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Opportunity Costs

Excerpted and adapted from a shiur by Dayan Yosef Greenwald

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The Gemara (*Pesachim* 3b) relates that the Chachamim praised Rabbi Yehuda ben Beseira for his ability to prevent a non-Jew in Yerushalayim from eating the *korban pesach* while he himself was in Netzivin. Tosafos asks, why was Rabbi Yehuda ben Beseira not in Yerushalayim to fulfill the mitzvah of *aliya l'regel*? Tosafos answers that perhaps he was too old or too weak, or maybe he did not own land, which is required for the mitzvah to apply.

The Minchas Chinuch (Mitzvah 5 #13) wonders why Tosafos focuses only on the missing mitzvah of *aliya l'regel* and not *korban pesach*, from which one isn't exempted by not owning land. He suggests that one is not obligated in *korban pesach* until the time of its offering on the fourteenth of Nisan, and if at that time he is too far (*b'derech rechokah*) and therefore exempt, he has done no wrong, though he has not fulfilled a *mitzvas ase*. One only receives the *kareis* penalty if he neglects to bring the *korban* (see *Bamidbar* 9:13) while nearby.

Perhaps we can explain as follows: One who does not perform a *mitzvas ase* has missed an amazing opportunity, but he isn't punished. *Kareis*, too, is only incurred when one actively violates certain negative mitzvos, not just for missing an opportunity. The only exceptions to this are *bris mila* and *korban pesach*, where nonperformance is *hafaras bris*, breaking one's covenant with Hashem. But only if one is in Yerushalayim on 14 Nisan and fails to bring the *korban* is he reckoned that way.