

CyberTorah for Pesach

There is a big difference between Pesach and Yom Kippur. On Yom Kippur, we deny ourselves physical pleasures with the intention of afflicting our souls. Through this affliction we hope to inspire spiritual growth. By contrast, Pesach involved eating in a distinct way so that we notice the blessings of our freedom. By eating no chametz we remind ourselves of the miracles of Pesach and the blessings of physical and spiritual freedom.

Ashkenazi and Sephardic Jews treat this prohibition very differently. Ashkenazi Jews have become maximalists. Anything that is chametz or could be confused with chametz is forbidden, while Sephardic authorities have tended to be minimalists. If it's chametz, don't eat it at Pesach. By contrast, if it's corn or rice or legumes, you should only eat and enjoy. I'd like to show how the distinction arose historically and share with you my own current practice.

The classic definition of chametz comes from a 2nd century source, the Mekhilta d'Rebbe Ishmael in Piska 8. It says:

“Seven days eat Matzah.” Do I derive from this all items? The Torah teaches: “Do not eat hametz.” Rather, forbidden items are only those which can make matzah or chametz. What are these? The five types of grain: wheat, barley, spelt, oats, and rye. Rice, millet, sprouts, legumes, and sesame seeds that do not rise but rather spoil are fine.

Any of these products, when mixed with liquid, can produce hametz if allowed to sit without being cooked for more than 18 minutes. However, this source specifically permits rice and legumes. Further, there are records in Talmudic times of people eating rice and legumes during Passover, suggesting that this was a practical definition as well. (B. Pesachim 114b)

During the Middle Ages, the vast majority of authorities permitted legumes and rice. Maimonides, Nachmanides, the Meiri, and others, never even mention another possibility. However, in the 13th century, Rabbenu Peretz in Europe first introduces the custom of refraining from eating legumes, corn and rice and identifies it as an old custom “dating back to the time of our Sages.” Since he was the leading figure in the French Rabbinic world, his custom became widespread throughout Europe. Sephardic authorities never accepted the custom.

The Ashkenazi or Eastern European Rabbis apparently accepted and followed this custom for two reasons. First, they did not know many of the earlier sources like those cited above that clearly permit legumes and rice. Thus, they did not realize that earlier authorities specifically permitted that which they were forbidding. Second, they almost never ate such products. As a result, they had a legitimate concern that people would confuse that which was permitted - lentils and rice - with what was forbidden - other types of grains - since they never otherwise ate them.

As this practice spread throughout Germany, France and then Eastern Europe, Spanish and African authorities were startled by this practice. Rabbenu Yerukham reacted quite strongly in the 14th century. He said in part, , that he couldn't understand why “they make it so hard on themselves” and referred to the practice as “silly custom.”

In our own era, Rabbi David Golinkin, President of Makhon Schechter in Jerusalem, permits the eating of legumes and rice at Pesach. He says in part,

It is permissible to ignore this custom. It stands against the descriptions of Passover in the Talmud and Mishnah. It is against both the law and practice of all the Rabbis of the Talmud and Mishnah with one exception, as well as all the Gaonim and the vast majority of scholars in all places...Further, there are many good reasons to stop observing this custom: It detracts from the joy of the holiday by vastly increasing the number of forbidden foods. It causes a vast increase in prices and this results in great loss. Further, it leads to a general lack of respect for commandments since this one has no good reason.

According to Golinkin, since there are good Halakhic reasons to eat legumes, corn, and rice, it is indeed permissible to do so.

There is at least one significant reason to maintain this custom. There is a principle in Judaism of “minhah avoteinu b’yadenu.” It means: the custom of our parents is in our hands. Refraining from eating legumes and rice at Pesach has been well established Eastern European practice for hundreds of years. There is good reason to continue that practice out of respect for our ancestors and to maintain a continuity of tradition.

For myself, I do eat legumes, rice, and corn at Pesach. I make sure to buy only unprocessed food in this category and to buy it before Pesach. I find Rabbi Golinkin’s arguments compelling and want to maintain a more clear distinction between a certain forbidden food, namely chametz, and everything else. I am open to this change also because it doesn’t make my home unkosher for others. Those who don’t eat such foods at Pesach can simply eat around them. No division is thus created in Israel.

I hope that you are having a spiritually meaningful Pesach. I also pray that these sources enrich all of our understanding of the meaning of these practices so that they indeed inspire growth and spiritual change in all of us.

Shabbat Shalom & Moadim L’simchah,

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