

SICHA SUMMARY

Likkutei Sichos, Vol. 26

Bo, Sicha 2

The Context:

In his laws of the Pesach sacrifice Rambam writes:

“A convert who converts between the first Pesach and the second Pesach and similarly, a child who comes of age between these two holidays are obligated to offer the second Paschal sacrifice. If one slaughtered the first Paschal sacrifice for the sake of the minor, the minor is exempt from bringing the second sacrifice.” (Hilchos Karbon Pesach 5:7)

The Question:

The commentaries on Rambam ask an obvious question: A child is not obligated or exempt from bringing the Pesach sacrifice. He has no relation to the command. How, then, does offering the sacrifice on his behalf when still a child fulfill the obligation he has as an adult when Pesach Sheni arrives a month later?

Potential Resolutions:

Some commentaries suggest that since the Torah explicitly allows the Peach sacrifice to be brought on behalf of one's minor children, as the verse states, “a lamb for a household,” therefore the child can be said to have fulfilled his obligation as an adult through his father's inclusion of him as a child.

This suggestion is untenable, however, since the Talmud concludes that the inclusion of children in the Pesach sacrifice is a Rabbinic allowance that is not Biblically recognized. Thus, the child cannot be said to have discharged his Biblical obligation, since the Torah does not recognize the father's inclusion of the child as legally significant.

Rabbi Chaim Soloveitchik offers another explanation: The Talmud's conclusion that the child's inclusion is not Biblically recognized is only true regarding the child's obligatory status. The Torah does not see the child as fulfilling any degree of obligation by being included in his father's sacrifice. However, his inclusion is still recognized as legal fact. The Torah does recognize that the child has partaken of the sacrifice. Therefore, when the child becomes of age in between the two

Pesachs, we acknowledge that he did indeed have a Pesach sacrifice offered on his behalf during the first Pesach, and therefore has satisfied his now adult obligation.

Rejection:

This solution does not seem consistent, however, with the opinion of Tosfos, and the ruling of the Alter Rebbe in his Shulchan Aruch, based on it. Tosfos claims that not only does the Torah not recognize the child's inclusion in his father's sacrifice — but it is actually forbidden for a child to partake of the sacrifice. Since the Pesach sacrifice may only be eaten by those explicitly included in the group offering it, and a child is not recognised as being included, therefore he cannot eat it. The fact that a child does eat from the sacrifice is an allowance due to the need to educate the child in the performance of mitzvos. As the Alter Rebbe writes:

"In every instance where [a child] is being trained to perform a mitzvah, it is permitted to hand him forbidden [food], for example, to feed a child who has reached an educable age [meat] from the Paschal sacrifice, even though he was not registered [to partake] of it [beforehand. True,] the Paschal sacrifice may only be eaten by those registered to partake of it. Nevertheless, since [the child's father] intends to train [the child] in the observance of the mitzvos, it is permitted [to allow the child to partake of the sacrifice]. (Orach Chayim, 343:8)

Thus, according to Rabbi Soloveichick's suggestion, that Rambam maintains that the Torah does recognize the child's inclusion in his father's sacrifice, the Alter

Rebbe would be rejecting the Rambam's position. This is highly unlikely since there is no authority who disagrees with the Rambam on this law for the Alter Rebbe to use as support. There must be an explanation of Rambam that allows the Alter Rebbe to be in concert with him on this issue.

The Explanation:

Rabbi Yosef Rosen (the Rogatchover) writes, based on this ruling of Rambam, that "Since a discretionary act [an act of a mitzvah done at a time when one is not obligated in that mitzva] is prolonged and is always extent, it discharges his obligation when the time of that obligation arrives." He cites several examples: a minor who fathers a child, when he is not yet obligated in the mitzvah of procreation, would fulfill his obligation automatically upon coming of age. Or, a non-Jew who circumcises himself with the intent of fulfilling the mitzvah, even though he is not obligated, upon conversion automatically fulfills his obligation with his prior act.

That is, we see the previous act, performed when the individual was not obligated, as being a continuous act. Thus, when the individual becomes obligated, that act is again being "performed," and so he has fulfilled his obligation.

In this context, however, the Torah seemingly does not even recognize the child's inclusion in the first Pesach as an "act" at all, since he is actually forbidden from participating in it (according to Tosfos and the Alter Rebbe). How, then, does his

original participation in the first Pesach extend to the second?

The two Pesachs are unique in that, even though they are considered two distinct mitzvos, they are seen as one continuous obligation. Thus, if one fulfills the first Pesach, he does not have to offer again on the second, since he has already fulfilled this obligation. Now, when a child comes of age and is obligated in mitzvos, the Torah assumes that the child will be prepared to fulfill his obligations, which means that there is a Biblical expectation that a child prepares for his adulthood by learning how to do mitzvos as a child. And since the two Pesachs are seen as one continuum, we can

say that because the child comes of age and is obligated in the second Pesach, his obligation to prepare for it extends back to the origin of this obligation — the first Pesach. Thus, in this case, the Torah does recognize his participation in the first Pesach as legally meaningful, and this act extends forward until the onset of his actual obligation, which is summarily fulfilled due to his participation in the first Pesach.

Thus, the Rambam's ruling about the child's fulfillment of his obligation as a minor is consistent with the Alter Rebbe's ruling that the child is generally forbidden from partaking in the Pesach sacrifice.
