

Rice on Passover?!? What's an Ashkenazi Jew to Do?

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I am an Ashkenazi Jew through and through... For a number of years I attended religious school at the Workmen's Circle, where Yiddish--the language of Eastern European Jewry was emphasized more than Hebrew. I think about that education more at this time of the year than any other. Because we probably spent at least half of the school year preparing for the signature event at the Workmen's Circle: the annual Yiddish Seder. I can still remember practicing and rehearsing the different parts of the seder:

Ale nacht fun a gantze yor, esn mir chometz oder matze; ober di nacht fun peysech, esn mir nor matze... That's the first of the Four Questions at the Passover Seder.

That event was a big deal... family members came and took pictures, we were all dressed up, it was a *groys simcha*... you know what I mean?!

I have a distinctive memory, one of my earliest, to be sure, of my great grandmother singing the Yiddish classic *Romania, Romania* to me as a little boy. She emigrated from Romania in 1909 when she was 16 years old, and died in 1989 at the age of 96.

My grandparents always peppered their language with Yiddish expressions, Yiddish blessings, Yiddish curses (!)... And I myself am known to wish people a *gut yontiff* and a *zissen pesach*; I love to go to *shul* to read the *chumish* and the *siddur*; to wish people a *gut shabbes* and a *gute voch*. I love gefilte fish with a dollop of *chrain*, a hunk of kugel, a pot of cholent, a scoop of chopped liver, a slice of mandel bread... Though I have never managed to enjoy a glass of borscht or its ugly step sister, shav. Nevertheless, I think my Ashkenazi Jewish credentials are pretty unassailable. I also happen to be a sucker for nostalgia, tradition, and culture. Sometimes I

consciously observe rituals and customs *not* because they are necessarily rational or meet historical or scientific muster...sometimes I just do them out of allegiance to tradition, and the ways in which Jews have been doing things for time immemorial.

One of those peculiarities has to do with the menu that many of us rigorously adhere to on Passover. Since the very first Passover seder in Egypt, food has been absolutely central to this festival: Both what we do eat, and what we do not eat for the duration of Passover. The name of the holiday itself is a reference to God *passing over* the houses of the Israelites during the tenth plague...houses that were marked with the blood of the Paschal lamb, which was the main course at that night's ceremonial meal. *Shivat yamim matzot tocheilu*, the Torah commands^[1]: We are to eat unleavened bread on this holiday as a remembrance of the events of the Exodus from Egypt. And of course the whole seder is a tour of our taste buds, from one symbolic food to another: The rabbis literally created a curriculum for teaching the exodus story to your children by dipping and tasting different, exotic foods! But Ashkenazic Jews are not content to abstain from leavened bread as the Torah commands; from wheat, oat, spelt, rye, and barley, also known as *chametz*...we, the proud Jews of Eastern European extraction add a very long list of other forbidden foods, a list that does not appear in the Torah, referred to as *kitniyot*...they include: Rice, beans, lentils, millet, sesame seeds, mustard, corn, chickpeas, snap peas, snow peas, green beans, soy beans, sunflower seeds, poppy seeds, kasha, fenugreek, and other legumes, just to name a few.

A truly momentous event in Jewish history took place about three decades ago when a rabbi from the OU kashrut division convinced the keepers of the closely guarded Coca Cola recipe to produce a run of kosher for Passover Coke, sweetened by pure cane sugar rather than high fructose corn syrup [which is also *kitniyot*]. So now we have the Coca Cola bottles with the yellow, rather than red caps every year on Pesach...a special Coca Cola formula just for us Ashkenazi Jews!

[1]

But late last year, the Committee on Jewish Law and Standards, the official rabbinic, Jewish law-interpreting authority within the Conservative movement announced subsequent to a vote of 19 in favor, one opposed, and two abstaining that *kitniyot* are now permitted to be eaten by Ashkenazim on Passover.^[2] A custom that has been part of Ashkenazi practice for 800 years is now rendered no-longer binding! That's not something that happens every day in a 4,000 year old tradition. So before I tell you what I think about this as your *mara d'atra*, your local interpreter of Jewish law, let's understand where this came from to begin with...

The truth is we don't know...What we do know is that the first mention of the ban on kitniyot is in the 13th Century *Sefer Mitzvot Katan*, by the French Rabbi Yitzchak of Courville. Rabbi Moses Isserles, the leading Ashkenazic legal authority of the 16th Century reaffirmed the ban in his commentary to the Shulchan Aruch. Surprisingly though there is no *official* explanation for Eastern European Jews not eating *kitniyot* on Passover, rather there are many...no fewer than 11 explanations in classical sources: some more logical and others rather far-fetched!

One of the more likely reasons is related to the three field system of planting that was popular in Europe during the Middle Ages. Here's your agriculture lesson for the day: Basically a third of the land lay fallow; in the fall another third was planted with wheat, barley, or rye; and in the spring another third was planted with oats, barley, and legumes. Those legumes, *kitniyot*, actually strengthened the soil by their nitrogen-fixing ability and they were also very healthy to eat.^[3] The concern of the rabbis was that when harvesting the legumes it was impossible not to also reap some of the after-growth of the wheat and grain planted nearby. Because of the difficulty of separating the *chametz* from the *kitniyot*, to be extra cautious, the rabbis prohibited all of it on Pesach.^[4]

^[2] <https://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/2011-2020/Levin-Reisner-Kitniyot.pdf>

^[4] <http://www.jpost.com/Magazine/Opinion/A-plea-for-kitniyot-307314>

When I was a kid, I remember hearing the explanation that rice and corn and other *kitniyot* can be threshed and winnowed and milled into flour, made into dough, and baked as breads, cakes or porridge that looks very much like *chametz*, and could be a source of confusion on Pesach. In other words you might eat a grain porridge thinking it was rice-based because the appearance and texture was so similar; or one could think that since corn bread could be eaten on Passover, that a similar looking *chametz* bread could also be eaten, which would of course be a transgression of Torah law.

Another interesting explanation, suggested by the modern scholar Rabbi David Golinkin^[5] is that *kitniyot* was a food associated with mourning and sadness. Lentils for example are a common, symbolic food that mourners to eat following a funeral. Rabbi Golinkin surmises that *kitniyot* were not only off the menu on Passover but on any holiday of joy and happiness. Eating foods associated with condolence just didn't comport with a celebratory atmosphere.

There are many other reasons cited in various sources for the *kitniyot* prohibition, and if you want more information about them, you can speak to me later. Now for full disclosure there were also many sages of very good repute who thought this whole prohibition was ridiculous! The Talmud records that two of the greatest Sages of the Babylonian community Rav Huna and Rava both ate rice on Passover. It goes on to say that exactly “no one follows the opinion” of the one Sage who was on record as refraining from rice, Rabbi Yochanan ben Nuri. The Rambam, Maimonides, said that even if one makes dough from rice flour it is still permissible to eat on Pesach because the rice did not technically leaven. The 13th Century Rabbi and Tosafist Samuel of Falaise called it a *minhag machmat ta'ut*, a mistaken custom; the 14th Century Provence Rabbi Yerucham ben Meshullam, an import influence on Rabbi Joseph Caro, the author of the Shulchan Aruch, went even farther, calling it a *minhag shtut*, a foolish custom, and Rabbi Ya'akov ben Asher, the author of one of Judaism's classic codes of Jewish law, the Tur, called it an unnecessary stringency which is not followed. Other leading sages counselled that doing away with this stringency was not only permitted but preferable.^[6] From a more

^[5] <http://www.cjvoices.org/article/the-kitniyot-dilemma/>

^[6] *ibid*

modern point of view we could argue that contemporary food processing all but eliminates the possibility of *chametz* mixing with beans or rice. Modern food production is mechanized with great precision, and we have a Food and Drug Administration that has standards for ingredients, packaging, and labeling. Recently I was at Shalom's kosher market (which is open till midnight tonight, by the way) in Silver Spring doing some Pesach shopping. Every year I am amazed by the new quantities and varieties of Passover foods. As I was looking for my gefilte fish loaves in the frozen section, I saw a large box labeled Passover pizza. There was a picture of a cheesy pizza pie on the box, and a hot slice being lifted by a spatula connected to the pie by strings of melted cheese. It looked impossibly delicious. In my house we make pizza on Passover by slathering matzah with tomato sauce and topping it with shredded mozzarella. Not this pizza...it looked as authentic as Dominos! A few years ago when we were on a kosher for Passover excursion in Costa Rica, we were served hot dogs on kosher for Passover buns. And when I was in Israel once on Passover, I had a kosher Whopper at Burger King, also served on a kosher for Passover bun. Nowadays you can have all kinds of baked goods and made with potato starch or matzah cake meal. The high quality of these products are virtually indistinguishable from their *chametz* alternatives.

So why is there even a question? Why not immediately expand our menus, enjoy the rice, the beans, the peas, the sesame seeds...? Why not abandon this custom which seems completely baseless and even has very respected authorities who support getting rid of it? Well, friends, tradition is serious business. The Talmud says *minhag avoteinu be'yadeinu*, that we are the keepers of the traditions of our ancestors. I want my seder, my Passover to look and taste like my grandparents' and great grandparents.' If something would seem entirely out of place to them on Passover, then I might not want it to be part of my Passover. And if I'm cooking for Passover in my bubbe's *peisedik* pots and pans that were handed down to me, can I, in good conscience, prepare rice in them?! I happen to believe that observing the customs and traditions of our ancestors creates a relationship with them; a connection across time and space. Look, I am not particularly inspired by the language of my ketubah, my Jewish marriage contract, which is filled with anachronistic references and legalistic language...but I wouldn't think of altering even a letter of my ketubah, because I love the idea that Jewish brides and grooms for centuries have

wedded one another using that very same document! Tradition, continuity, a connection with our ancestors, sacred customs should be something that we don't eagerly part with. Particularly in the non-Orthodox Diaspora Jewish community, where many people have already drifted so far from tradition...Should we really sanction yet another departure from the ways of our ancestors? I hear the words of the Haggadah in my head: *Lavan bikeish la'akor et ha'kol*: The wicked Laban tried to uproot everything! I stay up at night worrying about how precious few remaining roots we have connecting us to Yiddishkeit.

I've thought a lot about the arguments in favor and against lifting the ban on *kitniyot*. I studied the responsum of the Committee on Jewish Law and Standards. I have weighed in my heart and mind the legal and emotional case regarding this *minhag*, this custom. And I have come to the conclusion that it is and should be permissible to eat *kitniyot* on Passover. And let me tell you why...In addition to all of the compelling arguments that others have made from antiquity to today, I have great concern that customs like this, which truly have no other explanation besides than that's the way we've always done it do not further the cause of Judaism in the modern world. I am concerned that stringencies like this cause people to, God forbid, scoff at the tradition; to think that it is so wildly out of touch and so excessively restrictive. Not only that but Passover products have become very expensive, and feeding a family for eight days, not to mention hosting two seders, can be a small fortune given the prices of *kosher le'Pesach* foods, it seems that we should offer more alternatives not fewer. Certainly for vegetarians, vegans, and people with gluten allergies, it can be pretty tricky to eat on this holiday. Passover is a time to celebrate freedom, redemption, salvation; to rejoice at the defeat of tyranny; to revel in a story that has inspired countless freedom fighters and civil rights pioneers. I don't think Passover calls for additional restrictions that could distract people from appreciating the radical, timeless messages of this holiday. If you have been persuaded to eat *kitniyot* this Passover, there are some very real precautions you should be aware of particularly regarding processed, canned and dried foods, which may also include chametz. I welcome you to be in touch with me any time to discuss those details before Passover.

So what will I do this year? Well unless by some chance I convinced my holy, pious, thoroughly Ashkenazi wife that it is in fact permissible to eat *kitniyot*, I probably will not be having rice or corn or lentils at my seder. Because one tradition that should absolutely never be violated is *shalom bayit*...peace in the home! And in my *bayit*, in my home, when *ima* has shalom—when Mom is at peace, we are all at peace!

Shabbat Shalom and *Chag Kasher ve'Sameiach!*