

# Parsha Ponders

Vayeitzei and Pidyon HaBen | December 5, 2019 | 8 Kislev 5780

## *The joy of redemption*<sup>1</sup>

מלא שבע זאת ונתנה לך גם-את-זאת גו'

Complete this week, and she will be given to you [in marriage] as well...<sup>2</sup>

The *Mishnah* teaches us<sup>3</sup> that it is forbidden to get married on Yom Tov, as well as the intermediary days of Yom Tov. The reason given is that it is a *simcha*, a joyous event. Why is that a reason to forbid it on Yom Tov?

The *gemarra* gives various explanations. One explanation is *ein mearvin simcha besimcha*, it is forbidden to mix two joyous occasions. Sounds like any joyous occasion shouldn't be mixed with another. What's the source for such a concept? The *gemarra* derives<sup>4</sup> it from King Shlomo, who completed the building of the Temple seven days before the festival of Sukkos. He made a nationwide seven-day festival in honor of the event, and then the nation celebrated the seven days of Sukkos. The verse<sup>5</sup> stresses that he made a seven-day festival, and only then there was the seven days of Sukkos. This seemingly superfluous information teaches us that it would have been forbidden to combine the two events.

Another source is brought<sup>6</sup> from this week's *parsha*. After Yaakov was tricked into marrying Leah, his father-in-law Lavan told him to wait after the week of celebrations before marrying Rochel. Only then would he be allowed to marry the women whom he originally intended to marry. We see from this that it was understood not to mix two celebrations.

Does *pidyon haben* have the issue of *ein mearvin simcha besimcha*, at least when it comes to performing it on Yom Tov? Tosafos are unsure<sup>7</sup> about the matter. What would be the *simcha* associated with a *pidyon haben*? One suggestion could be simply the *simcha* of fulfilling this *mitzvah*. It's not as common a *mitzvah* as others. It's only once in a father's life. Their wife's firstborn needs to be a son. Neither of them can be *kohanim*, *leviim*, or be children of *kohanim* or *leviim*. Perhaps the joy is fulfilling this rarer *mitzvah*. Indeed, this is the reason why there's an accompanying blessing of *shecheyanu*, which is recited when performing *mitzvos* of *simcha*<sup>8</sup>.

While this may be true, it would appear that some<sup>9</sup> prohibit getting married on Yom Tov only if there's the traditional festive meal. It would seem that the same should apply to a *pidyon haben*. While the

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<sup>1</sup> Based on my own research

<sup>2</sup> [Genesis 29:27](#)

<sup>3</sup> [Moed Katan 8b](#)

<sup>4</sup> [Moed Katan 9a](#); [Yerushalmi Moed Katan 1:7](#)

<sup>5</sup> [I Kings 8:65](#)

<sup>6</sup> [Yerushalmi Moed Katan loc. cit.](#), brought by [Tosafos](#) to [Moed Katan 8b](#) s.v. לפי שאין

<sup>7</sup> *Ad. loc.* s.v. מפני ביטול

<sup>8</sup> [Tosafos to Sukkah 46a](#) s.v. העושה; [Sefer Rokeach § 371](#); [Abudraham Sha'ar Shlishi](#). [Abudraham](#) says the *simcha* for this שהיינו is that the child survived to thirty days, proving to not be a stillborn. [Ba'al HaMeor](#) to [Pesachim 28a](#) s.v. ובספירת say this is why we say שהיינו but doesn't mention the *simcha* aspect. [Rokeach](#), [Piskei Rosh](#) [Bechoros 8:8](#), and [Tosafos HaRosh](#) to [Sukkah 46a](#) just say this is why we say שהיינו at a *pidyon haben* and not at a *bris milah*, as then the child still hadn't survived thirty days

<sup>9</sup> [Tosafos](#) to [Kesubos 47a](#) s.v. לה דמסר לה say that while getting married has intrinsic *simcha*, it's not enough to prohibit getting married on Yom Tov. **Only with a festive meal is it forbidden.** [Chochmas Shlomo ad. loc.](#) asks on this from [Moed Katan 18b](#) which prohibits *nisuin*, marriage on Yom Tov, as well as a *seudas eirusin*, a betrothal meal. This would imply that the *nisuin* mentioned is without a meal, and nevertheless it is prohibited on Yom Tov.

*mitzvah* could have inherent joy, the *mitzvah* on its own wouldn't be forbidden on Yom Tov. Only in conjunction with a festive meal would there be a question. Indeed, Tosafos only mention uncertainty with regards to the festive meal of a *pidyon haben*. It sounds like the *pidyon haben* alone would be fine<sup>10</sup>  
<sup>11</sup>. Now would be a good time to analyze the idea of a meal at a *pidyon haben*, how exactly to define it.

Certain *mitzvos* require a festive meal to accompany it, such as a wedding. The *gemarra* doesn't list any specific requirement to have a meal at a *pidyon haben*. It is however something that has been the custom for almost two millennia<sup>12</sup>. What's the purpose of such a meal? I would have said it's to accompany the celebration of such a joyous *mitzvah*. However, many authorities<sup>13</sup> give a different explanation. They say it's to publicize the *pidyon haben*, so everyone will know that this first-born boy was redeemed<sup>14</sup>. Perhaps this was Tosafos' dilemma. If the reason for the festive meal is *simcha*, then there could be an issue of *ein mearvin simcha besimcha*. If the reason for the meal is to publicize the *pidyon haben*, then there shouldn't be any issue. Maybe Tosafos wasn't sure how to define the purpose behind the meal.

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He answers that Tosafos understood that case to be a case of *eirusin* and *nisuin* combined, which even without a meal is prohibited. However, *nisuin* alone would be fine on Yom Tov. He admits that the *poskim* don't make such a distinction between *eirusin* and *nisuin* versus *nisuin* alone, and both are forbidden. Cf. Maharsha, who rejects this solution, and suggests that Tosafos just mean that it's **biblically** forbidden with a festive meal, and **rabbinically** forbidden without a meal. Therefore, it would seem *ein mearvin simcha besimcha* always applies, even without a meal. This explanation is brought by the Sha'ar HaTizyun to Shulchan Aruch Orach Chaim 546:1 § 1. The Magen Avraham *ad. loc.* § 1 asks similarly on Tosafos, and suggests that Tosafos were saying this only according to the opinion of Rav, who says the reason it's forbidden to get married on Yom Tov is ולא באשתך, ושמחת בחגך, ולא באשתך. He suggests that this is only with a meal. He says however that we rule the reason is *ein mearvin simcha besimcha*, which applies even without a meal. See Aruch HaShulchan *ad. loc.* § 4, who gives another approach to Tosafos, and is perplexed why the above authorities struggled to resolve Tosafos, as he feels his is the simplest approach. What comes out is everyone assumes Tosafos' differentiation between having a meal or not is not practically relevant. However, see next note

<sup>10</sup> Even though the above authorities reject the plain reading of the words of Tosafos, perhaps this differentiation is still true for *mitzvos* other than getting married. Maybe the joy of getting married is so great that it doesn't require a festive meal to be prohibited on Yom Tov. However, *mitzvos* like *pidyon haben* and *bris milah* would only be forbidden with a festive meal. Otherwise, I'm at a loss for why Tosafos only mention the festive meal of a *pidyon haben* and *bris milah*

<sup>11</sup> Tosafos say that a *bris milah* and its festive meal are fine to have on Yom Tov. One reason given is the *gemarra* says there's דינוקא צערא, pain for the child (Kesubos 8a; see Be'er HaGoleh to Shulchan Aruch Yoreh Deah 265:7 § 15 who refutes those that think this is why there's שיהיינו נוקא at a *bris milah*). Although the *gemarra* does say *bris milah* is a *mitzvah* that is always done with joy (Shabbos 130a), apparently the pain of the child offsets any issues of *ein mearvin simcha besimcha*. Besides, this joy might only apply to the *mitzvah* itself, but during the meal itself all that's left is the pain of the child

<sup>12</sup> Rashi and Tosafos to Bava Kamma 80a s.v. ישוע הבן (לבי) explain the *gemarra* to be describing such a meal, attended by the third century *ammoraim* Rav, Shmuel, and Rav Asi. Sefer HaAruch § ישע concurs. The custom to have such a meal is codified by the Rema to Shulchan Aruch Yoreh Deah 304:10

<sup>13</sup> Hagahos Mordechai to Yevamos § 127. Teshuvos Maharam Shik Even HaEzer 89:2 explicitly suggests that perhaps the *pidyon haben* meal is not for *simcha* but rather for *pirsumei milah*. See also Terumas HaDeshen § 269, brought by the Shach to Shulchan Aruch Yoreh Deah 305:11 § 12, and Sha'arei Teshuvah to Shulchan Aruch Orach Chaim § 568:2 § 5

<sup>14</sup> This is also the reasoning to have ten men present at the *pidyon haben*

In any event, the final *halacha* is that it is permissible to have a *pidyon haben* with its accompanying meal on the intermediary days of Yom Tov<sup>15</sup>. The reason being that the biggest *simcha* comes from celebrating a marriage<sup>16</sup>. Therefore, *ein mearvin simcha besimcha* only applies to celebrations of equal stature. This would then permit a *pidyon haben* on Yom Tov.

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<sup>15</sup> Shulchan Aruch Orach Chaim 546:4. It's interesting that the Shulchan Aruch refers to the **meal** being permitted on Yom Tov. This could be related to what I noted in note 10. However, he's just following what Tosafos discusses, as clear from the Beis Yosef *ad. loc.*

<sup>16</sup> Tosafos's final answer. Be'ur HaGra *ad. loc.* and Mishnah Berurah *ad. loc.* § 11