

HALOCHOSCOPE

TOI

השמיטה
וכי כרם
כל הפרשה
שכן ליל ע
וילוף ליו
השמיטה

Can one make a *Siyum* on a section of Talmud if he never actually verbalized any of the material? He only listened to it. He might have never even looked into the Sefer, but had heard someone else say the words. What if he only heard the words electronically?

The issues:

(A) The *Siyum*

(B) Torah study by *Hirhur*, thinking

(A) The *Siyum*

The main source for *Siyum* is a Talmud passage in which a Rosh Yeshiva declared that if he heard of a student having completed a Maseches, section of talmud, he would announce a holiday for the entire Yeshiva. The implications are that it may be held after the completion, and not necessarily right away. Evidently, the celebration is not private but includes all Jews. Apparently, the entire day would be dedicated to rejoice. It could be designated ahead of time, and the meal is like a Yomtov *Seuda*. Another source is that when Shlomo Hamelech was awarded the gift of wisdom he celebrated with his servants. This was not a written tractate. Others were again included, and he celebrated after the fact. This is the source for celebrating *Simchas Torah* annually. Some say that the completion of any Mitzvah calls for a *Siyum*.

The *Siyum*, is on the specific acquisition of Torah wisdom. The celebration is thanksgiving for the gift, and celebrating the effort and accomplishment. While effort is ongoing, the gift is complete only after the milestone is reached. An entire section is considered sufficient cause for celebration. The Rabbis, in dividing the Talmud into tractates, determined what is considered an entire self-contained portion of acquisition of wisdom. This betters the entire world, and those who associate with the scholar, and especially those present when he completes it are part of the celebration. To fully demonstrate what it does for the world, the celebration is made at a public gathering. The Poskim say that a Yeshiva would begin a new semester with a *Siyum* for the entire town on the completion of the Maseches studied last term. In the Talmud we learn that the party was in the presence of the entire Yeshiva.

The procedure of making a *Siyum* involves studying the final passage of the

section to be completed. A series of *Tefilos* known as the *Hadran* ("we will return") is recited. If ten adult males are present a special *Kadish Derabanan*, a combination of praise for Hashem and prayer for the scholars, is said. Then a festive meal is eaten. There is a question on whether to begin eating before the ceremony, and to make it during the meal, or to make the ceremony first, as is done for weddings and the like. This Seuda has the status of *Seudas Mitzvah*, a meal eaten as a Mitzvah celebration, rather than *Seudas Mereim* or *Reshus*, a mundane party. This puts it in the category of a Yomtov or Shabbos meal, or that eaten for a wedding or a *Bris Milah* celebration. This permits its being eaten even if one might have reason to fast, or eating meat for it when this is normally restricted. Though any Seuda for thanksgiving to Hashem should be a Mitzvah, we do require a source for this. Our sources are considered sufficient.

The archetype of a Siyum is *Simchas Torah*, celebrating the finishing of the entire *Chumash*. The Poskim discuss similar celebrations on the completion of sections of Tanach. These are definitely total portions, thus determined through *Ruach Hakodesh*, divine inspiration. Completion of the Talmud is another cause for celebration. It is the other Torah, the oral law. A *Maseches* is a section devoted to the laws of one area. In Talmudic times this had been separated into the tractates of *Mishna*. Presumably, completion by a scholar involved in depth study, constituting the oral completion of what we study in the written authorized Talmudic texts. Any clear juncture should be sufficient cause for celebration, but this would lead to questions, and it is better to use an obvious juncture for this. Some discuss making a Siyum on completing a *Sefer* (writing or studying).

As mentioned, the old practice was to invite the townspeople for the Siyum at the onset of the *Zman*, term. They then stayed for two weeks to study the new portion with the Yeshiva before going back to work (*Yarchei Kalah*). They were thus there for the beginning and the end. The purpose of their involvement could have been for *Kavod Hatorah*, honor of the Torah. Or it could be due to their share in the study. They were the source of its support. Or it might be simply to involve others in the celebration. [See Shabbos 118b-119a, Moed Katan 9a, Medrash Shir Hashirim 1:9, poskim. Shulchan Aruch Yoreh Deah 246:26, commentaries. A full list of references in HalochoScope Volume IV:11.]

(B) Hirhur and Torah study

Thus far, we have shown that the theme of a Siyum is to celebrate completion of a Mitzvah or of a milestone in achieving wisdom. It is possible to combine the two. Normally, Siyum is only associated with Torah study. Thus, it seems that the milestone represents a completion of sorts of the Mitzvah of Torah study. In reality, Torah study is the typical example of a Mitzvah that has no end. It is not

defined in terms of quantity or of time spent. The minimum is to study at least one portion by day and one portion by night every day. This can be satisfied by reading *Shema*, if one has no time to devote to its study properly. The maximum is to devote all day and all night to it. One is really obliged to devote all his time to it. However, due to other needs, not to mention the other obligations and Mitzvos, one must take time out for from this study. If one did not interrupt his study from one day to the next with a nap, he does not recite a new Brocha. Thus, we see that one can not quantify the Mitzvah. Yet there is no denying that one can separate the portions of study. One can also claim to have reached a milestone in his study, since its purpose is to attain knowledge.

In addition, to make a Siyum on a section of knowledge or wisdom, one must be able to point to the act that brought on this accomplishment. It would appear to be the act of study. Accordingly, to make the Siyum it would seem that the act of Torah study must have been fulfilled in the right way.

The ideal form of Torah study may be learned from the format of the Mitzvah. The wording used by the Torah to command this Mitzvah is to teach it to one's children. Another term used is *Vedibarta Bam*, you shall speak about them, the Mitzvos. To teach, one must inevitably speak. Thus to study, one must communicate verbally. However, we may argue that this does not mean that both parties in the communication need to speak. One may speak while the other listens. The written Torah is studied by reading. However, to properly fulfill it, the Talmud says that one should verbalize the words.

In fact the Talmud requires one to verbalize all words of Torah as one studies. This, though apparently only good advice as a memory aid, is Halachically significant with regard to the Mitzvah as well. One is in fact obliged to prevent forgetfulness and thus to verbalize his studies. Besides, as with any Mitzvah, one should not commence Torah study in the morning before reciting *Birchas Hatorah*. What is considered commencing study? The Poskim discuss *Hirhur*, thinking, and writing words of Torah. The Talmud does discuss whether *Hirhur* is like saying something. This is important in the case of being permitted to say Brochos under certain conditions. Would one be permitted to think them, and if so, would the thinking be any good? If thinking is not at all the same as speaking, it would be permitted, but would gain nothing. The Talmud cites two opinions on this, each reconciling the problem facing it. It is forbidden to think of Torah in a bathroom, just as it is forbidden to say holy words. Similarly, if one had no choice, due to the lack of cleanliness though the place was not a proper bathroom, he fulfills his obligation for *Shema* by thinking it. On the other hand, one who is unclad can not discharge his obligation to recite a Brocha by listening

to another person's Brocha. Thus, *Shomei'a Ke'oneh*, hearing constituting repeating, apparently has some validity as speech.

Normally, the issue would be explained in terms of the lack of an activity on which to pin the act of Mitzvah. Accordingly, while writing is an action, thinking is not an action. However, two problems arise with regard to this. One does recite a Brocha on counting of the *Omer*. Though this is speech, the object of the Mitzvah is the counting, which is primarily thought. Second, the Poskim relate the problem more directly to the idea of verbalizing the words. Thus, they ask, if Hirhur is unlike Dibur it is implied that one must speak. Why, then is writing enough? Many approaches are offered, including the idea that writing is, after all, a viable method to teach. Since the reason that Dibur is required is to fulfill the exact format of the Mitzvah, teaching through communication, one fulfills this through his written word as well. [One could argue that through Hirhur he can teach himself.] Nonetheless, the Poskim say that rather than accept the distinctions, when writing Torah one should also verbalize some of the words, in order to relate his Brocha to his learning. Presumably, listening, though clearly included in the normal course of Torah study, (some point out, study is Hashem talking to us through His prophets) would have the same ruling. Nonetheless, it is better than thinking alone. [See Brochos 20b-21b, Shabbos 150b Eruvin 54a, Poskim. Tur, Sh. Ar. O.C. 47:2-3, 62:4, 84, 88, Y.D. 1:10, commentaries.]

From this it would appear that if the Siyum is on a Mitzvah of Torah study, one could only make the Siyum if he studied the material verbally. However, in our case there is a verbal participant. The person teaching needs someone to hear him. This would appear to be acceptable as a form of study. In addition, it would appear that one could consider the study in our case on the level of *Shomei'a Ke'oneh*. Furthermore, on the subject of sound aiding memory, the sound of the words heard from the teacher should be enough for this.

All of these arguments apply equally to hearing the words electronically. While it might not be sufficient to require a Brocha, it would be considered study. Accordingly, one may make a Siyum on completing a portion of study that he heard while traveling, from a tape. The end result is still an acquisition of wisdom of the Torah. It could well be considered study to satisfy the requirement of a Mitzvah activity, and one could celebrate.

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