Some of the great joys of learning and studying halacha and minhag are the grand vistas and big ideas that we often discover in the exploration of problematic details. As part of our Rosh ha-Shana preparation, an examination of one such detail of practice — the colorful array of foods that annually adorn our Rosh ha-Shana tables — can also inspire and equip us for a more profound yom tov experience.

Moreover, this intellectual journey can provide us with globally important skills and insights particularly relevant for 21st-century Jews, enabling us to appreciate and discern authentic, sophisticated religious experience throughout the year.

While it is somewhat curious that eating honeyed apples on Rosh ha-Shana night — a minhag mentioned some seven centuries ago by the Tur — is far more prominent among Ashkenazim than consuming leek, black-eyed peas, and the other items cited more than 1½ millennia ago by the Gemara in Massechtos Horayos 12a and Kereisos Sb, the most surprising and most troubling aspect — as we are about to discover — is that we allow any of these foods at our yom tov tables.

### I. Superstitious Se’uda?

In Parashas Shofetim, the Torah forbids many occult practices, particularly nichush:

> אל תמצאך בך כמה שמות כנון באומר נפלת קープט마다 פיתיו מפי, באומר נפלת ערב דחי מימי

Let no one be found among you who … practices nichush … Devarim 18:10

In the Sifrei (the midrash halacha on Bamidbar and Devarim), the tannaim defined “nichush” as engaging in superstitious behavior:

> אמר רב כל נחש Như הלא כאליעזר עבד אברהם

Who qualifies as a “menachesh”? [One who interprets natural happenings as signs or portents] e.g., “His bread fell from his mouth; therefore …,” “his stick fell from his hand; therefore …,” “a snake on his right, a fox on his left, a deer crossed his path; therefore …,” and one who says “Do not begin” (a new enterprise) — it is morning; it is the New Moon; it is the end of Shabbath.”

Sifrei 171 trans. adapted from Sefaria

This Sifrei is quoted in Masseches Sanhedrin 65b, and it is codified as a matter of halacha by Rambam (Avoda Zara 11:4) and Shulchan Aruch (Yore De’ah 179:3). Yet this seems to stand in direct contradiction to the Gemara mentioned above, which appears to recommend consuming particular foods as a way to magically ensure a year of beracha!

Both Meiri and Rav Yaacov of Lisa address this quandary, and both of their answers actually flow from a third, striking Gemara.

### II. Superstitious or Simply Super?

In discussing the bounds of forbidden nichush, we learn in Masseches Chullin 95b, that:

> אמר רב כל מה ש.Split

Rav said: Any nichush unlike that of Eliezer (Avraham’s servant) and of Yonasan (son of Shaul) does not qualify as nichush.
Rav points to two episodes in Tanach that serve as paradigms of nichush: Eliezer selecting a wife for Yitzchak by waiting to hear the significant phrase, “I’ll water your camels as well” (Bereishis 24), and Yonasan deciding whether or not to charge up the hill at the enemy Pelishti camp by testing whether the Pelishtim stream down the hill at Yonasan or invite him uphill (Shemuel I 14). Acting based on a sign — as did Yonasan and Eliezer — is the paradigm for forbidden nichush according to Rav.

Ba’alei ha-Tosefos are shocked: are these tzaddikim, Yonasan and Eliezer, actually models of sin? Ri ba’al ha-Tosefos answers that Yonasan and Eliezer violated two episodes in Tanach according to Rav.

I believe the solution is as follows: The Torah forbade nichush when one relies upon a siman for which there is no logical basis to presume it causes benefit or harm, such as divining based upon bread falling from one’s hand or a deer crossing one’s path. These examples are indeed superstitious. If, however, one employs simanim with a logical basis — why, then it is typical everyday living! For instance, “I shall not travel if it will rain, but I shall travel if it won’t rain” is typical practice, not nichush.

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This pair of concepts is quoted by rishonim in discussing an adjacent Gemara as well. As the sugya progresses, a baraisa teaches us that sometimes what seems like prohibited nichush is in fact permitted, a mere siman:

Rabbi Shimon ben Elazar says: “home,” “wife” and “child” are not nichush, but rather a siman.
III. Take One: Meiri

Returning to simanei Rosh ha-Shana and the question of nichush raised above, one solution is offered by Meiri:

The verse, which is the most eloquent, it is permitted for him who says…

It is forbidden to practice nichush … And whoever commits an act as a result of any one of such divinations, is lashed.

One who said: “This dwelling which I built was of good prefigurement,” “this wife whom I married has brought me a blessing to me” … Likewise, one who asks a child, “What verse are you studying?” if he mentioned to him a verse which already had come to pass, this is of good omen. All such and of the blessings, he may rejoice and say:

Many behaviors are permitted despite seeming to be nichush, for these are not surely not actual nichush but are instead a siman to inspire an individual to proper conduct. This explains why the Gemara instructed that one serve various plant foods at his table on the eve of Rosh ha-Shana, as some of these plants grow rapidly and some grow to significant height. And, in order to avoid this being done in a superstitious fashion, the rabbis instituted that we recite repentance-oriented formulae in conjunction with these foods … It is well-known that these are but inspiration, as the real crux is not these formulae, but rather repentance and good works.

Meiri Horayos 12a

According to Meiri, simanei Rosh ha-Shana are not meant to directly, intrinsically determine our gezar din (verdict) for the coming year, but are instead a tool, an instrument for inspiring us to do teshuva. It is teshuva that does impact our gezar din, and the brief tefillos that accompany the foods serve to ensure that we do not mistake the foods for anything but teshuva-catalysts. (Note as well that Meiri interprets the language of each of those tefillos as references to teshuva.) This explanation is cognate to the first criterion above, siman be-alma; according to Meiri, simanei Rosh ha-Shana are meant to be psychologically inspirational, not materially influential.

IV. Take Two: Rav Yaacov of Lisa

Rav Yaacov of Lisa suggests in his Emes le-Ya’akov that the basis for simanei Rosh ha-Shana lies in the Tanach-wide concept of po’al dimyon developed by Ramban in his Peirush al ha-Torah (Bereishis 12:6). Ramban writes that a nevua (prophecy) that is both spoken and acted out by the navi (prophet) is more potent than one that is only delivered verbally. It is for this reason that throughout Tanach, a navi may be instructed to both pronounce a given nevua and concomitantly perform a po’al dimyon, an action that portrays and mimes the content of that particular nevua.

By analogy, a tefilla that is both spoken and mimed is even more powerful than one that is only spoken. The objective of simanei Rosh ha-Shana is to serve as po’alei dimyon, enhancing and multiplying the power of the tefillos “Yehi ratzon …” which they accompany. Instead of a solely verbal request for a shana tova u-mesuka (a good and sweet year), for ribbu zechuyos (increase in merits), and for kerisas sone’ini (destruction of our enemies), we both say those tefillos and mime them by eating corresponding foods, thus equipping our Rosh ha-Shana with enhanced tefillos.

This second explanation is cognate with the second criterion above in the definition of nichush, namely ta’am ba-davar. According to Rav...
Yaakov of Lisa, *simanei Rosh ha-Shana* are permissible because while they are meant to effectively impact our year, they do so in an explainable, rational fashion — by leveraging and multiplying our verbal tefillos.

### V. Reflections

Two reflections flow from this approach of Rav Yaacov of Lisa. First, it highlights the critical importance of uttering the tefillos “Yehi ratzon ...” (To instead focus solely on consuming the array of siman foods while neglecting the tefillos is to embrace the tafel, secondary, while ignoring the ikkar, primary.)

Moreover, the Rav famously developed the notion of teki’ as shofar as a primal, wordless form of tefilla. Taken together with Rav Yaacov of Lisa’s insight, Rosh ha-Shana emerges as the tremendously consequential yom ha-din (day of judgment), which understandably requires us to employ not only routine methods of tefilla, but rather the full suite of tools in our tefilla arsenal, including both wordless and mimed forms of expression. Certainly, its more standard tefillos similarly demand singular effort and unique focus.

As we prepare to organize and energize our toolkit of tefillos — our Rosh ha-Shana panoply — to the best of our ability, may we merit *kabbalas ha-tefilos*.

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**Endnotes**

1. **Tur** (*Orach Chayim* 583). Interestingly, the Gra (*loc. cit.*) suggests that the apple recreates the episode of *birkas Yitzchak*, and that it occurred on *Rosh ha-Shana*.

2. According to Tosfos (*Avoda Zara* 5b), it is already indicated in a mishna (*Chullin* 83a).

3. Quoted by Tosfos and Ritva *ad loc.*

4. *Ad loc.* See also the commentaries on the above-referenced Rambam, particularly *Kesef Mishne* who expands upon this thesis of Rabbeinu Nissim, as well as *Hagahos Maimoniyos* who references an earlier partial source for this position in *Sefer Yere'im*.

5. nationalgeographic.com/weepingcamel/thecamels.html.

6. This *baraisa* appears as well in *Bereishis Rabbah* 85:5 in the context of Yehuda’s refusal to marry his third son Sheilah to Tamar (*Bereishis* 38:11).

7. In his comments, Ra’avad (*ad loc.*) disagrees with this reading of the passage in *Masseches Chullin*. He believes that the Gemara is concerned with the efficacy of the *siman*, not with its halachic permissibility. Ran explores Rashi’s position on this question. *Hagahos Maimoniyos* supports the position of Rambam and Tosfos; see especially the strong language in his closing sentence: “כ’est הר ארצות钮ремשתו الملשון לע פסなくな Adam לא – I have written on this at greater length in order to counter those who destructively belittle these halachic rulings [namely, the halachic distinctions accepted by Rambam and Tosfos].”


9. He is better-known for his *Nesivos* (*ha-Mishpat*) and *Chavvos Da’as*. *Emes le-Ya’akov* is a 94-page sefer on *aggados ha-Shas*.

10. Ramban sees this notion of *po’al dimyon* as lying at the core of *ma’ase avos siman la-banim* — the episodes of the forefathers are a *siman* for the history of the Jewish people to come — a concept that he takes as fundamental in globally understanding sefer Bereishis.

11. See *Mi-Peninei Ha-Rav* (*Shofar* 8, p. 126), *et al.* For the Rav, this perspective on shofar also explains why mitzvos shofar is fulfilled during tefilla — unlike other mitzvos such as lulav, hallel and *keri’as ha-Torah* which are fulfilled in the synagogue but not during Shemone Esrei.

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