

Understanding the Kerovah for Shabbat Hagadol

by Joseph Tov-Elem

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## Introduction

The purpose of this project is to present a general background on piyyutim followed by a close examination of the Kerovah for Shabbat Hagadol by Joseph Tov-Elem. In order to achieve this purpose this paper will review, albeit briefly, significant scholarship that has been done on the origins and development of piyyutim particularly in respect to content and form.

This paper will translate into English and explain the Kerovah for Shabbat Hagadol by Joseph Tov-Elem, as well as translate and explain the initial part of a commentary on this piyyut by Samuel of Falaise.

Chapter I will introduce the subject of piyyutim by discussing various theories on the origins of the piyyut and by giving a background on early payyetanim. Also, there will be some consideration given to the subject of the acceptance of piyyutim as part of the fixed service. Finally Chapter I will discuss the form of the piyyut.

Chapter II will present a brief background on the Kerovah for Shabbat Hagadol and also discuss its author Joseph Tov-Elem.

Chapter III will deal with the commentary by Samuel of Falaise on this piyyut as well as present a short background on the author and his approach to Jewish law.

Finally, Chapters IV and V will translate and explain the Kerovah in full and the commentary in part.

## I. Introduction on Piyyutim

This introduction presents a brief background on piyyutim with particular reference to the origins of the piyyut and its early development in content and form. In addition there will be a brief discussion of later development of the piyyut and the controversy regarding its inclusion into the fixed liturgy of the prayerbook.

The Hebrew terms "piyyut" and "payyetan" come from the Greek word "poietes", meaning poet.<sup>1</sup> While it is difficult to give a concise definition of the term piyyut, it will suffice for our purposes to identify it as a type of religious poetry intended to be included in certain parts of the liturgy for weekdays, special days, or holy days. The author of a piyyut is a payyetan.

### A. Origins of the Piyyut

The origins of the piyyut are not known with certainty though many scholars agree that the first piyyutim were probably written in and around Palestine.<sup>2</sup> Zunz contends that the first piyyutim were written in the seventh and eighth centuries of the common era in response to the literature of midrash that precedes it.<sup>3</sup> This view is accurate perhaps, according to Elbogen if we were merely to consider the piyyutim of Eliezar Kallir and those after him.<sup>4</sup> But this view is difficult to accept if we were to consider the piyyutim that preceded Kallir and that might have been

contemporaneous to midrash, and talmud. It is also hard to determine with any degree of certainty whether midrash did in fact precede the piyyut or vice-versa.<sup>5</sup> Thus Elbogen argues for an earlier date for the origin of the piyyut beginning with the sixth century.<sup>6</sup> Elbogen quotes Mirsky who claims that there were primitive piyyutim as early as the third and fourth century which were written by Amoraim. Elbogen refers to these so-called piyyutim as the antecedents of the piyyut as we know it.<sup>7</sup>

The piyyut according to Elbogen has been the result of continual growth and development incorporating new styles and structure, and influenced by country and time.<sup>8</sup> Davidson contends that the Kalliric type of piyyut took several centuries to develop and begun even before Arab influence.<sup>9</sup> (This would put the date of the piyyut before the seventh century.) The complexity of construction of Kalliric piyyutim may be ascribed to Syriac poetry, perhaps, but the cryptic language of the piyyut is something new.<sup>10</sup> Some might argue that the rise in popularity of the piyyut was the result of a decline in scholarship but the use of cryptic language suggests to Davidson another possibility as well. Payyetanim chose to speak in hints and allusions because they were afraid of being detected by hostile authorities.<sup>11</sup> Thus, Davidson accepts the classical report of Judah ben Barzillai Albargeloni who, in his Sefer ha-Ittim

states that piyyutim were originally instituted only in times of persecution:

...since the people (during a persecution) were not able to study Torah for their oppressors decreed that they must not study the law. Therefore the scholars among them ordained that amidst the prayers they should review and present the special laws of the holidays, holy days, and special Sabbaths by means of hymns, thanksgivings, rhymes, and piyyutim.<sup>12</sup>

This leads Davidson to say, "...there is no reason to doubt that at one time in the history of the Synagogue service the piyyut took the place of the Midrash."<sup>13</sup> Thus the function of the darshan (i.e. the one who would expound upon the Torah portion during the service) was taken over by the chazan (i.e. the cantor) who would chant the piyyut.<sup>14</sup>

Davidson shows that the custom of introducing halachic discourses and midrashic homilies into the body of the prayers in such a way as to avoid detection was a general practice, which can be seen in such phenomena as political allusions couched in the talmudic legends.<sup>15</sup> The payyetanim merely adapted this custom from what went before.

Goldschmidt modifies this theory by stating that although there were persecutions that influenced the writing of certain piyyutim, it is certain that persecutions did not bring them about exclusively.<sup>16</sup> Both Elbogen and Goldschmidt see the piyyut as developing out of the fixed liturgy of the prayerbook.<sup>17</sup> Also, the piyyut device of acrostic

and use of alliteration were both part of an earlier era as well.<sup>18</sup> If the piyyut did begin in Palestine it is easy to see how the midrash would influence it.<sup>19</sup> All these factors combined were necessary and sufficient to bring about the piyyut.<sup>20</sup>

#### B. Early Payyetanim

The first payyetan of whom we have written record is Jose ben Jose. Rabbi Saadia Gaon and others refer to him with distinction.<sup>21</sup> There are indications that he composed and edited piyyutim for the high holy days.<sup>22</sup> Of his life we know little. He is referred to as the orphan since he has the same name as his father. It is thought that he came from Palestine as there was no other place at that time where one was free to write Hebrew poetry. We are not sure which piyyutim he edited or composed as there are no acrostics spelling his name. The acrostics used in the piyyutim accredited to him are alef-bet.<sup>23</sup> His poetry utilizes simple language containing no rhyme scheme.<sup>24</sup> Jose did not write his piyyutim to be included into the amidah but in addition to it. His piyyutim were written to supplement the shofar service on Rosh Hashonah.<sup>25</sup> According to the calculation of Elbogen, Jose ben Jose lived around the beginning of the seventh century.<sup>26</sup>

Yannai is the first poet we know to put his name into



andacrostic of a piyyut. Also his are the first works that are to be included in the amidah proper.<sup>27</sup> Like Jose ben Jose, it is assumed that Yannai was born in Palestine. There is a reference to Yannai in a book by Anan (the founder of Karaism) called the Sefer Hamitzvot. This reference tells us that Yannai was known in Babylonia even though he was from Palestine.<sup>28</sup>

Davidson refers to Anan also to show that Yannai's piyyutim are consulted for legal information. "How can we explain this unless we say that, in addition to inspiring his audience with religious devotion, the function of the payyetan was also to expound the laws in his poems."<sup>29</sup> Thus Davidson holds that there is a halachic aspect of piyyutim, in addition to a purely devotional nature, and that Yannai probably initiated that synthesis.<sup>30</sup>

Rabbenu Gershom mentions that Yannai was one of the first sages that wrote piyyutim "for each and every seder."<sup>31</sup> Davidson notes that Rabbenu Gershom does not say "for each and every Sabbath." If we check the fragments that comprise the remnant of different piyyutim of Yannai, we notice that they were composed to be read according to the triennial cycle. This is another proof of his having come from Palestine, or at least that he chose to recognize only the Palestinian custom.<sup>32</sup>

In determining the date of Yannai, Elbogen subtracts "at least two generations" from 770, which is the approximate date of the book by Anan.<sup>33</sup> This results in a date around

700 that is ascribed to Yannai. Tradition has it that Yannai was the teacher of Eliezer Kallir, the next payyeta whom we'll consider. Because of this relationship between Yannai and Kallir a date of 750 is given by Elbogen for Kallir.<sup>34</sup>

Before turning our attention exclusively to Kallir it is important to make some comparisons. Unlike Kallir, Yannai's poetry never gained popularity. Zunz attributes this lack of general acceptance that Yannai received to the fact that Kallir was the law-giver in the field of piyyutim. Kallir was the student who surpassed the teacher.<sup>35</sup>

Davidson takes strong exception to this view. There are two main reasons why Yannai's poetry were not preferred.

1) Yannai wrote halachic piyyutim. His well known kerovah<sup>36</sup> for Shabbat Hagadol is only one example of the dozens of works he wrote which were halachically oriented even though they contained midrash too.<sup>37</sup> Kallir on the other hand writes mostly aggadata. Most payyeta in fact wrote poetry of a devotional nature incorporating midrash into it.<sup>38</sup> Thus, Davidson claims that the halachic nature of Yannai's piyyutim hindered his gaining popularity and receiving recognition he was due.<sup>39</sup> 2) Yannai composed piyyutim for the triennial cycle. Since the triennial cycle fell into disuse in deference to the annual cycle it is easy to see how Yannai's work would be forgotten.<sup>40</sup> Davidson claims that

Kallir on the other hand wrote piyyutim for the annual cycle.<sup>41</sup>

Eliezar Kallir is the most well known payyetan. Though we have hundreds of his piyyutim we know very little about his life. Most scholarship written about him has produced little new information.<sup>42</sup>

We know his name, Eliezer Kallir, because it appears in acrostics. Some believe the name Kallir is the name of his father. His piyyutim also carry an acrostic of the name Kiryat Sefer which is usually understood to be his home. However this is probably a symbolic name as there is no known city by that name, at least not since Biblical times.<sup>43</sup> Since his holiday piyyutim are limited to the first day of the festivals we assume he too was Palestinian. This assumption is supported by the fact that his piyyutim match the structure of the Palestinian amidah.<sup>44</sup>

There have been some attempts to trace the name Kiryat Sefer to a Byzantine locale. By changing the word sefer to sfar it approximates safah, meaning coast. The name Kallir also approximates the name of a city in Italy, Celer. This leads to some speculation that he may come from a coastal town near Rome by that name. Some of his piyyutim indicate a Christian environment thus supporting that possibility.<sup>45</sup>

The historical importance of Kallir is due to his being the creator of the classical structure on which later piyyutim were modeled.<sup>46</sup> He wrote piyyutim for almost every

day during the Jewish year.<sup>47</sup> We do not have piyyutim for Passover written by him but this may be due to the fact that local rabbis wrote piyyutim that were accepted over his.<sup>48</sup> His piyyutim found their way into Eastern countries, Balkan countries, Italy, France, and Germany. However one finds no Kallirian poetry in North Africa or Asia, or countries under Arab influence.<sup>49</sup>

Before discussing the form of piyyutim by Kallir, Yannai and others we will discuss briefly the growth of the piyyut during the middle ages and beyond. The number of piyyutim and payyetanim is vast. Zunz lists nine hundred payyetanim and certainly his list is not exhaustive.<sup>50</sup>

#### C. Later Development and Acceptance of Piyyutim

According to Goldschmidt, piyyutim were certainly an accepted regular feature of the synagogue during the fixed prayer by the year 1000. The piyyut was recited exclusively by the cantor since there was only one prayerbook machzor for each congregation.<sup>51</sup> During the middle ages new subjects were dealt with in the piyyutim. There were persecutions and oppressions that influenced payyetanim to compose works to express the anguish and hope of their people. Non-Jewish censors tried to take out the piyyutim that disparaged Islam and Christianity. In some cases there are verses and whole piyyutim which were deleted or crossed out from prayerbooks.<sup>52</sup>

The source of objection in other cases was segments of the

Jewish community itself. Even though there was popular support for the insertion of prayers into the service, there was considerable scholarly Jewish objection. There was constant criticism of these "unlawful" interruptions in the service. Idelsohn refers to one such viewpoint: "No piyyut should be inserted and a cantor who recites a piyyut should not be allowed to officiate."<sup>53</sup> Maimonides also rejects the inclusion of piyyutim for this reason, that piyyutim are a break in the service and because they express often blasphemous ideas.<sup>54</sup>

Rabbenu Gershom and Rabbenu Tam came to the defense of piyyutim. The former attributed the piyyut to divine inspiration, and the latter identified Kallir as a tanna whose authority was beyond question.<sup>55</sup> Joseph Tov-Elem among others declared the insertion of piyyutim in the first three benedictions of the amidah to be not only permissable, but even meritorious!<sup>56</sup>

Piyyutim in the eleventh century portray a greater complexity in composition, and an enhanced concern in the presentation of halachah. The piyyut presented here of Joseph Tov-Elem for Shabbat Hagadol is one such example, and will be discussed later.

The German rite contains many more piyyutim than the Spanish.<sup>58</sup> The German machzor contains piyyutim for every part of the liturgical year. Only today are the recitation of these falling into disuse.<sup>59</sup> The Sephardic attitude to piyyutim was apparently tempered by the concerns of authori-

ties like Ibn Ezra and Maimonides, as referred to above. But even so we do have a considerable number of piyyutim of Spanish provenance that have yet to be deciphered and examined scientifically.<sup>60</sup> (The list of prominent Sephardic payyetanim includes such luminaries as Judah Halevi and Solomon Ibn Gabirol.) Of those that have been studied we see that the style of Kallir and his school is followed. Most of the Sephardic payyetanim were rationalists, knowledgeable in secular subjects. Thus these payyetanim were probably less likely to compose piyyutim containing the type of superstitious exhortations and blasphemous language that sometimes characterizes Ashkenazic piyyutim, and that became the object of the type of scholarly criticism referred to above.<sup>61</sup>

Most Ashkenazic payyetanim also wrote under Kallir's influence. The most prominent payyetanim of the Ashkenazic rite are the Kalonymides named for Meshullam ben Kalonymos of the tenth century who was the first of a family of payyetanim.<sup>62</sup> The piyyut flourished until the seventeenth century.

#### D. Structure and Form of the Piyyut

To begin our discussion of piyyut form we will consider first the piyyutim of Yannai. Yannai wrote primarily kerovot, which are insertions in the amidah. His most frequent type of kerovah is the kedushata which as the name implies, was inserted



in such a way as to emphasize the kedushah of the amidah. His kerovah begins with the 1) Magen which was to be recited near the end of the first benediction magen avraham. This was written in the form of an acrostic alef to lamed. 2) The Mechaye was inserted near the end of the second benediction and was in acrostic form mem to tav. 3) Next was a poem of messianic character, containing the author's name in acrostic. 4) Then there came a piyyut to precede the kedushah, called the veatah kadosh. 5) This and the next four segments were inserted into the kedushah itself. All were acrostics, with the penultimate section in inverted alphabetical order.<sup>63</sup>

We shall see that this form of piyyut is very similar to the later styles of piyyutim. Thus, Yannai was already working within the general outlines of what would become the classical kerovot style, even though he himself did not bring that pattern to its full fruition.

Before expanding on this kerovah style, however, we must turn briefly to a discussion of the other major types of piyyutim. Among them are ma'aravot which are incorporated into the shema and its blessings of the evening service; the parallel yotzerot which are inserted into the same rubric of the shacharit service; and the selichah which may be called the penitential or confessional type of piyyut.<sup>64</sup>

Ma'aravot can be further divided into six smaller units referred to as strophes: 1) before the chatimah of ma'ariv

aravim. 2) before the chatimah of ahavat olam. 3) before mi kamokha. 4) before adonai yismeloh. 5) before the blessing ga'al yisrael. 6) before the blessing after hashkivenu. To this would generally join a piyyut that is longer which would be said after lekha anu shirah which precedes mi kamokah. These piyyutim were said in the fixed Ashkenazic liturgies on the evening of the festivals and Rosh Hashonah though not on Yom Kippur.<sup>65</sup>

The piyyutim inserted in the shacharit service can be further divided as follows: 1) yotzer- inserted after first line of the yotzer blessing. 2) ofan- inserted before veha' ofanim vechayot hakodesh. 3) zulat- which precedes ain elohim zulatekha in the geullah. 4) the geullah- preceding the geullah of the geullah blessing.

At one point these piyyutim may have been said in place of the fixed prayer, but it became customary to add the piyyut to the fixed liturgy.<sup>66</sup> In certain versions, for example in the Ashkenazic ritual, the ofan is sometimes missing or the zulat. According to one theory, the zulat was not said sometimes because of the mystical need to say emet ve-yatziv whose section repeats emet six times corresponding to the six days of creation. Also since: there is to be no simchah (i.e. happiness) on Rosh Hashonah, it was customary to delete certain parts of a kerovah. Sometimes the kerovah is referred to as a compilation of the first letters of the



verse "kol rinah vishuah beohale tzadikim" ("the voice of happiness and salvation in the tents of the righteous" Psalm 118:15). Since there is to be no rinah (i.e. joy or happiness) on Rosh Hashonah one of the piyyutim would be deleted.<sup>67</sup>

The Kerovah is the oldest piyyut form and its name testifies to it.<sup>68</sup> Kerovah was the appellation given to the cantor as well as to that part chanted by the cantor. Rav Zera would sit next to the cantor (kerova) in order to speak first and last.<sup>69</sup> The cantor would pass before the ark only for the amidah.<sup>70</sup> The shema and its blessings were not recited in this way. Thus the term kerova means "the one who draws near the ark."<sup>71</sup>

The structure of the kerovah is complex and highly developed and must be the result of a long process of growth.<sup>72</sup> There are two forms of the kerovah: the shivata- which is inserted between either the seven benedictions of the Sabbath or festival amidah (sometimes called the shemoneh esreh when it is inserted in the amidah of the weekday); and the kedushata- which is inserted into the first three blessings of the amidah.<sup>73</sup>

From every viewpoint the shivata is of a simpler structure though probably older than the kedushata. This may be due to the fact that the shivata was not as frequently used as the kedushata. The different sections of the shivata or shemoneh esreh were of equal length except on those days when

a particular blessing or benediction would have greater significance. For example, on Tisha b'av the blessing uvene yirushalayim would be lengthened, since Tisha b'av commemorates the destruction of the Temple and uvene yirushalayim prays for its reestablishment.<sup>74</sup>

In general, the piyyutim of the Ashkenazic rite are of the kedushata variety, whose structure is as follows: 1) Magen- before chatimah of the avot. 2) Mechaye- before the chatimah of the gevurot. 3) Meshulash- the first of several sections allotted to the kedoshat hashem. 4) a short piyyut without a special name which concludes with the words chai vekayam nora marom vekadosh (4 and 5 are absent in the Ashkenazic machzor). 5) longer piyyut containing midrashic material. 6) also a longer piyyut dealing with the Torah portion of the day or the theme of the day. 7) Nora vekadosh- a du-strophic piyyut. 8) rehitim- included in some types of kedushatot only. 9) siluk- last piyyut within the kedushah- and the climax of the kerovah. This entire piyyut is preceded by a reshut which is recited by the cantor in order to seek permission to interrupt the fixed prayer of the amidah.<sup>75</sup>

These piyyutim, as mentioned before, were usually written with an acrostic. The first piyyutim historically were written merely with a simple alphabetical acrostic but were later composed in such varied forms as inverted acrostics and those incorporating the payyetan's name. Later the name of

the payyetan was embellished with expressions such as chazak "be strong" or yechiyeh "live!" The earliest payyetanim wrote with no rhyme pattern but later piyyutim included a simple rhyme in which the rhyming syllables were consonant-vowel-consonant, such as, lah, lah, chim, chim, rather than lah, bah, or sim, lim. Grammar and clarity were always put subordinate to poetic needs. Free use of new verb conjugations and novel noun structure were used to allow for rhyme.<sup>76</sup>

Following this brief background on piyyutim the subject now turns to the piyyut for Shabbat Hagadol by Joseph Tov-Elam.

## II. Introduction to the Piyyut for Shabbat Hagadol by Joseph Tov-Elem

The piyyut for Shabbat Hagadol (the Great Sabbath which precedes Passover) is a kerovah to be recited on Sabbath morning. In many prayerbooks this kerovah is mistakenly referred to as a yotzer, probably because it appears to be a continuation of a yotzer piyyut before it.<sup>77</sup>

The author of the piyyut is Joseph ben Samuel Bonfils (Bonfils being the Hebrew equivalent of Tov-Elem- "good child") who lived in France in the middle of the eleventh century. He's the first French payyetan of whom we know more than his name. Besides being a great payyetan he also was a talmudist and Bible commentator. He came from Narbonne and was rabbi of Limoges in the province of Anjou. Sixty-two of his piyyutim occupy prominent places in French, German, and Polish liturgies. Few compositions can compare with his in terms of beauty and imagery and facility of expression.<sup>78</sup> Zunz considered him one of the more gifted payyetanim of his time.<sup>79</sup> The disciples of Rashi knew him as Rav Joseph the Great.<sup>80</sup> The Seder of Rav Joseph has a complete commentary by Samuel of Falaise, a French Tosaphist of which part is translated in this paper. This commentary and several references to this piyyut in other sources indicate the importance of Tov-Elem's work. In at least one case the custom of Rav Joseph was adopted by the Tosaphists in order to establish law. For example, in the second part of the piyyut

(which appears later in this paper) we find that Rav Joseph would take the two cooked dishes (roasted shankbone and roasted egg) off the Seder plate before raising it to say "This is the bread of affliction," the reason being, according to the Tosaphists, that to hold aloft the roasted shankbone and roasted egg would give the appearance of observing the sacrificial rites of Korban Pesach outside of the Temple in Jerusalem, such observance being forbidden ever since the Temple's destruction in 70 C.E.

The particular piyyut with which we are concerned is really composed of two distinct units. The first part is an acrostic alef-bet and each line of the acrostic is further divided into four sections, all of which rhyme on the last syllable. The rhyme is more complex than merely a vowel sound. The pattern is such that the syllable "sar" for example will recur at the end of each of the four parts of each line.

The content of this first part of the piyyut deals with preparation for Passover by means of searching for leaven and removal of leaven. The language and phrasing is largely Talmudic, though for purpose of rhyme and acrostic there is free use of poetic license. Whole discussions and legal decisions are made concise and put into poetic verses all the while retaining their Talmudic flavor. Primarily the piyyut relates the legal decisions of the Babylonian Talmud with little or no explanation or discussion. Were it not for the difficult

language and style, the piyyut could be used as a concise legal guide to the preparation for Passover.

The second part of the piyyut is an acrostic spelling out Yosef Hakatan bar Shmuel Hazak. In addition to this, the author's name Tov-Elem is incorporated into three words in the last line of the piyyut. The rhyme scheme is the same as the first part of the piyyut though the language in many instances is significantly more difficult to decipher. There is one instance in the acrostic where a samech was replaced by a sin in order to spell the name Yosef. Again, correct grammar and clarity is oftentimes subordinated to poetic needs.

It will be recalled the usual kerovah has ten parts, but that the Ashkenazic ritual generally retains only eight of them. This piyyut, known as Elohai Haruchot Lekol Basar, is the seventh part of these eight.<sup>82</sup> The name for the entire kerovah is Elohim Betzadekha which is taken from the initial words of the piyyut and in turn this first part is known technically as the Magen. The second part of this piyyut begins Mimasgair Asir and it is known as the mechayai. These first two parts of the piyyut together form one acrostic alef-tav. Yishi U'kvodi immediately introduces the Meshulash. It is an acrostic spell in Yosef bar Shmuel. Kerem Chemed immediately follows Atah Kadosh of the sanctification and it is not an acrostic. Yeradata Lehatzil Amekha immediately precedes el na of the sanctification and spells



out Yosef bar Shmuel Hazak. The pizmon (a piyyut with a refrain after each line) Amanah Gedolah ~~which~~ alphabetical acrostic with Tov-Elem spelled out in the last part. The next part of the kerovah is referred to as the seder (not to be confused with Passover seder) and deals with the main subject of the day: preparation for Passover and seder night. This part of the piyyut begins with a short introductory acrostic which in turn is followed by the main body of the seder. The concluding part of this kerovah is also included in our Passover Haggadah Chasal Siddur Pesach Kechilchato but as Davidson observes it is an addition definitely much older than Tov-Elem's piyyut.<sup>83</sup> The last section of the piyyut, the siluk, concludes the entire kerovah and immediately leads into the verse of the sanctification: kakatu al yad neviekha. The siluk begins with the words ain arokh ailekha.<sup>84</sup>

### III. Introduction to the Commentary by Samuel of Falaise

Samuel ben Solomon of Falaise, a thirteenth century Tosaphist, wrote a commentary on our piyyut. Though living in Falaise which is in Normandy, France we know that he also spent some time in England.<sup>85</sup> In addition to being called Rabbi Samuel he was also known as Samuel the elder, and Sir Morel. The name "Morel" according to Gross is common to English Jews.<sup>86</sup>

We have relatively little information on his life but on the basis of who his teachers and colleagues were it has been approximated that he lived from 1175-1250.<sup>87</sup> We learn most about him from this commentary on the piyyut by Joseph Tov-Elem as well as from various commentaries in the tosaphot where he mentions a teacher of his or a letter he wrote to a friend concerning a legal question.

The commentary on the piyyut contains the customs and legal decisions of the elders of Falaise and the scholars of Dreux.<sup>88</sup> The commentary is contained in a volume known as the Or Zarua, which was compiled and edited by Isaac ben Moses of Vienna, who is also known as the Or Zarua or Isaac Or Zarua.

From the commentary we know that Rabbi Samuel's father was a learned man and interested in the interpretation of different Hebrew words according to Gematria.<sup>89</sup> Samuel also quotes the teachings of his father-in-law Rabbi Abraham ben



Rabbi Hayim, who may have been the grandfather of Moses of Coucy, the author of the Sefer Mitzvot Gedolot.<sup>90</sup>

His teachers include Rabbi Judah from Paris, Rabbi Solomon from Dreux (called the holy one from Dreux in the commentary, or my teacher Rabbi the holy one), Rabbi Menahem the pious, also of Falaise, Rabbi Jacob from Provence the son of Rabbi Meir from Provence, and Rabbi Baruh, the author of Sefer Haterumah.<sup>91</sup> Rabbi Samuel studied with Rabbi Baruh during the latter's stay in France.<sup>92</sup>

The most famous student of Rabbi Samuel was Rabbi Meir of Rottenburg who refers to his teacher in his commentaries on Yoma and Chullin.<sup>93</sup> We have record that once when Rabbi Samuel was very sick and unable to write, he asked his student Rabbi Meir to write for him.<sup>94</sup>

We have references to Samuel in Yoma and Pesachim as well as selections that he wrote in those two tractates. The tosaphot on Avodah Zarah though not identified in the text as his are verbatim quotes from his commentary.<sup>95</sup>

Rabbi Samuel was a close friend of his colleague Rabbi Issac Or Zarua with whom he exchanged letters. There is an incident recorded that took place between them concerning a halachic question that dealt with kashrut. An animal had been salted before the non-kosher fat (chelev) had been taken out. Since the fat amounted to more than one-sixtieth of the size of the animal<sup>96</sup> the question arose as to whether the entire animal must be considered non-kosher. Samuel of

Falaise had permitted the animal when presented with a similar theoretical case but when pressed to decide in this case, Samuel forbade it and instructed the Or Zarua to do likewise.<sup>97</sup>

Another example which describes a strict application of law to halachic question concerns the permissibility of eating kitniot, any bean like vegetable, on Passover. This question appears in Samuel's commentary on the piyyut. Since it is not translated later on in this paper it may be included here.

And similarly concerning kitniot it is customary to be strict and not to eat them since when they are cooked in boiling water (they become leaven). And after I heard that my teacher Rabbi Judah himself would eat them. And after him, many were accustomed to be lenient and Thank God nothing happened to them! And in the halachic questions of Rav Achai I found it written at the end of his laws of Passover that all types of beans are permitted to cook whether on Passover or on the rest of the festivals and furthermore Rabbi Moses ben Maimon added in his book (Mishnah Torah, "Hametz Umatza", Halachah alef.) "That if they left it in water all day it wouldn't become leaven but merely spoiled, and even though in my view these things are correct, and therefore that our ancestors before them acted mistakenly, even so, we must not permit it, and even privately one should refrain and let it be forbidden."<sup>98</sup>

From this example we see that Samuel went to great pains to trace all the viewpoints of his teachers and colleagues even though he would ultimately disagree with their "correct" decision.

Part of the translation of the commentary appears below

following the translation of the piyyut. It indicates Rabbi Samuel's interest in understanding the exact reason behind different laws and customs, and his reluctance to accept a law or custom without considerable discussion.

#### IV. Translation of the Piyyut

(alef) God of the spirits to all flesh (Numbers 17:22)

He taught His people a statute,

And He cautioned them with written instruction:

To search for leaven on the night of the fourteenth (of Nisan).

(bet) When people are not present in the market place,

By the light of a candle it is fitting to search (Pesachim 8a).

One does not search by the light of the sun, the moon, or

or a torch (Pesachim 7b);

One must bless: "on the removal of leaven" (Berachot 38b),

according to its legal prescription.

(gimel) When one has completed searching he guards the remaining bits of chametz until the next day.<sup>99</sup>

Immediately<sup>100</sup> then one is required to nullify the remaining (Pes. 6b)

(bits of leaven that were not found) by a statement<sup>102</sup>,

Saying: "All leaven that is in this house,

That I cannot see, that I did not remove, let it be nullified and like the dust."

(dalet) For if some (leaven) was found after that moment,

One is not culpable of transgressing<sup>102</sup> (the Biblical injunction:) "it shall not be seen and it shall not be found" (Exodus 12:19).

If he wants to satisfy his hunger by eating leaven after he searches,

Let him put what is left over in a safe place.<sup>103</sup>

(hey) If he searched the cracks of his house

And he stored away four or five (pieces of) cake

And he found one of them missing,

Then let him search again lest a weasel took it.<sup>104</sup>

(vav) Thus our rabbis taught (Pesachim 8a) in our chapter,

That holes of a house and cracks

High up and low down are not searched,

But the middle ones require it.<sup>105</sup>

(zayin) They cautioned that the roof of a balcony or the roof of a tower,

The cow shed and the straw, or the chicken coops,

The wine cellar, and the oil store room

Do not need to be searched.<sup>106</sup>

(chet) In the case of a hole bordering the property of two men,

Each is required to search as far as he can reach and they nullify the remainder.

And similarly between a Jew and a non-Jew, (the Jew is obligated to dispose of it (i.e. the leaven).

Plimo was lenient and did not require (the leaven to be burned)

Lest the non-Jew says he is performing witchcraft.<sup>107</sup>

(tet) They claimed that one who leaves on a long journey or on a ship (Pesachim 6a and Rashi)

And it is not his intention to return before Pesach,

If he leaves within thirty days (of Passover) he needs to dispose of the leaven,

But before thirty days he is not required to dispose of it.

(yud) A Jew to whom someone else's leaven is entrusted  
And its owner is not present in order to take it away,  
The trustee must guard it until the fourth hour of the day,  
when one is still permitted to eat it.<sup>108</sup>

If the fourth hour is up and he still has not come, he must sell it to a non-Jew.

(khaf) If a ruin falls on leaven on erev Pesach  
And a dog is not able to search for it at all,  
Then it is considered as disposed of, according to the sages.<sup>109</sup>  
And how far does "the searching of a dog" extend? - Three  
handbreadths.

(lamed) The sages taught that salt store houses and wax store  
houses

And date houses and storehouses of woodchips  
Require a searching,<sup>110</sup>

But a courtyard is exempt because of crows,<sup>111</sup>

(mem) One who finds leaven in his house on Passover,  
Should cover it with a utensil so he can't see it.<sup>112</sup>

But if it was dedicated to the Temple, one need not cover it  
Since it would never enter his mind to use it.<sup>113</sup>

(nun) Sieves, lids, and kettles,

That have had hot leaven used in them

Require boiling in hot water with the smaller vessel placed  
in the larger one.

On the larger one a rim is made and it is heated with fire.<sup>114</sup>

(samech) Knives that one uses for meals with leaven,  
If it is possible to use new knives, this is preferable  
(Pesachim 30b).

If not, then dip the knives used for leaven in boiling water  
In the pot (that is on the fire) and they will become fit.  
And a wooden ladel (used for leaven) must be soaked in  
boiling water.

('ayin) Still basins (made of clay), cuttings of clay, glazed  
vessels made of clay,

Even though one can remove (leaven) well from them (by means  
of boiling them),

It is forbidden to use them (Pesachim 30b).

Even though you boiled them and say they are porous (to emit  
leaven)

Even so they remain forbidden.

(pe) Clay pots one need not break (Pesachim 30a)

But you let them stand until after Pesach,

And dishes are permitted (to stand until after Pesach)  
when you take (a torch) from the cauldron and press it  
upon them.<sup>115</sup>

Stone dishes that are washed off are permitted.

(tzadi) Pots that are used for leaven everyday  
Are considered like a storage place for yeast which has an  
exceptionally strong leavening power.<sup>116</sup>

But if only occasionally leaven is placed into it and it  
does not remain there long,



It is permitted for use.

(kuf) Forming (or smoothing) the dough for matza may be done with wine or oil,

But we restrict this process with them to the first night.<sup>117</sup>

Non-Jewish workers that have not immersed themselves ritually (for the purpose of conversion)

Are forbidden to knead.<sup>118</sup>

(resh) One makes thin cakes as a remembrance of oppression.

And for the sake of the mitzvah of matza one needs to guard it (the dough) properly from leavening.

A deaf person, insane person, or child may not knead the dough lest they err,

And even though an able Jew (one over thirteen years old and possessing all his faculties) baked the matza it is not permitted (Gittin 23a and Pesachim 40a).

(shin) The sages taught not to knead more than five quarts of dough at one time<sup>119</sup> (Pesachim 48a) this being the same measurement for challah (Rashi Pesachim 48a).<sup>120</sup>

And the number of eggs is forty-three according to the number of challah in gematria

And the omer is the proof to it.<sup>121</sup>

A woman should not knead her dough except with water that has been kept in vessels over night. (Pesachim 42a).

(tav) Pure water (should be used) our sages taught in the praiseworthy mishnah (Pesachim 2:8):

"The water which a baker has used must be poured away because



it becomes leaven."

And we say (Pesachim 42a) "Throw the water in a place that slopes"<sup>122</sup>, in order that people will not come to use it and violate the Pesach laws.

Finished are the laws of removal of leaven and removal by boiling.

(yud) Wine that is red<sup>123</sup>

Is preferred for the commandment

To fulfill one's obligation.

If you do not have red wine, then spiced wine and boiled wine may be used in place of it. (Jerusalem Talmud Shekalim 93 Halachah 2).

(vav) And these four cups

Require at least a 'Fourth of a measure' without being lenient.<sup>124</sup>

Both men and women (are required to drink) this much.

One apportions to children corn kernels and nuts to arouse their curiosity.<sup>125</sup>

(samech) The sages have spoken:<sup>126</sup> women must make an effort to fulfill

All aspects of Passover without fail

Even though they are positive commandments determined by time which women are normally not therein obligated,

But since all are obligated not to eat leaven, even women are duty bound to eat matza (Pesachim 43b).<sup>127</sup>

(pe) Our rabbis explained

That matza and wine require reclining<sup>128</sup>

But bitter herbs do not have the same obligation.

However it must be chewed well (Pesachim 115b).<sup>129</sup>

(hay) Leaning to the right is not considered reclining  
(Pesachim 108a).<sup>130</sup>

Also there is concern lest the food go to the windpipe,  
not the gullet, thus endangering that person's health  
(Pesachim 108a).

Lying one's back is not even worth considering.

A woman need not (recline).<sup>131</sup>

If she is a woman of considerable status she has to recline.

(kuf) The son reclines before the father with rejoicing

But in the case of a student witting before his teacher

it is not appropriate to break<sup>132</sup> (the custom of etiquette)

But an apprentice of a master craftsman needs to recline  
with diligence.

The waiter at the seder fulfills his obligation of eating  
matza when he sits down to eat "an olive's worth" of matza  
(Pesachim 115b).<sup>133</sup>

(tet) The sages required<sup>134</sup> that the matza be stolen on  
Passover night

In order that the flowers (the children Cf. Yoma 19b)  
do not sleep (Pesachim 109a).

One is obligated to rejoice on the festival.

In Temple times this was done by eating meat but now it is  
done with scented wine.<sup>135</sup>

(nun) Women are obligated to rejoice and to be made happy.  
 In Babylonia (this was done) with colorful clothes  
 And in Israel with white flaxen clothes,  
 Whereas men rejoice with wine. (Pesachim 109a).

(bet) On erev Pesach close to minchah (on the fourteenth  
 of Nisan) on the first (night of Passover) a man may not  
 eat until night time.<sup>136</sup>

And when one returns from the synagogue (after the evening  
 service) o

One pours the first cup.

(resh) First one blesses on the wine  
 And afterwards one says kiddush and the blessing "that has  
 kept us alive" but one does not say a blessing for the  
 miracle<sup>137</sup>

For one needs to say it in the Haggadah.<sup>138</sup> And it is not  
 appropriate to say it twice.

One drinks the first cup and washes without blessing  
 "on the washing of the hands".

(shin) He (the leader of the seder) picks up the greens,  
 coriander, or lettuce (Pesachim 116a)

And one dips it in charoset<sup>139</sup> and blesses "who creates  
 the fruit of the earth" (Pesachim 114b).

And when eating (the greens) you break in half one of the  
 three matzas and there is no blessing with it.<sup>140</sup>

Half is placed on the plate and half on the table (for  
aphikomen).

(mem) One removes from the plate two cooked dishes  
Which are meat and roasted fowl.<sup>141</sup>

Or you might take a bone and its soup (or gravy).

Then one lifts the plate and says all of "This is the  
bread of affliction..."

(vav) Then one pours the second of four cups.

Then the son asks his father,

"Why is this night different from all the other nights?..."

And they continue the Haggadah until "who redeems Israel."<sup>142</sup>

(alef) After drinking (the second cup) one washes his hands  
and blesses "on the washing of the hands" alone.<sup>143</sup>

And he begins to recite the blessing over the bread or matza  
which is done with two hands<sup>144</sup>

But one does not yet eat from it.

(lamed) One takes the half of matza that is left on the plate  
and blesses "to eat matza" out loud<sup>145</sup>

And together with the matza of the blessing over the bread

(Hamotzi) and the matza of the blessing over the matza  
one eats.

Then one blesses over the lettuce "to eat bitter herbs",  
and dips and mixes (Pesachim 115b)

And one returns and eats matza and bitter herbs without a  
blessing (Pesachim 115b and Tosaphot). One makes a sand-  
wich all together like Hillel (Pesachim 116a).

(chaf) One may go to other homes (at this point) and make  
seder in this way until here (at korech).<sup>146</sup>

And after this, one has his full meal and all its needs,  
And an olive size of the last matza (afikomen) one needs  
to eat.

Then one does another washing of the hands without a blessing  
for mayim acharonim is obligatory but does not need a  
blessing.

(zayin) One mentions<sup>147</sup> on the third cup the blessing after  
the meal.

And to the other homes first and then one tastes of the cup  
until he has no more.<sup>148</sup>

And on the fourth cup one says the Egyptian Hallel.<sup>149</sup>

(After the fourth cup) It is forbidden to taste anything.<sup>150</sup>

(kuf) It is permitted to drink a little water though,  
If he was sick or fragile<sup>151</sup>

Or if out of necessity one is forced to drink wine,

He may do so by saying Hallel Hagadol on the fifth cup.

## V. Translation of the Commentary

God of the Spirits,<sup>152</sup> Teller of conversations: psalms and praises (to You), May He give me strength and certain wisdom and may my eyes be open to explain correctly the piyyut El Elohei Haruchot.

El Elohei Haruchot: In the Torah portion Korach (Numbers 16:22) and in the portion Pinchas (Numbers 27:16) Scripture has El Elohei Haruchot, and he (the payyetan) adopted the Biblical phraseology.

Chok leamo masar: "a statute He gave to His people."

There are a few aspects concerning the eating of leaven that are Biblical decrees: for example, dough in the process of leavening but still not fully leavened is forbidden for consumption though not mentioned explicitly in Scripture.<sup>153</sup> Similarly there are Biblical regulations concerning the eating of matza and its watching (to prevent leavening) which, though Biblical, are not explicit.

"And cautioned them with written instruction 'to search for leaven on the eve of the fourteenth'" (Pesachim 2a): The commandment (of searching for leaven) is "written" in the instruction: "Forsake not the teaching of your mother" (Proverbs 1:8 and 6:20) and Proverbs calls rabbinic decrees masar (instruction). As it is written (Proverbs 1:8): "Listen, my son, to the instruction of your father and forsake not the teaching of your mother." And it is

written (Deuteronomy 17:11): "Do not turn aside right or  
 left, from all that the judges shall tell you", and  
 (Deuteronomy 32:7) "Ask your father and he will tell you."<sup>156</sup>  
 Thus we have derived the commandment of lighting Chanukah  
 candles from (a rabbinic ordinance) this verse, Deuteronomy  
 17:11, in the second chapter of the Babylonian Talmud  
 (Shabbat 23a). And also there is a concern that one  
 should not come to perform a prohibition of the written  
 Torah such as "you shall not see and you shall not find"<sup>157</sup>  
 as Rashi explained.<sup>158</sup> And even though they (Tosaphot)  
 refuted him, from that which the Talmud stated (Pesachim  
 4b) "nullification of leaven is sufficient" according to  
 the Torah. And even though they (the Talmud) explained  
 that the reason for searching (is not because of "you  
 shall not see") but because, perhaps one will come to  
 eat leaven. And the Talmud itself indicates this in the  
 case of "bread in a pit", for the Talmud says (Pesachim 10b)  
 "or perhaps he may happen to go down (into the pit where  
 the bread is, even though it is no longer in his  
 possession) and come to eat it." Nevertheless, the holy  
 one Rabbi Jacob (Tam) carefully analyzed the phraseology  
 of the Talmud to support Rashi as follows: Because there is  
 a stringency related to chametz which (corresponds to) the  
 transgression of "you shall not see and you shall not find"  
 every moment that one possesses leaven (therefore it follows



that every moment one possesses leaven there is a requirement of searching). By contrast, this is not the case with notar ("leaving over" Exodus 12:10),<sup>159</sup> though it is true that one who transgresses it is subject to excision (as in eating of leaven). Nevertheless there is no need for searching (in the case of notar) even though one is not restricted from eating it all night. This is due to the fact that the Torah dealt more strictly with leaven so that during the days of Passover one transgresses every moment (of his possessing leaven, therefore one is required to search it out); but this is not the case with notar. For then one transgresses only "lo totiru" ("You shall not leave over" which applies only) once, when one has left over, and one cannot be culpable for notar again. Therefore, for the above reason of constant violation of "you shall not see" (the Torah) dealt more strictly with this (i.e. leaven) than with the rest of the cases in which one is subject to excision. And also my teacher Rabbi Menachem the Pious explained the reason for searching in another way, namely, that we are concerned that one will forget doing the nullification, and on account of this the sages ordained the searching. And Rashi also explained "it is the searcher who needs to make a nullification." And as relates to the issue of leaven that might be found in a hole, you cannot say (that the sages required a search) because of the prohibition of the possession of leaven,



because the leaven (in a hole) is not easily reached. And as regards the probability of his eating it, we have no concern except when he can actually see it; however, even under those circumstances we require no search in the case of leaven which is not his. But on another account there is reason to be concerned, and to require a search: because of the possibility of finding a nice pastry of leaven after the sixth hour of the day (when possession and use of leaven is forbidden). Then he might nullify his "nullification" and come to possess leaven and transgress the prohibition of "you shall not see leaven" without eating it.

or: "Night"- He (the payyetan) took the talmudic expression (or meaning light than the more accurate word laila meaning night).

"At a time when people are not in the market place, the light of a candle is good for searching but one may not search by light of the sun or by the light of the torch": This is the phrasing of the Talmud (Pesachim 7b bottom). And there are two reasons (for the use of candles in searching):

- 1) even in the evening immediately upon coming home one must search by candlelight and we explain (Pesachim 8a top) why it must be by the light of a candle; from the verse "...and I will search Jerusalem with candles" (Zephania 1:12);
- 2) And it was in case you were to suggest, "Let them search

by candlelight during the day" that he (the payyetan) said the light of a candle is good for searching at night and not by day, for during the day candlelight is weak, as it says in the Jerusalem Talmud (Pesachim 1:1; 1b top subject), "those that were in a cave could distinguish (between day and night) by lighting candles day and night. And they would know when it was day, since the candle was weak when it was daylight (outside). And my teacher Rabbi Menachem said that if one did not search at night but instead had searched by day, the sages said, that he needs to search (again) by candlelight, the reason being that one needs to enter into the cracks and crannies (where sunlight does not penetrate) and the Jerusalem Talmud (loc. cit.) also supports this view: "If one did not search at night, what is the halachah regarding searching during the day? We might solve this problem from what we learn in a mishnah (Pesachim 1:1): 'one may not search by sunlight.' Is there sunlight at night? Rather, it is only by day." And furthermore it says "by the light of a candle" (implying that it must be done at night).

"And it is necessary to bless 'on the removal of leaven' according to its legal prescription..." Everything that one clears away here and there in order to remove, is called biur as in (Deuteronomy 26:13) "I have put away all

the hallowed things out of the house." And it is surprising (that the phrasing of the blessing is "on" or "concerning the removal of leaven") for concerning the phrase "to remove" there was no disagreement that it referred to the future, but concerning the phrase "on the removal..." there was disagreement whether it implied the future or not. Therefore why did the sages see fit to fix the law in accordance with the disagreement and to abandon the linguistic form acceptable to all? And I heard in the name of Rabbi Hayim Cohen: This is the primary approach for everything that is anomalous, namely, that we must accept the novel law, as in this case. The reason for this is: if the sages had fixed (the blessing) to say "to remove", since all agree the sense (of it) is future tense, if one were to err by saying "concerning the removal..." one would need to return and say the blessing "to remove" (future tense) but, now, since the sages ordained "concerning the removal" even if one were to make a mistake by saying "to remove" he would not have to say the blessing again correctly ("on the removal") for all know that "to remove" is future tense.<sup>160</sup> Similarly, the reason in the blessing of Hamotzi (Berachot 38a and 38b and Tosaphot 38b top) that we do not say "motzi" (instead of hamotzi) is not because of a mixing of the letters mem mem (the end letter of haolam and the beginning of motzi)

for even without that there is a literal confusion between lechem and min (mem mem being the end letter of lechem and the beginning of min). But with blessings there is a disagreement about the phrasing "al" and the infinitive phrasing "le" over which the early sages argued greatly but were not successful in settling as regards the halachah (Berachot 35b). However, this is not the place to be lengthy about the matter. And so in the blessings over the shofar there are those that bless "lishmoa bekol shofar" and with washing the hands there are those that recite the blessing when drying their hands (al netilat yadayim). And this is recited before doing the mitzvah since one who eats (bread) when the hands are not dry is as if one were eating ritually impure bread. Therefore the commandment of washing the hands is not complete until after drying (and the blessing should be phrased in the future tense, but instead it uses the form "al"). And I heard from my father and teacher, of blessed memory, that the verse in Scripture (Ezekiel 4:13) "Even thus shall the people Israel eat their bread unclean among the nations" equals in gematria belo niguv yadayim ("without drying the hands" equals lachman tamai "impure bread", i.e. 168). And concerning tevilah the sages of Israel were in disagreement. There are those who say in the case of tevilat ger "conversion of a non-Jew by ritual immersion" alone, one blesses after

the immersion since while he is not a Jew it is not appropriate (to say the blessing). But a menstruating woman may separate the priest's share of the dough of the challah, and a man impure by virtue of seminal emission is permitted to read from the Torah since the community follows the opinion of the three sages who permit these activities in a state of Levitical impurity. Therefore why should not a woman say the blessing before performing the mitzvah of tevilah or at least at the time of taking off her robe? And there are those who say that the sages did not distinguish between one type of ritual immersion and another. And so I am accustomed to say in regard to the lighting of the candle on the Sabbath, that a woman should say the blessing over the first candle but that her intention should be not to accept the Sabbath restrictions until completion of the lighting.<sup>161</sup> And by virtue of the blessing she does not necessarily accept the Sabbath, because even when she says the blessing over the last (candle) she still lights it and puts it in place, thus indicating that there is no welcome (for the Sabbath) until you finish the mitzvah. And this is the correct practice (in regard to lighting the Sabbath candles) and not to light a few candles and to bless after that. For the first (candle) fulfilled the mitzvah of lighting and this is not (in consonance with the blessing which is written in the



future tense: "to light the Sabbath candle") before the performance of the mitzvah. And certainly this is so according to the Geonim who say that welcoming the Sabbath cannot occur by means of the lighting (of the candles), but only with prayer (kedushat hayom betefilah). And there are some that bring a proof for this from Bameh Madlikim (Shabbat 35b) for it is said: "after the lighting of the candle, he would wait a period of time sufficient to broil a small fish" (before blowing the shofar to announce that it was the Sabbath). But this is not correct in my view for certainly the lighting is the welcoming of the Sabbath as we find in Halakhot Gedolot: "He who lights the candle of the Sabbath and Chanukah, lights the Chanukah candles first, for if he were to light the candle of the Sabbath first, he would be forbidden to light (those of Chanukah). And the reason (the one who blew the shofar to announce the Sabbath) would delay here was in order to allow time for them who had not yet lit (the candles to do so). And furthermore it seems to me that this is the proper explanation of "and he waits": because there were many people that there was no opportunity for them to light so fast, and therefore he waited to blast the last tekiah, teruah, tekiah. Thus they would inaugurate the Sabbath only after everyone would have had the opportunity to light. However, after the last three blasts (of the shofar) which would welcome the Sabbath

everyone would have accepted the Sabbath. So it appears in my view.<sup>162</sup>

And concerning circumcision there was a difference of halachic opinion (concerning the blessing said after a circumcision) between Rabbi Samuel and Rabbenu Tam. And I heard that in tractate Shabbat it is proven that we bless "to cause him to enter" (into the covenant) after the circumcision. For we say there (Shabbat 137b) "The bystanders exclaim 'Even as he has entered the covenant, so may he enter upon Torah (i.e. study of Torah), the marriage canopy, and good deeds.'" And the reason that we bless after the circumcision is that we are afraid it (the operation) may be performed improperly.<sup>163</sup> (But) this case is not similar to that of shofar (where the tekiot could be improperly performed and yet we bless beforehand) because most of the time the father of the boy is not an expert circumciser (thus increasing the probability of improper performance of the circumcision). And further this is only a blessing of praise in which we thank the Master of the Universe who commanded us concerning circumcision in the name of the covenant of Abraham our father and not because of idol worship or because of a parasitic worm<sup>164</sup> or because of "har grizim".<sup>165</sup> Also it (the blessing of circumcision for a convert) is not like the blessing over circumcision (of a Jewish baby in which case the blessing must be recited before the performance of the circumcision).<sup>166</sup>



And further I heard from my father and teacher, of blessed memory, that brit ("covenant") is the numerical equivalent of 612 and these are the 612 mitzvot that are still incumbent upon the boy to perform<sup>167</sup>, and the circumcision that is already performed brings the total to 613.

And concerning the shaking of the lulav there are those that reverse it into a position other than that of its natural growth and there are some that have in mind not to fulfill their obligation as yet and therefore say the blessing before the performance of the mitzvah.<sup>168</sup> And certainly this is so (that one should say the blessing before the mitzvah) when the mitzvah is not completed until after the shaking.

And concerning the blessing of the engagement there is an explanation as to why we bless after the marriage ceremony and it seems to me that the reason is that we suspect that (the relatives or the wife) will change their minds and it will be a blessing uttered for nought.<sup>169</sup> And the reason that we don't view the blessing over the engagement in the same way as the blessing over the ritual immersion for conversion is that in the case of the blessing over immersion (for conversion) the blessing is dependent on his own will (which is not the case in marriage) and, therefore, because he is still not a person responsible for the blessing he is freed (of the blessing). And for this reason I say they left out a blessing regarding the marriage of a woman:

"Who sanctified us by Thy commandment and commanded us to marry a woman." Since one does not recite such a benediction before the performance of the mitzvah it was left out by the sages and this was considered sufficient. And furthermore it appears to me that there is another reason for the (non-existence of a blessing for the marriage ceremony); since there are some men for whom there is no mitzvah to marry. For example, when a man has a wife and children, as we say in Betzah 32b, where it is argued as follows: "They should not marry...but doesn't he perform a mitzvah (by marrying)?" And the Talmud responds: "(We are dealing with a case) in which he has a wife and children"; therefore, there is no mitzvah when he has a wife and children. (Therefore due to the fact that there are those for whom kiddushin is no longer a mitzvah) the Rabbis omitted a benediction for all those who are marrying, as I will later explain, with God's grace, in relationship to the blessing over the removal (of leaven).

"He completed his searching until the last moment and he immediately needs to nullify the rest with the recitation and we say 'All leavened substance that is in my house that I cannot see and that I cannot remove, may it be nullified like the dust of the earth.'" -- This is the explanation: Having completed his searching, he watches

over the pieces of bread that he searched out until the next day, the translation being (He watches the pieces) in order that he should know tomorrow if the pieces of bread are still in existence.

"And immediately he needs to nullify": He (the payyetan) accepted the approach of Rashi who explained in the Babylonian Talmud (Pesachim 6b) that the searcher needs to declare the leaven null and void immediately, and the Talmudic text itself indicates this explanation because in it "nullification" depends on the searching since it says "the searcher" but it does not say "a man needs to nullify". And the reason is that since he will be busy with the searching he will be reminded of the nullification, and so the entire aggadah indicates.

"with saying": It seems (it should be) not only by saying (the prescribed statement) for we say explicitly "there is no removal (of leaven) except in our mind" therefore the phrase ("with saying") must have been used for the purpose of rhyme, and the custom is to read the nullification statement aloud. And our teacher (Rashi) explained in Pesachim (6b) that since the Torah wrote the word "tashbitu" ("nullify") (Exodus 12:15) and it did not write "tev'aru" ("destroy") (the implication is that mental or verbal nullification is sufficient). But this is not the implication (of the Torah's statement), for the Talmud says (Pesachim 5a bottom): "But on the first day" ("...you shall nullify the leaven in your houses") which means on the day

before Passover; for if (it meant) on Passover (itself), then we would find hav'arah (destroying or burning) to be a permitted major category of work (which is certainly not the case).<sup>170</sup> Consequently (the Talmud teaches that tashbitu, nullification) implies "burning". Furthermore if the expression means nullification (i.e. a mental process), it would be like saying that after its being forbidden one is not able to nullify it. Rabbi Jacob Tam explained that nullification is based on the principle of hefker<sup>171</sup> as it is written: "You shall not see in your houses" (Exodus 13:7), specifically that which you own (being implied) (Pesachim 5b top) and though hefker is usually announced before three men, here one person is enough for certainly he sets his mind decisively to free himself of that which is forbidden, and my holy teacher of sainted memory, explained our teacher's explanation (by saying that) tashbitu may be understood in two ways: 1) It implies that when the hour, designated by ach in the Torah (Exodus 12:15), arrives which is the midpoint of the day, then you must put away and burn leaven. 2) The (second) understanding is that when the hour of ach arrives it will be nullified. Nevertheless, on the basis of such an interpretation (as given above) of the statement "the first day (mentioned by the Torah regarding destruction of leaven) is the eve of the holy day" it is possible to say "all that is leavened in my house that I cannot see and that I did not remove,

let it be considered nullified and like the dust" (as a fulfillment of tashbitu). For one still must leave over food for two meals and so this requires the use of leaven after the first nullification. And the law follows the opinion of Rabbi Judah who said: "There is no destruction of leaven save for burning" since the tanna taught this to us anonymously in the last chapter of Temura (34a).

## Footnotes

1. Abraham Even-Shoshan, Milon Chadash, Vol. 3, p. 1282; A.Z. Idelsohn, Jewish Liturgy, p. 34.
2. Ismar Elbogen, Hatefilah Beyisrael, p. 215; Israel Davidson, Machzor Yannai, p. XIV; Daniel Goldschmidt, Machzor Leyamim Noraim, p. XXXI;
3. Elbogen, op. cit., p.211.
4. Eliezer Kallir is a payyetan of the seventh or eighth century according to Elbogen and others. Since this is after the time of the writing of the midrash and since Kallir's work is filled with allusions to midrashic material it can be said that Kallir was influenced by midrash. Mirsky on the other hand argues for an earlier date for Kallir. See footnote 5.
5. Elbogen, loc. cit. There is an ongoing debate between two schools of thought on question of which influenced which. Mirsky believes midrash spawned piyyut. Haberman argues the reverse. Cf. Mirsky (as quoted in Elbogen, p. 215), Machtzevatan Shel Tzurot Hapiyyut, and A.M. Haberman, Toldot Hapiyyut Vehashirah.
6. Ibid., p. 217.
7. Ibid., p. 211, 212.
8. Ibid., p. 217.
9. Davidson, op. cit., p. XV.
10. Ibid., p. XVI.
11. Ibid., p. XIX.
12. Ibid., p. XVII, Cf. Judah ben Barzillai Albargeloni, Sefer Ha'ittim, Krakau, 1902, p.252.
13. Ibid.
14. Ibid., p. XVIII. Cf. Jakob Petuchowski, "Cult Entertainment and Worship" in Understanding Jewish Prayer, where he shows that piyyutim served the function of entertainment during the services.
15. Ibid., p. XIX, XX. For example see Sanhedrin 12a where Rome is referred to as Edom.
16. Goldschmidt, loc.cit.
17. Ibid., and Elbogen, op. cit., p. 211.



18. Elbogen, loc. cit., and Idelsohn, op. cit., p. 34 and footnote 2 on p. 356.
19. Goldschmidt, op. cit., p. XXXVIII.
20. Elbogen, op. cit., pps. 211-217; Goldschmidt, op. cit., pps. XXXI, XXXVIII.
21. Elbogen, op. cit., p. 230.
22. Ibid.
23. Ibid.
24. Ibid.
25. Ibid.
26. Ibid.
27. Ibid., p. 232.
28. Ibid.
29. Davidson, op. cit., pps. XX, XXI.
30. Ibid., p. XXV.
31. Elbogen, op. cit., p. 232 and Davidson, op. cit., p. XXII.
32. Davidson, op. cit., p. XXII, XXIII.
33. Elbogen, op. cit., p. 232. See footnote 34 for dates of other research.
34. Ibid., p. 237; Davidson, op. cit., p. XXV. There is conjecture from 200-950 though. Rabbenu Tam says as early as second century and Zunz says as late as tenth century. Schirmann places Yannai around the fourth century and Kallir around the fifth century. Cf. Schirmann, "Hebrew Liturgical Poetry and Christian Hymnology", Jewish Quarterly Review, 44 (1953/4), pps. 123-161.
35. Davidson, loc. cit.
36. Kerovah will be dealt with later in the paper.
37. Davidson, op. cit., p. XXI and p. 32, footnote 1.
38. Ibid.
39. Ibid., p. XXIV.



40. Ibid.
41. Ibid.
42. Elbogen, op. cit., pps. 233, 234.
43. Ibid., p. 234.
44. Ibid., pps. 234, 235.
45. Ibid., Also Zunz was first to place him in Italy though in a city by the name of Bari. Cf. Zunz, Hadrashot Beyisrael, p. 184.
46. Ibid., p. 238, Davidson, op. cit., p XXV.
47. Elbogen, op. cit., p. 234.
48. Ibid., p. 237. Our record of his piyyutim are preserved in prayerbooks from Europe. The custom was for local rabbis to write piyyutim and in many cases their piyyutim were incorporated into their locale's machzor.
49. Ibid., p. 239.
50. Ezra Fleischer, "Piyyut", Encyclopedia Judaica, Vol. 13, p. 573.
51. Goldschmidt, op. cit., p. XXXI.
52. Ibid., p. XXXVIII, Elbogen, op. cit., p. 252.
53. Idelsohn, op. cit., p. 45. Also see Ibn Ezra to Ecclesiastes 5:1.
54. Ibid. and footnote 37 p. 358.
55. Elbogen, op. cit., pps. 236, 237 and Idelsohn, op. cit., p. 45.
56. Idelsohn, op. cit., p. 46.
57. Elbogen, op. cit. p. 249.
58. Goldschmidt, op. cit., p. XXXV and Elbogen, op. cit., p. 255.
59. Goldschmidt, loc. cit.
60. Elbogen, op. cit., p. 255.
61. Idelsohn, op. cit., p. 45.

62. Ibid., p. 37.
63. Davidson, op. cit., pps. XXVII-XXXIV.
64. Goldschmidt, op. cit. pps. XXXI-XXXVIII and Elbogen, op. cit., pps. 156-160. The scope of this paper will not deal with such specialty types of piyyutim such as hashonot for Sukkot, avodah for musaf of Yom Kippur, tekiot for Rosh Hashonah, kinot for the ninth of Av, azharot for Shavuot, etc.
65. Ibid., Goldschmidt and Elbogen.
66. Ibid., Goldschmidt.
67. Ibid., Cf/ footnote 3 p. XXXII. The acrostic forms kerovetz not kerovot which is thought to come from the French influence.  
Cf. Idelsohn, op. cit., p. 40 and Goldschmidt, op. cit., p. XXXII footnote 3.
68. Goldschmidt, op. cit., p. XXXII and footnote 6 same page.
69. Ibid., pps. XXXII-XXXVIII.
70. Cf. Elbogen, "Scientific Study of Jewish Liturgy" in Contributions to Scientific Study in Jewish Liturgy by Jakob Petuchowski, pps. 35-51, for his explanation of over lifne hatevah.
71. Goldschmidt, op. cit., pps. XXXI-XXXVIII and Elbogen, op. cit., pps. 156-160.
72. Ibid.
73. Ibid.
74. Ibid.
75. Ibid.
76. Ibid.
77. Louis Ginzberg, "Joseph ben Samuel", Jewish Encyclopedia, Vol. 3, p. 306. This piyyut is called Yotzer leshabbat hagadol in Siddur Hashalem, Eshkol, Jerusalem, pps. 543-545.
78. Ibid.; A.L. Landshuth, Amudai Ma'avodah Reshimat Hapayyetaim im Piyyutehem, pps. 98-100.
79. L. Zunz, Literaturgeschichte der Synagogalen Poesie, p. 129.
80. Cf. Pesachim 115a and 115b.
81. Cf. Pesachim 115b.

82. Davidson, Thesaurus of Mediaeval Hebrew Poetry, Vol. 1, p. 215; Landshuth, op. cit., p. 98-99.
83. Davidson, Thesaurus of Mediaeval Hebrew Poetry, loc. cit.
84. Ibid.; Landshuth, loc. cit., p. 98.
85. J. Jacobs, Jews of Angevin, p. 53; Henri Gross, Calligraphie Judaica, p. 478.
86. Gross, loc. cit., p.
87. Ibid., p. 479.
88. E. Urbach, Ba'alei Hatosaphot, p. 382.
89. Isaac ben Moses, Or Zarua, Vol. 2, p. 114a. Two examples are translated in the commentary below.
90. Gross, op. cit., p. 479.
91. Ibid.
92. Ibid.
93. Ibid.
94. Ibid., p. 480, Urbach, op. cit., p. 384.
95. Ibid.
96. Non-kosher fat or other non-kosher food are considered as nought if they 1) account for less than one-sixtieth of the volume of kosher food and 2) are placed unintentionally in the kosher food.
97. Or Zarua, Vol. 1, pps. 129, 130.
98. Ibid., Vol. 2, p. 116a.
99. Translation of "the last day is according to the commentary Iyun Tefilah in the Siddur Otzar Tefilah, Vol. 2, p. 241.
100. See Iyun Tefilah, loc. cit., The Talmud does not say "immediately" (Pesachim 6b).
101. See pages 34-36 of the translation of the commentary above and footnotes 157 and 158 below, where this subject is dealt with in greater detail.
102. The translation of "one is not culpable of transgressing" is according to Rava. See Iyun Tefilah, loc. cit.

103. The searcher puts the leaven in a safe place so that it won't be misplaced, forgotten about, and thus be present during Passover. He puts it away so that it won't contaminate other cleared away areas as well, and so that he will remember to dispose of it properly the next morning.

104. The weasel might have put the leaven in some other part of the house and so one must search again.

105. Only middle holes are within reach of one's hands where one would be likely to leave bread. Cf. Rabbenu Chananel Pesachim 8a.

106. One was not likely to bring leaven into these places. See Rabbenu Chananel Pesachim 8a.

107. Plimo was very concerned, apparently, of what the neighboring non-Jews would think of a Jew who is burning his leaven. It gave the appearance of witchcraft and so in situations where the non-Jews would be likely to accuse Jews of performing witchcraft it was not necessary to burn leaven (Pesachim 8b).

108. Rabbi Judah held that the fourth hour of the day (i.e. 10 a.m.) was the last permissible moment one could eat leaven on the morning before Seder night (Pesachim 11b).

109. The reason being that if a dog cannot reach it, there is no fear that the leaven will be spread around (Pesachim 31b).

110. Salt store-houses and wax store-houses, etc., were places in which one was likely to bring food. If a servant were asked during the meal to go out and bring more salt, dates, etc., he might drop some food, and so they needed searching.

111. Crows will eat the bread or take it completely away.

112. Rashi: One should cover the leaven with a utensil so that he will not forget and come to eat it (Pesachim 6a).

113. As part of one's offering of tithes to the Temple one would consciously separate part of his leaven and other food to the priests and levites. This leaven, therefore, becomes the property of the Temple as soon as the person makes his designatory statement giving the leaven to the Temple. Therefore the payyetan is not concerned with leaven in the home of someone who has already designated it to the Temple. Such a person would never come to eat that which belongs to the Temple.

114. By making a lip or a rim over the spout of a pot one can allow the boiling water to clean off leaven there as well (Avodah Zarah 76a and 76b). The rim is made by putting a lip of clay around the outside of the mouth of the pot so that the boiling water can overflow and clean off the leaven there.

115. Explanation according to Samuel from Falaise: Pots of clay are permitted when you take a torch of fire and and direct it on the pots.

116. Hot foods transfer leaven more readily than cold foods (as do milk and meat when warm) and therefore pots that use hot leaven during the year should not be used even for cold food during Passover.

117. On Seder night matza is intended as "the bread of affliction" and so it must consist of dry, tasteless cakes made without wine or oil. See Mishnah Torah "Forbidden leaven" chapter 6, law 5 and Pesachim 36a.

118. In order to ensure that the matza will be free of leaven the law states that a Jew who is at least thirteen years old and possesses all his faculties must watch the process of matza making. See Gittin 23a and Pesachim 40a.

119. Rashi: Five quarts of dough is the maximum quantity of dough that one can work with at one time in order that he watches that the dough will not ferment (Pesachim 48a).

120. Ibid. Five quarts of dough is the minimum quantity for which one must make the chalah offering.

121. The payyetan is quoting from Pesachim 48b where he is trying to find a proof that five quarts is the minimum quantity from which one must make the chalah offering. By taking the gematria equivalent of chalah we see that it equals forty-three which corresponds to the number of eggs which approximates the volume of five quarts and a fifth left over. The Shulchan Aruch refers to this "coincidence" as a remez i.e. a suggestion as to why five quarts is the minimum quantity (Yoreh Deah 324). See also Rashi Pesachim 48b.

122. The water with leavening products in it must be thrown on a slanted hill in order that the water will not collect in one spot and ferment. (Pesachim 42a).

123. Rabbi Judah said that wine must have the taste and color of red wine (Pesachim 108b).



124. When saying kiddush over wine there must be at least 3.3 ounces in the cup according to Rabbi Feinstein in a pamphlet "Beth Midrash Letorah Vehora'ah".

125. The little nibbles of corn kernels are put out to attract the attention of the children in order that they ask "why is this night different..." for on all the other nights they eat the meal right away (Pesachim 109a).

126. The beginning of this verse needs to begin with a samech in order to maintain the spelling of yosef in acrostic. So the payyetan misspelled intentionally the word sachu, "they discussed" replacing the sin with a samech.

127. Since those who are obligated to perform negative commandments are also required to do the corresponding positive commandments (Pesachim 43b).

128. Matza and wine require reclining when you eat or drink them since that is the manner of a free man (Pesachim 108a).

129. Though bitter herbs do not to be eaten while reclining they must be chewed well (as opposed to being swallowed) in order that one tastes the bitterness and thereby is reminded of the bitterness of slavery and idolatry (Pesachim 115b).

130. See footnote 129.

131. A woman sitting next to her husband does not need to recline, though she may if she wishes. According to Samuel of Falaise a woman should not flout her freedom before a man.

132. The etiquette of the student-teacher relationship is such that the former should not recline in the presence of the latter, even at the seder.

133. At a seder in which there are Jewish waiters serving the tables, they too must observe this commandment of reclining. They fulfill their obligation by reclining when they eat the quantity of matza equivalent to the size of an olive. See Pesachim 115b.

134. The first word of this stanza in most texts is ta'anu whereas in the commentary by Samuel of Falaise it is ta'amo. I have translated as if it were ta'anu.

135. Since the destruction of the Temple some hold that there should be no eating of meat which is a symbol of rejoicing. Instead, wine is used as the symbol of joy.

136. One must eat matza with appetite and so it is forbidden to eat anything that will dull one's appetite before the eating of matza. See the last chapter of Pesachim.

137. On Purim and Chanukah one says the blessing "...Who performed miracles for our fathers..." On Passover, however, since one says Hallel as part of the Haggadah, it is unnecessary to say this blessing. On Chanukah one says Hallel only in the morning so it is necessary to say the blessing of "miracles" at night.

138. See footnote 137.

139. There are two customs for dipping the greens: 1) dipping into salt water and 2) dipping into charoset. The dipping is done either to kill the bugs or worms, or to improve the taste (Pesachim 114b).

140. Breaking the middle matza is not a commandment and so there is no blessing accompanying it (Pesachim 116a).

141. The two cooked dishes are taken off the plate when saying "This is the bread of affliction..." because the two cooked dishes are symbols of the Pesach offering and the Chagigah offering. Since the destruction of the Temple there are to be no more sacrifices and so these cooked dishes are not to be held aloft lest they appear as if they had been sacrificed (Tosaphot Pesachim 115b).

142. This part of the sedër immediately precedes saying the blessing over and drinking the second cup of wine.

143. The word lechudah which means "only" could mean here that the blessing over the washing the hands should be said "only" on the second washing and not on the first. Samuel of Falaise said the word lechudah was used for rhyme and not for meaning.

144. "Sharu" is translated "begins" as it is in the commentary by Samuel of Falaise. Also in the same commentary there are two reasons why the blessing over the bread must be made with both hands holding the bread: 1) Ten words of the blessing over the bread correspond to ten fingers of both hands, and 2) There are ten commandments related to produce which also correspond to the ten fingers of both hands.

145. Since two blessings are said over the matza before eating it, it is necessary to take a piece of matza for each blessing in order that the blessing was not said for nought. See footnote 163.



146. If there are people who do not know how to make their own seder, then at this point after korech one may go to their home in order to enable them to fulfill their commandments on seder night. (Iyun Tefilah, Vol. 2, p. 248.)

147. The verse begins with zokhair in order to maintain the acrostic. The verse should begin with mazkir i.e. "one mentions" on the third cup the blessing after the meal.

148. Hallel Hamitzri is the technical term for Psalm 113-118, and is so called to distinguish it from the Daily Hallel (Psalm 145-150) and the Great Hallel (Psalm 136).

149. The text is unclear at this point.

150. After the fourth cup it is forbidden to taste anything so that the taste of matza remains. See the last chapter of Pesachim.

151. In these words the name of the author, "Tov-Elem", appears.

152. Numbers 16:22 Rashi: "Knower of men's thoughts."

153. Se'or and sidok are different stages in the leavening process. Se'or is dough beginning to ferment, and is to be distinguished from sidok which is fermented dough that has cracked (Cf. Jastrow, pps. 976, 1556).

154. The Hebrew verb used in this verse tisor comes from the same root as musar. "Tisor" is here translated as "turn aside" and "musar" is translated as "instruction". The rabbis are making a play on these words: tisor and musar. By doing so the rabbis are saying that all rabbinic laws are as binding as Torah laws. Even though se'or and sidok are not explicitly mentioned in the Torah still, they are as binding as if they were written in the Torah, and thus they should not be eaten on Passover.

155. The word "judges" is interpreted as the "rabbis" who are the authors of the oral law.

156. Again we have a play on words. Here "your father" is made analogous to "the instruction of thy father" of Proverbs 1:8. The conclusion is the same: Rabbinic law is as binding as the law in the Torah.

157. "You shall not see and you shall not find": This is really a combination of two verses from Exodus. Exodus 12:19: "You shall not find leaven in your homes" and Exodus 13:7: "...and you shall not see leaven in all of your border." These two verses are the Biblical basis for making a search for leaven before Passover.

158. "Bitul": Rashi (Pesachim 4b) explains that the law of removal (Exodus 12:15 "You shall remove the leaven from your houses") is a mental act. Once you have consciously removed yourself from ownership of leaven according to Rashi you will not transgress, "You shall not see and you shall not find" (Exodus 12:19 and 13:7). Bitul or "nullification" is the equivalent of "removal".

159. "Notar": Concerning the negative precept of "you shall not leave over any of the paschal offering" (Exodus 12:10), you are only culpable for the single act of leaving over but not for every moment that you leave over. See Mishnah Torah, Hilchot Pesule Hamukdashim, Chapter 18, law 9.

160. I have accepted the marginal note in the Or Zarua text p. 114a. Otherwise the passage makes little sense.

161. The custom today is to say the blessing after the lighting of the Sabbath candles, and that the Sabbath does not begin until after the blessing.

162. The reason for the delay in sounding the shofar is so that everyone will have an opportunity to light the Sabbath candles and not because the time immediately following the lighting of the candles is not the Sabbath. The final blasts of the shofar indicate to everyone that it is the Sabbath and that one may not light candles after that time. If one lit the candles before the final blasts of the shofar it is already Sabbath for that person regardless. Thus the mitzvah of lighting candles for the Sabbath is performed by lighting and not by saying the blessing, according to Samuel of Falaise.

163. The concept here is brachah levatalah: If one were to bless before performance of a mitzvah such as circumcision, and the mitzvah were not to be performed properly, then the blessing would have been recited in vain.

164. The point here is that the circumcision was done for the purpose of fulfilling a ritual commandment and not for the purpose of an operation for health reasons (such as murana, a parasitic worm) or for the purpose of serving some idolatrous religion.

165. The text says "har grizim" which stands for a Samaritan schism and thence to idolatry.

166. For a Jewish person the blessing "concerning circumcision" is said before the operation and the blessing "to enter him into the covenant of Abraham" is said after. For a non-Jewish person wishing to convert the blessings are said only after the operation.

167. In gematria the Hebrew word for covenant is equal to 612. The rabbis interpret the Torah in such a way to arrive at 613 different commandments that are mentioned therein. When one accepts the covenant by means of circumcision he has performed the first commandment incumbent upon him, thus leaving 612 more to perform.

168. The problem here is that a mere shaking of the lulav, even without a blessing, would be the equivalent of performing the mitzvah. There is a complete discussion of this in Pesachim 114a and b, and in Berachot at the beginning of the second chapter: "Does performance of a mitzvah require intention (i.e. a blessing) or not". Those who believe that performance of a mitzvah does not require intention but who still would want to say a blessing before doing the mitzvah would hold the lulav in a position other than its natural growth so as not to perform the mitzvah inadvertently, before they were ready to say the blessing.

169. See footnote 163.

170. The rabbis read into the extraneous word "ach" ("but" on the first day") the additional information that one must make the nullification statement and that one must burn the leaven on the day before Passover, and not on the first day of Passover which would be the literal translation. In one does not interpret "ach" in this way then the word is extraneous, teaching us nothing. And also if we do not interpret "ach" in this way then the implication is that we must destroy leaven on the holy day which is clearly forbidden since "destroying" is an av malakha (a major category of work forbidden on Sabbaths and holy days).

171. According to Rabbi Jacob Tam, nullification is based upon the principle of hefker. If a person wishes legally to disown something, this process is referred to as making something hefker. In this way one no longer bears responsibility for it. This process is usually effected in the presence of three men (a bet din) by means of a pronouncement. In our case one would certainly want to disown his leaven because of the importance of this commandment and so there is a special allowance so that one may make his statement in the presence of only one person.

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