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THE RAMBAM'S POSITION REGARDING PESACH SHENI

THE DIFFICULTIES WITH THE RAMBAM'S POSITION

The Gemara records a disagreement (*Pesachim* 93a) whether *Pesach Sheni* is based on a law of *tashlumin* – compensation for failure to observe *Pesach Rishon* – or whether it is regarded as a festival in its own right. The Rambam rules (*Hilkhot Korban Pesach* 5:1) that while this obligation does not apply to one who has already fulfilled the *mitzvah* of *korban Pesach* on *Pesach Rishon* (nor even to a minor who was merely appended to the fulfillment of the *mitzvah*; *halakhah* 7), *Pesach Sheni* is regarded as a festival in its own right for anyone who is obligated to observe it. For this reason, the Rambam rules that *Pesach Sheni* sets aside *Shabbat*, its violation is punishable by *karet* (excision) (5:1), and it applies also to a proselyte who had converted to Judaism and to a minor who had reached majority between *Pesach Rishon* and *Pesach Sheni* (5:7). And for this reason, the Rambam (*Sefer ha-Mitzvot*, positive precept 57) counts *Pesach Sheni* as a separate commandment in his count of the 613 *mitzvot*.¹

The matter, however, is not so simple, for the Rambam connects the liability for *karet* on *Pesach Sheni* to the circumstances of the person's failure to fulfill the *mitzvah* on *Pesach Rishon*. If *Pesach Sheni* is an absolutely independent festival, what difference should it make why the person did not fulfill the *mitzvah* on *Pesach Rishon*?

¹ Examine carefully the comments of R. Daniel ha-Bavli and R. Avraham son of the Rambam on this issue (cited in the Frankel ed. of *Mishneh Torah* from *Ma'ase Nissim*, no. 4).

And furthermore, according to the Rambam (5:2), someone who intentionally failed to bring a *korban Pesach* on *Pesach Rishon* can exempt himself from *karet* by fulfilling the *mitzvah* of *Pesach Sheni*. [On this point, the Rambam disagrees with several *Rishonim* and even with his own position in *Sefer ha-Mitzvot*, positive precept 57.] Apparently, then, there is a connection between the two. See Ri Korkus who had difficulty with this issue, and commented that the Rambam means that *Pesach Sheni* is a festival in its own right in that it imposes liability for *karet* on a person who inadvertently or for reasons beyond his control failed to bring a *korban Pesach* on *Pesach Rishon*, and then intentionally did not bring the offering on *Pesach Sheni*. It should be noted that the Rambam appears to have purposely omitted the case of intentional failure to bring the *korban Pesach* on *Pesach Rishon* when he formulated his position that *Pesach Sheni* is a festival in its own right (in *halakha* 1).

However, the Rambam's entire position regarding *Pesach Sheni* requires clarification. The Rambam appears to distinguish between three situations regarding the scope of the law of *Pesach Sheni*. According to him (5:2): (1) if someone intentionally failed to bring a *korban Pesach* on *Pesach Rishon*, *Pesach Sheni* can serve as a *tashlumin* to exempt him from the punishment of *karet*. Therefore, even if he failed to bring his *korban Pesach* on *Pesach Sheni* for reasons beyond his control, he is still liable for *karet*, because he had never been released from his original liability for *karet*. This is consistent with a precise reading of the Rambam, who writes that in such a case he is liable for *karet* "because he did not bring God's offering at its time, and he acted intentionally." (2) If someone inadvertently or for reasons beyond his control failed to bring a *korban Pesach* on *Pesach Rishon* – such a person being exempt from *karet* – he is obligated to bring a *korban Pesach* on *Pesach Sheni*. He can become liable for *karet* because of *Pesach Sheni*, but only if he intentionally fails to bring an offering. (3) The Rambam, however, maintains the novel position that someone who on *Pesach Rishon* had been ritually unclean or on a distant journey and is therefore obligated in *Pesach Sheni*, is not liable for *karet*, even if his failure to bring an offering on *Pesach Sheni* is intentional. Already the Ra'avad raised the question why does the

Rambam make this distinction between someone who had been ritually unclean or on a distant journey on *Pesach Rishon*, and others who had inadvertently or for reasons beyond their control failed to bring a *korban Pesach* on *Pesach Rishon*. Both sets are exempt from *karet* for *Pesach Rishon*, but, according to the Rambam, only the latter become liable for *karet* for intentional failure to bring an offering on the later date.

**THE DISTINCTION BETWEEN
THE EXEMPTION OF
CIRCUMSTANCES BEYOND A PERSON'S CONTROL
AND THE EXEMPTION OF
RITUAL UNCLEANNESS OR A DISTANT JOURNEY**

It seems that the Rambam maintains that the law regarding a ritually unclean person or one who is on a distant journey, which is explicitly stated in the Torah (*Bamidbar* 9:13) is entirely different than the exemption granted to a person who inadvertently or for reasons beyond his control fails to bring a *korban Pesach*. According to him, the former are not merely exempt from the punishment of *karet*, but rather from the very outset they are removed from the obligation of *korban Pesach*, which is a positive precept that carries the punishment of *karet* for its non-observance. This distinction is implied by the words of the Rambam himself, for regarding one who inadvertently or for reasons beyond his control fails to bring a *korban Pesach*, the Rambam writes "who failed to bring an offering on [*Pesach*] *Rishon*," whereas regarding one who is ritually unclean or on a distant journey, the Rambam emphasizes "for he was already exempted from *Pesach Rishon* of *karet*."

This also follows from a precise reading of the Rambam's commentary to the Mishnah. The Rambam explains there (*Pesachim* 9:1) that one who is ritually unclean or on a distant journey is exempt from *karet* even if he fails to bring a *korban Pesach* on *Pesach Sheni*, "for he was already exempted from *Pesach Rishon*, where *karet* is mentioned, and pushed off to *Pesach Sheni*, regarding which *karet* is not mentioned." In the continuation, the Rambam explains that if

someone inadvertently or for reasons beyond his control failed to bring a *korban Pesach*, he is liable for *karet* on *Pesach Sheni*, “because it is stated in the Torah that anybody who was not ritually unclean or on a distant journey, but failed altogether to bring a *korban Pesach*, is liable for *karet*... And this is the meaning of (Mishnah, beginning of the ninth chapter of *Pesachim*): ‘These are exempt from *karet*, and these are liable.’” At first glance, the Rambam’s words are puzzling, for one who is prevented from bringing a *korban Pesach* because of circumstances beyond his control is also exempt from *karet* on *Pesach Rishon*! Clearly, the Rambam means to say that such a person is included in the obligation of *Pesach Rishon* and in the *karet* that it carries, even though he is exempt from the punishment, and this is what allows him to become liable for *karet* on *Pesach Sheni*.

In fact the Rambam understood the words of the Mishnah which distinguishes between one who is ritually unclean or on a distant journey, on the one hand, and one who inadvertently or because of circumstances beyond his control fails to bring the *korban Pesach*, on the other (“If so, why does it say ‘ritually unclean or on a distant journey’”) – “that these are exempt from *karet* and these are liable for *karet*” – in a double sense: Since someone who inadvertently or for reasons beyond his control failed to bring a *korban Pesach* is fundamentally included in the *karet* of *Pesach Rishon*, despite his exemption from the actual punishment, it is therefore possible that he should become actually liable for *karet* on *Pesach Sheni* provided that his failure to bring a *korban Pesach* at that time is intentional.²

It is possible that this distinction between an ordinary case of unavoidable circumstances or inadvertence and the case of someone who on *Pesach Rishon* is ritually unclean or on a distant journey is based on the wording of Scripture. First of all, the Rambam (based on the Mishnah) was impressed by the fact that the verse specifies one who is on a distant journey or ritually unclean, rather than speak in

² This explanation fits in very well with the wording of the Mishnah, but not with the continuation of the Gemara on p. 92b, as was noted already by the *Rishonim* and the Rambam’s commentators.

general terms about one who is prevented from bringing a *korban Pesach* because of circumstances beyond his control. It should, however, be noted that the Torah uses a very rare formulation when it emphasizes that liability for *karet* relates to one who “abstained [*chadal*] from bringing a *Pesach*” (*Bamidbar* 9:13).³

The Rambam apparently understood that the Torah used this special formulation – “abstained,” *chadal* – in order to establish that if one is not in the vicinity of the Temple (i.e., on a distant journey), or if he is in a state in which he is fundamentally incapable of being present in the Temple (i.e., ritually unclean), he is totally removed from the obligation of *korban Pesach*, because he is not in the category of one who “abstained from bringing a *Pesach*.” This status which imposes *karet* only applies to someone who is fundamentally capable of bringing the *korban Pesach*, but abstained from doing so. However, in addition to this special law, there is a general exemption applicable to one who inadvertently or for reasons beyond his control fails to bring a *korban Pesach*. Practically speaking, such a person is not liable for the punishment of *karet*, even though he was never removed from the obligation of *Pesach Rishon*. However, because in actual fact “he abstained from bringing a *Pesach*,” his liability for *karet* is transferred to *Pesach Sheni*.

THE DOUBLE STATUS OF PESACH SHENI

According to what was stated above, there is a novelty in the Rambam’s position. We have already noted that regarding someone who intentionally failed to bring a *korban Pesach* on *Pesach Rishon*, *Pesach Sheni* serves as a sort of *tashlumin*, and then even if he fails to bring a *korban Pesach* on *Pesach Sheni* on account of circumstances beyond his control, he is liable for *karet* because of *Pesach Rishon*. We also noted that the Rambam does not mention this situation in the context of the law that establishes that *Pesach Sheni* is a festival in its own right. It should, however, be noted that the Rambam does in fact

³ After having proposed this explanation, I found a similar explanation in the digest of explanations found in the Frankel ed. of *Mishneh Torah*.

emphasize that the liability for *karet* for someone who inadvertently or for reasons beyond his control failed to bring a *korban Pesach* on *Pesach Rishon* and then intentionally failed to bring the offering on *Pesach Sheni* is one of the practical ramifications of the ruling that *Pesach Sheni* constitutes a festival in its own right. A precise reading of the verses in *Bamidbar*, however, indicates that this festival came into being in response to the request of those who were ritually unclean or on a distant journey, who, according to the Rambam, are entirely removed from *karet* for *Pesach Rishon* and *Pesach Sheni*. The Rambam as well emphasizes this point when he begins his discussion regarding *Pesach Sheni* with the case of one who was ritually unclean or on a distant journey. Thus, clarification is needed regarding the connection between liability for *karet* on *Pesach Sheni* for one who inadvertently or for reasons beyond his control failed to bring the offering on *Pesach Rishon*, and *Pesach Sheni's* status as a festival in its own right.

It seems, therefore, that *Pesach Sheni* was originally established as a festival in its own right because it was intended for those who were entirely removed from the positive precept, the violation of which is punishable by *karet*, of *Pesach Rishon*. But only because of the day's important and independent standing which expresses itself with respect to one who was ritually unclean or on a distant journey could it serve also as a final opportunity to fulfill the *mitzvah* of *korban Pesach* that has *karet* for those who did not transgress, but also did not fulfill this obligation which indeed was binding upon them at the time. From this perspective, *Pesach Sheni* for one who inadvertently or for reasons beyond his control failed to bring his offering on *Pesach Rishon* is not a law of *tashlumin*, that is to say, a final opportunity to save himself from the punishment of *karet* (as it is for someone who intentionally failed to bring an offering on *Pesach Rishon*), for he had never been liable for that punishment. Rather, it is a time of obligation and fulfillment of a *korban Pesach* that bears liability for *karet*. Thus, everything depends on whether the person fails to bring the offering intentionally or because of reasons beyond his control. Had *Pesach Sheni* not been connected from the outset to one who was ritually unclean or on a distant journey, but was only a day of *tashlumin*, the day would not have the standing to

create liability for *karet* for one who had inadvertently or for reasons beyond his control failed to bring his offering on *Pesach Rishon* and then intentionally failed to bring his offering on *Pesach Sheni*. We see then that the status of *Pesach Sheni* is complex: It is a festival in its own right that came into being at the initiative of those who were entirely exempt and removed from the positive precept that bears liability for *karet* of *Pesach Rishon*. But precisely in that capacity it serves as a time that can obligate and allow for the fulfillment of *Pesach Rishon* for one who had inadvertently or for reasons beyond his control failed to bring the offering earlier.⁴

⁴ See Rambam, *Hilkhot Korban Pesach* 5:8, that women who were set aside from *Pesach Rishon*, whether because of a distant journey or ritual uncleanness, or because of inadvertence or circumstances beyond their control, are not obligated to bring a *Pesach Sheni*, but have the option to do so. We can understand why they are not included in the law governing one who was ritually unclean or on a distant journey, for that is entirely separate from the *karet* of *Pesach Rishon*. But regarding a woman who inadvertently or for reasons beyond her control failed to bring a *korban Pesach* on *Pesach Rishon*, why should she not be obligated on *Pesach Sheni* to bring a *korban Pesach* in compensation for her failure on *Pesach Rishon*? This seems to support our argument that were it not for the independent obligation of *Pesach Sheni* and its standing as a festival in its own right, *Pesach Sheni* would not be able to serve as compensation for the obligation and fulfillment of *karet* of *Pesach Rishon*. A careful reading of the Rambam implies that a woman who intentionally failed to bring a *korban Pesach* on *Pesach Rishon* is in fact obligated to bring an offering on *Pesach Sheni*. This too is very reasonable, for as we have already noted, the Rambam omitted this law when he established that *Pesach Sheni* is a festival in its own right. If *Pesach Sheni* serves as *tashlumin* for those who intentionally failed to bring a *korban Pesach* on *Pesach Rishon*, this should apply to women as well. See, however, *Minchat Chinukh* (precept 380, letter 5), who argues that in any event we do not slaughter a *Pesach Sheni* exclusively for women on *Shabbat*, even if they intentionally failed to bring an offering on *Pesach Sheni*, despite the fact that they can release themselves from their liability for *karet* for *Pesach Rishon* by bringing a *Pesach Sheni* together with men. This too stands to reason, for it follows from the Rambam that the allowance to desecrate *Shabbat* depends on the independent status of *Pesach Sheni*, which goes beyond the exemption from *karet* by way of *tashlumin*.

R. Daniel ha-Bavli and R. Avraham son of the Rambam discuss the Rambam's position in his *Sefer ha-Mitzvot*, where he counts *Pesach Sheni* as an independent *mitzvah*, but he does not count separately all the obligations that apply to that day. R. Daniel ha-Bavli assumed that, according to the Rambam, *Pesach Sheni* is essentially an independent day of liability for *karet*, just like *Pesach Rishon*. For this reason, he had difficulty understanding why the Rambam does not count the other obligations as he did with respect to *Pesach Rishon*.

R. Daniel ha-Bavli had a further difficulty: if indeed the two days are connected, and *Pesach Sheni* is a festival in its own right only for the purpose that a proselyte who converted to Judaism or a minor who reached majority between the two dates is obligated to bring a *korban Pesach* on *Pesach Sheni*, why then did the Rambam count *Pesach Sheni* as a separate *mitzvah*? He argues that the status of *Pesach Sheni* may be likened to that of the seven days of Sukkot according to R. Osha'aya (*Chagiga* 9a), that all the days are regarded as *tashlumin* one for the other, so that even if he was unfit on the first day, he may be fit on the second day, and nobody ever considered counting each of the seven days as a separate *mitzvah*. However, if we understand that *Pesach Sheni* is a complex day, as we have explained, and that it was originally established on the initiative of those who were ritually unclean or on a distant journey as a day that does not bear liability for *karet*, but in this capacity it turned into a day of liability and fulfillment of *karet* for one who was obligated on *Pesach Rishon*, all of his questions can be answered. Indeed, R. Avraham the son of the Rambam rejected R. Daniel's comparison to the position of R. Osha'aya, and proposed that *Pesach Sheni* is more similar to *Shemini Atzeret* which in fact is a festival in its own right. But the truth is that according to the Rambam, *Pesach Sheni* is unique, different both from the seven days of Sukkot and from *Shemini Atzeret*, as we have explained.

**THE RAMBAM'S POSITION REGARDING
THE EXEMPTION OF ONE WHO IS ON A DISTANT JOURNEY**

In light of what has been said above, we can understand the well-known position of the Rambam (*Hilkhot Pesach* 5:9) that “a distant journey” is defined in terms of the beginning of the time of obligation. According to the Rambam, anybody who is unable to reach the Temple courtyard from the morning of the fourteenth to midday is not included in the obligation of *korban Pesach*. This stands in contrast to the position of most *Rishonim* that whoever is able to arrive by the end of the time of slaughtering the *korban Pesach* is included in the obligation. If ritual uncleanness and on a journey are merely exemptions from punishment and examples of circumstances beyond a person's control, it stands to reason to rule like the other *Rishonim* that the critical point in time is the end of the period of obligation, for there is no reason to exempt a person who is capable of fulfilling the *mitzvah*. The Rambam, however, is consistent with his own position, for he maintains that the obligation of *korban Pesach* that carries the punishment of *karet* never applied to one who is ritually unclean or on a distant journey, and this is established at the beginning of the period of obligation and fulfillment. His conclusion that we measure distance from the morning of the fourteenth is also consistent with his own position, for already in the morning the day is considered the day and time of obligation of *korban Pesach*, even though practically speaking the time to fulfill the *mitzvah* only begins at noon.⁵

See, however, the *Minchat Chinukh* who raises a question regarding a person who would not have arrived on time had he traveled at a leisurely pace, but because he rushed his trip he arrived before the critical moment for determining a distant journey. Is such a person obligated in *korban Pesach*, and if not, is his offering accepted on his behalf, if he went ahead and brought it? The *Minchat Chinukh*

⁵ I have demonstrated at length that this is the position of the Rambam in “The Rambam's Position Regarding a *Korban Pesach* that was Slaughtered Outside,” *Kol Tzvi*, vol. 5-6 (5763-4), pp. 300-318 (Hebrew).

concludes that such a person appears to be exempt and excluded because of the scriptural decree regarding an unclean person and one who is on a distant journey. But he has a difficulty with the position of the Rambam that the critical time is noon: how is it possible that a person should arrive in the Temple before the time of slaughtering the *korban Pesach* and yet be exempt from obligation? It seems however that we can say precisely the opposite. According to most *Rishonim*, a ritually unclean person and one who is on a journey are merely categories of circumstances beyond a person's control and exemptions from *karet*. And according to them, the definition of a distant journey depends on the end of the period of slaughter. Therefore, if in fact he arrived during the time that slaughter is still possible, he should be obligated to bring a *korban Pesach*. According to the Rambam, however, one who is on a distant journey is removed from the obligation altogether, and therefore this definition is established already in the morning if he is not likely to arrive traveling at a leisurely pace by noon. Thus, it stands to reason that one who is defined as on a distant journey and therefore entirely removed from the law, not only is he not obligated to bring the *korban Pesach*, but if he brings it, it should not be accepted on his behalf.

Now, the Rambam rules (*Hilkhot Korban Pesach* 5:3) in accordance with Rav Sheshet (*Pesachim* 92b) that if a *korban Pesach* was slaughtered and its blood was sprinkled on behalf of someone who was on a distant journey, the offering is not accepted on his behalf and he is required to bring another sacrifice on *Pesach Sheni*. The Ramban (*Bamidbar* 9:10, and see *Minchat Chinukh*, precept 380) disagrees and rules in accordance with Rav Nachman who maintains that the offering is accepted on his behalf. The Ri Korkus and the *Kesef Mishneh* understand that the Rambam's ruling is based on the principle that the law follows Rav Sheshet in matters of ritual law. The *Lekhem Mishneh* (*halakha* 2), however, raises many objections against this ruling based on a number of talmudic passages.

In any event, it is noteworthy that the Rambam mentions this detail immediately at the beginning of his discussion regarding the basis of the obligation of *Pesach Sheni* and those who are exempt from *Pesach Rishon*. The *Lekhem Mishneh* concludes that the Rambam ruled

in accordance with Rav Sheshet based on the logical argument that since he is unfit to eat of the offering at the time that it is slaughtered, then even if someone else slaughtered it, it is not accepted on his behalf. We can expand this argument in light of the Rambam's position that someone on a distant journey is not merely exempt from punishment. Just as such a person is entirely removed from the liability for *karet* and from the obligation of *Pesach Rishon*, so too he is removed from the possibility that the offering should be accepted on his behalf. For this reason, the Rambam joined this law to the distinction between one who was ritually unclean or on a distant journey, on the one hand, and someone who inadvertently or for reasons beyond his control failed to bring a *korban Pesach*. Acceptance would apparently be relevant to one who inadvertently or for reasons beyond his control failed to bring a *korban Pesach* but someone else slaughtered an offering on his behalf.

**SOMEONE WHO REACHES MAJORITY
OR CONVERTS TO JUDAISM
BETWEEN PESACH RISHON AND PESACH SHENI:
IS HE LIABLE FOR KARET IF HE INTENTIONALLY
FAILED TO BRING A KORBAN PESACH ON PESACH SHENI?**

Since *Pesach Sheni* is a festival in its own right, a minor who reaches majority or a proselyte who converts to Judaism between *Pesach Rishon* and *Pesach Sheni* is obligated to bring a *korban Pesach* on *Pesach Sheni*. The *Acharonim*, however, are in doubt regarding a minor or a proselyte who intentionally fails to bring a *korban Pesach* on *Pesach Sheni* – is he liable for *karet* like one who inadvertently or for reasons beyond his control failed to bring a *korban Pesach* on *Pesach Rishon*, or is he exempt like one who was then ritually unclean or on a distant journey. The *Minchat Chinukh* concludes that it would seem that minors and proselytes are liable for *karet*, because only a ritually unclean person and one on a distant journey are exempt because of a scriptural decree.

According to our understanding of the Rambam, however, the uniqueness of a ritually unclean person and one who is on a

distant journey is that they are removed from the positive precept bearing liability for *karet* of *korban Pesach*, and *Pesach Sheni* was established at their initiative as a festival in its own right without liability for *karet*. According to this, *karet* for *Pesach Sheni* applies only to one who had been under obligation on *Pesach Rishon*, e.g. one who had inadvertently or for reasons beyond his control failed to bring a *korban Pesach*. Clearly, then, the law governing a minor and a proselyte should parallel the law regarding one who is ritually unclean or on a distant journey who is totally removed from the liability for *karet* on *Pesach Rishon* that is based on one who “abstained from bringing a *Pesach*.” Thus, they too should not be included in the *karet* of *Pesach Sheni*.⁶

DOES PESACH SHENI SET ASIDE THE POSITIVE PRECEPT OF “HASHLAMA”

The *Rishonim* disagree (*Tosafot*, *Yoma* 29a, s.v. *ela*; *Tosafot*, *Menachot* 49a, s.v. *talmud lomar*; and see *Mishneh le-Melekh*, *Hilkhot Korban Pesach* 1:4) whether *Pesach Sheni* is brought after the daily sacrifice brought in the afternoon as is *Pesach Rishon*, or whether the general law of “*aleha hashlem*” – the obligation to bring all other sacrifices before afternoon *tamid* – applies to this sacrifice.⁷ The *Acharonim* discuss whether it is possible to say regarding *Pesach Sheni* that the positive precept of *korban Pesach* which bears liability for *karet* sets aside the positive precept of *hashlamah* (*Pesachim* 59a), in which case a person should still bring his *korban Pesach* following the

⁶ There is room to distinguish here between a minor and a proselyte, because a minor may be appended to a *korban Pesach* on *Pesach Rishon*, in which case he is exempt from *Pesach Sheni*. (See *Minchat Chinukh*, precept 380, letter 6, and *Chiddushei Rabbeinu Chaim haLevi* on *Hilkhot Korban Pesach* 5:4).

⁷ A similar question arises regarding the status of *Pesach Sheni* in contrast to that of *Pesach Rishon* with respect to slaughter outside the Temple and the prohibition of improvised altars, but this is not the forum to deal with this issue.

afternoon offering, even if ideally speaking he is obligated to bring it before that offering. The *Minchat Chinukh* (precept 380, letter a) raises a question in light of the position of the Rambam who distinguishes between one who is ritually unclean or on a distant journey, who can never come to liability for *karet* on *Pesach Sheni*, and one who inadvertently or for reasons beyond his control failed to bring the *korban Pesach* on *Pesach Rishon* who is liable for *karet* if he intentionally fails to bring the offering on *Pesach Sheni*. In the continuation, he proposes that even the *Pesach Sheni* of one who is ritually unclean or on a distant journey sets aside the positive precept of *hashlamah*, because the *korban* itself is a sacrifice that bears liability for *karet*.

According to our understanding, however, there is room to disagree and propose the very opposite. For *Pesach Sheni* was established as a festival in its own right because of those who were ritually unclean or on a distant journey, and by nature it is a sacrifice that does not bear liability for *karet*. It was only on account of its being a festival in its own right that it was established as a time to fulfill the *mitzvah* of *Pesach Rishon* for those who inadvertently or for reasons beyond their control failed to bring the *korban Pesach*. If so, the status of a sacrifice that has liability for *karet* certainly does not apply with respect to those who are ritually unclean or on a distant journey, and there is room to question whether this standing applies even to those who inadvertently or for reasons beyond their control failed to bring a *korban Pesach* on *Pesach Rishon*.

THE ELEVATED STATUS OF PESACH SHENI AS "A PESACH FOR GOD"

The Torah (*Shemot* 12:12, 27, 48; *Bamidbar* 9:10, 13, 14) uses a unique term regarding the *korban Pesach*, referring to it as a "*Pesach for God*." See *Mekhilta* (*Shemot* 12:48) and *Sifrei* (*Bamidbar* 9:14), which raises the possibility that a proselyte should be obligated to bring a *korban Pesach* even not at its designated time as part of his conversion process or as an obligation that falls upon him immediately after acquiring the sanctity of Israel. It should be noted that this formulation appears also in the middle of the request put forward to

Moshe by the ritually unclean that he should establish *Pesach Sheni* as an opportunity to fulfill the *mitzvah* of *korban Pesach*. They were sensitive to the special status of this sacrifice as a “*Pesach* for God,” and as something that is essential for the solidarity of Israel as a nation. This sensitivity was reflected in their seeing the absence of the fulfillment of this *mitzvah* as a spiritual blemish, which moved them to ask, “Why are we kept back, that we may not offer an offering of the Lord at its appointed season among the children of Israel?” (*Bamidbar* 9:7).

What is even more striking is that those who initiated this request (the ritually unclean), and those on account of whom the day and obligation were established (even for those on a distant journey) had been entirely exempt and even removed from the obligation and punishment. It is possible that the fact that it was they who initiated this request (and who saw it not as a mere obligation, but as a special opportunity to serve God) – and not those who had intentionally failed to bring the *korban Pesach* on *Pesach Rishon*, and not even those who inadvertently or for reasons beyond their control failed to bring the *korban Pesach* at that time and were merely exempt from punishment – contributed to the fact that *Pesach Sheni* also merited the elevated status of “*Pesach* for God” (9:13). And it is perhaps for this reason that *Pesach Sheni* which had been established as a festival in its own right could serve as a time to fulfill the *mitzvah* of *Pesach Rishon* that carries the punishment of *karet* for those who had inadvertently or for reasons beyond their control failed to bring the *korban Pesach*, and even as *tashlumin* for those who had intentionally failed to bring it (according to the Rambam).