

The Torah

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The Paradox of Pesach Sheni

As a historical commemoration, Passover is tied to a specific date. Nevertheless, the Torah gives a make-up date for bringing the offering a month later. *Gerim*, non-Israelites living among Israelites as equals, are also allowed to bring this offering, even though it wasn't their ancestors who were freed. How do we make sense of these anomalies?

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A Fixed Lunar-Calendrical Commemoration:

After explaining to Moses how the Israelites should perform the Passover ritual in order to avoid being killed during the plague of the firstborn, YHWH ends with:

שמות יב:י"ד וְהָיָה הַיּוֹם הַזֶּה לְכֶם
לְזִכְרוֹן וְחֻגְתֶּם אֹתוֹ חֹג לַיהוָה

Exod 12:14 This day shall be to you one of
remembrance: you shall celebrate it as a

לְדֹרֹתֵיכֶם חֻקַּת עוֹלָם תִּחְגְּלוּ.

festival to YHWH throughout the ages;
you shall celebrate it as an institution for
all time.

Moses then passes the message along to the elders of Israel, expanding on this point:

שְׁמוֹת יב:כד וּשְׁמֹרְתֶם אֶת הַדְּבָר
הַזֶּה לְחֻק לְדֹ וּלְבָנֵיךָ עַד עוֹלָם.
יב:כה וְהָיָה כִּי תָבֹאוּ אֶל הָאָרֶץ
אֲשֶׁר יָתַן יְיָ הַנְּהוּה לָכֶם כְּאֲשֶׁר דִּבֶּר
וּשְׁמֹרְתֶם אֶת הָעֲבֹדָה הַזֹּאת.

Exod 12:24 You shall observe this as an
institution for all time, for you and for
your descendants. 12:25 And when you
enter the land that YHWH will give you,
as He has promised, you shall observe
this rite. [1]

When a year passes, and the date of the original Passover in Egypt arrives, God tells Moses to command the Israelites to inaugurate the annual paschal sacrificial offering in the wilderness, emphasizing its proper date and timing:

במדבר ט:א וַיְדַבֵּר יְיָ הַנְּהוּה אֶל מֹשֶׁה
בְּמִדְבַר סִינַי בַּשָּׁנָה הַשְּׁנִיית לְצֵאתָם
מֵאֶרֶץ מִצְרַיִם בְּחֹדֶשׁ הָרִאשׁוֹן
לֵאמֹר. ט:ב וַיַּעֲשׂוּ בְנֵי יִשְׂרָאֵל אֶת
הַפֶּסַח בְּמוֹעֵדוֹ. ט:ג בְּאַרְבָּעָה עָשָׂר
יוֹם בְּחֹדֶשׁ הַזֶּה בֵּין הָעֶרְבִים תִּמְעָדוּ
אֹתוֹ בְּמוֹעֵדוֹ כְּכֹל חֻקֹּתָיו וְכִכֹּל
מִשְׁפָּטָיו תַּעֲשׂוּ אֹתוֹ.

Num 9:1 YHWH spoke to Moses in the
wilderness of Sinai, in the second year
following the exodus from the land of
Egypt, in the first month: 9:2 Let the
Israelite people offer the paschal sacrifice
at its set time: 9:3 **you shall offer it on
the fourteenth day of this month, at
twilight, at its set time;** you shall offer it
in accordance with all its rules and rites.

Moses relays this message, and the people celebrate the Passover. Here too the proper date is emphasized:

במדבר ט:ד וַיְדַבֵּר מֹשֶׁה אֶל בְּנֵי
יִשְׂרָאֵל לַעֲשׂוֹת הַפֶּסַח. ט:ה וַיַּעֲשׂוּ
אֶת הַפֶּסַח בְּרִאשׁוֹן בְּאַרְבָּעָה עָשָׂר
יוֹם לְחֹדֶשׁ בֵּין הָעֶרְבִים בְּמִדְבַר סִינַי
כְּכֹל אֲשֶׁר צִוָּה יְיָ הַנְּהוּה אֶת מֹשֶׁה בֶּן
עֶשְׂרֵים בְּנֵי יִשְׂרָאֵל.

Num 9:4 Moses instructed the Israelites to
offer the paschal sacrifice; 9:5 and they
offered the paschal sacrifice **in the first
month, on the fourteenth day of the
month, at twilight**, in the wilderness of
Sinai. Just as YHWH had commanded
Moses, so the Israelites did.

The emphasis on the festival's date highlights its function as commemorating a specific event, the exodus from Egypt, which transpired on a specific date.

Agricultural and Historical Festivals

Historical commemoration, to be performatively meaningful, needs to hold the commemoration not at some vague time period, but on the same proper

day or date of every year, however determined. The centrality of this aspect of Passover is clear when compared with the two other annual pilgrimage festivals, Sukkot and Shavu'ot.

In most places in the Torah, Sukkot celebrates the ingathering of the final agricultural product of Israel in the autumn (e.g., grapes and olives). Sukkot's historical significance, however, is mentioned in only one passage in the Torah:

<p>ויקרא כג:מב בסכת תשבּו שבעת ימים כל האזרח בְּיִשְׂרָאֵל יֵשְׁבוּ בסכת. כג:מג למען ידעו דרתיכם כי בסכות הושבתי את בני יִשְׂרָאֵל בהוציאִי אוֹתָם מֵאֶרֶץ מִצְרַיִם...</p>	<p>Lev 23:42 You shall live in booths seven days; all citizens in Israel shall live in booths, ^{23:43} in order that future generations may know that I made the Israelite people live in booths when I brought them out of the land of Egypt...</p>
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[2]

While Sukkot does have a specific date in this chapter, starting on the 15th of seventh month (v. 34), the passage about the historical meaning of the practice does not associate the dwelling in booths to this specific date the way the Passover passages do.^[3] Note also the explicit designation of the subject as “all citizens of Israel,” as if to exclude non-citizens.

For Shavuot, no commemorative element is suggested until post-biblical times.^[4] In fact, Leviticus 23, which assigns dates to all the other biblical festivals, doesn't even assign Shavuot an exact date. We are merely told that it will take place fifty days after the wave offering for the first cut of grain (an event which is also not given a date; Lev 23:11, 15).^[5]

This may be because the date was a “moving target,” since some years the first cut would need to be earlier or later, depending on meteorological vicissitudes (e.g., an early or late spring) and the “floating” nature of a lunar annual calendar of 354 days in a solar year of 365 days.^[6] As a result, in a mainly agricultural society, in any given year, agricultural pilgrimage festivals would be celebrated “early” or “late” depending on when the crops ripened.^[7]

Passover too has a seasonal element connecting it with the spring (Deut 16:1).^[8] Moreover, its “partner” festival, Matzot, one of the three pilgrimages festivals, also meant to be celebrated in the spring (Exod 13:4, 23:15, 34:18), is likely connected to the end of the barley harvest or beginning of the wheat harvest.^[9] In order to ensure that Passover would always be celebrated in the spring, the Israelite lunar calendar could be intercalated to stay synchronized with the solar year, with its cycle of climactic and agricultural seasons.

What could not be countenanced, however, once the commemorative aspect became dominant, was Passover being celebrated earlier or later than the date associated with the exodus story.^[10] This, I would argue, explains the

repeated emphasis in Numbers 9:1–5 on conducting the Passover sacrifice on its proper date, the evening of the 14th of Nisan. It is a warning against those who might wish to alter the date to suit current seasonal conditions, as was likely done for Shavuot.

A Make-up Passover?

Notwithstanding these multiple emphases on “set time,” and the calendrical line of command going from God to the people by way of Moses, in Numbers 9 a group of Israelites petition Moses and Aaron to allow for an exception:

<p>במדבר ט: וַיְהִי אֲנָשִׁים אֲשֶׁר הָיוּ טְמֵאִים לְנֶפֶשׁ אָדָם וְלֹא יָכְלוּ לַעֲשׂוֹת הַפֶּסַח בַּיּוֹם הַהוּא וַיִּקְרְבוּ לְפָנָיו מֹשֶׁה וְלִפְנֵי אַהֲרֹן בַּיּוֹם הַהוּא.^{ט:ט} וַיֹּאמְרוּ הָאֲנָשִׁים הֲהִמָּה אֵלֵינוּ אֲנִיחֶנּוּ טְמֵאִים לְנֶפֶשׁ אָדָם לָמָּה נִגְרַע לְבַלְתִּי הַקְרִיב אֶת קִרְבָּנוּ יְיָ הַזֶּה בְּמַעַדוֹ בְּתוֹךְ בְּנֵי יִשְׂרָאֵל.</p>	<p>Num 9:6 But there were some men who were unclean by reason of a corpse and could not offer the paschal sacrifice on that day. Appearing that same day before Moses and Aaron, ^{9:7} those men said to them, “Unclean though we are by reason of a corpse, why must we be debarred from presenting YHWH's offering at its set time with the rest of the Israelites?” ^[11]</p>
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Given the point made above about Passover commemorating a specific event in time, and the strong emphasis on the date in the previous passage, we would have thought that Moses' answer would be no. Imagine celebrating Thanksgiving, the commemoration of a “historical” event (even if fictitious) of the arrival of the pilgrims on the Mayflower at Plymouth Rock, a month “late,” on the fourth Thursday of December.

And yet, Moses does not respond immediately with a no, but agrees to bring the question directly to God:

<p>במדבר ט:ח וַיֹּאמֶר אֲלֵהֶם מֹשֶׁה עֲמְדוּ וְאִשְׁמְעָה מִה יִצְוֶה יְיָ הַזֶּה לְכֶם.</p>	<p>Num 9:8 Moses said to them, “Stand by, and let me hear what instructions YHWH gives about you.”</p>
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Moses' agreement implies that he sees multiple options and that the original divine revelation at Mt. Sinai has a lacuna of sorts, which requires an ad hoc inquiry and decision. This new decision will then establish a precedent for an amendment, as it were, to the law.^[12]

God's Affirmative Response

God responds to the petition affirmatively, and even adds a second acceptable circumstance, that of someone on a “long journey,”^[13] who cannot make it home by the 14th of Nisan:

במדבר ט:ט וַיְדַבֵּר יְהוָה אֶל מֹשֶׁה
 לֵאמֹר. ט:י דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל
 לֵאמֹר אִישׁ אִישׁ כִּי יִהְיֶה טָמֵא
 לְנַפְשׁוֹ אוֹ בְדַרְדָּר רַחֲקָה לָכֶם אוֹ
 לְדַרְתֵיכֶם וְעָשָׂה פֶסַח לַיהוָה. ט:יא
 בַּחֹדֶשׁ הַשֵּׁנִי בְּאַרְבַּעָה עָשָׂר יוֹם בֵּין
 הָעַרְבִים יַעֲשׂוּ אֹתוֹ עַל מִצּוֹת
 וּמִרְרִים יֹאכְלֶהוּ. ט:יב לֹא יִשְׂאִירוּ
 מִמֶּנּוּ עַד בֶּקֶר וְעֵצִים לֹא יִשְׂבְּרוּ בוֹ
 כְּכֹל חֻקַּת הַפֶּסַח יַעֲשׂוּ אֹתוֹ. ט:יג
 וְהָאִישׁ אֲשֶׁר הוּא טְהוֹר וּבְדַרְדָּר לֹא
 יִהְיֶה וְחָדַל לַעֲשׂוֹת הַפֶּסַח וְנִכְרְתָה
 הַנֶּפֶשׁ הַהִוא מֵעַמִּיהָ כִּי קָרְבַן יְהוָה
 לֹא הִקְרִיב בְּמַעֲדוֹ חֲטָאוֹ יִשָּׂא הָאִישׁ
 הַהוּא.

Num 9:9 And YHWH spoke to Moses,
 saying: 9:10 Speak to the Israelite people,
 saying: When any of you or of your
 posterity who are defiled by a corpse or
 are on a long journey would offer a
 paschal sacrifice to YHWH 9:11 they shall
 offer it in the second month, on the
 fourteenth day of the month, at twilight.
 They shall eat it with unleavened bread
 and bitter herbs, 9:12 and they shall not
 leave any of it over until morning. They
 shall not break a bone of it. They shall
 offer it in strict accord with the law of the
 paschal sacrifice. 9:13 But if a man who is
 clean and not on a journey refrains from
 offering the paschal sacrifice, that person
 shall be cut off from his kin, for he did
 not present YHWH's offering at its set
 time; that man shall bear his guilt.

Although followed up with a warning against any who miss offering the paschal sacrifice at the proper time for insufficient cause, God's overall response is affirmative. The rules about how to eat the paschal sacrifice, which are laid out in Exodus 12 (vv. 8–10, 46) are repeated here, to emphasize that the make-up version must be treated like the real thing.

Given the firm and reiterated strictures of the surrounding narrative to observe the paschal sacrifice at its “set time,” this is a remarkable divine accommodation to a seemingly spontaneous human appeal. The Bible provides no other examples for make-up festivals celebrated by people who could not celebrate on time through no fault of their own.

One (partial) exception is in the story of Chanukah, as told by the Second Book of Maccabees, in which the original eight-day rededication of the Temple, beginning on the 25th of Kislev, is understood as a *one-time* delayed celebration of Sukkot, due to the ritually defiled state of the Temple altar, referred to as “the festival of booths in the month of Kislev” (2 Macc. 1:9). Yet, for Passover, we find the possibility of postponement not only here, but also in the book of Chronicles:

דברי הימים ל:א וַיִּשְׁלַח יְחִזְקִיָּהוּ עַל
 כָּל יִשְׂרָאֵל וְיְהוּדָה וְגַם אֶגְרֹת כָּתַב
 עַל אֶפְרַיִם וּמְנַשֶּׁה לָבוֹא לְבֵית יְהוָה
 בִּירוּשָׁלַם לַעֲשׂוֹת פֶּסַח לַיהוָה
 אֱלֹהֵי יִשְׂרָאֵל. ל:ב וַיִּזְעַזְעוּ הַמֶּלֶךְ

2 Chr 30:1 Hezekiah sent word to all Israel
 and Judah; he also wrote letters to
 Ephraim and Manasseh to come to the
 house of YHWH in Jerusalem to keep the
 Passover for YHWH God of Israel. 30:2

אֱלֹהֵי יִשְׂרָאֵל. לְבַב וַיִּזְעַן הַמֶּלֶךְ
 וְשָׂרָיו וְכָל הַקְּהָל בִּירוּשָׁלַם לַעֲשׂוֹת
 הַפֶּסַח בַּחֹדֶשׁ הַשֵּׁנִי... לְבַב וַיִּאֲסְפוּ
 יְרוּשָׁלַם עִם רַב לַעֲשׂוֹת אֶת חֹג
 הַמִּצְוֹת בַּחֹדֶשׁ הַשֵּׁנִי קֹהֵל לְרַב
 מְאֹד... לְבַב וַיִּשְׁחֲטוּ הַפֶּסַח
 בְּאַרְבַּעָה עָשָׂר לַחֹדֶשׁ הַשֵּׁנִי...

Passover for YHWH God of Israel. 30:2
 The king and his officers and the
 congregation in Jerusalem had agreed to
 keep the Passover in the second month....
 30:13 A great crowd assembled at
 Jerusalem to keep the Feast of
 Unleavened Bread in the second month, a
 very great congregation.... 30:15 They
 slaughtered the paschal sacrifice on the
 fourteenth of the second month....

Finding it impossible to organize a Passover festival for the people on time, Hezekiah (without divine authorization) has the people gather on the 14th of the next month, i.e., *Pesach Sheni* (the second Passover)—and according to the continuation of the chapter, it is a grand success.^[14] Why does Passover of all festivals receive this exceptional treatment?

The Covenantal Aspect of Passover

The uniqueness of *Pesach Sheni* undoubtedly is the result of the singular covenantal-historical importance of Passover to Israelite identity, both personal and collective. The Passover sacrifice, by commemorating the exodus from Egypt, has national covenantal significance far exceeding the rites of the other central festivals. God, after all, self-identifies as the one who “brought you out of the land of Egypt” (e.g., Exod 20:2).

Failure to offer the paschal sacrifice results in the sanction of *karet* (Num 9:13), extirpation, untimely death.^[15] In this respect, Passover overlaps with the rite of circumcision, a connection made explicit in Exodus (as we shall see shortly).^[16]

Why Include the Resident Stranger (*Ger*) Here (Again)?

The centrality of the paschal sacrifice also helps us understand the final verse in God’s command here:

במדבר ט:יד וְכִי יָגוּר אִתְּכֶם גֵּר וַעֲשֵׂה
 פֶּסַח לִי־הוּנָה כְּחֻקַּת הַפֶּסַח
 וּכְמִשְׁפָּטוֹ כִּן יַעֲשֶׂה חֻקָּה אַחַת יְהִי
 לָכֶם וְלַגֵּר וְלַאֲזִיחַ הָאָרֶץ.

Num 9:14 And when a stranger who resides with you would offer a paschal sacrifice to YHWH, he must offer it in accordance with the rules and rites of the paschal sacrifice. There shall be one law for you, whether stranger or citizen of the country.

In the Torah, the term *ger* refers to more than one thing, but in this context (priestly legislation) it refers to non-Israelites who live as part of the Israelite community.^[17] Like the description of how to properly eat the paschal sacrifice in vv. 11–13, the law here about the *ger* repeats what we are told in Exodus 12:

<p>שמות יב:מח וְכִי יִגֹּר אֲתֶדָּגַר וְעָשָׂה פֶּסַח לַיהוָה הַמּוֹל לֹא כָל זָכָר וְאִם יִקְרַב לַעֲשׂוֹתוֹ וְהָיָה כְּאִזְרַח הָאָרֶץ וְכָל עֶרְל לֹא יֵאָכֵל בוֹ. יב:מט תּוֹרָה אַחַת יִהְיֶה לְאִזְרַח וְלִגֵּר הַגֵּר בְּתוֹכְכֶם.</p>	<p>Exod 12:48 If a <i>ger</i> who dwells with you would offer the paschal sacrifice to YHWH, all his males must be circumcised; then he shall be admitted to offer it; he shall then be as a citizen of the country. But no uncircumcised person may eat of it. 12:49 There shall be one law for the citizen and for the stranger who dwells among you.</p>
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As might be expected, commentators who assume that the Torah does not say things that are redundant have offered a variety of explanations for why this law is repeated here. For example, some of the rules and practices for the paschal sacrifice in Exodus 12 might have been for a one-time *פסח מצרים* (“Passover in Egypt”) and that they should not be presumed to have continued throughout *פסח דורות* (“Passover of the generations”), unless explicitly stated. Such is indeed the case, according to the rabbis, for the painting of blood on the doorposts.^[18]

Whatever the reason, the inclusion of the *ger* in the Pesach Sheni law highlights the significance of Passover to the identity of Israelites as a nation, more so than any other Jewish festival. If *gerim* (pl. of *ger*) are really going to be part of Israel, then they must be permitted to partake in the core identity ritual of the people.

The repetition of including the *ger* then could be a response to reluctance in some quarters to include the *ger* in the celebration of an event which was not experienced by his (or her) biological ancestors. Returning to Moses’ speech to the elders in Exodus 12 (the beginning of which is quoted above):

<p>שמות יב:כו וְהָיָה כִּי יֹאמְרוּ אֲלֵיכֶם בְּנֵיכֶם מָה הָעֲבֹדָה הַזֹּאת לָכֶם. יב:כז וְאָמַרְתֶּם זָבַח פֶּסַח הוּא לַיהוָה אֲשֶׁר פָּסַח עַל בְּתֵי בְנֵי יִשְׂרָאֵל בְּמִצְרַיִם בְּנִגְפוֹ אֶת מִצְרַיִם וְאֶת בְּתֵינוּ הִצִּיל...</p>	<p>Exod 12:26 And when your children ask you, “What do you mean by this rite?” 12:27 you shall say, “It is the paschal sacrifice to YHWH, because He passed over the houses of the Israelites in Egypt when He smote the Egyptians, but saved our houses.”</p>
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Can *gerim* really make this statement to their children?^[19] This is a question some ancient Israelites and Judahites may have asked. Perhaps, in order to

counter such an understandable prejudice against *gerim* as not “belonging,” the argument for their inclusion is made repeatedly in the Torah, and emphasized twice with respect to Passover.^[20]

One Law for the Citizen and the *Ger* Alike

At the same time, the text emphasizes the inverse point: when bringing the paschal sacrifice, the *ger* must adhere to the same legal standards applied to the native-born (Israelite) citizen. In Exodus, this focused on the requirement that the *ger* be circumcised in order to participate in Passover, while in Numbers it is about the need to keep to the detailed instructions for the proper preparation and consumption of the paschal sacrifice.

In other words, it is as much (if not more) about shared responsibility as individual rights. Of course, the idea of equal rights and obligations for the *ger* might be true for many areas of ritual and law, but the principle is articulated and emphasized here (Num 9:14 and Exod 12:29; but cf. Lev 24:22 and Num 15:15-16) with respect to Passover *per se*.

The Paradox of Pesach

Passover, the most national of the annual pilgrimage festivals, contains some inherent paradoxes. Its status as a historical commemoration required that the fixed date be set in stone, yet at the same time, its centrality to Israelite identity pushed Torah law to devise a make-up date for people who could not perform the ritual on time, even though this ostensibly weakens its parahistorical claims. Similarly, while the offering is meant to commemorate what Israel’s ancestors did when they were in Egypt, its centrality again forced the law to invite participation of the *ger*, who lives among the Israelites, even though it is not their ancestors who were freed from Egypt.

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Footnotes

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[1] That Moses is explaining God’s command in the previous part of the chapter reflects the Pentateuch as we have it now. Many critical scholars, however, argue that the two passages are not from the same source.

[2] Editor's note: Many scholars consider this passage to be a late redactional insertion, since it appears after vv. 37–38 which seems to be the original ending of the section. See Lisbeth Fried, "Sukkot in Ezra–Nehemiah and the Date of the Torah," *TheTorah* (2015); TABS Editors, "The First Sukkah," *TheTorah* (2013).

[3] Depending on how the phrase is interpreted, this could be a claim about how the Israelites dwelt throughout their forty years in the wilderness. Editor's note: For some interpretations of this passage, see David Frankel, "How and Why Sukkot Was Linked to the Exodus," *TheTorah* (2015); David Ben-Gad HaCohen, "When and Where the Israelites Dwelt in Sukkot," *TheTorah* (2016).

[4] Editor's note: For some discussion of this, see Michael Segal, "Shavuot: The Festival of Covenants," *TheTorah* (2014); Norman Solomon, "Shavuot: How the Festival of Harvest Grew," *TheTorah* (2014).

[5] Editor's note: For an overview of the many attempts in different strains of Judaism to set a date for this festival, see Marvin Sweeney and Zev Farber, "When Does Counting the Omer Begin?" *TheTorah* (2018); Marvin Sweeney, "How the Temple Scroll Rewrote the Festival of Bikkurim," *TheTorah* (2018).

[6] Editor's note: For a discussion of the biblical calendar and other Jewish calendars, see, Sacha Stern, "What Is the Bible's Calendar?" *TheTorah* (2019); Aaron Demsky, "The Essence of the Hebrew Calendar," *TheTorah* (2016); Michael Segal, "The Jewish Calendar in Jubilees," *TheTorah* (2014).

[7] Compare the Cherry Blossom Festival in Washington D.C. [and New Haven, CT], every spring.

[8] Scholars debate what the original connection to spring may have been. Suggestions range from a ritual to protect the flocks moving to spring pastures to a ritual to protect infants in the new year. Editor's note: For the latter suggestion, see Kristine Henriksen Garroway, "The Origins of the Biblical Pesach," *TheTorah* (2015). For a survey of modern and traditional approaches, see Martin Lockshin, "Searching for the Meaning of the Passover Sacrifice," *TheTorah* (2017).

[9] Editor's note: For a discussion of the agricultural origins of the Matzot festival, see Yael Avrahami, "Why Do We Eat Matzah in the Spring?" *TheTorah* (2018).

[10] Editor's note: For a discussion of how the Matzot festival became connected to the story of the exodus, see Zev Farber, "How Eating Matzot became Part of the Exodus Story," *TheTorah* (2018). For a discussion of how Matzot and Passover became connected, see Michael Satlow, "Passover and the Festival of Matzot: Synthesizing Two Holidays," *TheTorah* (2014).

[11] Note that the requested "make-up" is for the paschal sacrifice itself, on the 14th of Nisan, and not for the ensuing seven-day "holiday of unleavened bread" (חג המצות; e.g., Exod 12:14–20) which would remain observed, by abstaining from leavened food, at its "set time" in the month of Nisan, rather than delayed to 14th of Iyyar, since eating *matzah* was not restricted to the Tabernacle and did not require the same level of ritual purity.

[12] Three similar legal narratives appear elsewhere in the Pentateuch, for a total of four: (1) Lev 24:10–23, punishment of a blasphemer; (2) Num 15:32–36, punishment of someone gathering wood on Shabbat; (3) Num 27:1–11, the inheritance of the daughters of Zelophehad. All four have been analyzed for their literary form and function by Simeon Chavel, *Oracular Law and Priestly Historiography in the Torah* (Tübingen: Mohr Siebeck, 2014). They all suggest that the revelation at Mt. Sinai was, as it were, incomplete, requiring unanticipated circumstances to be adjudicated via popular petition to God via Moses as prophet, in each case establishing a permanent precedent. The point seems to be that each text is aware that a

certain law that it considers authoritative does not exist in the standard corpus, and its authoritative nature needs to be defended by a narrative in which Moses receives confirmation from God that this really is the law.

[13] The precise length of this journey is debated in the Mishnah *Pesaḥim* 9:2. Whatever the length, such a circumstance is obviously not relevant to the wilderness generation and would appear to be a creative interpolation added into the story. Thus, a story designed to add an amendment to the Passover law, *pesach sheni*, into the Mosaic corpus, is itself supplemented by a further circumstance not envisioned by the original author of the story. See discussion in Stephen Garinkel, “[The Evolution and Innovation of Pesach Sheni](#),” *TheTorah* (2013). This highlights the need later generations had to be able to attribute their updating of the laws to Moses, the original law giver. (See discussion in Hindy Najman, “[The Ancient Practice of Attributing Texts and Ideas to Moses](#),” *TheTorah* [2016].) In rabbinic times, finding further foundation for legal expansions once the text is canonized and fixed becomes one of the main purposes and challenges of later midrashic commentary.

[14] Editor’s note: For a discussion of this source, see David Glatt-Gilead, “[Why Did King Hezekiah Celebrate His Inaugural Passover a Month Late?](#)” *TheTorah* (2019).

[15] As Jacob Milgrom comments on Num 9:13 (*JPS Torah Commentary: Numbers* [1990], 70):

Passover, however, has national significance: As a commemoration of the Exodus, its observance is a reaffirmation of the covenant struck by God with Israel at the beginning of its national existence. As a consequence, failure to participate in the rite — except for the circumstances stipulated here — is tantamount to a breach of the covenant. And by a similar rationale, circumcision is the only other performative commandment whose neglect is subject to *karet* (Gen 17:14). It is the sign of the covenant and its neglect is therefore also equivalent to a violation of the covenant.

[16] I will add that these two rituals also overlap, in that they are both explained as having national significance, whereas their origin and the character of the rituals reveal their origins as personal (circumcision) / home- and family-bound (Passover).

[17] Editor’s note: For more on *ger* in the Torah and rabbinic literature, see Ishay Rosen-Zvi, “[In the Torah, Is the Ger Ever a Convert?](#)” *TheTorah* (2019).

[18] See Abraham ibn Ezra and Ramban to Numbers 9:14.

[19] A similar issue arises with the confession over the *bikkurim* (first produce) brought on Shavuot. See discussion in Dalia Marx, “[A Torah-Prescribed Liturgy: The Declaration of the First Fruits](#),” *TheTorah* (2016).

[20] The Torah’s emphasis on respecting and including the *ger* may connect to how the national identity reinforced by the Passover ritual is tied to Israel having once been strangers in Egypt and having received unfair treatment. The consequence of having such a national identity is the need for Israelites to be hypersensitive to proper treatment of strangers in its own midst. As we read in the Covenant Collection:

<p>שמות כ"ט: וְגַר לֹא תִלְחָץ וְאַתָּם יִדְעֻתֶם אֶת נֶפֶשׁ הַגֵּר כִּי גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרָיִם.</p>	<p>Exod 23:9 You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers in the land of Egypt.</p>
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I am not sure “feelings” is a strong enough translation of *nephesh* (“soul”), which I would colloquially render (in Yiddish-inflected English): “You (Israel) know full well in your *kishkes* (“gut”) what it is to be a *ger* from your own first-hand experience (collective memory).” The experience of being a *ger* is inscribed in Israel’s DNA, as it is in its history.



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