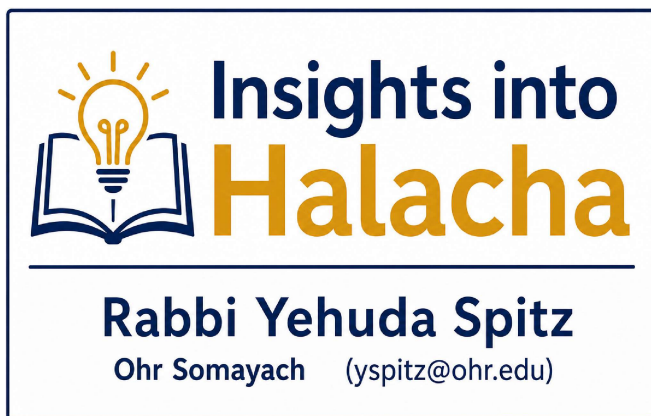




The Rosh HaShana Meat Mystery

There is a well-known halacha that one is not allowed to fast on Rosh HaShana barring certain specific circumstances. Although it is a Day of Judgment, and there are opinions of the Gaonim that do permit one to fast, nevertheless the halacha is that Rosh HaShana is also a festive Yom Tov and we must honor it properly. In fact, the Yerushalmi mentions that we must eat, drink, and be m'samayach on Rosh HaShana. This includes partaking of fine delicacies, as it is written in Sefer Nechemya regarding Rosh HaShana, that everyone should "Eat fatty foods and drink sweet drinks... for this day is holy."

Interestingly, there are various customs related to the permissibility of partaking of meat on Rosh HaShana, although it is considered to be the most distinguished of foods, and therefore seemingly the most appropriate delicacy with which to honor the holiday.

Many readers are probably puzzled by the last paragraph, and might exclaim after rereading it: "What? How is that possible? Everyone eats meat on Rosh HaShana. In fact it is even widely used as one of the Simanim.

Simana Milsa

The Gemara recounts that Abaye exhorted us to eat certain specific foods on Rosh HaShana as symbolic omens for the upcoming year. This practice is even codified as halacha in the Shulchan Aruch.

According to the famed Maharal MiPrague and later the Chayei Adam, and based on the Ramban, the purpose of performing these Simanim is that a physical action, small as it may be, serves as a conduit to actualize and channel a Divine decree.

And one of the foods that is commonly eaten as one of these Simanim is ROSH KEVES, the head of a ram, which by definition is definitely a type of meat. So why would anyone not partake of meat on Rosh HaShana? Furthermore, how can something meant to properly usher in the New Year possibly be prohibited?

Where's the Beef?

The answer to these questions lie in an interesting minhag found in a somewhat obscure sefer titled MAGID MEISHARIM, that is cited by several authorities, including the

Magen Avraham and Elyah Rabba, not to eat meat or drink wine on Rosh HaShana. While that alone does not seem too noteworthy, as everyone can simply say “to each his own; he’ll follow his custom and I will follow mine”, in this case, however, it is the author of the sefer that demands our attention.

The author of the Magid Meisharim is none other than the great Rav Yosef Karo, codifier extraordinaire and author of our authoritative Code of Law, the Shulchan Aruch. Moreover, this particular sefer is a compilation of the halachot that he personally learned from a MALACH from SHAMAYIM; in other words, from an angel. This means, that according to the Heavenly spheres, it seems that we should actually refrain from eating meat on Rosh HaShana.

But if so, how do we reconcile the directive of Ezra HaSofer cited in the aforementioned Sefer Nechemya about “eating fatty foods”? This surely refers to eating meat. Furthermore, there are several Mishnayot referencing that one should eat meat on Rosh HaShana. Additionally, as mentioned previously, the Shulchan Aruch himself cites the minhag to eat a Rosh Keves (a lamb’s head) on Rosh HaShana night as a Siman. What is the proper ruling?

The Meat of the Matter

There seem to be several different views on how to resolve this glaring contradiction. One answer is that the Magid was only referring to refraining from eating meat on Rosh HaShana day. Conversely, on Rosh HaShana night, when most people perform the Y'HI RATZONS, the positive omens beneficial for starting the year off on the right foot, meat is indeed permitted. Accordingly, one may still have his lamb’s head (as one of the simanim) and eat it too.

Another possible solution is that the Magid’s proscription was only meant for certain specific individuals who attained a high degree of spirituality (Y'chidei S'gula), and was never meant for the general populace, who may certainly partake of a fleishig seuda on Rosh HaShana.

Heaven on Earth?

However, the most widely accepted resolution is similar to that found in Gemara Bava Metzia 59b - in an analogous debate regarding the great Rabbi Eliezer who brought proof for his minority opinion by performing open miracles. The Gemara concludes that nevertheless, “Torah LO VASHA-MAYIM HI, meaning we do not base our halachic decisions on how the relevant issue is viewed in the Heavenly realms.

Likewise, regarding our pertinent discussion, many authorities categorically reject this prohibitive view with nary a mention of it, and allow eating meat on Rosh HaShana. Several even aver that it is an outright obligation to do so, in order to properly observe Rosh HaShana. Several authorities point out that had the Shulchan Aruch meant for his Magid's words to be authoritative p'sak, he would have codified the Magid's rulings as part of his Shulchan Aruch and not in a separate sefer.

Eating meat on Rosh HaShana has since become the common minhag, as Rav Nitronai Gaon, as well as many Rishonim including Rashi, Rabbeinu Gershon, the Meiri, Rav Yehuda HaChasid, and Rabbeinu Efrayim, and the vast majority of Acharonim from across the Jewish spectrum, including the Rama, Levush, Noda Bihuda, Yaavetz, Chayei Adam, Shulchan Aruch Harav, Matei Efrayim, Ben Ish Chai, Kitzur Shulchan Aruch, Aruch HaShulchan, and Kaf HaChaim, all write that the proper minhag is that one should eat BASAR SHAMEIN on Rosh HaShana. This is also explicitly cited as the normative minhag by several contemporary Sefardic poskim, including Rav Ovadiah Yosef zt"l, Rav Yaakov Hillel, and Rav Yitzchak Yosef. The Kaf HaChayim actually concludes that even Y'CHIDEI S'GULA do not have to follow the Magid's words, and

accordingly should eat meat on Rosh HaShana.

In the final analysis, we mere mortals, apparently unlike angels, can and should properly celebrate the holiday of Rosh HaShana in style, giving it the honor it deserves, including by eating fleishig delicacies LICHVOD YOM TOV. However, it is important to note that many poskim caution that even so, it is proper not to incite our internal desires by overindulging ourselves on Rosh HaShana. Therefore, it would be prudent for us to remember before enjoying our Yom Tov roasts, that the essence of the day is not about gastronomical delight, but rather our AVODA of crowning Hashem as our King.

Postscript: Many later authorities, including the Chacham Tzvi, Rav Chaim Volozhiner, and the Chazon Ish, among others, share an interesting and different viewpoint regarding the Shulchan Aruch's Magid. This author has also heard this view averred b'sheim the noted mekubal Rav Yaakov Hillel.

They understand that a Magid does not actually rule with Heavenly authority; rather it uses the individual's own merit and ko'ach to present rulings. Meaning, although Rav Karo cites p'sakim from the Magid, it is essentially utilizing his own personal hidden strengths to bring out these rulings. Therefore, concludes Rav

Chaim Volozhiner, that in this instance it must be that notwithstanding his incredible greatness, Rav Karo must have somehow and inexplicably personally made a mistake, and the outcome of that resulted in a potentially erroneous conclusion being 'taught by the Magid'.

In a similar vein, the Minchat Elazar wrote that in his estimation, the Magid Meisharim's teachings and p'sakim, although of Divine origin, were only meant for Rav Karo himself and not necessarily the general populace. Either way, and whichever understanding, in this instance it is quite understandable why the common minhag is to partake of meat LICHVOD ROSH HASHANA, and not necessarily following the assertion of the "Magid".

Much of this article is based on Rabbi Eliezer Brodt's fascinating Likutei Eliezer (Ch. 4, pg. 90-118).

See website for all the footnotes and sources.

Rabbi Spitz's footnotes are very extensive. The ones I decide to include are few among the many and often abridged. If you want more than this PhiloTorah column provides, click on the website, find the topic and do some more reading.

For any questions, comments or for the full Mareh Mekomot / sources, please email the author: yspitz@ohr.edu

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ohr.edu/this_week/insights_into_halacha/

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

Rabbi Yehuda Spitz's English halacha sefer, "Food: A Halachic Analysis" (Mosaica/ Feldheim) containing over 500 pages featuring over 30 comprehensive chapters discussing the myriad halachic issues pertaining to food, is now available online and in bookstores everywhere.