

# daf yomi summary

## parashat Tetzaveh 5781

פסחים פט - צג

EDITION: 57

### THE **אונן**, KORBAN PESACH, AND MOURNING LAWS ON PURIM

THANKS RABBI YONI ISAACSON

The Mishna at the bottom of daf 90b lists a number of people who despite currently being unfit to eat the קרבן פסח may still be included in a group that the קרבן is slaughtered for, seeing as they will be fit to eat it in the evening. This list includes, amongst others, one who is an **אונן** and a prisoner who has been promised that he will be freed by evening.

Although they may be included in a group, the קרבן may not be slaughtered for them alone, in case they do not become fit to eat it and the entire קרבן becomes invalid. Although the term **אונן** is generally used to refer to someone who has lost a relative and still has not buried him, the usage of this term does seem to vary from place to place, and the reference to one over these 3 daf presents an opportunity to begin clarifying the scope, status, and laws of an **אונן** as opposed to an **אבל** and a regular person.

The term **אונן/אנינות** is found in the Chumash itself in the **ודוי מעשרות**, the declaration made in the third and sixth year before Pesach verifying that one has separated all his tithes and treated them according to halacha. One of the phrases in this declaration is **אנינות** - "לא אכלתי באוני ממנה" (I never ate from it while I was in my **אנינות** - Devarim 26/14.)

The implication is that it is forbidden to eat one's Maaser Sheini while one is an **אונן** (the other tithes are not eaten by the original owner but by the Levi, the poor, or the Kohain) What precisely **"באוני"** means is not evident from the **קוספ**, but the Ibn Ezra sees it as synonymous with **"לבאי"** (my mourning) and connects it to the naming of Binyamin as **"ינוא ונב"** (Bereishis 35/18.) and **"לחם אונים"** (Hoshea 9/4).

Although the actual word is not used, reference to the day one lost a relative can also be found regarding sacrifices, where Aharon explains that the reason he did not eat from the inaugural sacrifices was because he had lost his 2 sons that day (Vayikra 10/19) The Targum Yonatan explains that Aharon made a **"kal vachomer"** argument to Moshe- If an **אונן** is not permitted to eat **שני מעשר**, how much more so a **קרבן חטאת** which has a much greater sanctity.

By making this link, the Targum seems to have made it clear that

Aharon had the same status of the **אונן** mentioned regarding **מעשר שני** and that this phrase refers to the day of death, leading us to conclude that **אנינות דאורייתא** refers to the day of death, at least prior to the burial, and possibly also afterwards.

In truth, the Gemara (Zevachim 100b) brings a Beraisa which records a debate between Rebbe and Chachamim as to how long **אנינות** continues, at least on a rabbinical level/ Rebbe is of the view that it is only until the burial whereas the Chachamim hold that it is the entire day.

The Gemara discusses which day they are talking about, whether it is the day of death or the day of burial, in a case where the two do not coincide. It argues that it is impossible that Rebbe holds that **אנינות** on the day of death ends after the burial even before the day is over, seeing as everyone agrees that the entire day of death is subject to the laws of **אנינות** based on the passuk **"ואחרייתה כיום מר"** (after it is like a bitter day- Amos 8/10 ) and everyone also holds that the night after the day of death is rabbinically subject to the laws of **אנינות**.

It then suggests that the dispute is referring to the day of burial and a long discussion ensues. The Gemara concludes that according to Rebbe, the whole of the day of death is subject to **אנינות דאורייתא** and the night after, as well as the day and night after burial are subject to **אנינות דרבנן** Returning to our sugya, Rashi explains that the **אונן** mentioned in our Mishna who may be included in the group for a קרבן פסח seeing as he will be fit to eat it as night, is referring to one who has not yet buried his death, bringing support from the Gemara in Zevachim.

The Gemara (Pesachim 92b) explains that seeing as **אנינות** at night (even on the day of death) is only **דרבנן**, Chazal did not apply their own restrictions in a way that would cause the **אונן** to miss out on a **מצות עשה** whose neglect incurs the penalty of **כרת**. In contrast, other **קרבנות** may not be eaten at night during **אנינות דרבנן** as Chazal upheld their restrictions even in cases where the **אונן** would miss out on a regular **מצות עשה**, so long as its neglect does not incur the penalty of **כרת**. This requires further explanation- After all, the Gemara (Moed Katan 14b) rules that **לבאות** does not apply on Chol haMoed seeing as the **עשה דרבנים** (public positive mitzva) of **לבאות** of **עשה דיחיד** pushes aside the **שמחת יום טוב**.

The usage of the term **עשה** indicates that this is referring to **תואבל דאורייתא**, in other words, **אנינות** on the first day. If a public positive mitzva of rejoicing on chol hamoed pushes aside

ברכות (63)	Jan 5 2020
שבת (156)	Mar 8 2020
עירובין (104)	Aug 11 2020
פסחים (120)	Nov 23 2020
שקלים (21)	Mar 23 2021
יומא (87)	Apr 13 2021
סוכה (65)	Jul 9 2021
ביצה (39)	Sep 2 2021
ראש השנה (34)	Oct 11 2021
תענית (30)	Nov 14 2021
מגילה (31)	Dec 14 2021
חגיגה (26)	Feb 11 2022
יבמות (121)	Mar 9 2022
כתובות (111)	Jun 8 2022
נדרים (90)	Oct 27 2022
זריה (65)	Jan 25 2023
סוטה (48)	Mar 31 2023
גיטין (89)	May 18 2023
קידושין (81)	Aug 15 2023
בבא קמא (118)	Nov 4 2023
בבא מציעא (118)	Mar 1 2024
בבא בתרא (175)	Jun 27 2024
סנהדרין (112)	Dec 19 2024
מכות (23)	Apr 10 2025
שבועות (48)	May 3 2025
עבודה זרה (75)	Jun 20 2025
חוריות (13)	Sep 3 2025
זרעים (119)	Sep 16 2025
מכות (109)	Jan 13 2026
חולין (141)	May 2 2026
בבא בתרא (61)	Sep 20 2026
עירובין (33)	Nov 19 2026
חמור (33)	Dec 26 2026
כריתות (27)	Jan 24 2027
מעילה (36)	Feb 20 2027
גיטין (72)	Mar 28
SIYUM HASHAS	Jun 7 2027

קרבן, why shouldn't the mitzva of eating any, particularly public ones, push aside **אנינות דרבנן**? Furthermore, surely the rule of **עשה דוחה לא תעשה** should allow the mitzva of eating a korban to push aside even a biblical prohibition of **אנינות** ?

The solution to the later question seems rather straight-forward: When one action consists of 2 independent results, one a mitzva and one an aveira, the above rule might tell us that the action is defined as a mitzva and not an aveira.

However in the case of the prohibition of eating **מעשר שני** or **קדשים** during **אנינות**, the very essence of the prohibition forbids performing the **עשה**. From the fact that the Torah forbids eating **קדשים** during **אנינות**, it is clear that the rule of **עשה דוחה לא תעשה** cannot apply here anymore than it would apply to any of the other prohibitions regarding eating them, such as doing so when impure.

It could follow that when Chazal extend such prohibitions, they do so under the same parameters as the original biblical prohibition and unless they specifically say otherwise, the fact that their decree is stopping the fulfillment of an **עשה דאורייתא** is irrelevant- that is the essence of the **גזירה**, just like it is with **גזירה דרבה** which stops us from fulfilling the **מצוות עשה** of shofar and lulav and the **מצוה מדברי סופרים** of **קריאת המגילה** on shabbos, by way of Chazal's authority to require one to be **שב ואל תעשה** (passive) rather than perform a **מצוה עשה** under circumstances that concern them.

In contrast, when it comes to the laws of **אבילות** other than those relating to **מעשר שני** and **קדשים**, there is no specific **השע** or **גזירה** to mourn on Yom-Tov. The requirement is to mourn during the specified mourning period, and it conflicts with another requirement to rejoice on the festivals - as such, the public requirement to rejoice on the festivals overrides the private requirement to mourn.

Similarly, there is no specific prohibition to eat the **קרבן פסח** while one is an **אונן** - the prohibition only follows from the general prohibition of eating **קדשים**, and whereas on the day of death when this prohibition is **דאורייתא**, the fact that eating it is an **עשה שיש בו כרת** might not be sufficient to override the prohibition, it is enough for Chazal to choose not to extend this prohibition if it will stop one performing such a serious mitzva. We should also note that the 2 sources in the Torah for the laws of **אנינות** are limited not only to the day of death, but also to a prohibition against eating **מעשר שני** and **קדשים**.

A different area of the laws of **אנינות** relates to exemption from performing **תוצמ**, but other than not wearing Tefillin which might be a law of mourning itself, this seems to be dependant on whether one is in fact busy with the burial arrangements, and the main sugya on this can be found at the beginning of the third chapter of Brachos (18a.) A third area relates to the various laws practiced as an expression of mourning, at least on the day of death.

These might be an extension of the prohibition of eating **מעשר שני** or **קדשים**, either on a biblical or rabbinical level, but might also be completely non-related, on either level. This could have major ramifications for whether the law of **לבאות**, particularly on the day of death, apply on Purim or not. If we follow the ruling of the Rambam (Aveil 1/1) who holds that the requirement to keep certain signs of mourning on the day of death is indeed part of the law of **דאורייתא**, then it is unlikely that **מצוה מדברי סופרים** such as rejoicing on Purim, will override this .

On the other hand, if we follow other Rishonim who hold that the laws of **aveilus** are only rabbinical in status, it is more likely that the higher status of **Simchas Purim** as a **מצוה מדי סופרים** AND a **מצוה דרבני** will override them.

The resolution of this question is way beyond the scope of this post, but it is indeed a matter of debate between the Mechaber and the Rema in Orach Chaim whether public mourning applies on Purim or not! (O.C. 696/4 but compare Y.D. 401/7 where the Mechaber seems to agree with the Rema that it does not.)- Perhaps the law of **הלכה כדברי המיקל בערוב** should apply?! [www.Yoniisaacson.com](http://www.Yoniisaacson.com)

These posts are intended to raise issues and stimulate further research and discussion on contemporary topics related to the daf. They are not intended as psak halacha.

## BACK TO THE MAKOR..... ANALYSIS OF PASUKIM IN THE DAF

### THANKS

Learning Daf 94, I believe Chazal were not teaching a science class. We therefore do not have to worry if their suggestions and conclusions conflict with current scientific information. The analysis was never meant to line up with science as they knew it and as we know it. Rather the key to appreciating the beauty in these pages is understanding the revelation of Chazal about the scientific world. As understood by the Maharal using a conceptual prism, a different world is revealed by Chazal. In contrast to mathematical equations and scientific logic, the Rabbis find depth and meaning in their analyses of the natural order.

The natural world has its own science, rules and principles. Today's Daf is poetic with an appreciation for nature, the seasons, the sun, the constellations and their influence on the human experience. An example of this contemplative world is suggesting that the idea of six as Rava explains the 6,000 parasangs represents the six sides of every physical element in nature: up,down, front, back, right and left. The Maharal explains that these physical components define the way nature appears through human eyes. The seventh/middle unit is what binds the six all together. This idea is very similar to the 6 days of the work week with the seventh representing Shabbat. Shabbat and other themes defined by the value of seven, is the ultimate kedusha represented by the synthesis of the chol and kodesh. In contrast Rav Yehuda uses a measurement of multiples of ten to represent the ten commands used by Hashem for creation. Either way, the Maharal understands that these numbers do not represent true measurements.

An additional analysis of this idea can be seen in the description by the Gemara of every area of the inhabited world that sits under one star. This idea fits well with the Vilna Gaon's interpretation of the story of creation portraying each star with the power to influence the world in its own way. The **מזלות** come through the stars. If you believe the **אלוקים** is the ultimate authority and controls all the elements and powers in the world, one can achieve a higher level of spirituality through looking at the stars. However, star "gazing" can be dangerous and one can fall victim to **עובדי כוכבים**, worship of the constellation. One must not get confused in believing that the stars are the ultimate power but rather a conduit of **הקב"ה**.

There are many more examples like these I could share but I would

like to focus on the debate between Nebuchadnezzar and the Bat Kol quoted by Rav Yochanan. It is most fascinating. The Bat Kol in this story symbolizes נבואה as described in ישעיהו that places ה"בקה in the heavens above the clouds. Hashem's presence is untouchable. Nimrod learned these lessons, as well as the builders of the מגדל בבל, the hard way.

The destruction of the first temple and the Jewish people's exile was started by Nebuchadnezzar. The Babylonian exile planted the seeds for the later galut of the Second Temple as we learned on Daf 87B. There the Gemara explains why the Jewish people were exiled to Babylonia and not Rome. Chazal explain that because of Hashem's mercy and compassion, the Jews were sent to their birthplace, a country where they could understand the language and provide for themselves. All three explanations resulted in the community being able to engage in extensive study thereby building Jewish centers of Torah. It was exactly in these hubs of Torah study that the declaration from דברים was later made לא בשמים היא. Halacha was no longer to be determined by the Heavens but by Rabbinic principles. In this example the majority triumphed over the minority opinion despite the Bat Kol ruling in favor of the opposition. It was not only that prophecy stopped and transferred to the sages but the non acceptance of the reliance upon the divine voice high above the clouds. Rav Yochanan Ben Zakai who reinvented our religion, and saved Yavneh, understood the false security of the Bat Kol more than anyone. Hence, he is the very one who brings this story to our attention. The Maharal like Rav Yochanan Ben Zakai understood the beauty and meaning behind these scientific discussions as the KEY to our new covenantal relationship with the master of the world.

In both examples, the process and definition of "truth" is not the priority. Rather the meaning behind the science, and the revelation of Halachik process through the mesorah are the founding principles for our practices today.

With Purim only a few days away perhaps we can apply the same lessons. An easy way to achieve this goal is to simply replace הקב"ה every time it says המלך.

A deeper understanding of the mesorah through Chazal and why Purim is thought of as a celebration of Matan Torah requires further understanding. Historically too early, perhaps the קימו וקיבלו is not a blind faith acceptance of the divine and that not everything will or can be understood with full reliance on the prophets and priests. Quoting another pasuk from ישעיהו

“ואשים דברי בפיו... לנטע שמים וליסוד הארץ ולאמר לציון עמי אתה”

Hashem says I have put words in your mouth, I have planted the skies and made the earth strong. You, ציון, are my people.

ישעיהו describes the סימש not like it was characterized earlier by being above the clouds but rather steadily and firmly planted in the ground. The Torah was passed along to the Sages after the Second Temple was destroyed. As described in Baba Batra wisdom is greater than prophecy. Yet, the sages insights and thought processes are not arrived at by chance. They have been subconsciously and unrecognizably (been) led to the right conclusion. Almost like a prophecy. As part of the chain of השמ הרות Chazal assumed the new role of leadership as our educators. As a conduit for הקב"ה they reinvented תד for longevity.

A similar understanding can be applied to Esther who clothed

herself in royal prophetic like clothes before she went to see King Ahasuerus. Although the Purim story takes place hundreds of years before the time of the amoraim, we feel the transfer of power.

The Brit at יניס that was envisaged by the נביאים was firmly transferred to Chazal. It is their brilliance and articulation of these visions that is the miracle of Jewish continuity. This is a miracle not of scientific nature but the manifestation of the closeness of ה"בקה in our lives, and our appreciation of the beauty in the natural world.

THURSDAY 18 FEBRUARY

פסחים פט

THANKS MARC TEMERLIES

Inviting Guests for Korban Pesach The Daf discusses various מיניע related to registration to eat the פסח. קורבן פסח. For example, in a case where five people brought separate קורבות, but the animals became mixed up and they then realized one was blemished and they do not know to whom the blemished animal belongs, are all the קורבות invalidated?

Do they all need to bring a קורבן instead on פסח שני? One suggestion is that they should each bring a קורבן on פסח שני condition - either it will be a קורבן פסח if theirs was indeed blemished, and if not then it will be offered as a שלמים (peace offering).

The gemara raises several explanations for why this is not a possibility and from the discussion, we learn about some of the differences between the קורבן פסח and the שלמים. The mishna brings a story about a father who tried to encourage ("bribe") his children to hurry on their journey to Jerusalem. The gemara discusses this case and the halakhic details. Until what point can one change groups (הרובח) for the Pesach offering?

If someone invites guests to add to the group without checking with the others already registered, the other members can give him his share and ask him to create a separate group with his food only for him and the new guests. Is it possible to learn from this case to one where someone eats more than their fair share of food (euphemistically, this person has "refined hands", perhaps like a hungry congregant at a kiddush...), that the group can give that person their portion and ask them to sit separately? Does this also apply to a regular meal?

FRIDAY 19 FEBRUARY

פסחים צ

THANKS MIKE GORDON - KAREIT FROM WHO, FROM WHAT?

When Moshe received the response from Hashem apropos Pesach Sheni, he was told that anyone who was fit to bring the Korban Pesach, yet did not do so, was to be punished with "kareit." Of the thirty-six possible times when a person could be punished with "kareit," only two relate to positive mitzvot. These are Korban Pesach and Brit Milah.

Two questions arise. What makes these two mitzvot unique, that such a harsh punishment is given? Secondly, why with regard to the kareit relating to the Korban Pesach, as discussed on our daf, and detailed in Bamidbar 9:13, does the Torah say, "That soul will be cut off from its nation."

We understand kareit to mean that one's soul is cut off from

Hashem, not from the Jewish people. Why does the Torah choose to put it in terms of being cut off from the Jewish people?

The uniqueness of Brit Milah and Korban Pesach is that they both involve a covenant between Hashem and the individual. Brit Milah is the personal covenant between Hashem and man, while Korban Pesach is the communal covenant between Hashem and the Jewish people. Each individual relates to Hashem on two levels, individually and communally.

The sentence of karet is not a punishment for a dreadful crime, but rather it is the natural consequence of not participating in the covenant with Hashem. If a person refuses to participate in the covenant with Hashem, whether individually or communally, Hashem in turn refuses to relate to him.

And so when a person does not have Brit Milah, or does not bring the Korban Pesach, he is not only cut off from Hashem, but he also is no longer part of the Jewish people. In a way it's like he has not paid his membership fees to be a member of Klal Yisrael, and therefore his soul is not only cut off from Hashem but is cut off from the Jewish people too.

SHABBAT 20 FEBRUARY

THANKS TO AMI ELKUS

פסחים צא

Pesachim 93 - Derech Rechoka: Its approximately, exact... Our daf initially discusses the mishnah and brings a braisa that teach anyone who did not bring the Korban Pesach on Pesach Rishon, 14th of Nissan, must bring the Korban on Pesach Sheni, 14th Iyar, regardless of why he did not bring the Pesach Rishon. Question is then raised if person who misses Pesach Rishon must bring the Pesach Sheni, then why does the Torah specify that the Pesach Sheni is brought by one who missed Pesach Rishon "because he was Tamei or because he was far away from Yerushalayim (b'Derech Rechokah)"?

They answer that those two are the only ones who are exempt from Kares if they miss the Pesach Rishon, while all the others are Chayav Kares. Mishna on צג: then asks what is דרך רחוקה i.e. how far does one need to be to be 'far from Yerushalaim'. Mishna provides a number of answers including from 'Modiim and beyond' or 'distance in any direction (i.e. that radius around Yerushalaim)' or 'from the boundaries of the Azara', and then explains the dot over the Hey in the torah to indicate it is not literal... Gemarah explains a range of distances to define a distant road based on a series of measures that were available at the time: how far can a person walk in a day, distance one walks from dawn to sunrise, sunset to the emerging of medium sized stars, etc. distances proposed are 5 mil, 15 mil, 40mil (today 40km) away from Yerushalaim.

But how did they know how far they could walk those distances those days without GPS? Then, one walked it to define it, or brought a Passuk to define it. Today when we have better mechanisms to judge and measure, then do the measures change?

Tzfas Emes said you can work it out based on when one knows alot hashachar (dawn) is to Netz, which they possibly didn't know at the time. Why didn't they know when dawn is? Why couldn't they measure it? Because according to the tzfat emes, dawn is a halachic time. Sunrise, Netz, though is empirical time and can be measured.

According to Ulla, Dawn is not a time that humans can tell

empirically. So the only we know when it is, is by bringing a mekor, a passuk as brought by Ulla. (R. Yehudah said you could know when it is) So there are some elements which are scientific and measureable and over time our ability to measure improves and thus impacts our application of those halachot as we improve approximations to be more precise.

Whilst there are elements in areas of halacha which are dependent on mesorah, and these are thus exact. And the way we deal with each of them is different.

SUNDAY 21 FEBRUARY

THANKS BENNY LAST

פסחים צב

The Mishnah on Daf 92a relates a difference of opinion between Beit Hillel and Beit Shammai What happens if a convert converted (was circumcised and immersed in a Mikvah) on Erev Pesach. Can he partake of the Korban Pesach that night or not. Beit Shammai says yes, while Beit Hillel says no. The Gemorah explains the argument, making it clear that this is not a Torah law.

According to Torah law, the convert in this case would be able to participate in this Mitzvah, and the argument revolves around a Rabbinic decree. Beit Hillel says the Rabbis were concerned with the following scenario: a convert was Tameh on Erev Pesach, and yet we allowed him to eat the Korban Pesach immediately.

Perhaps, the next year, he will be Tameh again at Erev Pesach, and he will think he doesn't have to wait 7 days, as he didn't have to concern himself about the normal 7 day waiting period for Tumah the year prior. Rashi clarifies that a convert who is Tameh before conversion, is NOT considered Tameh in Jewish law.

But the following year he is Jewish, and therefore, if Tameh at Erev Pesach, he does indeed have to wait 7 days, even if that means missing the Korban Pesach. Beit Hillel says the Rabbis truly worried that such a mistake could occur. Beit Shammai however hold that despite this concern, the Rabbis did not enact this decree, as the punishment for missing the Korban Pesach is so serious (Karet) and the misunderstanding would therefore never be made.

The Sfat Emet questions why Beit Hillel suggested such an unlikely situation, that the convert will again be Tameh next Erev Pesach. They could have said that he will become Tameh anytime after Pesach. He may think that he can just go to the Mikvah and eat Kodshim, (food from a Korban), when in fact he must wait seven days. Why didn't the Rabbis explain their concern on this potentially more common occurrence?

The Sfat Emet seems to answer that everybody agrees that during the year, anybody, whether a new convert or a Jew from birth that is Tameh has to wait 7 days, and we are not worried that what happens on Erev Pesach will cause them to make a mistake. Beit Hillel are only concerned that a special leniency on the 1st Erev Pesach may mistakenly be assumed to apply to a following Erev Pesach.

MONDAY 22 FEBRUARY

THANKS RUSSEL LEVY

פסחים צג

Our Gemara discusses the obligation of women to sacrifice and eat the Korban Pesach, as well as the other mitzvot of Leil Haseder.

Though not discussed in more detail until daf 108, the discussion of the obligation of women to perform time-bound mitzvot is very appropriate here. There are two opinions regarding the obligation of a woman to perform the Korban Rishon, the Korban Pesach on the eve of Pesach - it is either a chova or a reshut, and three opinions of a woman's obligation to perform the Korban Sheini, if they missed the Korban Rishon for specific reasons - chova, reshut, or no obligation at all.

The tannaim employ different understandings of specific psukim related to the Korban Pesach to derive their laws. One question many have regarding those who see it an obligation, and require an explicit verse from which to derive this mitzvah - how is this different from another mitzvah of the night, the four cups of wine, that do not require an explicit passuk? Why can we assume that women are obligated in the four cups, but cannot assume that for the Korban Pesach?

The Yosef Dov Halevi Soloveitchik explains the difference in the essence of each mitzvah. The four cups, like the mitzvah of megillah, and chanukah, is in its essence a mitzvah of pirsumei nissa - publicizing the miracle to the world.

On the other hand, the mitzvah of Korban Pesach, while in some ways is a public korban, in many other ways is the most inward-seeking of our korbanot. It must be eaten on its first night, only by those who were originally in mind when the animal when it was slaughtered, and only in one location.

The Korban Pesach is not a mitzvah where we try to bring our light to the world, but where we are building our relationship with our nuclear family, to prepare us to go to the world. This is the polar opposite of pirsumei nissa, and therefore we require a separate verse to obligate them in this time-bound mitzvah.

TUESDAY 23 FEBRUARY

THANKS DAVID GROSS

פסחים צד

Our daf deals in large part with the mechanics of the definition of the exemption from Karet - spiritual excision and what qualifies as a sufficient exemption where one's obligation is pushed off to Pesach Sheni. Rabbi Akiva holds that one has to be adjacent to Modi'im or further away to be sufficiently far away and exempt from bringing the korban Pesach. Rabbi Eliezer, by contrast, holds that even if a person is standing in the porch of the Courtyard and further out, then he would be exempt.

The Gemara expands on the subject to enlighten us that the distance between Modi'im and Yerushalayim is 15 mil. Further on the Gemara informs us that even if one was between Modi'im and Yerushalayim, but the way was obstructed by camels and wagons to the point he was unable to make progress, he would not be liable to karet.

Rav Yisrael Lipschitz, who lived in the 19th century in Germany and wrote a commentary on the Mishna called the תפארת ישראל raised the possibility that the distance mandated in the Gemara, 15 mil would be subject to change if circumstances allowed, such as locomotive travel: "And should we merit to bring the korban Pesach in our times, where we have invented travelling at speed on iron tracks with trains, then the definition of דרך רחוקה will be different

from that which is set in the Mishna, by the Great Sanhedrin which will be in office in Yerushalayim."

The Minchat Chinuch asks the question as to whether someone who lives a great distance from Yerushalayim is obligated to travel all the way to Yerushalayim, and if so what is the significance of mentioning Modi'im in the Mishna? He answers that of course everyone is obligated in the mitzva of korban Pesach and is obligated to travel from the world's end in order to fulfil the mitzva.

If however, the individual transgresses, the Torah provides contingencies such as Pesach Sheni, and even if someone wilfully transgresses and stays away, then the Rambam details the punishment, but there is no underlying position that can exempt any Jew from the a priori obligation to travel.

Rav Shach, one of the legendary Roshei Yeshiva of Ponovezh, compares being on a journey to someone who is tamei and says that even if the mode of travel was the easiest in the world, the Torah has given a specific caveat and exemption on this occasion and has provided Pesach Sheni as a replacement.

WEDNESDAY 24 FEBRUARY

פסחים צה

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The Mishna (Pesachim 9:3), at the beginning of today's daf (Pesachim 95), informs us about two rules regarding the recitation of Hallel on Pesach and on Pesach Sheni. Firstly, Hallel is sung during the preparation (i.e. sacrifice) of the Korban Pesach both on a 'regular' Pesach (14th Nissan), as well as on Pesach Sheni (14th Iyar).

And secondly, it is sung during the eating of the Korban Pesach only on a 'regular' Pesach, but not during the eating of the Korban Pesach on Pesach Sheni. In response, the Gemara (Pesachim 95b) begins its analysis by addressing the second rule which distinguishes between Pesach and Pesach Sheni: Simply put, why is Hallel sang during the consumption of the Korban Pesach on Pesach, but not on Pesach Sheni? Rabbi Yochanan quotes an answer he heard from Rabbi Shimon Ben Yehotzadak who, while referencing Yeshayahu 30:29 ("this song shall be for you like the night of the festival's consecration"), explains that the reason for this difference is because Pesach is consecrated as a festival (i.e. it is a Yom Tov as expressed by the prohibition to perform Melacha on Pesach), while Pesach Sheni is not consecrated as a festival (i.e. it is not a Yom Tov such that Melacha may be performed on Pesach Sheni).

What this means is that there is something essentially different between Pesach and Pesach Sheni in terms of their respective quality of 'sacred time'. However, the Gemara then challenges the first rule since, if there is an essential difference in the quality of sacred time between Pesach and Pesach Sheni, why is Hallel sang during the preparation of the Korban Pesach on both days?

To this, the Gemara offers two answers: Firstly, perhaps since the preparation of the Korban Pesach occurs in the daytime, the distinction drawn by Rabbi Shimon Ben Yehotzadak from Yeshayahu 30:29 (which speaks of "the night of the festival's consecration") does not apply - meaning that maybe, in terms of the preparation of the Korban Pesach, both Pesach and Pesach Sheni have an equivalent quality of 'sacred time'.

But then the Gemara provides a second answer which suggests

that it should be clearly obvious that Hallel should be recited whenever the Korban Pesach is prepared and slaughtered: "it is possible that the people of Israel would slaughter their Korban Pesach or take hold of their Lulavim and not recite Hallel?". Rather than focusing on time, this second answer focusses on action, and since the Korban Pesach was prepared and slaughtered both on Pesach and on Pesach Sheni, it asserts that Hallel should be sung on both these days. The problem with this argument is that surely it could also be used to challenge the difference between the singing of Hallel during the eating of the Korban Pesach on Pesach, and on Pesach Sheni.

Why should one action warrant Hallel, and the other not?

Moreover, if it is impossible to comprehend the slaughtering of the Korban Pesach or the holding of the Lulavim without them being accompanied by Hallel, why is it that there are many other mitzvot that we perform which are not accompanied by Hallel? Furthermore, given that we are discussing the Korban Pesach, why are lulavim being mentioned here? To answer these questions I would like to reference Rabbi Ephraim Oved's 'Sefer Torat Ha'agadah' who explains that the slaughter of the Korban Pesach and the taking of the Lulav both communicate a profound message of freedom. In terms of the Korban Pesach, it is a message of freedom 'from' slavery, and a message of freedom expressing our loyalty 'to' God. And in terms of the Lulav, it is a message of freedom 'from' the judgement the Yamim Noraim, and a commitment 'to' be free to live a life of mitzvot for the coming year.

In light of this observation, Rabbi Oved then makes reference to the Gemara (Megillah 14a) which offers a number of reasons why Hallel is not recited on Purim - of which one reason is the fact that while the Purim story concluded with the Jewish people being free 'to' keep mitzvot, we - and especially Esther - were not free 'from' the manipulative rule of Achashverosh. Sadly, this is a point that is all too often forgotten about Purim and especially about Esther - and this is the primary reason why Ta'anit Esther was established as 'International Agunah Day' - to remind us that there are still many women today who are neither free 'from' their estranged husbands, nor free 'to' begin a new chapter in their life.

Just as song communicates emotions, so too does silence, and just as we sing Hallel to communicate feelings, we also need to pay attention to the days when Hallel is not sung and tap into those emotions as well.

And this is why we should harness Ta'anit Esther and Purim to reflect not just on the story of Purim, but also to reflect on the message of freedom, and while doing so - especially in a year where so many of us have experienced various limitations - we should commit ourselves, both in terms of time and action, to help those who are not yet free and who are therefore unable to sing a Hallel of true freedom.