

Or le-Arba'a Asar and the Ta'anis Bechorim

RABBI PINCHAS GELB



The 15th of Nisan starts Pesach and marks the redemption (*geula*) from *Mitzrayim*.¹ Generally, the time period prior to a day of *kedusha* is completely characterized by that day. For example, Friday is referenced as *erev Shabbos* and the 14th of Tishrei is *erev hachag*. The 14th of Nisan, however, is designated, not only as *erev Pesach*, but also as having a distinct identity characterized by the anticipation of *geula*. Indeed, we tend to think of redemption as binary: either it has occurred or it hasn't; but there is a third category—the anticipation of *geula*—which the 14th of Nisan punctuates. This helps to explain the custom for the fast of the firstborns (*ta'anis bechorim*) to be observed on the 14th of Nisan through a *siyum maseches* instead of by fasting, as described below.

The 14th of Nisan

The *Parashas haMo'adim* emphasizes the distinct nature of the 14th of Nisan. *Vayikra* 23:4-6 states:

אלה מועדי ה' מקראי קדש אשר תקראו אתם במועדם. בחדש הראשון בארבעה עשר לחדש בין הערבים פסח לה'. ובחמישה עשר יום לחדש הזה חג המצות לה' שבעת ימים מצות תאכלו...

These are the appointed festivals of Hashem, the holy convocations, which you shall designate in their appointed time. In the first month on the fourteenth of the month in the afternoon is the time of the Pesach-offering to Hashem. And on the fifteenth day of this month is the Festival of Matzos to Hashem; you shall eat matzos for a seven-day period...

¹ This article is dedicated to the memory of Rabbi Daniel Arnall *zt"l* whose life overflowed with *chesed*.

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These verses specify that the obligations and observances associated with the bringing of the *Korban Pesach* have to be performed on the 14th.

Chazal, accordingly, were sensitive to this individualized aspect of the 14th of Nisan. *Maseches Pesachim* begins with the phrase “*or le’arba’a asar*,” “on the evening of the 14th.” The last *perek* in *Pesachim* also references the 14th, but calls the day “*erev Pesach*” (or more precisely, “*arvei Pesachim*”). Rav Yosef Dov Soloveitchik says that the fact that the *maseches* refers to the 14th both as a prelude to Pesach (“*erev Pesach*”) and as a discrete unit (“*arba’a asar*”) highlights that it stands, not only as an adjunct to the 15th, but also with inner-meaningfulness in its own right. Indeed, the phrase “*arba’a asar*” is never used with regard to *erev Sukkos*. Nor are the *mitzvos* of Sukkos observed before the start of the *chag*. Yet the *mitzvos* of Pesach begin to be observed on the 14th of Nisan.

For instance, the *mitzva* of the *Korban Pesach* is performed in two stages—brought on the 14th and eaten on the 15th—and the prohibitions against eating or owning *chametz* are emblematic on Pesach but begin on the 14th well before Pesach. The whole community of Israel would bring the *Korban Pesach* on the 14th, and, even now, there is a resulting prohibition against going to work during that time, similar to the prohibition on *chol hamoed*. The overwhelming majority of *Maseches Pesachim* deals with the 14th of Nisan: the first through third *perakim* discuss the elimination of *chametz* and the preparation of *matzos* on the 14th, and the fourth through ninth *perakim* discuss the prohibition of work and the bringing of the *Korban Pesach* on the 14th.

As these examples reflect, the 14th of Nisan is a day with its own significance as a bridge to the 15th. While the 15th begins the holiday of *geula*, the 14th—associated primarily with the bringing of the *Korban Pesach*—characterizes the active anticipation of *geula* through the performance of certain *mitzvos*. Rabbi Soloveitchik has noted that *Chazal* were careful to use the word “*geula*” with regard to just two events: the Exodus from Egypt and the future redemption. The miraculous salvations of Chanuka and of Purim, for instance, are described as “*teshuos*” and by the Aramaic word for redemption, “*purkan*,” but *Chazal* reserved the Hebrew term “*geula*” to describe only the redemption from *Mitzrayim* and the complete redemption still to come. This quality of redemption in fruition is characterized by the 15th. The *mitzvos* of the 14th, additionally and separately, express the expectant anticipation of redemption even before the time for *geula* has arrived.

Questions Regarding the *Ta'anis Bechorim*

This significance of the 14th of Nisan, which results from the *mitzvos* that surround the bringing of the *Korban Pesach*, might provide insight into the *ta'anis bechorim*. Several difficulties arise in understanding the *ta'anis bechorim*.

The *Tur* (*Orach Chaim* 470) states that the reason for the *ta'anis bechorim* is to commemorate the miracle (*zecher la'nes*) that the Jewish households were spared during *makkas bechoros*. However, this rationale for the *ta'anis bechorim* raises at least three questions. First, the *Zichron Yehuda* (*Orach Chaim* 133) wonders why, if the *ta'anis bechorim* is intended to commemorate this miracle, the *halacha* does not require a celebratory meal rather than imposing a fast.² Second, the *Birkei Yosef* (*Orach Chaim* 470:7) remarks that the fast should have been set for the night of the 15th because that is when the deliverance from *makkas bechoros* occurred, but, since we cannot observe a fast on Pesach, it is observed on the 14th. Yet, the 14th likewise is a celebratory day with a prohibition (at least during the second half of the day) against working, so the fast really should have been advanced to the 13th.³ Third, the GRA questions why the Rama writes that only men fast and not women even though the *midrashim* indicate that the firstborn Egyptian women also died during *makkas bechoros* (see *Mishna Berura*, *Orach Chaim* 470:1(3), (4), citing the GRA). Indeed, in *Mitzrayim*, the heads of households were killed even when they were not firstborns, but this is not reflected in our observance of the *ta'anis bechorim*.

Moreover, the *ta'anis bechorim* is referenced neither in *Tanach* nor, except for a vague possible allusion in the *Yerushalmi*, anywhere in the *gemara*. The *Tur* (*Orach Chaim* 470) states that the source for the obligation of *ta'anis bechorim* is from *Maseches Sofrim*.⁴ The *Bach* (commenting on the *Tur*) says that the practice began

2 The *Zichron Yehuda* states that the fast is modeled after Taanis Esther which the *Tur* (*Orach Chaim* 686) explains originated from the fast that the Jewish people observed before the miracle of Purim, and that, here as well, the *bechorim* might have fasted on the 14th before the miracle occurred. But the *Birkei Yosef* (*Orach Chaim* 470:7) notes that the *Tur* is explicit here that the fast was instituted to publicize the miracle that the Jewish firstborns were saved, and not as a memorial of the fast that might have been kept by the Jewish firstborns before *makkas bechoros*.

3 The *Zichron Yehuda* and *Birkei Yosef* are quoted by Rav Tzvi Pesach Frank, *Mikra'ei Kodesh*, Pesach, vol. 2, 80-84 (Jerusalem 1990).

4 *Maseches Sofrim* (21:3) states: "ואין מתענין עד שיעבור ניסן אלא הבכרות שמתענין בערב הפסח והצנועין בשביל המצה" "We don't fast until after Nisan except for the firstborns who fast on the day before Pesach and those who are careful about [having an appetite for] the matza." The Rambam appears generally not to rely on *meseches Sofrim*. See Rav Menachem Kasher, *Torah Sheleima* vol. 29: The Script of the Torah and its Characters (Hebr.), 99 (Jerusalem 1978). Hence, the Rambam unsurprisingly does not include the *ta'anis bechorim* in his discussion of *erev* Pesach. See, e.g., *Hilchos Chametz uMatza* 6:12.

to spread after the days of Rebbe Yehuda haNasi, based on an interpretation of the reference in the *Yerushalmi* to his practice generally to refrain from eating on the 14th of Nisan (see *Yer. Pesachim* 10:1). Additionally, the Rosh (*Hilchos Sefer Torah* 13, found after *Maseches Menachos*) states that *Maseches Sofrim*, itself, is not quoted anywhere in the *gemara*, and that *Maseches Sofrim* appears to have been from a later time period after the *gemara*.⁵ Thus, the general obligation of *ta'anis bechorim* might have arisen after the time of the *mishna* and, indeed, derives from a source potentially from after the completion of the *gemara*, which is surprising.

Perhaps most unusual is that the *ta'anis bechorim* is commonly observed not by fasting at all, but instead, by the firstborns' attending a *siyum maseches* or another *seudas mitzva*. Although some have not relied on this leniency (see *Magen Avraham, Orach Chaim* 470; *Teshuva meAhava* vol. 2, *Orach Chaim* No. 261), the *Mishna Berura* (470:2(10)), quoting the *Chavos Ya'ir* in the name of the Maharshal, emphasizes that there are different prevailing practices regarding the *ta'anis bechorim*, and states that many in his region permitted eating after a *siyum maseches* even when the *bechorim*, themselves, had not completed the tractate. Rav Moshe Feinstein (*Igros Moshe Orach Chaim* 1:157, 4:69(4)) confirms that this has become the overwhelming practice. Accordingly, the *ta'anis bechorim* is not even usually kept as a fast day, but, instead, has come to be observed by the firstborns' celebration of achievement in *talmud Torah*.

Given the many anomalies of the *ta'anis bechorim*, Rav Shlomo Zalman Auerbach provides the following explanation (*Halichos Shlomo, Mo'adei haShana*, Nisan-Av 8:1). Rav Shlomo Zalman states that Hashem's saving the Jewish firstborns during *makkas bechoros* reflected His protection and direct concern for them, and marked their calling to perform the Divine service. But the *bechorim* lost this capacity during the incident of the golden calf when it was transferred to *Shevet Levi* (*Bamidbar Raba* 3:5). This would be restored to them upon the future redemption (see, e.g., *Ohr haChaim* Gen. 49:28), but until then, the *ma'aseh ha'egel* prevented them from performing the *avoda*. On the 14th of Nisan, multitudes of *Korbanei Pesach* were brought and the people all rejoiced, except for the *bechorim* who had lost their capacity to perform this *avoda*. Indeed, they had gained their initial capacity at the time of the *Korban Pesach*, and, when they had to witness it being brought without their involvement, they would become distraught at their fallen state and could not eat or drink during that time. But when we observe this fast day, it can be observed by making

⁵ The Rosh states that, therefore, when *Maseches Sofrim* contradicts a statement in the *Yerushalmi* regarding the *halachos* of writing a sefer Torah, we accept the position of the *Yerushalmi*.

a *siyum maseches* because the joy of Torah learning abates this anguish, as the *mishna* states in *Avos* (6:6): “*gedola Torah yoser min hakehuna*,” “Torah is even greater than the *kehuna*.”

Rav Shlomo Zalman’s approach answers many of the questions, but it does not address the *Tur*’s rationale that the fast is “*zecher la-nes*” of Hashem’s deliverance of the Jewish firstborns during *makkas bechoros*, and it does not account for the possibility that the general obligation of the *ta’anis bechorim* might have originated after the destruction of the *Beis Hamikdash*. Perhaps these aspects of the *ta’anis bechorim* can be explained and understood as follows.

An Approach to the *Ta’anis Bechorim* Addressing the *Tur*’s Rationale

Right at the beginning of Moshe’s travel to *Mitzrayim*, Hashem tells Moshe that *makkas bechoros* was going to reflect the birthright of the Jewish people as His “*bechor*” (Ex. 4:22-23):

ואמרת אל פרעה כה אמר ה' בני בכרי ישראל. ואמר אליך שלח את בני ויעבדני ותמאן לשלחו הנה אנכי הרג את בנך בכרך.
And you shall say to Pharaoh: “So said Hashem, My firstborn son is Israel. And I have said to you, send out My son that he may serve Me—and you have refused to send him out; behold, I shall kill your firstborn son.”

Accordingly, *makkas bechoros* was intended to make the promise of “*b’ni vechori Yisrael*” manifest within history.⁶ Hashem would respond to Pharaoh’s brutal oppression of the Jewish people, i.e., His firstborn, by striking the firstborns of *Mitzrayim* and saving the firstborns of the Jewish households who had placed the blood of the Pesach offering on their lintels and doorposts. Indeed, the *Korban Pesach* was to signify this deliverance of the Jewish firstborns from *makkas bechoros* for future generations, as the verses state (Ex. 12:21, 25-27):

ויקרא משה לכל זקני ישראל ויאמר אלהם משכו וקחו לכם צאן למשפחתיכם ושחטו הפסח... והיה כי תבאו אל הארץ אשר יתן ה' לכם כאשר דבר ושמרתם את העבדה הזאת. והיה כי יאמרו אליכם בניכם מה העבדה הזאת לכם. ואמרתם זבח פסח הוא לה' אשר פסח על בתי בני ישראל במצרים בנגפו את מצרים ואת בתינו הציל...
 ויקרא משה לכל זקני ישראל ויאמר אלהם משכו וקחו לכם צאן למשפחתיכם ושחטו הפסח... והיה כי תבאו אל הארץ אשר יתן ה' לכם כאשר דבר ושמרתם את העבדה הזאת. והיה כי יאמרו אליכם בניכם מה העבדה הזאת לכם. ואמרתם זבח פסח הוא לה' אשר פסח על בתי בני ישראל במצרים בנגפו את מצרים ואת בתינו הציל...

⁶ This connection between *makkas bechoros* and the promise of *b’ni vechori Yisrael* also appears as part of the blessing of “*ga’al Yisrael*” in *Shacharis*: “כל בכוריהם הרגת ובכורך גאלת,” “*all their firstborns You slew, but Your firstborn You redeemed*,” and in *Ma’ariv*: “המעביר בניו בין... גורי ים סוף... וראו בניו גבורתו שבחו והודו לשמו *Who struck with His wrath all the firstborns of Egypt and removed His nation Israel from among them to enduring freedom. Who brought His children through the split parts of the Yam Suf... When His children saw His might they praised Him and gave thanks to His name.*”

And Moses called to all the elders of Israel and he said to them: "Draw forth and take for yourselves lambs for your families, and slaughter the Pesach offering... And it shall be when you come into the land that Hashem will give you as He has spoken and you shall observe this service. And it shall be that when your children say to you: 'What is this service to you?' You shall say: 'It is a Pesach feast offering to Hashem who [had compassion on, and] passed over the houses of the Children of Israel in Egypt when he smote the Egyptians, and He saved our households'"...

Thus, the annual service of the *Korban Pesach* was supposed to remind each successive generation that Hashem had exhibited compassion on, and passed over the Jewish households during *makkas bechoros*, and this had actualized the promise of "*b'ni vechori Yisrael*." Considering the *Korban Pesach's* significance, however, its contemporary absence is poignant and jarring, even creating a sense of crisis at its loss. In general, the response to a communal crisis is to fast (Rambam *Hil. Ta'aniyos* 1:4), and the lack of the *Korban Pesach* on the 14th of Nisan, with all that it is intended to signify in each generation, perhaps is the initial impetus for the *ta'anis bechorim*.

Yet this fast is not imposed on everybody but only on the *bechorim*. While it expresses the crisis of this loss it also creates a group of Jewish firstborns. For instance, if at least ten *bechorim* who are fasting on the 14th of Nisan are *davening mincha* together and one of them is the *sheliach tzibbur* he must recite *aneinu* during the public repetition of the *Shemoneh Esrei* (*Mishna Berura, Orach Chaim* 470:1(2)).⁷ Hence, the *bechorim* are an identified group on the day designated by the verses to bring the *Korban Pesach*. This assembly of the *bechorim*, according to the *Tur*, commemorates Hashem's deliverance of His *bechor* from *makkas bechoros*, thereby conveying the *Korban Pesach's* message even in its absence.

This potentially explains the custom to observe the *ta'anis bechorim* by participating in a *siyum maseches* instead of by fasting. Indeed, although the initial impetus of the fast might have been the crisis caused by our inability to bring the *Korban Pesach* on the 14th of Nisan, it was implemented, according to the *Tur*, to commemorate Hashem's deliverance of the Jewish firstborns from *makkas bechoros* that had expressed the promise of "*b'ni vechori Yisrael*" (Ex. 4:22-23). Once the resonance of this promise is revitalized by the fast of the firstborns, whose purpose is to recall the *Korban Pesach's* message that had been intended for all generations,

⁷ The *Mishna Berura* states, however, that it is better for a *bechor* not to be *sheliach tzibbur* since some hold that it is preferable not to mention the fast as part of the public repetition of the *Shemoneh Esrei* because it is Nisan.

the *ta'anis bechorim* can be observed, and obviated, through a *seudas mitzva*, and, in particular, through a public celebration by the *bechorim* of the “*eidos, chukim u'mishpatim*,” “testimonies, decrees and laws” (Deut. 6:20).⁸

“*Bni Vechori Yisrael*” Then and Now

This also provides insight into the question in the haggada posed by the wicked son (the *rasha*) that is so corrosive. The question that the *rasha* asks: “*ma ha'avoda hazos lachem*,” “what is this service to you,” is prompted in the verses (Ex. 12:26) by the service of the *Korban Pesach*, but the haggada is composed for a time of diaspora. For example, at the end of *Hilchos Chametz uMatza*, the Rambam presents the complete text of the haggada that he titles: “The Customary Text of the Haggada During the Time of the Exile.” The *rasha's* question is sardonic and taunting, inasmuch as it is rhetorical, because the *Korban Pesach*—which is the catalyst for the question in the verses—is in fact absent when the *rasha* asks about it. The *rasha* accentuates its absence by calling it “this” *avoda*, and by asking the question that should be triggered by the service of the *Korban Pesach* but isn't. The *chacham* asks about the “*eidos, chukim u'mishpatim*,” “testimonies, decrees and laws” that he actually can identify within *Talmud Torah*. But the *rasha* asks about “this [absent] *avoda*,” as if to question what has become of the promise itself of the Jewish birthright expressed by *b'ni vechori Yisrael*. We don't countenance the *rasha's* question—we blunt his teeth, taking the bite out of his challenge—and respond, instead, that he would not have been saved had he been in *Mitzrayim*, possibly because the yet unfulfilled aspects of geula that he focuses on existed there, as well, and the resulting tension was already addressed by the *nissim venifla'os* during the Exodus.

For instance, the Bostoner Rebbe homiletically (*baderech derush*) says that the first two verses of Moshe Rabbenu's career reflect this tension (Ex. 2:11-12):

ויהי בימים ההם ויגדל משה ויצא אל אחיו וירא בסבלתם וירא איש מצרי מכה איש
עברי מאחיו. ויפן כה וכה וירא כי אין איש ויך את המצרי ויטמנהו בחול.
*And it was in those days that Moshe grew up and went out to his brethren and
he looked on their burden; and he saw an Egyptian man striking a Hebrew
man, one of his brethren. And he turned this way and that way and saw that
there was no man, and he struck down the Egyptian and hid him in the sand.*

⁸ See Rav Moshe Grunwald, *Shut Arugas Habosem* vol. 2, *Orach Chaim* No. 139, 106b-107a (New York 1985), that making a *siyum maseches* in place of the *ta'anis bechorim* is not a way to avoid the fast, but rather, to mark the fast because its point is to underscore that the *bechorim* were saved, and this can be accomplished through a specially designated *seudas mitzva*.

There is a statement of “כה” from Hashem to Pharaoh and a statement of “כה” in response. The first is (Ex. 4:22): “ואמרת אל פרעה כה אמר ה' בני בכרי ישראל,” “and you shall say to Pharaoh: ‘So said Hashem, My firstborn son is Israel.’” And the second is after Moshe and Aharon deliver this message to Pharaoh and he answers by additionally oppressing the people (Ex. 5:10): “ויאמרו אל העם לאמר כה אמר פרעה: ‘אינני נתן לכם תבן ויפן כה וכה’”—initially wondering whether the promise of “*b’ni vechori Yisrael*” would prevail over the oppression of the tyrant. He realized that it would and struck the *Mitzri*.

So too, the *ta’anis bechorim* results from the distress of our not being able to bring the *Korban Pesach*, with all that it is meant to symbolize, on the 14th of Nisan. Yet, it was implemented as a fast of the *bechorim* to commemorate the deliverance of Hashem’s *bechor*, conveying the continued resonance of Hashem’s promise of *b’ni vechori Yisrael* despite the poignant lack of the *Korban Pesach* on the 14th of Nisan. And the *siyum maseches*, by which this fast overwhelmingly has come to be observed, further underlines that the “*zecher la’nes*” of the *Tur*, the miracle to be commemorated, is not only that the Jewish firstborns were spared during *makkas bechoros* in Egypt, but also that the promise of *b’ni vechori Yisrael* which it had made manifest endures as a prelude to *geula*. Thus, the 14th of Nisan continues to emphasize the anticipation of *geula*, and in this sense, to frame our historical context prior to the future redemption.

May we merit to advance to the 15th, speedily and in our time.

Nitzachon

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