



The Mitzvah of Simchat Yom Tov

The Torah (Devarim 16:14) states "*v'samachta b'chagecha*," one must rejoice on the festivals. This is known as the mitzvah of *simchat Yom Tov*. What is the requirement of *simchat Yom Tov*? The Gemara, *Pesachim* 109a, states that in the times of the *Beit HaMikdash* one can only fulfill the mitzvah by eating the meat of the *korban shelamim*. Nowadays, when there is no *Beit HaMikdash*, men fulfill the mitzvah by drinking wine, and women fulfill the mitzvah by wearing nice clothing.

If in the times of the *Beit HaMikdash*, one can only fulfill the mitzvah by eating meat from the *korban shelamim*, what allows one to fulfill the mitzvah nowadays through other means? Tosafot, *Moed Katan* 14b s.v. Aseh, write that the biblical mitzvah of *simchat Yom Tov* can only be fulfilled with the *korban shelamim*. Fulfillment of the mitzvah with wine and clothing is only rabbinic in nature.

However, Rambam, *Hilchot Yom Tov* 6:17-18, implies that even nowadays there is a biblical mitzvah of *simchat Yom Tov*. If so, how is it possible to fulfill the mitzvah without eating the *korban shelamim*? R. Chaim Soloveitchik (cited in *Emek Beracha* pg. 108) explains that there are two aspects to the mitzvah of *simchat Yom Tov*. The first aspect is an objective form of *simchat Yom Tov* that one can only fulfill by eating the meat of the *korban shelamim*. The second aspect is a subjective form of the mitzvah that one can fulfill by partaking of things that bring happiness to oneself. In the times of the *Beit HaMikdash*, both aspects of the mitzvah were in place. However, nowadays, when it is no longer possible to eat the meat of the *korban shelamim*, only the subjective aspect of the mitzvah exists.

Rambam's opinion

Based on R. Chaim's analysis, the mitzvah of *simchat Yom Tov* can be fulfilled with anything that brings one happiness. Ostensibly, even wine is not a requirement if wine does not bring one happiness. Nevertheless, Rambam, *Hilchot Yom Tov* 6:18, writes that in order to fulfill the mitzvah of *simchat Yom Tov*, one must eat meat and drink wine. This ruling is noteworthy for two reasons. First, Rambam does not assume the mitzvah of *simchat Yom Tov* to be subjective. He gives clear guidelines as to what may be used to fulfill the mitzvah. Second, the requirement to eat meat is only mentioned by the Gemara in the context of eating the meat of the *korban shelamim*. There is no source in the Gemara indicating that there is an element of *simcha* in eating unconsecrated meat (*b'sar chullin*).

For this reason, R. Aryeh L. Ginzburg, *Teshuvot Sha'agat Aryeh* no. 65, writes that Rambam is indeed of the opinion that the mitzvah of *simchat Yom Tov* is subjective and one can fulfill the mitzvah with whatever brings happiness to oneself. Rambam's

mention of meat and wine is only because meat and wine are the default methods of achieving happiness. If someone achieves happiness through some other means, he can certainly use those means instead.

However, R. Shlomo Luria, Yam Shel Shlomo, Beitzah 2:5, asserts that Rambam's opinion is to be taken literally, and meat is essential to the mitzvah of simchat Yom Tov. In the times of the Beit HaMikdash, one was able to fulfill the mitzvah simply by eating the meat of the korban shelamim. Nowadays, when there is no possibility of eating the korban shelamim, one must still eat meat, but complement the simchat Yom Tov by drinking wine as well.

R. Yosef Karo, Beit Yosef, *Orach Chaim* 529, disagrees with the opinion of Rambam, and maintains that there is no obligation to eat meat in order to fulfill the mitzvah of *simchat Yom Tov*. He codifies his opinion in *Shulchan Aruch, Orach Chaim* 529:1. *Magen Avraham* 529:3, adds that there is a mitzvah to eat meat on Yom Tov. However, *Magen Avraham* seems to contradict himself as he comments elsewhere (696:15) that there is no obligation to eat meat on Yom Tov. *Darkei Teshuva* 89:19, resolves the apparent discrepancy by positing that *Magen Avraham's* opinion is that meat is not obligatory. Nevertheless, there is an optional mitzvah to eat meat.

The Frequency of the Mitzvah of Simchat Yom Tov

Does the mitzvah of *simchat Yom Tov* apply at every Yom Tov meal, once a day, or once the entire Yom Tov? *Shulchan Aruch*, op.cit., writes that one should drink wine at every Yom Tov meal. The implication is that the mitzvah of *simchat Yom Tov* applies at every Yom Tov meal. This also seems to be the opinion of *Darkei Teshuva*, ibid, who questions the *minhag* to eat dairy products on Shavuot based on the mitzvah to eat meat as part of simchat Yom Tov. If the mitzvah of simchat Yom Tov did not apply to every meal, there would be room to eat meat at one meal, and dairy at another.

Rav Moshe Feinstein, Igrot Moshe, Orach Chaim 3:68, notes that the mitzvah of eating meat is patterned after the obligation to eat the korban shelamim. Just as the obligation of eating the meat of the *korban shelamim* applies once a day, for every day of the holiday (including *Chol HaMoed*), so too does the mitzvah to eat unconsecrated meat apply once a day, every day. [See R. Hershel Schachter, *B'Tkvei HaTzon* 15:11, who distinguishes between Pesach and Sukkot. On Sukkot a different *korban musaf* is brought every day, and therefore every day is considered to have an independent sanctity. Therefore there is a new obligation of *simchat Yom Tov* every day. However, on Pesach, where there is no independent sanctity to each day, one can fulfill the mitzvah of *simchat Yom Tov* on the first day, and this would suffice for the entire Pesach.] R. Moshe Shternbuch, *Mo'adim U'Zemanim* 1:29, argues that there is no set frequency for the mitzvah of *simchat Yom Tov*. There is a constant obligation to be in a state of *simcha*. One uses certain mediums to achieve that state, and when the effect of those mediums wear off, one must replenish the state of *simcha* through those mediums.

Simchat Yom Tov on the First Night of Yom Tov

Assuming that the mitzvah of *simchat Yom Tov* applies to every Yom Tov meal, there may still be an exception. The Gemara, *Sukkah* 48b, quotes a *Beraita* that there is

no mitzvah of *simchat Yom Tov* on the first night of Yom Tov. Does this exemption apply only to the mitzvah to eat the *korban shelamim* or does it apply to all forms of *simchat Yom Tov*? R. Chaim Soloveitchik, op cit., opines that this exemption is limited to the mitzvah to eat the *korban shelamim*. The subjective element of the mitzvah of *simchat Yom Tov* applies even on the first night of Yom Tov. However, *Teshuvot Sha'agat Aryeh* no. 68, concludes that there is no biblical mitzvah of *simchat Yom Tov* on the first night of Yom Tov. There is however, a rabbinical obligation of *simchat Yom Tov* on the first night of Yom Tov. *Mishna Berurah*, *Sha'ar HaTziun* 546:15, relies on the opinion of *Sha'agat Aryeh* in permitting a marriage to take place immediately prior to Yom Tov and the wedding meal taking place on Yom Tov. Were there to be a biblical obligation of *simchat Yom Tov* on the first night of Yom Tov, holding a wedding meal that night would be a violation of *ain me'arvin simcha b'simcha*, the prohibition of combining two festive occasions. However, since the *simcha* on the first night is only rabbinic in nature, there are grounds to permit the wedding meal to take place that night. Accordingly, there are more grounds to permit omission of meat on the first night of Yom Tov than the rest of the Yom Tov meals.

Eating Dairy Products on Shavuot

Many families have a custom to eat dairy products on Shavuot. As noted above, *Darkei Teshuva* questions this *minhag* based on the obligation to eat meat on Yom Tov. *Darkei Teshuva*'s assertion is based on a number of assumptions. First, nowadays one can only fulfill the mitzvah of *simchat Yom Tov* by eating meat. Second, the mitzvah to eat meat is obligatory. Third, the mitzvah of *simchat Yom Tov* applies to every Yom Tov meal. Fourth, there is an obligation to eat meat on the first night of Yom Tov, and therefore, eating dairy products the first night is not an option. Those who eat dairy products on Shavuot reject one (or more) of his four assumptions. [The source for the *minhag* to eat dairy products will be discussed in next week's issue.]

It should be noted that Rambam *Hilchot Yom Tov* 6:16, and *Shulchan Aruch* op. cit., write that independent of the mitzvah of *simchat Yom Tov*, there is an obligation to honor Yom Tov the same way one honors Shabbat. Therefore, regardless of whether meat is served at the Yom Tov meal, the meal should be held to the same standards as that of a Shabbat meal.

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