Second Chances

I. The Event

HaShem spoke to Moses in the wilderness of Sinai, on the first new moon of the second year following the exodus from the land of Egypt, saying:

Let the Israelite people offer the Pesach sacrifice at its set time:
you shall offer it on the fourteenth day of this month, at twilight, at its set time; you shall offer it in accordance with all its rules and rites.

Moses instructed the Israelites to offer the Pesach sacrifice;
and they offered the Pesach sacrifice in the first month, on the fourteenth day of the month, at twilight, in the wilderness of Sinai. Just as HaShem had commanded Moses, so the Israelites did.

But there were some men who were unclean by reason of a corpse and could not offer the Pesach sacrifice on that day. Appearing that same day before Moses and Aaron, those men said to them, “Unclean though we are by reason of a corpse, why must we be debarred from presenting HaShem’s offering at its set time with the rest of the Israelites?”

Moses said to them, “Stand by, and let me hear what instructions HaShem gives about you.” And HaShem spoke to Moses, saying:

Speak to the Israelite people, saying: When any of you or of your posterity who are defiled by a corpse or are on a long journey would offer a Pesach sacrifice to HaShem,
they shall offer it in the second month, on the fourteenth day of the month, at twilight. They shall eat it with unleavened bread and bitter herbs, and they shall not leave any of it over until morning. They shall not break a bone of it. They shall offer it in strict accord with the law of the Pesach sacrifice.

But if a man who is clean and not on a journey refrains from offering the Pesach sacrifice, that person shall be cut off from his kin, for he did not present HaShem’s offering at its set time; that man shall bear his guilt.

And when a stranger who resides with you would offer a Pesach sacrifice to HaShem, he must offer it in accordance with the rules and rites of the Pesach sacrifice. There shall be one law for you, whether stranger or citizen of the country.

Questions

- Why does God create a ‘second chance’ in conjunction with, and only in conjunction with, the holiday of Pesach?
- If Pesach Sheni is warranted, why is it not included in the halachic code from the outset?
- Exactly who is allowed to participate in Pesach Sheni? Why limit the observance of Pesach Sheni only to those are ritually impure or who are at a distance from the Sanctuary at the time of the offering of the Korban Pesach? What of those individuals who are constrained from taking part in the Korban Pesach for other legitimate reasons?

II. The Journey Towards “Jewishness”

**תלמוד בבלי יבמות b. יבמות:**

The rabbis taught: [if a prospective proselyte comes to convert in the present era, we say to him:] ‘What did you perceive that prompted you to come? Do not know that Israel (i.e. the Jewish people) is, in this day, afflicted, oppressed, downtrodden and harassed- and that hardships are frequently visited upon them?’

If the individual responds: ‘I know, and I not even worthy [to share in their hardships],’ we accept him immediately [as a potential convert worthy of education]."

Only after this interchange has taken place, continues the Talmud, do we begin to teach the candidate about the enormous responsibilities inherent in the halachic code.

**Two Stages in the Birth of the Jewish Nation**

יציאת מצרים

מגן חמדה
III. The Rationale Behind the Law: Concept of an Obligatory Opportunity

משנה יבמות ט:א
מי שהיה טמא או בדרך רחוקה ולא עשה את הארשון, עשה את השניה. سبحان או כיס ולח חכם, בלא פטורין מחבר.
הויס ברכות.

One who was ritually impure or on a distant journey and did not offer the first Korban Pesach should offer the second. One who unwittingly forgot or was prevented due to circumstances from offering the first Pesah, he should observe the second Pesah, as well.

If so, why is it stated in the Torah that the second Pesah is observed specifically by one who was ritually impure or on a distant journey?

Because these are exempt from karet, while these are liable to karet.

רמבם הלכות קרבן פסח ה:ב
כיצד. מי שגגו או נאנס ולא הקריב בראשון אם הזיד ולא הקריב בשני חיב כרת. ואם שגגו או נאנס אף בשני פטור. הזיד ולא الكرיב בראשון והיה מקריב בשני. אם לא الكرיב בשני אף על פי שגגו או נאנס אף בשני פטור. הזיד ולא الكرיב בראשון והיה מקריב בשני. אם לא קריב בביתוExcellent translation.

1. An individual whose legitimate failure to participate in the Korban Pesach arises out of a reason other than impurity or distance is liable to the punishment of Karet, excision from the community, if he deliberately chooses not to take advantage of the ‘second chance’ offered to him by Pesach Sheni.
2. If an individual deliberately fails to participate in the Korban Pesach, he should participate in the Korban on Pesach Sheni. If he fails to do so, however, even due to circumstances beyond his control, he is liable for Karet, due to his original failure.
3. An individual, however, who fails to participate in the Korban Pesach because of impurity or distance, is not liable for the punishment of Karet even if he deliberately fails to offer a korban on Pesach Sheni. Such an individual, the Rambam notes, "has already been exempted from the punishment of Karet on Pesach itself."

Rationale: Distinction between an individual who was part of the k’lal during the initial obligation and one who was not.

רמבם הלכות קרבן פסח ה:
גר שגנו וינין ב’ פסח ארשון ופסח שני. וקן קא שגה וינין ב’ פסח שני. ויבי’ לעשון פסח שני. ואמו.
IV. A Special Zechut: Two Cases

The daughters of Tzelaphchad—son of Hepher, son of Gilad, son of Machir, son of Menashe, from the family of Menashe, son of Yosef—came forward. The names of the daughters were Mahla, Noa, Hogla, Milca, and Tirza.

They stood before Moses, Elazar the priest, the chieftains, and the whole assembly, at the entrance of the Tent of Meeting, and they said,

“Our father died in the wilderness. He was not one of the faction, Korah’s faction, which banded together against HaShem, but died for his own sin; and he has left no sons. Let not our father’s name be lost to his clan just because he had no son! Give us a holding among our father’s kinsmen!”

Moses brought their case before HaShem.

And HaShem said to Moses,

“The plea of Tzelaphchad’s daughters is just: you should give them a hereditary holding among their father’s kinsmen; transfer their father’s share to them.

“Further, speak to the Israelite people as follows: ‘If a man dies without leaving a son, you shall transfer his property to his daughter. If he has no daughter, you shall assign his property to his brothers. If he has no brothers, you shall assign his property to his father’s brothers. If his father had no brothers, you shall assign his property to his nearest relative in his own clan, and he shall inherit it.’ This shall be the law of procedure for the Israelites, in accordance with HaShem’s command to Moses.”