**S.A.L.T. – PARASHAT BO**

**By Rav David Silverberg**

Motzaei Shabbat

 The Torah in Parashat Bo presents the laws relevant to the annual *korban pesach*. Moshe is told to instruct *Benei Yisrael* to prepare one sheep per household for the sacrifice, adding that if there were not enough family members to partake of an entire sheep, they should get together with their neighbors and share a *korban pesach*.

 *Targum Yonatan ben Uziel* on this verse offers an intriguing translation of this verse (12:4), interpreting the phrase, “And if the household is too small for a sheep” as, “If the household is fewer than ten, the quota for eating a sheep.” Rav Menachem Kasher, in [*Torah Sheleima* (\*97)](http://hebrewbooks.org/pdfpager.aspx?req=9753&st=&pgnum=86&hilite=), notes that *Targum Yonatan* appears to take the position that a minimum of ten people are required for each *korban pesach*. In his view, one cannot (*le-khatechila*)offer the paschal sacrifice independently, or even together with several other people. Each *korban pesach* requires the participation of at least ten people.

 Rav Kasher proceeds to propose that *Targum Yonatan*’s comments follow the view of Rabbi Yehuda, cited in the Mishna in Masekhet Pesachim (91a), that “*ein shochatin et ha-pesach al ha-yachid*” – the paschal sacrifice is not offered on behalf of one individual. While at first glance this appears to mean that the sacrifice must include at least two people, Rav Kasher suggests that *Targum Yonatan* read Rabbi Yehuda’s statement to mean that a halakhic quorum – ten people – is required for each *korban pesach*. This is in contrast to the view of Rabbi Yossi, who ruled that a *korban pesach* may be offered even for a single individual.

A compelling basis for this reading of Rabbi Yehuda’s view, as Rav Kasher notes, is Rabbi Yossi’s formulation in disagreeing with Rabbi Yehuda. Rabbi Yossi maintains that *Halakha* does not require a minimum number of people for each *korban pesach*, but rather that the person or persons signed onto the *korban pesach* is or are capable of eating the entire sheep. In a *berayta* cited by the Gemara, Rabbi Yossi says that if one person is capable of eating all the sacrificial meat, then he can offer the sacrifice alone, and if ten people are incapable of eating all the sacrificial meat, then they cannot offer the sacrifice by themselves. It is perhaps significant that Rabbi Yossi gives specifically the example of a group of ten people. *Targum Yonatan* may have understood that Rabbi Yossi mentioned this scenario because this is the minimum group size which Rabbi Yehuda allows, irrespective of the group’s ability to eat the entire sacrifice. Rabbi Yossi thus responds by asserting that even a group of ten people may not bring a *korban pesach* if they cannot eat the entire sacrifice.

Rav Kasher also draws our attention to the Tosefta, cited by the Gemara (Pesachim 64b), which tells that in the times of the *Beit Ha-mikdash*, every paschal sacrifice included over ten people. This might also indicate that a minimum of ten people are required for a *korban pesach*.

Furthermore, Rav Kasher notes how this reading of Rabbi Yehuda’s view sheds light on an ambiguous comment made by Rav Yehuda a bit later in the Gemara (91b). Rabbi Yehuda maintained that a woman who did not offer the *korban pesach* on the 14th of Nissan is not required to offer a sacrifice a month later, the 14th of Iyar – *Pesach Sheni* – even though a man in this situation would be obligated to bring a sacrifice on *Pesach Sheni*. Nevertheless, Rabbi Yehuda adds, a woman in this situation can be“*tefeila la-acheirim*” – meaning, she can join other people’s sacrifice. Rav Kasher explains this to mean that if nine others wish to bring a *korban pesach* on *Pesach Sheni*, this woman can join them so they can meet the quota of ten people. Although she is not required to offer the *korban pesach*, her participation can be considered for the purpose of meeting the requirement of ten people’s participation. This Gemara, then, would serve as yet another piece of evidence that Rabbi Yehuda requires a minimum of ten people participating in each *korban pesach*.

Sunday

 After conveying to *Benei Yisrael* God’s commands concerning the *korban pesach*, Moshe instructs *Benei Yisrael* that in the future, they are to explain to their children the meaning behind this annual observance. When their children inquire as to why this sacrifice is offered, they are to tell them about the miracle of the Exodus, specifically, how *Benei Yisrael* were spared from the plague of the firstborn on the night they left Egypt (12:26-27).

 The *Mekhilta*, commenting on these verses, cites a debate as to whether Moshe here presented to *Benei Yisrael* “bad news” (“*besora ra’a*”) or “good news” (“*besora tova*”). According to the first view, Moshe here foresees the disheartening situation of “Torah being forgotten from among Israel,” as children will need to be taught why the paschal sacrifice is offered. According to the other view, Moshe here relays the happy tidings that the generation of the Exodus would reproduce and have children and grandchildren.

 Of course, both these views are correct. Moshe’s instructions convey both the heartwarming news that the Israelite nation would continue and endure, and the discouraging tidings that there will be times when ignorance about Jewish tradition would be widespread. It therefore stands to reason that as with many “debates” in Midrashic literature, these two views reflect not two mutually exclusive opinions, but rather two sides of the same coin. As part of their preparations for the Exodus, Moshe informed *Benei Yisrael* that this moment would mark the nation’s emergence onto the stage of history, where they would remain for all eternity. And this announcement was both exhilarating and daunting. Alongside the excitement over the knowledge of our nation’s destiny, we were made aware of the enormous challenges that this destiny entails. Every generation would have to work hard to ensure that the Torah is not forgotten. The “good news” of eternal survival was accompanied by the “bad news” that this was contingent upon our meeting our responsibilities by ensuring the perpetuation of our heritage, a task that would very often prove to be exceedingly difficult.

 The broader message that *Chazal* perhaps seek to convey in this passage is that every good fortune imposes upon us a degree of responsibility and obligation. Just as the blessing of children and Jewish continuity imposes upon us the difficult challenge of education to perpetuate our tradition, all our blessings in life must be seen as a challenge, as we are to utilize them the right way and for the right purposes. Our good fortune is granted to us to enjoy, but also to use in the pursuit of our nation’s ideals. And thus just as we celebrate and give thanks for our blessings, we must also take upon ourselves the responsibility to use them wisely and channel them towards the advancement of our goals as God’s chosen people.

Monday

 In presenting the commands relevant to the *korban pesach* and the Pesach celebration, the Torah in Parashat Bo instructs, “*U-shmartem et ha-matzot*” – literally, “You shall guard the *matzot*” (12:17). The *Mekhilta* comments that the word “*matzot*” in this verse may be read as “*mitzvot*,” such that the Torah here admonishes us to “guard” the *mitzvot*. This means, in the *Mekhilta*’s words, that “just as we may not allow the *matza* to ferment, likewise, we must not allow a *mitzva* to spoil; instead, if it comes your way, perform it immediately.” Rashi, in his commentary to Masekhet Megila (6b), cites this passage from the *Mekhilta* as the source for the famous halakhic principle of “*ein ma’avirin al ha-mitzvot*” – we may not pass over a *mitzva* opportunity. If we find ourselves in a position to perform a particular *mitzva*, we must seize the opportunity without delay.

 A number of writers have addressed the question as to the relationship between this *halakha* and the rule of “*zeriziin makdimin la-mitzvot*,” requiring that we perform *mitzvot* at the earliest possible time. This rule is established by the Gemara in Masekhet Pesachim (4a) on the basis of the story of *akeidat Yitzchak*, when Avraham arose early in the morning after receiving the command to sacrifice his son, in order to fulfill his obligation as quickly as possible. Seemingly, these two *halakhot* are identical, as both require performing *mitzvot* promptly, without unnecessary delay. Why, then, are they formulated differently and derived from two different Biblical sources?

 The explanation given is that these two *halakhot* address two different sets of circumstances. Specifically, one refers to cases of *mitzva* obligation, and the other to cases of *mitzva* opportunity. The rule of “*zerizin makdimin la-mitzvot*” applies in situations where one bears a specific halakhic obligation that must be fulfilled that day. For example, the Gemara there in Pesachim speaks of *berit mila*, which should be performed as early as possible on the infant’s eighth day. Similarly, the *Shulchan Arukh* (652:1) applies the rule of “*zerizin makdimin*” to require taking the *arba minim* in the morning during Sukkot, even though the *mitzva* can, technically speaking, be fulfilled the entire day. When a halakhic obligation takes effect, “*zerizin makdimin*” instructs that one should endeavor to fulfill the obligation promptly, as soon as he can, rather than delaying the *mitzva* unnecessarily. “*Ein ma’avirin al ha-mitzvot*,” by contrast, applies when a *mitzva* opportunity arises, and requires one to seize the opportunity. *Chazal* speak here of “guarding” every *mitzva* opportunity, to ensure it does not get lost. Thus, for example, the Gemara in Masekhet Yoma (33a) writes that since the *kohen* in the *Beit Ha-mikdash* first encounters the incense altar before the *menorah*, he should first clean the altar in the morning before cleaning the lamps of the *menorah*. The moment he encounters one *mitzva*, he should tend to it first, before proceeding even to another *mitzva*. (See Rav Chaim Leib Eisenstein’s [*Peninim Mi-bei Midresha*, Parashat Bo](http://hebrewbooks.org/pdfpager.aspx?req=48330&st=&pgnum=89&hilite=), and [Rav Asher Weiss’ article on the topic](http://www.torahbase.org/%D7%91%D7%A2%D7%A0%D7%99%D7%9F-%D7%96%D7%A8%D7%99%D7%96%D7%99%D7%9F-%D7%9E%D7%A7%D7%93%D7%99%D7%9E%D7%99%D7%9F-%D7%9C%D7%9E%D7%A6%D7%95%D7%95%D7%AA-%D7%95%D7%94%D7%95%D7%99-%D7%9E%D7%A6%D7%95%D7%94/).)

 We might also point to another difference between these two halakhic principles. The rule of “*zerizin makdimin la-mitzvot*” is formulated in reference to our character. We are to act in a manner of *zerizut*, with zeal and alacrity, when it comes to *mitzvot*. This rule urges us to overcome our lazy, procrastinating instincts and approach our *mitzva* obligations with energy and vigor. The rule of “*ein ma’avirin*,” however, which stems from the command to “guard” the *mitzvot*, focuses not on our character and conduct, but rather on our perspective on *mitzvot*. We are to regard them as objects of value, as priceless assets that must be guarded and protected. These two principles, then, speak of the two complementary efforts that we need to make in order to be responsible, Torah-observant Jews. We need to work to overcome our lazy instincts so we can approach *mitzvot* with energy and zeal, and, secondly, we must constantly remind ourselves that *mitzvot* are the most precious commodities we have, and we must therefore cherish and treasure every *mitzva* opportunity that comes our way to ensure not to lose it.

Tuesday

 The Torah towards the end of Parashat Bo (13:13) introduces the *mitzva* of *pidyon peter chamor*, which requires redeeming a firstborn donkey. When a donkey delivers its first offspring, the owner must either redeem it by paying a sheep to a *kohen*, or kill the donkey by breaking its neck.

 The *Mekhilta*, commenting on this verse, notes that the Torah first presents the option of redeeming the donkey with a sheep, before allowing the option of killing the donkey. The implication, the *Mekhilta* writes, is that “*mitzvat pediya kodemet le-mitzvat arifa*” – it is preferable to redeem the animal rather than kill it. The *Mekhilta* then proceeds to present a “*davar acher*” – an alternative view: “If you do not redeem it, then break its neck; since you caused a loss to the *kohen*’s property, then you, too, shall incur a loss of property.” A person who refuses to redeem his *peter chamor* by paying a sheep to a *kohen* is penalized by being forced to kill the donkey. The *Mekhilta* adds that even after the donkey is killed, one may not derive any benefit from the carcass (such as by using the leather or feeding the meat to one’s animals), such that the owner derives absolutely no benefit at all from this animal. The Torah enacted this provision as a punitive measure of sorts, punishing the owner for refusing to pay a sheep to the *kohen*, who depends on gifts from the rest of the nation for his livelihood.

 The question arises as to why the *Mekhilta* presents these two comments as two different views. The term “*davar acher*” is generally used in reference to two opposing statements or explanations. Here, the second remark seems to simply explain the first. After establishing that redemption is preferable to killing the donkey, the *Mekhilta* should simply then explain that this is because the person denies the *kohen* his due payment. Why does the *Mekhilta* introduce the second remark as a “*davar acher*”?

 The answer, perhaps, as noted by the Maharit Algazi in his work on the Ramban’s *Hilkhot Bekhorot*,lies in the term “*mitzvat arifa*” used by the *Mekhilta* in the first passage. In this comment, the *Mekhilta* speaks of *arifa* (breaking the donkey’s neck) as a *mitzva*. Although it is the less preferred option, it is nevertheless considered a *mitzva* to break the animal’s neck. And herein, perhaps, lies the point of contention between the two comments of the *Mekhilta*. Whereas the first regards *arifa* as a *mitzva*, the second views it as a punishment. One who refuses to pay a sheep to the *kohen*, according to the second view, is not credited with a *mitzva* for breaking the donkey’s neck; this is forced upon him as a penalty for eschewing his responsibilities to the *kohen*.

 The *Mekhilta* thus provides the background for a debate between the Rambam and the Ra’avad. In Hilkhot Bikkurim (12:1), writes that there is a *mitzvat asei* to break a firstborn donkey’s neck if one refuses to redeem it with a sheep. The Ra’avad objects to this formulation, writing that one cannot be considered to fulfill a *mitzva* if he withholds a *kohen*’s payment and instead kills his animal. These two views may likely reflect the different perspectives expressed by the *Mekhilta*, as to whether *arifa* constitutes a *mitzva* or a penalty.

Wednesday

 Yesterday, we discussed the *mitzva* of *peter chamor*, which requires the owner of a newborn donkey to either pay a sheep to a *kohen* or to break the newborn donkey’s neck. As we saw, the preferred option is to pay the sheep to the *kohen*, and it is only if one refuses to pay the sheep that he should then break the animal’s neck.

The Gemara in Masekhet Bekhorot (11a) establishes that one is able to fulfill his fellow’s *peter chamor* obligation by giving his own sheep to a *kohen* on his fellow’s behalf. If, for example, one wishes to give his friend a gift, or he knows of somebody experiencing financial hardship and seeks to help, he may give one of his own sheep to a *kohen* as the “redemption” for his fellow’s newborn donkey. Once this is done, the friend’s obligation has been satisfactorily dispensed, despite the fact that he – the friend who owns the newborn donkey – has done nothing and is not even aware that the sheep was given to a *kohen*.

The obligation of *peter chamor* differs in this regard from most other *mitzvot*.Normally, one cannot fulfill his fellow’s obligation with one’s own assets without the individual’s consent. For example, one cannot designate his own sheep as his friend’s *korban pesach*, or as a different sacrifice that his friend pledged to offer. The standard rule is that a person prefers fulfilling his *mitzva* obligations with his own money, and thus one cannot use his own assets to fulfill his fellow’s obligation without his fellow’s explicit consent. The *mitzva* of *peter chamor* marks an exception to this rule, as a person may fulfill his fellow’s *peter chamor* obligation by voluntarily giving his own sheep to a *kohen*.

Rav Avraham of Sochatchov, in his [*Avnei Neizer* (Y.D. 396)](http://hebrewbooks.org/pdfpager.aspx?req=1345&st=&pgnum=440), suggests a possible reason for this distinction. He writes that the *peter chamor* obligation may, *a priori*, be viewed either an ordinary *mitzva*, or as a financial obligation that one must meet in order to benefit from his newborn donkey. According to the second approach, we do not necessarily need to assume that the owner prefers fulfilling this requirement with his own money. Just as a borrower would certainly be pleased to have somebody else repay his debt for him, similarly, the owner of a newborn donkey would not mind having his fellow pay the sheep to the *kohen*. It is only if we view the payment of a sheep as an actual *mitzva*, similar to a sacrifice, that we must assume the owner wishes to fulfill this *mitzva* with his own funds. Apparently, the *Avnei Neizer* writes, *Halakha* accepts the second perspective, that *pidyon peter chamor* is a purely financial obligation, and not a ritual obligation, and therefore somebody else can dispense the owner’s obligation on his behalf.

Interestingly, the *Avnei Neizer* claims that this issue would hinge on the debate we noted yesterday between the Rambam and the Ra’avad concerning the nature of *arifa* – the requirement to break the newborn donkey’s neck if one refuses to pay a sheep to the *kohen*. The Rambam writes in Hilkhot Bikkurim (12:1) that one fulfills a *mitzvat asei* if he refuses to pay a *kohen* and chooses to break the donkey’s neck, instead. The Ra’avad objected to this formulation, arguing that breaking the donkey’s neck is a penalty for denying the *kohen* what is owed to him, and thus it cannot be described as a *mitzva*. The *Avnei Neizer* contends that the rationale he developed accommodates the Ra’avad’s view, that *arifa* does not constitute an actual *mitzva*. The Ra’vad’s perspective, the *Avnei Neizer* writes, affects the nature of the entire *peter chamor* obligation, requiring us to view it as a purely financial responsibility. Since the animal’s owner has the option of *arifa*, which is not a *mitzva*, then the entire requirement of *peter chamor* must be viewed in this vein, according to the Ra’avad.According to the Rambam, however, *peter chamor* must be viewed as an ordinary, ritualistic *mitzva*, and not merely as a financial requirement. Since one fulfills a *mitzva* regardless of which option he chooses, we must view *peter chamor* as a *mitzva* like most other *mitzvot*, and not merely as a financial responsibility. According to the Rambam, then, some other explanation is needed for why one may pay a sheep to a *kohen* to redeem another person’s *peter chamor* without that person’s consent.

Thursday

 The *Shulchan Arukh* (Y.D. 321:6) rules that when a person performs the *mitzva* of *pidyon peter chamor* – redeeming his firstborn donkey by paying a sheep to a *kohen –* he recites the *berakha*, “*Barukh Ata…asher kideshanu be-mitzvotav ve-tzivanu al pidyon peter chamor*.” Interestingly, however, the *Shulchan Arukh* makes no mention of the recitation of a *berakha* in the context of *arifa* – the requirement for the owner to kill the firstborn donkey if he refuses to pay a sheep for its redemption. It appears that a *berakha* is recited over when one chooses the preferred option – paying a sheep to a *kohen* – but not if one chooses the option of *arifa*, killing the firstborn donkey.

 This distinction was noted by the *Minchat Chinukh* (23), who writes that indeed, *mitzvot* which are observed as a less preferred option do not warrant a *berakha*. The Sages instituted *berakhot* before performing what the *Minchat Chinukh* calls “*mitzvot chavivot*” (“beloved” or “cherished” *mitzvot*), to the exclusion of *mitzvot* which one performs only because he chooses against the preferred mode of action. As a precedent for this theory, the *Minchat Chinukh* cites sources that a man performing the *mitzva* of *yibum* – marrying his deceased brother’s widow, after the brother died without children – recites a *berakha*, but a *berakha* is not recited over *chalitza* – the ceremony performed if the brother refuses to marry the widow. Since *chalitza* is performed only as a second option, and is not the preferred mode of action in this situation, it does not warrant a *berakha*. (It should be noted that nowadays we do not perform *yibum*, and *chalitza* is done in all situations where a husband dies without children and has a brother, but in principle, *yibum* is the preferred option.) By the same token, the *Minchat Chinukh* writes, one recites a *berakha* over the *mitzva* of redeeming a firstborn donkey, but not if he refuses to redeem the animal and chooses to kill it, instead.

 Rav Shemuel Yitzchak Hillman, in his [*Or Ha-yashar* commentary to Masekhet Bekhorot (11a)](http://hebrewbooks.org/pdfpager.aspx?req=36148&st=&pgnum=16), questions the *Minchat Chinukh*’s reasoning, noting that once one refuses to perform the preferred *mitzva*, he now bears a full-fledged *mitzva* to perform the alternative. The consensus among the halakhic authorities, following the view of the Rambam, is that *arifa* constitutes a *mitzva*, even if it represents the less preferable option. Its less preferred status, seemingly, should not affect the requirement of a *berakha*, as once the owner has made the decision not to redeem the donkey, he bears an obligation to kill it, and this *mitzva* should warrant a *berakha* like other *mitzvot*.

 Rav Hillman therefore suggests explaining this *halakha* on the basis of a famous responsum of the Rashba (1:18) concerning the general topic of *berakhot* recited over *mitzvot*. The Rashba addresses the question of why *Chazal* enacted the recitation of a *berakha* over certain *mitzvot* but not others, and amidst his discussion he establishes that a *berakha* is not recited over a *mitzva* whose completion is uncertain. For example, we do not recite a *berakha* before giving charity, because the possibility exists that the recipient will refuse the donation. Since the effect is not definite, no *berakha* is recited. This rule, Rav Hillman suggests, should apply to *arifa*, as well, and all the more so. Since the Torah itself prefers that the owner perform the *mitzva* of redeeming the animal, this option hovers over the individual up until the moment when the act of *arifa* is completed. Rav Hillman reasons that if an external possibility – such as a pauper refusing a gift – suffices to negate the propriety of a *berakha*, then certainly this is true of a possibility which the Torah wants the individual to choose. Since the Torah prefers redeeming the animal over killing it, the option of *arifa* is regarded as “indefinite” even after the owner made a firm decision not to redeem it. (Likewise, the option of *chalitza* is treated as “indefinite” given the preferred option of *yibum*.)

Friday

 As we noted yesterday, the *Shulchan Arukh* (Y.D. 321:6) rules that a *berakha* is recited over the *mitzva* of *pidyon peter chamor* – redeeming a firstborn donkey by paying a sheep (or the value thereof) to a *kohen*. Although the Gemara makes no mention of such a *berakha*, it is noted by several *Acharonim*, and the *Shulchan Arukh* rules accordingly.

 The *Perisha*, commenting on the *Tur*’s codification of this *halakha*, raises the question of why a *berakha* is recited over this *mitzva* but not over the similar *mitzva* of *bekhor beheima tehora* – giving one’s firstborn kosher animal to a *kohen*. A person is required to give his firstborn calf, sheep or goat to a *kohen* (as the *Shulchan Arukh* discusses in the previous chapters), and no *berakha* is recited when giving the animal to the *kohen* in fulfillment of the obligation. Why, the *Perisha* asks, does one recite a *mitzva* when giving a sheep to a *kohen* for the redemption of his firstborn donkey, but not when giving to a *kohen* his firstborn calf, sheep or goat?

 The *Perisha* suggests that the distinction lies in the fact that when one gives his firstborn animal to a *kohen*, he keeps nothing for himself. This is in contrast to the case of *peter chamor*, where the owner gives the *kohen* a sheep and may then keep the donkey for himself. A *berakha* is recited only when one gives the *kohen* his share and then keeps the rest, and thus it is not recited in the case of a *bekhor beheima tehora*, when one gives the animal to a *kohen* and does not keep anything.

 The *Taz* questions this approach, raising the question of why this factor should affect the requirement to recite a *berakha*. Why would a *berakha* not be warranted in the case of *bekhor beheima tehora* simply because the owner does not keep anything?

 The *Taz* therefore offers a different explanation, noting that a *bekhor beheima tehora* is consecrated already from the time of its birth. The moment it is born, a *bekhor* is designated as a *kohen*’s sacrifice. *Chazal* did not enact the recitation of a *berakha* over the act of giving to a *kohen* that which already belongs to him. This act is not significant enough to warrant a *berakha*. This is much different than the case of *peter chamor*, where one must designate a sheep as the redemption for the firstborn donkey. This sheep, quite obviously, was not previously earmarked for this purpose. Its designation is done right now, when the donkey’s owner selects it as the redemption for the donkey. This act of designating the sheep is a significant *mitzva* act that warrants the recitation of a *berakha*.

 In truth, the *Taz*’s explanation is alluded to already by the *Shulchan Arukh*, in its presentation of the requirement to recite a *berakha*. The *Shulchan Arukh* writes that the sheep is the *kohen*’s property the moment the donkey’s owner designates it for the purpose of redeeming the donkey, even before the *kohen* receives it. Once the designation is announced, the *Shulchan Arukh* writes, the newborn donkey is entirely permissible for personal use, and if the sheep dies, the owner does not owe the *kohen* another one. The *Shulchan Arukh* then writes, “Therefore, right when one designates it [the sheep], he recites the *berakha*…” Since the formal *mitzva* act is the designation of the sheep, and not giving it to the *kohen*, the *berakha* is recited prior to the designation. The *mitzva* is completed once the owner sets aside a sheep as the donkey’s redemption, and thus the *berakha* is recited over this act, not before giving the sheep to the *kohen*. It is thus understood that when it comes to a *bekhor beheima tehora*, which does not need designation, no *berakha* is recited.