolster the ruling of Rabbi Akiva Eiger, was the Tzemach Tzedek, Rabbi Menachem Mendel of Lubavitch[17].



The Tzemach Tzedek, was one of the greatest Poskim in his times. He was asked about the Kashering of a steam-operated alcohol factory in the town of Lachavitz, that was rented by a Jewish businessman in order to produce spirits for Pesach. The local Rav, Rabbi Yekusiel Zusman of Lachavitz was asked to oversee the Kashering of the factory and equipment and came up with a plan and protocol for Kashering and the production went ahead.

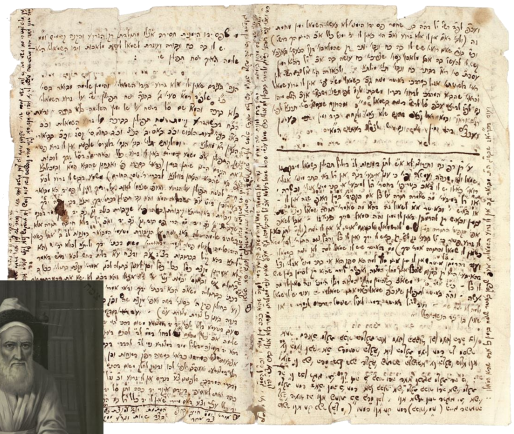
There were Rabbis who argued with Rabbi Zusman, believing that the factory could not be Kashered as planned. They turned to the Tzemach Tzedek, who concurred that the Kashering was not adequate and that one could not be lenient. Rabbi Zusman wrote a lengthy Teshuvah to justify his Psak, detailing the factory equipment and the rigorous Kashering process. He travelled to Lubavitch to discuss the matter with the Tzemach Tzedek.

The Tzemach Tzedek wrote a Teshuvah in reply, reiterating that one cannot be lenient and rely on the Kashering of the factory equipment as described. In his response, he presents two main Halachic arguments why the Kashering would not be satisfactory;

He writes that due to the nature of the machine equipment, it is not possible to ensure that they are thoroughly cleaned. Despite the Kashering process described, it is possible that actual Chametz substance remains, for which the Hagalah (Kashering with boiling water) would be ineffective. Even if it is only a tiny amount, it is still Halachically problematic and one cannot use this equipment relying on Bittul.

He supports this position based on the requirement to remove all rust and patches before Kashering pots through Hagalah[18]. This is because we are concerned that there may be some non-Kosher substance underneath it. This applies even though any non-Kosher substance under a patch would be minimal. If this is true with other prohibited foods, how much more so it would apply with Chametz, which is forbidden on Pesach in the tiniest amount.

The second Halachic concern would apply even if we were sure that there was no substance of actual Chametz left and the only concern was for the 'taste' that was absorbed inside the Keilim from the Chametz production. Even though this should be able to be purged through Hagalah, the Tzemach Tzedek writes that the Chametz that is absorbed in the vats and equipment from alcohol production, cannot be extracted through Hagalah.



Handwritten Teshuvah of the Tzemach Tzedek

Even though metal and wooden utensils can be Kashered for Pesach using Hagalah, according to one opinion, a Beis Seor (a vessel used for making yeast) cannot be Kashered through Hagalah[19]. This is because the Chametz that is used in it, is very strong and becomes deeply embedded in the vessel.

The Levush[20] writes that the same principle applies to barrels that were used for making spirits and that they are even worse than a Beis Seor. The Acharonim bring the ruling of the Levush as the accepted custom[21]. The Tzemach Tzedek notes that the ruling of the Levush applies even if the Beis Seor or alcohol vats, were used for Chametz when cold. In the case of spirits production where the grain and liquid are heated, perhaps all authorities would rule stringently[22].

He continues that one cannot rely on the Ta"z who permits Kashering the barrels through Hagalah if one first boiled the barrels with a mixture of water and ash. Even though the Alter Rebbe rules like the Ta"z, this is only for barrels that were used for cold

Alcoholic Spirits on Pesach

spirits, and the ash is in order to remove any remaining fragrance of the Chametz alcohol. One cannot rely on this for equipment in which the fermented grain was heated.

In addition to the Halachic concerns, the Tzemach Tzedek writes that the established Minhag is to only make spirits for Pesach using brand new pipes (and barrels[23]) or ones that were Kashered with Libbun[24]. We do not rely on Hagalah even if the pipes are straight and there is no concern of any Chametz becoming stuck inside. If so, how can someone dare come to be lenient against the Minhag (by relying on Hagalah).

He then adds "Last year, the Gaon Rabbi Akiva Eiger sent a Teshuvah to all lands in which he was very strict, and he cried out to warn against making spirits for Pesach".

Back to Posen

In 1845, a Jewish proprietor produced Kosher for Pesach spirits and turned to Rabbi Eliyahu Gutmacher, the Rov of Greiditz, for his endorsement. After being satisfied that everything was satisfactory and placing a Bachur as a Mashgiach to supervise the production, Rabbi Eliyahu, himself a Talmid of Rabbi Akiva Eiger, was ready to give his written Hechsher. But first, he sought the support of Rabbi Akiva Eiger's son and successor, Rabbi Shlomo Eiger.

Rabbi Eliyahu argued that there was a great need to be lenient and that the proprietor stood to lose his significant investment. He argued that times had changed and that it was now well-known that alcohol could be made in this manner and it was no longer the "strange and wonderous" thing that it was in Rabbi Akiva Eiger's time. The concern of tampering with grain no longer applied. Further, the decree of Rabbi Akiva Eiger was not accepted by the majority of the Jewish people and could be overturned.

Rabbi Shlomo was unconvinced. He authored two Teshuvos[25] in which he negated Rabbi Eliyahu's arguments. Whilst sympathising with the proprietor's predicament, he reaffirmed his father's position to forbid the spirits.

Later Authorities

In 1889, a proprietor in Chernigov, Ukraine, sought to make Pesach spirits from potatoes. One of the great Poskim who endorsed the production was the famed Rav of Kovno, Rabbi Yitzchok Elchonon Spektor. Other Gedolei Yisroel who gave their Haskamos included the Rabbi Naftoli Tzvi Berlin of Volozhin, the Ohr Sameach Rabbi Meir Simcha of Dvinsk and Rabbi Shlomo Hakohen of Vilna.

A noted voice of dissent was Rabbi Shmuel Zanvil Klepfish of Warsaw in an announcement titled "restoring the Torah to its former glory". He bemoaned that the decree of Rabbi Akiva Eiger had been "forgotten" and urged that they be published again.

Concluding Thoughts

There is a story[26] recorded that one of the Chassidim offered to arrange to make spirits for the Tzemach Tzedek for Pesach. Even after he said that he would make the spirits himself, in his own home and using only potatoes, the Tzemach Tzedek still would not agree. He explained that Rabbi Akiva Eiger forbade the use of spirits because of a "hidden reason". Had Rabbi Akiva Eiger presented legal arguments (Lomdus), one may be able to argue with him. But it is not possible to question a "hidden reason".

At one of the Pesach meals in the Yeshivah of Tomchei Temimim 5666 the issue of Pesach-spirits came up in discussion. They discussed how there was a tradition from the Tzemach Tzedek, that we do not use it (presumably referring to the discussion above). The Rebbe Rashab, who was present, said that his father, the Rebbe Maharash, would use Kosher for Pesach spirits after midday on the last day of Pesach[27]. Since the last day of Pesach in Chutz Laaretz is only Rabbinic, many have the custom to be lenient on some of the extra stringencies that they observe during the rest of Pesach.

The Maggid of Mezritch would not drink spirits on Pesach. Once at a Pesach gathering, he was offered spirits and declined. He explained that the Zohar refers to Matzah as "bread of healing" and everyone knows that when one is taking medication they should not drink spirits[28].

Those who have a tradition or family or community custom to follow the stringency of Rabbi Akiva Eiger, should continue to observe their Minhag.

For those who wish to use spirits on Pesach, like all products, the spirits must have a valid Hechsher for Pesach, from a reliable Kashrus agency. A reputable agency will ensure that the factories and equipment used to produce the spirits were Kashered in a satisfactory manner that addresses the Halachic concerns of the Poskim as discussed within this article.

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1. Shulchan Aruch Harav 442:9
2. Shulchan Aruch 442:5, Shulchan Aruch Harav 442:9. It will not be considered
3. Since the grain is present in the ratio of a Kzayis Bichdei Shetiyas Pras, the entire liquid becomes "transformed" to become as though it was all the substance of Chametz itself. This is a Halacha Lemoshe Misinai. Shulchan Aruch Harav 442:9, Mishna Berura 442:24. Even if it is less than this ratio, it is still forbidden to consume or own on Pesach.
4. Shulchan Aruch Harav 442:10, Mishna Berura 442:25
5. Raavan Pesachim 160a, Magen Avraham 442:9
6. Panim Meiros 1:107
7. The Alter Rebbe writes that this opinion may be relied upon if there will be a great loss involved were we to forbid it. The Mishna Berura does not record this opinion at all.
8. Shulchan Aruch 447:2, Shulcha Aruch Harav 447:18. Once Pesach comes in, Bittul will not apply, since Chametz is forbidden to consume even in the tiniest amount.
9. Shulchan Aruch Yoreh Deah 87:11, Magen Avraham Orach Chaim 442:9, Shulchan Aruch Harav 442:10. This itself is a Rabbinic prohibition.
10. Mishna Berura 442:24
11. See Sdeh Chemed Asifas Dinim Chametz Umatzah 6:4
12. Shulchan Aruch Harav 453:5. This is the general accepted practise. The subject of Kitniyos oil was debated by the Acharonim in the 1800s.
13. Letters of Rabbi Akiva Eiger 132
14. See Sdeh Chemed Asifas Dinim Chametz Umatzah 6:11, 7:6, 7:9. Shoel Umeishiv 3:153,
15. Asifas Dinim Chametz Umatzah 6:11
16. A further reason to be lenient is that perhaps the decree of Rabbi Akiva Eiger was limited to potato spirits and would not apply to spirits made from other sources such as grape or sugar.
17. Teshuvos Orach Chaim 51
18. Shulchan Aruch Orach Chaim 451:13, 451:3. Shulchan Aruch Harav 451:38
19. This is the opinion of Rashi
20. 451:21
21. Magen Avraham 451:39, Shulchan Aruch Harav 451:62
22. That the Rosh and Rabbeinu Yitzchak would agree with the position of Rashi
23. See Sdeh Chemed Asifas Dinim Chametz Umatzah 7:9
24. Possibly due to the Halachic concerns raised above
25. Teshuvos Rabbi Shlomo Eiger Orach Chaim 18-19
26. Shemuos Vesippurim 3:64 and Likutei Sippurim p92
27. Otzar Minhagei Chabad Nissan p54
28. Shemuos Vesippurim volume 3 p245

Wishing you a חג כשר ושמח, a joyous and Kosher Pesach

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