

HALOCHOSCOPE

This week's question:

When *Erev Pesach* falls on *Shabbos*, most poskim rule that the fast of firstborn is pushed back to the preceding Thursday. If a *bechor* missed the *siyum* on Thursday, may he opt to eat on Thursday and either fast or make a *siyum* on Friday? If one ate before the *siyum* on Thursday, may he still rely on the *siyum* to avoid fasting the rest of the day?

The issues:

- A) *Taanis bechorim*
 - B) The *siyum*
 - C) Fasting on *Erev Shabbos*
 - D) If the fast is *nidcheh*, pushed off; *Tashlumin*, making up on another day.
- A) *Taanis and siyum 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.

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 section D). [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. Halochose IV:11.]

B) What is a Siyum?

The source for a *siyum* celebration is *yom korban aitzim*, a holiday celebrated annually when wood for the offerings was donated. On this day fasting is restricted.

A second source is the feast that Shlomo Hamelech made when informed that he would be granted wisdom. This gift completed his Torah. This is cited as the basis for *Simchas Torah*, when the cycle of weekly *Parshiyos* is completed. It is also 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*.

"*Chazak*" means: "Do not rest on your laurels. Move on with more strength." The Torah has a beginning and end, but is qualitatively infinite, cyclical and circular. A *siyum* completes a review. '*Hadran*' means: 'We will return to ...' or 'we have [now] returned to ...'. The term '*masechess*' has a weaving loom connotation; continuity without necessarily coming to an end. When completing it for the first time one really is finishing his first review. In the womb, the unborn child studies the entire Torah for the first time. An angel causes him to forget it at birth, and for his entire life he remembers it by reviewing.

A third source is a Talmudic dictum that Abaye would call for a *Yomtov* for the Rabbin when a young Rabbi would complete a tractate of Talmud study, so others feel his joy. This source refers to completing a *masechess*, and is the main source for the *siyum*.

A fourth source discusses the obligation of a student to attend the *siyum*.

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. One family had a *yom korban aitzim* on the 10th 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 10th 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* is fine, 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 Shabbos 119a Psachim 50a Taanis 12a 26a Baba Basra 22a 121b Nidah 30a, Poskim, Hagahos Ashri, end Sukah. Shir Hashirim Rabah 1:9. Rambam, Klei Hamikdash 6:9-10. Yam Shel Shlomo B.K. 7:36. Chavos Yair 70. Tur Sh Ar OC 551:10 559:9 669 (Rema) YD 246:(Biur Hagra 76) commentaries. Taamei Haminhagim 337-8 729, Likutim 92.]

C) Fasting on Erev Shabbos

On *Shabbos* we have a *mitzvah* of *oneg*, general enjoyment, which includes eating. *Taanis (inuy)*, self-affliction, forbids eating. They are mutually exclusive; *oneg Shabbos* takes precedence. On *Shabbos* or *Yomtov*, waiting past midday to eat is like *taanis shaos*, a partial fast. Since one should not experience *inuy* at any time on *Shabbos*, he should not undertake a personal fast on Friday. The Talmud discusses if one fasting on Friday should fast until nightfall or must eat a little before *Shabbos* to avoid *inuy* at the onset of *Shabbos*. The apparent conclusion is to finish the fast, but there are other interpretations. The prevailing practice is to complete communal fasts and to break personal fasts.

Yom Kippur is the 10th of *Tishrei* even if it is *Shabbos*. Other fasts are rescheduled. If *Tisha b'Av*, the 17th of *Tamuz* and *Tzom Gedalla* fall on *Shabbos*, they are pushed off to Sunday. We do not advance a day commemorating divine punishment. If the 13th of *Adar* falls on *Shabbos*, *Taanis Ester* is pushed back to Thursday. The 10th of *Teves* can fall on Friday and is observed. The prevailing practice is to finish the fast after *Shabbos* begins. [See Shabbos 117b 119 Eruvin 40b-41b Beitza e.g. 14B etc. Taanis 12b 14a 15b 19a Yerushalmi 3:8 11, Poskim. Abudarham Shabbos (end Keser) Taaniyos. Tur Sh Ar OC 242 249 271:4 288 550:3 568 (MA 10) 580 (Shaarei Teshuva 9) 688:5, commentaries.]

D) Taanis nidcheh; tashlumin

When *Tisha b'Av* is *nidcheh* to Sunday the 10th of *Av*, a father and *mohel* eat the *seuda* by day. Other guests wait until night. When *Taanis Ester* is *nidcheh* to Thursday the 12th of *Adar*; the poskim debate what guests do. In one view, all guests may eat by day, but must fast the next day, *Erev Shabbos*. The fast could have been pushed to Friday. It is only pushed further to Thursday so one is not famished when *Shabbos* comes in. The other view maintains that once the fast is *nidcheh* to Thursday, it can only be observed on that day. Guests must fast, and eat the *seuda* by night. Its being *nidcheh* helps the *baalei simcha* but not the guests. *Tisha b'Av nidcheh* is also more lenient for women who recently gave birth. The fact that this is not the original day mitigates it.

Erev Pesach can fall on *Shabbos*. In one view, *bechorim* do not fast at all. Some say

this is considered an individual fast for every *bechor*, which may not be undertaken on Friday. Or it is a *minhag* to begin with, so it is canceled in these circumstances. Others maintain that *bechorim* fast on Thursday the 12th of *Nissan*. Nonetheless, in the case of *Taanis Bechorim*, the poskim apply a leniency for a father non-*bechor* fasting for his *bechor* son. Some say that he need not fast if the *taanis* is *nidcheh*.

The poskim discuss guests at a *seudas mitzvah* on *Taanis Bechorim* pushed to Thursday. They may break their fast as usual, but do they need to fast on Friday according to the view that it is not considered so fixed? The ruling is that they need not do so because this fast is a *minhag* and is lenient. What if one missed the *siyum*? May he eat on this day, start the fast the next day, then break it with a *siyum* of his own? Conversely, if a *bechor* ate before the *siyum*, has he lost that fast? Will the *siyum* be of no use? Does he need to fast on Friday? These questions seem to depend on how fixed the *nidcheh* is.

A personal fast undertaken for an unspecified day can be traded for another day. If it was specific, the poskim debate whether one may trade it. One who ate on a regular fast day must complete the fast. The obligation is to fast all day. If it was a personal non-specific fast, he has lost that fast day. He must fast a different day. The poskim debate whether he may eat the rest of the day. Some maintain he must finish the fast, but also fast an additional day. According to some, based on the view that a specific day can be traded, he should trade it. To satisfy the view not to trade it, he must also complete the fast. Others say this applies when the fast was undertaken by declaring he will fast 'tomorrow'. If he undertook to fast a specific day in the future, he need not make it up. The poskim suggest *baalei simcha* may eat at the *seudas bris milah*, but should trade it for a fast on another day. [This follows the view that one should not rely on *seudas mitzvah* to dodge *Taanis Bechorim*.] This view seems to hold that this type of fast may be traded.

In our case, a *bechor* ate before his *siyum*. As a communal fast, he need not make it up. As a personal for a specific day, it would depend on the views mentioned. Since this fast is *nidcheh*, some say it is canceled, some say it is a communal fast, some say that a specific day cannot be traded, and the complications with fasting on Friday, it would seem that he should either finish the fast or rely on the *siyum* and eat there. The *bechor* who missed the *siyum* should either fast or find a different *siyum*. The poskim say that if one feels very weak, certain types of fast may be redeemed by paying to *tzedakah*. Thus, some say that a *bechor* who feels weak may redeem the fast with *tzedakah*. Some say that one who started the *minhag* of *Taanis Bechorim* may stop without annulment of his vow. [See Refs to section A to C. Tur Sh Ar OC 470:2 (Dirshu 8) 550:3 (MB12) 552:11 554:MB14 559:9 568:1-2 686:2, commentaries. Maadanei Shmuel 113:18 20.]

In conclusion, they should not push it off to Friday. The *bechor* who ate should finish the fast or join a *siyum*. The *bechor* who missed the *siyum* should finish the fast or find a different *siyum*.

הג כשר ושמן

Sponsored by Barry and Amy Cohen in memory of Amy's mother Lillian Dardik Stickney, Ahuva Lieba

Tzivia bas Aryeh Leib a"h, whose *yahrzeit* is the 19th of *Nissan*. ׀

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