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Motifs in Pesah Halakhic Literature

by

Mark Howard Levin

Thesis submitted in partial fulfilment
of the requirements for Ordination

Hebrew Union College - Jewish Institute of Religion

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his encouragement during the past year.

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Précis

The purpose of this thesis is to outline the motifs of the complex of rabbinic law concerning Pesah as it is derived from the biblical text. It is not intended to be a complete exposition of all of the legal rabbinic texts bearing on the subject, but rather, to identify the themes that the rabbis developed to fulfil the biblical laws of Passover. In order to accomplish this task, I relied heavily on the M'khilta, Midrash Hagadol, the Babylonian Talmud, Maimonides' Mishneh Torah, and Karo's Shulkhan Arukh. Other texts, particularly the Jerusalem Talmud, other midrashim, and secondary texts, were referred to when needed.

I discovered that, while the legal material cannot be completely classified in terms of chapters that I present, the halakhah does generally revolve around these motifs. At times the motif is an object or symbol, in other instances a period of time, and in still others a concept. In some cases the biblical antecedents for the laws are clearly apparent, at times they are implied, and at times they are forced. What emerges, however, is a clear complex of law that seeks to teach particular lessons and to maintain certain myths among the Jewish people.

Abbreviations Used In Footnotes

B. - Babylonian Talmud
Chap. - Chapter
Deut. - Deuteronomy
Ex. - Exodus
Gal. - Galatians
H. - Halakhah
Ha-uMatz - Hametz u-Matzah
Isa. - Isaiah
Jer. - Jerusalem Talmud
Lev. - Leviticus
Matt. - Matthew
M'kh d'R Sh B Yo - M'khilta d'Rabbi Shimon bar Yohai
Midrash Hag. - Midrash Hagadol
Mish. - Mishnah
Mish. Tor. - Mishneh Torah
Num. - Numbers
Or. Hay. - Orakh Hayyim
Pes. - Tractate Pesahim
Sh. Or. - Shulkhan Orukh
Tor. Sh. - Torah Sh'lemah
Yal. Shi. - Yalkut Shimoni

Chapter I

Introduction

The Reform movement in American Judaism received a major part of its original direction, and continues to receive impetus, from a modern rejection of the rationale for the existence of biblical and rabbinic law, myth, and ritual. The skepticism which originated in the European Enlightenment led to biblical criticism, the historical analysis of traditional religious texts, and, finally, to the rejection of those texts, myths, and rituals as expressive of the real world of the Jewish believer. The core of the argument against the traditions of rabbinic Judaism is based on a specific interpretation of the myths, laws, and rituals involved. That interpretation is that the understanding of these religious phenomena is to be literalistic--i.e., a law, rite, or myth is to be understood as precisely the literal meaning of its actions or the story or law transmitted. If there are other interpretations, their validity rests on the validity of this primary category.

I propose to show in this introduction that this is not, and cannot be the case. I will present another way in which the traditions of Judaism can be interpreted, have been interpreted, and, in fact, were meant to be interpreted by those Jews who originated these traditions.

In order to understand the laws of Pesaḥ as they have developed through the middle ages we must first

consider how a symbol or myth is to be interpreted. Mircea Eliade of the University of Chicago has listed the various functions of religious symbols in an essay on the methodology of studying symbolism. I repeat his list here, in order to understand fully the functioning of religious symbols:

> 1) Religious symbols are capable of revealing a modality of the real or a structure of the World that is not evident on the level of immediate experience . . .
> The religious symbols which point to the structures of life reveal a more profound, more mysterious life than that which is known through everyday experience . . .
>
> 2) . . . for the primitive, symbols are always religious because they point to something real or to a structure of the world. For on the archaic levels of culture, the real--that is, the powerful, the meaningful, the living--is equivalent to the sacred.
>
> 3) An essential characteristic of religious symbolism is its multivalence, its capacity to express simultaneously a number of meanings whose continuity is not evident on the plane of immediate experience.
>
> 4) This capacity of religious symbolism to reveal a multitude of structurally coherent meanings has an important consequence. The symbol is thus able to reveal a perspective in which heterogeneous realities are susceptible of articulation into a whole, or even of integration into a "system." In other words, the religious symbol allows man to discover a certain unity of the World and, at the same time, to disclose to himself his proper destiny as an integrating part of the World.
>
> 5) Perhaps the most important function of religious symbolism--important above all because of the role which it will play in later philosophical speculations--is its capacity for expressing paradoxical situations, or certain structures of ultimate reality, otherwise quite inexpressible.
>
> 6) Finally, it is necessary to underline the existential value of religious symbolism, that is, the fact that a symbol always aims at a reality or a situation in which

human existence is engaged.[1]

A symbol, then, is a word or concept which speaks to a person in a way that ordinary speech, comprised of signs, cannot. A symbol pulls together different meanings simultaneously, so that a believer can experience a more comprehensive reality than the time-space dimensions which confront his senses at any one moment. The symbol enlarges that frame of immediate experience to include the past and present in time, and the sphere of the sacred in time and space. The symbol is necessarily religious, in that it speaks to the believer of the Real World; of relations which, while not immediately apparent, are paramount in importance; and of the position of the individual in the schema. The explanation of a symbol need not be historically accurate, nor need it be symbolic for a single group alone; a symbol has a more complex meaning than the simple mode of historical analysis and will automatically speak of a higher reality to a person who identifies with the raison d'etre of the religious group.

The myth is integrally related to the symbol. It is more complex, being comprised of symbols in relationship to one another. But, the myth also shows the relationship of the individual to ultimate reality, while it relates the individual to the larger group that gives his life meaning.

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[1]Mircea Eliade, "Methodological Remarks on the Study of Religious Symbolism," in The History of Religions, (University of Chicago Press, 1959) pp. 98-102.

The anthropologist, Claude Levi-Strauss, analyzes the structure and meaning of the myth in an essay entitled "The Structural Study of Myth."[2] The myth, he says, is always of an ancient event, which has meaning in the present and future.[3] Thus, it must be seen in two distinct ways: as an historical sequence of events; and as a typology for present and future events that will show the true meaning of the cosmos. These two dimensions combine in the individual, giving the myth its greater-than-life quality and its ability to interpret the meaning of existence for the individual and the group.

Myth functions like language, but is more complex. Its meaning derives not from the individual elements of the myth, the units that relate the actions and characters of the mythological story, but from the relationship between those elements when seen in the proper light. Thus, Levi-Strauss looked for relationships that were expressed several times in one myth. He broke a myth down into synchronous and diachronous elements. The synchronous elements are simply a series of events which occur to one or two characters. The diachronous elements are parallel events which occur to different characters in a myth, over a period of time but each event can be seen to have the same meaning when taken in relationship with its character.

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[2]Levi-Strauss, Claude, Structural Anthropology, Chap. XI, pp. 206-231.

[3]Ibid., pp. 209-210.

For example:

Jack	takes a train to the Orient	and is killed by dope smugglers.
John	takes a skiing trip to Canada instead of Vale, Colorado	and for the first time in his life breaks his leg while skiing.
Jill, their sister	goes sailing in the Mediterranean	falls overboard, and loses a leg to a shark.

The synchronous elements are presented horizontonally, and the diachronous elements are presented vertically. Analysis of the myth would see vertical and horizontal lines as bundles of relations that express the meaning of existence for the believers in the myth. Each horizontal line can tell the meaning of the myth; but it is only in the repetition of the pattern, and in the different versions of the myth (adding a third dimension), that the full impact of the lesson can be seen. The repetition allows for easier analysis, for comparison of the separate bundles in order to understand the myth, and for a fuller meaning by virtue of repetitious drawing of the same story line.

While Levi-Strauss' theory is more complex than this explanation, it should serve for our purposes. His structural theory emphasizes the existence of the diachronous and synchronous elements of a myth. One who participates in that myth can thus become part of an historical event of great importance to his people, and can simultaneously participate in the current and future repetition of that same event. The myth provides an archetype for future

action; it is, of itself, without time. By definition, then, the myth is an archetype which tells of a past occurrence, describes a present situation, and predicts a future occurrence or occurrences of the same historical phenomenon. By the use of a symbol, taking the place of a bundle of synchronous and diachronous events and personae, the individual can actively participate in the archetypal experience and in the historical recurrences of that experience, while anticipating the future (and possibly final) occurrence of the archetypal experience.

Ritual is the telling of the mythic story through the actions of believers. In our specific case, the commandments provide the symbols used in the ritual. They cause the believer to tell the story of the origin of the Hebrews as a people, to ritualize that experience, and thus to bring the mythic origin of the religious community into the life of the individual. Ritual activates the power of the symbol; it involves the believer in the mythic structure, rather than allowing the story to remain a passive literary form to be objectively understood.

Let us continue the simple example we used in the explanation above. Suppose that Jack, John, and Jill are the archetypal ancestors of our group. The locus of our group is the United States, where we are safe and secure. Our heroic ancestors, in pursuit of pleasure, ventured out of these secure environs, only to meet with physical disaster. The lesson is clear: do not venture out of the

borders of this country in the pursuit of pleasure. Now suppose that we have a ritual to accompany this story, in which the trips of our heroic ancestors are reenacted by each individual, and each participant then suffers a symbolic physical punishment. While the experience of the three ancestors would be interpreted differently by each participant in the ritual, and while it might affect the future plans of the individual believer differently, there would be some reaction by each participant that would somehow interpret the past and destiny of the group. Furthermore, assuming that other myths existed describing the past actions of our heroes, there would be the simultaneous recollection of these other myths, the meaning they have for the individual, and an immediate interpretation of this whole mythic structure in terms of the life of each individual. This entire process can occur in response to one myth and ritual, and in the space of just a few seconds or minutes. The present and future actions of the individual and the group are thus interpreted, and the meaning of individual and corporate existence is revalidated for each participant.

This thesis will consider the halakhic (legal) structure of the Pesah holiday. The laws originate in the portions of the Torah which concern the events of the exodus from Egypt, and the commandments to keep the seven day holiday which is associated with this event in the Bible. The rabbis saw in these portions of the Torah, primarily the twelfth and thirteenth chapters of the book

of Exodus, explicit and implicit commandments to the children of Israel. The purpose of these commandments was to allow the Chosen People to serve God, as He chose to be served. Therefore, the rabbis, the explicators of the biblical legal system,[4] viewed themselves as having a divinely ordained task, a task without which the people could not achieve salvation. Their extentions of biblical law can be seen to have three motivations: 1) the explication of a biblical text whose commandment is not entirely understood; 2) the extension of biblical law either to circumstances which were not covered by the biblical legislation, or to new circumstances which have developed through the years; and 3) the provision for a set of ceremonial laws that would define the spheres of the secular and the holy for their coreligionists.

While these functions were primary to the development of rabbinic law, there was another result that could not have been accomplished without the knowledge of people as religiously sensitive as the originators of the rabbinic tradition. In the case of ceremonial law, each biblical commandment is surrounded by a system of individual actions that provide for a complete definition of the action commanded by the Bible. When we consider Pesah law, each commandment revolves around a symbol or concept which it is defining. Thus, for instance, hametz and matzah have

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[4]See B. Haggigah Deut. 17:11; the principle "lo tasur" appoints the leaders of the people as the legitimate interpreters of the law to future generations.

numerous laws which surround their use; and, the concept of work is defined and refined so that it can be determined of every action whether or not it is "work." If we can make a case that each of the items or concepts represents a value, then we will begin to see a system of symbols within a mythic structure emerge from the ceremonial law of the Pesah holy days.

Within each symbol is the possibility of several value identifications. Max Kadushin has formulated a system to analyze the function of symbols as value concepts. He writes that in the Jewish formulation, ethical statements are the product of an intuitive ethical knowledge.[5] A universal criterion for morality, as is presented in the Kantian system, "oversimplifies morality; it overtheorizes it by attempting to give an abstract definition of morality."[6] The moral life without definitions is not only possible, but is also preferable in order to cope with the subtleties of living.

In traditional Jewish texts, there are two types of literature which transmit traditional ethical and legal teachings. The first is called haggadah, sometimes translated as legend. There are two types of haggadah: the legal and the homiletic. The legal haggadah is frequently the same as the legal formulations found in the Mishnah or

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[5]Max Kadushin, Worship and Ethics, p. 20.

[6]Ibid.

Talmud, the earliest post-biblical authoritative codifications of Jewish law. While the lessons are frequently the same, the statement is often more verbose, which led to the rejection of this type of legal statement as the final authority. The homiletic midrash, or haggadah, uses biblical quotations to teach a lesson about ethics, or about the life of the Jewish people amidst the other peoples of the world. These statements, originally meant for the masses of people, are less logical in their formulation than the legal material. Thus, we have in the haggadah and Talmud a combination of legal and folk concepts which define the values of the Jewish people of the rabbinic period.

Of the legal and folk material Kadushin says:

> Haggadah made vivid the value concepts as a whole, nurtured and cultivated them; Halakah put those concepts into practice, concretized them in daily living. Haggadah and Halakah are interrelated, but that interrelation is especially marked in two spheres. One is the sphere of rabbinic worship, the other is a sphere associated with rabbinic worship, rabbinic ethics.[7]

It is the function of the halakhah, of the specific commandments as found in the Torah and rabbinic laws, to exploit the values inherent in a given situation. The complex of laws enhances the depth of the moment by magnifying the details of the experience pregnant with meaning.[8] Each blessing or action, each interpretation of an historical event, calls the individual to interpret that event in his

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[7]Ibid., p. 10. [8]Ibid., p. 5.

own life. The commandments act as signs that point to a particular act or historical experience; but, more important, they are symbols which bring together the components of the religious moment. The religious person interprets the act, thrusts himself into the midst of the historical situation or value statement being made, and, additionally, places himself in historical relationship with his own past and the ritual history of his people.

Thus, the commandment (halakhah) works synchronously, bringing value upon value into the person's life. In the case of the matzah, for instance, its eating is symbolic and may cause one to affirm the personal struggle for religious freedom. But, at the same time, the symbol will mean the continued historical yearning of the Jewish people for redemption and will remind the Jew of the haste of the Exodus and the ancient New Year ceremonies of the Middle East.

Diachronously, the whole complex of commandments will be repeated by the believer year after year. Not only do personal evaluations and interpretations become associated with each symbol, but also reminiscences from the individual's own life and changes in his understanding bring an additional dimension, catching the individual up in the historical pattern and making his experience part of the unfolding drama.

Bundles of commandments magnify the meaning of a single value and place it in relation to other values.

The result is a depth of experience which continuously repeats specific values. When combined with other values presented in a continuing ritual, the result is the affirmation of overlapping moral values, teaching a specific way of life and placing the individual clearly in the midst of the Jewish religious community. The ritual serves to interpret the meaning of history and of present religious life, as well as to identify the individual with the group.

It is clear that the mythic function of the commandments must have been normative for understanding believers from the beginning.[9] The functions of symbol, myth, and ritual have not changed vis-a-vis the psychology of the human being. What can change are historical circumstances and the applicability of certain symbols. Symbols, however, have a surprising longevity. Losing one meaning, they are revaluated by the group, and go on through history. They do not easily give up their existence. Where the rabbis associated specific values with individual command-

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[9]A similar view appears in H.N. Bialik's essay, "Halakhah v-Aggadah" (H.N. Bialik, Devir Sifrut, publ. by Sifriat Devir L'Am (Tel Aviv, 1965), pp. 73-94), in which he describes a dynamic process that occurs between Jewish law and lore. Halakhah is the concretization of the ideas inherent in the aggadah. Ideas formed in aggadah are formalized in halakhah and eventually fall into disuse. I disagree with Bialik only in that he finds this process in individual laws. This, I think, is too speculative. In our analysis of the laws of Pesah we will see the possibility of the statement and incorporation of values through groups of commandments involved in the same theme or ritual.

ments, these values were never primary; they were left up to individual interpretation to be executed because of their divine origin.

This theory, outmoded in modern theology, is actually more beneficial for the interpretation of the commandments in a person's life. What is commanded is that a believer give the commandments the opportunity to speak to him. Their individualized meaning must be provided by the world view of the religionist. Thus, this structure, while providing the opportunity for communal experience, is most open to private understanding. The commandments carry historical values and expertise with them. It is up to the believer to utilize those values and to make those experiences his own.

Chapter II

Hametz and Matzah

There are two main themes present at all times during the Passover festival. The first is an historical theme: the liberation of the people from Egyptian slavery and their celebration of freedom. The second is a New Year ceremony: beginning the new year free from the impurities of the past year. Typical of the latter is the fact that the festival occurs at the time of year when the lunar calendar is adjusted to the solar year.[1] This corresponds to the solar equinox, the time in a tropic climate when the seasons turn. Indeed, scholars are agreed that both the ceremonies of Sukkot and Pesah were at some time New Year ceremonies, both occurring at the equinox. Typical also of New Year festivals in the Middle East are: a ritual "going forth" into the wilderness, rites of purification, and the wearing of new clothes.[2] While not definitive of the New Year's ceremony, all of these are found in the Pesah celebration.

This chapter will concern the central symbol of ritual purity for the Pesah, the matzah, or unleavened bread. The matzah actually is interpreted in two ways.

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[1] J.B. Segal, The Hebrew Passover, (New York: Oxford University Press, 1963,) pp. 126-127. See below, pp. 46-48.

[2] Ibid., pp. 125-126.

First it is a remembrance of the haste in which the Hebrews left Egypt.[3] Second it is a bread which has not fermented. The process of fermentation was interpreted by the Hebrews as one of decay. Each new batch of dough was, of course, leavened with dough from a previous batch. The fermentation, or decay, of the bread was transferred to the new grain. Fermentation was considered to be an impurity, and impurity could not be tolerated for ritual occasions.[4] Thus, the new year was begun without the contamination of fermentation. The penalty for introducing decay into the Pesah by eating leavened bread was excommunication.[5] It was this command that was considered to be of most importance, not the command to eat the unleavened bread.

In both the Christian bible and rabbinic literature leavening becomes the symbol of evil.[6] Again the fermentation is a symbol of impurity, but it becomes symbolic of personal, internal decay. This is a homiletic extension to the self of the idea of impurity. Each of us has moral decay within us that must be rooted out, just as the decay of leavening is prohibited.[7]

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[3]The celebration in Egypt symbolized this haste; Exodus 12:11; Segal, Passover, pp. 173-174; M'khilta, Parashat Bo, Chap. 13, ed. Friedmann, p. 14a.

[4]Segal, Passover, pp. 168-169; thus, only unleavened bread could be offered on the altar.

[5]Ex. 12:15,19; translation according to Segal, p. 178.

[6]In the Christian Bible see: Matt. 16:6; Mark 8:15; Luke 12:1; Cor. 5:6; Gal. 5:9.

[7]Just as you do not allow the matzot to ferment,

Matzah, or unleavened bread, can be made of any one of five types of grain that can ferment when moistened with water.[8] Matzah is a bread common to desert dwellers of the Middle-East, being used to this day when travelling or for honoring guests.[9] The five types of grain used to make it are: wheat, barley, spelt, rye and oats.[10] When these grains are moistened they ferment, and when this occurs during Pesah the food becomes inedible.

Rabbi Yuda claims that there are both positive and negative commandments for the injunctions concerning hametz, the fermented grain or bread, and matzah.[11] The positive commandment to eat matzah[12] is matched by the rabbinic commandment to burn all hametz. The commandment to eat matzah for seven days[8] is matched by the commandment to

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so you must not ruin the mitzvot; Yalkut Shimoni, vol. 1 #201, ed. Landau, Jerusalem, 1960, p. 129.

[8]Midrash Hagadol, Parashat Bo, Ex. 12:39, ed. Margoliot, p. 216; M'khilta d'Rabi Shimon Bar Yokhai, Parashat Bo, Ex. 12:39, ed. Epstein and Melamed, p. 33; Pesikta Zutrata, Parashat Bo, Ex. 13:6, ed. Buber, p. 37a. Biblical references for this commandment are: Ex. 12:15, 13:6, 23:15; Lev. 23:6; Num. 28:17; Deut. 16:3.

[9]Yaacov Shalom Licht, "Matzah," Biblical Encyclopedia (in Hebrew), vol. 5 columns 225-228.

[10]M'khilta, Parashat Bo, Chap. 8, ed. Friedmann, p. 9a; Babylonian Talmud Pesahim 42a; Yal. Shi., Pentateuch; Moses Maimonides, Mishneh Torah, Hilkhot Hametz u-Matzah, 5:1.

[11]Jer. Pes. Chap. 1 H.4, ed. Krotoshin, p. 27c.

[12]Ex. 12:18.

rid one's house of s'or.[13] Finally, the commandment not to eat hametz[14] corresponds to the negative command to terminate possession of s'or within one's house.[15]

In the days of the Second Temple the paschal sacrifice was eaten with the matzah. It was natural for the rabbis to ask, after the destruction of the Temple, whether matzah was still a positive commandment on the first night of Pesah. This is important because of the status of the individual commandments. A biblical commandment is taken more strictly than a rabbinic decree. It is understood to be a direct expression of divine will, rather than a rabbinic interpretation or extension of that will. Thus, the statement that matzah continued to be a biblical commandment after the destruction of the Temple meant that God had intended the eating of matzah by His people even after the destruction of His house. This kind of interpretation maintained the structure of Jewish law, and strengthened the religious hold of the rabbis over the Jewish people when the Temple stood in ruins and the people were dispersed. The conclusion, that matzah continued to be a biblical commandment obligating every Jew, applied to

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[13] S'or is lightly leavened dough that is used as the leavening agent for new dough.

[14] Deut. 16:3. Whenever the commandment is, "You shall not eat," it prohibits both eating and benefit from the grain, Yal. Shi. Pentateuch #643.

[15] Ex. 12:15.

males and females equally,[16] even after the destruction of the Jerusalem Temple in 70 c.e.[17]

The prohibition against eating hametz is absolute; no amount of leavening, no matter how small[18] is permissible. The fact, however, that the biblical punishment for intentionally eating leavening is karet (excommunication), occasioned the rabbis to set a minimum limit below which a person was not subject to divine punishment. That minimum is the size of an olive, a normal rabbinic measure for the minimum amount of food needed for a given category (such as whether to say a blessing).[19]

The rabbis delineated three categories of hametz that make the prohibitions more easily understood. These

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[16] B. Pes. 43b; B. Sukkah 28b; Midrash Hag., Parashat Bo, Ex. 12:19, ed. Margoliot, p. 200; Maimonides, Mishn. Tor. Ha-uMatz 6:1, 6:10.

[17] B. Pes. 12a and 120a with reference to Ex. 12:18; Yal. Shi., loc. cit.; B. Sukkah 23a where the command to eat matzah is restricted to the first night; Joseph Karo, Shulkhan Arukh, Orah Hayyim, 475:7; the matzah used for ritual purposes at the seder is called lehem oni, Maimonides, Mish. Tor., Ha-uMatz 5:20, 6:1; Sifra, Chap. 11 #151: for an opinion that eating matzah is only a rabbinic commandment after the destruction of the Temple, see Ner Sekhalim, manuscript quoted by Kasher, Torah Shilemah, vol. 10-11, p. 158, #382.

[18] Not even the ratio of sixty to one, Sh. Ar. Or. Hay. 443:1; Grunfeld, Dietary Laws, vol. 1, p. 174.

[19] Pesikta Zutrata, Parashat Bo, Ex. 12:15, ed. Buber, p. 61. M'khilta, Parashat Bo, Chap. 8, ed. Friedmann, p. 9a. The punishment only obtains if the person has been forewarned, Ibid.; the opinion that the punishment for eating leaven on purpose on Pesah is a rabbinic flogging, Maimonides, Mish. Tor. Ha-uMatz 1:7.

are: hametz b'ayn, hametz ga-mur, and hametz nokshah.[20] Hametz b'ayn is unmixed hametz, which is unconditionally prohibited. For instance, according to Mishnah Pesahim 2:8 one cannot soak bran for feeding to fowl, because it will ferment; but the bran may be scalded.[21] In the same vein, one cannot make a salve for a wound out of chewed wheat, because the wheat will then ferment.

Hametz gamur is an admixture of one of the five grains and another edible substance, which is sometimes prohibited. The prohibition depends on whether the grain can possibly ferment, during the process; if so, it is proscribed. Grain can, for example, be mixed with fruit juices instead of water, because the mixture does not ferment.[22] Matzah ashirah, or rich matzah, made with honey, wine, or oil is permissible, except on the first night.[23]

Hametz noksha, the final category, is an admixture of grain and some other substance which renders both inedible. Exemplary of this category is paste, a combi-

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[20]Grunfeld, Dietary Laws, vol. 1, p. 171.

[21]Also, allowing wheat to malt is prohibited, Sh. Ar. Or. Hay. 453:5.

[22]Karo, Sh. Ar. Or. Hay. 462:1; Maimonides, Mish. Tor. Ha-uMatz 5:2.

[23]B. Pes. 35a, 38b. Dissent by Rabban Gamaliel in B. Pes. 36a. Matzah ashirah cannot be eaten on the first night because the "bread of the poor" is to be eaten on the first night, lahma anya. See below, pp. 56-57.

nation of flour and water, which is permissible for use on Pesah.[24]

The prohibition of fermented grain refers specifically to the five grains, and to nothing else. Figs and dates, though they ferment, are not included in the prohibited items.[25] Legumes are excluded because they decay rather than ferment, and all types of maize are included in the prohibition.[26]

It is agreed that matzah must be eaten with the meal on the first night of Pesah, and it is agreed that only the "poorest" or blandest kind of matzah may be eaten. But must matzah be eaten each day of the seven day Pesah festival? The solution to this question involves a discrepancy that the rabbis found among the injunctions of three quotes. The first two, Exodus 12:15 and 13:7, agree that the biblical commandment is to eat matzah for

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[24]Maimonides, Mish. Tor. Ha-uMatz 4:8; Karo, Sh. Ar. Or. Hay. 442:1.

[25]Midrash Hag., loc. cit.

[26]Jer. Pes. Chap. 3 H. 1, ed. Krotoshin, p. 29 B. Pes. 29a, 35a; Jer. Hallah Chap. 1 H. 3 includes only the five types of grain in the prohibition; Grunfeld, Dietary Laws, vol. 1 p. 174 says that tradition prohibits legumes, but does not cite a source; see however, Karo, Sh. Ar. Or. Hay. 435, 462, 465-467, also Or. Hay. 453:1 where Karo does not forbid the use of legumes but Isserles does. For a possible biblical reason for the prohibition of food that has somehow decayed, see Gaster, Festivals of the Jewish Year, (Wm. Sloane Assoc., New York, 1952), p. 34, and Segal, Passover, p. 169.

the duration of the festival. In Deuteronomy 16:7, however, the command is to eat matzah for six days. The natural question is, what does this discrepancy teach us about God's intent? There are several answers offered, all of which conclude that it is not necessary to eat matzah, except on the first day of the festival. This does not, of course, mean that a Jew may eat hametz, it simply means that he is not compelled to eat matzah.[27] The main principle used to explain this decision is, "an exception to a generality teaches about the entire generality."[28] This means in practice that since the seventh day is excluded in one case from the commandment to eat matzah and eating matzah is only demanded on the first day, all but the first day are free from the commandment to eat matzah.[29] A second interpretation, which likewise refrains from obligating the Jew to eat matzah all seven days, is found in Babli Menahot 66a. The text says that the discrepant texts refer to two different categories of grain. The first category is the old grain, which may be eaten all seven days, and the second category is the new grain, which may only be eaten after the offering

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[27]In the injunctions for the first Pesah, hametz was only forbidden for one day; Tosefta Pesahim 1:7, ed. Zuckermandel, pp. 169-170; see chap. 5 p. 74 for more on first Pesah.

[28]B. Pes. 14a, 120a; M'khilta, Parashat Bo, Chap. 7, ed. Friedmann, p. 8a; motzi min ha-k'lal m'lamed al ha-k'lal.

[29]Rashi to Deut. 16:8; see Ibn Ezra for a differing opinion.

of the omer. Thus, the new grain may only be eaten from the second day of Pesah, six days.[30]

There are also less satisfactory explanations of the inconsistency in the text. One is the implication that if one cannot eat matzah for seven days, for whatever reason, then he should eat it for six days.[31] Maimonides, in his Moreh Nebuchim, asserts that the reason for the commandment to eat matzah for such a long time is that a short break in one's eating habits would hardly be noticed. A longer change in lifestyle has the effect of causing the Jew to pause and consider the meaning of the festival.[32]

The prohibition against leavening necessitates a time to cleanse one's house of whatever hametz remains before Pesah. The time agreed upon was the night of the fourteenth of Nisan, a full day prior to the beginning of the festival. This is due to a rabbinic interpretation of the phrase, "and you shall keep this day" (Ex. 12:17), which is interpreted to mean the whole day.[33] The search was to be made with a feather (for cleaning) and a candle in every place where hametz could possibly have been taken.[34] Since

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[30]Ibid.; Jer. Pes. Chap. 6 H. 1, ed. Krotoshin p. 33a.

[31]B. Menahot 66a.

[32]Maimonides, Moreh Nebukhim, Section III Chap. 43.

[33]Midrash Hag., Parashat Bo, Ex. 12:17, ed. Margoliot p. 199. M'kh. d'R. Sh. B. Yo., Parashat Bo, Ex. 12:17, ed. Epstein and Melamed, p. 22.

[34]Mishnah Pesahim 1:1; B. Pes. 7b-8a, 8b; Karo, Sh. Ar. Or. Hay. 431:1.

the evening search is a rabbinic injunction, rather than a biblical injunction, anyone can be believed that the search has been carried out.[35] In fact, three times are given when the search can be made: the evening of the fourteenth, at sunrise on the fourteenth, and at noon on the fourteenth.[36] The rabbis consider it to be a Toraitic commandment that no hametz be left to be disposed of after noon on the fourteenth, as interpreted from Exodus 23:18 and Deuteronomy 16:3.[37]

This is obviously a case of rabbinic eisegesis, in which they wanted the commandment setting a particular time to be biblical. The rabbis understood these verses to mean that a Jew should own no hametz when the paschal sacrifices begin, around noon of the fourteenth. This standardized a time to prevent transgression of the prohibition of hametz.[38]

In addition, plates and utensils previously used with meals had to be changed or ritually cleansed in order to be used with Pesah meals.[39] This included all utensils of wood, stone, or metal that were used for anything but

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[35]B. Pes. 4a, 4b; Maimonides, Mish. Tor. Ha-uMatz 2:17.

[36]Mish. Pes. 10:3; Jer. Pes. Chap. 1 H. 3, ed. Krotoshin, p. 27c; M'khilta, Parashat Bo, Chap. 17, p. 20b.

[37]For further explanation see below pp. 51, 76-77.

[38]See below pp. 29-30.

[39]Grunfeld, Dietary Laws, vol. 1, p. 172.

cold hametz on a cold plate.[40] If they were used solely in this manner, they can be used without a ritual cleansing. The cleaning process includes scalding the utensils, rinsing them twice, and bleaching them.[41] Pottery cannot be used again, and must be broken or put away.[42] All utensils and dishes which are not, for any reason, cleansed, must be washed well and closed off in a cabinet, or room that will not be opened until after Pesah.[43]

It has already been stated that one should search for hametz in whatever location it might have been taken. But what if it is inaccessible? The general rule was not to endanger oneself in attempting to find the hametz, and to be reasonable in the search. The illustration was: if a dog or pig could dig to the hametz, it must be found and disposed of.[44] In a case in which the hametz became inaccessible, (for instance, if a house collapsed and the contents were not removed) the hametz must be annulled mentally, but need not be recovered.[45]

Of course, if the search takes place the night

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[40]B. Pes. 30b; Maimonides, Mish. Tor. Ha-uMatz 5:21; Karo, Sh. Ar. Or. Hay. 451:8.

[41]B. Pes. 30b; Pesikta Zutrata, Parashat Bo, Ex. 12:16, ed. Buber, p. 31a.

[42]Ibid.; Maimonides, Mish. Tor. Ha-uMatz 5:22.

[43]Karo, Sh. Ar. Or. Hay. 451:1.

[44]Midrash Hag., loc. cit.

[45]B. Pes. 31b, 49a.

prior to Pesah, one may save hametz to be used the following day. This should be put in one place where it can be easily found, and whatever remains can be destroyed. If any is missing when one returns to eat it, one must search again.[46]

Should a person leave on a trip within thirty days of Pesah, his house should be searched and all hametz burnt before his departure.[47] Should he leave more than thirty days before Pesah, but is not planning to return before the holiday, he need not search for hametz. However, if he intends to return before Pesah he must make the search.[48] The reason for this is that in the days when travel was uncertain, even if a person intended to return home in plenty of time to cleanse his house of leavening, he might not make it before the holiday started. This is simply a case of "better to be safe than sorry."

If it was impossible to make a search prior to the festival, search should be made either during or afterwards. Any hametz found in one's possession after the beginning of the festival is forbidden, and must be destroyed.[49]

Before searching, the father says a blessing which

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[46] Maimonides, Mish. Tor. Ha-uMatz 3:2.

[47] B. Pes. 6a; Maimonides, Mish. Tor. Ha-uMatz 2:19; Karo, Sh. Ar. Or. Hay. 436:1; Yaacov ben Asher, Arba'a Turim #434.

[48] B. Pes. 6a.

[49] Mish. Pes. 1:3; Maimonides, Mish. Tor. Ha-uMatz 3:5.

is repeated when the hametz is burned the following day: Blessed are You, Lord our God, King of the Universe, who has commanded us about the removal of hametz.[50] After the search he says: All hametz that I have in my possession that I did not see, behold it is annulled, and behold, it is like the dust.[51] This formula, and another written in Aramaic before the search, but which can be recited in any language, cancel the existence of the leaven making the burning the following day unnecessary.[52] It is good to repeat these blessings on the next day during the hour before noon.[53] If one finds no hametz he must nonetheless mentally negate any that he might possibly have missed.[54]

All hametz owned by a Jew must be disposed of by noon on the fourteenth of Nisan.[55] This is due to the rabbinic interpretation of two biblical passages mentioned above: Exodus 23:18 and Deuteronomy 16:3. The first

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[50]B. Pes. 7b; Maimonides, Mish. Tor. Ha-uMatz 3:6; Karo, Sh. Ar. Or. Hay. 432:1.

[51]Maimonides, Mish. Tor. Ha-uMatz 3:6.

[52]Grunfeld, Dietary Laws, vol. 1 pp. 177-178; the formula, kol hamirah, which is recited, is: All hametz and leavened bread that I have in my possession that I have not seen and which I have not burned, it shall be annulled and ownerless, as the dust of the earth.

[53]Karo, Sh. Ar. Or. Hay. 434:2.

[54]Pesikta Zutrata, loc. cit.

[55]B. Pes. 2b, 11b; Pesikta Zutrata, Parashat Bo, Ex. 13:6, ed. Buber, p. 37a; Maimonides, Mish. Tor. Ha-uMatz 2:1.

quote reads: "do not sacrifice on hametz the blood of my sacrifice." This is interpreted as meaning that the Pesah sacrifice should not be done while a Jew still owns hametz. Since the Pesah sacrifice is an afternoon sacrifice (see section on the Pesah sacrifice), the earliest that it could be done is noon. Therefore all hametz had to be removed before that time.[56] Because there were no clocks in the days of the Second Temple, and not everyone lived in Jerusalem where the noon hour was publicly announced on this day, there were additional rabbinic injunctions limiting the possession and consumption of hametz after two hours before noon. The final decision was that people should cease possessing hametz by ten in the morning (the fourth rabbinic hour), and it could no longer be used to feed animals by eleven o'clock (the beginning of the fifth rabbinic hour).[57] If the fourteenth of Nisan occurs on Shabbat, when it is forbidden to burn, the process of the search and burning should be carried out twenty-four hours earlier.[58]

All food is forbidden after the ninth rabbinic hour, approximately 3:00 p.m., so that a person will eat

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[56] See Ibn Ezra to Deut. 16:3.

[57] Maimonides says between the fifth and sixth hour, Maimonides, Mish. Tor. Ha-uMatz 1:8, 1:9; ben Asher, Tur #431.

[58] B. Pes. 49a.

the food of the seder with great appetite.[59] There is an argument over whether matzah may or should be eaten on the fourteenth, with the sources differing in their conclusions.[60] Generally, one should refrain from eating the type of matzah that will be used at the seder, in order to appreciate it more when the seder begins.

The question then arises as to how one should dispose of his hametz. The most popular way, which is argued in several sources,[61] is burning. However, the accepted legal judgement is that either crumbling and scattering, or burning is permissible.[62]

Although there are several places in which the Bible proscribes the eating of hametz for the seven days, there are two particular biblical quotes which are used to prohibit any type of use of hametz during the hag. These two quotes are: Exodus 12:19, and Ex. 13:7.[63] The first quote prohibits finding any leavening in one's

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[59]B. Pes. 107b; Maimonides, Mish. Tor. Ha-uMatz 6:12; Karo, Sh. Ar. Or. Hay. 471:1.

[60]Jer. Pes. Chap. 1 H. 1, ed. Krotoshin, p. 27b; M'kh. d'R Sh B Yo, Parashat Bo, Ex. 12:18, ed. Epstein and Melamed, p. 22, and Ex. 13:8, p. 39. Midrash Hag., Parashat Bo, Ex. 13:7, ed. Margoliot, p. 230. Karo, Sh. Ar. Or. Hay. 471:2; Rashi Ex. 12:15.

[61]B. Pes. 27b; Yal. Shi., Pentateuch #201. M'khilta, Parashat Bo, Chap. 8, ed. Friedmann, p. 9a.

[62]B. Pes. 21a, 4b; Maimonides, Mish. Tor. Ha-uMatz 3:11; Karo, Sh. Ar. Or. Hay. 445:1.

[63]See also Deut. 16:4.

house. This commandment is interpreted in two ways: hametz can neither be found on one's premises, nor should any benefit be derived from hametz during the festival.[64] The second quote prohibits seeing hametz anywhere within one's borders. Thus, questions arise as to whether this includes hametz that may not belong to the Jew who owns the land, but may be brought onto his land or into his home by another person, generally a gentile.[65] The practical conclusions from these commandments are that a Jew cannot own hametz or store it on his property during the festival. However, he may see hametz owned by non-Jews or God.[66] One cannot hide one's hametz on one's premises and receive a deposit for it from a non-Jew, as if it had been sold.[67] He may, however, rent his premises and sell his grain to a non-Jew. Grain owned by a Jew can be sold completely to a non-Jew, and then bought back by the Jew at the end of the festival. This requires a legal contract.[68] Hametz can also be given to a non-Jew as a gift, and

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[64] B. Pes. 21a, 23b, 5b; M'khilta, Parashat Bo, Chap. 16, ed. Friedmann, p. 19b. Maimonides, Mish. Tor. Ha-uMatz 1:2.

[65] Grunfeld, Dietary Laws, vol. 1, pp. 171-172.

[66] See section on the Omer, below, p. 70; B. Pes. 23a; Maimonides, Mish. Tor. Ha-uMatz 4:1; Grunfeld, Dietary Laws, vol. 1 p. 174.

[67] Yal. Shi., Pentateuch #203.

[68] Maimonides, Mish. Tor. Ha-uMatz 4:5; Grunfeld, Dietary Laws, vol. 1, pp. 179-180.

then returned after the festival. However, this cannot be done with the stipulation that the hametz will be returned.[69] If hametz is received as a pledge or left in the care of a Jew, it must be burnt before Pesah.[70] However, if a non-Jew simply brings his hametz into a Jew's house, it need not be burnt, because the Jew does not own the leaven.[71]

While there is some debate favorable to the use of hametz during the hag for cattle or similar uses,[72] the final opinions on this subject are negative.

If a gentile lends money to a Jew on the Jew's hametz, the leaven is considered edible after Pesah.[73] The assumption here is that if the debt is collected because of default on the loan, the gentile has owned the leaven since before Pesah. Leaven that was owned by a gentile can be consumed by a Jew after Pesah but not that owned by a Jew.[74] A Jew who borrows grain from another Jew before the festival must repay the loan afterwards.[75]

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[69]Karo, Sh. Ar. Or. Hay. 448:3.

[70]Maimonides, Mish. Tor. Ha-uMatz 4:3; Karo, Sh. Ar., Or. Hay. 440.

[71]B. Pes. 6a; Maimonides, Mish. Tor. Ha-uMatz 1:4; Karo, Sh.Ar. Or. Hay. 440:3; Grunfeld, Dietary Laws, vol. 1, p. 186.

[72]B. Pes. 11a, 29a, 32a; and Jer. Pes. Chap. 2 H. 1, ed. Krotoshin, p. 28c, for a negative opinion.

[73]Mish. Pes. 2:3. [74]B. Pes. 28a.

[75]Karo, Sh. Ar. Or. Hay. 450:1.

The multitude of laws that regulate the use of hametz and matzah during the Pesah holiday cause us to consider the ideas of ritual purity and freedom in our lives. The prohibition of leavening has become a symbol of both physical cleanliness and ethical conduct. The haste with which the matzah is baked reminds us of the urgency of the Exodus and the impatience of the people for freedom. Whatever the particular application of the themes in individual lives happens to be, the constant consideration by every Jew of the need to remain free from hametz and to consume only matzah keeps these issues constantly before the modern Jew, just as it did for his ancestors.

Chapter III

The Problem of Work

The concept of work is critical to all the holy days specified in the Bible. On each of the three festivals, the high holy days, and the Sabbath, there is a proscription of work. In the case of Passover the proscription is part of the matzah festival mentioned in the previous chapter. Work is prohibited specifically by the bible on the first and last days of the festival.[1] These were the days on which convocations of the people were called, and were considered the holiest days of the holiday period.

The word used in the Bible for the proscription of work is the Hebrew "m'lakhah." There is another word for work, "avodah," which could have been used. The use of this specific term, plus the rabbinic need for a precise understanding of what is and is not permissible activity on a holy day, occasioned the rabbis to search for what God actually meant in His Toraitic commandments. To be sure, there were those who included all manner of creation and destruction in their definition of work, a formulation so broad that one is left wondering about specific actions.[2] But the thrust of Jewish tradition defines the concept of m'lakhah by reference to the commandments concerning Shabbat

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[1] Ex. 12:16, Lev. 23:6-7, Num. 28:18, Deut. 16:8.

[2] Book of Jubilees, 2:21, Apocrapha and Pseudo-pigrapha of the Old Testament, ed. Charles, Vol. 2, p. 15.

in chapters thirty-one and thirty-five of Exodus. There the commandment to refrain from m'lakhah on the Sabbath is set into the description of how the tabernacle in the wilderness is to be built. The rabbis interpret from the context in which the Sabbath commandments are found, and from the fact that the word m'lakhah describes both the work proscribed in the Sabbath commandments and that prescribed in building the tabernacle, that the same work done in building the tabernacle is that which is prohibited on Shabbat. From this conclusion, thirty-nine types of work are established as forbidden on the Sabbath. Rabbinic exegetical principles extend these types of work into hundreds of other actions.[3]

The definition of prohibited work on the Sabbath, while basic to the definition of work for the festivals, is not complete. While the Bible prohibits work on the holy days in a similar way to the Shabbat prohibition,[1] it also permits any work needed to prepare food for celegrants.[4] The verse which permits work in order to provide food contains the same prohibition as for the Sabbath. The same word for work, m'lakhah, is used as applied to Pesah.

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[3]For a basic description of the meaning of m'lakhah as prohibited work, see Grunfeld, The Sabbath; for a more in-depth view of the rabbinic view see, Shimon D. Eider, Halachos of Shabbes, (Lakewood, New Jersey, 1973), or Y'sodot Hilkhot Shabbat (in Hebrew), a publication of Torah L'Am, Jerusalem, Israel, 1970).

[4]Ex. 12:16, Mish. Megillah 1:5.

In the quotes from the books of Leviticus and Numbers a different phrase is used to prohibit work, viz m'lekhet avodah. This phrase, differing from the single word that was defined as the thirty-nine categories of work, is construed to make these verses conform to the exception given in Exodus 12:16. Thus, m'lekhet avodah is defined as the same categories of work, with the exception of any work that must be done to prepare food.[5] In permitting all types of work needed for the preparation of food, the rabbis have allowed for greater joy and celebration during a festival than is allowed on Shabbat. They are also eliminating the problems inherent in the situation wherein Pesah begins immediately before or after Shabbat. If this were not the case it would be necessary to prepare food in advance for Shabbat and two days of Pesah in the Diaspora, and for Shabbat and one day of Pesah in Israel.

The work required for food preparation is called "m'lekhet hana'ah."[6] These two types of work, m'lekhet avodah and m'lekhet hana'ah, however, do not include all

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[5]In the Deuteronomy quotation the word "m'lakhah" appears alone in the prohibition. This would make it seem that this verse contradicts the three other quotes which permit food preparation. However, Ibn Ezra points out that the modifying "all" is not given here, as it is in Exodus 12, and in the commandments prohibiting Shabbat work. This omission indicates that there are exceptions to the rule, and the exceptions are considered to be the same as given previously.

[6]Ramban to Lev. 23:8.

labor. There is an additional category referred to as "m'lekhet mahshevet," meaning crafts or artistry. This activity is also permissible on the festival when it is done neither as a vocation nor requires strenuous effort.

Another term must be considered before we proceed. In three of the four quotations, excluding Deuteronomy 16, the term "mikra kodesh" appears, translated as, "a holy convocation." The conclusion is drawn that whenever a time is called "mikra kodesh" the activities termed "m'lekhet avodah" will be prohibited. Thus, "mikra kodesh" is also construed as implying a prohibition.

In the biblical text it may appear that the permission to prepare food on the festival applies to the first Pesah in Egypt only.[7] However, the phrase "mikra kodesh" makes the condition applicable throughout the ages.

The rabbis are given the right to decide on the application of Toraitic law.[8] Although they recognize the need to be at liberty to prepare food on the festival, they take pains to make sure that this privilege is not abused. Their explication of the law seems to provide for an abundance of food for the celebrants, but no other preparation is to be allowed. Consequently, it is stated that any work which can possibly be completed before the festival begins, even if it is for the preparation of food,

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[7] Yal. Shi., Pentateuch, #782, and note 44, ed. Landau.

[8] Deut. 17:11; B. Haggigah 18a.

is not permitted on the holiday itself.[9]

Two types of work are permitted, besides cooking, whether for the preparation of food or not: kindling and carrying from area to area.[10] Because carrying is permissible the rabbinic structure of an eruv hatserot is not needed on Pesah.[11]

Although the eruv hatserot is not needed, the eruv t'humin is still to be constructed. This is the legal fiction that allows the individual to carry outside of his private domain and courtyard, into the rest of the town.[12] Non-Jews are not allowed to do the work that a Jew is refraining from in his stead.[13] One should not carry a burden on an animal on Yom Tov,[14] although the contrary is clearly indicated in a haggadah in Pesahim 66a. It is also forbidden to mourn, eulogize or fast on Pesah,

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[9]Maimonides, Mish. Tor. Ha-uMatz 1:4; Karo, Sh. Ar. Or. Hay. 495:1.

[10]Mish. Tor. loc. cit.

[11]B. Betzah 12a; Maimonides, Mish. Tor. Eruvin 8:4; Karo, Sh. Ar. Or. Hay. 518:1, 528:1. For a differing opinion see Tosafot, B. Betzah 12a. An eruv hatserot would normally make it permissible to carry out of one's own premises. Even though this carrying is permissible, a large load should be avoided, or carried in a way that reminds one of the holy day, Mish. Tor. Yom Tov 5:1.

[12]Maimonides, Mish. Tor. Eruvin 8:4.

[13]M'khilta, Parashat Bo, Chap. 9, ed. Friedmann, 9b; Kasher, Torah Sh'lemah, vol. 6, pp. 1500-1501 note 98; Ramban and Rashi to Ex. 12:16.

[14]A holy day; Karo, Sh. Ar. Or. Hay. 495:3.

because it says in Deuteronomy 16:14, "you shall be happy in your festivals." Marrying is also forbidden, so that the joy of the festival will not be forgotten in the joy of the marriage.[15]

One may not prepare food for the following day on a festival, but one may make as much as one would like for any single day.[16] The result is that food prepared for one day can, in fact, be held over to the next day, providing enough food for that second day. One can even slaughter an animal on Pesah to provide food for one day.[17]

Water can be heated for cooking, but there is a difference of opinion as to whether one can heat water for bathing.[18] Whereas one can kindle in order to prepare food, one is not allowed to put out a fire, unless a life is threatened.[19] This means that a fire cannot be extinguished to save your wealth, nor to enjoy sex.[20] In

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[15]Maimonides, Mish. Tor. Yom Tov 9:16.

[16]M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:16, ed. Epstein and Melamed, p. 21; Maimonides, Mish. Tor. Yom Tov 1:10; Karo, Sh. Ar. Or. Hay. 503:1, and Isserles.

[17]Pesikta Zutrata, Parashat Bo, Ex. 12:16, ed. Buber p. 62.

[18]Jer. Betzah, Chap. 2 H. 5, ed. Krotoshin, p. 61. Midrash Hag., Parashat Bo, Ex. 12:16, ed. Margoliot, p. 196. M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:16, ed. Eptstein and Melamed, p. 21.

[19]Maimonides, Mish. Tor. Yom Tov 4:2, 4:4; Karo, Sh. Ar. Or. Hay. 514:1.

[20]The sex act, according to Jewish law, must be performed in complete darkness. On a holy day, a flame or fire must be covered in such a manner that it will not go out, before proceeding.

earlier sources it is debated whether food for animals can be prepared on the festival.[21] While the early sources do not agree, the later sources are in complete agreement that food cannot be prepared for non-Jews or animals on the first and last days of the festival.[22] A candle may be kept lit on a holy day in order to light other necessary flames.[23] Thus, in many homes, a candle is kept burning during the holiday so that the flame may be transferred if needed.

It has already been noted that it is the task of the rabbis to decide on what the commandments require.[24] A question now arises in which the will of the rabbis is clear, but where the textual referents are strained. In Haggigah 18a the text of Exodus 23:15 is given as proof that the same work is forbidden on the intermediate days of the holiday as are forbidden on the first and last days of the holiday. The text is given as, "You shall keep the Matzah Festival seven days." But, the actual verse reads, "You shall keep the Matzah Festival, seven days you shall eat matzahs." In other words, the rabbis

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[21]B. Betzah 21a; Midrash Hag., loc. cit.; M'kh d'R Sh B Yo, loc. cit.; Manuscript: Or Afelah, quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 151 #364.

[22]Maimonides, Mish. Tor. Yom Tov 1:13; Karo, Sh. Ar. Or. Hay. 512:1, 512:3.

[23]Karo, Sh. Ar. Or. Hay. 514:4.

[24]This is applied specifically to the laws pertaining to work on holidays, B. Haggigah 18a.

deliberately misinterpreted this phrase by misplacing a comma in order to arrive at the conclusion that they sought. In other texts the reasoning is given that the entire period is called mikra kodesh, and that a special haggigah sacrifice is offered each of the intermediate days, marking their sanctity.[25] While the text of Exodus 12:16, used to show that the entire period is called mikra kodesh, says only that the first and last days are designated as mikra kodesh, it is true that the haggigah sacrifice does distinguish these holy days from the other days of the year. However, this is really unnecessary, because it is obvious that the five intermediate days are part of the Pesah celebration. The eisegetical proof is provided because the rabbis seek to apply controversial limitations to these days. The Tosafot to Haggigah 18a attempts to prove that the prohibition of work on the intermediate days is a Toraitic commandment, the result of which would be that no leniency could be permitted. But, most of the other sources agree[26] that these commandments are rabbinic in their origin.

Nachmanides, in his comments to Leviticus 23:24, arrives at the conclusion that complete rest on the intermediate days of Pesah is a Toraitic command. His conclusion is drawn from interpreting the word "shabbaton" in that

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[25] M'khilta, loc. cit.; Maimonides, Mish. Tor. Yom Tov 7:1.

[26] See the Rosh, opening of Moed Katan.

verse as a command of complete rest, regardless of whether a particular act is technically considered a m'lakhah or not. The root of the word "shabbaton" is Shabat, meaning "to rest" or a "day of rest." However, this particular verse applies to the holiday of Succot, the parallel holiday to Pesah which occurs in the autumn of the year. The inference is that since the word applies to the Succot celebration, it also applies to the Pesah celebration. Nachmanides reasons that one who does any work on the festival is trespassing both a positive and a negative commandment, the positive being that the day is called "shabbaton," and the negative being, "do no manner of work."

Maimonides concludes that work is prohibited by the Torah for the duration of the holiday, and applies this prohibition to both work that is considered to be m'lakhah and that which is not m'lakhah.[27]

At first glance it appears that the rabbis and later codifiers forbid the same work on the intermediate days (hol hamoed) as they do on the first and last days of the holiday, with but one exception.[28] This exception is in the case of loss of perishable goods. Any work is

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[27]Maimonides, Mish. Tor. Sh'vitat Yom Tov 1:1, Hilkhot Shabbat 21:1; see also: Yal. Shi., Pentateuch, #201; Kasher, Torah Sh'lemah, vol. 6, pp. 1500-1501 note 98.

[28]M'khilta, Parashat Bo, Chap. 9, ed. Friedmann, p. 10a.

permitted which will prevent the loss of perishables, particularly if a person is poor and has nothing to eat.[29] Maimonides says that anything which would result in a large loss is permissible, with the proviso that it not involve excessively hard work.[30] Things which require work cannot be put off until the hol hamoed when one will have more time.[31] Any other kind of work that is done must be done in an unusual manner; that is, it should not be done as one would do it on a normal occasion.[32] This change reminds one of the holy day, and the act becomes permissible, if still undesirable. Work that is needed for the public is permissible on the intermediate days.[33]

In the modern period the codes have expanded somewhat the meaning of a loss, so that it includes most monetary losses from abstaining from work.[34] The modern practice outside of Israel is for most people to work as usual. In Israel many people make this into an opportunity to take a vacation.

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[29]B. Keritot 9a, Rashi's comment to "oseh m'lakhah b'shabbat l'atzmo"; Rashi to Num. 28:18, Lev. 23:4-8; Ramban to Lev. 23:8; Rosh beginning of Moed Katan.

[30]Maimonides, Mish. Tor. Yom Tov 7:2.

[31]Ibid., 7:3.

[32]Sh'mot Rabbah, chap. 19 #7; Ibid., 7:6.

[33]Maimonides, Mish. Tor. Yom Tov 7:10.

[34]Kitzur Shulkhan Arukh, trans. Ganzfried, chap. 104 paragraphs 1,3,4,5,10,15,16,18,21; for a good summary of opinions, see: Epstein, Arukh Hashulkhan, Hilkhot Hol Hamoed, Orah Hayyim 530:1.

The prohibition of work on the festival has nearly the same connotation as the prohibition of work on Shabbat. On both the cessation from work is an imitatio dei, urging both rest and a renewal of the self on a day sanctified by God. But one major leniency is granted for the first and last days of the festival that alters their tone. This is the permission of work needed to prepare food. The inducement to provide for a more joyous occasion by celebrating with food lends a lighter, happier atmosphere to the holy day, making the festivals the most delightful of the biblical holidays.

The added permission to avoid financial loss on the intermediate days of the festival allows the modern Jew to treat those days as if there were no prohibitions of work attached to them at all. This was not the case during the middle-ages, and is not the intent of the law today. It is specifically the Jew who can afford to forsake his work during these days, without suffering financial hardship, that is encouraged to honor the prohibition of work. The Jewish community in the United States provides us with one of the first examples of a community in which this is a fiscal possibility, and yet, virtually no one marks the intermediate days by abstaining in any measure from work.

Chapter IV

The Fourteenth and Fifteenth of Nisan

The Hebrew calendar is comprised of lunar months adjusted to a solar year. This "bound lunar year" contains twelve months, with no more than 356 days and no fewer than 352 days in the normal year. The months vary between twenty-nine and thirty days, the length of the month formerly having been set by the Sanhedrin in Jerusalem. In order to bind the months to a fixed time in the seasonal cycle, there are seven "leap years" in every nineteen years. During these special years an entire month is added to the end of the year, a second month of Adar. This month precedes the month in which Pesah falls. Therefore, at the end of each year, the Sanhedrin had to meet to determine whether the current year would be a "leap year." If not, Pesah would begin on the fifteenth day of that month; if so, Pesah would be deferred another month.[1]

This system of intercalation is said to be divinely ordained, and commanded biblically to the Jewish people.[2] The commandments, Exodus 12:1 and Deuteronomy 16:1, are considered to have two primary purposes. The first is a fulfilment of what is written in Leviticus 20:26, "You shall be holy to me; for I the Lord am holy, and have

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[1]Cyrus Adler, "History of the Jewish Calendar," Jewish Encyclopedia, vol. 3, pp. 498f.

[2]Maimonides, Mish. Tor. Hilkhot Kiddush Hahodesh 1:1.

separated you from the peoples, that you should be mine." God has given many things to His people alone, among them the festival of Pesah.[3] He has chosen this people and separated it from the rest of the world, giving them a special relationship to Him.[4]

Instruction on how to set the years and the months was given to Moses on Mount Sinai, to enable him to fulfil the second purpose of the calendar: to provide a set time for the people to complete God's commandments.[5] This is problematic because no names are biblically given to the months of the year. Consequently, we do not know, from the biblical text, which month is to be first. In Exodus 23:16-17 and 34:22, commandments are given to observe festivals, but no time is given at which to fulfil these commandments. The Hebrew phrase in Exodus 34:22, "t'kufat ha-shanah," is understood to mean "the turn of the year."[6] This places the holiday of Sukkot at the time when the season changes, the "turn of the year." Since we know from Leviticus 23 that Pesah is in the first month of the year, and Sukkot six months later, we need only to count back to discover that Pesah comes in the month of

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[3]Sh'mot Rabbah, Chap. 15 #23 for a list of those things that God gave to the Jewish people alone.

[4]Pesikta d'Rav Kahana, Chap. 5 #46, ed. Buber, p. 46a.

[5]Midrash Sod Ha-Ibur, in Leket Midrashim, ed. Wertheimer, p. 2a.

[6]Jewish Publication Society version.

Nisan.[7]

This confusion, as to when Pesah occurs in the calendar, is caused by the fact that the bible states that Pesah comes in the first month of the year,[8] but calls that month Abib.[9] We have no month called Abib in our calendar, and neither did the rabbis; so, the question had to be settled as to which month was the first month. What Abib actually meant was: when the barley is in the process of growing, when it is beginning to grow.[10] Thus, the rabbis had a time for Pesah, and an understanding of when to intercalate the calendar. Pesah had to occur when the barley was ripening.[11]

The Talmud gives other considerations for intercalating the year. These have to do with conditions which would prevent pilgrims from reaching Jerusalem in time for the festival,[12] or from preparing the paschal offering. These include the fact that bridges and roads on the way to Jerusalem were out because of the rains, or that the

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[7] M'khilta, Parashat Bo, Chap. 1, ed. Friedmann, p. 2b; only in Esther 3:7 is Nisan given as the name of the first calendar month.

[8] Ex. 12:1; Lev. 23:5; Num. 9:5; Num. 28:16.

[9] Deut. 16:1.

[10] Segal, The Hebrew Passover, p. 111.

[11] M'khilta, Parashat Bo, Chap. 2, ed. Friedmann, p. 3a-b; Sforno to Ex. 23:14-15; Yal. Shi., Pentateuch, #189.

[12] B. Sanhedrin 11a; Maimonides, Mish. Tor. Hilkhot Kiddush Hahodesh 4:1-8.

rains destroyed the ovens needed to bake for Pesah.

Preparation for the Pesah holy day begins much before the festival itself, with teaching the laws of observance thirty days or two weeks in advance.[13] Practically, what this means is a build-up of anticipation for the coming holiday. The people would ready themselves, physically and psychologically, for the ritual of their exodus from Egypt and the process of becoming God's chosen people. The understanding of the Hebrew calendar, and the halakhah of the festival, are structured to create an emotional high at the reliving of the experience of national freedom.

The process of intercalation focuses attention on this time of the year, virtually forcing the Jew to consider its religious significance during the entire year. Sforno notes[14] that since the reason for the intercalation is to make Pesah come out at the correct time, each time a day is added to a month it serves to remind the Jew of the redemption from Egypt. Ramban states that the year actually begins in Tishrei, the month of Sukkot. The reason that the months are numbered from Nisan is because we count from the time of our redemption.[15] Tradition also states that the future redemption will come at this time.[16]

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[13] B. Pes. 6b; B. Rosh Hashanah 7a and note 25 in English, Soncino; Karo, Sh. Ar. Or. Hay. 429:1.

[14] Comment to Deut. 16:3. [15] Ramban to Ex. 12:2.

[16] M'khilta, Parashat Bo, Chap. 14, ed. Friedmann, p. 16b; B. Rosh Hashanah 11b.

Thus, there is the attempt to associate the entire calendar and all redemption with this central event in Jewish history.

There is an astrological tradition associated also with the festival. In Ex. 8:22 Moses states that the people will sacrifice the abomination of the Egyptians. The paschal lamb is associated with the Lamb of Aries, which, for rabbinic tradition, is symbolic of the Egyptian God.[17] Thus, Sforno concludes that the Jews sacrificed the symbol of the Egyptian god, just when its sign was in ascent in the heavens.[18]

The bible calls the first night of Pesah a "night of watching."[19] This phrase is interpreted as meaning a night on which the people have nothing to fear from evil spirits. All of Israel is protected from harm on this night.[20]

We have already noted[21] that preparations for Pesah begin a full day ahead of time, with the search for

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[17]See Gaster, Passover, p. 49. This writer can find no mention of an important Egyptian god symbolized by a sheep. The closest is Harsaphes, a sacred ram, and a god of lesser importance; see W.B. Emery, Archaic Egypt, p. 124.

[18]Sforno to Deut. 16:1; see also, Midrash Hag., Parashat Bo, Ex. 12:6, ed. Margoliot, p. 180-181; Sh'mot Rabbah, Chap. 16 #4, pp. 204-205; see below, p. 88.

[19]Ex. 12:42.

[20]B. Pes. 109b; M'khilta, loc. cit.

[21]Above, chap. 2, p. 25.

leaven. During the day of the fourteenth of Nisan, the day of the seder meal, it is forbidden to begin any new work. This proscription excepts only tailors, clothes washers, and barbers.[22] Its obvious purpose is to enable people to spend the day preparing for the approaching festival. Any job, the completion of which is demanded by the festival, can be started, even though it may not be finished by the beginning of the seder.[23] All work is forbidden after noon, unless it is for one's personal preparation for the festival.[24] This is in contrast to the other festivals of the Jewish year, when all work is prohibited only after the minhah service (the afternoon prayer service).[25]

Since there were places during Talmudic times that did not prohibit work on the day preceding Pesah, it was decided that the traveler would keep the more rigorous custom between the place he came from and the place he is in for Pesah.[26] If, then, either the people of his home town or his present location do not work on 14 Nisan, the traveler is also prohibited from working.

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[22] Mish. Pes. 4:9; B. Pes. 55a; Maimonides, Mish. Tor. Yom Tov 8:19; Karo, Sh. Ar. Or. Hay. 468:5.

[23] B. Pes. 55b.

[24] Karo, Sh. Ar. Or. Hay. 468:1.

[25] Maimonides, Mish. Tor. Yom Tov 8:17.

[26] Mish. Pes. 4:1.

Pesah is one of the three pilgrimage festivals in the Hebrew calendar, including Shavuot and Sukkot.[27] These hagim, or festivals, required that all adult males who were eligible to offer sacrifices[28] present themselves before God in Jerusalem. The people interpreted adherence to this commandment as guaranteeing Israel's triumph against her foes, while protecting their property in their absence.[29]

Each of these hagim is an occasion for rejoicing. The legal basis for this rejoicing is taken from Dt. 16:14, "and you shall rejoice in your feast." Although no one can legislate how to be happy, the legal material does give us a sense of how this joy could be manifest. In the Talmud it says that a man rejoices with wine, and a woman with garments.[30] When the Temple existed, rejoicing was with meat of sacrifices,[31] and since then with food, drink, and clean clothes.[32] In this the hagim are compared to the happiness of the Sabbath and its prayers.[33]

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[27]Ex. 23:17, 34:23. [28]Mish. Haggigah 1:1.

[29]Ex. 34:23-24; B. Pes. 8b. [30]B. Pes. 109a.

[31]B. Pes. 101a.

[32]Segal, The Hebrew Passover, p. 126; M'khilta, Parashat Bo, Chap. 9, ed. Friedmann, p. 9a-b; Yal. Shi., Pentateuch, #201.

[33]Maimonides, Mish. Tor. Yom Tov 6:16; Karo, Sh. Ar. Or. Hay. 520:1 where "oneg" and kibbud" are commanded as they are for Shabbat; see the commentaries to Isa. 58:13; Maimonides, Mish. Tor. Yom Tov 6:19; Karo, Sh. Ar. Or. Hay. 529:1; Isserles to Sh. Ar. Or. Hay. 471:3 says that one must shave, shower, and dress nicely for Yom Tov.

The first meal of Pesah is a family celebration centered around a festive meal. The ceremony is called a seder, a word meaning "order," and referring to the order of the service.[34] The seder is an ancient celebration, having been instituted at least in the time of the Second Temple. Its original purpose was to collect a sufficient number of people to consume the paschal lamb,[35] which had to be entirely eaten, and to tell the story of the exodus from Egypt.[36] Gaster claims that it existed prior to the Second Temple, and that the purpose was to "recement ties of kinship" and "renew bonds of mutual protection."[37] Furthermore, the Pesah meal as described in the Bible, with its sign of the common bond of blood, was a promise of divine protection in the coming year.[38]

The seder has become the central feature of the Pesah ritual. In our day it opens with the sanctification of the holy day and the wine, a ritual common to the festivals and the Sabbath. This prayer, the kiddush,

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[34]The word "seder" came to mean the Passover service sometime between the ninth and eleventh centuries. It is not used as such in the prayerbook of Amram Gaon, but is used by Rashi as the name for the ritual.

[35]Ex. 12:4. [36]Ex. 13:8.

[37]Gaster, Passover, p. 18; Segal, The Hebrew Passover, p. 165.

[38]Gaster, Passover, p. 20; Segal, The Hebrew Passover, p. 150.

must be said before the first cup of wine.[39] Wine was introduced on the holiday to increase its festivity,[40] first being mentioned in connection with Pesah in the Book of Jubilees.[41] Just as on the Sabbath, the blessing over the wine is said first, followed by the blessing for the day.[42]

Any holy day that is called mikra kodesh, a holy assembly or time, must also be sanctified with the prayer called "shehekeyanu," thanking God that we have reached this special occasion.[43]

There is a commandment to recline when one participates in the seder ritual,[44] and to drink four cups of wine as part of the service.[45] The obligation to drink the four cups is so important that if one cannot afford the wine, he is to take charity in order to buy

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[39]The word "remember" in Exodus 13:3 is linked to the same word in Exodus 20:8 where the Sabbath commandment is given; the two are both construed as meaning to say kiddush. Midrash Sekhel Tov, Parashat Bo, Ex. 13:3, ed. Buber p. 150.

[40]Segal, The Hebrew Passover, p. 234.

[41]Book of Jubilees 49:6, Apocrypha and Pseudopigrapha of the Old Testament, ed. Charles, vol. 2, p. 80.

[42]B. Pes. 114a.

[43]Jer. Pes., Chap. 10 H. 6, ed. Krotoshin, p. 37d.

[44]Mish. Pes. 10:1; B. Pes. 108a; Maimonides, Mish. Tor. Ha-uMatz 7:7; Karo, Sh. Ar. Or. Hay. 473:2.

[45]Mish. Pes. 10:1; Karo, Sh. Ar. Or. Hay. 472:8.

it.[46]

For the Talmud, the wine is symbolic of the freedom brought about by the Exodus.[47] Each cup requires a blessing,[48] and must be drunk at particular points in the seder. Drinking all of the wine at one time does not discharge one's duty of symbolizing his freedom.[49] During the first part of the service a participant may drink wine, even though it is not incorporated as part of the service. Between the third and fourth cups (essentially, after the meal), however, drinking extra wine is prohibited.[50] This is in order to keep one from becoming so drowsy towards the end of the ritual that one falls asleep before finishing. Reclining is necessary when drinking the wine, as well as when the matzah is blessed and eaten.[51] The reclining also represents freedom, being reminiscent of the way free Romans ate their banquet meals during the days of

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[46] Mish. Pes. 10:1; B. Pes. 112a.

[47] Ibid.; for an opinion that the wine represents the blood of the Passover sacrifice, the sacrifice of Isaac, and the blood of circumcision, see Mihaly, "The Passover Haggadah as PaRaDiSe," CCAR Journal, Vol. 13, #5, 1966.

[48] B. Pes. 117b; Maimonides, Mish. Tor. Ha-uMatz 7:10.

[49] B. Pes. 108b.

[50] B. Pes. 108a, 117b; Maimonides, Mish. Tor. Ha-uMatz 7:10; Karo, Sh. Ar. Or. Hay. 479:1; for an opinion that one should not drink between the first and second cups, also, see: Karo, Sh. Ar. Or. Hay. 473:2.

[51] B. Pes. 108a.

the Second Temple.[52]

Up through the sixteenth century, after the first cup of wine was drunk the guests at the seder took pieces of lettuce, celery, or any green vegetable that is mildly bitter, referred to as karpas, and dipped them into a mixture of apples, nuts, wine and cinnamon called haroset.[53] This process is not of biblical origin, nor is it practised this way today. Modern Jews dip the karpas in salt water. The haroset, used today with the bitter herbs, is symbolic of the mud or straw with which the bricks were made by the Hebrew slaves.[54]

Placed before the leader of the seder, generally the father or grandfather in the family, is a plate with three matzot stacked on it. The leader takes the middle matzah, breaks it in half, and recites the reading beginning in English, "This is the bread of poverty."[55] The Aramaic reading of "laḥma anya," referring to the matzah and translated as "bread of poverty," appears in Deuteronomy 16:3, as is interpreted variously by the rabbis and commentators. In the Talmud the half matzah symbolizes that the poor typically have only part of a bread to eat

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[52]Mihaly, "Passover Haggadah," pp. 11-12 and note 45.

[53]B. Pes. 114a, 114b, 115b; Maimonides, Mish. Tor. Ha-uMatz 8:2.

[54]B. Pes. 116a; see also: B. Sota 11b; Maimonides, Mish. Tor. Ha-uMatz 7:11.

[55]Goldschmidt and Glatzer, The Passover Haggadah, (Schocken Books, New York, 1953), p. 21.

at any time.[56] Rashi says that the unleavened bread is a remembrance of the haste in which the Egyptians let our ancestors go free. Sforno says that the haste associated with the "bread of poverty" will lead to the haste of the coming of the future redemption.[57] The other half matzah is replaced to become the afikomen.[58]

Some Jews use special matzot on the seder plate, called "matzah sh'murah." The phrase comes from Exodus 12:17 where it is written, "and you shall guard the unleavened bread." This guarding, coming from the same Hebrew root as "sh'murah," has been interpreted by the rabbis as a careful watching of the grain from the time that it begins to grow, to prevent any possibility of fermentation.[59] The special matzah, sources agree, need only be used on the first night, and can be foregone in a time of emergency.[60]

The purpose of the readings contained in the section called Magid, the telling of the story is to recite the story of how the people was redeemed from

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[56] B. Berakhot 39b.

[57] For more interpretations see: B. Pes. 36a, 115b; Midrash Ner Ha-sekhalim, manuscript, as quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 158 #383.

[58] See pp. 66-67.

[59] See chap. 2 pp. 17-18 for a discussion of fermentation and the five types of grain that can become hametz. B. Pes. 40a; M'khilta, Parashat Bo, Chap. 9, ed. Friedmann, p. 10a; B. Pes 38b; Ibn Ezra to Ex. 12:17; Karo, Sh. Ar. Or. Hay. 453:4.

[60] Karo, Sh. Ar. Or. Hay., 453:4.

Egyptian slavery. The rabbis saw three commandments in the Bible to tell the story: 1) Exodus 13:14, "and it shall be, when your son asks you tomorrow, saying . . ."; this is the commandment if one has inquisitive children who show their desire to hear the story; 2) Exodus 13:8, "and you shall tell your son on that day"; this is the commandment if one has children who do not ask about the redemption; and 3) Exodus 13:3, "Remember this day in which you came from Egypt"; this is the commandment if one has no children, he tells the story to himself and all those present with him.[61] Every Jew is obligated to hear or to tell the story, and to see himself as if he, personally, was part of the Exodus,[62]

The most often quoted of the above references is Exodus 13:8. The first word of the verse is "v'higad'ta," meaning, "and you shall tell." It is from this word that the prayerbook used for the seder takes its name, the haggadah, the telling.[63] Also, this verse says, "it is because of that which the Lord did for me." The words

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[61] Midrash Hag., Parashat Bo, Ex. 13:3, ed. Margoliot, p. 227; Maimonides, Mish. Tor. Ha-uMatz 7:1; Kasher, Torah Sh'lemah, vol. 12, p. 20 note 478; M'kh d'R Sh B Yo, Parashat Bo, Ex. 13:3, ed. Epstein and Melamed, p. 38.

[62] Pesikta Zutrata, Parashat Bo, Ex. 12:27, ed. Buber, 33b; Maimonides, Mish. Tor. Ha-uMatz 7:6, Maimonides uses Deut. 6:23, "and He brought us out from there," and Deut. 5:15, "and you will remember that you were a slave," to prove that we should all see ourselves as if we were redeemed.

[63] Maimonides, Mish. Tor. Ha-uMatz 7:1.

"ba'avur zeh," which are rendered in English as "because of that," are understood by the rabbis as denoting particular things present at the seder. They conclude that one must have matzah[64] and maror[65] before him when he tells the story.[66] This verse is also construed as a commandment to tell others, even if they do not ask.[67]

The question arises as to how much must be said in order to complete one's obligation. There is an individual, theoretical opinion that one could recite only the kiddush[68] because the exodus from Egypt is mentioned there.[69] But, the generally held view is that the three symbols of Pesah must be mentioned to have fulfilled the obligation.[70] These three symbols are: pesah,[71] matzah,[72] and maror.[73]

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[64]See chap. 1. [65]See below, pp. 62-65.

[66]M'khilta, Parashat Bo, Chap. 17, ed. Friedmann, p. 20b.

[67]Midrash Hag., Parashat Bo, Ex. 13:8; ed. Margoliot, p. 230. M'kh d'R Sh B Yo, Parashat Bo, Ex. 13:8, ed. Epstein and Melamed, p. 40.

[68]See pp. 54-55.

[69]Kasher, Torah Sh'lemah, vol. 12, pp. 109-110, note 86.

[70]Mish. Pes. 10:5; Goldschmidt and Glatzer, Haggadah, p. 46; Maimonides, Mish. Tor. Ha-uMatz 7:5, 8:4; see also p. 63.

[71]The paschal sacrifice, see chap. 5 on sacrifices.

[72]Unleavened bread, see chap. 1.

[73]Bitter herbs, see below pp. 62-75.

The two best known parts of the Magid section are "The Four Questions," and "The Story of the Four Sons." It has been customary since at least talmudic times that a son ask four questions, urging his father to explain the meaning of the ritual.[74] Much of the ritual, in fact, is directed towards keeping the children awake,[75] and inducing them to question the meaning of the occasion. Lifting the seder plate, or anything on it, was for the purpose of arousing the interest of the children[76] as well as of designating the object when speaking about it. During talmudic times there was evidently a small table in front of each person, rather than one large table. It was suggested that one remove the tables before everyone eats, in order to encourage the children to ask about the difference in this particular night.[77] Maimonides says to change anything to get the children to inquire;[78] and Karo suggests that the second cup of wine be mixed before dinner[79] and to give the children nuts before

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[74] B. Pes. 116a; these questions differ slightly from those asked today; Goldschmidt and Glatzer, Haggadah, p. 20.

[75] B. Pes. 109a; Mihaly, PaRaDiSe, p. 4; the table should be readied early so that the family can eat as soon as it gets dark, and the children will remain awake for the entire seder; Karo, Sh. Ar. Or. Hay. 472:1.

[76] B. Pes. 116b.

[77] B. Pes. 115b, 100a; see Tosafot to: Lav L'akirat.

[78] Maimonides, Mish. Tor. Ha-uMatz 7:3.

[79] Wine in the Temple days was raw, and needed to

dinner.[80]

The story of the Four Sons is found in two ancient sources, as well as the Haggadah: the M'khilta d'rabi Yishmael and the Jerusalem Talmud.[81] The types of sons are ostensibly a realization of Exodus 13:8, "And you shall tell your son in that day, saying . . ." Gaster gives each type of son a biblical origin: the wise son, Deuteronomy 6:20; the wicked son, Exodus 12:26; the simple son, Exodus 13:14; and the son who does not know how to ask, Exodus 13:8.[82] Goldschmidt claims that the story of the evil son was first, but that the sages were not content to have the word "sons," as in Exodus 12:26 or Exodus 13:8, understood as only evil sons. They therefore derived the other three sons based on Exodus 12:26.[83] The longer question about the nature of Pesah, taken from Deuteronomy 6:20, is ascribed to the wise son: What mean the testimonies, and the statutes, and the ordinances, which the Lord our God has commanded you? The shorter question, taken from Exodus 13:14, is ascribed to the simple son and reads simply, "What is this?" The final question, from the son

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be mixed with water to dilute its strength.

[80]Karo, Sh. Ar. Or. Hay. 473:7, 472:16, see also Midrash Hag., Parashat Bo, Ex. 12:39, ed. Margoliot, p. 216.

[81]Jer. Pes. Chap. 10 H. 4, ed. Krotoshin, p. 37d; M'khilta, Parashat Bo, Chap. 18, ed. Friedmann, p. 22b-23a.

[82]Gaster, Passover, p. 59.

[83]Goldschmidt and Glatzer, Haggadah, p. 26.

who does not know how to ask, is the commandment to tell the story even if no one asks, Exodus 13:8.[61] The purpose of the story is to give an account of the Exodus and the Passover laws. The amount one tells a child is dependent on his ability to absorb the lesson,[84] but it is praiseworthy to tell as much of the story of liberation as possible.

It is also a commandment to share food with the poor by inviting poor people to the seder. Tradition says that if one does not feed the poor during a holiday, one is not being properly joyous and is shaming the holiday.[85]

Immediately before the meal are blessings over three symbols of Pesah, already mentioned above. These three are connected to Exodus 12:8, "They shall eat the flesh that night roasted, with unleavened bread and bitter herbs they shall eat it." In the days of the First and Second Temples unleavened bread (matzah), and bitter herbs (maror), were eaten with the paschal sacrifice. When the Temple was destroyed by the Romans, the question necessarily arose to whether matzah and maror were still considered to be Toraitically commanded, since it was no longer possible to sacrifice the lamb in the proper place[86] and hence, to

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[84] Mish. Pes. 10:4; Maimonides, Mish. Tor. Ha-uMatz 7:2.

[85] Yal. Shi. Pentateuch, #356; Maimonides, Mish. Tor. Yom Tov 6:18.

[86] M'khilta, Parashat Bo, Chap. 6, ed. Friedmann,

eat it. Also, as mentioned above,[87] pesah, matzah, and maror are the three symbols that must be explained during the seder. Now it must be decided if they also must be eaten with a blessing.

It has been mentioned[88] that matzah is commanded in and of itself, and was consequently seen as a biblical commandment even after the destruction of the Temple. We are left with a problem of whether maror is considered to be biblically commanded, and on a par with matzah. Some of our rabbis looked at Exodus 12:20, "You shall eat nothing leavened, in all of your dwellings you shall eat unleavened bread," and decided that the words "in all of your dwellings" commanded that the matzah and maror were to be considered Toraitic commandments regardless of the existence of the Temple.[89] However, this argument did not prevail and the majority opinion is that maror is to be considered a rabbinic commandment unless eaten with the paschal sacrifice.[90] If available, all three must be eaten with a blessing.[91] A person can fulfill his

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p. 20; Yal. Shi. Pentateuch, #409; Kasher, Torah Sh'lemah, vol. 10-11, note 408; Ramban to Ex. 12:8.

[87]Page 59. [88]Chap. 2, pp. 18-19.

[89]Tosafot to B. Kiddushin 37b, "Bizman"; Liberman Tosefta K'peshutah, Seder Moed, (Jewish Theological Seminary, 1955), part 4, p. 511.

[90]B. Pes. 120a; Maimonides, Mish. Tor. Ha-uMatz 7:12; Maimonides, Sefer Hamitzvot, positive commandment #56; Karo, Sh. Ar. Or. Hay. 475:3; Ramban to Ex. 12:8.

[91]B. Pes. 91b; Tosefta Pes., end of chap. 1,

obligation with matzah and maror without the pesah, or with the pesah only.[92] Each of them should be eaten alone, and the blessing said before eating.[93] They should not be eaten in a sandwich, preceded by a blessing, because one is a Toraitic commandment, and the other a rabbinic commandment.[94] Hillel, however, ate matzah and maror together as a sandwich while the Temple existed.[95] He interpreted Numbers 9:11, commandments referring to Pesah Sheni[96] as instructing that the matzah and maror must be eaten together. Although his opinion was rejected by the sages, this custom is preserved in the modern haggadah as an honor to Hillel. No blessing is said, but we do say, "In remembrance of the Temple, according to the custom of Hillel" before eating.[97]

The rabbis were concerned with precisely what maror was, since the Bible never really tells us what plant or herb it might be. The Talmud lists the herbs that can be used as maror, and says that they all have an

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ed. Zuckermandel, p. 158; Midrash Sekhel Tov, Parashat Bo, Ex. 12:8, ed. Buber, p. 122.

[92] M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, p. 6b.

[93] Halakhot G'dolot Pesahim, as quoted in Kasher, Torah Sh'lemah, vol. 10-11, pp. 158-159 #385.

[94] B. Pes. 115a. [95] Ibid.

[96] Below, chap. 5, pp. 79-80.

[97] Jakob J. Petuchowski, "Do This in Remembrance of Me," Journal of Biblical Literature, 1957, vol. 76, part 4, pp. 293f.

acrid sap and faded leaves.[98] They can be eaten moist or dry, but may not be preserved in vinegar, stewed, or boiled. Rashi says that bitter grass can serve as maror.[99] The blessing said over the maror is: "who has commanded us concerning bitter herbs."[100]

The Egyptians are compared to hazeret, or bitter herbs, because, as "its beginning is soft and its end hard," so it was with the Egyptians.[101] Ibn Ezra writes that a Sephardi wrote that the Egyptians ate bitter herbs because of the climate, to make them sweat.[102] He counsels us to rely on the Bible's reason for eating bitter herbs, viz.: that the Egyptians embittered our lives.[103]

The seder originally centered around eating the sacrificial lamb, but after the destruction of the Temple this became impossible. There were two types of meat eaten at a seder in Second Temple days. One was the haggigah sacrifice, a mature animal to be taken from the herds or the flocks, the other the paschal lamb. Because the paschal lamb had to be a yearling, it was much more expensive than the haggigah sacrifice. Consequently, the pesah was eaten by each person at the end of the meal after he had already eaten his full.[104] The half matzah,

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[98] B. Pes. 39a. [99] Ex. 12:8. [100] B. Pes. 114b.

[101] B. Pes. 39a. [102] Ex. 12:8. [103] Ex. 1:14.

[104] M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, p. 6b.

replaced on the seder plate after it was broken,[105] is now taken out to be used. It is called the afikomen, and symbolizes the olive-size piece of pesah that each person received at the end of the seder in Temple times. Thus, since the destruction of the Temple one finishes eating for the evening with the taste of matzah in one's mouth, instead of the taste of the sacrifice.[106]

Again with reference to Exodus 12:8, the rabbis ask how late one can eat the afikomen, and recite the Hallel.[107] The Bible is interpreted as stating that it must be done at night, so the question arises as to how late that is. The principles in this regard should be taken from Megillah 20b, "Anything which is a mitzvah at night, can be done all night." This should mean that the afikomen can be eaten all night,[108] but it is decided that the afikomen and Hallel must be finished by midnight.[109] This result is rationalized by a reference to Exodus 12:12, where "night" is taken to mean "midnight": "for I will pass through all the land of Egypt that night, and smite

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[105] See above, p. 57.

[106] B. Pes. 119b; Maimonides, Mish. Tor. Ha-uMatz 6:11, 8:9; Karo, Sh. Ar. Or. Hay. 477:1, 478:1.

[107] See below.

[108] Opinion of Rabbi Akiba in B. Zevahim 57b and B. Berakhot 9a.

[109] B. Pes. 120b; M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, pp. 6a-b; Tosafot to B. Pes. 120b and B. Zevahim 57b.

the first born."[110]

One opinion concerning afikomen is that it is actually a Greek word meaning "to carouse."[111] It implies a prohibition against going from seder to seder when one's own is completed. This is in order to protect against one person eating the meat of two different sacrificial lambs, which was prohibited by rabbinic law.[112]

After the birkat hamazon, the prayer thanking God for the blessing of the meal just eaten,[113] there is a traditional reading entitled Sh'fokh Hamatkha, and then the psalms of the Hallel. The Hallel consists of Psalms 113 through 118, which are psalms of praise. They are called the Egyptian Hallel because psalm 114 mentions the exodus from Egypt.[114] Originally the Hallel was recited only on the first day of Pesah, as well as on the eight days of Hanukah and the seven days of Sukkot. However, in approximately the third century, the Babylonian Jewish community instituted the reading of the Hallel on the other days of Pesah as well.[115] The earlier sources, consequently, list the Hallel as being recited only on the first day of

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[110] See below, p. 88.

[111] Gaster, Passover, p. 64; Gaster, Festival, p. 45; Danby, The Mishnah, Pesahim 10:8, p. 151 and note 9.

[112] Rashbam to B. Pes. 119b. [113] Deut. 8:10.

[114] See also B. Pes. 118a, where other themes are mentioned.

[115] Millgram, Jewish Worship, p. 210.

Pesah.[116] In Ta'anit 28b it is recorded that, in order to show the difference between the old custom and the new, the people skipped verses in psalms 115 and 116 when they instituted new days for the reading of the Egyptian Hallel. Thus, the original differentiation was maintained.

The biblical support for the reading of the Hallel is Isaiah 30:29, "You shall have a song as in a night when a holy feast is kept. . . ."[117] This song is identified with the Hallel, and should be recited "at every important epoch and at every misfortune . . . and when they are redeemed they recite it in gratitude for their redemption."[118] Each person must see himself as if he personally had been redeemed.[119] After the Egyptian Hallel, the Great Hallel, psalm 136, is recited.[120]

The original rationale given for not reciting the Hallel on the last day of Pesah was that one should not rejoice at the fall of his enemies.[121] This is cited because Jewish tradition claims that the drowning of the Egyptian charioteers was on the seventh day of the exodus,

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[116] B. Arakhin 10a; Jer. Pes. Chap. 9 H. 3, ed. Krotoshin, p. 36d, Kasher, Torah Sh'lemah, vol. 10-11, pp. 125-126, note 287*.

[117] B. Pes. 95b. [118] B. Pes. 117a.

[119] Mish. Pes. 10:6. [120] B. Pes. 117b-118a.

[121] Kasher, Torah Sh'lemah, loc. cit.

the last day of the Pesah celebration.[122] Sforno says that there must be an "assembly" and a "song" on the seventh day of Pesah, or it would not be sanctified.[123]

Karo states that the Hallel should be said at the evening service on the first night, and Isserles disagrees.[124] They agree, however, that the entire Hallel should be said in the morning of the first day in synagogue.[125]

When the Temple was still in existence there was another major ceremony that occurred during the Pesah festival. That ceremony was called the Omer, an offering of fine barley meal, oil and frankincense waved before the altar, and then burned.[126] This ceremony was typical of Spring ceremonies of the Middle East, and was part of the original matzah festival rather than the Exodus story. It celebrates a successful Spring harvest, beginning with the barley,[127] and ending seven weeks later with the wheat harvest and the Feast of Weeks.

The wave offering of grain took place on the second day of Pesah, the sixteenth of Nisan. The grain to be offered was, of course, from the new barley. No new grain could be eaten by anyone until the offering was made

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[122] Ibid. [123] Sforno to Deut. 16:8.

[124] Karo, Sh. Ar. Or. Hay. 488:4.

[125] Karo, Sh. Ar. Or. Hay. 488:1.

[126] Lev. 23:10-11. [127] B. Men. 68b.

in Jerusalem.[128] Thus, the change to new grain came in the country at noon on the sixteenth, by which time the omer was to have been offered.[129]

After the destruction of the Temple the hadash, new grain of the five kinds[130] was prohibited until the end of the sixteenth in Israel, and the end of the seventeenth in the diaspora.[131] The reasoning was twofold: in case the Temple was miraculously built before dusk, the offering would have to be made in Jerusalem before any of the grain could be eaten; and, in remembrance of the Temple, destroyed by the Romans.[132]

The rabbis, apparently seeing no practical reason to maintain this commandment, attribute to it the power of bringing God's mercy to Israel.[133]

The ceremony of the cutting of the first grain has been reinstituted in some of the non-religious kibbutzim in Israel. Beginning in Ein Harod, and being adopted by Ramat Yohanan, the kibbutzniks hold their

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[128] B. Rosh Hashanah 13a.

[129] B. Menahot 66a; Max Seligsohn, "Omer," Jewish Encyclopedia, vol. 9, p. 399.

[130] Yal. Shi., Pentateuch, #643.

[131] Maimonides, Mish. Tor. Ma'akhalot Asurot 10:21; for the rabbinic command to add an extra day to the festivals outside of Israel, see: B. Rosh Hashanah 21a.

[132] B. Rosh Hashanah 30a.

[133] Pesikta d'Rav Kahana, ed. Buber, pp. 71, 69a.

ceremony on the evening of the fourteenth of Nisan, just before the seder. Singing, dancing, and costumes are planned for weeks prior to the festival, and the first grain is brought with great rejoicing. The change in date from the original celebration was made with full cognizance, in order to enhance the meaning of the seder.[134]

A second custom of the omer, continued today, is the counting of the days from the first offering of the new grain until the next festival, Shavuot.[135] During the evening service each person counts each day, until the full seven weeks from the sixteenth of Nisan until the fifth of Sivan have been counted.[136] The blessing for the "counting of the omer" is: who has commanded us concerning the counting of the Omer. Then one says, "Today is the "x" day of the Omer."

Marriages are prohibited during the first thirty-three days of this seven week period.[137] The reason traditionally given is in remembrance of the death of twelve thousand pupils of Rabbi Akiba at this time of year. But, in actuality, it is probably an adaption of

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[134]Shelomoh Tanei, Sefer Hamoadim, vol. Pesah, pp. 216-218.

[135]Lev. 23:15; Deut. 16:9; B. Haggigah 17b; Maimonides, Mish Tor. Hilkhot Temidim 7:24.

[136]B. Men. 65b.

[137]Karo, Sh. Ar. Or. Hay. 493.

the Roman custom of prohibiting marriages in the month of May.[138] This custom was abrogated for Reform Judaism by the Augsburg Synod in 1871.

Once again the ideal of freedom is central to the values transmitted through the laws of Passover. But, there are other values taught, also, through smaller bundles of commandments. The seder teaches the value of learning, of questioning, and of interpreting the past to the next generation. The fact that it is a family celebration emphasizes the coherence of the family unity. The value of monetary generosity is promoted by the "bread of poverty" and the desirability of inviting the poor to one's seder. Basic to the entire ceremony is the theme of ultimate redemption, of liberation from tyrants of all types and freedom of religion. The rabbinic calendar places Pesah, and consequently its its themes and values, as the central focus of the year. The addition of days and months to the basic cycle all seem to point to the same goal: the celebration of Passover at its correct time in the solar year.

These values coincide in the symbols and rituals of the fourteenth and fifteenth of Nisan. Particularly during the seder we are exposed to values that make claims on our lives, that demand our allegiance and our

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[138] Abrahams, Jewish Life in the Middle Ages, Jewish Publication Society (Philadelphia, 1919), pp. 184-185; Kaufman Kohler, "Concerning Weddings," Central Conference of American Rabbis Yearbook, vol. 23, pp. 179-180.

time. No one can consider all of the themes. Yet, they are there, granting each individual the opportunity for his or her particular interpretation of the significance and meaning of the holy day, and providing for changing emphasis through the years. Because of the unity of ritual and the diversity of themes, Pesah becomes a multivalent festival, providing the community with the unifying influence of similar practice, and the religious potential of a multitude of ideas.

Chapter V

The Paschal Sacrifice

Until the destruction of the Second Temple in 70 C.E., the focus of the Pesah festival was the paschal sacrifice. In the original account[1] the sacrifice occurred near the house of the celebrants. The commandment to sacrifice was only for circumcized men.[2] The blood was sprinkled on the doorposts and lintels of the houses[3] and the Pesah meal was eaten in haste.[4] The commandments that applied only to the Hebrews in Egypt are referred to as being for Pesah Mitzrayim, the Pesah in Egypt. Those that apply for all times are for Pesah L'Dorot, being for the Pesah of all generations. The general distinction between the two is that all commandments that apply to "how food is eaten" were only for the first Pesah; all those that apply to "what food is eaten" are forever.[5]

But after the Deuteronomic Reformation, around 621 B.C.E., the sacrifice had to be made publicly[6] and at

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[1] Exodus 12:1f; Segal, The Hebrew Passover, p. 74.

[2] Midrash Hag., Parashat Bo. Ex. 12:13, ed. Margoliot, p. 189; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:13; ed. Epstein and Melamed, p. 16.

[3] See section on blood, pp. 82-85; Segal, The Hebrew Passover, p. 57; Gaster, Passover, p. 13; B. Pes. 96a; Tosefta Pes., Chap. 8, ed. Zuckermandel, p. 169.

[4] B. Pes. 96a; Ibn Ezra to Ex. 12:10, Rashbam to Ex. 12:8.

[5] B. Pes. 30a; Ramban to Ex. 12:9.

[6] B. Pes. 91a.

the Temple in Jerusalem.[7] It was an occasion for great feasting and rejoicing, being one of the three pilgrimage holidays, when all males who had achieved majority were commanded to appear before the Lord.[8]

According to Exodus 12:3, the year old, male lamb victim was to be set aside on the tenth of the month, four days before the sacrifice.[9] This early selection was to allow for the discovery of any blemishes before the lamb was slaughtered. In actuality, it appears that the lamb could be separated any time from the tenth to the fourteenth,[10] and that it may have been slaughtered any time between those dates.[11]

Shabbat Hagadol, the Great Sabbath, is the Sabbath preceding Pesah, which was the tenth of Nisan by rabbinic reckoning. The rabbis interpret the meaning of this occasion as being that on this day, in Egypt, the Israelites

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[7]Deut. 16:2, 5-6; Book of Jubilees 49:21, Apocrapha and Pseudopigrapha of the Old Testament, ed. Charles, vol. 2, p. 81. M'khilta, Parashat Bo, Chap. 5, ed. Friedmann, p. 5b; Tosefta Pes. 8:3, ed. Zuckermandel, p. 168; Ibn Ezra to Ex. 12:14.

[8]Ex. 23:15, 34:20.

[9]Midrash Hadash al Hatorah, as quoted by Kadushin, Torah Sh'lemah, vol. 10-11, p. 63. #70.

[10]B. Pes. 96a; M'khilta, Parashat Bo, Chap. 3, ed. Friedmann, pp. 3b-4a; Midrash Hag., Parashat Bo, Ex. 12:5, ed. Margoliot, p. 180.

[11]Jacob Lauterbach, "The Date of the Paschal Lamb," American Academy for Jewish Research: Proceedings, vol. 12, pp. 49-50.

set aside lambs for slaughter. The Egyptians saw them, and plotted to kill them. It was then that God planned to save the people from the slaughter.[12]

In Exodus 12:5 and 12:21 the taking of the sacrifice is limited to the sheep, apparently the custom in later times. But, Deuteronomy 16:2 gives us a custom, apparently from the end of the First Temple period, that allows the sacrifice to be taken from cattle. The rabbis obviously did not know, or agree with, this custom, and consequently, were forced to interpret it away. This they did by saying that a sacrifice which is appropriate for Pesah can be used for any offering in the category of which the paschal lamb is an example, if not used as the paschal lamb. The category is called "whole offerings."[13] This interpretation, while changing the historical meaning of the text, dealt with the inconsistency among the verses.

The timing for the sacrifice of the lamb was problematic for the rabbis because of the wording of the command. In Exodus 12:6, Leviticus 23:5, and Numbers 9:11, the time for the sacrifice is given as "twilight."[14] This phrase was eventually defined as "during the afternoon," and, more specifically, after the middle of the ninth

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[12]Kasher, Torah Sh'lemah, vol. 10-11, p. 63 #72; Karo, Sh. Ar. Or. Hay. 430:1.

[13]B. Zevahim 7b.

[14]Bain ha-arbayim.

hour of the day, approximately 2:30 p.m.[15] The sacrifice should take place after the daily Tamid sacrifice, which occurred at about 1:30 p.m.[16] but would be valid if it preceded the Tamid.[17] The earliest attempt to establish the meaning of the phrase is in the Book of Jubilees 49:10-11,[18] which appears to require the sacrifice after the eighth hour, or after 2:00 p.m. Philo sets the time as from noon onward.[19]

Although the sacrifice could take place at any time the sun was in decline,[20] it is obvious that the rabbis preferred the middle of the afternoon. This preference stems from the fact that the phrase "bain ha-arbayin," meant twilight to them, but it was physically impossible to sacrifice all the sheep in such a short span of time. The sacrifices were made in three shifts, with the priests assisting each individual who brought a sacrifice.[21] While the priests worked, the celebrants recited the Hallel psalms[22] once or twice.

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[15] B. Pes. 58a; 58b, division of opinion between Rabbi Ishmael and Rabbi Akiba; M'khilta, Parashat Bo, Chap. 5, ed. Friedmann, pp. 5b-6a; Midrash Hag., Parashat Bo, Ex. 12:6, ed. Margoliot, pp. 181-182; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:6, ed. Epstein and Melamed, p. 12.

[16] Yal. Shi., Pentateuch, #778. [17] B. Pes. 61a.

[18] Jubilees 49:10-11, ed. Charles, p. 80.

[19] Questions . . . in Exodum 1, II, quoted by Segal, The Hebrew Passover, p. 30, note 1.

[20] B. Pes. 58a. [21] B. Pes. 64a. [22] See previous chap.

Not everyone did his own slaughtering. Groups of people each registered for a lamb, but only one person from each group participated in the sacrifice.[23] This fact is the origin of two rabbinic principles: a man's messenger is like him (he is empowered as if it were the man himself);[24] and, the Torah has mercy on the means of Israel (the Pesah offering, being a yearling, was much too expensive for one person to afford; consequently, the people were allowed to eat in large groups, decreasing the cost per person.)[25]

A person could own no hametz at the time that he sacrificed[26] the pesah. Therefore, all homes had to be free of hametz when their pesah offering was sacrificed. In order to be sure that this commandment was carried out, noon was set as the time by which all hametz in Jerusalem had to be disposed of.[27]

An animal designated for the sacrifice was considered holy and could not be used for another purpose.[28] Also,

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[23] B. Pes. 60a; M'khilta, Parashat Bo, Chap. 5, p. 5b; B. Kiddushin 41b.

[24] B. Pes. 60a; M'khilta, loc. cit.

[25] Midrash Habe-ur, manuscript, quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 69 #94.

[26] Ex. 23:18; Deut. 16:3; B. Pes. 63a; see above, chap. 2, p. 26.

[27] See chap. 2; if the fourteenth was Shabbat the burning should be done on the previous day, but the sacrifice can be made on Shabbat, B. Pes. 66b.

[28] B. Pes. 59b.

an animal to be used for a Pesah sacrifice had to be designated as such beforehand.[29] Because the lamb was considered holy, it could become defiled. When this occurred, the offering had to be burnt immediately.[30] If the owners of the paschal lamb became ritually unfit for any reason, the lamb was to be disfigured immediately (to keep someone from eating it) and burnt on the sixteenth.[30, 31]

If more than half the community was ritually unclean, perhaps due to touching a corpse,[32] the sacrifice was still to be made for the entire congregation.[33] The important element was that most of the congregation take part in the sacrifice in the same state of ritual purity or impurity.

Those members of the community who were ritually unclean, and those who were too far from Jerusalem to celebrate the festival, or who forgot, were to celebrate Pesah Sheni, a second Pesah, commanded to be held one month later.[34] The Second Pesah was for the sole purpose

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[29] Jer. Pes., Chap. 5 H. 2, ed. Krotoshin, p. 31d.

[30] Mish. Pes. 7:10. [31] Mish. Pes. 7:9,10.

[32] B. Pes. 67a.

[33] B. Pes. 66b, 79a; Midrash Hag., Parashat Bo, Ex. 12:47, ed. Margoliot, p. 223; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:47, ed. Epstein and Melamed, p. 37.

[34] Num. 11:9-13; Mish. Pes. 9:1; B. Pes. 92b, 93a, 94b; Jer. Pes., Chap. 9 H. 1, ed. Krotoshin, p. 36c; Kasher, Torah Sh'lemah, vol. 10-11, pp. 96-97, note 182.

of allowing each male Jew to sacrifice the paschal lamb.[35] Therefore, there were many fewer commandments. The matzah had to be eaten with the pesah, as did the maror, but the Hallel did not have to be said at the meal.[36] Pesah Sheni, also, was kept for only one day, instead of seven. If the majority of people were again unclean, the sacrifice was not performed.[37]

A second kind of sacrifice was also brought on the fourteenth of Nisan, as well as on all the days of Pesah.[38] This sacrifice is called the haggigah, because it is in honor of the festival, or hag.[39] It had to be brought from the herds, and the age of the animal was not limited.[40] Consequently, it was much cheaper than the paschal lamb and served as the main meat portion of the seder meal.[41] It like the lamb, was to be roasted and finished that

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[35] B. Pes. 79b; M'khilta, Parashat Bo, Chap. 11, ed. Friedmann, p. 12a; Kasher, Torah Sh'lemah, vol. 12, p. 15 note #463; whereas the story of the Exodus must be heard by both men and women, the sacrifice is incumbent only upon the males.

[36] B. Pes. 95a, 95b; Jer. Pes. Chap. 9 H. 3, ed. Krotoshin, p. 36d; Yal. Shi., Pentateuch, #772; Maimonides, Mish. Tor. Hilkhot Korban Pesah 10:15; Rashi to Num. 9:10; many times Num. 9:11 replaced Ex. 12:8 in consideration of how the maror and matzah were to be eaten with the sacrifice, because Ex. 12:8 is obscure.

[37] B. Pes. 95b, Ramban to Num. 9:3. [38] Num. 28:24.

[39] Ex. 12:14; Midrash Hag., Parashat Bo, Ex. 12:14, ed. Margoliot, pp. 190-191; Maimonides, Mish. Tor. Hilkhot Haggigah 1:1.

[40] Maimonides, Ibid. [41] B. Pes. 114b.

night,[42] but the lamb was to be eaten "akhilat sava," after being satiated from the meal.[43] This sacrifice is symbolized today by the roasted egg on the seder plate.[44] The haggigah offering is one of the things that made the intermediate days of Pesah special for the rabbis.[45] Each day the same number of offerings was sacrificed, different from the number on normal days of the year, and different also from that on the parallel festival, Sukkot. The same number of sacrifices was offered each day of Pesah, differing from Sukkot, which had a diminishing number on successive days.[46]

The mitzvah, or commandment, of the paschal sacrifice was not in the eating of the flesh, but rather, in the slaughtering of the animal, and in the blood.[47] Therefore, if absolutely necessary, the eating of the lamb could be foregone, if the commandment of the sacrifice had been kept.[48]

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[42] B. Pes. 70a.

[43] M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, p. 6b.

[44] Karo, Sh. Ar. Or. Hay. 473:4.

[45] See chap. on work.

[46] B. Arakhin 10b; M'khilta, Parashat Bo, Chap. 7, ed. Friedmann, pp. 8a-8b; Kasher, Torah Sh'lemah, vol. 10-11, pp. 125-126 note 287*.

[47] Ex. 12:13, B. Pes. 65b; Midrash Hag., Parashat Bo, Ex. 12:21, ed. Margoliot, p. 220; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:21, ed. Epstein and Melamed, p. 25.

[48] B. Pes. 98b.

The twelfth chapter of Exodus, which begins the Passover commandments, is the first chapter in the bible which contains God's laws to His people. This large body of laws precedes the revelation given at Sinai,[49] causing the rabbis to ask why God gave an earlier revelation of His laws. The principal answer to the question is that Israel needed divine commandments in order to be redeemed from Egypt. God gave the two blood commandments, circumcision and the paschal sacrifice, in order that Israel be able to make atonement.[50] Blood, then, is a symbol of God's love for Israel and of Israel's atonement.[51] The blood is a sign for Israel alone, and not a reminder to God of his affection for His people.[52] Consequently, the blood was applied with hyssop to the inside of the lintel and the doorposts.[53] The midrash says that God pities Israel when she has the blood on her door, and

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[49]Ex. 20.

[50]M'khilta, Parashat Bo, Chap. 5, ed. Friedmann, p. 5a; Sh'mot Rabbah, Chap. 15 #12, where the paschal lamb is compared to the lamb in Genesis 22; Midrash Hallel, as quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 54 #44.

[51]Any uncircumcized male should be brought into the covenant before Pesah, M'khilta, Parashat Bo, Chap. 15, ed. Friedmann, p. 18; Midrash V'Yoshea, quoted by Kasher, Torah Sh'lemah, vol. 12, p. 84 #709; Joshua 5:2f; also, Ezekiel 16:6 is considered to be a mention of the two bloods.

[52]M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, p. 6a; and Chap. 7, p. 8a.

[53]Ex. 12:22; Tosefta Pes. 8:15, ed. Zuckermandel, p. 169.

rewards her for the mitzvot that she keeps.[54] But, the inference must be that God knows of the existence of the blood without seeing it. God's being reminded by a human sign is too much of an anthropomorphism for the rabbis to bear.

The doorposts and lintels of the houses in which the Israelites celebrated the Passover were compared to sacrificial altars.[55] The people congregated by families in some homes, and left others empty.[56] Therefore, only some of the houses had to be marked by blood.[57]

But, the sign of blood did not become a permanent symbol in Pesah ritual. Only in the Jerusalem Talmud is it suggested that the haroset[58] symbolizes the blood of the lamb.[59]

Many different suggestions have been made as to why the blood of the sacrifice did not become, in some manner, a permanent part of the Pesah ritual.[60] The

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[54] M'khilta, loc. cit. [55] Yal. Shi., Pentateuch, #197.

[56] M'khilta, Parashat Bo, Chap. 16, ed. Friedmann, p. 18a; in later generations the people gathered with friends also.

[57] Midrash Hag., Parashat Bo, Ex. 12:7, ed. Margoliot, p. 183; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:7, ed. Epstein and Melamed, p. 12.

[58] See Chap. 4, p. 56.

[59] Jer. Pes. Chap. 10 H. 3, ed. Krotoshin, p. 37d.

[60] Tosefta Pes. 8:14-16, ed. Zuckermandel, p. 169; Midrash Ha-be-ur, as quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 122 #270; Midrash Hag., Parashat Bo, Ex. 12:24,

best traditional suggestion is that the rabbis took Deuteronomy 16:5 as putting an end to the practice. The people could not sacrifice in Jerusalem, and then apply the blood to their doorposts,[61] unless they lived in Jerusalem. Why the Jerusalemites did not continue the practice, however, is not answered. Apparently it was too barbaric and threatened the cult in the Temple. The blood was disposed of by the priests.

The symbol that did take the place of the blood was the mezuzah on the doorposts of Jewish households.[62] Biblically, the blood on the doorposts atoned for those in the homes.[63] The mezuzah, according to the midrash, contains the ten names of God and has the power to protect the household, as did the blood.[64] Thus, the blood, which provided for divine redemption from Egypt, is represented in Judaism most strongly by the mezuzah which Jews put on the doorposts of their houses, and secondarily, by the haroset used in the seder. The only other reference to placing blood on the doorposts of Jewish houses is in Ezekiel 45:19, in a messianic vision.

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ed. Margoliot, p. 204; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:24, ed. Epstein and Melamed, p. 26; Ibn Ezra to Ex. 12:24.

[61]Kasher, Torah Sh'lemah, vol. 12, pp. 14-15, note #462; Tosefta Pes., loc. cit.

[62]Deut. 6:8-9.

[63]Segal, The Hebrew Passover, p. 159f.

[64]M'khilta, Parashat Bo, Chap. 11, ed. Friedmann, p. 12a.

It can be fairly asserted, then, that Judaism has dispensed with the symbol of the blood of the lamb. Many Christian groups, on the other hand, have not. The Mass, according to the Council of Trent, is a "true and proper sacrifice."[65] That is, there are two parts to the Mass that are sometimes indistinguishable; the sacrament, which is for the sanctification of the soul; and the sacrifice, which serves to "glorify God by adoration."[66] The eucharist is the sacrifice of the bloody paschal lamb, which brings ultimate atonement to the celebrants. As in the case of the original paschal lamb in which the power of the sacrifice is in the blood, the power of the Christian sacrifice is in the blood of the victim.[67] In the eucharistic ceremony, the Catholic believer offers the blood of the Christ as atonement for his sins. This sacrifice is made through the use of wine, which is mystically transformed into the blood of the paschal lamb, Jesus of Nazareth. Just as in the ancient Hebrew rite, the life force is contained in the blood of the creature. But in the Christian ritual it can be literally transferred to another body when the celebrant imbibes the transformed wine.

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[65]Jos. Pohle, "Sacrifice of the Mass," The Catholic Encyclopedia, (1911), vol. 10, p. 6.

[66]Ibid., p. 7.

[67]Jos. Pohle, "Christian Sacrifice," The Catholic Encyclopedia, vol. 13, p. 316.

As mentioned above,[68] many individuals registered for each sacrifice, which was then slaughtered by a representative of the group. The only stipulations governing the size of the group were that each individual receive at least an olive-size piece of the lamb, and that none of its meat remain uneaten after midnight.[69] It was not necessary that families, exclusively, gather together. But the seder meal did become a family event.[70] A company could not be consituted entirely of women, slaves, and children, and an optimal size of one group per house was stipulated.[71] However, if no other space was available, two companies could share one room, as long as they faced away from one another.[72] The pesah was not to be carried out of the house, nor eaten by a person who was not registered for it.[73] An uncircumcized slave could not partake of the pesah;[74] neither could a

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[68]Page 78. [69]Mish. Pes. 8:4; B. Pes. 99a.

[70]Midrash Hehafetz, manuscript, quoted by Kasher, Torah Sh'lemah, vol. 10-11, p. 67 #86; Segal, The Hebrew Passover, p. 67; M'khilta, Parashat Bo, Chap. 3, ed. Friedmann, p. 4a; Midrash Hag., Parashat Bo, Ex. 12:4, ed. Margoliot, p. 178; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:4, ed. Epstein and Melamed, p. 10; Tosefta Pes. 8:17, p. 169.

[71]Mish. Pes. 8:8; M'khilta, Parashat Bo, Chap. 15, ed. Friedmann, p. 17 b.

[72]B. Pes. 86a.

[73]See afikomen, chap. 4; B. Pes. 85b.

[74]Ex. 12:44.

non-Jew[75] nor an apostate,[76] nor a person who has converted to Judaism within the previous seven days.[77]

While the Temple existed, the sacrifice was to be roasted on a spit of pomegranate wood.[78] After the destruction of the Temple, it was forbidden to eat a whole roasted lamb, as if the lamb was a divinely ordained sacrifice.[79] This was to prevent the impression that Jews were offering sacrifices outside of the Temple. However, two types of meat were to be put on the seder plate, to symbolize the two sacrifices.[80] Today we use the roasted shank bone and a roasted egg instead of two kinds of meat.

Mishnah Pesahim 7:2[81] relates that Rabban Gamliel had his slave Tabi roast a whole lamb on a grill for the seder. Most scholars agree that this mishnah refers to Gamaliel II,[82] and that it was his intent to continue the

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[75] M'khilta, Parashat Bo, Chap. 15, ed. Friedmann, pp. 17a-b; M'kh d'R Sh B Yo, Parashat Bo, Ex. 12:45, ed. Epstein and Melamed, pp. 35-36; Midrash Hag., Parashat Bo, Ex. 12:45, ed. Margoliot, pp. 219-221.

[76] M'khilta, Parashat Bo, Chap. 15, ed. Friedmann, p. 17a; Midrash Hag., loc. cit.

[77] B. Pes. 92a. [78] B. Pes. 75a; Ex. 12:9.

[79] B. Pes. 53a; Maimonides, Mish. Tor. Ha-uMatz 8:11; Kasher, Torah Sh'lemah, vol. 12, p. 155 of supplements; Ex. 12:10 where Ibn Ezra castigates the "heretics" who continue the Pesah sacrifice; probably a reference to the Samaritans.

[80] Maimonides, Mish. Tor. Ha-uMatz 8:1; Karo, Sh. Ar. Or. Hay. 473:4.

[81] Jer. Pes., Chap. 7 H. 2, ed. Krotoshin, p. 34b; B. Pes. 74a.

[82] Goldschmidt and Glatzer, Haggadah, p. 12 note 10,

appurtenances of the sacrifice as fully as possible. It must be noted that a knowledgeable Jew of the period would not have mistaken Rabban Gamaliel's sacrifice for the reinstitution of the cult, because it was forbidden to roast the paschal lamb on a grill. The reasoning was that the grill, rather than the flame, would sear parts of the meat.

Although originally the commandment was that the sacrifice had to be eaten by morning,[83] the time limit ultimately became midnight.[84] This curtailment is rationalized by a reference to Exodus 12:8 and Exodus 12:12, where the rabbis interpreted the phrases "in the night" and "in that night" to mean midnight. The bones, sinews, and anything else left of the lamb had to be burnt on the sixteenth, or if that date fell on the Sabbath, on the seventeenth.[85] The rabbis concluded that the sacrifice symbolized the Egyptian God, and the first born males of the Egyptian people.[86] As God sacrificed the Egyptian first born, His people sacrificed the Egyptian God.

The Passover sacrifice, formerly the most important

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p. 51 note 1; Alexander Guttmann, "The End of the Jewish Sacrificial Cult," Hebrew Union College Annual, vol. 38, 1967, p. 146 note 46.

[83] Ex. 12:10; Yal. Shi., Pentateuch, #782.

[84] See chap. 4; Mish. Zevahim 5:8; B. Pes. 57b.

[85] Mish. Pes. 7:13; B. Pes. 83a; M'khilta, Parashat Bo, Chap. 6, ed. Friedmann, p. 7a; Rashi to Ex. 12:8.

[86] Sh'mot Rabbah, Parashat Bo, Chap. 15 #12.

ritual of the festival, has become one of the least significant of its symbols. The reason for this is obvious. The destruction of the Second Temple removed the only divinely ordained location for sacrifice. Yet, the persistance of the afikomen as a symbol of the sacrifice and of the atonement it offered, continues an historically important theme into the lives of modern Jews. The themes of the sacrifice, appearing before God and observing the biblical festivals, maintain an ancient phenomenon in modern religion, providing us with a connection with the history of our people.

Chapter VI

Conclusion

The Rabbis and codifiers of Jewish law concretized the biblical law of Pesah through its application to specific circumstances. In doing so they expanded the law around themes inherent in the biblical text. By this process the biblical law was given body, elaborated upon in order to apply to more circumstances of the holy days. But the original themes were, for the most part, inherent in the bible.

We have attempted to outline the themes that the rabbis expanded upon to create the legal structure of Pesah. By culling material from the Babylonian Talmud, the midrashim, the Shulkhan Arukh, the Mishneh Torah, and various other rabbinic writings, we have uncovered and shed light upon Pesah's legal motifs. While these do not fall into neat, discriminate packages, we have attempted to show the basis for each by considering its halakhic, and sometimes historical, origins.

But particularly when considering the impact of symbolic material, one cannot lose sight of the whole when considering its parts. Each commandment has its context, and is often reinforced by coincidence with other symbolic actions. Each one, involving a specific symbol, emphasizes the multivalence of that symbol. Commandments that involve more than one symbol, or commandments that are acted upon

together, unite their values and associations. Consequently, the possibilities for meaning in the ritual are as many as the permutations of meanings the individual can associate with the combined symbols. The significance of the ritual is individualized by the multitude of combinations possible, and the uniqueness of the thinking process of every human being.

Each of Pesah's symbols is surrounded by a body of halakhah. The function of the halakhah is both to make the biblical law explicit, and to instill the meaning of the symbols into individuals' lives through concrete action. The abstention from work, the symbols of leavening and unleavened bread, continue throughout the Passover week. The symbols tied to the seder, such as the paschal sacrifice, maror, and haroset, have a more limited influence on our lives because they are associated with fewer laws. Primarily the symbols attached to the original matzot festival, continuing for one week, are the ones with which we associate the greatest body of law. The first evening of Pesah on which the seder takes place and all of the symbols come to bear, is the evening with the most potential for enriching the life of the Jew.

Once the laws have been ascertained, we have combined two ways of interpreting them as diachronous and synchronous myth, and as a bundle of commandments that establish a particular value.[1] If we now apply these

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[1]Above, pp. 7-8.

hypotheses to a particular symbol we can better understand the possibilities for the functioning of Passover law for the modern Jew. At the beginning of our discussion of hametz and matzah we said that matzah has two principle meanings: a remembrance of the haste of the exodus from Egypt, and a bread that contains no fermentation and thus, no decay.[2] These two meanings come to mind whenever matzah is used, whether during the holiday or not. Thus we have two synchronous lines that are simultaneously effective:

I	eat matzah	reminding me of the haste of the exodus from Egypt.
I	eat matzah	reminding me of the impurity in my life.

But, these two mythic lines also combine with other aspects of the matzah. There is the matzah which is called "lahma anya," the bread of poverty. There is the hametz that is collected and burned on the fourteenth of Nisan, reminding one of cleanliness and purity. There is the afikomen, the replacement for the paschal lamb, reminding us of the history of sacrifice in Judaism and the ancient nomadic quality of the Passover holiday. As is consistent with the nature of a symbol, all of these meanings occur simultaneously. The fact that a given piece of matzah is supposed to have only one association is insignificant when considering the effect of the symbol. Its result is immediate, and cannot be limited by the assertions of the

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[2]Above, pp. 17-18.

haggadah or the interpretations of the person conducting the ritual.

When this system of interpretation is applied to all of Pesah's symbols a legal complex is formed. The individual participant is immersed in the mythic interpretation of Passover, and compelled to interpret the festival for himself. When a particular theme is mentioned, values associated with that theme come to the fore. Whether we are reliving the Egyptian slavery through the bitterness of maror and the mud-like quality of haroset, or we are remembering Hillel's interpretation of the Bible's intent by combining the bitter herbs and the matzah, we bring the lessons and events of the past into our present lives. Thus the festival becomes a sacred time, a time when past and present are intermigled, when personal and religious history become one, and when the emphasis on values brings the striving for a messianic future nearer to our lives.

Passover law is not a series of separate negative and positive ordinances, merely changing the pattern of daily living. Rather, it is a combination of symbol, ritual, and myth, bringing past time into present reality, and encouraging values associated with these actions by centuries of Jews. Thus the modern Jew is presented with a new task. He cannot ignore the power inherent in the traditional laws and customs, neither can he blindly accept the ordinances as if they were spoken on Sinai.

The role of today's Jew is more complex. Understanding how symbols, rituals, and myths function, he must discover the values that constitute the heart of the religious structure. These he must evaluate, considering both their historical worth and their potential for himself and the community. These themes, perpetuating the values and historic experiences of the Jewish people, must be maintained in order for us to continue the understanding of the meaning of life that is Judaism. Hopefully we have penetrated the inner spirit, the basic themes of the Pesah halakhah, and recorded it here. But, our task lays ever before us, to incorporate these teachings in our lives, to maintain a viable and creative Jewish existence in a world in which each must determine the demands of religion for himself and his community.

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