**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Deracheha: Women and Mitzvot**

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The Seder Night: Part I

What are women's obligations at the seder? are women obligated in Pesach, matza and maror? In the four cups? in hallel?

# Korban Pesach

*Korban Pesach* (the Pesach sacrifice) was once the centerpiece of what we call *leil ha-seder* (Seder night). From the Exodus and for as long as Jews offered it, the *korban Pesach* was sacrificed on the afternoon of 14 Nissan. On the night of 15 Nissan, extended families, or groups of a few households, would gather to eat the *korban* and praise God together.

We were commanded to offer the first *korban Pesach* in Egypt, on the eve of the Exodus:

*Shemot* 12:3-4

Speak to all the community of Israel saying: On the tenth of this month [i.e. Nissan] each individual [*ish*, lit. “man”] should take a lamb for a family, a lamb for a household. And if the household does not have enough [people to eat] a lamb, then he together with his near neighbor can take a lamb according to the number of people, each person in accordance with what he eats will be numbered upon the lamb.

According to the Talmud Yerushalmi, these verses form the basis of a debate among tannaitic sages about women's obligation in *korban Pesach*. In particular, the redundancy in the verse "a lamb for a family, a lamb for a household" calls out for rabbinic explication, since the word "household" seems superfluous.

Talmud Yerushalmi *Kiddushin* 1:7

We learn in a baraita: A woman makes the first *[korban] Pesach* [14 Nissan] for herself. But on the second [14 Iyyar, *Pesach Sheini*], she is an adjunct to others; [these are] the words of Rabbi Meir. Rabbi Yosei says, a woman makes *Pesach sheini* for herself, and it goes without saying that she's obligated in the first [the standard *korban Pesach*]. Rabbi Elazar son of Rabbi Shimon says: a woman makes the first Pesach as an adjunct to others, and does not make *Pesach Sheini*. What is Rabbi Meir's rationale? "Each man should take a lamb for a family" and if they want, "for a household" [i.e. wife]. What is the rationale of Rabbi Yosei? "Each man should take a lamb for a family" and how much more so "for a household” [i.e. a wife]. What is the rationale of Rabbi Elazar son of Rabbi Shimon? "Each man" and not a woman. How do our sages interpret it? "Man" – to exclude a minor.

What does it mean for a woman to make a Pesach offering for herself? It indicates that she is fully obligated in *korban Pesach*, and that we could sacrifice a lamb for a group consisting only of women. Rabbi Meir and Rabbi Yosei both derive women’s obligation from the word "*bayit*" (home, or household) in the verse. “*Bayit*” is often understood in rabbinic literature to refer to women.

Rabbi Shimon, who maintains that women are exempt, derives the exemption from the use of the word "*ish*," which he takes to mean "man" to the exclusion of women. Our sages, however, read "man" as “adult,” excluding children, and not women, from the obligation.

In a parallel discussion in the Talmud Bavli, Rabbi Yosei draws on a different part of the verse to justify his position that women are obligated in *Korban Pesach*:

*Pesachim* 91b

And what is Rabbi Yossi's rationale? For it is written regarding the first [*Pesach*], "according to the number of people" [*nefashot*] and [that means] even a woman.

The verse on *korban Pesach* also uses the phrase "*michsat nefashot*," "according to the number of people [souls]." Women are clearly people or souls as well as men, and thus are included in the obligation.

Rambam rules in accordance with the views that women are fully obligated in the *korban Pesach* of Nissan.

Rambam, Laws of *Korban Pesach* 1:1

It is a positive commandment to sacrifice the Pesach on the fourteenth of the month of Nissan after mid-day, and we sacrifice only from the sheep or from the goats, only a yearling male, and both men and women are obligated in this commandment.

Women's obligation in this central mitzva of *leil ha-seder* has implications for obligation in other *mitzvot*, including matza and *maror*.

# Matza and Maror

The Torah commands us to eat both matza and *maror* (bitter herbs) in conjunction with *korban Pesach*:

*Shemot* 12:8

They shall eat the meat on that night, roasted with fire and *matzot*, on *merorim* they shall eat it.

Women’s obligation in *korban Pesach* (following the views of Rabbi Meir and Rabbi Yosei) would have included an obligation to eat matza and *maror* together with the meat of the *korban*. Today, when we do not bring or partake of *korban Pesach*, eating *maror* on *leil ha-seder* is a rabbinic obligation in commemoration of the sacrifice and the bitterness of slavery. However, eating matza remains an independent Torah level obligation, based on an additional verse:

*Pesachim* 120a

Rava said: Matza today is on a Torah level and *maror* is rabbinic. How is *maror* different – as it is written “upon *matzot* and *merorim*”! At the time when there is a *[korban] Pesach*, there is *maror*, and at a time when there is no *[korban] Pesach*, there is no *maror*. [This should be true for] matza as well – it is written “upon *matzot* and *merorim*”! [Regarding] matza, Scripture repeats it: “in the evening you shall eat *matzot*.”

Are women obligated in the independent *mitzvot* of eating matza and *maror* without *Korban Pesach*?

Let's start with matza and then circle back to *maror*.

Matza

The Torah repeatedly intertwines the prohibition against eating *chametz* and the mitzva to eat matza.

*Shemot* 12:19-20

For seven days leaven shall not be found in your homes, for all who eat something leavened, that soul shall be cut off from the assembly of Israel whether a sojourner or citizen of the land: All that is leavened you shall not eat, in all your settlements you shall eat *matzot*.

*Devarim* 16:3

You shall not eat upon it *chametz*, for seven days you shall eat upon it *matzot*, the bread of affliction, because in haste you left Egypt in order that you should remember the day of your leaving Egypt all the days of your life.

The verse in *Devarim* also connects eating matza to the mitzva of remembering *Yetzi'at Mitzrayim*.

Women in general are obligated in Torah-level negative commandments. As we plan to discuss in a future piece on women and *bedikat, bi'ur,* and *mechirat chametz*, this includes the prohibitions against owning, eating, or benefitting from *chametz*.

Women’s inclusion in the prohibition of *chametz* is crucial to Talmudic discussions of women's obligation to eat matza. The Yerushalmi draws a clear halachic connection between the two *mitzvot*:

Yerushalmi *Kiddushin* 1:7

What is [the halachic status of] their [women’s] matza? He said to him: An obligation… It is said “you shall not eat upon it *chametz*” and it is said “for seven days you shall eat upon it *matzot*, the bread of affliction.” Whoever is included in the prohibition against eating *chametz* is also included in the positive injunction to eat matza. Women are included in the prohibition against eating *chametz*, so they are included in the injunction to eat matza. And that which we teach: “All positive commandments that are time-bound, men are obligated and women are exempt”!? R’ Mana said: A positive commandment that draws force from a negative commandment is more severe.

The Torah’s link between the two *mitzvot* has halachic implications. Anyone obligated not to eat *chametz* is perforce obligated to eat *matza*. Rav Mana explains that this principle overrides women's usual exemption from positive time-bound *mitzvot*, because the positive mitzva to eat matza draws force from its conjunction with the *chametz* prohibition.

The Babylonian Talmud adds another wrinkle, suggesting that the word "*kol*," or "all" in *Shemot* 12:19 serves to include women in the prohibition to eat *chametz*. The Talmud suggests that, since women are exempt from time-bound positive commandments, we might think they are exempt both from matza and from the closely linked prohibition of chametz. However, the word “*kol*” teaches that women are included in the prohibition of *chametz*, and thus also in the obligation of eating *matza*.

*Pesachim* 43a-b

Isn’t it written “*kol*” [all] (*Shemot* 12:19)? That is necessary to include the women….I might say that they [women] are also not included in the prohibition against eating *chametz*. This [word] teaches us [that they are]. And now that they are included in the prohibition against eating *chametz* – they should also be included in eating matza, like Rabbi Elazar, as Rabbi Elazar said: Women are obligated from the Torah to eat matza, as it says “You shall not eat upon it *chametz*…” – whoever is included in the prohibition against eating *chametz* is included in eating matza. These women also, since they are included in the prohibition against eating *chametz* – they are included in the positive injunction to eat *matza*.

Based on these passages, women are considered fully obligated in the Torah-level mitzva of eating matza, independent of *korban Pesach*.

Rambam, Laws of Chametz and Matza 6:10

Everyone is obligated in eating matza, even women…

This obligation means that women must eat *matza* in all three of its manifestations at the *seder*: first, after the *beracha* on the mitzva of eating *matza*; second, along with *maror* as a commemoration of eating *korban Pesach* in *korech*; third, as further commemoration of the sacrifice, and possibly the chief fulfillment of the mitzva of matza,[[1]](#footnote-1) in the *afikoman*.[[2]](#footnote-2)

Maror

*Maror* seems even more straightforward than *matza*, since the mitzva of today is still based on the sacrifice, in which women are obligated. Rashi adds that, even according to those who maintain that women are not obligated in *korban Pesach*, women today have the obligation to eat it because *maror* always goes along with matza:

Rashi *Pesachim* 91b, s.v. Uch-shem

Just as with eating matza women are obligated – so too with *maror*.

Tur rules accordingly that women are obligated to eat *maror* today:

Tur OC 472

Both men and women are obligated… in all the *mitzvot* practiced on that night, such as matza and *maror*.

This is the practical halacha.[[3]](#footnote-3) Women are fully obligated in the *mitzvot* of matza and *maror* on *leil ha-seder*.

# Four Cups

The Talmud, Rava mentions two different aspects of the four cups.

*Pesachim* 117b

[Rava] said to him: The rabbis established the four cups in the manner of freedom; with each one, a person does a mitzva.

On the one hand, they express our freedom. Free, grateful, and joyous people drink wine.

On the other, each of the four cups imparts special significance to one of the recitations of the *seder*: (1) *kiddush*, (2) *maggid* (telling the story, also known as *sippur yetzi'at mitzrayim*, (3) *birkat ha-mazon*, and (4) *hallel*.

A *baraita* obligates women in the mitzva of drinking the four cups:

*Pesachim* 108b

Our rabbis taught: Everyone is obligated in these four cups, both men and women…

Rabbi Yehoshua ben Levi echoes this ruling, explaining that women's obligation derives from the halachic [principle of inclusion in the miracle](https://deracheha.org/af-hen) (*af hen*)[[4]](#footnote-4).

*Pesachim* 108a

Rabbi Yehoshua ben Levi said: Women are obligated in these four cups, for they indeed/too (*af hen*) were part of that miracle.

How is this principle relevant for the four cups? Drinking wine ensures that each participant in the seder feels that he or she is a free person, commemorating the miracle of our liberation.

Deracheha Contributing Editor Shayna Goldberg connects the seder’s tangible experiences of freedom, such as the four cups, to the significance of freedom itself:[[5]](#footnote-5)

Shayna Goldberg, "Celebrating Freedom in a Postmodern Age." Times of Israel

We were liberated and set free from the slavery of Egypt only to become the servants of God a few weeks later. We were given the freedom to be commanded. The freedom to choose the meaningful life we want to live....the seder night is all about experience. It is full of eating, smelling, and acting, and, ultimately, feeling as if we ourselves left Egypt. It is not hard to understand why Pesach is one of the most widely observed Jewish holidays, for experience is often what connects us more to meaning than does doctrine, philosophy or even revelation.

Rashi notes here that the merit of the righteous women in Egypt precipitated the miracle.

Rashi *Pesachim* 108b, s.v. *She-af*

They indeed were part of that miracle – as we say (*Sota* 11b) in the merit of the righteous women of that generation they were redeemed; and similarly regarding *megilla* reading we also say thus, because they were redeemed through Esther, and similarly regarding the Chanuka light in Tractate *Shabbat* (23a).

Does the seder recognize the role women played in the miracle of the Exodus?

In general, the seder is much more about God and the Jewish people than about any specific person's contributions to the process of redemption. Even Moshe Rabbeinu is hardly mentioned in the haggada.

Still, women do figure in the symbolism of the Seder through the mitzva of charoset, which is eaten with maror.

The Talmud suggests two reasons why charoset should be considered an independent mitzva, each with implications for its preparation:

Pesachim 116a

What is the mitzva [of *charoset*]? Rabbi Levi says: In remembrance of the apple tree. Rabbi Yochanan says: In remembrance of the mortar. Abbaye said: Therefore, it is necessary to make it sour and to make it thick. To make it sour – in remembrance of the [sour]-apple tree and it is necessary to make it thick – in remembrance of the mortar.

What does it mean to say in remembrance of the apple tree? [[6]](#footnote-6) This refers to the midrash about the righteous women in Egypt. The midrash tells us that, unbowed by crisis, the women persisted in persuading their husbands to cohabit and reproduce. The women then gave birth outdoors, under the apple tree:

*Sota* 11b

Rav Avira expounded: In the merit of the righteous women of that generation Israel were redeemed from Egypt. When they would go to draw water, the Holy One, blessed be He, would provide them with little fish in their pitchers and they would draw half water and half fish, and they would come and cook two pots, one of hot water and one of fish, and bring them to their husbands to the field, and bathe them and anoint them and feed them and give them to drink and have relations with them between the banks, as it is said, “If you lie between the banks…” in the merit of lying between the banks, Israel merited to plunder Egypt, as it is said, “Doves’ wings coated with silver and its feathers with yellow gold” (*Tehillim* 68:14) and when they became pregnant, they would come home, and when the time to give birth would come, they would go and give birth in the field under the apple tree, as it is said: Under the apple tree I aroused you…”

Anyone who includes apples or a note of sourness in the charoset implicitly recognizes women's contributions to the Exodus on the Seder plate.

Tosafot add an important observation to the Talmud's discussion of women's obligation in the four cups:

Tosafot *Pesachim* 108b

For they, too, were included in the miracle: Were it not for this rationale, women would not be obligated in the four cps, because women are exempt from positive time-bound positive commandments. Even though the four cups are a rabbinic-level mitzva, rabbinic commandments were established like Torah ones [so women would be exempt].

As we've discussed, women are ordinarily exempt from positive time-bound *mitzvot*. Tosafot explain that this exemption is true of rabbinic mitzvot, such as the four cups, as well. It is only by dint of the principle of *af hen* overriding the exemption that women are obligated.

# Extending Af Hen

Can we apply the principle of inclusion in the miracle to other mitzvot of *leil ha-seder*?

Not to matza. Tosafot point out two potential reasons why *af hen* could not serve to obligate women in eating matza, such that the connection between the prohibition of eating *chametz* becomes decisive:

Tosafot *Megilla* 4a, s.v. She-af

Regarding *matza* one could ask why it is necessary to draw the analogy [*hekesh*] that “Anyone who is included in the prohibition against eating *chametz* is included in the positive obligation to eat matza.” Why can’t it [women’s obligation to eat matza] be learned from the rationale of “inclusion in the miracle?” And one must say that it is for this reason, that this would only obligate women rabbinically were it not for the analogy. Rabbeinu Yosef of Yerushalayim suggested that one might have thought women should be exempt because of the connection between the fifteenth [of Nissan] and the fifteenth [of Tishrei] for Sukkot.

Either *af hen* cannot apply to Torah-level *mitzvot*, in which case it cannot help with matza or it usually can, but not in the case of eating matza on the night of 15 Nissan, since a comparison of *leil ha-seder* to the first night of Sukkot (on which women are exempt from the mitzva of *sukka*) might lead us to think otherwise.

These two views agree that *af hen* can apply in cases of rabbinic-level mitzvot, while only the second might apply it to Torah-level *mitzvot*. Therefore, according to both views, *af hen* can form the basis for women reciting *Hallel* on *leil ha-seder*.

Hallel

The mishna (a version of which is incorporated into the *haggada*) sees *Hallel* on *leil ha-seder* as the natural sequel to our telling and re-experiencing the story of the Exodus.

Mishna Pesachim 10:5

In every generation, a person is obligated to see himself as if he went out of Egypt, as it is said (*Shemot* 13) “you shall tell your son on that day saying: it is on account of that which God did for me when I went out of Egypt.” Therefore, we are obligated to give thanks, praise, laud, acclaim, exalt, glorify, and bless, to elevate and extol, the One who performed all these miracles for our ancestors and for us: He brought us out from slavery to freedom, from sorrow to joy, from mourning to festivity, from darkness to great light, and from enslavement to redemption, and let us say before Him *Halleluyah*.

We experience ourselves as having personally left Egypt; "therefore" we have to offer God praise. Hallel was recited over eating the *korban Pesach*.[[7]](#footnote-7) To realize our eating at the *seder* as itself a form of praise and thanks to God, we envelop it with *Hallel*. We recite the first two chapters of *Hallel* before the end of *maggid*, the rest over the fourth cup of wine:

Mishna *Pesachim* 10:7

They poured him the third cup, he recites *birkat ha-mazon*. The fourth, he completes *Hallel* over it and recites over it the blessing of song.

Tosafot suggest that, since women are obligated in the four cups, over two of which we recite *Hallel*, women must be obligated in *Hallel* on *leil ha-seder* as well:

Tosafot Sukka 38a, s.v. *mi she-haya*

This indicates that a woman is exempt from *Hallel* on Sukkot and Shavuot, because it is a [positive] time-bound mitzva. Yet regarding *Hallel* on Pesach nights, *Pesachim* 108a indicates that women are obligated in the four cups [of wine], and presumably the four cups were established specifically so we could say *Hallel* and the *Hagadda* over them. *Hallel* on Pesach is different because it is on the miracle, and they too [women] were part of that miracle...

For further discussion of women and *Hallel*, including on *leil ha-seder*, see [here](https://deracheha.org/hallel).

Other Mitzvot

Can *af hen* apply to *seder* night beyond the four cups and *Hallel*?

Beit Yosef writes that it obligates women in all the *mitzvot* of the *seder* night:

*Beit Yosef* OC 472:14

Both men and women are obligated in them [the four cups]. Women are obligated in the four cups because of inclusion in the miracle, and for this reason one must say that women are obligated in all the *mitzvot* practiced on that [*seder*] night.

Thus far, we've established that women are obligated in *korban Pesach*, eating matza and *maror*, drinking the four cups, and reciting *Hallel*. In our next installment, we look at the mitzva of reclining and at whether the principle of *af hen* might include obligating women in *sippur yetzi'at mitzrayim*.

1. Rashi Pesachim 119b

One may not eat dessert after the matza of Afikoman – For one must eat matza at the end of the meal, a remembrance of the matza eaten with the korban Pesach. This is the broken matza that we eat at the end [of the meal] for the purpose of the obligation of matza... [↑](#footnote-ref-1)
2. Mishna Berura 477:2

Women are also obligated in this. [↑](#footnote-ref-2)
3. *Mishna Berura* lists *maror* in 472:45. [↑](#footnote-ref-3)
4. There are two main ways to understand this halachic principle. Rashi explains that women played a unique role in bringing about the miracle; the Tosafists say that women benefited from the miracle alongside men. For a detailed discussion, please see our article at <https://www.deracheha.org/af-hen/> . [↑](#footnote-ref-4)
5. Available here: <https://blogs.timesofisrael.com/celebrating-freedom-in-a-postmodern-age/> [↑](#footnote-ref-5)
6. We often think of apples as sweet, but it seems that sour strains of the fruit – closer to the original wild varieties – were dominant in Talmudic times. [↑](#footnote-ref-6)
7. Mishna *Pesachim* 9:3

The first requires *Hallel* over its eating. [↑](#footnote-ref-7)