



**5785 Divrei Torah on Jerusalem by Rabbi Reuven Schreier Parashat Tzav / פרשת צו /
Pesach / פסח**

From the Rooftops of Jerusalem

In the times of the *Beit HaMikdash*, two different forms of sanctified *korbanot* were offered on the *mizbeach*. *Kodshei Kodashim*, more sanctified *korbanot* such as *Korban Chatat*, could only be consumed by the *kohanim* within the *azara* (courtyard of the *mizbeach*) itself. (Pay close attention to this week's *parsha* and you'll notice several such examples mentioned in the *pesukim*.) In fact, the *Gemara* in several places makes clear that a *kohen* can only eat *Kodshei Kodashim* when he is literally on the ground of the *azara*. If he is on a roof or second floor structure, he is no longer considered to be within the courtyard and cannot eat the *korban* (*Shavuot* 17b, *Pesachim* 85b-86a). This is because the sanctity of the *azara* was confined to the ground itself; the airspace was not considered to be part of the sanctified area (see *Ohr Sameach* to *Beit HaBechira* 6:7).

In contrast to the more sanctified *Kodshei Kodashim*, the lighter sanctified *korbanot* known as *Kodshim Kalim* could be eaten anywhere in *Yerushalayim*. The *Korban Pesach* was a classic example of a *Kodshim Kalim* form of *korban*. While its slaughter and blood applications occurred in the courtyard of the *Beit HaMikdash*, the Jews would roast their *Korbanei Pesach* and take it to their individual residences to conduct their *sedarim*. As long as the *Pesach* did not leave the walls of Jerusalem, it could still be eaten.

However, what remains unclear is whether the *Korban Pesach* needed to be consumed on a ground level apartment. Was the airspace of Jerusalem sanctified and viewed as an extension of the ground? Or, like the *azara* of the *Beit HaMikdash*, was the *kedusha* limited to the ground level itself?

At first glance, the *Gemara* (*Pesachim* 85b) seems to clearly indicate that the *Korban Pesach* could only be eaten on a ground level apartment. The *Gemara* reports that *Clal Yisrael* would customarily eat the *Korban Pesach* inside and then ascend to the rooftops to sing *hallel*. The beautiful cacophony of countless families singing *hallel* made it seem as if the roofs were splitting asunder. It seems from this *Gemara* that any roof or elevated structure would be an invalid place for consuming the *Pesach*. This is why they only ascended to the rooftops upon completing their meals. This, in fact, seems to be the position of *Tosafot* (*Shavuot* 17b s.v. *vein shochtin*, but also see *Tosafot* to *Makkot* 12a with *Maharasha*).

However, the *Rambam* (*Beit HaBechira* 6:7), *Rashba* (*Teshuvot* 1:34), and *Ra'avad* all seem to assume that *Kodshim Kalim* can even be consumed on the roofs of Jerusalem. The *Rambam* makes no mention whatsoever of limiting the consumption of *Kodshim Kalim* to the ground level. Drawing from other Tannaitic and Talmudic sources (see the *Ohr Sameach* *ibid*), these great *Rishonim* clearly assume a major distinction between the sanctity of the *azara* and the sanctity of Jerusalem.

The *kedusha* of the *Beit HaMikdash* relates to the sanctity invested in it by *Dovid* and *Shlomo*. This *kedusha* comes from the ground of the *Har HaBayit* itself. The soil and stones that comprise the ground create an extremely unique *kedusha*. But it is specifically because of the power of this *kedusha* that it is more difficult to extend it. The sanctity cannot influence the airspace above it.



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Not so Jerusalem. The holy city's sanctity is not limited to the ground, but to everything that is within it. This is reflected in the fact that Jerusalem's boundaries for *kedusha* are defined by its walls, not its ground. From a halachik perspective, walls separate a domain from everything that is outside it. We view walls as if they extend to the highest point of the *shamayim*.

This key distinction between the *Mikdash* and Jerusalem reflects something essential about Jerusalem. Every place and every single thing found within her walls comes in contact with her great sanctity. There is no part of Jerusalem that is devoid of her *kedusha*. Her special status ascends *ad hashamayim* and on. Hence, the *Korban Pesach* can be enjoyed anywhere, no matter how many floors up a residence may be.

May we merit to hear the beautiful sounds of *hallel* ringing from the sanctified rooftops of Jerusalem, speedily in our days.

מהרש"א חידושי הלכות מסכת מכות דף יב עמוד א

תוס' בד"ה אילן שהוא כו' עי"ל דמיירי אפילו באילן שענפיו מרובין ואויר כו' עכ"ל כצ"ל ור"ל דלא אמרו דגגו לא נתקדש:
אלא באויר עזרה דלא הוי כעזרה אבל הכא אויר בירושלים הוי כירושלים ובספרים הגיהו בתוספות לאין צורך ודו"ק

