

Jewish Holidays from a Torah Perspective

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Abstract

Religious-legal relations is a unique in its kind component of any society. The relationship between religion and law is always reflected through the normative and institutional component of the legal system, and is also characterized by peculiar properties which are exclusively inherent for the Jewish society. The Jewish society is a vivid example of the fact when religious holidays give a special colouring to the Jewish religious-legal ideology and enhance the contrast in respect to other religious-legal systems of the world. Such identity is preceded by the history of self-determination of the Jewish people, the genesis of the formation and evolution of the legal system, as well as the type of the legal ideology of Jewish society. All of this collectively forms the general understanding of what constitutes the Jewish holidays and what content and idea is put into each of them. The object of the research is the social relations of the Jewish people, that reflect the order of keeping and celebrating the Jewish holidays established and regulated by the Torah. The article is devoted to the study of the genesis and process of the establishment of Jewish holidays as one of the components of the Jewish legal tradition with centuries-old history. Taking into account the object of scientific research, the author has used general scientific and special-scientific methods. The main method which has been used in the research is – discrete method, with the help of which the genesis of Jewish holidays is revealed through the prism of Torah. The author has partially used the historical, system, comparative legal, hermeneutical methods and method of critical analysis. The historical method used is especially of great current interest, as far as the study of origin and formation of Jewish holidays requires a retrospective analysis and identification of the relevant developmental patterns. Also system method has been used - the application of it is due to the necessity of systematization of religious holidays. Was to be used a comparative legal method, with the help of which the Jewish days-off and holidays are compared with each other and partially with the holidays of other types of legal systems. The hermeneutic method is specified by the necessity of understanding and

knowledge of the texts of Jewish laws - the Torahs, the Talmud, and other Halachic sources of law. The use of the method of critical analysis as one of the basic in historical-legal studies had contributed to the analysis of scientific literature, which was used as the basis for the study. On the basis of the formal criterion, the content of Jewish holidays, which was initiated by the rules of the Written Torah, is still open today. The peculiarity of Jewish holidays is illuminated through the prism of Halachic norms, including the Written Torah, the Talmud, and the Halachic sources of the post-Talmudist period. Analyzing sources of Jewish law it was found that, taking into account the long history of Jewish law-making, the legal approach of halachists to the perception of Jewish holidays evolved and changed. This was due to the needs of the time and circumstances in which the Jewish people appeared. The author comes to the conclusion that the place devoted to religious holidays in the Jewish legal ideology is extremely important, confirmation of which is the preservation of the religious-legal values defined by Torah for more than 4 thousand years and their transformation into the religious legal system of the modern state of Israel.

Keywords: Religion, Religious legal system, Torah, Shabbat, Pesach, Shavuot, Sukkot, Rosh Hashanah, Yom-Kippur

Introduction

The history of the origin of Jewish holidays, the understanding of their character in the past and present complement the general picture of the vision of "who the Jews are" and what it means to be a Jew. By answering these questions through the prism of the holidays established in Torah, one should take a number of factors into account, which, in this case, are identifying features of the Jewish society in relation to other religious groups. They include: a peculiarity of the Jewish culture and ideology, an understanding of recreation as such, the peculiarity of the Jewish calendar, the style of worship, the cycle and terms of celebrations, restrictions on the performance of certain works, etc. But it is very important that the majority of holidays, including Saturdays and others, established in the Torah, reflect the joy and commitment of the Jewish community to the original idea embodied therein. Such excessive attention is caused by the religious nature of the Jewish legal system in which religion formed the basis of its origin and occupied the central place for almost five thousand years. Thus, taking into account the close connection between Jewish law and religion, the rules-orders regarding the celebration of the overwhelming majority of Jewish holidays are found in a large number of sources of Jewish law. Beginning with the Written Torah and ending with the codified works of the well-known rabbis of the New Age, a significant place was given to the issue of Jewish holidays. Such a regularity could be observed

from the times of Sinaia Legislation, which dates according to the scientists close to 1250 p. B.C., it means from the moment of receiving the Written Torah (Lawrence Schiffman, 1991). Partially such a regularity is present also today in the law system of the Independent state of Israel, the proof of which is the fixation of Hebrew holidays as days-off – on the legislative level.

The word ‘holiday’ has several variants in Hebrew. One of its variants is the word חַג ‘chag’ which originally meant choir rhythmic procession around a church or altar. Later on, the word ‘chag’ acquired the meaning of a happy day or happy time. Over time, when designated holidays started to take place at the specified time they acquired the name דְמוּעַ ‘moed’ which means ‘appointed’ that is arranged within a specified time (Jewish Encyclopedia, Vol. 6, pp. 374–378). Another Hebrew word to refer to holiday is יוֹם טוֹב ‘Yom Tov’ literally means ‘a good day’. On this day, the Torah prohibits work; on the contrary, everyone must rejoice and celebrate it (Electronic Jewish Encyclopedia. Vol. 6, pp. 750–754). However, regardless of the etymological meaning of the terms used by Jewish people to refer to a holiday, they all are united by one thing that is their close connection with Jewish history and religion. Even at the moment of declaring the independence of Israel, the government and political leaders showed respect to and stressed the importance of this event on the eve of one of the holidays that is Sabbath (on this Sabbath eve, the 5th day of Iyar, 5708 (14th May, 1948). In order not to violate Sabbath, the declaration of independence took place on Friday at 4 p. m. On the official site of the Ministry of Foreign Affairs of Israel, the urgency was accounted for in the following way: ‘It was agreed to declare independence at 4 pm on Friday, eight hours before the Mandate was officially to end, so as not to conflict with the Sabbath. It was in no uncertain terms a surreal race against the clock’ (Shelley Kleiman, 1999). This fact is yet more proof that the subject of religious holidays has been brought up on the national level including acts of law. This clearly demonstrates that, in spite of widespread ideas of secularization, religion continues to exercise a considerable influence on the governmental and legal activity.

It should be noted that there are different opinions on the classification and criteria used to categorize Jewish holidays. It is generally accepted to classify Jewish holidays into two major categories: holidays which are specified in the Pentateuch and holidays which were introduced in later periods (Electronic Jewish Encyclopedia. Vol. 6, pp. 750–754). Moreover, there is no single approach to the classification of Jewish holidays. It is possible to identify several major criteria to categorize these holidays. More specifically, these criteria are as follows: emotions a particular holiday is associated with (mourning or happy holidays), work-related restrictions (complete prohibition or the possibility of food preparation), meal (holidays that come with an imperative to consume special food and holidays that do not have any food

restrictions), ceremonial rituals (holidays that came with offering sacrifices and Eucharist), territory (holidays that are restricted by the place of celebration and those that do not require the presence in a specific place) and a range of other criteria. Yet, it should be noted that such a classification is conventional since one holiday can relate to several criteria. For example, the holiday of Passover (Pesach), which prohibits work on the first two days, was associated with offering sacrifices, whereas after the destruction in the 70th year of the Temple it came with other ceremonial rituals and a meal (Lawrence Schiffman, 1991). Apart from that, Passover refers to pilgrimage festivals due to the fact that all the Jews had to make a pilgrimage to Jerusalem to participate in the worship on the days of the holiday. This proves that such classification criteria are conventional and may even challenge the classification itself.

But, before proceeding to the analysis of Hebrew holidays it is necessary to indicate the main global features which make them unique in regard to holiday days in other religious systems and also in regard to other holidays within Judaism. What concerns the first criterion, it is obvious that each Hebrew holiday is unique in regard to other religious systems of the World. Though the derivatives from Judaism religion – Christianity and Islam, have transformed separate elements of Judaism, their holidays have inside them – completely different character and the content. Together with this, if to analyze all Hebrew holidays on the system level – we can underline two main peculiarities.

1) Hebrew holidays have their aim to establish the connection between God and the man without any mediator, unlike Islam, Christianity, where the big number of holidays are connected with events from the life of prophets, saints, messiah (birth day of the Christ, Mohammed, Buddha, Ascension day, etc.)

2) Hebrew religious holiday are thread with the idea of chosenness of Hebrew people, at the time when in Islam, Christianity, ‘chosen’ are all who accept the religion fellowship. Torah connects the celebration of Shabbat, Pesach and other holidays with the chosenness of the Hebrew nation by God, though to the celebration are admitted all those who accepted Judaism.

If to make a parallel between Hebrew holidays indicated in Torah and the holidays which were established in the next periods – there should be defined two main, characteristic features. First, each of the Jewish holidays established in the Torah has not lost its relevance today and even after the millennial period, although somewhat modified, however, continue to operate. This is explained by the fact that according to the Jewish legal tradition, the Written Torah is endowed with the properties of immortality and eternity. The fact that the Torah is not subject to refutation is recorded: ‘Everything I command you that you shall be careful to do it. You shall neither add to it, nor subtract from it’ (Dwarim 13:1). This idea is also confirmed by the Midrash

and Talmud norms (treatise Avot 3). At the same time, the legal tradition allows us to interpret and explain the norms of the Torah, which is very well illustrated on the example of Jewish holidays. Jewish lawmakers interpreted the norms of the Torah and the Talmud, taking into account the conditions and circumstances in which there were Jewish communities of the Diaspora: the destruction of the Temple, the lack of opportunity to sacrifice, etc. The second feature is that all holidays established in the Torah are related to the annual agricultural cycle, which led to a parallel to the spiritual state of the Jewish people. Thus, for example, in the spring the Passover, which is the feast of freedom and joy, is celebrated, as the Jewish people became free from Egypt. During the period of ripening of the harvest, the feast of the gift of the Torah is celebrated. On that day, according to the tradition, the Hebrews received the greatest spiritual value, and Sukkot as feasts of Harvest combine the material and spiritual joy while fulfilling the laws of the Torah.

Shabbat (שַׁבָּת). Etymologically, comes from the root meaning to rest, to cease, to refrain (שָׁבַע, 1995). Sabbath as a day of rest plays a special and fundamental role in the system of Jewish holidays. In any religion of the World the day of rest is not taking such a meaningful place as in Judaism. Thus, according to the command the Christians celebrate Sunday, the detailed description of forbidden or permitted work – does not exist. In Islam – Koran regards Juma (which is on Friday) as holly but not obligatory the day of the rest (Koran 62:9-11). Contrary to other religious acts Torah very categorically obligates to celebrate Saturday and for violation of this norm people were punished to death.

The command to observe Sabbath was given in writing to Moses as a commandment on Mount Sinai – Ten Commandments (Decalogue) on the stone tablets. Hebrew Law emphasis that Saturday has to be remembered and blessed. The Torah very generally explains what is to be understood under the word “blessed” – not to do any work. The teachers of laws for following generations – have revealed in details – in the sources of Oral Torah – what can and what cannot be done on Saturday. At first – in the Law of Moses – the commandment sounded as ‘Six days may you work and perform all your labour, but the seventh day is a Sabbath to the Lord, your God; you shall perform no labour’.

It is interesting that Torah obliges to perform the Law with all the family and the home together. Besides the prohibition to work for sons, daughters and slaves, the Law also obligated to observe the Saturday also for those who were not Hebrew, but were staying in Hebrew house. Such particular attitude to Saturday can be explained by the fact that for the six days the Lord was creating the Heaven and the Land and for the seventh day – he rested, blessed and consecrated it. (Shemot 20:9-11). Analogical norms are repeated in Devarim. But, in the Book of Devarim the law-giver emphasizes

why the Hebrew have not only to celebrate but at a first rate to remember that Saturday is the holly day. As it turns out such a commandment was given to remember not only about the creation of the World but also about the slavery in Egypt land, from which accordingly to Hebrew law tradition – the God has brought out his people. (Devarim 5:13-14).

Hence, the above-mentioned commands lay the main emphasis on the prohibition to do any work. However, the phrase ‘shall perform no labour’ received its formal written explanation only in the I-II century in the Mishnah. Since the Torah text does not specify the type of work which is prohibited to do on Sabbath, the Tannaim, the Rabbinic sages, and later on Yehuda Ha-Nasicodified 39 prohibited labours on Sabbath. Taking into consideration the fact that on that time Hebrew society was agricultural – the prohibitions referred to the works in agriculture or farming. (for example, to sow, to cut the ground, to sheave) and for daily routines (to bake, to dough up, to thread, to write) (Tractate Sabbath: chapter VII, Mishna 2). Besides, in the number of 39 there are also included prohibitions to hunt on Saturday, to build houses, to make fire, and other works of household. Of course this list is not limited. It is obviously, that taking into consideration the evolution of society development – the new conditions were appearing, the needs and possibilities, for which there should be adopted the decrees of Torah about prohibition of any work. In the explanatory notes to Mishnah, in Gemara, halakhists specify and provide comments on those types of labour which define the whole class of prohibited practices on Sabbath.

However, being guided by the rules of hermeneutics and aspiring to attach more significance to Sabbath, Jewish Rabbinic sages forbade a range of actions that did not refer to any of the 39 types of labour mentioned above. More specifically, Mishna 1 of Chapter VIII defines the quantities of wine, milk, honey, water and beverages that are forbidden to carry out (Tractate Sabbath: chapter VIII, Mishna 1), while Mishnah 4 of Chapter VII specifies the maximum quantities of food products that may be carried out on Sabbath. Besides, the Talmud contains a wide range of commands and commandments for the Jewish people to obey. These include those that regulate the relations with clothes on Sabbath, warming up food, lighting a lamp, a distance that is permitted to walk, etc. Such prohibitions got the name ‘mishum shut’ meaning ‘for the sake of rest on Sabbath’. Hence, the Oral Torah laid down the rules which made a Jew remember the holiness of Sabbath and the difference between Sabbath and the other days of the week every second.

Therewith all Sabbath prohibitions temporarily are lifted if there is even a minimal danger to a Jew’s life. Jewish lawmakers deduced this rule from the Torah command: ‘5. You shall observe My statutes and My ordinances, which a man shall do and live by them. I am the Lord’ (Vayikra 18:5). Thus, the Talmud in such cases refers to the Torah, pointing

out that it is instructed to worry about the preservation of human life (Tractate Sabbath: Letter 86), since the greatest value is human life (Tractate Sabbath: Letter 67). In addition to the norms of the Talmud, the rabbinical codified acts also confirm the prioritization of morality over formality. Thus, for example, Rabbi Shlomo Ganzfried in chapter 85 of *Kitzur Shulchan Aruch* describes that when a fire happens during a Shabbat it is permitted to put it out for the sake of saving people and even property (*Kitzur Shulchan Aruch*. Chapters 110-119).

Well known 19th century rabbi Dr. Hertz in his commentaries to the Torah explains that the main duty coming from the command to remember the Sabbath day means uttering the words that emphasize the distinctiveness of the Sabbath day and praise God (Dr. Hertz, 2007). According to the Torah, Sabbath is a day kept for God which is dedicated to saying a prayer and learning the Torah as well as hymns of gratitude. This has to bring delight to man and a sense of closeness with the Creator. Thus, the Sabbath was instituted by God with a two-fold purpose: first, to give them a regular day of rest from their usual toil and care; secondly, to give them an opportunity for learning about Him desires from them (Goldin, Hyman, 1952).

However, apart from weekly Sabbaths, the Jewish legal tradition defines the so-called special Sabbaths (*Shabbatot Meyuhadot*). They include: *Shabbat Mevarekhim* ('the Sabbath of Blessing') precedes a new month; *Shabbat Shuva* (the Sabbath of Repentance) occurs during the Ten Days of Repentance between Rosh Hashanah and Yom Kippur; *Shabbat Chanukah* is the Sabbath or, sometimes, two Sabbaths that occurs during Chanukah and is celebrated with supplemental holiday Torah readings and others (*Electronic Jewish Encyclopedia*. Vol. 8, pp. 627–632, 1996).

However, in spite of so many special Sabbaths, each of them was accompanied by a strict prohibition of work and a sanction for the infringement of the prohibition. Moreover, according to the Torah and the Tanakh, Sabbath is a sign between God and the people of Israel (*Shemot* 31:15, *Ezekiel* 20:20), which accounts for its special role in the system of the Jewish festivals. It is also important that the infringement of the law including Sabbath was considered to be the cause of the national disaster and exile. Yet, it is Sabbath that was one of the key factors promoting the preservation of religious and national identity by the Jewish people during the Galut.

Pesach (פסח). Pesach is one of the spring holidays, which according to the Torah was bequeathed to the Jewish people to observe as a reminder of their liberation from Egyptian slavery. Etymologically and ideologically the holiday of Pesach had become the foundation for celebration Easter in Christianity. Though in the present moment these are the different holidays of different religions – the genesis of them – reaches to Egypt. The Christianity understands in Easter the Resurrection and satisfaction for sins of the world,

Hebrew still see it as the memory of miraculous liberation from slavery of Egypt. It is necessary to indicate that the holidays with such ideological grounds in the world religions (Islam, Hinduism, Buddhism) are completely absent and this brings certain coloration to the system of world religions.

Pesach starts on the 15th of Nisan and lasts for seven days in Israel. The first and seventh days are Yom Tov, which means they are days of rest like Sabbath; however, cooking is allowed. The first day is dedicated to a holiday meal representing the Pesach sacrifice with the other five days of Hol ha-Moed which are translated as intermediate holidays or intermediate festival days, followed by the final seventh day marked with hymns of praise and prayers of gratitude for redemption, chosenness and love of God for the Jewish people.

The Jewish legal tradition refers the Pesach festival to the idea that God passed over the houses of the Israelites during the plagues of Egypt and saved his people from slavery. According to the Torah, Pesach represents a one-year-old lamb or goat which has to be roasted with bitter herbs over fire. The door of a house had to be marked with the blood of the sacrificed animal for God not to slay the Jewish people together with Egyptians. For the first time the decree to celebrate Easter has appeared in Chapter 12 Shemot. According to the Law the Easter had to be celebrated at night and it cannot be left till the morning. In case some food was left – in the morning it had to be burnt on the fire. The Torah describes how exactly the Hebrew people had to celebrate Easter: with belt hips (loins girded), have shoes on the feet and the stick in hands. It is interesting that the Law obligated to eat on Easter in a hurry, emphasizing by this again the hurry and haste in which the escape from Egypt was made. Such a decree very illustratively reflects the sense with which this holiday was filled: shoes on the feet (though at home people usually were barefoot) meant that immediately after meals it was necessary to start on a trip, the stick in hands was needed to rest upon and to defend, the hurry and haste meant that the order to start on the trip could be received at any moment (Shemot 12:5-11). Not less important is also the fact that Pesach is a family holiday, as far as on the Easter the whole house, the whole family had to make a sacrifice. Together with this, the written Torah prohibits to take part in Easter meals for the strangers who are not from the Israel nation, but there existed a condition under which at Easter were allowed the slaves and the strangers, who had to accept Judaism, to acknowledge the Hebrew law and as a sign of it - do circumcision (Shemot 12:43-45).

The law recounts that Pesach originally was celebrated in tents and homes. However, after a spiritual crisis in Israel when Pesach had not been observed from «the days of the Judges», in the First Temple period following the discovery of «The Book of the Law», King Josiah ordered all the people to celebrate Pesach in Jerusalem. That was the period of the great spiritual revival of the Jewish people when the Jews found God again and remembered

their law and mission (II Kings 23:12-23). Hence, the tradition underwent changes to take the form of a mass pilgrimage festival. This meant that despite the rules which are established in Chapter 12 of Shemot a new understanding and vision of the law was established, which required its bringing into accord with the situation of the time. The doors of houses were no longer marked with the blood of the lamb, instead, the animal's blood was sprayed on the altar where the paschal sacrifice was made. The focus for this reliving is the seder. On the first night of Passover, Jews gather together in families or groups to celebrate this ritual meal. The Hebrew word seder means "order," and the meal has a very carefully constructed order to it. The seder includes many rituals, such as eating matzah and maror (the bitter herbs), drinking four cups of wine, and eating a sumptuous feast. Its many symbols are meant to remind us, on the one hand, of the bitterness of slavery and, on the other, of the great joy of our liberation (Michael Strassfeld, 1993). The reform of Pesach was called for by the real possibilities of the Jewish people and their political situation of the time.

More specifically, the destruction of the First Temple and later on the Second temple in 70 CE made it impossible to offer the paschal sacrifice in the temple (Lawrence Schiffman, 1991). Hence, the sages introduced new interpretations of the norms of the Halakhah. The issue concerning the difference between the Pesach in Egypt and the Pesach of the times following the escape from Egypt is dealt with in the Mishna Pesachim 5:9 which elaborates the norms of the Torah concerning the observance of Pesach. Tosefta elaborates: 'In Egypt, Jews killed the pesach in their households, while in the time following all Israel kills the pesach in one place; on Pesach in Egypt where there was a meal, there was a bed for the night, while on Pesach of the following time a meal and a night may take place in different places' (Tractate Pesachim: chapter IX, Mishna 5; Tosefta 8:16-17).

Another important constituent of Pesach is observing chametz-free days. In the opinion of some researches – the Easter Holliday in its final form has appeared as a result of allegation of two holidays – the Easter Ceremony itself and the Days of Matzoth (Electronic Jewish Encyclopedia. Vol. 6, pp. 453–456). If to analyse the norms of Torah – it becomes obvious that the Days of Matzoth are the logical continuation of the Easter. So the Easter was celebrated for seven days: from the 14 th till 21 st day – which are called the Days of Matzoth. (Shemot12:18-20).Hence, during seven days of Pesach, the Jews have to eat only unleavened bread to commemorate the story of the Israelites' escape from Egypt when they were in such haste that they could not wait for the bread to rise, thus, had to take unleavened bread with them instead (Shemot 12:39). However, it is forbidden not only to consume leavened foods but also to keep any food mixed with leaven in one's home. The interpretation of this norm of the Torah was made by Jewish lawmakers both in the epoch of

the Talmud and in the post-Talmudic period. The interpretation of the norms concerning the observance of Passover retained its topicality even in the middle of the XIX century when well-known Rabbi Shlomo Ganzfried compiled some of the rules for Pesach in the famous Code of Jewish Law 'Kitzur Shulchan Aruch'. The Rabbi states the norms concerning the preparation of Matzah bread, the guidelines for preparing and conducting the Seder as well as other laws relating to this holiday (Kitzur Shulchan Aruch. Chapters 110-119).

Hence, Pesach is one of the most important festivals of the Jewish people which is based on the norms of the Torah and has retained its significance till today. The revival of Jewish people's sovereignty and the establishment of the State of Israel is a kind of a prototype of the events relating to early Jewish history when the Jews escaped from Egyptian slavery to the Promised Land.

Shavuot (שבועות – weeks) is a festival introduced in the Written Torah, yet somewhat modified with time in Jewish lawmakers of the following periods interpretation and understanding. Torah denotes Shavuot as the Feast of the Harvest (Shemot 23:16), the Feast of Weeks (Shemot 34:22), and the Day of the Firstfruits (Bamidbar 28:26). It is necessary to mention that the analogues of such holidays in other religious-legal systems are not existing. Besides the fact that in some of them there are allowed holidays of gathering the harvest; the very concept of as for example the holiday of first fruits – is unknown to other religions – which causes the particular attention to it.

This holiday, which is also called 'HaBikkurim' ("the day of the first fruits") is described in more detail in the book of Bemidbar. This holiday does not have a fixed date: it is set in relationship to Pesach by counting 49 days from its beginning with the fiftieth day being the festival. Hence, it is considered that the celebration of Passover continues during these days. The tradition on question is based on the norms stated in the book of Deuteronomy 16:9-10: Which reads You shall count seven weeks for yourself; from the time the sickle is first put to the standing crop, you shall begin to count seven weeks. And you shall perform the Festival of Weeks to the Lord, your God, the donation you can afford to give, according to how the Lord, your God, shall bless you. The norms of the Torah mentioned above show that it was an agricultural festival that was accompanied by joy and festivity (Deuteronomy 16:11: and you shall rejoice before the Lord...). Besides, a Jew was obliged to rejoice on that day. This command applied to the head of household, his wife and children as well as all the people who were in the household. Jews were also commanded to feed the hungry, orphans and widows at Shavuot (Dr. Hertz , 2007). This command was given to the Jews as a commemoration of their liberation from slavery in Egypt.

Like all holidays installed in Torah, Shavuot was accompanied by rituals and a variety of additional offerings. In his work *Sefer Hamitzvot* (Book of Commandments, 2013), the great 12th century codificator of the Halakhah Rambam assigns some of 613 mitzvot to the command to make offerings at Shavuot. An offering consisting of two loaves of leavened bread and special animal offerings had to be brought to the Temple. These issues are dealt with in detail in the Talmud as well, for example in the Tractate Menahot (Tractate Menahot: chapter V, Mishna 6-7). In addition, the divine revelation on Mount Sinai, commemorated on the Festival of Pentecost, gave rise to numerous ethical instructions, parables, and legendary tales embodied in the Talmud and midrash. The legends serve to dramatize this historic occasion, when the children of Israel accepted the divine Law. The aggadic portion of the Talmud and the expository literature of the midrashim are intended to delineate religious principles and moral insights, infuse love of God, and inspire devotion and loyalty to the Torah. The selections in this chapter illustrate these purposes (Philip Goodman 1992).

After the destruction of the Second Temple, Shavuot was identified with the theophany at Mount Sinai, as the anniversary of the giving of the Torah to the Israelites. While there is no reference in the Torah to Shavuot as the ‘Season of the Giving of Our Law’, this appellation is found in the liturgy. (Philip Goodman 1992). Later on, the Oral Torah interpreted the Shavuot festival as the holiday of the giving of the Torah. Hence, according to the tradition, the holiday is referred to the fiftieth day after leaving Egypt that is on the sixth day of the month of Sivan (Dr. J. Hertz,²⁰⁰⁷). According to Jewish calculations, after leaving Egypt the Jewish people reached Mount Sinai on Sivan 1. On Sivan 2, Moses ascended Mount Sinai and then went down to hear the people’s answer. On the third day of the month of Sivan, he ascended the mountain to tell God that the people of Israel were ready to accept the Torah. On the fourth day, he ascended the mountain again to relay the people’s request to God that they wanted to hear from God directly without the messenger. According to the Jewish tradition, it is on that day that God commanded to dedicate this and the following day to the preparation for the receiving of the Torah. After two days of preparations, on the sixth day of Sivan the Jews witnessed the visible manifestation of the presence of God and heard the voice of the Creator who proclaimed the Ten Commandments (Dr. J. Hertz,²⁰⁰⁷). It should be noted that according to the Halakhah both the Written Torah and the Oral Torah were given to the Jews on Sinai. This idea has been deduced from Vayikra 26:46: These are the statutes, the ordinances, and the laws that the Lord gave between Himself and the children of Israel on Mount Sinai, by the hand of Moses (Vayikra 26:46). Sifra, one of the famous Halakhic midrashim, elaborates this norm in the following way: the statutes this refers to the exegeses of Scripture; ordinances this refer to the laws;

Torahs this teaches that two Torahs were given to Israel, one in writing, the other oral (Sifra to Vayikra 26:46).

Hence, over the time, Shavuot has come to be associated with the holiday of the giving of the Torah rather than as the harvest festival. Taking into consideration the role of the Torah in the Jewish history and legal ideology, it can be safely assumed that Shavuot is the day when each Jew has to think about his origin, his law and his contribution to the Jewish identity and independence.

Sukkot. Another festival connected with the liberation of the Jews from slavery in Egypt is Sukkot. The Hebrew word סֻכּוֹת (sukkot) means tabernacle or booth (סֻכּוֹת, 1995). The festival lasts seven days beginning on the 15th day of the seventh month of Tishreias a reminder of booths the Jews lived in after leaving Egypt (Vayikra 23:34). According to Torah, there are three major holidays when all the people of Israel have to travel to the Temple to worship God: matza, the day of the first fruits and harvest festival (Shemot 23:16, 34:22). Sukkot is the last festival when the Jews had to celebrate crop harvesting in a special way. It is worth to place emphasis that taking into consideration other religious-legal systems this holiday is not the only of the kind. The same as Hebrews - festival of harvesting is also celebrated among Hindus, what cannot be said about Christians and Muslims for which the Law does not indicate such a holiday. At the same time when in India each state calls the harvest festival in its own way, the Hebrew from the times of Torah call the harvest holiday – Sukkot.

The first day of Sukkot is commonly known as Yom Tov when work is prohibited, other days as Chol HaMoed or intermediate days when work is allowed and the eighth day as Yom Tov again (Electronic Jewish Encyclopedia, V. 8, pp. 647-650). This tradition originates from Vayikra: But on the fifteenth day of the seventh month, when you gather in the produce of the land, you shall celebrate the festival of the Lord for a seven day period; the first day shall be a rest day, and the eighth day shall be a rest day. (Vayikra 23:39).

The Torah mentions the harvest festival several times. Obligatory norm regarding the celebration of this holiday is included in Chapter 16 of the Book as Devarim. According to Torah the Holiday of Sukkoth as well as the Easter was a family holiday. It had to be celebrated not only by the whole family but also by the whole house. The Torah emphasizes that both the slaves and the other workers, orphans and widows who stay at the gates – have to celebrate and to rejoice. There were two main reasons why people had to be especially happy in those days: The first is that the worrying days of the judgment and the day of forgiveness – Yom Kippur. That is why the people had to rejoice and to be sure that their sins are forgiven after confession and prays. Other reason was the following – in Autumn when the harvest was already gathered – the people had to express the gratitude to God for all by what they were

blessed and given from the Lord. In such a way this all was associated with the great joy which every house and the whole nation had to feel. (Devarim 16:13-15). The above-mentioned norms show that Sukkot is the holiday to rejoice on which the Jews received both the command to rejoice and a promise to be blessed. Vayikra describes in detail how to rejoice: ‘And you shall take for yourselves on the first day, the fruit of the hadar tree, date palm fronds, a branch of a braided tree, and willows of the brook, and you shall rejoice before the Lord your God for a seven day period’ (Vayikra 23:40). In the Talmud, the whole tractate Sukkah is dedicated to the elaboration of this issue. Authors of Oral Torah named these plants arba’ a minim (the four species): lulav (date palm frond), hadass (myrtle bough), aravah (willow branches) and etrog (the fruit of a citron tree) (Tractate Sukkah: chapter III, Mishna 1-4). Even after the destruction of the Temple, Yohanan ben Zakkai orders to perform this ritual during seven days as a commemoration of the existence of the Temple (Tractate Sukkah: chapter III, Mishna 12-13). The tractate Sukkah contains a large number of norms which elaborate the norms of the Torah concerning the celebration of Sukkot and building a sukkah (booth).

Besides, it should be noted that both Vayikra and Devarim mention the eighth day, the so-called Shemini Atzeret, together with seven days. It directly follows the seven days of Sukkot and is the final eighth day which was called as holly assembly like the first day. According to the Jewish legal tradition, on this day it is accepted to end the annual cycle of Torah readings and begin the new one (Dr. Hertz , 2007). Although there is a divergence of opinion concerning the observance of this festival, Jewish lawmakers of the Talmudic and post-Talmudic periods introduced a number of interpretations and amendments to the norms of the Torah regarding the observance of this festival, service readings, and performing ceremonies and rituals.

Rosh Hashanah. The name of the festival comes from the Hebrew word ראש השנה, which is literally translated as «the head of the year» meaning the beginning of the year. Each society according to its legal and religious culture is acquainted with this holiday. The particular feature of Hebrew New Year lays in the following: the law itself obligates to celebrate it; what cannot be told for example about Christian or Muslim World. If for Christians the New Year is not a religious holiday at all, then for Muslims and Hindu the situation is rather different. Unlike the Hinduism New Year which has a big number of different types and is celebrated in different periods of time in different parts of India, the Hebrew New Year from the times of Torah remains the same. Moreover, this holiday is accompanied not by the joy and the beauty but with the fast and the pray.

It should be noted that the peculiar feature of the Jewish New Year is the dynamic character of its interpretation by Jewish lawmakers. More specifically, the study of the Halakhah shows that the treatment of New Year

in the period of Sinai's law significantly differs from the way it was treated in the post-Talmudic period. The norms concerning Rosh Hashanah have undergone most considerable changes. Based on the Torah, the Jewish legal tradition refers New Year to the day of shofar when work was prohibited, while the shofar had to be blown and offerings had to be made. This idea comes from the norms stated in the book of Bamidbar. Such idea is based on the norms written in Bamidbar, according to which - day of shofar sounding was to be celebrated on the first day of the seventh month. On this day the Law obliged to make a sacrifice – burning of (a bull, sheep, goat and the lambs), as well as the bread sacrifice. As opposed to other holidays there is no order to be happy and rejoice. In such a way on the day of Rosh Hashanah people were to direct their sight to the fast and the pays. (Bamidbar 29:1-6). Vayikra 23:23-25 also mentions the special festival day of the seventh month.

In antic times, at the time of the First Temple, the beginning of the new month was celebrated with great festivity. The shofar is blown. People did not go to work. They came to Jerusalem. There they sacrificed a special new-month offering. Afterwards, a family feast was held. A special feature of the day was that women were released from all their chores. After the First Temple was destroyed, many of these customs were no longer practiced. But other customs developed (Sol Scharfstein, 1999)

It should be noted that according to the Oral Torah the Jewish calendar contains four types of Rosh Hashanah:

1) The new year for the kings and pilgrimage feasts (regalim) begins on the first day of the month of Nisan; the name is associated with counting the years of the reigns of the kings in Israel and Judaea; it also determined the ordering of pilgrimage holidays (Pesach, Shavuot and Sukkot).

2) The new year for the tithe of cattle falls on the first day of the month of Elul. Yet, halakhists differ in their opinions concerning the date, for it is commonly believed to coincide with the first day of the month of Tishrei.

3) The new year for the counting of years, of the Sabbath years and jubilee years, for the planting of orchards and gardens, and for vegetables begins on the first day of the month of Tishrei. It has become the most important new year in the Jewish calendar.

4) the new year for trees falls on the first day of the month of Shevat according to the school of Shammai, and on the 15th day of the month of Shevat according to the school of Hillel (Tractate Rosh Hashannah chapter I, Mishna 1-2).

The first day of the month of Tishrei, which was the seventh month then, was considered to mark the beginning of the agricultural year when crop harvesting and harvest sale began. Talmudists explain this idea in the Talmud emphasizing that Tishrei begins counting ordinary years and for planting as well as for vegetables. In the beginning, New Year was celebrated during one

day, however, over time the Jewish legal tradition assigned two days. Most reform Jews celebrate the holidays of the Jewish year for one day, the same as some of the ancient Jews did in the time of the Torah. Orthodox and Conservative Jews, however, celebrate some of the holidays for two days. Long ago the Jews lived in the Land of Israel. At that time they observed each holiday for only one day. They did not have written calendars. It was easy for them to figure out dates of the holidays. All they had to do was look at the sky. If there was a new full moon, they knew that a new month had started. Then they would count the days until the date of the next holiday. But when many Jews were forced to leave their country and live all over the world. They continued to celebrate all their holidays as before, even though they no longer lived in their homeland. Since they did not know exactly when the new month had begun. In order to make sure that they did not celebrate the holidays on the wrong day, they started the custom of celebration for two days (Sol Scharfstein, 1999).

Besides, masters of the Jewish law came to the conclusion that Rosh Hashanah is the Day of Judgement God judges the entire world. The tractate Rosh Hashanah establishes that the world is judged four times a year: at Pesach, on the day of Pentecost, on the festival of Sukkot and on Rosh Hashanah when «all the inhabitants of the world pass before Him» (Tractate Rosh Hashannah: chapter II, Mishna 2). Hence, according to the tradition, Rosh-Hashanah is the first of the ten days of repentance ending with Yom-Kippur. Like with all the other festivals, after the destruction of the Temple, sacrifices and offerings were abolished. Instead, even in the modern period, rabbis introduced and systematized a large number of norms concerning festival meals, services, rituals, prayers in synagogues and homes, etc. (Kitzur Shulchan Aruch. Chapter 129).

Yom-Kippur. The Hebrew word יום כפּוּר (Jom-Kippur) is literally translated as «the day of mercy». In the Jewish legal tradition also widely name it «the day of atonement» or «the day of purification». Similar holiday can be seen in Islam world – Liailat al kadr (the night of lavation), which is before the Ramadan. Muslims believe that at this night the God decides about people's fate and makes the judgment (Koran 97). The Jewish legal tradition considers Yom-Kippur to be one of the most significant festivals which every Jew has to observe in fasting, intensive prayer and repentance. Moreover, on Yom-Kippur fasting is considered to be a spiritual practice aimed at people's realizing the superiority of the spiritual over the material and repentance of their sins rather than an expression of sorrow or mourning.

The Written Torah mentions Yom-Kippur in the Books of Vayikra and Bamidbar. According to the law, Israel had to celebrate it once a year on the tenth day of the seventh month of Tishrei which was the last day of repentance (of the Ten Days of Repentance after Rosh Hashanah). Verses 1-28 of Chapter

16 of Vayikra describe the preparation of the High Priest and all the Jews for this holiday, the way sin offerings and purification of the tabernacle must be made, the order of prayers over the azazel goat before it was taken to the desert, as well as other rituals which were performed during the service in the tabernacle. On the tenth day of the seventh month – Torah forbids to perform any work. Besides, the Law emphasizes that this commandment is spread on both on the slave and on the stranger who is living among Hebrew people. Norms of Torah describe the obligations which are spread on all the nation, as far as on this day it is made the satisfaction of sins of all the nation in front of God (Vayikra 16:29-31). It is important that the Tora regards this festival as «Sabbath of Sabbaths». This means that on Yom-Kippur all the work is prohibited which is forbidden to do on Sabbath. This prohibition remains in effect during the whole day. Once in fifty years on Yom-Kippur shofar had to be blown across entire Israel to announce the beginning of the Jubilee Year (Vayikra 25:9-17).

Both the Babylonian and Jerusalem Talmuds describe the flow of worship in the Temple in detail. The particular tractate Yoma contains a number of explanations and discussions of lawmakers concerning the understanding of the norms of Vayikra and Bamidbar. The Holy of Holies was a dangerous place for the High Priest to be that is why when the High Priest came out of the Holy of Holies it was celebrated in the circle of friend (Tractate Yoma: chapter 7, Mishna 4). However, the Talmud fights scepticism voiced by critics of the Halakhah that it is enough to make a formal sin offering in order for sins to be forgiven. Mishna 9 of Chapter 7 of the tractate Yoma states: «One who says, ‘I will sin, and then repent, I will sin [again] and then repent,’ will not receive an opportunity to repent; [for one who says] ‘I will sin, and Yom Kippur will atone,’ Yom Kippur will not atone. Yom Kippur atones for transgressions between a person and God, but for transgression against one’s neighbour, Yom Kippur cannot atone, until he appeases his neighbour» (Mishnah Yoma 3). Hence, masters of the Jewish law emphasise that formal procedures were not enough, on the contrary, repentance had to be sincere. Besides, the Talmud introduces a number of restrictions on Yom Kippur such as: fasting, washing and bathing, anointing, wearing shoes and marital relations (Tractate Yom Kippur: chapter 7, Mishna 1). Both the Talmud and the halakhic sources of the modern times, for example *Kitzur Shulchan Aruch* describe exceptions from these rules (for example, pregnant women, children, etc.) (*Kitzur Shulchan Aruch*. Chapter 393-399).

The interpretation of Yom Kippur festival underwent changes depending on the period of the development of the Jewish legal system. Sacrifices and offerings in the temple were replaced by services in synagogues. Moreover, the Diaspora communities accepted the Jewish traditions dictated by the time and situations in a different way. According to the tradition, on the eve of Yom

Kippur it is commonly accepted to perform the Kapparot ceremony, to do the Torah readings, say prayers of repentance and recite hymns of glory in synagogues.

Conclusions

The Jewish festivals discussed in the present paper are one of a kind, connected with distinctive historic events and regulated by law. As it has been mentioned, the Torah is the major factor that unites them into one group, since the obligation to observe each of them is established as an ordinance in the Torah. However, some other peculiar features characteristic of this group of festivals can be determined. The main peculiarities are as follows

- 1) Close link with the Jewish history. The exploration of the origins of the festivals shows that the Jewish calendar contains a large number of historic events which gave grounds for the festivals to take the form of 'hag', 'moed' or 'yom tov'. Besides, all historic events were based on the norms of the sources of the Jewish law and proven by history rather than myths or legends.
- 2) According to the Jewish legal tradition, each of the festivals in question begins and ends at sunset. This idea comes from the Torah where in the book Bereishit (Genesis) each of the days of Creation began at sunset, 'it was evening and it was morning, one day, it was evening, and it was morning, a second day'.
- 3) All the Jewish holidays have a unified meaning and aim which is to commemorate and remember the national, religious and worldview identity of the Jewish people which contains the strong century-old ideology.
- 4) Taking into consideration a long period of the formation of the Jewish legal system and political situations in which the Jewish Diaspora existed outside the independent state, the legal approach of halakhists to the treatment of the Jewish people has evolutionized and has undergone some changes. For example, the observance of Pesach in Egypt was different from the way it was celebrated at the time of the First temple, then after the destruction of the Temple in the Talmudic period and in the period of the Rabbinic epoch.

The Jewish holidays are one of the elements which characterize the State of Israel as such that preserves and acknowledges century-old Jewish traditions and the Halakhah. It should be noted that not all holidays have a religious foundation; however, their prevailing majority are ideologically connected with the national and cultural values of the Jewish people. Taking into consideration that Israel is a democratic state which guarantee everyone the freedom of conscience and religion and equality before the law, this

advantage is given not only to Jews but to other nations and religions within the territory of Israel. In the declaration of the Independence of the State of Israel as of May 14, 1948 it is declared that the State of Israel will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations. At the same time, in spite of many democratic principles that declare the freedom of conscience and religion, in the legal ideology of the present-day Israel, the main message is the positioning of Israel as the national state of the Jewish people in which together with the Independence Day a number of Jewish festivals including Shabbat are institutionalized as bank holidays. This way the century-old history, religion and culture are reflected.

References:

1. *Basic Law: Israel - the Nation State of the Jewish People*. Passed on July 19, 2018 by the Twentieth Knesset. Retrieved from: <http://knesset.gov.il/laws/special/eng/BasicLawNationState.pdf> Accessed: April, 2019.
2. Ganzfried S. (2012) *Kitzur Shulchan*. Publisher L. Gorodetsky, 592 p.
3. Goldin, Hyman E. (1952) *A treasury of Jewish holidays: history, legends, traditions*. New York, NY: Twayne, 308p.
4. Goodman P. (1992) *The Shavuot Anthology*. The Jewish Publication Society, pp.1-28
5. Festivals (1906). *Jewish Encyclopedia*. Vol. 6, pp. 374–378. Retrieved from: <http://www.jewishencyclopedia.com/articles/6099-festivals>. Accessed: April, 2019.
6. *Festivals* (1992). *Electronic Jewish Encyclopedia*. Vol. 6, pp. 750–754. Retrieved from: <https://eleven.co.il/judaism/sabbathandholidays/13303>. Accessed: April, 2019.
7. Kleiman S. (1999). *The State of Israel Declares Independence*. MFA Archive, 27 Apr 1999. Retrieved from: <http://www.mfa.gov.il/mfa/mfa-archive/1999/pages/shelley%20kleiman%20%20the%20state%20of%20israel%20declares%20ind.aspx>. Accessed: April, 2019.
8. Koran. Retrieved from: <https://quran-online.ru/62:9>. Accessed: April, 2019.
9. *Modern Russian-Hebrew, Hebrew-Russian dictionary* (1995) Kiev: Matah, 800 p.
10. *Mishnah Yoma 3*. Sefaria. Retrieved from: https://www.sefaria.org/Mishnah_Yoma.3.1?lang=bi&with=all&lan2=en. Accessed: April, 2019.

11. Pesach (1992). Electronic Jewish Encyclopedia. Vol. 6, pp. 453–456. Retrieved from: <https://eleven.co.il/judaism/sabbathandholidays/1320/> Accessed: April, 2019.
12. Scharfstein S. (1999). *Understanding Jewish Holidays and Customs: Historical and Contemporary*. KTAV Publishing House, 186 p.
13. Shabbat (1996). Electronic Jewish Encyclopedia. Vol. 8, pp. 627–632. Retrieved from: <https://eleven.co.il/judaism/sabbathandholidays/13962> Accessed: April, 2019.
14. Schiffman L. (1991) *From Text to Tradition. A History of Second Temple and Rabbinic Judaism*. Ktav Publishing House. Inc. Hoboken. New Jersey.
15. Strassfeld M. (1993). *The Jewish Holidays*. Harper Collins Publisher, 256 p.
16. Sukkot (1996) Electronic Jewish Encyclopedia. Vol. 8, pp. 647-650. Retrieved from: <https://eleven.co.il/judaism/sabbathandholidays/13973> Accessed: April, 2019.
17. Rabbi Moshe ben Maimon (2013). *Book of Commandments*. Knyzhnyky; Lekhaim, 640 p.
18. Torah (2007) *The Pentateuch and Haftorahs*. Hebrew text with Russian translation and classic «Soncino» comment. Mosty kultura; Jerusalem: Gesharim, 1455p.
19. Talmud (2012) Vol. IX (Gemara: Treatise Shabbat, chapters I-VII). Publisher L. Gorodetsky, 544 p.
20. Talmud (2013) Vol. X (Gemara: Treatise Shabbat, chapters VIII-XXIV). Publisher L. Gorodetsky, 640 p.
21. Talmud (1903) Mishna and Tosefta. Vol. 2. Translation by N. Pereferkovich. Publisher «P. P. Soikin», 542 p.
22. Talmud (2007) Translation by N. Pereferkovich. Vol. V (Books 9 and 10). Publisher L. Gorodetsky, 432 p.
23. Talmud. Translation by N. Pereferkovich. Vol. VII (Mekhilta and Sifra). - M.: Publisher L. Gorodetsky, 2009. – 744 p.
24. Tanach. Retrieved from: <https://tanach.us>. Accessed: April, 2019.
25. The Declaration of the Establishment of the State of Israel. Retrieved from: https://www.knesset.gov.il/docs/eng/megilat_eng.htm. Accessed: April, 2019.