

HALOCHOSCOPE

This week's question:

Is it necessary to wash and eat bread for a *siyum bechorim* on *Erev Pesach*?

The issues:

- A) *Taanis bechorim*, the fast of the firstborn on *Erev Pesach*
- B) *Siyum*, the festive meal on completing a defined section of learning material
- C) What qualifies as *seudas mitzvah*, a festive 'meal'?

A) *Taanis Bechorim*

The *Yerushalmi* entertains the possibility that *Rebi [Yehuda Hanasi]* fasted on *Erev Pesach* because he was a *bechor*. A sage countered that his father was also a *bechor*, but did not fast. One view explains that the *Yerushalmi* indicates that there could be reason for a *minhag* but that it is insufficient. Another explanation is that the *Yerushalmi* means to say that there was a dubious practice. It was not adopted widely and *Rebi* would never have followed it. Accordingly, even pious individuals did not practice this *minhag*.

A second ancient source cites the ruling that *Nissan* is a month of rejoicing and not fasting, with the exception of *taanis bechorim*. In addition, to override the ban on fasting the day one offers a *korban* (the *korban pesach*), the *minhag* must be a *takanah kedumah*, ancient, well-founded institution. How the *minhag* spread can be traced by references in the poskim. Five hundred years ago, this practice was observed in parts of Germany, but nowhere in France. A few generations later it had spread such that the poskim of the time no longer discuss the observance or lack thereof by different communities.

The reason commonly offered for the *minhag* is the sparing of the Jewish first-born from *makas bechoros*. In Egypt, the first-born were the pagan priests, including the Jews who also served idols. ['Jewish' temples hired priests from the ranks of their own first-born.] Fasting and repenting commemorate the way the Jewish first-born deflected the decree. The Egyptians refused to subordinate themselves to Hashem, challenging Him after every plague. To be protected from the final plague, the Jewish firstborn subordinated themselves. Fasting demonstrates subordination. Though they might not have been worthy of the miracle, fasting shows that they are not the same as the Egyptians.

Makas bechoros occurred on *Pesach*, when fasting is prohibited, so it is commemorated on *Erev Pesach*. Deferment of a fast generally reduces its level of obligation. In this case, this day was fixed as the primary fast day. Additional reasons are offered: It was not one of the days commemorating the inauguration of the *mishkan*. One might fast to build up an appetite for the *seder*. It was the day Haman sent forth his decree of annihilation of the Jews, according to one version. Thus, it is not considered a fully deferred fast.

Some forbid fasting past midday. Three possible reasons are offered for this. It is due to the festive nature of a day of *korban*, as all Jews bring the *korban Pesach* on this

day. The Talmud records days that certain families brought *korbanos*, when fasting was forbidden. [Even nowadays, on a day that one would normally have been offering a *korban*, one does not say *tachanun*.] One should also not begin a *Yomtov* famished. Therefore, one must eat at some point. Fasting half a day is a *taanis shaos*, partial fast. It also distinguishes this fast from the gentile practice to fast on the eve of their holidays. Emulating idolaters would involve violating the *mitzvah* of *chukas hagoy*.

These views are utilized to allow dispensations for the weak and feeble. In addition, the essential deferment seems to allow some laxity. [See Pesachim 108a, Yerushalmi 10:1, Sofrim 21:3. Tur Sh. Ar. OC 470, commentaries. Mishne Lemelech, Klei Hamikdash 9-10. Yabia Omer OC I:26-27. Halochoscope IV:11.]

B) What is a Siyum?

There are three main sources for the practice of making a *siyum* on completion of a section of Talmud. Since the Talmud is divided into sections that are studied separately for a time period, completion of a section amounts to completion of a group of *mitzvos* of Torah study. It offers an opportunity to give thanks for the merit of completing the *mitzvah*. The source for this is a passage dealing with a holiday that was celebrated annually when the process of preparing the wood for the offerings was completed. As mentioned in the previous section, on this day fasting is restricted. [See Baba Basra 121b, Rashbam, Nimukei Yosef. Mishna Taanis 4:8, commentaries. Biur Hagra YD 246:76.]

The second source is a Midrashic reference to the feast that Shlomo Hamelech made for his servants when he was informed by Hashem that he would be granted wisdom. From here we learn that one makes a feast for the completion of the Torah. The gift of wisdom that Shlomo was granted completed his Torah. [See Shir Hashirim Rabah 1:9.]

The third source is a direct Talmudic dictum that Abaye would call for a *Yomtov* for the Rabbis when a young Rabbi would complete a tractate of Talmud study. The celebration appears to be due to the joy of others who see the student complete it. This implies that the student should certainly celebrate; even outsiders feel joy. [See Shabbos 119a.]

A fourth source discusses the obligation of a student to attend the *siyum*. This source does not make reference to the celebration. However, others point out that the third source implies that the colleagues of the *mesayem* have an obligation to attend. [See Baba Basra 22a. Yam Shel Shlomo end B.K. Perek 7.]

The second source is cited as the basis for *Simchas Torah*, when the cycle of reading the weekly *Parshiyos* is completed. [See Hagahos Ashri, end Sukah, Tur, BY, Sh. Ar. OC 669, Rema, commentaries.] It is also cited as a source for the shouts of joy at the completion of a section of Torah, the '*chazak*' at the end of a *Chumash*. The most obvious source for this traces it to the words that Hashem said to Yehoshua, basically, at the conclusion of the *Sefer Torah*, and the beginning of his *sefer*.

The words '*chazak ...*' express the need to strengthen oneself. One should not rest on his laurels, having reached what he feels is the completion of the study 'course'. Rather, he should use this opportunity to move on with more strength. The Torah has no end or completion, but is unlimited and infinite. Though the written and oral forms have beginnings and ends, there is always a qualitative infinity. It is also endless in its cyclical or circular sense. The real idea of the *siyum* comes from the completion of the review of the

knowledge. In fact, the first words uttered upon completion refer to this review, '*Hadran*' is translated as either 'we *will* return to ...' or 'we *have* [now] returned to ...'. This is also one reason given for the term '*masechess*' for tractate. This word does not mean volume or part. It has a weaving loom connotation. It hints at the continuous movement back and forth on a loom, weaving the cloth without necessarily coming to an end. [Some add, this is why Jewish printers traditionally number the page on which the text of a tractate begins as 'page two'. One should never think he has completed it.] This is the reason we do not wait to restart the Torah, but begin immediately after ending. The same is done at a *siyum masechess*, where people usually start the next section right after ending this section. [See Taamei Haminhagim 337-8 729, Likutim 92.] In a sense, even when completing it for the first time one really is finishing his first review. In the womb, each unborn child studies the entire Torah for the first time. An angel causes him to forget it upon birth, and for his entire life he tries to remember it by reviewing it. [See Nidah 30b.]

The third source refers directly to the completion of a *masechess*, and is the main source for the *siyum*. Most of the customary prayers seem to be as old as the *siddur*. As oral traditions, they presumably date to the times of the Prophets, in some form. The *siyum* is there to thank Hashem publicly for the fortune of completing, while acknowledging that it came with toil and hard work. [Yam Shel Shlomo *ibid.*]

C) *Seudas mitzvah*

The feast to celebrate a *siyum* is *seudas mitzvah* – participants fulfill a *mitzvah* eating there. Rules are relaxed to permit eating there under otherwise restrictive regulations. For example, a *bris milah*, circumcision, is celebrated with a *seudas mitzvah*. People who are otherwise disallowed from eating, might be allowed to do so due to the *mitzvah*.

This consideration is based on the Talmudic passage describing partial *Yomtov* that coincides with a partial fast day. A family had a tradition to donate the wood every year on the Tenth of *Av*. If *Tisha B'av* falls on *Shabbos* it is pushed off to Sunday. This mitigates its severity. The members of this family did not observe the fast day. *Bris milah* must be done on the eighth day. If the eighth day falls on Sunday, the Tenth of *Av*, the immediate *baalei simcha* break their fast. Others may only attend the *seudah* by night, after the fast is over. For the *baalei simcha*, the entire day is a *Yomtov*. For the others, the day is not a *Yomtov*. The *seuda* is a *mitzvah*, but may not push aside the prior fast day.

The poskim discuss this with regard to *taanis bechorim*. A *siyum* celebration on completing a section of study is considered *seudas mitzvah*. It is better when celebrated with others who did not participate in the study. The poskim restricting celebrants at a *bris milah* take this *taanis* seriously. Yet, it has become a time-honored tradition to save a *siyum* for *Erev Pesach* to spare *bechorim* from fasting the rest of the day. Some suggest it was introduced to satisfy those who object to the entire institution of a fast on this day.

Others criticize the practice. Saving a *siyum* makes sense, but not to avoid an instituted fast. Moreover, often the section was studied specifically for this purpose, giving the perception of a loophole. Some suggest that the *bechorim* who did not study should at least follow along with the *mesayem*. One defense is made by suggesting that since the initial practice was a *minhag*, the *siyum* is acceptable as a counter prevailing *minhag*. [See Psachim 50a, Tos. Taanis 12a, 26a, Rambam, Klei Hamikdash 6:9-10. Yam Shel

Shlomo B.K. 7:36. Chavos Yair 70. Tur, Sh. Ar. OC 551:10, 559:9, commentaries.]

A standard *seudas mitzvah* involves bread. On *Erev Pesach*, people are reluctant to eat bread, even if it is early. *Matzo* may not be consumed on *Erev Pesach*, to maintain the novelty of eating that night. Cooked *matzo* may be eaten, since one could not fulfill his obligation with it by night. *Matzo* meal re-baked into cookies or cakes has not lost its status as kosher for the *mitzvah*. Thus, passover cakes or cookies containing *matzo* meal are restricted on *Erev Pesach*. One may eat *matzo ashira*, egg *matzo*. When eaten as a snack, their *brocha* is *mezonos*. When used as a substitute for bread, their *brocha* is *hamotzie*. However, many *bechorim* do not wish to wash. They want to have the best of both worlds, avoiding the fast, but not having to eat a proper *seuda*. What about 'shehakol' cakes or plain fruit? To satisfy the obligation of *kiddush*, it must be recited when and where a *seuda* is about to take place. We follow the stringent view that the *seuda* for *kiddush* requires *mezonos* or wine. However, it is common to share a snack or strong drink with a celebrant as a token way of joining in his celebration.

Can participating with the *mesayem* in eating foods that do not usually count as a *kvius*, fixed gathering, excuse one from fasting. For the *mesayem*, on his *Yomtov* he may not fast. To include others would seem to require a *kvius seuda* of some kind. The others' claim to being dispensed from the fasting obligation is based on their claiming to be present at the celebration of the *mesayem*. They claim that he needs them to share his *siyum*. Is this considered sharing his *siyum*? Perhaps, we may compare the *mesayem* to a *baal simcha*. He receives guests with a light snack to show friendship and share the joy.

Based on the various explanations of the *siyum*, the poskim deliberate the idea of *siyum bechorim*. Some say that the *Yomtov* is shared. Accordingly all those who attend the *siyum* may celebrate anywhere, with any eating they want. Others maintain that the *siyum* is shared. Even those not present for the final study may eat at the *seudas mitzvah*.

Having eaten at the *siyum*, one need not complete the fast. This also requires explanation. On other fasts, one who ate at a *bris milah* must still refrain for the rest of the fast. The answer lies in the nature of this fast. First, it is not a sad fast, but in recognition of a salvation. Second, the entire fast is controversial. The Yerushalmi implies that some people fasted, but it was not right. Third, due to weakness of spirit and body, the stress of preparing for *Yomtov*, and the strength needed for the evening *mitzvos*, people are unable to fast anyhow. Fourth, there is an opinion that the fast only applies to bread type food. Snacks may, and perhaps should be eaten. Thus, the custom arose to provide light snacks as the *siyum*, and for all *bechorim* participating to eat a little. When they leave, they may eat for the rest of the day. [See *Minchas Yitzchock* II:93 IX:45. *Maharam Brisk* I:133. *Rivevos Efraim* OC:I:296. *Nitei Gavriel Pesach* 43:5-9.]

In conclusion, it is acceptable to serve light snacks for this *siyum*.

Sponsored by Barry and Amy Cohen in memory of Amy's mother, Lillian Dardik Stickney, Ahuva Lieba Tzvia bas Aryeh Leib a"h, whose yahrzeit is on the 19th of Nissan. 🕯

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