

# “Pesach to Hashem:” Separate Mitzvos for Separate Moadim

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The *Korban Pesach* is different from all other *korbanos*. Unlike other *korbanos*, which may be eaten with or without other foods (Rambam, *Hilchos Ma'aseh ha-Korbanos*, 10:10), the *Korban Pesach* must be eaten with specific foods, as the verse states, “... [with] *matzos* and with bitter herbs shall they eat it” (*Shemos* 12:8).

Another uniqueness of the *Korban Pesach* is that its eating is not permitted during the day it is slaughtered. The slaughtering is mandated for the afternoon of the 14<sup>th</sup> of Nissan, as the verse commands, “It shall be yours for safekeeping until the fourteenth of the month, the entire congregation of the assembly of Israel shall slaughter it in the afternoon.” (*Shemos* 12:6) Yet, its eating is prohibited until the night of the 15<sup>th</sup>, as the verse states, “They shall eat the meat on that night...” (*Shemos* 12:8). This separation of slaughtering and eating is not found with other *korbanos*, where slaughtering and eating are permitted on the same day (Rambam, *Hilchos Ma'aseh ha-Korbanos*, 10:6-7).

Lastly, we find that one must eat at least a *kezayis* of the *Korban Pesach* (*Hilchos Korban Pesach* 8:3). We do not find a similar minimum requirement for eating with other *korbanos*.<sup>47 48</sup>

## Two Independent *Mitzvos*

The fact that a specific amount of the *Korban Pesach* must be eaten indicates that the eating component of the *Korban Pesach* is a primary requirement, whereas the eating component of other *korbanos* is only of a secondary nature. Consistent with this suggestion, we find that the Rambam actually counts the slaughtering and eating of the *Korban Pesach* as two independent

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<sup>47</sup> See *Pesachim* 3b regarding a *kohen* who ate less than a *kezayis* of *Lechem ha-Panim*, and Rambam, *Hilchos Temidim u-Musafim*, 5:14, on the status of *Lechem ha-Panim*. See also *Beis ha-Levi* 1:2:7.

<sup>48</sup> There are a number of other unique *halachos* connected with *Korban Pesach* that we will not discuss at this time, such as the requirement that a *chaburah* be appointed, or that the *Korban* must only be roasted, or that the animal's bones may not be broken during the eating process.

*mitzvos* (*Sefer ha-Mitzvos*, *Aseh* 55 and 56). This enumeration is different than other sacrifices, where the Rambam counts only the slaughtering as a *mitzvah*.<sup>49</sup>

Apparently, in regards to other *korbanos*, the consumption of the *korban* is merely a detail of the *korban* process. To illustrate: The fats and limbs of *korbanos* must be burned on the altar. However, this requirement to burn the fats and limbs does not constitute an independent *mitzvah*; rather it is one detail of the *korban* process. So too, the actual eating of other *korbanos* is a detail in the *korban* process and does not constitute an independent commandment.<sup>50</sup> However, with *Korban Pesach*, the eating of the *korban* is not merely detail in the *korban* process, but rather it constitutes an independent *mitzvah*.

## To Eat or To Be Eaten

In addressing the presence of a required amount of consumption found only by *Korban Pesach*, the *Beis ha-Levi* (1:2) suggests the following classification: By all other *korbanos* the *halacha* is that the *korban* must “be eaten (נאכל).” In other words, the eating requirement is specifically related to the *korban* itself. It must be eaten, but *who* eats it, and *how much* is eaten is not mandated by *halacha*. However, *Korban Pesach* has an additional requirement.<sup>51</sup> Besides the requirement **to be eaten**, *halacha* dictates a formal obligation on the slaughterer (and the members of the *chaburah* for whom this *Korban Pesach* was slaughtered) **to eat** the *korban*. This requirement obligates the individual to consume a specific amount, a *kezayis*, which is the standard amount of consumption necessary whenever the Torah mandates a formal eating requirement.<sup>52</sup>

## Two Moadim

It is fascinating to note that the Torah never actually refers to the 15<sup>th</sup> day of Nissan, the holiday of Passover, as “*Pesach*.” Throughout the Torah, the festival of the 15<sup>th</sup> is called “*Chag ha-*

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<sup>49</sup> Examples include: The *mitzvah* to slaughter the *Chatas* in *Sefer ha-Mitzvos*, *Aseh* 64, the *Asham* in *Aseh* 65, the *Shelamim*, *Aseh* 66, and the *Minchah*, *Aseh* 67. This distinction is noted by *Beis ha-Levi* 1:2:7 in the name of the *Sefer Ma'ayan Chochmah*. However, the *Sefer Mitzvas ha-Melech*, *Aseh* 55-56 *s.v. ve-henai*, questions this distinction noting that we do find an independent commandment, *Sefer ha-Mitzvos*, *Aseh* 89, to eat the meat of the *Chatas* and *Asham*. In light of this, we must limit this distinction to *kodashim kalim*. *Kodshei kodashim*, such as *Chatas* and *Asham*, do contain an independent *mitzvah* to eat the meat of the *korban*. However, *Korban Pesach* is the only one of the *kodashim kalim* that has a separate *mitzvah* to eat the *korban* meat.

<sup>50</sup> Indeed, the *Or Sameach* (*Hilchos Chametz u-Matzah* 6:1) suggests that the requirement to eat the *korban* may simply be a function of avoiding the prohibition of *nosar*.

<sup>51</sup> The primary requirement to be eaten certainly applies to *Korban Pesach* as well, see *Sefer Mitzvas ha-Melech*, *Aseh* 55-56 *s.v. u-lechora* and *s.v. al kol panim*.

<sup>52</sup> In another location, the *Beis ha-Levi* suggests an additional *halacha* that might hinge on this fundamental difference between the need to be eaten and the requirement to eat. The *Mishna la-Melech* (*Hilchos Yesodei ha-Torah*, 5:8) questions if one can fulfill an eating obligation by eating raw food. The *Beis ha-Levi* (3:51:4) quotes the *Gemara* in *Menachos* 99b that implies that *korbanos* may be eaten raw, even though eating raw food is not normally considered eating (for example, one would not transgress the prohibition of *neveilah* by eating raw *neveilah* meat). The *Beis ha-Levi* explains that this allowance to eat a *korban* raw applies only because a *korban* merely needs to “be eaten.” However, regarding eating obligations, where there is a formal *chiyuv achilah* on the individual, the allowance to eat the meat raw may not be applicable (and certainly not by *Korban Pesach* where the verse itself prohibits eating the *korban* raw).

Matzos.” Even more amazing is that the Torah seemingly refers to the afternoon of the 14<sup>th</sup> day of Nissan, the eve of Passover, as the “moed” of Pesach.

*These are the appointed seasons of the Lord, holy convocations, which you shall proclaim in their appointed season. In the first month, on the fourteenth day of the month at dusk, is Passover for the Lord. And on the fifteenth day of the same month is the feast of unleavened bread for the Lord; seven days you shall eat unleavened bread.*

**Vayikra 23:4-6**

אלה מועדי ה' מקראי קדש אשר  
תקראו אתם במועדם: בחדש  
הראשון בארבעה עשר לחדש בין  
הערבים פסח לה': ובחמשה עשר  
יום לחדש הזה חג המצות לה'  
שבעת ימים מצות תאכל  
ויקרא כג:ד-ו

It emerges from a simple reading of the Torah that Nissan contains two *moadim*. The “moed” of Pesach occurs on the 14<sup>th</sup> of the month, and is quite novel in that only the afternoon is singled out as a “moed.”<sup>53</sup> The *moed* of Chag ha-Matzos occurs on the 15<sup>th</sup> of the month.<sup>54</sup>

The possibility that the eve of Passover, contains a “moed,” or at least a “quasi-moed” status would explain a unique *halacha* found in regards to the afternoon of the 14<sup>th</sup> of Nissan. The *Shulchan Aruch* (O”C 468) rules that there is an *issur melachah*, a prohibition against work, on the eve of Passover. A similar prohibition is not found in regards to the eve of the other festivals. On a simple level, one might assume this prohibition is of a technical nature, intended to allow proper attention to the many preparations needed for the *seder* night.<sup>55</sup> However, the *Pnei Yehoshua* (Pesachim 50a s.v. *ba-mishna*) refers to the aforementioned verse from Vayikra 23:5 as the “source” for this *issur melachah*. If so, this *issur melachah* is not of a technical nature but is a function of the verse that refers to the afternoon of the 14<sup>th</sup> as Pesach. It is the formal “moed” status of Passover eve that demands the cessation of work.<sup>56</sup>

## Separate Mitzvos for Separate Moadim

In light of our newfound perspective of Pesach and Chag ha-Matzos, we can perhaps gain greater insight into the two *mitzvos* of the *Korban Pesach*, and explain the unique characteristics of the *Korban Pesach* outlined in the beginning of our discussion. Perhaps there are two independent *mitzvos*, to be fulfilled at separate time periods, because the *Korban Pesach* relates to two different, albeit related, *moadim*. The *mitzvah* of **slaughtering** the *Korban Pesach* is associated with the *moed* of Pesach, the afternoon of the 14<sup>th</sup> of Nissan. On that day we slaughter the *Korban Pesach* to commemorate the brave act of our ancestors in Egypt who slaughtered the

<sup>53</sup> The Netziv in *Ha’amek Davar* makes this observation in his commentary on Vayikra 23:5.

<sup>54</sup> Ostensibly the Chag ha-Matzos status continues for the rest of the seven days, but see *Ha’amek Davar Shemos* 12:14.

<sup>55</sup> A similar explanation is suggested by the *Beis Yosef* in another context. The *Gemara* in Pesachim 6a records a need to begin studying the laws of Passover thirty days before Passover. The *Beis Yosef* (O”C 429:1) suggests that this need may only apply to Passover due to the myriad *halachos* that pertain to Passover, and that a thirty day period would not be needed for the other festivals that have far fewer *halachos*.

<sup>56</sup> Similarly, the Vilna Gaon, in his commentary on *Shulchan Aruch* (Y”D 399:9) notes the Torah’s reference to the afternoon of the 14<sup>th</sup> as a *moed* in *parshas ha-moadim* to explain a lenient ruling of the Rema regarding the afternoon of the 14<sup>th</sup> that is not found by the eve of the other festivals.

Egyptian god in broad daylight of the 14<sup>th</sup> and adorned their doorposts with the blood of their sacrifice (*Shemos* 12:6-7). However we do not eat the *Korban Pesach* on that day, rather we wait till the evening, as the *mitzvah* of **eating** the *Korban Pesach* is associated with the *Chag ha-Matzos*, the 15<sup>th</sup> day of Nissan. On that day we are commanded, as an independent *mitzvah*, to eat a *kezayis* of the *Korban Pesach*. This eating must be done “on that night” specifically, and with *matzah* and *marror*, to commemorate how our ancestors ate the original *Korban Pesach* on the night of the 15<sup>th</sup> during the Exodus from Egypt, as the verse states, “They shall eat the meat on that night ... with *matzos* and bitter herbs ... it is a *Pesach* to Hashem” (*Shemos* 12:8-11).