"Shmurah" Matzah: Humra, Scam, or Tragic Error? © Freehof Institute of Progressive Halakhah, 2020

All matzah baked under supervision (*hashgaḥah*) and labelled "Kosher for Passover" (לפסת) is "unleavened bread," that is, it was baked before the dough could undergo the process of fermentation (*himutz*, יחמוץ, The matzah commonly available in stores is machine-baked, square-shaped, and reasonably priced.[1] Then there is "*shmurah*" matzah, also known as *matzah m* '*shumeret*, which meets a more stringent standard of *hashgaḥah*: it is "guarded" (*sh* '*murah*, *m* '*shumeret*) from יחימוץ not only from the time that the dough is kneaded but all the way from the time when the grain was harvested. The requirement that the grain be "guarded" (from the root רימוץ) or "watched" is based upon Exodus 12:17, ושמרתם את המצות, literally "you shall watch/guard the matzot," which the Rabbis understand both as a requirement that the matzah be baked specifically for the purpose of fulfilling the *mitzvah* of Pesach (*B. P'saḥim* 35b) and as a requirement that the grain be "guarded" so as to prevent it from *ḥimutz*. *Shmurah* matzot are often (but not always) round. They are quite expensive.[2] And contemporary Orthodox practice is to insist on their use, at the very least for the Seder,[3] instead of "regular" matzot.

Is the preference for *shmura* matzah simply a *humra* (תומרא), a stringent standard for fulfilling a *mitzvah* that speaks to the desire among some observant Jews to "aim high" in their observance? Maybe. But there's a more cynical explanation, too: *shmurah* matzah is a scam, a trick perpetrated by Jews who wish to claim that *their* standard of observance is the "right" one, the one that is *authentically* Jewish. Such is the claim put forth by <u>Chabad</u> (which goes to great <u>lengths</u> to make these matzot available to the rest of us): "*Shmurah* matzot are round, kneaded and shaped by hand, and are similar to the matzot that were baked by the Children of Israel as they left Egypt. It is thus fitting to use *shmurah* matzah on each of the two Seder nights for the matzot of the Seder plate." In other words, if you use regular matzot at your Seder, your practice is *not* fitting and *in*authentic.

And then there's a third possibility. *Shmurah* matzah is a mistake, the outcome of a misinterpretation of a Talmudic passage that goes back a very long time.

Let's take a look at all this. We begin with the statement of the *halakhah* in the *Shulhan Arukh* (*Orah Hayyim* 543:4):

החטים שעושים בהם מצת מצוה טוב לשמרן שלא יפלו עליהם מים משעת קצירה, ולפחות משעת טחינה. ובשעת הדחק מותר ליקח קמח מן השוק.

It is desirable that the grain from which the Seder matzah is made be guarded to make sure that no water comes into contact with it from the time it was harvested, or at least from the time that it was milled. In times of urgency, one may purchase flour from the marketplace.

The ruling sets forth three standards for "guarding" the matzot, in ascending order of stringency.

1. The lowest level ("In times of urgency") is satisfied with preserving the matzah from *himutz* from the time that the flour is mixed with water and kneaded (*misha`at lishah* / משעת לישה). This actually makes the most sense, since that is the time when *himutz* is most likely to occur. It also matches the standard that the Talmud sets when defining the requirement of *shimur* (שימור), of preventing the fermentation of dough, as we read in *B*. *M'nahot* 53a:

מנין לכל המנחות שנילושות בפושרין ומשמרן שלא יחמיצו? נלמדנה מפסח, דכתיב: ושמרתם את המצות; אמר ליה, בגופה כתיב: מצה תהיה How do we know that *minhah* (= flour) offerings are to be kneaded in tepid water and guarded/watched so that they do not ferment? This is derived from Pesach, where it is written, "You shall guard the matzot" (Ex. 12:17).

From this we learn that the Talmudic standard for *shimur* is *misha`at lishah*, from the time the dough is kneaded.[4] This is also the standard mentioned in Geonic literature.[5] Our regular "kosher for Passover" is "guarded" *misha`at lishah*.

2. The intermediate level is *misha`at t`hinah*, from time that the grain is milled into flour. This appears to be a *minhag* of medieval Ashkenaz, as we read in the *Halakhot* of R. Asher b. Yehiel (d. 1327), *P'sahim* 2:26:

ונהגו באשכנז ובצרפת לשמרן משעת תחינה לפי שאז מקריבין אותן אל המים שטונחים בריחיים של מים The custom in Germany and France is to guard the grain from the time of milling. That is when it is brought into contact with water, since mills are operated by waterpower.

It follows that if the mill is not powered by water, such *shimur* would not be necessary.[6]

3. The most stringent standard, the one preferred by the *Shulhan Arukh* (and by the Orthodox Union and Chabad) is *misha`at k'tzirah*, from the time that the grain is harvested. This standard is not mentioned explicitly in the Talmud. But R. Yitzhak Alfasi (Rif; North Africa-Spain, d. 1103) attributes it to a prominent Babylonian Amora (*Hilkhot HaRif* to *P'sahim* 40a, fol. 12a): H

ומיבעי ליה לאיניש לנטורי קימחא דפיסחא מעידן קצירה דאמר קרא ושמרתם את המצות ואמר להו רבא להנהו דמהפכי כיפי כי מהפכיתו הפיכו לשום מצה כלומר הזהרו בהן שלא יבא עליהם מים

One must guard the Pesach flour from the time of harvesting, as Scripture says (Ex. 12:17) "You shall guard the matzot." And this is what Rava meant [*B. P'saḥim* 40a] when he told the workers who were turning the sheaves of grain (in the field): "When you turn the sheaves, turn them with the intention that they be guarded for the purpose of the *mitzvah*" – that is, take care that they do not come into contact with water.

Notice that Rif makes no distinction here between the matzah that one eats at the Seder and the matzah eaten during the rest of the festival: *all* of it must be guarded from the time of harvest. Thus declares Rambam (*Hilkhot Hametz Umatzah* 5:9). And indeed,

there are those who adopt precisely this stringency and eat nothing but *shmurah* matzah throughout the holiday. However, all the major commentaries assert that the stringency applies only to *matzat mitzvah*, the matzah eaten at the Seder to fulfill the *mitzvah*.[7] The ruling in the *Shulhan Arukh* makes that distinction as well.

Yet with all due respect to R. Yitzhak Alfasi, it's not at all clear that his interpretation of Rava's statement (*B. P'saḥim* 40a) is correct. Alfasi understands "turn the sheaves… with the intention that they be guarded" as a requirement that *in all cases* the "watching" needs to begin from the time the grain is harvested. But Rabbi Daniel Sperber argues, based upon evidence from agricultural practice in late antiquity, that Rava in fact is referring to a special circumstance: that is, when the sheaves have become wet while still in the field, they must be turned from side to side so that they can dry. This has nothing to do with the procedure undertaken in normal circumstances, when the grain is dry, so that we cannot deduce from Rava's words a requirement for "guarding" from the time of harvest *in all cases*.[8]

In other words, there is no clear support in the Talmud for a standard of "guarding" *misha`at k`tzirah*, from the time of harvest. This means that there is no objection for using "regular" matzot to fulfill the *mitzvah* at the Seder. Those matzot are "guarded" *misha`at lishah*, from the time when the flour is mixed with water, with the intent that they be baked into matzot for Passover. That standard is most likely what the Talmud means when it calls for *shimur*.

At the same time, *shmurah* matzah is not a scam. It's "guarded" according to the standard recommended by many *poskim*, including the *Shulhan Arukh*. So there's no objection to its use, so long as you know that this is a *humra*, a stringency that is entirely optional. *Shmurah* matzah may *look* more "authentic" than the regular variety... but it is by no means a "must."

If you want our opinion, it's nothing so much as an unnecessary expense, based upon a tragically mistaken interpretation of an ancient text.

NOTES

[1] In 2020, a set of five one-pound boxes of matzah was available for \$14.99 (US) at amazon.com.

[2] In 2020, a local Chabad organization offered "*shmurah*" matzah at the "low price" of \$20.00 (US) per pound.

[3] According to the <u>Orthodox Union</u>, one *must* use "*shmurah*" matzah "for the four commandments of motzi, matza, koreich, and afikoman." The <u>Chabad</u> website quotes Rabbi Eliyahu Kitov, in *The Book of Our Heritage*: "Many people make a point of eating matzah shmurah at least at the Seder, on the first night of Passover, and outside the Land of Israel, on the second night as well, for it is then that there is an obligation to eat matzot. There is no obligation to eat matzah during the remaining days of Passover."

[4] See Rashi *ad loc*.: דהואיל ונילושות בפושרין מצוה לשמרם שלא יחמיצו ושימור היינו שיעסוק - *"shimur* means that one should attend to the dough", i.e., from the time that the flour becomes dough through mixture with water (*misha`at lishah*).

[5] *Sefer Halakhot G'dolot*, ed. Hildesheimer, vol. 1, p. 283: ומיחייבינן לנטורה ללישא דלא ליתי ושמרתם את המצות.

[6] See Magen Avraham, Orah Chayyim 453, no. 7.

[7] See Magid Mishneh to Hilkhot Hametz Umatzah 5:9: והמנהג הפשוט ידוע שמשמרין המצה מעת קצירה למצה של מצוה ושאר הימים אוכלין מפת שמשמרין אותו מחמוץ משעת לישה והרבה מעת קצירה למצה של מצוה ושאר הימים אוכלין מפת שמשמרין אותו מחמוץ משעת לישה והרבה (the accepted custom is to reserve shmurah matzah for fulfilling the mitzvah at the Seder while "regular" matzah – i.e., that which is guarded misha`at lishah) v- is permissible for the rest of the festival).

[8] Daniel Sperber, *Minhagei Yisrael*, vol. 1 (Jerusalem: Mosad Harav Kook, 1989), p. 96. Here is the relevant passage in Sperber's text:

נראה, אייכ, כי דבריו של רבא נאמרו במסיבות מיוחדות, שנרטבו העומרים, ויש לייבשם עייי הפיכתם בשמש מצד לצד. כלפי אלה שעסקו במלאכת הייבוש אמר רבא שיכוונו בכוונה מיוחדת לשם מצה. ואם כנים דברינו, מבוארים הם דבריו של רבא, ואין ללמוד להם כלל לגבי סתם חיטים שיש לשמרם משעת קצירה, אלא שפקודתו היתה מכוונת לחיטים שנפלו יימיא עליהיי, כלשון השאילתות.