

THE ORIGINS OF THE SEDER
*The Passover Rite and
Early Rabbinic Judaism*

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PREFACE AND ACKNOWLEDGMENTS

HOW DID THE SEDER, or Passover eve celebration, become one of the most famous and popular Jewish rituals? The Bible includes extensive discussions of Passover and the Festival of the Unleavened Bread; however, these descriptions do not correspond with later observances of the holiday. In particular, the biblical ritual focuses on the passover sacrifice, which in post-biblical literature no longer holds a central position and is, instead, represented only through a symbol. The present study addresses this transformation in the Passover holiday by analyzing the earliest full account of the Passover evening celebration, in the Mishnah, edited in Palestine around 200 C.E.

To appreciate the meaning of the Mishnah and of the changes in Passover, I must deal with wider historical and literary developments in Judaism between the first and third centuries. The transformation in Passover is part of a larger change in Judaism from a religious life ideally based on a central cult and temple to one structured around the individual home and the synagogue. This development, through which Jews came to perceive their religious activities in their own homes as the highest form of piety, took place gradually and represents one of the major contributions of early rabbinic Judaism.

In the first and second centuries, rabbinic authorities drew upon and adapted earlier teachings while also formulating new insights of their own. They developed ideas and institutions that would enable Jews to practice their religion outside the temple, and they legitimized the new forms as the primary means of religious expression. The Mishnah is the codification of these developments. It incorporates rabbinic teachings as well as the modest heritage of groups that existed before 70 C.E., especially the Pharisees. All these materials are presented through the perspective of the redactor-editor, at the end of the second century. While some of the first-century new developments may actually predate this period and the editing of the Mishnah, they receive new meaning as part of the Mishnah's comprehensive statement. The Mishnah's editor did not include all the teachings enunciated by rabbis in the first and second centuries, and what he did include usually is not presented in its original

form and language. Rather the materials have been selected, shaped, and organized into a new whole.

As I indicate in chapter 1, it is this characteristic of the Mishnah that determines my approach and the direction of my investigation. I am interested in what the Mishnah's editor did with the earlier heritage, how he perceived and presented the Passover eve celebration, and how he drew upon the earlier teachings and made them into a new unity. Accordingly, this study takes Mishnah Pesahim (= Passover) as its point of departure and also makes frequent use of the Tosefta, the collection of rabbinic teachings edited soon after the Mishnah, which comments upon, complements, and supplements the Mishnah. The Tosefta provides further information and shows an early understanding of the Mishnah, although it has a different thematic and redactional perspective. I also make use of other early rabbinic sources that throw light on our subject. Often these midrashic and talmudic passages analyze the Mishnah and further develop the changes it prescribes in the Passover celebration.

Since this study focuses on Mishnah Pesahim 10 and draws heavily upon Tosefta Pisha (= Passover) 10, I present translations of these texts in chapter 3 of the present study. Both are necessarily fresh translations. Since a critical edition of the Mishnah is not available, the translation of the Mishnah is based upon available manuscripts. For the Tosefta I have used Saul Lieberman's critical edition. Appendix B presents the Hebrew text of these two works. Critical editions are essential in working with rabbinic texts, which over the centuries have become contaminated by numerous interpolations and corruptions. This applies especially to Passover materials since they have frequently been revised to make them conform to changes in the seder and haggadah.

* * *

My focus upon the Mishnah and its perception of the evening celebration has enabled me to provide a new and, I believe, significant contribution to research on Passover and the seder while making use of the extensive earlier scholarship on the subject. In chapter 1 and at appropriate points throughout the study, I discuss in some detail the approaches of these earlier works. Generally, what distinguishes them from the present monograph are the following: Some works explain individual passages from biblical, rabbinic, or medieval sources. Most trace the history of the Passover holiday, or of selected elements of its celebration, through many periods. They frequently weave their arguments with references deriving from diverse contexts and times. The benefit of these works

lies in their in-depth analysis and diachronic perspective. The present study provides a complementary perspective; and although I am sensitive to antecedent and later developments, my point of departure remains the Mishnah, specifically Mishnah Pesahim 10. I examine this work as a unit and attempt to see its parts in relation to the document as a whole.

Study of the Passover evening celebration may shed light on complex and important issues in the history of Judaism. One such issue, discussed in chapter 1, is the formation and nature of rabbinic Judaism. Since the time of the Mishnah, if not earlier, the Passover evening celebration has been a home ritual in which people strengthen their bonds of fellowship. The participants engage in practices and employ symbols laden with cultic meaning, an observance that quintessentially represents rabbinic Judaism's program for a religious life without a central cultic temple. Already in the Bible, as in Exodus 12, the Passover evening celebration is described as a decentralized celebration organized in the home. Apparently, even when the cult became centralized in Jerusalem, the family meal continued. Thus, the evening celebration provided a prototype for later rabbinic rituals and observances indicating how one could be religiously involved without being in the temple.

A second major issue taken up in chapter 1 has to do with the pre-70, prerabbinic heritage and the wider Hellenistic, Roman, and Christian contexts—especially their use of banquets and fraternal meals and their understanding of sacrifices. It is not novel to assert that these antecedents and the wider context may have influenced the character and direction of developments in Judaism. The relative roles of the antecedents and the wider context, however, are not always clear. The present study focuses on the impact of these factors and evaluates the degree to which each may have played a significant role.

Chapter 2 reviews the earlier Jewish accounts and regulations of the holiday and touches upon their relationship to the Mishnah's projected ritual. Chapter 3 presents the continuous text of the Mishnah and the Tosefta, enabling the reader to discern immediately that they differ stylistically and substantively from the earlier materials. Chapter 4 closely examines the Mishnah's description of the pre-70 observances, demonstrating how that portrayal is biased by the Mishnah's interests and how it forms part of a tacit argument that the essential elements of the ritual are still viable post-70. This argument constitutes the Mishnah's response to the contemporary challenge of the loss of the temple and sacrificial order.

In an attempt to evaluate the Mishnah's response to the challenges facing

Judaism in the first and second centuries, chapter 5 is devoted to an examination of communal meals, banquets, and symposia in antiquity, especially in Judaism. Comparing several examples of meals and of rituals or intellectual discussions held around a meal, it evaluates the claim, made by certain scholars, that the Passover celebration is a “Jewish symposium,” and rejects the thesis that the influence of the symposia literature *caused* the expansion of the Passover rite. Though these scholars have noticed many symposiatic elements in the seder, I maintain that those elements do not determine the meaning and character of the celebration as portrayed in the Mishnah. Indeed, the Mishnah takes pains to differentiate the seder from a symposium; it also contains elements that reflect the distinctive world view of early rabbinic Judaism. Chapter 6 reviews this dimension of the Mishnah.

Chapter 7 presents the conclusions of the study and discusses their implications. It examines how the Mishnah’s restructuring of the Passover rite affected both the ideological meaning of the festival and the projected experience of the celebrants. By analyzing the significance of the particular form that the Mishnah chose to convey its message, chapter 7 articulates the need of early rabbinic Judaism to show continuity with the past, which leads into a discussion of the nature of change and development in rabbinic Judaism.

Several scholars have suggested that Jews actually continued to offer a paschal sacrifice even after the temple was destroyed in 70. Such a claim might seem to invalidate my thesis since in that case Jews would not have had the loss of the paschal sacrifice to respond to nor the inability to partake of it in the evening celebration. In Appendix A, after examining the evidence that scholars have assembled to support this proposition, I argue that they have not necessarily proven their case. Even if some Jews did offer a paschal sacrifice after 70 (as the Samaritans have until the present day), scholars agree that they would have discontinued the rite in the second century. Accordingly, from the perspective of the Mishnah, edited about 200, the crisis surely would have existed.

A glossary at the end of the book defines technical terms and phrases.

In the notes, references to primary and secondary works follow the standard sequence and chronology of sources, except where they appear in order of importance. To facilitate citation of references, I have employed a system of abbreviations. A rabbinic work is denoted by its title and, where appropriate, edition and date. Other works, including medieval and modern studies, are denoted by the name of the author and, where necessary to differentiate among several works by the same person, the date of publication or an abbreviated title. A comprehensive list of these works appears in the Abbreviations and

1

DEFINING THE PROBLEM

INTRODUCTION

PEOPLE USUALLY DEFINE THE meaning of Passover in terms of freedom and often describe the festival by recounting the ritual of the evening celebration, the seder. While the roots for the idea of freedom can be found in the Bible, the foundation for the evening rite is difficult to uncover. In fact, the structure of the Passover seder is based upon the description in Mishnah Pesahim 10.¹ Surprisingly, although this account diverges significantly from that of the Bible, the Mishnah writes as if the elements of the celebration had not changed since temple days. What is the significance of this anomaly?

An analysis of the Mishnah indicates that this anomaly is intentional and that it reflects the overall purpose of the Mishnah, which is to create a precedent for the observance of the celebration without the temple and the passover sacrifice. What Jews could do after 70 C.E., without the sacrificial order, is very close to what Jews did before 70, when they were without access to the temple. The Mishnah wants us to believe that the paschal sacrifice was important, but not crucial, and that one could manage without the sacrifice because other important elements remained viable nonetheless.

When a temple-based religion finds its foundation destroyed, several responses are possible. Early rabbinic Judaism chose to lay out a system in which one could serve God and enact the highest forms of piety without a temple. The rabbis extended the Pharisaic notion that God could be experienced outside the temple as well as inside, the implication being that the experience of God was not contingent upon the temple. The rabbis also made use of whatever biblical antecedents existed for extratemple practices and made them part of a mandated system. Instead of the pious acts of inspired individuals, these practices became the public cult. While early rabbinic authorities worked out these developments, they also had to correlate the new foundations for religious life with the old structure and to demonstrate that any new means of piety were as effective as the earlier ones.

As the Mishnah applies this mandate to Passover, it is paradigmatic of the larger process and therefore significant in respect to the formation of early rabbinic Judaism. Passover also provides an especially interesting comparative example, because already in the Bible the rite has qualities of a home ritual with cultic overtones and as such lent itself to the new perspective of rabbinic Judaism; in numerous ways its account in the Mishnah reflects the transformation in Judaism.

THE CHARACTER OF THE MISHNAH

As a literary document deriving from a particular historical context, the Mishnah can be analyzed in terms of the aims and images that its editor wished to project. In the Mishnah, earlier traditions were shaped into a new unity by the process of redaction, which makes the sources and contents of a work subservient to their context. Therefore, even though elements of the Mishnah may have a prehistory or a precedent in earlier literature, what the editor-redactor of the Mishnah has done with the earlier heritage constitutes something new and historically significant.²

The point of the Mishnah is not always immediately discernible. Its arguments are oblique, and not explicit, because it took shape during a time when Jews could not openly or consciously accept discontinuity with the earlier period. The Mishnah wants us to believe that nothing has changed. Indeed, the force of its argument lies in portraying the old in light of the new and the new in light of the old.³ In psychological language, this response to the temple's destruction represents "resisting the trauma." In the words of Mortimer Ostow:

To those who are committed to a religious life, the existence of a crisis makes observance even more necessary. It is vital to retain the forms of observance and worship that have signified continuity with the past and that protect against discontinuity. Maintaining one's way of life under hostile attack serves also to sustain one's self-esteem, which is always at risk under pressure.⁴

In postmishnaic times, Jews drew upon certain earlier trends and "worked through" the traumatic disruption to find a new basis for religious life. Eventually they came to take these new forms for granted, no longer needing to see them purely in terms of old cultic notions and institutions. At this point, they could acknowledge that the earlier form of the evening rite had undergone changes. While a comprehensive analysis of these developments falls outside the purview of this study,⁵ I occasionally refer to sources that reflect this

perspective, for they shed light on the issues with which the Mishnah grappled, and often clarify what the Mishnah only implied.

The structure and purpose of the present study distinguish it from earlier works about Passover, most of which trace the history of the haggadah, the Passover holiday, or the seder, through significant periods of Judaism. The best and most comprehensive of these studies are the works of Goldschmidt, Segal, Kasher, and Tabory.⁶ They often choose, as their point of departure, the whole haggadah rather than a specific ancient text, so that the reader is exposed to a rich panorama of rituals and prayers from diverse periods. These works treat the various factors that may have shaped the holiday or its depiction in literature. Some emphasize the seder's continuity or discontinuity with biblical accounts, others stress the ways in which the Hellenistic context influenced the seder. Siegfried Stein, in particular, has made an important contribution in this regard. He provides a stunning picture of the symposiac elements of the seder, pointing to similarities between the haggadah and the symposia in table manners, dietary habits, and the role of philosophical discussions around a meal. He suggests that symposium literature provided the impetus for the formation of the haggadah's elaborate ritual, and that while some seder elements may be found in the Bible and in first-century traditions, the developed form of the "fixed seder ritual" comes from the second century.⁷

Certain scholars interested in the background of the Last Supper have also sought illuminating information in the Jewish Passover,⁸ while others, such as Alon and Safrai,⁹ have pointed to elements of the holiday, in particular the teaching attributed to Rabban Gamaliel, that apparently seek to overcome the loss of the temple and to provide a new basis for the evening celebration. Safrai suggests that the developed haggadah, with its emphasis on study and exposition, supplemented the earlier sacrificial ritual meal, which had included only unleavened bread, singing of praises to God, and the drinking of wine. In contrast to the other scholars, Safrai examines the Mishnah in its own right, as do several commentaries to Mishnah Pesahim.¹⁰ Both Safrai and the commentaries try to place the individual teachings of the Mishnah in their historical context and to trace their development. But they do not draw upon all the evidence in the Mishnah, nor do they sufficiently appreciate the tendency of the Mishnah to portray the new as if it were the old protocol of temple days. Nevertheless, all of these studies enrich our understanding of the many factors affecting the history of the seder.

My own position is that the Mishnah should be understood in its own terms and that an analysis of the Mishnah indicates that the essential factor in its description of the evening ritual is the need to overcome the loss of the temple.

Based on these positions, I propose that the history of the Passover celebration is not an isolated phenomenon but instead illustrates the general early rabbinic reinterpretation of cultic rites and legitimization of extratemple means of religious expression.

EXTRATEMPLE PRACTICES: CONTINUITY OR DEPARTURE
FROM PRE-70?

Though the Passover evening celebration has roots in the Bible, the seder departs from biblical accounts of the holiday in essential ways. The Bible is not a monolith; other developments had occurred, so it is important for us to understand the relationship of the Mishnah and early rabbinic Judaism to antecedent trends in Judaism. Therefore, we must consider the roles of the temple and of extratemple rites in the Bible and Second Temple Judaism and in particular the possibility that the extratemple rites served as precedents for rabbinic practices. If alternatives to the temple already existed, why did the temple's destruction raise a problem to which the Mishnah had to respond?

At the outset, it will be necessary to clarify how the Bible presents the temple and the cult as one of several models of religious piety.¹¹

First, the book of Leviticus gives the perspective of the temple cult and declares that people's actions affect the cult and the presence of God in the temple. Individuals are to conduct themselves according to the precepts of Leviticus in order to be holy. This model would have been popular among those who had access to the temple and for whom temple practices proved religiously fulfilling.

Second, the book of Deuteronomy both centralizes the cult and holds human wisdom in great esteem. It rationalizes many "sacro-cultic" institutions, interpreting laws and notions in terms of their impact not upon the cult but upon people, especially the community of Israel. It also assumes that people are intrinsically holy and that their holiness imposes upon them a responsibility to conduct their lives properly. While Deuteronomy assigns important roles to the cult and sacrifices, it gives prominence to religious practices that do not depend upon the sacrificial order. Its ideology would be appropriate for those who want to see the cult in noncultic terms and to justify the temple on the basis of its benefit to society, as exemplified in 1 Kings 8–9. Moreover, those interested in nontemple practices could find precedents in it.

Third, Psalms, a collection of religious poetry, expresses the stirrings of the individual. These compositions could be drawn on by musical guilds, later religious poets, and those developing a verbal liturgy.

Fourth, the prophets provide guidance concerning the issues of the day.