

HALOCHOSCOPE

The question, continuation from last week:

When one finishes a section of Talmud, he celebrates with a *Siyum*. This meal qualifies as a *Seudas Mitzvah*. Therefore, things that might otherwise be restricted are relaxed due to the *mitzvah* component. For this reason, it is customary to delay a *siyum* to an opportune time. If one who has finished a particular section attends a *siyum* conducted by another person on the same section, may he still make his own *siyum*, at his own opportune time? How long may he delay it? The person holding the *siyum* has a mentor who is an *aveil*, in the middle of a mourning period. If he delays it until *Erev Pesach*, to save *bechorim*, first-born, from fasting, may the *aveil* attend the *siyum* and be excused from fasting?

The issues:

In last issue

- A) What is a *Siyum*?
- B) *Seudas Mitzvah*
- C) What kind of completed study is deserving of a *Siyum*?

In this issue:

- D) What is the status of participants in another's *Siyum*?
- E) Delaying a *Siyum*
- F) The *Taanis Bechorim*, fast of the first born, on *Erev Pesach*
- G) An *Aveil* attending a *Siyum*

D) The Participants

From the sources for *siyum*, there is an indication that the celebrant makes the feast for his colleagues, and an indication that they make the feast for him. In both instances the others are integral to the feast. Shlomo waited to make his '*siyum*' until he arrived in *Yerushalayim*, to be able to invite others. Furthermore, the participants become part of the *simcha* by attending the *siyum*, regardless of whether they also participated in the study along the way. It is preferable to be there for the beginning as well as the end. There is a view that the *mesayem* needs the audience to properly complete his *siyum*. He needs to fulfill the *mitzvah* of Torah study by teaching as well as learning. They follow the passage being read. On the other hand, as we shall see in the case of an *aveil*, in some instances the *mesayem* is clearly considered more obliged to celebrate than the participants. Even in these situations, those who help make the party are considered *baalei simcha*, in keeping with the source that the colleagues make the *siyum* for the *mesayem*.

The relevance of the *simcha* to the participants becomes an issue when they rely on the *seudas mitzvah* aspect of the *siyum*, to relax the *minhag* of refraining from meat and wine during the nine days, or as *bechorim* on *Erev Pesach*. The poskim discuss participants, based on their closeness to the *mesayem* ('would they attend the *siyum* in normal circumstances?'), the supporters of the Torah study, the helpers in preparation, or the need for ten to recite the *kaddish derabanan*. The closeness of the participant to the

mesayem could be seen as making his joy complete. If the *mesayem* arranges the *siyum* to accommodate this friend, it means that he feels that his absence would mar his joy.

The *mesayem* is the one for whom the *siyum* is held. One observing his *yahrzeit*, when he would normally fast, may participate only if he also studied the material. This shows that the other attendees are not considered being *mesayem*, despite their following the last lines. Apparently, one must intentionally host the *siyum* or at least openly join the *mesayem*. Accordingly, if one is invited to a *siyum* on a study course that he has also just finished, he may choose whether to be a part of the *siyum*. If he chooses to be a passive participant, he may still make his own *seudas mitzvah* at a later time. [See Shabbos 119a, Midrash Lekach Tov, Pekudei. Refs to Sec. A & G.]

E) Delaying the Siyum

In terms of the joy of accomplishment, the day of the completion, or the moment one finishes his study, would be the time for the celebration. One could time his study on that day, but it would seem that he should not rearrange the date to delay his *siyum*. Nonetheless, the poskim suggest purposely delaying it to make it convenient for others to share in the celebration. This is based on a question raised in the Talmud. Shlomo Hamelech made a feast to celebrate the completion of the construction of the first *Bais Hamikdash*. It lasted to *Sukos*. He did not delay it to combine it with *Sukos*, which would have saved people from the loss of work. We avoid mixing two *simcha occasions*. Delaying it would have meant leaving the final touches on the building for the opportune time. Were it not for the principle of not mixing *simchos*, he would have delayed it to an opportune time. It is therefore recommended to delay a *siyum* to a time that one can share the joy with friends. It was customary for the community to join the local yeshiva for the start of the semester. When the *Rav* was close to finishing, he would inform the townspeople. A day was chosen when all community members were free to come, and the *siyum* was held. Thus, the community joined the yeshiva for the start and finish.

The poskim debate the source from Shlomo Hamelech. On the one hand, for a good reason one should delay the *siyum*. This includes saving the Jewish people's livelihood and avoiding eating on *Yom Kippur*. Perhaps a good reason could include trying to get more participants. What about delaying it for convenience? For example, the first-born fast on *Erev Pesach*. A regularly scheduled *siyum* is a *Yomtov* and the feast is festive, overriding a fast. Could *bechorim* delay a *siyum* to eat then? At a *seudas mitzvah* it is appropriate to eat meat. Could one eat meat at a delayed *siyum* during the 'nine days'? see cases. A stringent view points out that Shlomo would have delayed his completion to allow fasting on *Yom Kippur*. If anything, a *siyum* could be delayed to avoid breaking the fast of *bechorim*, or violating the *minhag* not to consume meat during the nine days. The lenient view maintains that if delaying is suggested, it works for any reason. A third view allows a regularly scheduled *siyum* on these occasions, but would not allow a delayed *siyum*. It is delayed for major needs, such as to avoid violating *Yom Kippur* or to save the livelihood of Jews. One need not delay it to avoid violating the practices in question. However, one may not delay it to coincide with these practices, for convenience.

The Talmudic passage on which the delay is based discusses the options open to Shlomo Hamelech when completing the *Bais Hamikdash*. Shlomo did not delay the completion/inauguration feast to coincide with *Sukos*, according to the commentaries, only

because there would be a conflict of *simchos*. But if the *simchos* coincide without delaying it one should be able to celebrate them together. Why did Shlomo not leave the final part of the building for the opportune time? One does not put off building the *Bais Hamikdash*! Why did he not leave a part of the protective barrier on the roof (which is not an integral part of the *Bais Hamikdash*)? The Talmud answers, it is integral!

The original suggestion indicates that one could delay the celebration even if the completion took place earlier. Accordingly, one could delay a *siyum* even after finishing. This is not the common practice. [Perhaps, for this kind of delay, one needs a good reason. However, to delay the completion no special reason is required.] The subsequent suggestions form the basis for delaying the end of the study course. Some favor delaying the completion; a small section of study is left incomplete. This view does not favor hurrying the study in pace or time devoted to it. The other view maintains the opposite. Rather, rearrange the study schedule so that the *siyum* will automatically fall on the desired day. This way, the true joy of finishing will not be spent.

The suggestion that Shlomo delay the construction supports the latter view. It suggests the entire building be slowed down. The suggestion that he delay the roof barrier supports the former view. It suggests finishing everything else, then waiting to do the last part. One version suggests leaving part of the roof barrier. This implies that one need not leave a complete self-contained part for a *siyum*. The last line, in the middle of a subject, would be enough. Another version seems to suggest that the entire roof barrier could be left incomplete. This implies that one should leave a self-contained section for the *siyum*.

The poskim do not discuss how long one could delay the *siyum*. The source discussed here seems to be indefinite about the length of the delay. For the *brocha shehecheyanu*, recited for joyous tidings, the joy must still be felt. The common practice is to recite it on a new garment when wearing it for the first time, though ideally it should be recited when purchasing it. (This is similar to the law of *shehecheyanu* on new fruits. One recites it upon seeing or eating it.) Even if there is a delay between buying and wearing it, the newness of wearing it is sufficient. Perhaps, in the same way, the joy of completion would be sufficient, despite the delay between almost completing and finally completing at the *siyum*. Some say that if the delay was so long that the garment no longer feels new, one should not say *shehecheyanu*. By this reasoning, if the delay before the *siyum* is so long that one no longer feels the joy, it is too long. [See Moed Katan 9a, Poskim. Tur, B.Y. Sh. Ar. OC 223:4 225:3 470:2 551:10 YD 246:26, commentaries. Nachalas Shimon, Melachim I:27.]

F) Taanis Bechorim

The origins of this *minhag* are traced to Talmudic sources. The Yerushalmi entertains the possibility that someone fasted on *Erev Pesach* because he was a *bechor*, but that other *bechorim* did not fast. 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 institution banning fasting on the day one offers a *korban* (the *korban pesach*), the *minhag* must have been a *takanah kedumah*, ancient, predating institution. How the *minhag* spread can be traced by references in the poskim through the ages.

The reason commonly offered for the *minhag* is the sparing of the Jewish first-born from *makas bechoros*. If the first-born were the pagan priests, and the Jews also served

idols, the *bechorim* all deserved to die as well. Fasting and repenting, rather than a holiday, commemorate the way the Jewish first-born deflected the decree. *Makas bechoros* occurred on *Pesach*, when fasting is prohibited, so it is commemorated on *Erev Pesach*.

Some forbid fasting past midday, due to the festive nature of a day of *korban*, the issue of entering a holiday famished, or to distinguish it from the gentile practice to fast on the eve of their holidays. These minority views are utilized to allow dispensations for the weak and feeble. Some include female first-born in the fast. The Midrash says, Bisyah, daughter of Par'oh, was first-born, and was spared only because she saved Moshe. If the *bechor* is too young to fast, his parents fast for him. The parents of the first-born in Egypt were also being punished. If the father is fasting himself, some require the mother to fast. These stringencies are not followed or relaxed in any cases of difficulty. [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.]

G) Aveil at a Siyum

An *aveil* may not attend a festive gathering. Exceptions sometimes apply to a *seudas mitzvah*. Even on a *yahrzeit*, when he usually fasts, he may celebrate his own *siyum*. He may attend a *siyum* celebrated by another if he also studied the material. It thus becomes his own *siyum* as well. The issue is whether he may attend another person's wedding or *siyum*, if the celebrant feels his presence very important. The poskim allow a parent to attend a child's wedding. From the child's perspective the parents presence is crucial. The parent, too, is a *baal simcha* in his own right. What about a mentor attending his disciple's celebration? From the perspective of the disciple, it is similar to a parent. [In fact, for the death of a *rav muvhak*, mentor for one's main knowledge, certain mourning practices are observed. This is a function of both respect and 'spiritual relationship'.] Perhaps the mentor could consider a *siyum* his own joyful occasion. This is the indirect fruit of his labor. However, he does not celebrate it as his own *simcha*, but joins with the *baal simcha*. There appears to be no precedent for special consideration for a mentor. Nonetheless, many poskim permit attendance by an *aveil* at a *seudas mitzvah* that does not fit the guidelines of *simcha*, festivity, including a *siyum*. [See *Moed Katan* 22b 25b, *Baba Metzia* 33a-b, poskim. *Tur Sh. Ar. YD* 242:25 246:25 341:1 374:10 391:2, commentaries.]

On the Parsha ... *Adam ki yakriv mikem .. [1:2]*. Why is the word *adam* used for 'man' rather than *ish*? The *Midrash* connects it to *Adam Harishon* who never offered stolen *korbanos*. Since no-one else existed Adam couldn't steal anyhow! The *Ksav Sofer* says: one offering a *Korban* could mistakenly think he is giving his own hard-earned money. *Adam Harishon* understood well that nothing was his own. It all belonged to Hashem. If one has the *Adam* mentality, Hashem will consider it *mikem*, as though he really did give of his own. After we acknowledge the gift of Hashem, He considers it ours. (*Brochos 36b*) When Shlomo Hamelech was given wisdom, he offered *korbanos* and made a '*siyum*'. He wanted to publicize his acknowledgment that his wisdom was a gift from Hashem, that he merited due to his virtue. A *siyum* is to publicize that the merit of one's toil is rewarded, but the knowledge comes from Hashem. After toiling in the Torah of Hashem, He gives the *mesayem* Torah as a gift. (*See Avoda Zara 19a*).

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